

Regular Meeting-November 21, 2006

The Board of Trustees of the Village of Tularosa met in a Regular Meeting on Tuesday, November 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 Ray S. Cordova, Trustee Thomas McKean, Trustee Patrick Garcia, Trustee Gloria Sainz, Village Clerk Dianna Brusuelas as well as Finance Officer Valarie Delgado.

Absent:

Trustee Margaret Trujillo and Attorney Jefferson Rhodes.

Item 1. Consideration of Agenda and Consent Agenda

Trustee Thomas McKean moved to approve the Agenda and the Consent Agenda and was seconded by Trustee Gloria Sainz.

Roll Call Vote:

Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Motion carried with all members present voting aye.

The consent agenda consisted of the minutes of October 16, 2006 Workshop, the minutes of the October 17, 2006 Regular Meeting, the minutes of the October 24, 2006 Special Meeting, the village bills, October 2006 Business Registrations and Site & Sign Permits, announcement of the next workshop for December 18, 2006 and announcement of the next Regular Meeting for December 19, 2006.

Item 2. Unscheduled Correspondence and Public Comments

Trustee Thomas announced to the public that the village would be closed on Thursday and Friday, November 23rd and 24th for Thanksgiving. Trustee McKean also reminded everyone that on December 5th there would be a Public Hearing regarding the liquor license for the Tularosa Travel Center.

Item 3. Mary Ann Burr-SNMEDD/COG Southeast Regional Planning Organization (SERPO) "Overview of the RPO Process"

Ms. Mary Ann Burr from the Council of Governments gave a 30 minute presentation on the RPO process.

Item 4. Employment Agreement for Attorney Jefferson Rhodes

Trustee Thomas McKean has a question on the amount of increase. Mayor Cordova felt that Mr. Rhodes should be present to answer and defend the increase to his contract. Trustee Patrick Garcia then moved to postpone until the December meeting and was seconded by Trustee Thomas McKean.

Roll Call Vote:

Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Motion carried to postpone until the December meeting with all members present voting aye.

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Item 5. Approval of Adoption of Resolution 2006-07-06 Adjustments to current Fiscal Year Budget

Trustee Thomas McKean moved to adopt Resolution 2006-07-06 with changing line item number 101-0030-36900 and change it to 101-0030-36070. Trustee Patrick

Garcia seconded the motion.

Roll Call Vote:

Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Motion carried with all members present voting aye.

Item 6. Approval of Budget Adjustment Request

Trustee Thomas McKean moved to approve the Budget Adjustment Request 2006-1 and was seconded by Trustee Gloria Sainz.

Roll Call Vote:

Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Motion carried

with all members present voting aye.

Item 7. Information: Resignation of Steven Whittaker, Activities Coordinator at Senior Center

Trustee Thomas McKean asked if Mr. Whittaker had already left, the response was yes.

Item 8. Information: Resignation of Michael Montoya, Police Officer at Tularosa Police Department

Mayor Cordova said he understood that Mr. Montoya had already left also.

Item 9. Information: Recognition by the Board of County Commissioners to the Village of Tularosa

Mayor Ray Cordova explained that the Otero County Commissioners had given the Village a plaque Thanking Tularosa and the Fire Department for the help when Alamogordo and Otero County were having the floods. Trustee Thomas McKean suggested sending Otero County a Thank you note showing recognition.

Item 10. Information: Tularosa Senior Center additional \$6,000.00 Hunter Grant-Increase \$9,500.00 Otero County Contribution (County Match)

Village Clerk Dianna Brusuelas advised that the Resolution would be prepared for the December meeting.

Item 11. Prestina Chavez-Appointment of Cheryl Parker as Activities Coordinator at \$7.50 per hour with 6 months probation. Date of Hire: November 6, 2006

Trustee Thomas McKean moved to approve Cheryl Parker as Activities Coordinator as long as the Payroll Change Notice is changed by deleting the wording "with an

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increase after completion of the 6 months probation". The motion was seconded by Trustee Gloria Sainz.

Roll Call Vote:

Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Motion carried with all members present voting aye.

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Item 12. Frank Sackman-Appointment of Virgil Mayberry as Police Officer at \$12.50 per hour with 6 months probation. Date of Hire: November 6, 2006

Mayor Cordova asked Chief Sackman if Mr. Mayberry was currently certified and the

response was yes, he is certified by the State of New Mexico. Trustee Thomas McKean then moved to accept the appointment of Virgil Mayberry at \$12.50 per hour with a 6 months probation. Trustee Patrick Garcia seconded the motion.

Roll Call Vote:

Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Motion carried with all members present voting aye.

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Item 13. Dianna Brusuelas-Approve Dana Robb as a Regular Full-Time Employee effective December 15, 2006 (DOH 6/15/2006) increase salary from \$8.25 to \$8.75

Trustee Thomas questioned whether the increase would take effect the 15th of December 2006. Village Clerk Dianna Brusuelas answered yes, that it would go into effect on December 15th when Dana's six months would be completed. Ms. Brusuelas explained that it was on the November agenda because the December Regular Meeting would not be until the 19th of December.

Trustee Thomas McKean moved to approve Dana Robb as a Regular Fulltime employee effective the 15th of December 2006, and from \$8.25 to \$8.75. Trustee Gloria Sainz seconded the motion.

Roll Call Vote:

Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Motion carried with all members present voting aye.

