

Regular Meeting Minutes–July 24, 2024

The Mayor and the Board of Trustees of the Village of Tularosa met in a Regular Meeting on Wednesday, July 24, 2024, at 6:00 P. M. in the Court Conference Room of the Public Safety Facility located at 609 St. Francis Drive, Tularosa, New Mexico.

Present: Mayor Deborah Cooksey
Trustee Patrick Garcia
Trustee Robert Sainz
Trustee Manuel Brusuelas
Trustee Mark Garwood

Also present was Rebekah Bryant Village Clerk
Attorney Jeff Rhodes

At 6:00 P. M. Mayor Deborah Cooksey called the meeting to order asking that all rise and join her in the Pledge of Allegiance and the Salute to the Flag of the State of New Mexico.

1. Trustee Garwood made a motion to accept the agenda, Trustee Garcia seconded the motion. All members voted aye; motion carried.

2. Unscheduled Correspondence and public comments.

Chris Rupp-Wanted to give an update on the Christmas Festival and stated that it still is in full swing, and he received permit from the state for complete highway shut down for an hour or hour and a half for the event. He did meet with DOT and with the permit he obtained they are perfectly fine with the road closure. He also stated that they would be the ones to shut the road down and is working with the highway engineers on alternative routes for ambulances and emergency vehicles. Mr. Rupp said that he is going to have a meeting at the travel center regarding the festivities and would like the community to come out and give their ideas. There are also other plans that they are working on for that day as well.

Michael Gruger-Wanted to give an update on their June 8th event the 2nd annual duck race. He stated that it was a great success and a lot of great responses from the community whether it be contributions, volunteering time and effort. He stated that they had almost 50 responses who contributed financially or effort or materials. They had a nice write-up in the Alamo Daily News about it. Thankful to the law enforcement that was there and helped in the dunking booth getting dunked and being interactive with the kids which was cool. He thanked the village for all the help and support in these community events.

Larry Berry-Stated that the 3 minutes that we offer for public input is great, but he thinks besides the 3 minutes there is no public input for participation in any of

the meetings. So, if somebody has a question or have some knowledge about something there is no way for them to put it in and it's not like you all wait until next time to vote on it you vote on it this time with no public input. He stated he checked with the county and the city and both of them allow public input and it's very controlled and they don't allow it to get out of hand, but there needs to be some kind of vehicle in place to allow the public to make a comment on something that's in front of the board before it's voted on. And just looking at the agenda don't tell you information that people are putting out there, they may bring some information you don't have any idea about or they may bring some information up that you do have some additional information on but there is no way to get it to the board or to bring it to anybody else's attention.

3. Jeff Rhodes, Village Attorney asked to go into executive session as per section 10-15-1 of the open meetings act to discuss pending litigation. No need for executive session.

4. Valarie Delgado, Finance Officer requested to adopt FY24/25 Operating Budget, Resolution #2024-25-1. Trustee Garcia made a motion, Trustee Garwood seconded the motion. All members voted Aye; motion carried.
Roll Call: Brusuelas-Aye, Garcia-Aye, Garwood-Aye, Sainz-Aye.

5. Valarie Delgado, Finance Officer requested approval of the 4th Quarter FY Financial report ending 6/30/2024, Resolution #2024-25-2. Trustee Brusuelas made a motion, Trustee Garcia seconded the motion. All members voted Aye; motion carried.
Roll Call: Brusuelas-Aye, Garcia-Aye, Garwood-Aye, Sainz-Aye.

6. Valarie Delgado, Finance Officer requested to approve Budget cleanup for FY24/25 ending on 6/30/24, Resolution #2024-25-3. Trustee Garcia made a motion, Trustee Brusuelas seconded the motion. All members voted Aye; motion carried.
Roll Call: Brusuelas-Aye, Garcia-Aye, Garwood-Aye, Sainz-Aye

7. Deborah Cooksey, Mayor asked to approve the fingerprint policy for the personnel policy. Trustee Garwood made a motion, Trustee Garcia seconded the motion. All members voted Aye; Motion carried.

