



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

**Wednesday, May 19, 2021 – 2:00 pm**  
**Municipal Building, 103 Water St. Elephant Butte, NM 87935**

**The City will also open the meeting to the public through WebEx number: (408) 418-9388, Access Code: 126 124 0239, Password: 87935 or going to [www.cityofelephantbutte.com](http://www.cityofelephantbutte.com) for information about accessing the meeting through your computer.**

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**MINUTES**

**1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Edna Trager called the meeting to order, and City Attorney Ben Young led the Pledge of Allegiance.

**2. ROLL CALL**

Clerk-Treasurer Rani Bush called roll.

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

Clerk-Treasurer Bush declared a quorum.

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

**Councilor LaFont motioned to approve the agenda.** Mayor Pro Tem seconded. 4-0. Motion passed.

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

**5. PUBLIC COMMENT**

Clerk-Treasurer Bush read the anonymous letter regarding lighting at 609 Skyline Drive.

**6. PRESENTATIONS**

**a. Rio Grande Yacht Club Anniversary Year**

Mayor Trager presented Ken and Johanna Tighe with a proclamation declaring 2021 as the 61<sup>st</sup> anniversary year for the yacht club and thanked them for their service to the City.

**7. MAYOR AND COUNCIL REPORTS**

**Councilor Williams** attended a Sierra County Regional Dispatch Authority (SCRDA) Board meeting this morning. He was elected Vice-Chair.

**Councilor Atwell** updated the Council about the latest water release projections for the lake.

**Mayor Pro Tem Skinner** updated the Council on Christy Tafoya's (State Parks Division Director) efforts to promote the lake before her retirement, the Sierra County Special Hospital District, golf course marketing with Janine Sjostrom, the Restaurant Revitalisation Fund, the NM Hospitality Association, the Economic Development Department, the Disaster Fund, the NM Tourism Department, and the Sierra County Tourism Board.

**Mayor Trager** updated the Council on a special Workforce Solution's Southwest District CEO Board meeting, the May 11 Friends of the Lake meeting, the May 12 Atlas GIS Update meeting, and the Kayak Fishing Tournament happening this weekend. The Maintenance Crew will put out flags on Memorial Day along Butte Boulevard.

## **8. CITY MANAGER REPORT**

**City Manager Vicki Ballinger** updated the Council on road projects funding, drainage issues around the wastewater treatment plant, and Spirit Golf Management's upcoming annual meeting with the Council. She also reported that the utility audit reports show that there are currently 491 water accounts, 228 water standby accounts, 951 wastewater accounts and 464 wastewater standby accounts. Mayor Pro Tem Skinner brought up the issue of properties like hers, which crosses two lots and are therefore charged a standby fee even though the second lot is too small to use. Having a variance for this situation has been discussed in the past. She requested an assessment of the affected subdivision to see what can be done.

City Manager Ballinger let the Council know she denied a Memorial Day parade because it would cause too many issues with traffic and access to local businesses. Prizes were awarded for the Comprehensive Plan Survey drawing. Over 100 people completed the survey.

## **9. CLERK-TREASURER REPORT**

**Clerk-Treasurer Bush** informed the Council that a new contract was signed with Beasley, Mitchell and Company to provide audit services for the next three years. They will be presenting the FY19-20 Audit later in the meeting. She also went over the loan spreadsheet she provided to the Council. May GRT was \$65,787, the highest it's been since FY2018. Business registrations and utility standby fees are coming due in June. Jane Tinon, the utility clerk, is working with the County to better track property ownership changes and, therefore, utility changes.

## **10. FIRE CHIEF REPORT**

**City Manager Ballinger** let the Council know that Fire Chief Toby Boone was out on a fire. She gave his report. In his absence, Deputy Chiefs Tuma and Flora will be covering for him in district. He is expected to be out until Memorial Day but is in contact with her regularly.

## **11. LAND USE REPORT**

**Land Use Admin Lindsey Moore** reported that there are currently 50 open permits. There are eight new residential builds. She also updated the Council on the completion of two underground road bore projects.

## **12. CONSENT ITEMS (Roll Call Vote)**

### **a. Approval of Regular Meeting Minutes, April 21, 2021**

**Councilor Williams** motioned to approve the Regular Meeting Minutes, April 21, 2021. 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. Approval of Workshop Minutes, May 5, 2021**

**Councilor Williams motioned to approve the Workshop Minutes, May 5, 2021.** 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: Resolution 20-21-122 FY19-20 Audit Approval**

City Auditor, Ashley Tierney of Beasley, Mitchell and Company, presented an FY20 Audit Highlights PowerPoint to the Council. There were only three findings compared to eleven for FY19. She emphasized the need to keep proper internal controls and how much the City has improved over the last three years.

**Mayor Pro Tem Skinner motioned to approve Resolution 20-21-122.** Councilor LaFont seconded. 4-0. Motion passed.

**b. Discussion/ Possible Action: Resolution 20-21-123 Budget Adjustments FY21 #5**

Clerk-Treasurer Bush explained that Budget Adjustment #5 was needed in order for Chief Boone to use rollover funds from the prior year.

