

Regular Meeting – 10/16/2007

The Board of Trustees of the Village of Tularosa met in a Regular Meeting on Tuesday, October 16, 2007 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 Margaret Trujillo, Trustee Thomas McKean, Trustee Gloria Sainz, Finance Officer Valarie Delgado, Village Clerk Dianna Brusuelas as well as Village Attorney Jeff Rhodes.

Mayor Ray S. Cordova called the meeting to order asking that all rise and join in the Pledge of Allegiance.

Item 1. Consideration of Agenda and Consent Agenda

Trustee Margaret Trujillo moved to consider the Agenda and the Consent agenda and was seconded by Trustee Patrick Garcia. Trustee Thomas McKean requested to have items 1 through 7 and items 10 and 11 under Old Business removed from the agenda. Trustee Margaret Trujillo proceeded to restate her motion to approved the consideration of the Agenda and the Consent Agenda with the changes made by Trustee Thomas McKean. Trustee Patrick Garcia seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the Board voting aye.

The items on the consent agenda consisted of the minutes of September 17, 2007 Workshop, the minutes of September 18, 2007

Regular Meeting, the Village Bills, Site and Sign permits and Business Registrations for September 2007 and the announcement of the next Regular Meeting for November 20, 2007.

Item 2. Unscheduled Correspondence & Public Comments

Janie Portillo a citizen complimented the Mayor and Board of Trustees on the purchase of the new trucks. Trustee Thomas McKean stated that the decals would be put on soon.

Item 3. Appointment of Lori Gundersen as Animal Control Officer at \$8.00 per hour with 6 months probation effective 10/11/2007

Trustee Thomas McKean moved to approve the appointment of Lori Gundersen as Animal Control Officer at \$8.00 per hour with 6 months probation. Motion was seconded by trustee Gloria Sainz.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the Board voting aye.

Item 4. Appointment of Brian Smith as Police Officer at \$8.00 per hour with 6 months probation effective 10/11/2007

Trustee Patrick Garcia asked what position Mr. Smith would be filling. Chief Mayberry said it was a Detective position but he was trying to under fill it with a Police Officer.

Trustee Thomas McKean moved to approve the appointment of Brian Smith as Police Officer at \$8.00 per hour. Motion died for lack of a second.

Item 5. Approval of Adoption of Resolution 2007-08-10 Budget Increase/Decrease

Trustee Thomas McKean moved to approve the Adoption of Resolution 2007-08-10 Budget Increase/Decrease and was seconded by Trustee Patrick Garcia.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the Board voting aye.

Item 6. Information: Recreation Program

Mayor Ray S. Cordova stated that the Recreation Director has tried to improve the program by going to various places requesting funding for the program. She has since purchased a computer, been given a television by Walmart and a \$1,000.00 purchase order from Otero county. Trustee Margaret Trujillo commended Sonya's efforts.

Item 7. Tularosa Basin Telephone Company (Nathan Fuchs) requesting purchase of Village property NW intersection of Radio Road and Riata Road to install satellite dishes for TBTC's television service offering

Mr. Joe Lane Engineering Manager representing Tularosa Basin Telephone Company made his presentation asking is the village had 5 acres or less for sale.

Trustee Margaret Trujillo asked if TBTC would be interested in leasing the property. Mr. Lane felt that they would not. Trustee Thomas McKean suggested selling 3 or 5 acres from the 23 acres owned by the village. Mayor Cordova and several members of the Board wanted to sell the property as one unit.

Item 8. Janie Portillo–Mobile Home on lots 20, 22, 24 Fambrough Subdivision–Water service to this address

Ms. Janie Portillo stated that she had gone in front of the Planning & Zoning and thought Mr. Don Ogden was putting himself on the agenda to request a variance but he never placed himself on the agenda. Attorney Jeff Rhodes said that a Battershell hearing is required for a zoning variance and to rezone the property would be done by an ordinance, either way it would take time.

Item 9. Chief Virgil Mayberry–Pay increase for Diadra Dugger from \$8.00 to \$9.25 per hour–Completion of Police Radio Dispatcher Academy 10/15/2007

Trustee Margaret Trujillo moved to approve the pay increase for Diadra Dugger from \$8.00 to \$9.25 and was seconded by Trustee Thomas McKean.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the Board voting aye.