8. Rebekah Bryant, Village Clerk asked to award the project for Willow Lane, Hunter Lane and Sante Fe Lane to La Luz Dirt & Paving as they were the lowest bidder for this project in the amount of \$316,748. Trustee Garcia made a motion, Trustee Brusuelas seconded the motion. All members voted Aye; motion carried.

9. Justin and Melanie Carter, Individuals requested permission to live in their 5th wheel while they remodel their mobile home. Mr. Carter stated that they were cited a month ago for living in their 5th wheel while they are remodeling their trailer. They went and saw Judge Berry and he said that they needed to come talk to the board to get a permit or permission, something of that nature so they could continue. Justin stated that he has 70% of the trailer is demoed but he left the kitchen and bathroom just in case tonight doesn't go well. Mayor Cooksey asked how much estimated time they need. Melanie stated that they both have full time jobs so they do what they can when they can. Trustee Garcia asked do they need 5 or 6 months and Justin stated that absolutely that would be fine. Mayor Cooksey asked if they were living in the trailer when they decided to remodel it. Justin stated that yes, but it had so much water damage and the floors were giving out. Trustee Brusuelas made a motion, Trustee Garwood seconded the motion. Motion was made with a time frame of 6 months. All members voted Aye; motion carried.

10. Ward Beers, Individual asked for reimbursement for a pump and also for repairs to the main sewer line. Mr. Beers stated that there was a flaw in the main village sewer line on Sierra Blanca Ave and requested reimbursement for some plumbing repairs at his home that were affected by that flaw. Flaws in the main line if not properly repaired will most likely affect two to five other houses on the street from his home. He purchased his house at 112 Sierra Blanca in December of 2015 and has been working on repairs and improvements since then. I was aware of the chance that there could be a problem with the plumbing that became a problem in spring of 2023. He had been working with Jonathan Feliciano of Otero plumbing and he replaced the entire line through his house last summer. He has been working on the exterior line through his front yard and on June 22nd the line was to be replaced to backfilled, however when Jonathan reached the village main line in the street, he observed that when the line was originally installed sometime in the 1960s it was not very deep enough from his house to the main line to function properly. There is only a 3.5-inch drop from his house which should be at least 12 inches. Apparently, the line splits from half of the street with sewage from half of the street towards Fairview and the other half of the street including his house flowing east towards Sacramento Street and this should not only affect his house but also 110 and 111 and probably 113 Sierra Blanca. Because of this elevation issue with the sewer line, he had to purchase a pump to force the sewage from his house to the main line, which required electrical work and to keep it running will require electricity. Maintenance of the pump will be necessary should there be a power outage his house will be without plumbing and in short, he will be completely relying on that pump for his sewage to work correctly. Assuming that the village will replace the main line and install it properly he will have it removed and the plumbing replaced from the pump and the main line which will also require removing and rebuilding landscape features for a second time. Therefore he is requesting that he be reimbursed for the expenses that he would not have had, had the villages

main line been installed properly in the 1960s that would include the pump and the installation as well as electrical. When the main line is installed correctly, I would appreciate your consideration for the removal of the pump and plumbing expenses that would entail, and he would replace the landscaping himself. Cost paid so far were \$216 dollars for Miranda Electric, \$2,142.79 to Otero Plumbing with a total amount of \$2,365.79 it is for that sum that I am requesting for reimbursement at this point. Trustee Brusuelas asked when the plumbing was already run once then it clogged, and you had to replace it or if it was already existing. Mr. Beers stated that Jonathan was confused on how it was even running but maybe on sheer volume pushing it through the main line. Trustee Brusuelas asked if he lowered the plumbing at the house. Mr. Beers said that the line from his house going to the street is not the elevation it should be. Trustee Garcia made a motion, Trustee Garwood seconded the motion. All members voted Aye; motion carried.

