



**COUNCIL MEETING**  
**Wednesday, March 29, 2017**  
**103 Water St. Elephant Butte, NM 87935**  
**ACTION MINUTES**

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Kent called the 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 Trager and Councilor Rogers were all present.

Clerk Rieth stated a quorum was present.

Also in attendance was Attorney Rennick  
9 members of the Public

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

**PUBLIC COMMENT**

Craig Pearson, 201 Mesa Grande stated that Mr. Pearson would like The City Council to know how important it is to have control of all the drainage. The drainage is critical in managing erosion and playability as well as keeping roadway passable. Ownership of this golf course would mean controlling waters exiting the property. One example of runoff would be Hallmark Street water flows across Hole Number 6 on both sides of Hole #14 primarily on the west side of Hole #14 until there is a very deep impalement area that prevents the water from crossing Stagecoach just east of Mesa Grande. If the impalement has not been well maintained that water would have gone through the culverts and under the golf course which could have cause expensive damage with no way of predicting to what extent could have been done should the impalement fails as well. This is the point where if the Golf Course does not have control of all of these internal and nearby drainage the Golf Course could suffer extreme damage at the worst case but in any case expensive damage to repair in time. This is important in your negotiation with your developers. The Golf Course has to control water flow. This brings up the issue of Golf Course Maintenance greens keeping and Pro Shop Staff. The City is going to need a transition staff of people who are experienced with the Golf Course and are willing to live here in this small community, which narrows it down to the people of here in the area, so please keep it in mind when thinking this through.

Roy Pack, 215 Hallmark stated Mr. Pack is aware that there is a large agenda today as well as some important decisions to make, but would like to give a brief input. Mr. Pack stated that in 1995 retired from Wyoming and moved to Elephant Butte New Mexico and lived her for three years from 1996-1999 during that time there was a very nice 9 hole golf course and a full lake. The Golf Course was later expanded to an 18 hole golf course. Then when Mr. Pack would come back to visit the golf course eventually turned into the desert around us. Mr. Pack is not a

golfer but does like the appearance of the Golf Course which adds to the neighborhood where Mr. Pack resides. Mr. Pack does not know whether or not there will ever be a full lake again, because it seems to be drained faster than the water can come in. From Mr. Pack's standpoint this city relies on visitors. The city needs something to attract visitors the lake is still a pretty good draw but not like it used to be 15-20 years ago. The Golf Course could add to that. Mr. Pack will say that when the City first incorporated Mr. Pack was the first elected Municipal Judge for Elephant Butte. Mr. Pack only lasted a year and then went to a job that actually paid money in Alamogordo, New Mexico. So Retirement did not last long Mr. Pack worked 9 more years in his career field and 7 more years in another field. Two years ago Mr. Pack moved back to Elephant Butte, bought a house, and when Mr. Pack is gone would like for his kids to sell the house, but if the city doesn't have visitors coming here providing income, it would not be a good thing. Mr. Pack was just giving his input. Mr. Pack is aware that Mr. Pack does not have all the information that the City Council does. Mr. Pack feels that the decision is going to be difficult, but it is something that the city needs to keep visitors coming, and keep the community viable because money is needed to survive.

#### **APPROVAL OF AGENDA –**

**Councilor Rogers made a motion to approve the Agenda**

**Councilor Lafont seconded.**

**A Roll Call Vote was held:**

**Mayor Pro-Tem Skinner voted yes.**

**Councilor LaFont voted yes.**

**Councilor Rogers voted yes.**

**Councilor Trager voted yes.**

**Motion carried.**

#### **EXECUTIVE SESSION**

**At 2:08pm, Councilor Rogers made a motion to go into Executive Session to discuss NMSA 1978 10-15-1(H)(8) purchase, acquisition or disposition of real property of water rights by the public body**

**Mayor Pro Tem Skinner seconded.**

**A Roll Call Vote was held:**

**Mayor Pro-Tem Skinner voted yes.**

**Councilor LaFont voted yes.**

**Councilor Rogers voted yes.**

**Councilor Trager voted yes.**

**Motion carried.**

**Council came out of executive session at 4:20pm.**

Mayor Pro Tem Skinner certified that only matters on the agenda had been discussed, no decisions had been made, and no action had been taken.

#### **REGULAR ITEMS**

- a. No. P-2017-001, Preliminary and Final Plat approval of re-subdivision of Turtleback Mountain Resort PUD, Phase I, Sierra Del Rio golf course.

- b. Discussion and Possible Action, approval of "Agreement to Convey" between City of Elephant Butte and Turtleback Mountain Partners, LLC, for conveyance of Sierra Del Rio golf course and related facilities to city
- c. Discussion and Possible Action, approval of "Office Lease," between City of Elephant Butte and Turtleback Mountain Partners, LLC, for lease of office space to Turtleback Mountain Partners, LLC, located at 101 Clubhouse Dr., Elephant Butte, NM.
- d. Discussion and Possible Action, approval of "Purchase and Sale Agreement," between City of Elephant Butte and Turtleback Mountain Partners, LLC, for conveyance to city of undeveloped property located in Turtleback Mountain Resort, PUD.
- e. Discussion and possible action, approval of "Water Agreement," between City of Elephant Butte and AOH 1964 Trust f/b/o SHG Family, for use by city of up to 550 acre-feet of water at Sierra Del Rio golf course.

**ADJOURNMENT:**

**Councilor Lafont made a motion to adjourn.  
Mayor Pro Tem Skinner seconded.**

**Meeting adjourned at 5:03pm.**

*Minutes approved and adopted at the Regular meeting of the City Council on:*

*April 5, 2017*

*Karen Rieth, clerk*

Karen Rieth, Clerk-Treasurer

