

Regular Meeting-February 21, 2006

The Board of Trustees of the Village of Tularosa met in a Regular Meeting on Tuesday, February 21, 2006 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 Demetrio Montoya Jr., Trustee Ray Cordova, Trustee Margaret Trujillo, Trustee Fred Utter, Trustee Thomas McKean, Police Chief Frank Sackman, Grants Coordinator Richard Gutierrez, Village Attorney Jeff Rhodes, Field Supervisor Reynaldo Guilez as well as Valarie Delgado Finance Officer and Village Clerk Dianna Brusuelas.

The Pledge of Allegiance was led by Mayor Demetrio Montoya.

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

Items of the Consent Agenda included the minutes of the January 17, 2006 Regular Meeting, the village bills, the Business Registrations, Site & Sign Permits and the announcement of the next Regular Meeting for March 21, 2006.

Trustee Margaret Trujillo moved to Consider the Agenda and the Consent Agenda moving item 31 (Robert Chavez-Request money to finish project at Fire Department) to item 2A. Trustee Fred Utter seconded the motion.

**Roll Call Vote:** Trustee McKean, aye. Trustee Utter, aye. Trustee Trujillo, aye. Trustee Cordova, aye. Motion carried with all members of the board voting aye.

#### **Item 2. Mayor-Summer Food Service Program-Does the Village want to run the program**

Mayor Montoya explained that approval was needed because schooling for the program was coming up and that the program would be run by the same personnel as last year.

Trustee Thomas McKean moved to approve the Summer Food Service Program and was seconded by Trustee Ray Cordova.

**Roll Call Vote:** Trustee McKean, aye. Trustee Utter, aye. Trustee Trujillo, aye. Trustee Cordova, aye. Motion carried with all members of the Board voting aye.

#### **Item 2A. (previously item 31) Robert Chavez-Request money to finish project at Fire Department**

Mayor Montoya asked Fire Chief Robert Chavez if he was requesting \$19,935. The Fire Chief responded yes.

Trustee Trujillo asked if this was informational only because the approval for monies had already been done. Fire Chief answered that it was informational.

Trustee McKean proceeded to move to have a Resolution prepared to take this money out of cash balance and was seconded by Trustee Utter. Village Clerk Dianna Brusuelas asked if it would be the cash balance of the general fund. Trustee McKean responded, yes.

**Roll Call Vote:** Trustee McKean, aye. Trustee Utter, aye. Trustee Trujillo, aye.

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Trustee Cordova, aye. Motion carried with all members of the Board voting aye.

#### **Item 3. Mayor-Appointment of Library Board**

Mayor Montoya stated that he would like the board to approve the same Library Board at least until his term is over. The names are as follows: Tina Tomaka, Tina Otero, Jim Tomaka, John Northrop, Jr. and Emilio

Otero.

Trustee McKean moved to appoint the Library Board as named and was seconded by Trustee Utter.

**Roll Call Vote:** Trustee McKean, aye. Trustee Utter, aye. Trustee Trujillo, aye. Trustee Cordova, aye. Motion carried with all members of the Board voting aye.

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**Item 4. Dianna Brusuelas-Set up Budget Hearings with Department Heads for 3/14/06**

After discussion it was agreed that March 14, 2006 the Board would meet with Department Heads starting at 9:00 A. M.

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**Item 5. Dianna Brusuelas-Change page in Personnel Policy to reflect the date the new Alcohol and Drug Policy went into effect**

Ms. Brusuelas explained that since the adoption of the new Alcohol and Drug Policy the page reflecting the change had to be inserted.

Trustee Trujillo moved to approve the change reflecting the date of August 16, 2005 and was seconded by Trustee Utter.

**Roll Call Vote:** Trustee McKean, aye. Trustee Utter, aye. Trustee Trujillo, aye. Trustee Cordova, aye. Motion carried with all members of the Board voting aye.

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**Item 6. Rick Gutierrez-Approve Resolution 2005-06-19 for 2006-2007 Co Op Program**

Rick Gutierrez explained that it would be for the 2006-2007 program year and would need 25% matching funds from the village.

Trustee Utter moved to approve and was seconded by Trustee Cordova. Trustee Trujillo asked about the word scarify and Mr. Gutierrez explained that it meant to cut.

