

Regular Meeting-September 19, 2012

The Mayor and the Board of Trustees of the Village of Tularosa met in a Regular Meeting on Wednesday, September 19, 2012 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 Gloria R. Sainz

Trustee Fred Tyler

Also present was Village Attorney Jefferson Rhodes, Richard Gutierrez Grants Coordinator, Monica Voorbach Payroll/AP Clerk.

Absent: Trustee Joseph Lueras

Dianna Brusuelas-Guilez, Village Clerk.

At 7:05 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.

Item 1. Consideration of Agenda and Consent Agenda

Trustee Fred Tyler moved to approve and was seconded by Trustee Patrick A. Garcia.

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

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

Ms. Joan Price voiced concern about the Recycling Center near the Community Center asking that the sign be moved 100 ft before the turn-off so that the public can have time to read it before being at the turn. Ms. Price also felt there should be a better location.

Trustee Fred Tyler suggested addressing the issues to Susan Flores.

Next to come before the Board was Rebecca Lopez. Her concern being the lawns at the parks. Ms. Lopez stated that for her sons and daughters birthday parties they had to go mow the grass because the grass was up to their ankles. Ms. Lopez said she asked Mr. Otero to cut the lawn before her kids birthday party but was told he was too busy, she then proceeded to ask him to borrow the lawn mower so they could cut the grass themselves, when they could not borrow the lawn mower she proceeded to go to the city yard and they were all sitting around drinking water. Ms. Lopez felt it would have taken ten minutes out of their time to mow the lawn but still had her fiancée mow the grass and cover graffiti. Ms Lopez feels the city workers should be more attentive of things around the city such as graffiti and the mowing of the parks and take immediate action. Ms. Lopez asked the Mayor and the Board to ask city workers to take care of the parks and graffiti since that is all the children in our village have suggesting a schedule.

Mr. Ray Telles asked about jake brakes signs. Trustee Patrick Garcia said the representative from DOT said there is no need for signs North and South since there is no incline.

There was a question on the update from FEMA. Mayor responded that someone should be here in October.

Trustee Patrick Garcia asked to address Ms. Lopez' concerns asking the Mayor if the village had anyone assigned to the parks like Patrick Wooten. Mayor said the village had new equipment and anyone could be assigned. Trustee Garcia asked if the park in question was Higuera Park, Ms. Lopez responded yes and said the new park by the baseball fields had no trash can.

Trustee Fred Tyler thanked the village departments that provided monthly reports this month.

Trustee Patrick Garcia commended the fire department for their quick responses.

Item 3. Dianna Brusuelas-Guilez-Information: DFA-Local Government Division has certified the Final FY 2012-2013 Budget

Item 4. Dianna Brusuelas-Guilez-Approval of the 2010-2011 Fiscal Year Audit as per Section 2.2.210(J)(3)(d) NMAC

Trustee Fred Tyler moved to approve the 2010-2011 Fiscal Year Audit and was seconded by Trustee Patrick Garcia.

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

Item 5. Dianna Brusuelas-Guilez-Approval of Solid Waste Disposal Agreement with Otero County

Trustee Patrick Garcia moved to approve and was seconded by Trustee Gloria Sainz.

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

Item 6. Doug Buchanan-Either a setback variance on 600 Cedro or a lot size variance on the adjacent lot north of 600 Cedro.

Mr. Doug Buchanan presented a drawing to the Mayor and members of the Board explaining that several years ago he purchased two meters one for 1003 6th Street and one for 600 Cedro. When he got his survey, the surveyor told him he would need a variance because the distance between the 600 Cedro address and the 1003 6th Street the lot line needs a 15 foot setback in the back of the property, that would be behind the carport and garage, but the 1003 6th Street address only requires a 5 foot side setback. It seems like wasted space to put a 15 foot setback behind the 600 Cedro because they are never going to use that 15 feet it's just going to be wasted land behind a carport and garage. Mr. Buchanan was hoping to get approval for a 5 foot setback for 600 Cedro and keep the 6200 square feet in the 1003 6th because if he has to go to the 15 foot setback it cuts the property size at the 1003 address below the 6000 foot requirement.

Trustee Patrick Garcia moved to approve a variance and allow a 5 foot setback for 600 Cedro. Motion was seconded by Trustee Fred Tyler.

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

Item 7. Rick Gutierrez-Approval of Resolution 2012-2013-05 adopting an Infrastructure Capital Improvement Plan

Trustee Patrick Garcia moved to approve Resolution 2012-2013-05 adopting an Infrastructure Capital Improvement Plan. The motion was seconded by Trustee Gloria Sainz.

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

Item 8. Rick Gutierrez-Approval of Resolution 2012-2013-06 authorizing application for CDBG Funds for Water Improvements

Trustee Patrick Garcia moved to approve Resolution 2012-2013-06 and was seconded by Trustee Gloria Sainz.

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

Item 9. Dianna Brusuelas-Guilez-Requesting to close November 23rd (day after Thanksgiving) and December 24th (day before Christmas). Employees will use their own vacation

Trustee Patrick Garcia moved to approve and was seconded by Trustee Gloria Sainz.

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

.Item 10. Approve to ask Village Attorney to file a motion to intervene on the Kelsey Smith identified in Cause 293 when it get to the administrative hearing

Attorney Jeff Rhodes explained that an application was filed by Mr. Smith with the Office of the State Engineer. We did not get to it in time to file the protest but we will file a motion to intervene when it gets to the Administrative Hearing.

Trustee Fred Tyler proceeded to move to approve. Trustee Patrick Garcia seconded the motion.

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

Item 11. Trustee Joseph Lueras-Discussion-Sewer on Old Mescalero Road-what funds are available. What can village do to provide sewer service

No action.

Item 12. Trustee Fred Tyler-Discussion-possibility of using the municipal boundary method to annex property at ---St. Francis (next to Western Bank)

No action.

It was discussed to annex all the properties between Highway 54 South and the Older American Center. Trustee Patrick Garcia said his argument would be costs, once annexed there will be requests for water, sewer etc and he did not feel the village was ready financially. It was mentioned to take care of what the village has now before we take on more.

Item 13. Trustee Fred Tyler-Discussion of hiring an independent contractor to speed up process of Wastewater Plant repair/replacement

No action.

Item 14. Trustee Fred Tyler-Status: Sludge Removal; Mia Estates Water right transfer complete; Rhino Subdivision; FEMA visit about Flood Designation

No Action.

Item 15. Old Business

None

Item 16. New Business

None

Item 17. Adjourn

Trustee Patrick Garcia moved to adjourn. Trustee Fred Tyler seconded the motion. Meeting adjourned at 7:48 P. M.

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Ray S. Cordova, Mayor

ATTEST:

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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 September 19, 2012.