



**CITY OF ELEPHANT BUTTE
REGULAR CITY COUNCIL MEETING**

Wednesday, January 20, 2021 – 2:00 pm
Municipal Building, 103 Water St. Elephant Butte, NM 87935

Due to the current health risks associated with COVID-19 and orders from the New Mexico Governor's Office and the New Mexico Public Health Department, public attendance at this and future meetings of the City Council are temporarily suspended. Until the orders are lifted, and in accordance with the guidance from the New Mexico Attorney General, the City will make its meetings open to the public through dialing into WebEx number: (408) 418-9388, Access Code: 126 124 0239, Password: 87935 or www.cityofelephantbutte.com for information about accessing the meeting through your computer.

MINUTES

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Edna Trager called the meeting to order and led the Pledge of Allegiance.

2. ROLL CALL

Clerk-Treasurer Rani Bush called roll.

Mayor Edna Trager - Present via WebEx
Mayor Pro Tem Kim Skinner – Present via WebEx
Councilor Travis Atwell – Present via WebEx
Councilor Gerald LaFont – Present via WebEx
Councilor Michael Williams – Present via WebEx

Clerk-Treasurer Bush declared a quorum.

3. APPROVAL OF AGENDA - Council Declaration of Conflict of Interest

Councilor Atwell motioned to approve the agenda. Mayor Pro Tem Skinner seconded. Clerk-Treasurer Bush conducted a roll call vote:

Mayor Pro Tem Skinner – Yes
Councilor Atwell – Yes
Councilor LaFont – Yes
Councilor Williams - Yes

Motion Passed.

**4. STATEMENT OF OPEN MEETINGS RESOLUTION & 3 MINUTE LIMIT PER
SPEAKER ON ALL ISSUES**

5. PUBLIC COMMENT

Clerk-Treasure Bush read an email from Jerry Morrison. She also read the note from Sheila and Clyde Barton, II.

6. MAYOR AND COUNCIL REPORTS

Councilor Williams attended a Sierra County Regional Dispatch Authority (SCRDA) Board meeting where they discussed opening the new county building for SCRDA possibly in August, and gross receipts were higher than expected.

Mayor Pro Tem Skinner reported on the various meetings she attended. An important topic with the NM Restaurant Association was how to help turn communities from red to green according to the State COVID guidelines. They also discussed the impact of the vaccination for out-of-state visitors and allowing people to dine inside.

Councilor LaFont attended a South Central Regional Transit District meeting where they extended David Amijo's contract for another two years.

Mayor Trager updated the Council on EndeavOR New Mexico, the Elephant Butte marketing video in conjunction with the South Central Council of Governments, the Mayors Caucus, qualified immunity legislation and input for the Lake's Outdoor Recreation Plan.

7. CITY MANAGER REPORT

City Manager Ballinger updated the Council on the Comprehensive Plan survey, the \$50,000 CARES Act money received by the City, applying for a Colonias grant, the restructured NM Finance Authority loan, the \$400,000 Capital Outlay money for water system upgrades, the golf course and interactions with the Sierra Vista Hospital.

She attended the Sierra County Commission yesterday, where the City's Floodplain Manager's Memo of Understanding was approved. She is following up on the Truth or Consequences Animal Control and Impounded Services agreements.

She held an all-staff meeting on January 6. All employees are above the new NM minimum wage requirement that took effect on January 1. The water operator position has been filled, and he will start on January 25. She revised the Infrastructure Capital Improvement Plan (ICIP) since the City received funding for the water system.

Mayor Trager added that the golf course is currently operating with a very small staff. Councilor Williams requested that City Manager Ballinger provide a written report from now on. Mayor Pro Tem Skinner requested that water improvements not be taken off the ICIP entirely but moved down in importance since we received funding this year.

8. CLERK-TREASURER REPORT

Clerk-Treasurer Bush is currently working on the second-quarter report to the State that is due January 31. Gross receipts tax for January was \$38,886 (up from the last three years). Property tax for December was \$61,532, and November was \$108,425. The City received a billing error refund of \$400 from Truth or Consequences Animal Control. Deputy Clerk Jessica Newberry will review all future invoices to make sure charges are only for Elephant Butte animals. She hasn't received any inquiries from customers to serve on the Public Utility Advisory Board as of yet. She thanks Utility

Clerk Jane Tinon for the excellent job she is doing, especially with the many new customers moving to Elephant Butte.

City Engineer David Shields updated the Council on the Camino Cinco Improvement Project. Councilor Williams inquired about studies for the runoff after the paving is completed. Mr. Shield will send the report to Council.

9. FIRE CHIEF REPORT

Fire Chief Toby Boone reported that the Fire Department ran twenty-one calls in December. Most of the calls were medical in nature, and five were to the golf course. He is working with Glen Adkins, the new medical director on insurance. There are currently fifteen volunteer fire-fighters.

Councilor Williams requested that Chief Boone provide a written report from now on.

10. LAND USE REPORT

Land Use Admin Lindsey Moore reported there were ten residential permits issued in December. One was denied due to insufficient paperwork. There was one vacation of utility easement.

Councilor Williams requested that the Land Use Report include the issue date and relevant code for each permit. Councilor Atwell requested more current permit reports since the Council meeting is at the end of the month and the report is for the previous month. Land Use Admin Moore explained that the construction going on in the City might have a permit that was issued up to a year before, so there isn't a correlation with permits in any specific month.