**Roll Call Vote:** Trustee McKean, aye. Trustee Utter, aye. Trustee Trujillo, aye. Trustee Cordova, aye. Motion carried with all members of the Board voting aye.

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**Item 7. Mayor-Approve Rayanne Northrop, Librarian, as Regular Part-Time employee effective 2/19/06 D. O. H. 8/18/05. Completed 6 months probation**

Trustee McKean moved to approve Rayanne Northrop as a Regular Part-time employee effective 2/18/06 and was seconded by Trustee Utter.

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**Roll Call Vote:** Trustee McKean, aye. Trustee Utter, aye. Trustee Trujillo, aye.

Trustee Cordova, aye. Motion carried with all members of the Board voting aye.

**Item 8. Mayor-Approve Julian Martinez, Field Worker, as Regular Full-Time employee effective 3/06/06 D. O. H. 9/06/05 and increase salary from \$9.00 per hour to \$10.00 per hour**

Trustee Utter moved to approve the salary increase for Julian Martinez and was seconded by Trustee Cordova.

**Roll Call Vote:** Trustee McKean, aye. Trustee Utter, aye. Trustee Trujillo, aye. Trustee Cordova, aye. Motion carried with all members of the Board voting aye.

**Item 9. Mayor-Congratulations to Raymond Ramos for Water Systems Level III and increase salary from**

**\$14.80 to \$15.50**

Mayor Montoya extended his congratulations to Mr. Ramos for passing his Water Level III and noted that he had already attained his Wastewater Level II.

Trustee McKean asked if there was money in that line item for the increase. Mr. Reynaldo Guilez, Field Supervisor informed the Board that the increase would come from the Sewer Fund, line item 503-200-41010 and asked the Board for a \$1.00 increase for Mr. Ramos.

Trustee Trujillo noted that the maximum on the pay scale for Water Level III is \$15.00 and felt that an increase of 20¢ would bring Mr. Ramos to the maximum.

Mayor Montoya made mention of the fact that Mr. Ramos also had a Wastewater Level II.

Trustee Trujillo stated that she felt she had no problem bringing him up 20¢ .

Trustee Cordova asked what his classification was at this time. Mr. Guilez stated that he is classified as a mechanic but does everything, repairs machines, water lines, weekend duty for both plants, etc. Trustee Cordova asked who else was a Level III in Water. Mr. Guilez responded that Trinidad Guilez was a Level III.

Trustee Utter praised the efforts of Mr. Ramos and proceeded to move to increase Mr. Ramos salary to \$15.50 and was seconded by Trustee Cordova.

Trustee Trujillo stated that she agreed with Mr. Utter but still felt that all that needed to be done was to raise the salary 20¢ .

Trustee McKean amended the motion to give Mr. Ramos the maximum under a Level III which is \$15.00 per hour. Trustee Trujillo seconded the motion. Mayor Montoya called for a roll call vote on the amendment.

**Roll Call Vote:** Trustee McKean, aye. Trustee Utter, nay. Trustee Trujillo, aye. Trustee Cordova, nay. Mayor Montoya, no.

Roll call vote on the original motion was then called for.

**Roll Call Vote:** Trustee McKean, no. Trustee Utter, aye. Trustee Trujillo, no.

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Trustee Cordova, aye. Mayor Montoya, aye. Motion carried with two no votes and three aye votes.

**Item 10. Confirmation of Dima Benbrahim, Dispatcher, Probationary Employee D. O. H 2/13/06 at \$7.00 per hour**

Trustee Trujillo asked if this was the position that was held by Mr. Hernandez and asked if Mr. Hernandez applied for the position. Mayor Montoya responded, yes. Trustee Trujillo recalled that Mr. Saavedra indicated that Mr. Hernandez would be going to the academy in July and wondered when all this changed. Chief Sackman responded that he was on a temporary position and he did apply and was not selected.

Trustee McKean asked if the position was advertised. Chief Sackman said yes, on the 26<sup>th</sup> of December and then on the 6<sup>th</sup> of January. Trustee McKean asked if she applied for this position. Chief Sackman said she applied for Police Officer and Dispatcher.

Trustee Cordova asked if this was a 6 month probationary position. The response was yes. Trustee Cordova moved to approve.

