

Regular Meeting-November 20, 2013

The Mayor and the Board of Trustees of the Village of Tularosa met in a Regular Meeting on Wednesday, November 20, 2013 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 Garcia

Trustee Ron Cooksey

Absent: Trustee Gloria Sainz

Trustee Fred Tyler

Also present was Village Attorney Jefferson Rhodes, Grants Coordinator Rick Gutierrez, Monica Voorbach Payroll/AP Clerk as well as Dianna Brusuelas-Guilez, Village Clerk.

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.

Item 1. Consideration of Agenda and Consent Agenda

Trustee Patrick Garcia asked to delete Item 11 from the agenda. Trustee Ron Cooksey moved to consider the agenda and consent agenda. Trustee Patrick Garcia seconded the motion.

Trustee Garcia questioned a purchase on page 7 of the bills list to Silva Electric wondering what department it belonged in. The Village Clerk said it was paid out of the sewer fund and she would research and let him know what it was for. Trustee Cooksey asked if the chain saws bought with the water fund are on property books. Village Clerk Dianna Brusuelas-Guilez said that there has not been an inventory since 2008, when Mr. Sam Borunda from El Paso did the inventory. Mr. Cooksey felt that the inventory should be kept up. Monica Voorbach said that the yard has an inventory Mayor Cordova said if it's property or equipment of \$250.00 or more it should be added to a master list.

Roll Call Vote: Trustee Cooksey, aye. Trustee Garcia, aye. Motion carried with all members present voting aye.

Item 2. Unscheduled Correspondence and Public Comments

Mayor Ray S. Cordova asked Attorney Jeff Rhodes about the property where Otero's Mini Market on Central Avenue is. Mayor Cordova said a person wanted to get the metal from the property and asked the Mayor if he could have it. The Mayor felt he could not give permission since the property does not belong to the village. Attorney Jeff Rhodes said the village could exercise their authority under state statute but there was a process to follow.

Item 3. Consider for Adoption Ordinance 249 adopting a new section 70.01(C) of the Tularosa Code of Ordinances, adopting 2013 amendments to the 2010 Uniform Traffic Ordinance providing new penalties for driving while license is revoked, an

electronic form or citation and reporting convictions and to Publish by Title and Subject Matter

Attorney Jeff Rhodes suggested to the members of the board to postpone item 3 because an ordinance needs to be voted on by a majority of all the governing body.

Trustee Ronald Cooksey then moved to postpone the item and was seconded by Trustee Patrick Garcia.

Roll Call Vote: Trustee Coosksey, aye. Trustee Garcia, aye. Motion carried with all members present voting aye.

Item 4. Approval of Resolution 2013-2014-11 authorizing and approving submission of a completed application for financial assistance and project approval to the New Mexico Finance Authority for a 2nd main fire station building

Trustee Patrick Garcia explained to the audience that the village is proposing to build an additional fires station near the water tanks and will be paid out of the fire fund.

Trustee Patrick Garcia moved to approve and was seconded by Trustee Ronald Cooksey.

Roll Call Vote: Trustee Coosksey, aye. Trustee Garcia, aye. Motion carried with all members present voting aye.

Attorney Jefferson Rhodes suggested that for the record the Mayor indicate how he would vote if it were a tie.

Mayor Ray S. Cordova wanted to let the record reflect that he would vote in the affirmative if it was a tie.

Item 5. Approval of Resolution 2013-2014-12 calling for the March 4, 2014 Election

Trustee Patrick Garacia moved to approve the Resolution. The motion was seconded by Trustee Ronald Cooksey.

Roll Call Vote: Trustee Coosksey, aye. Trustee Garcia, aye. Motion carried with all members present voting aye.

Mayor Ray S. Cordova also indicated he would have voted aye.

Item 6. Approval of Resolution 2013-2014-13 Budget increases and/or decreases

Trustee Patrick Garcia moved to approve and was seconded by Trustee Ronald Cooksey.

Mayor indicated his vote would have been an affirmative vote.

Roll Call Vote: Trustee Coosksey, aye. Trustee Garcia, aye. Motion carried with all members present voting aye.

Item 7. Approval of Budget Adjustment Request 2013-2014-1

Trustee Ronald Cooksey move to approve the budget adjustments. Motion was seconded by Trustee Patrick Garcia.

Roll Call Vote: Trustee Coosksey, aye. Trustee Garcia, aye. Motion carried with all members present voting aye.

Mayor Ray Cordova stated that if his vote were needed he would also vote in the affirmative.

Item 8. Dianna Brusuelas-Guilez-Approval of Section 80.01 of the Tularosa Employee Personnel Policy

Trustee Patrick Garcia made a motion to approve section 80.01. Motion was seconded by Trustee Ronald Cooksey.

Roll Call Vote: Trustee Coosksey, aye. Trustee Garcia, aye. Motion carried with all members present voting aye.