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Item 14. Lancon Inc.-Approval of Well Proposal

Mr. Lance Giest came before the Board mentioning that he has been working with the Village on this project since 2002 and has installed and removed pumps to test the volume and quality of this particular well several times. Mr. Giest stated that the volume was in excess of 300 to 600 gallons per minute. Mr. Giest said the asking price is \$85,000.00 and in examining the cost of new wells this is probably less than _ half the cost of what it would cost to build a new well today at that size and depth. In addition, Mr. Giest would like the village to allow him to develop 45 lots in the village with sewer and water attached to that and does have water rights to transfer. Mr. Giest corrected himself stating that it should have been 47 lots at .45., the accessibility to the village water system is already in place with an easement. Trustee Thomas McKean felt that this should be taken under advisement tonight because there are a few other issues. Mayor Cordova stated that he spoke to a person from Diagnostic Testing and was told the water was not bad and that Mr. Giest had offered in the proposal 60 days to run the well and if at any time something would happen the deal would be off. Trustee McKean asked who currently owned the well and Mr. Giest answered that he did. Mr. McKean asked

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should the well be purchased by the village would the village get the lot the well is on too. Mr. Giest responded no that there would be an easement accessible from Rosalio Lane and it would show on the deed. Mr. McKean asked how many acre feet of water were in the well, Mr. Giest said that originally there were 150 but he only had 25 of which the village already had 4. Trustee McKean asked if the village would get the remainder 21 for the asking price and questioned where the transference of water rights would come to do the subdivision. Mr. Giest explained that the village would be purchasing the well, not the water rights; the water rights would be in exchange for him to be allowed to develop. It was decided to be taken under advisement.

Trustee Gloria Sainz moved to postpone until further advisement and was seconded by Trustee Thomas McKean. Mr. Giest asked for a timeline. Trustee Thomas McKean thought maybe by January because of the Thanksgiving and Christmas

holidays coming up.

Roll Call Vote:

Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Motion carried

with all members present voting aye.

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Item 15. Dave Wickham-Tularosa Vineyards-Grant permit to serve wine at Coffee & More, 308 Granado, December 8, 9, & 10, 2006 for the Alamogordo Music Theater

Mr. Dave Wickham advised the Board that it was a temporary permit for a fundraiser for the Alamogordo Music Theater. Trustee Thomas McKean moved to approve the permit and was seconded by Trustee Patrick Garcia.

Roll Call Vote:

Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Motion carried with all members present voting aye.

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Item. 16. Rick Gutierrez-Requesting appraisal for property acquisition by Water Plant

Mayor Cordova explained that Rick was requesting an appraisal for the property around the water plant, the lot on top of the hill and the storage tanks. Trustee Patrick Garcia moved to allow the appraisal of the three properties and was seconded by Trustee Thomas McKean.

Roll Call Vote:

Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Motion carried with all members present voting aye.

Item 17. Don Ogden (1) Expanding Planning & Zoning Board from 5 to 7 members

Mr. Ogden requested expanding the Planning & Zoning Commission for better continuity and better representation. Mr. Ogden realizes that Ordinance 150 and the Planning & Zoning bylaws would have to be changed.

Mr. Ogden read the changes he wanted for the Sign Ordinance which included materials, colors, leaving off the Code Enforcer, recommended monument signs instead of pedestal and wanting marquee or portable signs be phased out.

Mr. Ogden brought up requesting a variance to the Tularosa Travel Center sign and

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the sign changing the Chevron sign at the “Y” to Conoco. It was brought up by Trustee McKean to bring up the variance issue the on December 5, 2006 at 6:00 at a Special Meeting.

Mr. Ogden requested organizing a task force made up of Planning & Zoning members, Department of Public Works, Department of Public Safety, Fire Department to develop an ordinance governing Mobile Home and RV Parks then having a public hearing.

Trustee Thomas McKean then moved to go out for publication by Title and Subject Matter of a proposed ordinance adopted by the governing body of Tularosa starting at 150.01, 150.02 and 153.01 thru 153.14. Motion was seconded by Trustee Patrick Garcia.

Roll Call Vote:

Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Motion carried with all members present voting aye.

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Item 18. Dianna Brusuelas-Reinstate Columbus Day and remove Birthday Holiday for the 2007 calendar year. Effective January 2007

Village Clerk Dianna Brusuelas stated that she had been approached by several employees that they would rather have Columbus Day off instead the their birthday and requested making it effective January 2007. Trustee Thomas McKean said he would like to add Columbus Day to section 30.03(C) and delete sentences four, five and six pertaining to the Birthday Holiday effective January 1, 2007. Trustee Patrick Garcia moved to reinstate Columbus Day as a holiday and delete any literature pertaining to Birthday, Trustee Gloria Sainz seconded the motion.

Roll Call Vote:

Trustee Garcia, aye. Trustee McKean, aye. Trustee Sainz, aye. Motion carried with all members present voting aye.

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Item 19. Trustee Thomas McKean

Trustee Thomas McKean brought up the decals on the Village vehicles, the inspection list of the fire hydrants, the status of the Mia Estates water rights and the vfvaaaaamn nmmjjjjjjjjjjjjjjnkol olkoik7 .iu8 8iy87i

6status of the fire hydrant of Rose and S. Bookout. Village Clerk Dianna Brusuelas explained that she had sent measurements to a company out of El Paso, Texas for an estimate on the sound system and ESA Securities from Alamogordo had come to see the building and Jim Jones from Guardian Securities would submit a bid. Trustee McKean also wanted to ask Attorney Jeff Rhodes about the letter to Gannett Fleming reference the valve at the sewer plant and wondered the status of the water rate ordinance. Trustee Thomas McKean then informed the public that the water rates would be going up because of the CPI increase.

Item 20. Adjourn

Trustee Gloria Sainz moved to adjourn and was seconded by Trustee Thomas McKean. The meeting adjourned at 8:40 P. M.

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

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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, Village Clerk

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Minutes approved by the Board of Trustees at the Regular Meeting of December 19, 2006.