Trustee Utter asked if Mr. Hernandez was still working for the village. Mayor Montoya responded no. Trustee Utter proceeded to second the motion.

**Roll Call Vote:** Trustee McKean, nay. Trustee Utter, aye. Trustee Trujillo, no. Trustee Cordova, aye. Mayor Montoya, aye. Motion carried with two nay votes and three aye.

**Item 11. Mayor-Salary increase for Police Chief Currently at \$17.79**

Mayor Montoya explained that this money was not budgeted and the money would have to come from some place else.

Trustee Utter said he believes Chief Sackman is doing a good job but if the item is not budgeted he would rather let the next board decide.

Trustee McKean moved to not give an increase at this time. Trustee Trujillo seconded the motion.

**Roll Call Vote:** Trustee McKean, aye. Trustee Utter, nay. Trustee Trujillo, aye. Trustee Cordova, nay. Mayor Montoya, nay.

Mayor Montoya asked the Board if they would like to revisit to give some kind of an increase.

Trustee Utter moved to give the Police Chief the increase provided that the Small Cities Assistance comes in. Trustee McKean asked an increase to what. Trustee Utter stated at least a \$1.00 per hour.

Trustee Trujillo reminded Trustee Utter that DFA had sent a letter stating that they could not expend money unless the money was at hand. Trustee Utter said that his motion was provided the Small Cities Assistance money comes in.

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Trustee Cordova seconded the motion.

**Roll Call Vote:** Trustee McKean, no. Trustee Utter, aye. Trustee Trujillo, no. Trustee Cordova, yes. Mayor Montoya, aye. Motion carried with three aye votes and two nay votes.

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**Item 12. Promotion of Ron Saavedra to Lt. "salaried" position at \$14.30 per hour, currently at \$13.00 per hour**

Mayor Montoya explained that the money would be line item transferred and would be on duty every time they need him.

Trustee McKean asked if he fit the "salaried" criteria. Mayor Montoya responded that he would be salaried 'per say' and explained that there were only two salaried positions in the village which were the chief and the clerk but that Mr. Saavedra was will to take this position where he doesn't get overtime.

Trustee Utter moved to give Ron Saavedra the \$14.30 increase from \$13.00 and scratch out the salaried position. Trustee McKean seconded the motion.

**Roll Call Vote:** Trustee McKean, aye. Trustee Utter, aye. Trustee Trujillo, aye. Trustee Cordova, aye. Motion carried with all members of the Board voting aye.

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**Item 13. Mayor-Habitat for Humanities \$950.00 for additional 50 feet, \$450.00 for water taps and fire hydrants & \$1,313.32 for materials**

A representative from Habitat for Humanities explained that \$450.00 was for installing the fire plug the village furnished and the water taps, \$950.00 was for the additional 50 feet and the \$1,300 .00 was for materials for the project.

Trustee Utter moved to approve the expenditure of \$2,713.22 and was seconded by Trustee Cordova.

Trustee McKean moved to amend the motion to include that the portion that pertains to sewer be paid out of the Sewer Fund and the portion that belongs to water be paid out of the Water Utility Fund and was seconded by Trustee Trujillo. Motion carried with all members of the Board voting aye.

Roll call vote on the original motion was made as follows:

**Roll Call Vote:** Trustee McKean, aye. Trustee Utter, aye. Trustee Trujillo, as amended, aye. Trustee Cordova, aye. Motion carried with all members of the Board voting aye.

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**Item 14. Ron Castle-Variance on sewer line hook-up to install septic tank**

Mr. Castle explained that the sewer line is messed up under the highway. He has replaced everything from

his house to the highway. Various suggestions as to installing sewer lines in different areas or tying in to different areas. It was suggested to Mr. Castle to contact the Environment Department. Mayor Montoya suggested putting a sewer line on Rita Lopez Lane and let him hook in from there and hook it in across to the back of the Dollar Store but the Mayor felt that it would cost approximately \$100,000.00. Mayor Montoya then asked

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Village Clerk Dianna Brusuelas to type a letter to the Highway Department telling them that there are 2 or 3 residents with a sewer problem because the line is collapsed under Highway 70. If there is a denial from the Highway Department to cut into the highway then the village can apply for emergency funding.

