

Regular Meeting –May 17, 2017

The Mayor and the Board of Trustees of the Village of Tularosa met in a Regular Meeting on Wednesday, May 17, 2017 at 6:00 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 Ray Telles
Trustee Deanna Montoya

Also present was Monica A. Voorbach Village Clerk, and the Village Attorney Jefferson Rhodes

At 6:05 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 Garcia, requested to strike out item #4

Trustee Deanna Montoya moved to consider the Agenda and Consent Agenda. Trustee Ray Telles, seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Trustee Montoya, aye. Motion carried with all members of the board voting aye.

2. Approval of Carl Galloupe, Temporary Employment agreement from 4/13/2017 and will end 6/30/2017 with no more than 20 hours per week as per chapter II, Section 20.01, Paragraph E, of the Village of Tularosa Employment Personnel Policy at \$7.50 hour.

Trustee Patrick Garcia made a motion to approve, Trustee Robert Sainz seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Trustee Montoya, aye. Motion carried with all members of the board voting aye.

3. Paula Merrell from Sacramento Mountain Senior Services, Commitment of Local Funds from the Village of Tularosa.

Paula Merrell explained the operating use agreement last month. Paula stated that the Seniors will be given 58,600 unit of service. Which will be Congregate Meals, Home bound meals, Home Deliveries, Transportation, Assessed transportation and Home makers. SMSSI, want to do is to have better service for the seniors, and now to discuss about the commitment of Local Funds. Trustee Garcia, stated that he thought the Village had already an agreement and discussion of the the use agreement at the last meeting of the total funding for the program. Trustee Garcia that now your asking for more funding. Paula did not know if that was confirmed or not. Jennifer Gruger asked if Trustee Garcia was thinking about the operating use agreement which will cover the building and expenses. Jennifer Gruger stated when she attended the budget meeting for the senior center. Jennifer noticed that their was not a budget line item for cash transfer of local funds. This request from SMSSI for local funds that go to the program. Trustee Garcia stated that the agreement the the Council signed last month included with the funding of AAA, and know your asking for more funds. Jennifer Gruger stated that Operating Use Agreement has no cash commitment. Trustee Robert Sainz, stated that he makes a differ on that because the Village is in partnership, if

3. Continued.

building the Village is still responsible for repairing. Jennifer Gruger agreed that was correct and also stated there is an estimated amount in all the utilities and maintenance. The next step that Valarie and Monica get the budget estimated with those expenses. Jennifer stated that this particular document also says that in addition you will continue the commitment of local funds at the amount of XXX dollars. The commitment of local funds refers to an actual transfer of funds from one municipality. Trustee Garcia asked if triple AAA could help in these areas to fund more money. Jennifer stated what is submitted in the program budget is allocated in the same amount that any other center based on the program expense. Trustee Montoya, asked that they need to understand that when we had a management of the Senior Center they received money from the County 35,000. Which Trustee Montoya understands that the Village is not getting that money from the county its been transferred to the SMSSI budget from the County. Paula Merrell agreed that was correct. So what you get from the county increased because they took that money from Tularosa because we no longer have the program, and that was part of the money the Village used to run the program. Because the Village did not fund the Senior Center on their own. Paula Merrell stated, that the the Village received State, and Federal funds. As more discussion went on Trustee Garcia asked in what they're expecting in terms of what amount they were looking at.

