

Village of Tularosa-Special Meeting-March 27, 2006

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The Board of Trustees of the Village of Tularosa met in a Special Meeting on Thursday, March 27, 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 Ray S. Cordova, Trustee Gloria R. Sainz, Trustee Thomas J. McKean, Trustee Margaret Trujillo and one Trustee seat vacant. Also present was Chief Frank Sackman, Attorney Jeff Rhodes, Field Supervisor Reynaldo Guilez, Finance Officer Valarie Delgado as well as Village Clerk Dianna Brusuelas.

Mayor Ray S. Cordova called the meeting to order leading everyone in the Pledge of Allegiance and introducing the members of the Board.

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Item C. Consideration of Agenda

Trustee Margaret Trujillo said that she would like to make some changes to the agenda before taking it into consideration. Item 8 (b) (Roberts Rules of Order) to go under C and make it "D" also Trustee Trujillo would like to table Item 1.

Trustee Thomas McKean moved to consider the Agenda and was seconded by Trustee Margaret Trujillo.

Roll Call Vote: Trustee Sainz, aye. Trustee McKean, aye. Trustee Trujillo, aye. Motion carried with three members voting aye and one vacant seat.

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Item D. (previously 8(b) Roberts Rules of Order

Trustee Margaret Trujillo wanted to clarify that 'Abstain' meant neither yes or no, it just means no vote.

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Item 1. Mayor-Appointment of Trustee to Vacant Seat

Trustee Margaret Trujillo moved to table the item, Trustee Thomas McKean asked what table meant. Trustee Margaret Trujillo said that the item would go to a later place on the agenda.

Mayor Ray S. Cordova opposed that because he feels it is important to have a full board.

Trustee Gloria Sainz felt that if the Village was going to move forward a full board would be necessary.

Trustee Margaret Trujillo stated that he motion stood. Trustee Thomas McKean seconded the motion.

Trustee Gloria Sainz asked Trustee Margaret Trujillo what the reason would be for tabling the item and strongly felt the need to move on and felt that was the reason they were elected and wondered if every meeting was going to be like this. Trustee Sainz felt that the Mayor already made an introduction and a good choice.

Trustee Margaret Trujillo said this would not effect the motion on the appointment that the item would just be moved back. Trustee Gloria Sainz felt that with the organization coming up felt a full board should organize. Mayor

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also felt the fifth member should be present should the board consider him. Mayor Cordova felt it would be in the best interest of Tularosa to have a full board.

Roll Call Vote: Trustee Sainz, no. Trustee McKean, aye. Trustee Trujillo, aye.

With two ayes and one nay motion to table carried.

At this time Mayor Ray Cordova elected not to go on with organization and felt that **all** members of the

Governing Board needed to be present. Mayor Cordova realized that he would be in violation of state statute but felt he has met twice to organize and it had failed.

Trustee Trujillo asked Attorney Jeff Rhodes on a reading because she feels that there are enough members to organize.

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Item 2(a) Appointment of Village Clerk

Mayor Ray S. Cordova asked for confirmation of Village Clerk, Dianna Brusuelas. Trustee Thomas McKean moved to confirm and was seconded by Trustee Gloria Sainz.

Roll Call Vote: Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with three ayes and one vacant seat.

2(c) Mayor Cordova recommended Ms. Sandy Baca as Motor Vehicle Clerk, Ms. Valarie Delgado as Finance Officer, Mr. Richard Gutierrez as Grants Coordinator, Mr. Kevin Moheit as Custodian, Ms. Sally Singleton as Utility Billing Clerk and Monica Voorbach as Payroll/Procurement.

Trustee McKean moved to confirm the employees read off and was seconded by Trustee Sainz.

Roll Call Vote: Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with three ayes and one vacant seat.

Item 2(b) Appointment of Police Chief

Mayor Ray S. Cordova recommended the appointment of Frank Sackman as Police Chief.