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**Item 15. Alamotero Land Survey-Present final plat of Mia Estates**

Klad Zimmerle made a presentation to the village board. Trustee Cordova moved to accept item 15, Alamotero Land Survey the present final plat of Mia Estates. Motion was seconded by Trustee Trujillo for discussion.

Trustee McKean said he had a problem with the streets, asking Mr. Zimmerle if the streets would be paved. The answer was yes. Trustee McKean stated that it did not say that on the plat. Mr. Zimmerle explained that on the preliminary plat it shows the street section as well as the engineering. Trustee McKean asked about covenants and if this was outside the village limits. Mr. Zimmerle said yes and that the plat would not be recorded until the annex is final. Trustee McKean said the village board has no jurisdiction on items outside the village limits. Mr. Zimmerle said extra-territorial the board does. After discussion, Attorney Jeff Rhodes said that Mr. Zimmerle was asking for final plat approval, they are outside the village limits, under extra-territorial jurisdiction, we can approve it, it never gets recorded unless the county approves it, but, with the annexation the counties approval is not necessary, you will have to look at it quite simply as if it were outside the village limits as extra-territorial jurisdiction.

Trustee McKean amended the motion that it be under the 3 mile jurisdiction and was seconded by Trustee Trujillo. Mr. Zimmerle asked for clarification that if it is annexed then it is automatically approved. Roll call vote on the amendment was as follows:

**Roll Call Vote:** Trustee McKean, aye. Trustee Utter, aye. Trustee Trujillo, aye. Trustee Cordova, aye. Motion carried with all members of the Board voting aye.

Roll call vote on the motion was as follows:

**Roll Call Vote:** Trustee McKean, aye. Trustee Utter, aye. Trustee Trujillo, as amended aye. Trustee Cordova, aye. Motion carried with all members of the Board voting aye.

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**Item 16. Alamotero Land Survey-Mia Estates Annexation**

Attorney Jeff Rhodes advised that the only thing they could do tonight was to discuss because not all portions of the annexation are completed. The Board is to direct the surveyor to prepare an annexation plat showing the area to be annexed in relationship to the village boundaries. Trustee McKean asked if the village has enough water. Mr. Zimmerle stated that water rights would be provided.

Trustee Utter moved to accept Alamotero Land Survey approve annexation of the plat. Trustee Cordova seconded the motion.

Attorney Jeff Rhodes again reminded the Board Members that the only action for tonight would be to instruct the surveyor whether to include the village property in the survey or not

**Roll Call Vote:** Trustee McKean, no. Trustee Utter, yes. Trustee Trujillo, aye.

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Trustee Cordova aye. Motion carried with one nay and three aye votes.

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**Item 17. Alamotero Land Survey-Approve annexation plat of 586.670 acres more or less North of Village**

Trustee Cordova moved to accept the Alamotero Land Survey approve annexation of plat of 586.670 acres more or less North of the Village. Motion was seconded by Trustee Utter.

Trustee McKean asked if Tularosa Farms is included in this annexation. Mr. Zimmerle of Alamotero Land Survey responded yes. Trustee McKean asked if it was ever approved by the Village. Mr. Zimmerle stated that it was approved by the county and yes it went through the village.

**Roll Call Vote:** Trustee McKean, nay. Trustee Utter, aye. Trustee Trujillo, no. Trustee Cordova, aye. Mayor Montoya, aye. Motion carried with two nay votes and three aye votes.

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**Item 18. Judge Timothy Flores-Request for Resolution to authorize line item budget to reflect monies authorized by Court Automation Fund \$3,528.36; \$9, 999.05 & \$8,570.90**

Judge Flores requested that the \$22,098.31 received from the Court Automation Fund be transferred into the salaries line item.

Trustee McKean moved to transfer the money and was seconded by Trustee Cordova. Trustee McKean asked who made the motion and Mayor Montoya stated that Mr. McKean did, Trustee McKean stated that he just asked a question.

Trustee Utter proceeded to move the 22,098.31 and was seconded by Trustee Cordova.

**Roll Call Vote:** Trustee McKean, aye. Trustee Utter, aye. Trustee Trujillo, aye. Trustee Cordova, aye. Motion carried with an affirmative vote by all.