Item 10. Mayor Ray Cordova – 2.5% Salary Increase for employees effective on the first pay period of November

Trustee Margaret Trujillo moved to approve the 2.5% salary increase to all employees effective on the first pay period of November with the stipulation that we are going to freeze all pay raises for a year that are not tied in to 6 months probation or completions of academies and such. Trustee Gloria Sainz seconded the motion. Trustee Thomas McKean requested to add to the minutes that he did not feel that the insurance increase was not the same amount as the pay raise and felt the employees were getting more pay raise than what the insurance went up

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, nay. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with three members of the Board voting aye and one member voting nay.

Item 11. Dianna Brusuelas–Approval of specifications for Survey Bids

Trustee Thomas McKean asked Ms. Brusuelas if she had rewritten the bid paper. Ms. Brusuelas stated no but knew it had to add the street names, lots, and a color coded overlay map of the zones it would be rewritten before it went to the newspaper for print, Trustee McKean requested a copy. It was also suggested to have the contractor bring a copy before the Board prior the final approval.

Trustee Thomas McKean moved to approve and was seconded by Trustee Patrick Garcia.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the Board voting aye.

Item 12. Executive Session as per Section 10-15-1 (H) of the Open Meetings Act. Reference agreement with the City of Alamogordo

Trustee Thomas McKean moved to go into executive session as per Section 10-15-1 (H) of the Open Meetings Act reference the agreement with the City of Alamogordo. Trustee Patrick Garcia seconded the motion.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with all members of the Board voting aye.

At 7:50 P. M. the Mayor and Members of the Board went into executive session. At 8:47 P. M. Mayor Cordova called the meeting back to order stating that the matters discussed in the closed session were limited only those specified in the motion for closure and that no decisions were made.

Item 13. Old Business: Trustee Thomas McKean

Items 1 thru 7 were deleted.

Item 8. What is the status of the latest water rights to our subdivision? Trustee Thomas McKean asked Attorney Jeff Rhodes the status on the water rights from Mr. Scott/Stogden, they were already sent to the State Engineer. Attorney Jeff Rhodes said he would have to look at the file.

Item 9. What is the status of the TDC water right certificates? Trustee Thomas McKean said Dianna has already written a letter to them.

Item 10 & 11 were deleted.

Item 12. Request proposed ordinance Dangerous Dog Act and changes be on agenda.

Item 13. Request proposed ordinance Fireworks be on agenda.

Attorney Jefferson Rhodes answered that he also had two other ordinances to prepare which were the changes to the Uniform Traffic ordinance and the Gross Receipts tax ordinance which would make a total of four.

Trustee Thomas McKean asked if the appraisals for the property were received? Mayor Ray Cordova responded yes, he received them Monday.

Trustee Thomas McKean asked about the equipment for the communications tower. Mayor Ray Cordova said the Construction Industries said the village could proceed with the project and then later changed their minds saying they needed engineering plans and were waiting for the permit from the Construction Industries Department so they could continue with the plans.

Trustee Patrick Garcia asked about the Code Enforcement procedures, once a citation or letter is issued, what is the next step. Trustee Garcia cited the weeds across Subway, the property across Tulie Freeze and the pile on Gallegos Lane.

Mayor Ray Cordova asked Attorney Jeff Rhodes referencing a dip caused by a Tularosa Community Ditch Corporation ditch on First Street whose water is going under the street and caving the street. A letter has been written by the village to the Ditch Corporation about a year past. Trustee Thomas McKean said that at the last Ditch meeting the repairs were brought up.

Mayor Ray Cordova asked Attorney Jeff Rhodes referencing the Prairie Subdivision who is not complying with the subdivision ordinance. Attorney Jeff Rhodes stated that possibly filing a law suit.

Trustee Margaret Trujillo moved to adjourn and was seconded by Trustee Gloria Sainz. There being no further business the meeting adjourned at 9:10 P.M.

The written minutes are the official minutes of the meeting. The recorded tapes 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.

Ray S. Cordova, Mayor

ATTEST:

Dianna R. Brusuelas, Village Clerk

Minutes approved by the Board of Trustees at the Regular Meeting of November 20, 2007.