Attorney Jeff Rhodes wanted to make sure the Board understood what was meant with the “majority of all members” and 3 out of 4 and 3 out of 5 and stated that in the village’s case where the village has one empty seat you’ve only got 3 members that count for purposes of determining what a majority of **all** member are. That means, since the Mayor doesn’t vote, 2 members vote for something and 1 doesn’t then that’s ok because the Mayor is not counted to determine the majority of all members. Trustee McKean clarified that as the Board stood now with 3 Board Members it would only take 2 members to determine majority . Mr. Rhodes said that was correct. Trustee McKean asked how the Mayor in the Taos situation got to vote. Attorney Jeff Rhodes stated that in Taos they had an absent member not an empty chair but they had a full board elected.

Trustee Trujillo quoted State Statute 3-11-5 and Attorney Jeff Rhodes continued with State Statute 3-12-2(E)

Village Clerk Dianna Brusuelas asked Attorney Rhodes, then the 4 members are considered **all** the members of the board since the 5th member has not been

appointed. Attorney Rhodes said that was correct.

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At that time Mayor Cordova again recommended Chief Sackman to remain as Police Chief of the Village of Tularosa. Trustee Sainz moved to keep Chief Sackman and was seconded by Trustee McKean.

Roll Call Vote: Trustee McKean, nay. Trustee Sainz, aye. Trustee Trujillo, no. Motion failed with two nays and one aye and one vacant seat.

2(c) Mayor Ray Cordova recommended Ms. Lois Atchison as Senior Dispatcher, Dima Benbrahim as Dispatcher, Patrick Maturino as Dispatcher, Barbara Rupp as Dispatcher, Paul Coble as Police Officer, Lance Ledford as Police Officer, Kyle Metzgar as Police Officer, Michael Montoya as Police Officer, Christopher Rupp as Police Officer and Ronald Saavedra as Lt.

Trustee Margaret Trujillo moved to divide the question.

Trustee Thomas McKean moved to accept the recommendation of the Mayor and was seconded by Trustee Gloria Sainz.

Trustee Margaret Trujillo’s motion to divide died for lack of a second.

Mayor Cordova recommended that the Animal Control Officer (Cruz Voorbach) be included with the other ten employees of the Police Department. Trustee Thomas McKean moved and was seconded by Trustee

Gloria Sainz.

Roll Call Vote: Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with three ayes and one vacant seat.

Mayor Ray Cordova recommended Ms. Prestina Chavez as the Senior Center Director, Kelly Byers as the Program Coordinator, Steve Chavez as the Cook Manager, Pedro Galindo as the Driver, Kelly Lawrence as the Secretary and John Taylor as the Cook Aide.

Trustee Margaret Trujillo moved to approve and was seconded by Trustee Thomas McKean.

Roll Call Vote: Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with three ayes and one vacant seat.

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Mayor Ray Cordova recommended Mr. Ralph Otero as Custodial Supervisor and Mr. Frank Young as Custodian at the Community Center.

Trustee Margaret Trujillo moved to approve and was seconded by Trustee Thomas McKean.

Roll Call Vote: Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with three ayes and one vacant seat.

Mayor Ray Cordova recommended Ms. Sonya Gililand as Recreation Director.

Trustee Margaret Trujillo moved to approve and was seconded by Trustee Thomas McKean.

Roll Call Vote: Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with three ayes and one vacant seat.

Mayor Ray Cordova recommended Reynaldo Guilez as Field Supervisor,

Eusebio Duran as Field Worker, Trinidad Guilez as Water Plant Operator, Julian Martinez as Field Worker, Raymond Ramos as Mechanic and Gregorio Rocha

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as Equipment Operator.

Trustee Margaret Trujillo moved to divide the question and was seconded by Trustee Thomas McKean. Trustee Trujillo explained that she had to abstain from Reynaldo and the rest of them would be ok.

Mayor Ray Cordova recommended Reynaldo Guilez as Field Supervisor. Trustee Gloria Sainz moved to leave Reynaldo in his present position. There being no second motion dies.

Mayor Ray Cordova recommended Eusebio Duran, Trinidad Guilez, Julian Martinez, Raymond Ramos and Gregorio Rocha. Trustee Thomas McKean moved to retain the named individuals and was seconded by Trustee Gloria Sainz.

