



**SPECIAL CITY COUNCIL MEETING  
Wednesday, January 24, 2018  
103 Water St. Elephant Butte, NM 87935  
ACTION MINUTES**



**WORKSHOP**

Mayor Kent called the Workshop to order at 1:04pm

Councilor Rogers and Councilor Lafont were absent and Mayor Pro Tem Skinner was available telephonic. The Workshop was postponed due to lack of Quorum.

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Kent called the Meeting to order at 2:00pm, and Councilor Trager led the Pledge of Allegiance.

**ROLL CALL**

Clerk Rieth called the roll.

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

Councilor Lafont, Councilor Rogers were absent.

Clerk Rieth declared a quorum was present.

Also, in attendance were Public Works Director Cole, 4 members of the public and 1 members of the press.

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

**PUBLIC COMMENT**

No public comment at this time.

**PRESENTATIONS**

Proclamation – School Choice Week

Mayor Kent received an email from Noel Delaney from the National School Choice Week from California and asked that each city put together a Proclamation for the school, The Proclamation states that all children in Elephant Butte should have the highest quality of education possible. School Choice Week is recognized by everywhere in the country. Mayor Kent declared the week of January 21-27, 2018 as National School Choice Week in the Elephant Butte

**APPROVAL OF AGENDA –**

**Mayor Pro Tem Skinner made a motion to approve the Agenda**

**Councilor Trager seconded.**

**Motion carried unanimously.**

**MAYOR AND COUNCIL REPORTS**

Mayor Pro Tem Skinner reported Mayor Kent and Mayor Pro Tem Skinner attended the Hospital Board Meeting on January 23, 2018 hoping to move in the right direction. Also Mayor Pro Tem stated that the JPC has a meeting coming up in the next couple of weeks.

Councilor Trager reported that she will not be attending Municipal Day but will be in Santa Fe on Monday January 29, 2018.

Mayor Kent reported lobbying for Capital Outlay on Thursday and Friday. City Manager Lucero took that Capital Outlay Documents to Santa Fe and filed them. Manager Lucero stated that when Capital Outlay Documents were taken nobody was in the office. Therefore, Manager Lucero will have to make another trip up to Santa Fe on Friday, January 26, 2018 to attempt to deliver the Capital Outlay Documents. Mayor Pro Tem Skinner made a suggestion to call and make sure someone will be available so a trip isn't made for nothing. Mayor Kent stated having many constituents meet with her on ATV's on State Parks, so Mayor Kent will be meeting with Christy Tafoya from State Parks.

Mayor Kent stated that at the Hospital Board Meeting yesterday and meeting with New Mexico Finance Authority is being scheduled to discuss funding of the loan. The hospital is in the process of being turned around in areas that need attention.

Mayor Kent stated that Denise Barrera who is the General Manager for Sierra Electric is in the audience; General Manager Barrera just made an appearance to introduce herself in Open Meeting.

Mayor Kent stated that Manager Lucero turned in a letter of Resignation so therefore this will be her last City Council meeting. Mayor Kent wanted to thank Manager Lucero for the work that she has done, and also wanted to wish Manager Lucero the best of luck in her new endeavors.

## **BOARD AND COMMITTEE REPORTS AND APPOINTMENTS**

Manager Lucero stated that instead of two Representatives for the Minimum Pool Committee for the JPA with the County only one is needed. Mayor Kent stated that that JPA was signed in July 17, 2017 that is going to be overseen. Bruce Swingle is looking at getting more water down this way, but the issue is storage from people who have no need for the water. Mayor Kent asked Councilor Trager if she is willing and able to be the representative for the Minimum Pool Committee. Councilor Trager said yes. Mayor Kent asked Manager Lucero if she would submit Councilor Trager name as the Representative and set up what needs to be done with notifications, and Councilor Trager can take over from that point.

## **MANAGER'S REPORT**

Manager Lucero reported going to Santa Fe on Friday, January 19, 2018 to take Capital Outlay Documentation, but unfortunately nobody was available to accept the documentation. Manager Lucero will be making another trip to Santa Fe on Friday, January 26, 2018 to take the documentation again, but will make a call beforehand to make sure someone will be available to accept. Manager Lucero also stated she is working on getting things situated before she leaves. Manager Lucero stated that she had an agenda prepared for the P&Z Meeting to be held on February 6, 2018. Mayor Kent asked Chuck Looney to get with Manager Lucero. Manager Lucero will be here on the Friday that the Agendas go out. So manager Lucero will take care of postings.

## **FIRE CHIEF REPORT**

Chief Boone is in training but asked Manager Lucero to give his report. Chief Boone is up to 9 Volunteers, in which one of the Volunteers just drives trucks. This volunteer is a retired gentleman. Chief Boone has been working with David Anaya who is the new Inspector for this area; Chief Boone and Inspector Anaya are discussing funding for the Annex as the new station. Chief Boone also asked Manager Lucero to report that there is a new Fire Marshall Don Shanen. Mayor Kent asked that from conversation from the last meeting Chief Boone was supposed to set up a time for a meeting with Mayor Kent, the Fire Marshall, and Chief Boone to talk about what is available for funding. Mayor Kent asked Manager Lucero if Chief Boone was moving forward before the meeting, Manager Lucero said he is not moving forward he is just looking into what the cost will possibly be and if funding will be feasible. There is nothing to report on Code Enforcement at this time.

