



**WORKSHOP AND
REGULAR COUNCIL MEETING
September 16, 2015
103 Water St. Elephant Butte, NM 87935
ACTION MINUTES**

WORKSHOP -1:00pm

Chief Tooley of the Truth or Consequences Fire Department gave a presentation on how to help the City of Elephant Butte Fire Department improve its ISO rating. Rating on a fire station affects state funding and Homeowner's insurance rates. Elephant Butte Fire Department currently has a 7 out of 10 rating. Chief Leavitt, Chief Tooley, and Council discussed how to get City of Elephant Butte to a better ISO rate.

REGULAR COUNCIL MEETING - 2:01pm

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Kent called the Regular Meeting to order at 2:01 PM, and Councilor Skinner led the Pledge of Allegiance.

ROLL CALL

Clerk Rieth called the roll. Mayor Kent, Mayor Pro-Tem Skinner, Councilor Lafont, Councilor Rogers, and Councilor Trager were all present.

One member of the Press and 8 members of the public were also present.

Mayor Kent continued discussion from the workshop on the fire department and requested Chief Tooley to write up a proposal of items the fire department needs to focus on to improve the ISO rating. Chief Tooley agreed to do an evaluation of the ISO report and give the City of Elephant Butte Fire Department areas of focus to improve their ISO rating.

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

PUBLIC INPUT

Mr. Parry Larsen, 206 Rio Grande Circle, would like a public update on the Rock Canyon Road Improvement Schedule.

Mr. Jerry Armijo, 200 Superior, is in favor of the use of golf carts and ATV's on City Streets, and stated that this would be a great benefit to businesses and to the economy of the City of Elephant Butte.

Mr. Rex Ploderer, 100 Canadian Circle, Also would like to include ATV's and UTV's in addition to golf carts. Mr. Ploderer offered his services as a project manager to tackle this project by providing information needed and follow through.

APPROVAL OF AGENDA

Mayor Kent asked for a motion to approve the Agenda.

Mayor Pro-Tem Skinner made a motion to approve the Agenda as submitted. Councilor Rogers seconded. The motion carried unanimously.

BOARDS AND COMMITTEE APPOINTMENTS AND COMMITTEE REPORTS

Mayor Kent recommended Reappointing Sheridan Fuss, and appointing Rick Harrison to the Planning and Zoning Commission, and allowing Nathan Lafont to stay on as an alternate.

Councilor Lafont declared conflict of interest.

Councilor Rogers made a motion to appoint Sheridan Fuss and Rick Harrison full time to the Planning and Zoning Commission. Motion was seconded by Councilor Trager. The motion carried with Councilor Lafont abstaining his vote.

MAYOR & COUNCIL REPORTS

Mayor Kent announced that Elephant Days 2016 theme will be the '50s and '60s.

Mayor Kent announced for the public that The Golf Cart Committee is still looking at requirements, but the goal is to be able to get to a point where golf carts are allowed; and welcomed project manager Rex Polderer's help with getting requirements in order. Mayor Kent explained the Rock Canyon Project and the phases that it will go through over the course till completion scheduled to be prior to Memorial Day 2016.

Councilor Trager mentioned the SCCOG meeting had been cancelled and rescheduled for 10/16/2015.

Councilor Rogers stated he was Glad to be back and the Car Show for Elephant Days went really well. Councilor Rogers announced that the new SCRDA director is in place. Her name is Michelle Howard, and she goes by "Micky".

Councilor Lafont Attended an RPO meeting on the Rock Canyon Road project Utility Directive. With Debbie Hudson. Councilor Lafont will meet with Manager Finzen to discuss details. The Golf Cart Committee is working diligently to put together a route that will allow golf carts.

Councilor Skinner spoke about the New Mexico Municipal League Conference, and commented that the speakers were good. Councilor Skinner praised Councilor Trager for participating in the walk/run during the conference.

CLERK-TREASURER'S REPORT

Clerk Rieth announced that the auditor would be onsite performing the annual audit for two weeks beginning September 28.

Mayor Kent reminded Clerk Rieth who subsequently announced to Council that there is a sign up sheet available at the Clerk's office for shifts to help during Oktoberfest.

CONSENT ITEMS

Mayor Kent asked for a motion to approve the Consent Items

- Approval of Minutes – Regular Meeting, August 19, 2015

Mayor Pro-Tem Skinner made a motion to approve the Consent Item(s) as submitted. Councilor Lafont seconded.