Roll Call Vote: Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with three aye votes and one vacant seat.

Mayor Cordova announced that Mr. Guilez would remain until somebody is appointed in his place or until we bring him back up and since there was no vote taken on him he can actually bring him back up.

Mayor Ray Cordova recommended Ms. Rayanne Northrop as Librarian. Trustee Margaret Trujillo moved to approve and was seconded by Trustee Thomas McKean.

Roll Call Vote: Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with three aye votes and one vacant seat.

Mayor Ray Cordova recommended the Library Board as Tina Tomaka, Tina Otero, Jim Tomaka, John Northrop Jr., and Emilio Otero.

Trustee Thomas McKean moved to approve and was seconded by Trustee Gloria Sainz. Trustee Margaret Trujillo mentioned that she had no problem with this except that they were not on the agenda. Attorney Jeff Rhodes agreed and it was decided that the names would be placed on the next agenda.

Mayor Ray Cordova recommended Jeff Rhodes as the Village Attorney. Trustee Margaret Trujillo moved to

approve and was seconded by Trustee Thomas McKean.

Roll Call Vote: Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with three aye votes and one vacant seat.

Mayor Ray Cordova recommended Mr. Robert Chavez as the Fire Chief mentioning that he is a volunteer but is also being paid.

Trustee Margaret Trujillo moved to approve and was seconded by Trustee Thomas McKean.

Roll Call Vote: Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with three aye votes and one vacant seat.

Mayor Cordova stated that he did not intend to make any changes at this time. Trustee McKean asked about who would be under whose supervision. Mayor Cordova said he intended to leave things as they are for now.

Trustee Margaret Trujillo requested to bring up the item that was tabled.

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Item 1. Appointment of Trustee to Vacant Seat

Mayor Ray Cordova again recommended Mr. Pat Garcia and Trustee Margaret Trujillo moved to approve and was seconded by Trustee Gloria Sainz.

Roll Call Vote: Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Motion carried with three aye votes and one vacant seat.

With a round of applause from the audience Mayor Cordova asked Village Clerk Dianna Brusuelas to swear the new Trustee in.

Item 3. Decision on Police Department Building for electrical and miscellaneous for repeaters or renting from SW Wireless

Robert Chavez, Fire Chief suggested leasing from SW Wireless for one year at the rate of \$165.00 per month until they can get the tower behind the police department installed.

Trustee McKean moved that is capital outlay could be used for the lease, use it, if not it would come out of their regular operating budget.

After more discussion Trustee McKean moved to lease from SW Wireless and was seconded by Trustee Sainz. The representative from SW Wireless stated that the lease agreement would not go into effect until everything is in place and operating.

Roll Call Vote: Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Trustee Garcia, aye. Motion carried with all ayes.

Trustee McKean moved that if there are funds available in capital outlay for communications tower that those funds be used first if not get back with the board to figure out where the funds should come from. Trustee Pat Garcia seconded the motion.

Roll Call Vote: Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Trustee Garcia, aye. Motion carried with all ayes.

Item 4. Salary Increase-Kevin Moheit from \$7.00 to \$8.25 postponed from March 21, 2006 meeting

Trustee Margaret Trujillo moved to give a salary increase to Kevin Moheit from \$7.00 to \$8.25 and was seconded by Trustee Gloria Sainz.

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

Item 5. Salary Increase-Pedro Galindo from \$8.50 to (.25 postponed from March 21, 2006 meeting

Trustee McKean asked where this money would come from since the Senior Program Budget is not budgeted for this increase. Trustee Trujillo suggested waiting until they work on the budget.

Trustee Gloria Sainz moved to table until monies become available or will be during budget time. Motion was seconded by Trustee Thomas McKean.

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Roll Call Vote: Trustee McKean, aye. Trustee Sainz, aye. Trustee Trujillo, aye. Trustee Garcia, aye. Motion carries with all members voting aye.

Item 6. Approve Valarie Delgado Finance Officer to Regular Full Time Status D.O.H. 9/26/05-Salary increase from \$10.00 to \$12.00

Trustee Gloria Sainz moved to accept the request with the increase from \$10.00 to \$12.00.