## **CLERK-TREASURER REPORT**

Clerk Rieth reported that applications for Absentee Ballots are available at the front counter. Absentee voting starts January 30, 2018. Early voting starts February 14, 2018. An Election training will be held on February 27, 2018 at 9AM.

## **CONSENT ITEMS**

**Mayor Pro Tem Skinner made a motion to approve the Consent Items:  
Approval of Special Meeting Minutes; January 10, 2018  
Councilor Trager seconded.**

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

## **REGULAR ITEMS**

**Discussion/Possible action: Criteria for dedication naming a public place**

Postponed until February 7, 2018

**Introduction/Discussion of Ordinance 171 – Small unmanned aircraft**

Manager Lucero stated that this Ordinance has gone through P&Z and some adjustments have been made. This Ordinance is being brought to Council before being published. Manager Lucero stated that this ordinance has been discussed with Attorney Charles Rennick; some of the items have been struck due to the fact that the City is not allowed to seize anything so the part about seizing for unlawful use is being struck out. Mayor Kent asked if P&Z had approved it. Councilor Trager wanted to know what brought up the concern for this ordinance. Clerk Rieth stated that there have been some complaints about having drones hovering over houses. Councilor Trager stated that there is misconception about the cameras on the drones and from speaking to other drone users the camera is mainly to prevent the drone from hitting objects. Mayor Kent asked that more information be researched before this Ordinance is passed because the city needs to be able to answer the questions that come from this Ordinance. Mayor Pro Tem Skinner asked Clerk Rieth to get a hold of the City Clerk in Rio Rancho because Rio Rancho is working on a similar Ordinance.

**Resolution 17-18-115; Notice of names of candidates for office, designation of polling places, precinct board members, and election training for precinct board.**

Clerk Rieth reported that it is a requirement to have a Resolution passed no later than January 30<sup>th</sup> with the names of candidates, as well as the designated polling places are, who the precinct board members are, and the election training dates for the precinct board.

**Mayor Pro Tem Skinner made a motion to approve Resolution 17-18-115; Notice of names of candidates for office, designation of polling places, precinct board members, and election training for precinct board:**

**Councilor Trager seconded.  
Motion carried unanimously.**

**Resolution 17-18-116 Budget Adjustment Resolution; Mid-year adjustments**

Manager Lucero stated that this Resolution is for the Mid-year Budget Adjustments DFA Strongly suggests that every municipality and county look at their budget mid-year and see if there is any money coming in, and whether they are spending more than they should and make adjustment accordingly.

**Mayor Pro Tem Skinner made a motion to approve Resolution 17-18-116 Budget Adjustment Resolution; Mid-year adjustments:  
Councilor Trager seconded.  
Motion carried unanimously.**

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## **Approval of FY 2017 -2018 Quarter 2 Financial Report**

Clerk Rieth stated that this report reflects that Adjustment in Resolution 17-18-116 that was just passed.

**Mayor Pro Tem Skinner made a motion to approve FY 2017 -2018 Quarter 2 Financial Report:  
Councilor Trager seconded.  
Motion carried unanimously.**

## **Resolution 17-18-117 Clean Water Revolving Fund \$425K**

Manager Lucero reported this Resolution had been discussed in the previous Meeting but needs a passed Resolution to continue with the loan process.

**Mayor Pro Tem Skinner made a motion to approve Resolution 17-18-117 Clean Water Revolving Fund \$425K:  
Councilor Trager seconded.  
Motion carried unanimously.**

## **Introduction/Discussion of Ordinance 172 – Clean Water Revolving Fund**

Clerk Rieth stated that in order for this Ordinance to go for Public hearing the Resolution has to be passed before. If the Resolution is passed it will go for Public Hearing February 7, 2018.

## **EXECUTIVE SESSION**

**At 2:48pm, Mayor Pro Tem Skinner made a motion to go into Executive Session pertaining to: NMSA 978 10-15-1(H) (8) the purchase, acquisition or disposal of real property or water rights by the Public Body. Councilor Trager seconded.**

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

## **Council came out of executive session at 3:29pm.**

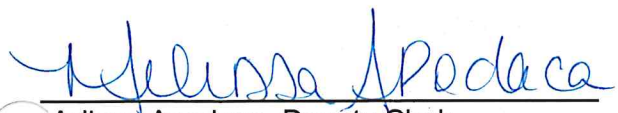
Mayor Pro Tem Skinner certified that only matters on the agenda had been discussed, no decisions had been made, and no action had been taken.

## **ADJOURNMENT:**

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

**Meeting adjourned at 3:30pm.**

*Minutes approved and adopted at the Special meeting of the City Council on February 7, 2018.*



Melissa Apodaca, Deputy Clerk

Attest:



Karen Rieth, CMC  
Clerk-Treasurer

**Final Page of Special City Council Meeting Minutes for January 24, 2017.**