

Regular Meeting-October 20, 2010

The Mayor and the Board of Trustees of the Village of Tularosa met in a Regular Meeting on Wednesday, October 20, 2010 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 Joseph Lueras

Trustee Gloria Sainz

Trustee Fred Tyler

Also in attendance was Village Attorney Jeff Rhodes, Richard Gutierrez Grants Coordinator as well as Village Clerk Dianna R. Brusuelas-Guilez.

At 7:05 Mayor Ray S. Cordova asked that all rise and join him in the Pledge of Allegiance.

### **Item 1. Consideration of Agenda and Consent Agenda**

Trustee Fred Tyler asked at what dollar amount Department Heads had to appear in front of the Board to spend money and questioned an expenditure of \$29,060.00 split into four areas at \$7,265.10 to Tom Growney Equipment Incorporated for repairs of a backhoe. Mayor Cordova said it was taken to the dealership and cannot operate the village without equipment.

Both Trustee Fred Tyler and Trustee Patrick Garcia move to consider the agenda and the consent agenda, motion was seconded by Trustee Gloria Sainz.

**Roll call vote:** Trustee Garcia, aye. Trustee Lueras, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members of the Board voting aye.

### **Item 2. Unscheduled Correspondence and Public Comments (3min)**

Ms. Stockell came before the Mayor and the Board in reference to the burnt house on Marshall Street stating that she understood that the Fire Marshall could condemn the property. Mayor Cordova said he would call the Fire Marshall to see if it was possible and what it entailed.

Mr. McKean invited everyone present to Honor the Veterans at the Community Center Park on November 11, 2010.

Susan Flores gave an update on Keep Tularosa Beautiful. Mayor Ray S. Cordova thanked the Village employees and Ms. Flores for being involved in installing the new sprinkler system in front of city hall.

### **Item 3. Reports from Village Departments**

No reports presented. Trustee Fred Tyler noted that the board had previously passed that two departments submit reports. Mayor Cordova questioned as to why only two departments and not all departments and felt that it was discriminatory and felt if anyone needed information from any department all they had to do would be to submit a request. Trustee Tyler felt that the Mayor was sidestepping the issue and the reason for the report request from two departments was because there were issues with the two. Trustee Patrick Garcia said he felt a report from each department would be good.

### **Item 4. Advertise in 'Your Host' New Mexico 1/4 page ad with free 250 word editorial for \$454.75**

Trustee Patrick Garcia moved to not advertise in 'Your Host' New Mexico and the motion was seconded by Trustee Fred Tyler.

**Roll Call Vote:** Trustee Garcia, aye. Trustee Lueras, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members of the board voting in the affirmative.

### **Item 5. Suzette Montoya-Take off high water bill**

Ms. Montoya complained about the high water bill in June noting that previously her consumption was 8,000, 9,000 and in June her bill was 57,000 and back to 8,000 and 6,000 in consumption.

Trustee Fred Tyler moved to adjust the charge to Tier I levels but not to forgive the bill. The motion was seconded by Trustee Patrick Garcia.

**Roll Call Vote:** Trustee Garcia, aye. Trustee Lueras, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members of the board voting in the affirmative.

Trustee Joseph Lueras asked if she still had to pay the \$50.00 reconnect fee. The response was yes.

### **Item 6. Kody Sparks-request city water to property within city limits**

Mr. Sparks said the subdivision has been in effect since 1916 and in the future would like to but 8 trailers with city water and felt the 2" water line would be sufficient. Trustee Fred Tyler wondered about the water flow to the properties. Mr. Sparks said he has a plat showing 28 lots. Trustee Tyler reminded everyone about the 6,000 sq. ft. per lot to put a mobile home or build a home so some of Mr. Sparks lots have been combined to meet the 6,000 sq. ft. requirement. After much discussion, Mr. Sparks was advised to pick up a copy of the subdivision ordinance and follow it. Village Clerk Dianna Brusuelas-Guilez asked Mr. Sparks for a copy of his plat, no action was taken.

### **Item 7. Rick Gutierrez-Presentation by Naomi Sainz-Indigenous Business Solutions 'the Amazing ELOO'**

No action as the presentation was done at the workshop.

**Item 8. Rick Gutierrez-Roof maintenance, Safety Complex and Medical Building. Approve to proceed.**

Mayor Cordova suggested getting additional bids before proceeding. No action was taken.

**Item 9. Rick Gutierrez-Approval of Resolution 2010-2011-07**

**Adopting an Infrastructure Capital Improvement Plan**

Trustee Patrick Garcia moved to approve Resolution 2010-2011-07 adopting an Infrastructure Capital Improvement Plan. Motion was seconded by Trustee Gloria Sainz.

**Roll Call Vote:** Trustee Garcia, aye. Trustee Lueras, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members of the board voting in the affirmative.

