



**CITY COUNCIL MEETING**  
**Wednesday, February 21, 2018**  
**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 Rogers led the Pledge of Allegiance.

**ROLL CALL**

Clerk Rieth called the roll.

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

Mayor Kent was absent.

Clerk Rieth declared a quorum was present.

Also, in attendance were 3 members of the public and 2 members of the press.

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

**PUBLIC COMMENT**

Bruce Swingle from Sierra County wanted to take this time to thank Councilor Rogers for his 6 years with the SCRDA Board. Ms. Howard director of SCRDA presented Councilor with a token of appreciation for serving on the SCRDA Board.

**APPROVAL OF AGENDA –**

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

**Councilor Lafont seconded.**

**Motion carried unanimously.**

**MAYOR AND COUNCIL REPORTS**

Mayor Pro Tem Skinner stated the Mayor Kent and Mayor Pro Tem Skinner have been working with Clerk Rieth these last couple of weeks going through expenses and working on the Budget. Mayor Pro Tem Skinner wanted to thank Clerk Rieth and the staff and Department Heads for being willing to help work on the budget.

Councilor Rogers reported that there was a SCRDA Board Meeting which was Councilor Rogers last meeting. Councilor Trager is taking his place on the SCRDA Board and this was her first meeting in which she was introduced and had the opportunity to meet the other Board Members. The meeting was informative the budget was excellent only 43% of the budget has been spent for the year. One the bigger things on the agenda for SCRDA was getting and moved into the new building in a new facility which could handle all the requirements for the computers and space for the dispatch and dispatches. The projected move is into the T or C Fire Station on 9<sup>th</sup> Street in T or C, On February 28, 2018 there is going to be a meeting at the Chambers in T or C at 11:00 with Century Link and the Department of Finance and SCRDA Representation.

Councilor Lafont reported that the last South Central Transit meeting was postponed until February 28, 2018.

Councilor Trager reported attending the meeting at SCRDA with Councilor Rogers. Councilor Trager will also be attending the Minimum Pool meeting on February 22, 2018.

**FIRE CHIEF REPORT**

Chief Boone reported since the last report 2 weeks ago there has been a change on the format and how Chief Boone will present his report which will not only include calls but will also include meetings and trainings that pertinent to the department. Chief Boone attended a meeting at the State Fire Marshalls Office as well as with the Derek Rodriguez who is now assigned to Southwest New Mexico the meeting was in Socorro going over the current ISO Standing for the Fire Department and what would like to be seen in the Department. Also, Chief Boone has met with Kevin Jarvis the ISO Representative for the State of New Mexico as well as with the Regional ISO Representative, and with Chief Tooley who is also an ISO genius. These meeting were to go over what needs to be done to improve the ISO standings. Chief Boone has met with Mayor Kent and Mayor Pro Tem Skinner. Chief Boone has also met with the CWPP or County Wildland Protection Plan there is a lot of concern due to the lack of snow pack and lack moisture in Southern New Mexico. Chief Boone will be presenting a City wide ban at the March 7, 2018 meeting. The biggest concern is the Bosque by the Golf Course. Chief Boone also met with the Hazard Mitigation Plan for the county and there is a first draft is out. Chief Boone stated that there is a vehicle extrication training coming up schedule for the weekend of March 10<sup>th</sup> and March 11<sup>th</sup> as well as March 17<sup>th</sup> and March 18<sup>th</sup>, the State Fire academy will be coming down and the training will be held at the Station at 309 Rock Canyon Rd. There will be 12 vehicles set out at the Community Center and will be there that week between the two trainings. Chief Boone did get approval from Mayor Kent to have those vehicles there. The mess will be cleaned up from that location once training is complete. These last two weeks there have only been a total of 9 calls which is slower than normal. These calls were all EMS calls The Department is still at 10 Volunteers.

### **CODE ENFORCEMENT REPORT**

Code Enforcement Officer Spencer reported having 9 calls since the last meeting. The majority of those calls are related to trash and unsanitary conditions. Code Enforcement Officer Spencer also stated that once a month all building permits will be reported. One call was regarding a possible "squatter" but that call was taken over by the Sheriff's Department.