The Village was funding in 48,000 and Trustee Ray Telles and Trustee Patrick Garcia stated that they are going back to square one. That is why the Village was in agreement to contract out and know the Village is going back to the same situation. Jennifer Gruger stated that they were not asking for the 48,000 yet. Paula Merrell said that they just need a show of good faith that the Village is going to support them. Because SMSSI got a scare that they were not going to receive any Federal money after receiving a notice 2 weeks ago. In the noticed they were going to cut the federal funding by 11% that does not mean they won't cut it more. What SMSSI needs is a commitment from the Village if the program runs short. Trustee Ray Telles, stated if they are basically asking as need basis or set amount. Paula Merrell would like a set amount of 24,000. Mayor Cordova, asked if thy were asking for 24,189 dollars. Paula Merrell said if possible. Jennifer Gruger said yes which includes the expense amount agreed on the Use agreement. Mayor Ray Cordova recommended that the Village put aside 24,189 and that SMSSI, could use it if needed provided the Village is not in a financial stress. Trustee Robert Sainz, to take into consideration that several years ago the Village was not able to contribute to the Senior program for financial reasons. Mayor Cordova said that year was 2008. Carl from the SMSSI, stepped in and asked if the Village could commit and guarantee 15,000 contribution for the program and bring to his board. The other 9,000 if needed during the year and if its available.

Ray Telles made a motion to approve and distribute the funds quarterly of 15,000, Trustee Deanna Montoya seconded the motion

Roll Call Vote: Trustee Patrick Garcia, aye. Trustee Deanna Montoya, aye. Trustee Robert Sainz, aye. Trustee Ray Telles, Aye. Motion carried with all members of the Board voting Aye.

4. Jennifer Gruger approval to hire Violet Norman as Senior Program Coordinator at \$15.00 hour.

No Motion taken Item was removed at the beginning of the meeting.

5. Ralph Otero, requesting pay raises for Frank Young, Manuel (Sonny) Reyes, and himself.

Item dies lack of Motion. No ACTION TAKEN

6. Manuel (Sonny) Reyes requesting a pay increase and requesting an explanation if not approved.

Item dies lack of Motion. No ACTION TAKEN

7. Approval of Dana Lopez transfer from MVD Clerk to Payroll Clerk/Accounts Payables with a 3 month probation.

Trustee Robert Sainz made a motion to approve. Trustee Ray Telles seconded the motion.

Roll Call Vote: Trustee Patrick Garcia, aye. Trustee Deanna Montoya, aye. Trustee Robert Sainz, aye. Trustee Ray Telles, Aye. Motion carried with all members of the Board voting Aye.

8. Mary Ann Burr to adopt Title VI Boiler Plate through Resolution 2016-2017-20 for planning organizations and Local Government agencies.

David Shields explained that this is an equal opportunity for anti discrimination a template from DOT regulation. Trustee Deanna Montoya stated that we have to adopt a Resolution saying that the Village has a Policy with equal opportunity to be eligible to receive federal funds

Trustee, Deanna Montoya made a motion to approve. Trustee, Patrick Garcia seconded the motion.

Roll Call Vote: Trustee Patrick Garcia, aye. Trustee Deanna Montoya Trustee Robert Saint, aye. Trustee Ray Telles, Aye. Motion carried with all members of the Board voting Aye.

9. Monica Voorbach approval of Resolution 2016-2017-21 Budget adjustment for various departments.

Trustee, Patrick Garcia made a motion to approve. Trustee, Robert Sainz seconded the motion.

Roll Call Vote: Trustee Patrick Garcia, aye. Trustee Deanna Montoya, aye, Trustee Robert Sainz, aye. Trustee Ray Telles, Aye. Motion carried with all members of the Board voting aye

10. Pam Vega, rain water flowing into sewer system-flooding properties. To discuss the planned compensation for her loss as promised by the City of Tularosa. Indicate plan of action to compensate and who has the authority and ability to make a decision legally.

NO ACTION TAKEN --- DISCUSSION ONLY IN THE MATTER

Continued --- Item #10.

Pam Vega, approached the board and stated she would like to read a letter addressed to Mayor Ray Cordova. In this letter Pam stated that she would be sending a copy of the letter to the council. And will also be sending a letter to the State Auditors office and State Engineers. Pam Vega expressed her concerns and frustrations of the Sewer backing up into her home. Pam stated that compensation action was taken of her property to put some kind of device and if that happened again they would pay the full property value of her home and all her valuables. Her home has been destroyed because of this issue and that she signed off property to give others to use. Pam also said that Bill Burt did not now why this money allocated for the Sewer improvements has not been used. Pam introduced to the board of the others who are having the same issue.