**Item 10. Tim Duran & Mayor Cordova-Approval of pay increase for David Sanchez from \$11.50 to \$12.50**

Trustee Gloria Sainz moved to approve the pay increase for David Sanchez from \$11.50 to \$12.50 since Tim had included it in his budget for the next fiscal year.

Trustee Patrick Garcia stated that he did not have a problem with Tim Duran but he did have a problem with the method of granting dollar raises and felt the village was in need of a pay scale structure and a plan for increases. Trustee Garcia said he did not doubt the employees ability but wondered if it was fair that the employee would be making the same amount as the main sanitation driver who has been with the village 18 months.

Trustee Fred Tyler said his problem in giving the dollar raise was that the employee was hired at \$3.50 higher than the base pay rate and that was higher than some employees that had been with the village for five years.

Mayor Cordova said employees were not paid for the number of years they have been here but are paid for their knowledge, how they perform and how universal they are.

Trustee Joseph Lueras then seconded the motion.

**Roll Call Vote:** Trustee Garcia, nay. Trustee Lueras, aye. Trustee Sainz, aye. Trustee Tyler, nay. Motion carried with Mayor Cordova voting aye and breaking the two/two vote.

**Item 11. Dianna Brusuelas-Guilez-Request to allow all employees to use vacation on Friday, November 26, 2010, the day after Thanksgiving**

Trustee Patrick Garcia moved to approve to allow all employees to use vacation on Friday, November 26, 2010 the day after Thanksgiving. Trustee Gloria Sainz seconded the motion.

**Roll Call Vote:** Trustee Garcia, aye. Trustee Lueras, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members of the board voting in the affirmative.

**Item 12. Executive session as per Section 10-15-1(H) of the Open Meetings Act pertaining to the discussion of BLM's Regional Water Supply Draft Environmental Impact Statement and agreement with the City of Alamogordo**

Trustee Patrick Garcia moved to go into executive session as per Section 10-15-1(H) of the Open Meetings Act pertaining to the discussion of BLM's Regional Water Supply Draft Environmental Impact Statement & agreement with the City of Alamogordo. Both Trustee's Tyler and Lueras seconded the motion.

**Roll Call Vote:** Trustee Garcia, aye. Trustee Lueras, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members of the board voting in the affirmative.

Mayor Ray S. Cordova announced that only those subjects announced for closure would be discussed in the closed session. The Mayor, the Village Attorney and members of the board retired into executive session at 8:00 P. M.

Before going into executive session Attorney Jeff Rhodes said that on the issue of the burnt house on Marshall that the Fire Marshall can issue an abatement but then the village has to follow the procedures of the state and the municipality.

The meeting was called back to order at 8:40 P. M. with the Mayor announcing that the matters discussed in the closed session were limited only to those specified in the motion for closure.

Trustee Fred moved to recommend that our attorney revisit the unsigned 2007 Agreement with the City of Alamogordo and have it changed to reflect the discussion on points of diversion and original source of water. Attorney Jeff Rhodes said we would revisit clarifying the current agreement to the relocation of the desalinization plant.

Trustee Patrick Garcia seconded the motion.

**Roll Call Vote:** Trustee Garcia, aye. Trustee Lueras, aye. Trustee Sainz, aye. Trustee Tyler, aye. Motion carried with all members of the board voting in the affirmative.

**Item 13. Trustee Fred Tyler-Rescind approval for proposal #1 from NM-DOT for improvement to St. Francis Drive which was done at June or July meeting**

Trustee Fred Tyler moved to approve to rescind approval for proposal #1 from NM-DOT for improvement to St. Francis Drive. Motion was seconded by Trustee Gloria Sainz.

Mayor Cordova said he felt that it was premature at this time to rescind the proposal, simply because there is no proposal #2 and he does not agree putting bubbles on corners on a highway, they work in city streets internally but not on a highway. To rescind this today would tell NM-DOT that we are not interested anymore and fears that they will take the money elsewhere. Mayor Cordova felt that if DOT's plan is not acceptable as it is, the village needed to give the DOT time to come up with something that is acceptable rather than rescind and tell the state we're not interested.

**Roll Call Vote:** Trustee Garcia, nay. Trustee Lueras, nay. Trustee Sainz, nay. Trustee Tyler, aye.

#### **Item 14. Old Business**

Trustee Fred Tyler wanted to make sure there were enough internet plugs and electrical plugs at the new Senior Center Building.

#### **Item 15. New Business**

None

#### **Item 16. Adjourn**

There being no further business to come before the board Trustee Patrick Garcia moved to adjourn and Trustee Joseph Lueras seconded the motion. The meeting adjourned at 9:00 P. M.

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.

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Ray S. Cordova, Mayor

ATTEST:

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Dianna R. Brusuelas-Guilez, Village Clerk

Minutes approved by The Board of Trustees at the Regular Meeting of November 10, 2010.