Roll Call Vote: Trustee McKean, aye. Trustee Sainz, aye. Trustee Garcia, aye. Trustee Trujillo abstained. Motion carried with three ayes and one trustee abstaining.

Item 7. Police taking vehicles home at night

Trustee McKean felt that this was something that had to be looked at because it is in the policy that vehicles can only be taken if you live within a three mile radius unless you get permission from the Board. Sometime back the Mayor wrote a letter stating that Police Officers would take their vehicles home for a couple of weeks and it has now turned into three months.

Trustee Trujillo felt that the cars should be left here and not taken home after work.

Trustee Sainz and Garcia were concerned about how many of these officers were on call.

The explanation was that technically the officers are always on call and have had to call officers in on their days off.

Trustee McKean wondered if any one applied for taking the vehicles home since the Board of Trustees may give authority to take vehicles home. Officer Rupp stated that if it was a letter the Board was requesting they could submit one in the morning.

Mayor Cordova read that 'village vehicles will not be used to get employees to work with the exception of the weekend duty person or police officers,' and felt that states that police officers may take their vehicles home.

Mayor Cordova suggested a letter until this ordinance could be revisited and in the mean time they would continue to use the vehicles.

Item 8. Trustee Trujillo- (a) Cruz Voorbach

Trustee Trujillo explained that Mr. Voorbach was not being paid at the rate he was supposed to and moved to compensate Mr. Voorbach for the amount of time at the wages he should have been to begin with and the money will come from cash balance and moved to give him the money he is entitled to. Trustee Pat Garcia seconded the motion. Trustee McKean asked what the motion was and Trustee Trujillo stated that it was to move \$1,000.00 to his line item from cash balance.

Roll Call Vote: Trustee Sainz, aye. Trustee Trujillo, aye. Trustee Garcia, aye. Trustee McKean, aye. Motion carried with all ayes.

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Item 9. Temporary Employment of Lindsay Sackman as per Chapter II,

Section 20.01 (E) Removed.

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Item 10. Leasing of "Annie" Removed

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Mayor Cordova asking if there was anything further, Village Clerk Dianna Brusuelas suggested setting Budget Workshops with Department Heads for Thursday at 9:00 A. M.

There was a comment from the audience requesting community service for teenagers. Attorney Jeff Rhodes suggested making sure that NM Self Insurer's Fund covers it.

Mayor Cordova announced that the state allocated \$620,000.00 to the Village for a new Senior Center and that Trustee Trujillo, Trustee McKean, Rick Gutierrez and himself went to Albuquerque to apply for CDBG funding for \$500,000.00 if that is received that will complete the Senior Center.

Judge Tim Flores announced that he had gotten some tentative funding for video cameras for the Community Center but would take some money to install them and should have a final answer next week.

Mayor Ray Cordova made reference to reactivating the Planning & Zoning Board.

A citizen requested programs for the youth.

Ms. Brusuelas advised the Board that Mr. Klad Zimmerle brought in some preliminary plats for some property between Cortez and S. Bookout and they are in the Trustees boxes. Attorney Jeff Rhodes explained that once the final plat is presented for approval if the village does not turn it down in 30 days or do nothing it is deemed approved.

Trustee Gloria Sainz asked what had become of the lights for the Little League field. Trustee Thomas McKean said that the Little League usually comes before the Board and asks for some money. Village Clerk Dianna Brusuelas said that last year the Little League Board was in charge of putting up the lights and asked for some money but they were going to be in charge. Trustee Garcia volunteered to talk to Mary Parra from Texas New Mexico Power Co. requesting funding.

There being no further business to come before the Board Trustee Thomas McKean moved to adjourn and was seconded by Trustee Gloria Sainz, motion carried. Meeting adjourned at 8:45.

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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 the minutes are approved and signed the written minutes are the official minutes of the meeting.

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Ray S. Cordova, Mayor

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ATTEST:

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Dianna R. Brusuelas, Village Clerk

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