**Mayor Pro Tem Skinner motioned to approve Resolution 20-21-123.** Councilor LaFont seconded. 4-0. Motion passed.

**c. Discussion: Burn Ban**

City Manager Ballinger explained that Chief Boone plans to gauge the need for a ban based on weather conditions as he normally does. Sierra County is allowing burns by permit so they can keep track. The Chief will notify dispatch when he doesn't want anyone to burn.

**d. Discussion/ Possible Action: Resolution 20-21-124 NMDOT Trans Project Fund**

City Engineer Shields explained that the resolution is to apply for funds (approximately 1 million) for work on San Andreas Drive and Ocotillo Drive. There will be a 5% City match.

**Councilor Williams motioned to approve Resolution 20-21-124.** Councilor Atwell seconded. 4-0. Motion passed.



**e. Discussion/Possible Action: Resolution 20-21-125 Regular Local Election**

Clerk-Treasurer Bush explained that this resolution needs to be turned into the county clerk to declare which positions will be placed on the November 2 ballot. August 24 is Candidate Filing Day. Any person interested in running for any of the positions must file in person at the county clerk's office on that day.

**Councilor Williams motioned to approve Resolution 20-21-125.** Councilor Atwell seconded. 4-0. Motion passed.

**f. Discussion/Possible Action: Ordinance 195 - OHV Safety Helmet Amendment**

Mayor Trager explained that this ordinance is to update code to be in agreement with State requirements.

**Councilor Williams motioned to approve Ordinance 195.** 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.

**g. Discussion/Possible Action: Chamber of Commerce Agreement**

Earl Greer, Chamber of Commerce Chairperson, updated the Council about the current status of the Chamber, activities during 2021 and efforts to get back on track post-COVID. Mayor Pro Tem Skinner gave background about the current agreement. Mr. Greer suggested having a Councilor on their board. He also suggested focusing on economic development, as well as on tourism. Efforts are being made to combine the different chambers into one, called the Sierra County Chamber.

The Council will revisit the agreement at the end of the year. Mayor Trager asked that the monthly reports be as detailed as possible and include updates on the restructuring. City Attorney Young added to include as much detail on the financials as well.

Councilor Atwell left the meeting.

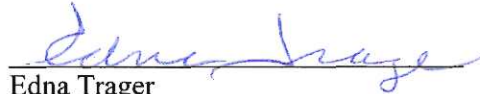
**h. Discussion: New Mexico True FY22 Cooperative Marketing Program**

Mayor Trager began the discussion by talking about what the message should be. In the past, the City relied heavily on events. Then, Mayor Pro Tem Skinner and City Manager Ballinger explained the cooperative program. Mayor Trager suggested using messages along the lines of the low cost of living, the beautiful views, the mild weather, the quality of life and medical services. Mayor Pro Tem Skinner added outdoor recreation, no pollution, no traffic, low crimes, centrally located in the state. Mr. Greer added using the "Diamond in the Desert" and "Live Where You Work" slogans as well as drive times rather than miles.

**i. Discussion: Interim Budget FY 2021-2022**

Clerk-Treasurer Bush went over the changes in the budget since the workshop. There will be the chance to approve the budget after the executive session so that the Council has a chance to discuss salaries.

*Minutes approved and adopted at the City Council Meeting on June 16, 2021.*

  
Edna Trager  
Mayor

ATTEST:

  
Rani Bush  
Clerk-Treasurer



#### 14. COUNCILOR COMMENTS

Councilor LaFont presented his letter of resignation as of June 30, 2021, to the mayor.

#### 15. EXECUTIVE SESSION

**Councilor Williams motioned to go into Executive Session.** Mayor Pro Tem Skinner seconded. Clerk-Treasurer Bush conducted a roll call vote.

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

Motion passed.

\*\*\*\*\*EXECUTIVE SESSION BEGAN\*\*\*\*\*

- a. Discussion concerning purchase, acquisition, or disposal of real property or water rights pursuant to NMSA 1978, Section 10-15-1(H)(8).
- b. Discussion of limited personnel matters for the following departments: General Administration, Fire, Maintenance, and Utility, pursuant to NMSA 1978, Section 10-15-1(H)(2).

**Councilor LaFont motioned to come out of executive session.** Mayor Pro Tem Skinner seconded. Clerk-Treasurer Bush conducted a roll call vote.

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

Motion passed.

\*\*\*\*\*EXECUTIVE SESSION CAME TO AN END\*\*\*\*\*

As required by Section 10-15-1(J), NMSA 1978, matters discussed in executive session were limited only to those specified and no actions were taken.

#### 16. ACTION ITEMS

- a. **Discussion/ Possible Action: Interim Budget FY 2021-2022**

**Mayor Pro Tem Skinner motioned to approve the FY2021-2022 Interim Budget amending Line Item 101-3002-51020 to a 10% increase in the Fire Chief's salary and reducing Line Item 101-3002-52020 to the regular 7.25% City retirement match (\$4,387).** Councilor Williams seconded. Clerk-Treasurer Bush conducted a roll call vote.

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

#### 17. ADJOURNMENT

**Councilor LaFont motioned to adjourn.** Mayor Pro Tem Skinner seconded. 3-0. Motion passed.