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**Item 19. Trustee Trujillo-Cruz Voorbach-Animal Control Officer-Increase from \$7.00 to \$8.00 to comply with minimum salary range in Section 80.01**

Trustee Trujillo would like for Mr. Voorbach to go up to the minimum salary range to \$8.00 per hour and moved to do so. Chief Sackman stated that Mr. Voorbach was not a full time employee and that his probationary period was not over. Item was dropped until his probationary period is over.

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**Item 20. Trustee Trujillo-Police Department Complaints**

Trustee Trujillo brought up two complaints about the Village Police Department not responding to several calls. Chief Sackman explained that his police officers were tasked out and that the Tularosa Police Department has a working relationship with the County and the State Police and if the Tularosa Police

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Department cannot come out to a call they will come out and address it.

Brian Catt another complainant stated that he came to the Tularosa Police Department for a copy of the police report or a copy of the police log and was refused the information on the traffic stop and felt it was public record. Mr. Catt felt that being stopped for a broken tail light was not probable cause to bring a narcotics dog to his car. Chief Frank Sackman stated that Mr. Catt could subpoena the discovery for evidence from his attorney, if he has one. Mayor Montoya advised Mr. Catt to file a written complaint and ask for the information he wants.

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**Item 21. Bill Lawrence-Law Enforcement**

Mr. Lawrence claimed that his wife had a heart attack and as he was going to the hospital he saw his daughter pulled over by the Tularosa Police Department. Mr. Lawrence stated that he stopped along the highway to see what was the matter because they were all following the ambulance to the hospital, as he got out of the car the officer yelled at him using profanity and did not feel he should put up with that type of action against him from anyone

Vicki Lawrence, daughter of Mr. Bill Lawrence took the floor next because she felt her father was to upset to continue. Ms. Lawrence explained the situation of the night her mother had the heart attack stating that she was in the ambulance with her mother when she saw her father and brother's car along the highway and her sister and aunt behind them and figured her sister was stopped for speeding to the hospital, finding out later that she was stopped for having her hazardous lights on and felt that if the officer stopped her and

realized that she had an emergency, the officer could have told her "Ms. Griffith it is illegal to drive with your hazardous lights on please drive careful and head on out to the hospital." Ms. Lawrence strongly feels that the police department is here to serve. Ms. Lawrence also stated that according to the police report the weapon was raised to her dad (Mr. Lawrence) and did not feel her dad was that big of a threat, knowing that the family had an emergency and the officer had seen the ambulance pass by and no threat on the officers life at that time. Ms. Lawrence felt that the officers behavior was quite aggressive for the situation.

Ms. Griffith then spoke saying that there were two things that really upset her at that traffic stop. One being that the officer told her she was lucky he didn't shoot her dad and your luck the driver of the truck didn't get cited for illegal backing.

Ms. Lawrence stated that she knew the dangers the police officers are in as they have had relatives in law enforcement. Another incident with her niece and her husband. The Tularosa Police responded and after talking to her niece who was in the house with her three children ages 6, 2 and 1 the police ordered her niece to leave the house at midnight giving the kids a choice with whom to stay . Ms Lawrence felt that giving the choice to the kids with whom to stay, a father who was to drunk to leave the premises or the mom. At 12:30 at night her niece drove to Las Cruces with her three children because the police ordered her out of her home.

Ms. Lawrence stated that she knew that the Tularosa Police Department needed some stabilization but felt that if the police department was going to survive they would need help and the help comes from the community and the citizens and if this is the way the good citizens are going to be treated then the community will not back up the police department.

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Chief Frank Sackman address the concerns stating that he could not confirm or deny the accusations. Ms. Griffith questioned why not if the tape is available. Chief Sackman explained that the audio portion of the video sometimes has technical difficulties and this was one of the times the batteries went out and apologized for any inconveniences and that his door was always open. Ms. Griffith stated she had called and felt the Chief was very rude. They proceeded to view the video at the request of Ms. Griffith.

Ms. Lawrence stated that she knew everyone learned from mistakes and hoped the Tularosa Police Department would learn from theirs and make them a better department.

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#### **Item 22. Mary Kay Skaggs-Police Issues**

Ms. Skaggs informed that Board that she had tried on several occasions to contact the Chief and he has never called her back yet stated that his door is always open. Ms. Skaggs stated that her family has had problems with cops following them, they whisk u-turns and follow them all the way home, they have followed her husband, her son and herself and numerous high school students.

