



CITY OF ELEPHANT BUTTE PLANNING & ZONING COMMISSION
REGULAR MEETING - OPEN TO THE PUBLIC
Tuesday, March 2, 2021 - 9:00 am

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 Planning & Zoning Commission 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, 126 791 3791, Password: 87935 or going to www.cityofelephantbutte.com for information about accessing the meeting through your computer.

Minutes

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chairperson Nathan LaFont called the meeting to order, and Commissioner Sheridan Fuss led the Pledge of Allegiance.

2. ROLL CALL

Clerk-Treasurer Rani Bush conducted roll call:

Chair Nathan LaFont - Present
Vice-Chair Tami Smith - Present
Commissioner Sheridan Fuss – Present
Commissioner Cathy Harmon - Present via WebEx
Commissioner Cathy Vickers - Present

3. DECLARATION OF CONFLICT OF INTEREST & STATEMENT OF OPEN MEETINGS ACT

**The Open Meetings Act is in effect, and there is a three-minute limit per speaker on all non-agenda items.*

None

4. APPROVAL OF AGENDA

Commissioner Vickers motioned to approve the agenda. Commissioner Fuss seconded. 5-0. Motion passed.

5. APPROVAL OF MINUTES

Commissioner Harmon motioned to approve the February 2, 2021 minutes with the amendment of adding Commissioner Vickers's arrival after the Zoning/Land Use Report. Commissioner Vickers seconded. 5-0. Motion passed.

6. PUBLIC INPUT

None

7. COMMISSIONERS' COMMENTS

Commissioner Fuss inquired about the availability of COVID reimbursement money to buy tablets for the Commission to use instead of having hard copies of everything. City Manager Ballinger responded that she was not aware of any such funds. He also inquires about improvements to Country Club Road because it is deteriorating quickly. She replied nothing had been planned at this time.

8. CITY MANAGER REPORT

City Manager Vicki Ballinger updated the Commission on the Comprehensive Plan survey, the \$703,000 NM Department of Transportation funding for Michigan Ave, the Colonias funding application, communications with the Sherriff's Office about Magistrate Court, Rezoning Ordinance 191, Home Occupation Ordinance 192, and the Warm Springs Road Project.

She held an all-staff meeting on February 12 about the Employee Manual and the Governmental Conduct Act Compliance Guide. She is still looking for volunteers for the Public Utility Advisory Board. The code enforcement officer and file clerk positions are still being advertised. She would also like to hire someone to write land use code for the City in the future. The Chamber of Commerce is planning for a 5K run in the spring. She also updated the Commission about the state park.

9. ZONING/LAND USE REPORT

Land Use Admin Lindsey Moore reported there are currently 37 open land use permits (31 residential and six commercial). There are also two permits in review. There are currently two big commercial projects: a TDS utility connection for Casa Taco and a sewer project from Steve Bell. She has been conducting final inspections on properties. She provided the Commission with a Commonly Asked Questions document.

10. REGULAR ITEMS

a. Discussion: Resolution 20-21-115 Code of Ethics

City Manager Ballinger and City Attorney Ben Young explained the new resolution adopted by Council on February 17, 2021. It applies to the Commission, and the commissioners were provided a copy of the Governmental Conduct Act Compliance Guide.

b. Discussion/Possible Action: Ordinance 173 – Nuisance

Chair LaFont explained the background for this ordinance. Its purpose is to combine two sections of Code. City Attorney Young added that there is often confusion between the criminal code portion vs. statutory nuisance abatement provisions. Both issues need to stay separate but on parallel tracks so the City can take advantage of either option as needed.

Chair LaFont suggested tabling this ordinance until the next meeting to give commissioners time to review the draft in more detail.

Commissioner Fuss motioned to table Ordinance 173 until the next meeting. Vice-Chair Smith seconded. 5-0. Motion passed.

c. Discussion/Possible Action: Ordinance 183 – Manufactured Home Standards (Age)

Chair LaFont explained the background for this ordinance. Commissioner Vickers volunteered to

research whether mandating the homes to be permanently set is in the Manufactured Home Housing Act.

Commissioner Fuss motioned to table Ordinance 183 until the city manager and legal can review it. Vice-Chair Smith seconded. 5-0. Motion passed.

d. Discussion: Manufactured Home Skirting

David Kimball submitted a skirting waiver request that was included in the Commissioners' packet. The letter is considered public comment. If he wishes further action, he will need to apply for a variance. The issue of home skirting is something that the Commission has towards the bottom of their priority list. Land Use Admin Moore will follow up with Mr. Kimball about his request.

e. Discussion: Storage Lots - Permitted Use vs. Conditional Use

Chair LaFont polled the Commission about the next issue to work on. It was agreed to work on storage lots before short-term rentals. He suggested to the Commission to talk with current storage lot owners about appropriate zoning changes.

f. Discussion: Short-Term Rentals

None

11. ADJOURNMENT

Commissioner Vickers motioned to adjourn. Vice-Chair Smith seconded. 5-0. Motion Carried.

Minutes approved and adopted at the Planning and Zoning meeting on April 6, 2021.



Nathan LaFont
Planning & Zoning Chair

ATTEST:

Rani Bush
Clerk-Treasurer