11. CODE ENFORCEMENT REPORT

Code Enforcement Officer Devon Jones reported there were fourteen cases in December, mostly weeds and trash. He is still working on contacting City business owners whose licenses were not renewed.

12. CONSENT ITEMS (Roll Call Vote)

a. Approval of Minutes: Regular Meeting, December 16, 2020, and Workshop, January 13, 2021

Councilor Williams motioned to approve both sets of minutes. Councilor Atwell seconded. Clerk-Treasurer Bush conducted a roll call vote.

Mayor Pro Tem Skinner – Yes
Councilor Atwell – Yes
Councilor LaFont – Yes
Councilor Williams – Yes

Motion Passed.

13. REGULAR ITEMS

a. Discussion/Possible Action: City of Elephant Butte Code of Ethics

Councilor Williams wanted to expand the Council Code of Ethics to apply to all committee members and employees.

Councilor Williams motioned to revise Resolution 18-19-131 by adding “staff, appointed board members and commissioners to the title and first “whereas” and adding adherence to the Governmental Conduct Act (NMSA 1978, Chapter 10, Article 16) and providing each person with the Conduct Act Compliance Guide. Councilor Atwell seconded. Clerk-Treasurer Bush conducted a roll call vote.

Mayor Pro Tem Skinner – Yes
Councilor Atwell – Yes
Councilor LaFont – Yes
Councilor Williams – Yes

Motion Passed.

b. Discussion/Possible Action: Planning & Zoning Commission Membership §155.006(A)(2)

Nathan LaFont, Chair of the Planning & Zoning Commission, explained the Commission’s history and current composition and the challenges faced over the years since he has served on it. The Council received notice of Ken Swaim’s resignation from the Commission.

Councilor Williams motioned to start the process of changing Code Chapter 155.006(A)(2) by removing the number “five” and adding “three,” and removing the number “two” and adding “one” by bringing it to a public hearing. Councilor Atwell seconded. Clerk-Treasurer Bush conducted a roll call vote.

Mayor Pro Tem Skinner – Yes
Councilor Atwell – Yes
Councilor LaFont – Yes
Councilor Williams – Yes

Motion Passed.

Mayor Pro Tem Skinner added that she would like a discussion to be had with Michael Steininger (Department of Financial and Administration), who will be assisting the City with next year’s budget, about finding the funds to hire a planner to help with the administration of City Code.

c. Discussion/Possible Action: Cedar Cove Too Sewer Connection

City Manager Ballinger and City Engineer David Shields explained Steve Bell’s proposal for his Cedar Cove Too sewer connection. Mr. Bell was present to answer questions.

Mr. Bell will meet with Chief Boone to complete the permit process. Councilor Williams suggested Code Chapter 150.53 Municipal Right-of-Way be used for the process.

Councilor Williams motioned to sanction Steve Bell to work with Chief Boone to complete the permit and get the work done, with the caveat of holding a special Council meeting if needed. Councilor Atwell seconded. Clerk-Treasurer Bush conducted a roll call vote.

Mayor Pro Tem Skinner – Yes
Councilor Atwell – Yes
Councilor LaFont – Yes
Councilor Williams – Yes

Motion Passed.

d. Discussion/Possible Action: Resolution 20-21-113 NMFA Loan PPRF-5450 Restructuring

Councilor Williams motioned to approve Resolution 20-21-113 NMFA Loan PPRF-5450 Restructuring. Councilor Atwell seconded. Clerk-Treasurer Bush conducted a roll call vote.

Mayor Pro Tem Skinner – Yes
Councilor Atwell – Yes
Councilor LaFont – Yes
Councilor Williams – Yes

Motion Passed.

e. Discussion/Possible Action: Resolution 20-21-114 NMED Grant Agreement SAP 20-E2221-STB

Councilor Williams motioned to approve Resolution 20-21-114 NMED Grant Agreement SAP 20-E2221-STB since it is only changing people's names. Councilor Atwell seconded. Clerk-Treasurer Bush conducted a roll call vote.

Mayor Pro Tem Skinner – Yes
Councilor Atwell – Yes
Councilor LaFont – Yes
Councilor Williams – Yes

Motion Passed.

f. Discussion/Possible Action: Fixed Assets Policy Adoption

City Manager Ballinger explained the proposed policy to the Council.

Councilor Williams motioned to adopt Policies Pertaining to Specific Asset And Liability Accounts, Fixed Asset Management. Councilor Atwell seconded. Clerk-Treasurer Bush conducted a roll call vote.

Mayor Pro Tem Skinner – Yes
Councilor Atwell – Yes
Councilor LaFont – Yes
Councilor Williams – Yes

Motion Passed.

14. COUNCILOR COMMENTS

Councilor Williams inquired about a change to Todd Barringer's involvement with Spirit Golf Management. City Manager Ballinger will follow-up. Mayor Pro Tem Skinner and Councilor Atwell thanked Clerk-Treasurer Bush for adding the agenda number to documents in the packet.

15. ADJOURNMENT

Councilor Williams motioned to adjourn. Mayor Pro Tem Skinner seconded. Clerk-Treasurer Bush conducted a roll call vote.


Mayor Pro Tem Skinner – Yes -
Councilor Atwell – Yes
Councilor LaFont – Yes
Councilor Williams – Yes

Motion Passed.

Minutes approved and adopted at the City Council Meeting on February 17, 2021.


Edna Trager
Mayor

ATTEST:



Rani Bush
Clerk-Treasurer

