



**COUNCIL MEETING**  
**Wednesday, April 5, 2017**  
**103 Water St. Elephant Butte, NM 87935**  
**ACTION MINUTES**

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

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

**ROLL CALL**

Clerk Rieth called the roll.

Mayor Pro Tem Skinner, Councilor Lafont, Councilor Trager and Councilor Rogers were all present.

Mayor Kent was absent

Clerk Rieth declared a quorum was present.

Also in attendance were two members of the Press and four members of the Public

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

**PUBLIC COMMENT**

There was no public comment at this time.

**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.**

**MAYOR AND COUNCIL REPORT**

Councilor Rogers had nothing to report at this time.

Councilor Trager reported attending the SCCOG meeting two weeks ago that was held in Sunland Park, The Mayor of Sunland Park schedule a tour of the city prior to the meeting, which was very impressive. Sunland Park has a lot going on, which the Port of Entry in Santa Teresa there has been industries that have moved into the area, big companies; there is a huge Fed Ex Distribution Center that is about to about to open which covers about 500,000 square feet. New home development, there are some new jobs but many residents are working in El Paso taking

advantage of the taxes there, but living in New Mexico taking advantage of the taxes on this side as well. Many are coming to the Elephant Butte Area for their recreational needs on weekends. At SCCOG Meeting there was a lot of discussion on what is going on in Santa Fe Senator Mary Kay Papen was very frustrated and not looking forward in being called back for special session. Senator Papen stated communicating with Governor Martinez to avoid a Special Session due to cost. SCCOG Office located in Elephant Butte starting to work on Tourism Website, which will be called South Central New Mexico, should be launching soon, once approval is received from New Mexico True. The person who will be managing the site is Tiffany out of Las Cruces. Another thing being worked on out of SCCOG is the film industry but one of the challenges is that there is no trained workforce; working with the university in Las Cruces is to train more on film that will have a force to have people properly trained for launch of new film.

Councilor Lafont did not have anything to report at this time.

Mayor Pro Tem Skinner did not have anything to report at this time.

### **Manager's Report**

Manager Lucero reported that Deputy Clerk Apodaca is in Albuquerque this week for CPO Training to be a Procurement Officer. The Public Works Director Cole is at water training in Albuquerque as well. There is Planning and Zoning training on May 3<sup>rd</sup> through May 5<sup>th</sup> which Manager Lucero is planning on attending. Manager Lucero and Clerk Rieth will be attending a budget workshop on April 26<sup>th</sup>. Currently Renee at Ekmar is doing Title and Covenant Searches, results will be emailed once they are in. Manager Lucero sent the signed Plat Map to Gary Levine, which after it was mailed out David Senn stated that some adjustments needed to be made which now there are new Maps that will be signed up at closing. Manager Lucero received notice of preliminary funding on the Map Project, which is to pave Michigan. The City's match on that is \$11,000. It will be on the agenda for the May DOT Commission Meeting. We will be advised if Approval is obtained. Clyde from DOT will be here on the 12<sup>th</sup> to have the Mayor Kent sign paperwork for Hwy 195 transfer. JPA for the Sheriff has been sent to DFA for signature. Deputy Clerk Apodaca is going to start working on Asset Management Plan to get all Assets tagged and accounted for. Manager Lucero is still waiting on paperwork for the Liquor License Lease. Neil Brown stated talks are starting up again on the Damsite, which Senator Pearce is involved and hoping to her something to the Legislator, which may be pushed through in Special Session. Mayor Kent had a meeting on Monday with Jimmy Capps of Sierra Electric. Mr Capps said that Sierra Del Rio has many issue with their power. Sierra Del Rio is using unnecessary power, which a report was given on things that can be done or things to look at to eliminate that unnecessary waste, but it was overlooked and never resolved. So Mr. Capps will present a new report to the City.

### **Clerk-Treasurer's Report**

Clerk Rieth stated that on page 2 of the Packet is Quarter 3 Budget report for review. If there are any questions Clerk Rieth will answer them. Also, on March 28<sup>th</sup> Clerk Rieth and Deputy Clerk Apodaca attended the annual audit training in Ruidoso. We are currently in the process of submitting the contract for approval for our third year of a 3 year proposal with Integrity Accounting. Clerk Rieth will be out of the office on April 6<sup>th</sup> and 7<sup>th</sup>. On the 7<sup>th</sup> Clerk Rieth will be in a Budget Training in Socorro. Also, on April 18<sup>th</sup> and 19<sup>th</sup> Clerk Rieth will be attending a Budget and Audit Certification training, and April 20<sup>th</sup> and 21<sup>st</sup> Clerk Rieth will be in Las Cruces for the Clerk and Finance Officer Spring Meeting. On April 4<sup>th</sup> RFP 16-17-001 was issued requesting proposals for operation of the Restaurant and Bar at Sierra Del Rio. Copies of the RFP are available in Clerks office as well as on the City Website.