Mayor Montoya said that the police patrol the areas the citizens most complain about like speeding by the high school and felt that he would rather see a student get a ticket than seeing him smashed up somewhere.

Chief Frank Sackman addressed Ms. Skaggs complaint stating that they talked to the Superintendent and they do have a letter that actually says that they have permission to enforce state and municipal laws on school grounds.

Ms. Skaggs wondered if they had a letter from the Superintendent, why then when a students vehicle was busted up on school property no police showed up.

Chief Sackman told Ms. Skaggs to make a appointment with dispatch to see him.

Ms. Skaggs also brought up the language used by the Police Officers and did not feel it appropriate for a uniformed officer to be using the F--word around the kids. Trustee Utter asked if it was a particular officer they were talking about. The response was yes, it was Officer Montoya. Officer Montoya being present address the Board asking the Mayor not to go any further because it was a pending issue in the courts and did not want it to interfere in the court proceedings.

Chief Sackman stated that the police were not harassing the kids that they were trying to make a corrective action now so that the kids don't ruin their lives because after 18 it goes on their record.

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#### **Item 23. Chief Sackman-Speed Limit change from Highway to Guilez Lane on Old Mescalero Road because of annexation**

Trustee McKean moved to post a 25 mph speed limit sign and was seconded by Trustee Cordova.

**Roll Call Vote:** Trustee McKean, aye. Trustee Utter, aye. Trustee Trujillo, aye. Trustee Cordova, aye. Motion carried with all members of the Board voting aye.

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**Item 24. Chief Sackman-Compliments of Police Department**

Chief Sackman stated that they have received letters and such and compliments to the Police Department and some people do think they are doing a good job and realizes there are some things to iron out.

**Item 25. Chief Sackman-Approve Lois Atchison, Dispatcher, Regular Full-time employee effective 2/30/06 D. O. H. 8/30/05. Completed Academy February 10, 2006 making her Supervisor and increasing salary from \$7.00 to \$11.00**

Trustee Utter moved to approve and was seconded by Trustee Cordova.

Trustee Trujillo questioned Chief Sackman bringing her in as Supervisor but wondered about the letter from Yvonne. Mayor Montoya felt that the issue could not be brought up as it was not on the agenda and the letter submitted was not legal because it was not signed. Attorney Jeff Rhodes felt that it had to be a signed request.

Trustee Trujillo felt that tabling this issue until the other issue would be addressed.

Trustee Cordova asked what the top pay in the position of Supervisor was. Chief Sackman responded that it was \$12.00.

Trustee Trujillo asked how to handle the other situation if it comes up, does this lady loose her money if the board reinstates the person. Mayor Montoya responded that at present she doesn't work for the village. Trustee Trujillo said she understood and Mayor Montoya asked Attorney Rhodes how to respond. Mr. Rhodes stated that if there is a grievance and she is rehired, she is rehired into some position and you make a determination at the hearing.

**Roll Call Vote:** Trustee McKean, nay. Trustee Utter, aye. Trustee Trujillo, no. Trustee Cordova, aye. Mayor Montoya, aye. Motion carried with two nay votes and three aye votes.

**Item 26. Chief Sackman-Approve Kyle Metzgar to Regular Full-time employee effective 3/01/06 D. O. H. 9/01/05**

Trustee McKean moved to approve and was seconded by Trustee Utter.

**Roll Call Vote:** Trustee McKean, aye. Trustee Utter, aye. Trustee Trujillo, no. Trustee Cordova, aye. Motion carried with three aye votes and one nay.

**Item 27. Chief Sackman-Annie**

Mayor Montoya advised that Annie was the 'sniffer', didn't cost the village any money, Chief Sackman bought the dog, went to school trained with Annie and Annie has already earned her keep earning around \$1,600.00 and as far as liability there is no difference on liability with Annie than there is with a police officer and a letter is forthcoming.

Trustee McKean asked Village Clerk Dianna Brusuelas what New Mexico Self Insurer's Fund told her. Ms. Brusuelas response was that Kathy Villa,

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underwriter for NMSIF stated that the dog is not insured per say like a life insurance on a person but it will be covered under liability and that they had received a copy of the Standard Operating Procedure and they have yet to determine how much the premium will be. Chief Sackman stated that he brought the item up as a courtesy and she is here for the schools and for the people here in town and to get the drug trade that is going through the highways. Trustee Cordova asked if the school has a contract with someone for that. Chief Sackman said he thought they did and asked Trustee Trujillo who is also a school board member. Trustee Trujillo responded that she could not speak on behalf of the Board.