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

PUBLIC HEARING

Mayor Kent opened for public hearing regarding Ordinance 156 and asked for public comment.

There being none, the hearing was closed.

Councilor Rogers made a motion to approve Ordinance 156 Amending Sections 31.02, 31.03 and 31.04 of the City of Elephant Butte Code Ordinance. Councilor Skinner second the motion.

**A Roll Call vote was held:
Councilor Lafont abstained due to a conflict of interest.
Councilor Trager voted yes.
Councilor Rogers voted yes.
Councilor Pro-Tem Skinner voted yes.
Motion carried.**

REGULAR ITEMS

Clerk Rieth introduced Resolution 15-16-106; A Resolution Regarding Social Security Coverage for City of Elephant Butte. Clerk Rieth explained that in order for employees who participate in PERA to have Social Security withheld in order to be able to draw from Social Security upon retiring, there must be a Section 218 Agreement in place. To remedy the situation, the City must hold a referendum of the current employees. The Council has previously discussed the issue and decided upon holding a divided vote referendum. The first step in the process is to pass a resolution.

**Councilor Rogers made a motion to approve Resolution 15-16-106. Councilor Lafont seconded.
Motion carried unanimously.**

Mayor Kent introduced Resolution 15-16-109; A Resolution to increase Revenues and Expenditures in the 206 EMS fund. Clerk Rieth explained that this budget adjustment was being done due to receiving higher funding than originally expected.

**Mayor Pro-Tem Skinner made a motion to approve Resolution 15-16-109.
Councilor Lafont seconded.
Motion carried unanimously.**

Council discussed the pros and cons of moving Elephant Days Date for 2016 back to the 2nd weekend in September.

**Mayor Pro-Tem Skinner made a motion to hold Elephant Days 2016 the second weekend in September. Councilor Lafont seconded.
Motion carried unanimously.**

Clerk Rieth explained that the Lodger Tax Contracts 2015-16 Fiscal Year funds that had previously been approved by Council had been brought back for reconsideration by a request from Mayor Pro-Tem Skinner, who had originally voted in favor. Several of the requests were scheduled to go before the Lodgers Tax Advisory Board on July 9, but that meeting had been cancelled due to lack of quorum, therefore some items had not been considered. In addition, During the Final Budget process, the budget for the Lodgers Tax Fund had been reduced to \$60,000, meaning some of the previous amounts could no longer be funded.

The Council discussed the merits of each request, and came up with the following recommendation included for the record:

NM Veteran's Car Show	\$0.00
Luminaria Beach Walk	\$2,000.00
Lighting Contest	\$600.00
Casino Night	\$600.00
Balloon Regatta	\$0.00
TV ads	\$2,000.00
Vacation Guide	\$5,900.00
Brochure Reprint	\$0.00
Responsive Website	\$600.00
Internet Access (new contract needed for procurement)	\$600.00
Visitor Center Rent (new contract needed for procurement)	\$4,800.00
Golf Tournament	\$600.00
Fireworks Extravaganza	\$2,000.00
Veteran's Memorial Park Brochures	\$0.00
Marketing Plan	\$21,700.00
LT Annual Audit	\$500.00
Elephant Days	\$4,000.00
Flag Day	\$500.00
Kayak Fishing Tournament	\$2,000.00
Improvements to event site	\$10,000.00
Oktoberfest	\$500.00
Taste of St. Patty's Day	\$500.00
Elephant Days Security	\$600.00
Totals:	\$60,000.00

Councilor Rogers made a motion to approve the Lodgers Tax Requests as discussed. Mayor Pro-Tem Skinner seconded. Motion carried unanimously.

At 3:28pm, Mayor Kent asked for motion to go into Executive Session

Mayor Pro-Tem Skinner made a motion to go into executive session regarding the purchase, acquisition or disposal of real property or water rights by the public body pursuant to NMSA 1978, Section 10-15-1(H)(8), Damsite. Motion was seconded by Councilor Lafont.

**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 invited Mr. Neil Brown to join the session.

At 4:21pm, Council came out of executive session.

Councilor Lafont Certified that only matters on the agenda were discussed, and no decisions had been made.

**Councilor Lafont made a motion to adjourn. Councilor Rogers seconded.
Motion carried unanimously.**

Meeting adjourned at 4:22pm.

Minutes adopted at the Regular meeting on October 7, 2015



Karen Rieth, City Clerk -Treasurer