Item 9. Executive Session as per Section 10-15-1(H) of the Open Meetings Act for the discussion of the purchase, acquisition or disposal of real property

Trustee Patrick Garcia moved to go into executive session as per Section 10-15-1 (H) of the Open Meetings Act. Trustee Ronald Cooksey seconded the motion.

Roll Call Vote: Trustee Coosksey, aye. Trustee Garcia, aye. Motion carried with all members present voting aye.

Mayor Ray S. Cordova stating that if his vote was needed he would again vote in the affirmative.

Mayor Cordova announced that only those subjects announced will be discussed.

At 7:20 the Mayor, the Village Attorney, and Board of Trustees convened into executive session.

At 7:30 Mayor Ray S. Cordova called the meeting back to order stating that the matters discussed were only those specified in the motion for closure and that no action would take place.

Item 10. Randy Burror-Christ Community Church-request to purchase lot at 101 Central next to Tularosa Community Church

Mr. Randy Burror representing the Christ Community Church came before the board requesting to purchase the property at 101 Central. Mayor Ray Cordova explained that the village is also looking into another property within the village so at this time no action could be taken on this request. Mr. Burror asked if their property purchase is contingent on the village getting the other property. Mayor Cordova responded yes. Mr. Burror said he would check the status on the properties next month.

Item 11. Assign Valarie Delgado as Deputy Clerk for the purpose of the Election process

Removed.

Item 12. Mayor Ray S. Cordova-Approval of appointment of Diana Ortega as Assistant Cook with 6 months' probation at \$9.00 per hour, date of hire October 17, 2013

Trustee Patrick Garcia moved to approve the appointment of Diana Ortega as Assistant Cook with 6 months probation at \$9.00 per hour date of hire October

17, 2013. Trustee Ronald Cooksey seconded the motion.

Roll Call Vote: Trustee Cooksey, aye. Trustee Garcia, aye. Motion carried with all members present voting aye.

Item 13. Trustee Patrick Garcia-start outreach for Luminaria Program

Trustee Patrick Garcia said he and Trustee Cooksey would approach the High School for help with the Lumanaria Program possibly different clubs could take a portion of the highway and set and light the lumanarias on Christmas Eve. Trustee Garcia feels the village is becoming lackadaisical with the program and wants everyone to be part of a longstanding tradition. Mayor Cordova said he would visit or send letters to the businesses in town to also be a part of the tradition. Trustee Garcia said he felt people just need to be asked and is sure, if asked, everyone will participate.

Item 14. Trustee Fred Tyler-Trees at corner of 1st & Encino and 2nd & Encino, safety hazard. Hire tree service to remove

Mr. Frank Portillo and Mr. Billy Artiaga voiced concern about the trees near Mr. Portillo's house. Mr. Artiaga asked if he had to have permission from the village or the Ditch Corporation to trim the tree stating that it's the roadway, the ditch and then the tree. Attorney Jeff Rhodes said if the tree is in the right-of-way the village owns it. Mayor Cordova said he would have no problem with the village if he would cut the tree.

Item 15. Trustee Fred Tyler-Street signs installed by NMDOT at St. Francis and Higuera show St. Francis Street & Higuera Avenue, should be St. Francis Drive and Higuera Street, request NMDOT to change

Rick Gutierrez said he has made contact with NMDOT at both the local level and the district level about the correction.

Item 16. New Business

Mr. David Shields from Bohanan-Huston gave a quick update saying they did a pump test on the Stogden well and it pumped real good at 280-300 gpm, the samples taken are now in Albuquerque to see the quality. Mr. Shields says the quantity is there. Mr. Shields met with Brandon Langley of Alamotero Land Survey and got him lined up on the survey work at the Intake at the creek. After the quality results are in Shoemaker will make recommendations on the Stogden well. Mr. Shields informed the Mayor and Board that the

village passed Tier I of the Water Trust Board application, Tier II is coming up and due January 20th and will work with Dianna on that.

Trustee Patrick Garcia asked for a report from the lobbyist. Rick Gutierrez said he and the Mayor met with Gabe Cisneros and Dianna Duran in Santa Fe and is working with the Water Trust Board on the villages application.

Trustee Patrick Garcia asked why Tularosa Recreation was not listed with United Way of Otero County. Village Clerk Dianna Brusuelas-Guilez said when she checked the recreation program has to be a Non-Profit organization and the Tularosa Recreation program is not. Ms. Brusuelas-Guilez did advise that if someone wants to have their deduction go to the Tularosa Recreation they can just specify that on the form.

Item 17. Old Business

Attorney Jefferson Rhodes made reference to the Davalos lawsuit saying that he, AJ and Kerry have conferred and are suggesting to their clients to meet. Mr. Rhodes asked Village Clerk Dianna Brusuelas-Guilez to put the item on next month's agenda for an executive session.

Item 18. Adjourn

Trustee Ronald Cooksey moved to adjourn and was seconded by Trustee Patrick Garcia.

There being no further business to come before the Board the Regular Meeting of November 20, 2013 adjourned at 7:58 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 December 18, 2013.