11. Chris Rupp, Planning and Zoning asked for approval for a building site permit for Summit Partners Inc. located at 29 St. Francis Dr. Mr. Rupp stated that they had recently received a permit for 29 St. Francis it was brought forth by Scoops Investments as well as Summit Partners which is the engineering company that is contracted with Scoops Investments. Scoops Investments they are into Frito-Lay and that is pretty much who they are. What they have asked to do is to build a warehouse at 29 St. Francis which is approximately 8,000 square feet. They went prior to meeting with planning and zoning, and they spoke with residents from that subdivision, and they got approval for the go ahead with the county so that was in compliance with them as well. He spoke with Eric Larsen through many phone calls and emails, and he flew down here to come visit the site. This site will be the new hub for Alamogordo and Ruidoso, which will bring some business to the area as well. He stated that possibly may be some employment opportunities for this operation as well. When it came to the easements, he did go ahead and get an easement approved by the travel center to use their entrance and they won't be having to drive across the highway or use the dirt road between Casa de Suenos and the other building across. They did talk about the easement, and they were willing to give 25 ft so that the village vehicles can access that easement with their big trucks, and everyone agrees with that. Mr. Rupp stated that Mr. Larsen is the engineer for the company, and they are doing one right now in Deming, so he was coming to check on that one in his route as well. Mr. Larsen did state that it would take about 6 months to go from start to finish minus any hiccups once they actually get started. They did also discuss the big dirt lot and how to control the dust and he did state that they will have concrete aprons for the semis to come in and out and parking lot will be paved as well and the rest they will have some kind of chip seal and have desert landscaping as well. He did submit the permits as well as the plans and they are in compliance so far and he is aware that he has to work with the state as well. The planning and zoning does recommend approval of this. Trustee Garcia made a

motion to approve, Trustee Garwood seconded the motion. All members voted Aye; motion carried.

12. Mark Garwood, Trustee asked for the dips on 1st Street to be fixed. Trustee Garwood stated that now that the school year is coming up and that street is a bus route, he wants to make that road a little safer for the buses. He stated that he knows we have funding put in for that and once it gets approved, he knows that it will get fixed but, in the meantime, he feels they need to make a temporary fix like maybe a cut and fill and a chip seal until that gets done. Trustee Garcia stated that he agrees but that road has water under it and the Ditch Corporation needs to meet us halfway on this and if they do a temporary its just going to wash it out. Mayor Cooksey stated that basically they we can't do our part unless they do their part. Trustee Garwood said that he is just asking for a temporary repair because it is getting really bad. Mayor Cooksey asked how long that temporary fix is going to last with that water running under it. Trustee Brusuelas asked if they could fix the one that's really deep because that is a bad one and the rest can probably wait. Trustee Garwood made a motion, Trustee Garcia seconded the motion. All members voted Aye; motion carried.

13. Deborah Cooksey, Mayor asked for approval for the village to be surveyed regarding the trees in the 49 blocks. Mayor Cooksey stated that this issue came up with the tree that fell at the church, and she received a couple of calls saying that is was our tree and she already knew it wasn't our tree because it was on the church property but she received another call about another tree saying it was ours and she was unsure about it. Mayor Cooksey stated that she spoke with Jeff Rhodes village attorney and they only way we can know if they are our trees or not would be to get the area surveyed to see which one are our trees and which ones are not. Once we get it surveyed, we can know which ones are ours, that way we are not responsible for somebody else's tree. She stated that she knows it might be a cost to us but eventually it would be a cost to save us some money. Trustee Garcia asked if they were surveying it off of 3 ft from the road. Mr. Rhodes stated that they would survey it off of the filed plats of the 49 Blocks. Trustee Garwood made a motion, Trustee Garcia seconded the motion. All members voted Aye; motion carried.

14. Old Business: Trustee Brusuelas asked where we are on the sewer for Pilar Chavez because he has had several residents ask him.

Trustee Garwood stated that he spoke with Ralph regarding the handicap doors at the PMS center and he said he is working on that. Also, the fire suppression system is not working.

15. New Business: Trustee Garcia stated that they need to keep pressing the issue about veterans park and maybe getting a new alcohol ordinance.

16. Meeting adjourned at 7:06 pm.

Deborah Cooksey, Mayor

ATTEST: (seal)

Rebekah Bryant, Village Clerk