



**WORKSHOP AND
REGULAR COUNCIL MEETING
February 3, 2016
103 Water St. Elephant Butte, NM 87935
ACTION MINUTES**

WORKSHOP -1:00pm

Manager Finzen discussed with Council recommendations for crosswalk locations from the Planning and Zoning Commission:

- 1) From the Elephant Butte Inn to the RV Park
- 2) Crossing Butte Blvd. to the Post Office
- 3) Casa Taco
- 4) Butte General
- 5) Pats and the American Legion

Secondary locations might include Beach & Hawthorne.

Mayor Kent asked P&Z Chairman Looney to research pedestrian crossing lights and to get input from business owners around these areas.

Mayor Pro-Tem Skinner suggested Calle de Sol as a good location for crossing Rock Canyon Road.

Manager Finzen is pricing different crosswalk material costs.

Councilor Rogers would like Manager Finzen to also include the longevity of each material in the cost evaluation.

Councilor Lafont offered to get a price on heat thermal vinyl.

Manager Finzen discussed with Council the draft of Ordinance 158 that is on the agenda for public hearing. Councilor Rogers noted hearing from a constituent about an issue with section 76.05(A). Drivers of golf carts shall have a valid New Mexico Driver's License.

Councilor Rogers requests that "New Mexico" be stricken to allow for any valid driver's license, regardless of the issuing state.

Guy Wimberley informed Council that Personal golf carts are not allowed onto the golf course.

Marvin Bucholz commented that since carts will not be allowed on Warm Springs, the only access to Turtleback will be on Country Club, so if golf carts are allowed to come into Turtleback, Country Club would have to remain open, which creates a security issue.

Mayor Kent announced that there was about 20 minutes left in the workshop portion, and asked Michael Zimmerman to start his presentation of the Hospital that was on the agenda. Mayor Kent acknowledged Terry Squier and Warren Cross as members of the Governing Board in the audience. Michael Zimmerman gave an update on the status of the new Hospital.

Michael Zimmerman explained that the construction of the new facility will be financed via a \$36 million loan. The new facility will house 72,000 square feet of new patient care, while the existing facility will be non-patient care, IT, and administration. There are clinical reasons for needing a new facility. The new ER has already been completed, and last year the hospital realized a \$1.4 million net income.

3/16 GRT has been given since 2009 for operating expense. The contribution amount will not change, but now it will go toward plans, design, and construction only.

Mayor Kent announced that we were out of time for the workshop portion of the meeting and the discussion would be continued.

REGULAR COUNCIL MEETING - 2:00pm

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Kent called the Regular Meeting to order at 2:00pm, and Mayor Pro-Tem Skinner led the Pledge of Allegiance.

ROLL CALL

Clerk Rieth called the roll. Mayor Kent, Mayor Pro-Tem Skinner, Councilor Lafont, Councilor Rogers, and Councilor Trager were all present.

Also present was Manager Finzen and Michael Zimmerman, of Sierra Vista Hospital.

One member of the Press and 18 members of the public were also present.

STATEMENT OF OPEN MEETINGS RESOLUTION AND THREE MINUTE LIMIT PER SPEAKER ON ALL ISSUES

PUBLIC INPUT

Terry Squier, 100 Mesa Grande, stated that he attended the entity meeting and that his impression of the new ER was beyond reproach. Mr. Squier stated there was a rumor that the resolution being considered today would be tabled, and he urged Council not to do that. Mr. Squier asked Council to support the new hospital.

Bob Acre, 228 Mescal, stated that he had been elected to speak for the residents of Mescal, and had been told 3 years ago that the road would be paved. Mayor Kent told Mr. Acre that the City Manager would get with him and answer his questions.

Dallas Lipscomb, 700 Erie, stated that he heard Mayor Pro-Tem Skinner talk about inuendos, and is not against the new hospital and wanted to encourage Council not to table the resolution,

but to support the new hospital. Mr. Lipscomb said the rumors about him are not true, and he trusts Michael Zimmerman to finish the job.

Mary Ann Dix said she has been in the Old ER and thought the Staff was wonderful.

Mayor Kent commented that on the agenda today was the passing of a resolution, and then there would be advertisement of an ordinance.

PRESENTATIONS

Mayor Kent announced that the commendation for Lynn Camerer would be postponed until the next meeting, due to Lynn being unable to attend today.

Michael Zimmerman was called back to the podium to finish his presentation. Michael Zimmerman explained that Bond Council had made a mistake in publishing the resolution for Williamsburg last week, and that the process had been as transparent as possible; having all meetings open to the public.

Mayor Kent explained that if the City of Elephant Butte is going to commit to long term financial assistance, we want to be sure there is no violation of the abatement act. City Attorney Rennick has assured Council this would not be a violation.

