

Regular Meeting-May 18, 2016

The Mayor and the Board of Trustees of the Village of Tularosa met in a Regular Meeting on Wednesday, May 18, 2016 at 7:00 P. M. in the Court Conference Room of the Public Safety Facility located at 609 St. Francis Drive, Tularosa, New Mexico.

Present: Mayor Ray S. Cordova
Trustee Patrick A. Garcia
Trustee Robert L. Sainz
Trustee John 'Ray' Telles

Absent: Trustee Ronald Cooksey

Also present was Richard Gutierrez, Grants Coordinator and Dianna Brusuelas-Guilez, Village Clerk, as well as Jefferson Rhodes Village Attorney.

At 7:00 P.M. Mayor Ray S. Cordova called the meeting to order asking that all rise and join him in the Pledge of Allegiance and the Salute to the Flag of the State of New Mexico.

1. Consideration of Agenda and Consent Agenda

Trustee Patrick Garcia moved to consider the agenda and consent agenda removing item 10. Trustee John 'Ray' Telles seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Motion carried with three ayes and one member absent.

2. Public Hearing – Western Refining Retail

A Public Hearing was held to listen to testimony from interested parties regarding a request to transfer Liquor License #0150 from Granado Street LLC to Western Refining Retail LLC. See attachments.

Trustee Patrick Garcia moved to approve the transfer. Motion was seconded by Trustee John 'Ray' Telles.

Roll Call Vote: Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Motion carried with three ayes and one member absent.

3. Public Hearing – KG's Grill 49

A Public Hearing was held to listen to testimony from interested parties regarding a request for a new Restaurant Beer and Wine Liquor License, with premises consumption only and patio service. See attachments.

Trustee Robert Sainz moved to approve the Restaurant Beer and Wine License and Trustee John 'Ray' Telles seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Motion carried with three ayes and one member absent.

4. Unscheduled Correspondence and Public Comments

A person asked who the Code Enforcement was for the village. The response was to contact

the Police Department, talk to Chief Wood and the Code Enforcer would be sent out.

5. Approval of Adoption of Ordinance 257 adopting a new section 90.25 providing for the prohibition of the operation of outdoor markets as a public nuisance and providing definitions and penalties and to Publish by Title and Subject Matter

Trustee Patrick Garcia moved for the approval of Adoption of Ordinance 257. Motion was seconded by Trustee Robert Sainz.

Roll Call Vote: Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Motion carried with three ayes and one member absent.

6. Approval of Notice of Proposed Ordinance 258 adopting a new Section 70.01(B)(12); re-adopting Section 12-12-3.1 providing for an electronic traffic citation and adopting a new Section 70.01(B)(13); re-adopting 12-12-11 providing for an abstract of traffic case convictions and adopting a new Section 70.01(B)(14) amending Section 12-7-9.2 regulating the operation of off highway motor vehicles and prohibiting operation in certain places of the Tularosa Code of Ordinances, 2010 Uniform Traffic Ordinance

Trustee Patrick Garcia moved for the approval of Notice of Proposed Ordinance and to Publish by Title and General Subject Matter. Trustee John 'Ray' Telles seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Motion carried with three ayes and one member absent.

It was explained that the New Mexico Municipal League compiles traffic law passed by the State during the legislative session and filters it down to be passed by ordinances to cities and municipalities.

7. Executive Session as per Section 10-15-1(H) of the Open Meetings Act for the discussion of lease of real property – Verizon

Trustee Patrick Garcia moved to recess into executive session as per Section 10-15-1(H) of the Open Meetings Act to discuss the lease of real property, motion was seconded by Trustee John 'Ray' Telles.

Mayor Ray S. Cordova then stated that only those subjects announced for closure will be discussed in the closed session.

The Mayor and Board of Trustees retired into executive session at 7:30 P. M.

At 8:00 P. M. the Mayor called the meeting to order stating that the matters discussed in the closed session were limited only to those specified in the motion for closure.

8. Les Gutierrez-Verizon-Approval of Option and Land Lease Agreement

Mr. Les Gutierrez representing Verizon was present requesting permission to approve the option of land lease and space on the tower. It was discussed that a design of the tower, an appraisal and a structural analysis is still needed. Mr. Gutierrez said that Verizon would pay for the appraisal and work with the village attorney on getting everything together.

Trustee Patrick Garcia moved to approve the agreement in draft form. Trustee Robert Sainz seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Motion carried with three ayes and one member absent.

9. Valarie Delgado-Approval of Fiscal Year 2016-2017 Interim Budget

Trustee John 'Ray' Telles moved to approve the Fiscal Year 016-2017 Interim Budget. Trustee Patrick Garcia seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Motion carried with three ayes and one member absent.

10. Rick Gutierrez & David Shields (Bohannon-Huston)-Discussion, Water Issues, Loans and matching funds

Removed.

11. Susan Flores-Approve and support the Fiscal Year 2017 Keep Tularosa Beautiful Program NM Clean and Beautiful grant contract

Ms Susan Flores asked for the support and approval of the Keep Tularosa Beautiful stating that she had applied for the grant in March and that the state sent award of the grant in the amount of \$9,900.00.

Trustee Robert Sainz clarified that he did not want to get rid of the KTB program but did not want the village to be fiscal agent for the program.

After numerous citizens spoke in favor of the program Trustee John 'Ray' Telles moved to approve and support the Keep Tularosa Beautiful program and continue as the fiscal agent. Trustee Patrick Garcia seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee Sainz, nay. Trustee Telles, aye. Motion carried with two ayes and one member absent and one member nay.

12. Consider for annexation of 6.867 acres, more or less, East of the present Village Limits along U. S. Highway 70 and approve the Notice of Proposed Ordinance

Trustee Patrick Garcia moved for the annexation and Trustee Robert Sainz seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Motion carried with three ayes and one member absent.

13. Old Business

Trustee Patrick Garcia reminded everyone that Monday is the deadline for the response to the Area Agency on Aging for the Senior Center.

14. New Business

Trustee Robert Sainz commended Village Clerk Dianna Brusuelas-Guilez, Finance Officer Valarie Delgado for the Budget preparation and Monica Voorbach, Payroll Clerk for seeking

out and finding a comparable insurance for the employees with no increase and saving the village money.

Trustee Patrick Garcia asked how the overtime was. The response was that it remains the same

15. Adjourn

Trustee Robert Sainz moved to adjourn, Trustee John 'Ray' Telles seconded the motion to adjourn. There being no further business the meeting adjourned at 9:30 P. M.

Ray S. Cordova, Mayor

ATTEST:

Dianna R. Brusuelas-Guilez, Village Clerk

The written minutes are the official minutes of the meeting. The recorded Compact Flash are part of the minutes only for interpreting any ambiguity in the written minutes. When the minutes are approved and signed the written minutes are the official minutes of the meeting.

Minutes approved by The Board of Trustees at the Regular Meeting of June 15, 2016.