Mary Joe Segado approached the Board explained that this happened to her home in the summer of 2000 very little happened. Then in 2008 the sewer backed up, again and was coming out of the toilet. She was running out in sewage. She ran to her neighbors did not know what to do. Sewage was coming out her back yard. Mrs Segado took the clean out cover because their was so much pressure to divert it from coming into her home. She claimed that she had vacuum 40 gal of sewage and had to replace base board. Had to put her mom in a nursing home until she got everything back into order. Mayor and Rick tried to assess the problem. Mary Joe stated she regretted for not filing a Tort claim with the Village of Tularosa. Her homeowners insurance helped her with the claim. She was told that a system was going to be put in, surveys were out and nothing happened. Mary Joe stated that Rick said there was a new plan of action.

Mr. Barraza approached the Board, and stated that he keeps the sewer cap off. So that it won't flood his house. But, it diverted the sewer in the yard where his kids play. Mr Barraza stated that this has been going on for 4 years. If the Village does not have the expertise to write a letter to get this completed to get this situation done. Get the resources to do it. Check where the money is at and is it still in the Village funds.

Pam Vega submitted a claim with the Village of Tularosa and if they don't pay and if her insurance refuses to pay her claim. She is asking what does she do? Pam Vega and Mary Joe Segado and Leo Barraza would like to see the Village of Tularosa get this Sewer Improvement project done so that they do not experience this issue again.

11. Executive Session as per section 10-15-1(H) of the Open Meetings act for the discussion of item #10.

Trustee Patrick Garcia moved to go into executive session as per Section 10-15-1(H) of the Open Meetings Act for the discussion of Item #10, Trustee Robert Sainz seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee Sainz, aye. Trustee Telles, aye. Trustee Montoya, aye. Motion carried with all members of the board voting aye.

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

Time of Session: 8:32 pm
Return of Session: 8:54 pm

Trustee Deanna Montoya, made a motion to approve the return from Executive Session. Trustee, Trustee Ray Telles seconded the motion.

Roll Call Vote: Trustee Patrick Garcia, aye. Trustee Deanna Montoya, aye. Trustee Robert Sainz, aye. Trustee Ray Telles, Aye. Motion carried with all members of the Board voting Aye.

12. Unscheduled Correspondence and Public Comments (3 minutes)

Mark Garwood, explained about having a bathroom by Veteran's park at 1050 Bookout Rd. There is an on going problem with the people drinking at park day after day. Mark discussed a situation of a person throwing up blood and using the bathroom and leaving it all against the walls. It's a Bio Hazard and embarrassing for the people that stop to eat or rest at the Veteran's park. Then they have to deal with people that are drinking there. Mark stated that he would be calling the NM Dept. of Health, Federal Government if nothing gets done. In need of a bathroom or a Porter Potty at the park. Mark stated he did not want to get the Federal and State agency involved or Larry Barker. Suggested again a Porter Potty for the time until a bathroom is put in.

David Shields, DOT funding Water Project of 730,000 and applying for 73,000 match from Colonias Grant. Advertised in December to start project in March 2018. DOT need to know if the Village will have the match to start a decision needs to be made by June 1, 2017. Consent from the Board to get an answer. Will be asking Dora what grants are out there. NMED- 6 month extension. Discharge permit by June 15, 2017. Sewer flows into the new plant diverted into the old plant. The old plant aeration has a problem.

13 Old Business: Trustee Patrick Garcia, revisited the pay increase to develop a merit system raise. Second issue of the situation of Pam Vega to find resources for this situation of the sewer improvements.

14. New Business:

15. Adjourn: 9:52 pm

Trustee Patrick Garcia moved to adjourn with a second from Trustee Ray Telles.

Ray S. Cordova, Mayor

ATTEST:

Monica A. Voorbach, 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 21, 2017.