Mayor Kent commented that she had been on the Hospital Governing Board when she first came here and had tried to come up with a way to get a new hospital, but couldn't do it. When the City joined the JPC, Council continued to hear from constituents that a new hospital was wanted. Mayor Kent stated that she is thrilled with the work Michael Zimmerman has done in getting in a financial position to move forward, and applauds the efforts of the Governing Board and Hospital Staff.

Mayor Pro-Tem Skinner stated that when the City tried to become a part of the hospital she was part of a 6 person committee that did the interviews for the CEO position and as the 2nd term chairman of the JPC, she believes Michael Zimmerman has done a terrific job, and supports moving forward. Mayor Pro-Tem Skinner thanked Michael Zimmerman and his staff.

Warren Cross quoted Yogi Barra, "Be very careful if you don't know where you're going as you might not get there". Mr. Cross thanked Michael Zimmerman for providing a clear path to move forward.

APPROVAL OF AGENDA

Mayor Kent asked for a motion to approve Agenda.

Councilor Rogers made a motion to approve the Agenda with the removal of item 5a.

Councilor Lafont seconded.

The motion carried unanimously.

BOARDS AND COMMITTEE APPOINTMENTS AND COMMITTEE REPORTS

None.

MAYOR & COUNCIL REPORTS

Councilor Trager attended the Middle Rio Grande Economic Development Meeting on how to promote Tourism in areas, and commented that access to good healthcare helps. Studies on Industry clusters are moving forward from gathering data to developing goals. The next meeting will be at the Albert Lyon building in T or C.

Councilor Rogers announced that the SCRDA monthly meeting will be February 10 at 10am in the County Commission Chambers.

Councilor Lafont had nothing to report at this time.

Mayor Pro-Tem Skinner explained that Herself, Councilor Lafont, Mayor Kent, and Manager Finzen had all gone to Santa Fe to meet with Legislators and lobby for funding. Mayor Pro-Tem Skinner added that the USDA SET program meeting that Councilor Trager spoke about would be on March 2.

Mayor Kent reported being in Santa Fe 2 days last week as Mayor Pro-Tem Skinner had mentioned; Legislators paint a gloomy picture. Mayor Kent reviewed the City's top priorities with Lt. Governor John Sanchez, who is very supportive of our community. Mayor Kent met with Representative Hamilton for 1 ½ hours, and prior to the trip to Santa Fe, met with Senator Smith for 2 hours. Both report that money is very slim. Representative Hamilton commented to Mayor Kent that Having shovel ready projects such as the sewer system helps. Mayor Kent also spoke about the hospital and allowing golf carts with the legislators.

MANAGER'S REPORT

Manager Finzen gave an update on the Rock Canyon Road project which is nearing completion. Substantial completion walk through is scheduled for Monday. Manager Finzen reported that he got a message that some residents had heard the City was going to raise taxes to pay for the project, and wanted to publicly point out that the pavement is already on the ground; 75% of the project was from State funding and 25% was the City share. Funds were budgeted and the project is fully paid for and nearing completion. Taxes will not be raised for this project.

Manager Finzen reported that the wastewater engineering RFP will be made public for bid next week.

Manager Finzen met with design architects regarding the Annex project. The next step is to talk about materials to get a cost estimate.

Manager Finzen is working on a franchise agreement with New Mexico Water. A resolution will be on the next meeting agenda to apply for LGRF.

Manager Finzen announced the deadline for MAP funding is coming up in March. Mayor Pro-Tem Skinner recommended we look at Warm Springs widening from the intersection to Turtleback, to make it wider for golf carts, and a turn lane at the intersection of Butte Blvd. and Warm Springs.

Manager Finzen explained that Public Works Director Cole was attending a Meeting regarding a Hazard Mitigation Plan for information on FEMA funding.

Manager Finzen commented that he is putting together project proposals, and to respond to the public comment made earlier, one of those would include a paving project for Mescal.

CLERK-TREASURER'S REPORT

Clerk Rieth's report is included for the record.

CONSENT ITEMS

Mayor Kent asked for a motion to approve the Consent Items.

- Approval of Minutes – Regular Meeting, January 6, 2016

**Councilor Rogers made a motion to approve the Consent Item(s).
Councilor Lafont seconded.**

**A Roll Call vote was held:
Mayor Pro-Tem Skinner voted yes.
Councilor Lafont voted yes.
Councilor Trager voted yes.
Councilor Rogers voted yes.
Motion carried.**

PUBLIC HEARING

Ordinance 158: Allowing Golf Carts to operate on City Streets
At 2:34pm, Mayor Kent opened the hearing for public comment.

Mary Patterson, 311 Balboa, handed copies of a photo of a golf cart to the Clerk to pass to the Council. Ms. Patterson wanted to know if her golf cart would meet the requirements for a permit. Mayor Kent read through the requirements of the ordinance and announced that Ms. Patterson, "looked ready to go".