## CONSENT ITEMS

**Councilor Rogers made a motion to approve the Consent Items: Approval of Special Town Hall Minutes; March 8, 2017 and Approval of Regular Meeting Minutes; March 15, 2017; Councilor Lafont seconded.**

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

## REGULAR ITEMS

Chief Boone presented a merger between Elephant Butte Fire Department and Lakeshore Fire Department, what this would mean is that back before 1997 both departments were actually one with the incorporation the City of Elephant Butte, the County being outside the line became Lakeshore and Elephant Butte Fire Station as a sole station. With this merger we become a whole department again in joining both stations and that would incorporate all of Lakeshore's district which is included as a map in the packet. Elephant Butte has had several calls and responded to this year in the Lake Shore area. This merger will be a benefit to the constituents in the county as Elephant Butte Fire Department is covering those calls at this time. Elephant Butte does have a quicker response time than what Lake Shore has been able to provide at this time, which is about 7 minutes to just beyond Rock Canyon, and in Lake Shore will be about a 9 minute response time, except for Monticello which is a 15 minute response time. Adding 20 minutes to each one of those response times which is approximately the Lake Shore response time given the time to the station from where they reside. The process with Sierra County has been started and Chief Tooley to look at the feasibility of this merger. Chief Boone is currently involved in the inventory at Lake Shore Station to get the assets to Chief Tooley. When the possibility of this merger first came up Chief Tooley and Chef Boone has two conversations with ISO, Phil Bradley who is the Regional District Manager for this area, one of the biggest concerns was that if the merger did take place it would no way affect the City of Elephant Butte in a manner that would increase the ISO that increase the insurance premiums. During those conversations it was insured that that would not happen. As of right now Elephant Buttes current ISO classification is a 7x which means that there are some areas that are not within 1,000 feet of a hydrant that why it is a split classification. This merger would make our classification a 7 9X which would not affect any of the people in the municipality of Elephant Butte in a negative manner when it comes to their insurance. It would allow the Fire Department to do is cover the entire area quickly making sure the response time is better. Included for the record is Article 53 Fire Protection Fund which allows two Fire Departments to merge. State Fire Marshall has been contacted on this merger, and are supportive of this merger and are working closely to make sure nothing falls out of line. The Plan as this merger is continued with is first to pay off Lakeshore debt using those State Fire Funds, This debt which is \$23,262.00 is due to the addition to the station to make it a main station, all apparatus and equipment is paid off. At this time working with the Lakeshore Fire Chief and Chief Tooley as the Emergency Services Administrator of all the Fire Departments in Sierra County are working to see how Lakeshore State Fire Funds can be spent. One thing that has to occur before this merger can become final is all monies from the State Fire Funds and EMS Fund have to expended, which looking at

ladders, hose and SCBA's which will be repaired or replaced using State Fire Funds. Chief Tooley present to the County Commission, both parties would have to sign a Resolution, which to clarify Chief Boone is not asking for a vote at this time. The main purpose of this presentation was to give information to the Councilors. The Resolutions are projected to happen by the second Commission meeting in May. Awaiting final Approval from the State Fire Marshall and after the Resolutions are signed. Lakeshore's Fire Department as it is will no longer exist; it would become part of Elephant Butte Fire District, and become Elephant Butte Fire Station 2. Chief Boone recently received approval from the EMS Bureau to expend their monies which totals \$11,717.78. The State Fire Funds needing to be expended is \$78,819.27 minus the \$23,262 to pay off the debt. Councilor Rogers asked about the condition of equipment, building and assets of the Lakeshore Fire Station and Chief Boone stated there isn't expected to be a whole lot of issues a thorough cleaning has just been performed. That station does have a class A pumper that is important to our KME in good condition, passes pump test this last year. There is also a 1992 Ford ¾ ton that runs but is not in the best condition. Also there is a brush truck which is on permanent loan from State Forestry, which needs an alternator and some batteries to make it work properly. Also there are three apparatus with are rescues at this time which are not operable at this time, which will be looked at in the future. There is also a Wild land engine that runs well, but does need some batteries and the pump failed the pump test this last year. There will be some investment to get this Brush Truck running. Also Fire Protection Equipment for the personnel. Currently there are 8 sets that are in service and 14 new SCBA's. Also 4 applications from Lakeshore Volunteers have been turned in so if this merger does take place these four people will stay part of the Fire Department only becoming part of Elephant Butte Fire Department. Once the resolution is signed it is over and the merger will happen and Lakeshore will not exist anymore if this merger happens by the end of May Lakeshore will be in the funding cycle for Elephant Butte. This merge should double your income because that station will still be classified as a Class 7 which will be funded by State Fire Marshall. Since funding for Fire Departments has been cut from one lump sum to monthly sum which is approximately \$3,000 a month, it is not certain what will happen if merge does not take place before July 1<sup>st</sup>. On April 19<sup>th</sup> Chief Tooley and Chief Boone will be asking for a Council vote only on the merger which will lead up to the Resolution.

Manager Lucero requested that \$250,000 is to be moved from the General Fund to the Enterprise Fund to have startup capital and wait for funds to start coming in. This transfer is to pay for salaries and overhead to keep business operating without any interruptions. This is a loan from the General Fund to be paid back as the Golf Course starts brining in revenue. The Resolution is to establish the 597 Golf Course Fund as well as increase Expenditures and Transfer. Mayor Pro Tem Skinner clarified that \$250,000 is not being to be moved to be lost.

**Councilor Rogers made a motion to approve Resolution 16-17-121 Budget Adjustment to establish enterprise fund 597 Golf Course Councilor Trager seconded.**

**Motion carried.**

## **EXECUTIVE SESSION**

**At 2:40pm, 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: Turtleback Mountain Properties**

**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.**

**Council came out of executive session at 3.25pm.**

Councilor Lafont certified that only matters on the agenda had been discussed, no decisions had been made, and no action had been taken.

**ADJOURNMENT:**

**Councilor Rogers made a motion to adjourn.  
Councilor Lafont seconded.**

**Meeting adjourned at 3:25pm.**

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

*April 19, 2017*

  
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Melissa Apodaca, Deputy Clerk

Attest:

  
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Karen Rieth, CMC  
Clerk-Treasurer