Trustee McKean said that he felt it had to be sanctioned by the Board so the Board could recognize it.

Trustee Cordova moved that they allow Chief Sackman to use Annie. Trustee Utter seconded the motion.

**Roll Call Vote:** Trustee McKean, aye. Trustee Utter, aye. Trustee Trujillo, no. Trustee Cordova, aye. Motion carried with three ayes and one nay.

**Item 28. Chief Sackman-Would like to have 10% of monies transferred from the courts off traffic citations to be placed into a separate line item for equipment & supplies**

Trustee Trujillo moved to postpone until Budget Hearings and was seconded by Trustee McKean.

**Item 29. Approval of Budget Adjustment Request 2005-06-2 Older American Center**

Trustee McKean moved to approve Budget Adjustment Request 2005-06-2 and was seconded by Trustee Cordova.

**Roll Call Vote:** Trustee McKean, aye. Trustee Utter, aye. Trustee Trujillo, aye. Trustee Cordova, aye. Motion carried with all members of the Board voting aye.

**Item 30. Christopher Smith-Grant use of village sewer and water on property on south side of Radio Road**

Trustee McKean stated that if this property was within 150 feet of the sewer they could tap in and it was believed that water was already available at that property.

**Item 31. Robert Chavez-Request money to finish project at Fire Department (moved to item 2A)**

**Item 32. Ralph Otero-Museum-Do we replace existing furnace \$2,300.00**

Trustee Trujillo moved to postpone until they can figure out a better place for them to go to and was seconded by Trustee Cordova. Motion carried with all members of the Board voting aye.

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**Item 33. Unscheduled Correspondence & Public Comments**

Mayor Montoya announced that this would be his last meeting and would like to thank the Board Members who did help him get through the past four years that have been pretty tuff. Mayor Montoya feels that a lot of good was done and really enjoyed his years with the village. Mayor Montoya wanted to especially thank his family especially his wife and family. The Mayor left some thoughts to the Board for the future, finishing the storage tanks, attaining a Recreation Center with a pool, a Senior Center, moving the maintenance yard to the Waste water Plant and the Dog Pound should be moved there also. Mayor Montoya reminded the Board about the piece of property between the church and the medical center, five acres by the water tanks which could be used as trade off Mayor Montoya said he would like to see the complex of the Recreation and the Senior Building on the 40 acres of what he calls the old Pete Herrera place; and offered his services with contacts he still has in Santa Fe. Mayor Montoya made mention of the Legislative monies which are \$100,000.00 for the Library, \$75,000.00 for playground equipment, \$105,000.00 for the Public Safety Tower and \$100,000.00 for the Fire Department, the streets will be an ongoing thing he proceeded to wish everyone who was staying on the best.

Chief Sackman thanked the Mayor for the confidence in him and the Police Department.

Mayor Montoya announced that he forgot about one item which Sonya Gililand of the Recreation Department gave him a memo about a dance held at the Tulie Cantina in which 96 kids attended, the police were present and there were no incidents reported and felt it said a lot for Sonya.

Trustee Utter thanked everyone for his stay on the Board.

Trustee Cordova appreciated that Mayor Montoya devoted a lot of years of his life to this Village and felt he learned a lot from him and his experience just like the former Mayor Richard Guilez they both started very young and have led this village for many years and appreciates the time Mr. Utter spent with the village

**Item 34. Old Business:**

**A. Trustee McKean-Has deed been straightened out**

Trustee McKean asked about the deed and the Mayor said it was straightened out.

**Item 35. New Business:**

**A. Emergency Drought Situation**

Trustee McKean brought up the drought resolution the county has. Mayor Montoya stated that if there was not any rain in Tularosa and in the State of New Mexico there will be no water and felt that a conservation effort is essential.

As the meeting adjourned at 10:20 P. M. Mayor Montoya thanked everyone for coming.

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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 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, Village Clerk

Minutes approved by the Board of Trustees at the Regular Meeting of April 18, 2006.