Dallas Lipscomb, 700 Erie Ave, said that he does not own a golf cart, but loves the idea of the fun atmosphere; however, along 195 (Butte Blvd) should have more lighting and maybe tap into the Solar Network. Mr. Lipscomb said golf carts are a good idea, adding to the resort idea.

Patsy Barnett, 414 Hallmark reminded Council that this is a Dark Sky Place and urged Council not to light up the streets so much that people can watch when we do weird things at night.

Marvin Bucholz, (address unknown) asked why Council is considering allowing golf carts, whether it is to accommodate people or just encourage people to come to Elephant Butte. Council is doing lots of work to improve, but there is always some nut that will take it to the nth degree.

At 2:42pm Mayor Kent closed the hearing for public comment.

There being no further discussion:

Councilor Trager made a motion to approve Ordinance 158 Providing for the operation of golf carts on city streets and establishing standards, restrictions and registration requirements; with the amendment to strike "NEW MEXICO" from section 71.05(A). Councilor Lafont seconded.

**A Roll Call vote was held:
Mayor Pro-Tem Skinner voted yes.
Councilor Lafont voted yes.
Councilor Trager voted yes.
Councilor Rogers voted yes.
Motion carried.**

REGULAR ITEMS

Manager Finzen presented Resolution 15-16-118 regarding the amendment to the JPA.

Mayor Pro-Tem Skinner made a motion to approve Resolution 15-16-118 authorizing the amendment and restatement of section 7 of the joint powers agreement (the "JPA") adopted May 14, 1998 and revised July 15, 2009 (No. 97-059) between and among the County of Sierra, the City of Truth or Consequences, the Village of Williamsburg and the City of Elephant Butte (collectively, the "participants") providing for the dedication of certain gross receipts tax revenues of the City of Elephant Butte (The "City") to be pledged pursuant to an ordinance adopted by the city for the payment of a loan from the New Mexico Finance Authority (the "NMFA") in the amount of \$36,329,129 pursuant to a loan agreement and an intercept agreement to be entered into among the NMFA, the Joint Powers Commission ("JPC") as authorized under the JPA, and the participants with the proceeds of such loan to be applied for the purpose of planning, design and construction of a new hospital for use by the JPC and providing for the submission of the JPA as amended and restated to the secretary of the JPA as amended and restated to the Secretary of the Department of Finance and Administration for approval pursuant to the Joint Powers Agreements Act.

Councilor Lafont seconded.

**A Roll Call vote was held:
Mayor Pro-Tem Skinner voted yes.
Councilor Lafont voted yes.
Councilor Trager voted yes.
Councilor Rogers voted yes.**

Manager Finzen presented Resolution 15-16-120 – setting a fee and expiration date for golf cart permits.

Councilor Rogers made a motion to approve resolution 15-16-120 setting a fee and expiration date for golf cart permits.
Councilor Lafont seconded.

A Roll Call vote was held:
Mayor Pro-Tem Skinner voted yes.
Councilor Lafont voted yes.
Councilor Trager voted yes.
Councilor Rogers voted yes.

ADJOURNMENT

There being no further items on the agenda, Mayor Kent asked for motion to adjourn.

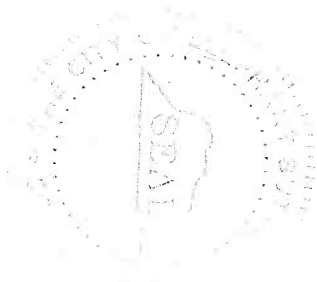
Councilor Lafont made a motion to adjourn.
Mayor Pro-Tem Skinner seconded.
Motion carried unanimously.

Meeting adjourned at 3:10pm.

Minutes adopted at the Regular meeting on February 17, 2016



Karen Rieth, City Clerk -Treasurer



CLERK-TREASURER REPORT TO THE COUNCIL

To: Mayor Kent & City Councilors
From: Karen Rieth, Clerk-Treasurer
Date: February 3, 2016

Correction to last report

At the last meeting I was asked when the last day of early voting was, and I incorrectly stated that early voting lasted up until election day. The last day for early voting is actually February 26, and I apologize for any confusion. (2/10 – 2/26)

Cost of Golf Cart Registration

At the January 6 meeting, I was asked to perform a cost analysis to determine if \$25 per golf cart registration would be sufficient.

It will cost approximately \$2.04 for permit & stickers for each cart, and \$0.96 for copies of proof of insurance, permit application, and handouts; for a total cost of \$3.00 per cart.

It is estimated that inspection of each cart and processing of paperwork should take 15-20 minutes per registration. \$17.00 will cover this cost of labor and maintenance of files.

\$5.00 could be put into the contingency fund suggested by Councilor Lafont for program costs such as sign replacement, etc.

After review of the costs involved, staff agrees that \$25 per year would be a reasonable and appropriate fee.

Mid-Year Budget Review

We are now over ½ way through our fiscal year. An updated budget report has been provided for Council's review.