### **CLERK-TREASURER REPORT**

Clerk Rieth reported that the Financial Audit for Fiscal year 2016-2017 is in and approval was given by DFA to release the audit to the public. Clerk Rieth also wanted to clarify some of the things that were in the newspaper. Stating for the record Councilor Rogers has not resigned, but Councilor Rogers and Councilor Lafont's terms are expiring. Councilor Rogers has chosen not to run for another term. There are two Councilor positions open, and three candidates running for those two positions. Those candidates are Travis Atwell, Larry Newberry, and incumbent Gerald Lafont. These are at large positions meaning that the voters vote for two out of the three. The two candidates with the top votes will be the ones that take the seats. Early voting has already started and the last day of Early Voting is March 2, 2018. Anyone who did not vote early can vote on Election Day which is March 6<sup>th</sup> at the Community Center.

### **CONSENT ITEMS**

**Councilor Rogers made a motion to approve the Consent Items: Approval of Special Meeting Minutes; February 7, 2018**  
**Councilor Trager 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**

**Resolution 17-18-118 Mileage Reimbursement Rate**



Clerk Rieth stated that as previously discussed, the Council wanted the mileage reimbursement rate to be 100% of the IRS rate of the previous year which is \$0.545 per mile for this fiscal year.

**Councilor Rogers made a motion to approve Resolution 17-18-118 Mileage Reimbursement Rate.  
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.**

#### **Resolution 17-18-119 NMDOT Hardship Sale Participation**

Public Director Cole reported that the discussion was held at the last meeting and it was discussed that the resolution would be presented this meeting for approval.

**Councilor Rogers made a motion to approve Resolution 17-18-119 NMDOT Hardship Sale Participation  
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.**

#### **Discussion/Possible Action: PTS Copier Lease**

Clerk Rieth reported being approached by a representative from PTS in which we currently have a three year lease through PTS, which ends in August. PTS was recently awarded a fairly large contract through Las Cruces Public Schools District in which PTS was able to purchase a large quantity of copy machines at a discounted rate. So PTS is offering to pay off the remainder of the contract lease and bring in a new copier which will do everything that the current one does plus more. We are currently paying \$342.74 if we go with the 60 month lease which they are offering the new lease rate would be \$278.00 which would be a savings of \$64.74 per month. All other terms of the contract would remain the same. This new Printer has the capability of using individual copier codes, which will allow for accurate tracking of each department's use.

**Councilor Rogers made a motion to approve PTS Copier Lease for a 60 month lease.  
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.**

**Discussion and possible action to approve the Liquor License Purchase and Sale Agreement ("Agreement") for the sale of New Mexico Dispenser Liquor License No. 28034 to Desert Greens Golf Course, Inc.**

Councilor Rogers made a motion to approve the Liquor License Purchase and Sale Agreement ("Agreement") for the sale of New Mexico Dispenser Liquor License No. 28034 to Desert Greens Golf Course, Inc.

upon the following terms and conditions:

1. The Agreement shall be effective upon signature by the Mayor following approval of this motion and upon further approval by Buyer as may be required by the Agreement;
2. The sale of the license shall occur upon closing, on or about April 19, 2018, or such other appropriate date after satisfaction of all conditions precedent as may be agreed to by Buyer and the Mayor;
3. Closing shall not take place until notice of the sale has been published in accordance with the provisions of § 3-54-2, NMSA (1978);
4. Time frames and deadlines stated in the Agreement shall be amended as necessary to accommodate this approval without further action by council; and
5. The Mayor is authorized to execute any and all documents, including revisions to the Agreement, necessary to satisfy these conditions."

Councilor Trager 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.

#### EXECUTIVE SESSION

At 2:30pm, Councilor Rogers made a motion to go into Executive Session pertaining to: NMSA 1978 10-15-1(H) (8) The purchase, acquisition or disposal of real property or water rights by the Public Body; Sierra Del Rio; NMSA 1978 10-15-1(H) (2) Limited personal matters; City Manager.

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 4:20pm.

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

#### ADJOURNMENT:

Meeting adjourned at 4:24pm.

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



Melissa Apodaca, Deputy Clerk

Attest:



*Karen Rieth*

Karen Rieth, CMC  
Clerk-Treasurer

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