



CITY COUNCIL MEETING
Wednesday, March 7, 2018
103 Water St. Elephant Butte, NM 87935
ACTION MINUTES

WORKSHOP 1:00PM – CANCELLED DUE TO LACK OF QUORUM

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 Rogers, were all present.
Councilor Trager 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

There was no public comment at this time.

PRESENTATION

Omar El-Emawy of THEMAC Copper Corp gave a presentation regarding the status of the Copper Flat Mine. THEMAC is committed to the mining project, but does face some obstacles; mainly the need for additional water rights. The hope is that the mine will boost the economy in Sierra County with jobs, and support companies. A comprehensive reclamation plan has been completed, providing \$45 million dollars to reclaim the wildlife areas once the mining project is completed.

APPROVAL OF AGENDA –

Councilor Rogers made a motion to approve the Agenda
Mayor Pro Tem Skinner seconded.
Motion carried 3-0.

MAYOR AND COUNCIL REPORTS

Mayor Pro Tem Skinner reported working with the Clerk on budget, and will continue to do so.

Councilor Lafont had nothing to report at this time.

Councilor Rogers had nothing to report at this time.

Mayor Kent recognized Tim Crawford, water operator. Tim has obtained his level I Water Operator Certification.

Mayor Kent recognized Chief Boone for working diligently to reduce the ISO rating.

Mayor Kent announced for the Record that this is not Councilor Roger's last meeting. March 21 will be Councilor Roger's last meeting.

FIRE CHIEF REPORT

Chief Boone reported meeting with the State Fire Marshal's office regarding a site survey for a proposed substation at Sierra del Rio. On Tuesday, an approval letter was received for that project. Currently that area is outside the 1.5 mile response radius. Having a substation will allow for faster response times, and also help to lower our ISO rating, in addition to lowering home insurance rates for residents that will now be included in the 1.5 mile response radius.

Mayor Kent announced to the Public that Councilor Lafont has generously offered to donate the substation building to the City.

Chief Boone reported spending the last week working with ISO. The ISO inspection was originally planned for May, but a call was received last week announcing that the inspector would be here Tuesday. Chief Boone stated that he would like the record to show that the captains and the volunteers carried the vast majority of the workload, and the inspection would not have been successful without their help. Chief Boone explained that the inspection consisted of meeting with Kevin Jarvis and spending about half a day going over the last 3 years' worth of testing records on hoses, pumps on the engines, and the equipment that is used, as well as how much equipment is on the trucks. No stone was left unturned. Chief Boone is confident about the study, and we will have confirmation in 2-6 months what the results are. The goal is to go from an ISO 7 to an ISO 5.

Chief Boone reported that the department would be conducting extrication training at the Community Center over the next two weekends. We are required to have 12 wrecked vehicles to practice on, so if anyone has a junk car they are willing to donate, please contact the City.

Chief reported there have been 7 EMS calls in the last 2 weeks. There have been 3 new members added to the department, making a total of 13 volunteers.

CODE ENFORCEMENT REPORT

Code Enforcement Officer Spencer reported having responded to 21 calls for the month of February. The calls range from zoning permits, to unsanitary premises.

Mayor Kent noted a report of coyotes on Lakeshore, and asked whether we shoo them away, or what to do about them. Officer Spencer explained that the US Department of Agriculture has been given permission and is currently trapping in the City limits.

PUBLIC WORKS REPORT

Director Cole reported working on the LGRF for Fiscal year 2018-2019. Priorities are Jade Loop, Michigan, and possibly another equipment purchase from the NMDOT equipment auction. Director Cole has started the application process for the Walmart grant for Elephant Days. Director Cole reported that the City requested Capital outlay in the amount of \$550K for water and was granted \$80K; Wastewater requested \$435K and was granted \$16K; State Clean Water Revolving Fund is in full swing. The Spring Cleanup is scheduled for April 2 – 13. Director Cole is working on program renewals for NMED and EPA.

CLERK-TREASURER REPORT

Clerk Rieth Stated for the record: Council met in closed session on Tuesday, February 27, 2018 and again on Thursday, March 1, 2018 for the purpose of interviewing candidates for the City Manager position, pursuant to NMSA 1978 10-15-1(H) (2) Limited personnel matters. Both meetings were called to order by Mayor Kent at 1:00pm. All members of the Council were present, and meetings adjourned by 5:00pm. Councilor Lafont certified that only matters pertaining to the hiring of a new city manager were discussed, and no decisions were made.

Clerk Rieth reported that the small Cities assistance check has been received, however it was for \$131,703.95, and we budgeted \$175,000, so budgeted revenues in the general fund are \$43,000 lower than anticipated. Clerk Rieth announced the UNOFFICIAL results from the 2018 Municipal election: There were 3 Absentee

voters, 54 Early voters, and 104 Election Day voters, for a total of 161 Voters, representing a 14.56% turnout. The apparent electors Gerald Lafont with 120 Votes & Travis Atwell with 102 Votes. Election Canvass will begin at 10am on March 9th.

Candidates will sign a written statement acknowledging receipt of the certificate of election; make a qualification statement; and take the oath of office administered by the Clerk on March 12 at 4pm, pursuant to NMSA 3.8.33B.

An Organizational meeting of the new Council will be March 21 at 2pm.

CONSENT ITEMS

Councilor Rogers made a motion to approve the Consent Items: Approval of Special Meeting Minutes; February 21, 2018 with a correction on page 1 under Public Comment: Bruce Swingle stated that Councilor Rogers had 10 years of service on the SCRDA Board, and it should read 6 years. Councilor Lafont seconded.

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

REGULAR ITEMS

INTRODUCTION OF ORDINANCE 173 RE: BURN BAN

Chief Boone explained that he is seeking approval to draft an ordinance to advertise for public hearing at a later date to institute a burn ban due to extremely dry conditions.

Council instructed Chief Boone to proceed with drafting the ordinance.

APPROVAL OF RESOLUTION 17-18-120; BUDGET ADJUSTMENT

Clerk Rieth presented a YTD detail vs. budget report through March 5, and a draft resolution and requested Council review each item before deciding on the final numbers that Council would like to include. Clerk Rieth discussed each item on the resolution with Council.

Mayor Pro Tem Skinner made a motion to approve Resolution 17-18-120 Budget Adjustment. Councilor Lafont seconded.

Motion carried 3-0.

EXECUTIVE SESSION

At 3:08pm, Mayor Pro Tem Skinner 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; and NMSA 1978 10-15-1(H) (2) Limited personal matters; City Manager. Councilor Rogers seconded.

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

Council came out of executive session at 4:35pm.

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 4:36pm.

Minutes approved and adopted at the Special meeting of the City Council on March 21, 2018

Attest:



Karen Rieth

Karen Rieth, CMC
Clerk-Treasurer

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