



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

**Wednesday, June 16, 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 Councilor Gerlad La Font led the Pledge of Allegiance.

**2. ROLL CALL**

Clerk-Treasurer Rani Bush called roll.

Mayor Edna Trager – Present  
Mayor Pro Tem Kim Skinner – Present via WebEx  
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.** 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.**

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

**5. PUBLIC COMMENT**

Clerk-Treasurer Bush read an email dated May 28, 2021, from Steve Gentry (Bigfoot Restaurant Owner) regarding dangerous line of sight conditions on Warms Springs Blvd.

## 6. BOARD AND COMMITTEE REPORTS & APPOINTMENTS

### a. **Lodger's Tax Advisory Board Recommendations: Luminaria Walk and Marketing Plan**

Co-Chair Susie LaFont updated the Council about their May 25 meeting. The Board approved the Friends of the Lake Luminaria Beach Walk Application, which will take place on Friday, December 11. Board Member Paula Baker resigned.

Mayor Pro-Tem Skinner added that she arranged for Dan Monaghan, an official photographer for NM Tourism Department, to visit Elephant Butte State Park.

## 7. PRESENTATIONS

### a. **Spirit Golf Management Annual Report**

Richard Holcomb, Managing Partner of Spirit Golf Management, went through the one-year update he provided to Council. He and Lisa Bolam, General Manager, answered questions.

## 8. MAYOR AND COUNCIL REPORTS

**Mayor Pro Tem Skinner** updated the Council on the NM Tourism Department, the Special Hospital District efforts, and the Workforce Development Board.

**Councilor Williams** attended a Sierra County Regional Dispatch Authority (SCRDA) Board meeting this morning. He also inquired about waiving the liquor license fee for non-profits in Elephant Butte. Mayor Trager replied that the City would not be able to waive them in fairness to other businesses after researching the matter and consulting with the city attorney.

**Mayor Trager** updated the Council on working with the Bureau of Land Management regarding all-terrain vehicles. In addition, she gave updates about a Mayor's Caucus and a Workforce Solutions CEO meeting she attended.

## 9. CITY MANAGER REPORT

**City Manager Vicki Ballinger** updated the Council that the City did not receive the Colonias grant for the wastewater project. She is reaching out to the South Central Council of Governments to get more information. The Camino Seis project is complete. She is working with the Environmental Protection Agency to make sure the wastewater plant is in full compliance.

She will allow the County Clerk to put a permanent ballot box outside City Hall, which will be equipped with 24-hour surveillance. Ballots will be collected daily during early voting. Business registration forms are being updated. Planning for Elephant Days has begun. She is working with the New Mexico Self Insurers Fund to understand how liability coverage will change for the City. She will also work with the Planning and Zoning Commission regarding the new Cannabis Regulation Act for New Mexico.

## 10. CLERK-TREASURER REPORT

**Clerk-Treasurer Bush** informed the Council that Deputy Clerk Jessica Newberry had sent out business renewals for FY 21-22, which are due June 30, 2021. In addition, Utility Clerk Jane Tinon and File Clerk Kellie King sent out the yearly standby utility account bills and account update sheets. They also mailed the 2020 Water Confidence Report to all water customers.

She provided the Council with the Chamber of Commerce reports for April and May.

## **11. FIRE CHIEF REPORT**

**Fire Chief Toby Boone** reported that there were 56 calls for service in May, many of which were for the state park over the Memorial Day weekend. Everything else has been business as normal.

## **12. LAND USE REPORT**

**Land Use Admin Lindsey Moore** reported that there are currently 62 open permits. She is in the process of updating the business registration and licensing forms.

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

### **a. Approval of Regular Meeting Minutes, May 19, 2021**

**Councilor Williams** motioned to approve the **Regular Meeting Minutes, May 19, 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.**

## **14. REGULAR ITEMS**

### **a. Discussion/ Possible Action: Amended Resolution 20-21-125 Regular Local Election**

Mayor Trager explained that a councilor position was added to the resolution since Councilor LaFont resigned as of June 30. It will be a two-year term.

**Councilor Williams** motioned to approve **Resolution 20-21-125**. Councilor LaFont 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: Award of Contract for RFP 20-21-101 City Engineering Services to Bohannon Huston**

City Attorney Ben Young reviewed the award process and contract with Council. City Manager Ballinger provided the Council with Exhibit A – Rate Sheet. City Engineer David Shields explained that most of the City's task orders provide a lump sum cost; therefore, the rate sheet would not be applicable most of the time. Bohannon would provide a budget in the cases when the rate sheet is used so the Council could approve it first.

**Councilor LaFont** motioned to award the contract to **Bohannon Huston**. Councilor Williams 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.**

**c. Discussion/ Possible Action: Resolution 20-21-126 LGRF L200490 Mescal Loop**

City Manager Ballinger assured the Council that the matching \$25,000 is available in a separate saving account established several years prior.

**Councilor Williams motioned to approve Resolution 20-21-126.** Councilor LaFont 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 20-21-127 Wildland Compensation**

City Attorney Young reviewed the resolution with the Council. Its purpose is to assure that the funds used from the Wildland Fire Fund are to compensate volunteers for any approved wildland fire suppression activities and not fires within the City. Councilor Atwell inquired how payment would work for Chief Boone since he is salaried with the City. City Attorney Young explained that the resolution is to provide a clear delineation about payments.

**Councilor LaFont motioned to approve Resolution 20-21-127 with the following amendment:**

**Replacing the last clause in the second “Whereas” (including any type of benefit or withholding required not legal per IRS; and,) with a paragraph indicating that since the fire chief is the only full-time employee, he will not be paid through the Wildland Fund when fighting fires within City limits.**

Councilor Williams 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: Governing Body Stipends**

Councilor Williams explained that he wanted to discuss this topic because it had been fifteen years since increasing the stipends had been discussed. After gathering research about stipends from surrounding governing bodies, he suggested that the stipends be doubled to bringing the Mayor’s to \$624.16 and councilors to \$312.08. He also suggested adding an annual cost-of-living increase.

Mayor Trager suggested the ordinance be reviewed every four years. Mayor Pro-Tem Skinner explained that the amounts were based on a percentage of the county stipends. She suggested



\$750 for the Mayor and \$500 for councilors. She also reminded everyone that it would not apply to the current council. It would take effect in January 2022, and Councilor Atwell's stipend would stay the same for the rest of his term. A budget adjustment would be needed. City Attorney Young will draft an ordinance for the next meeting.

**f. Discussion: Open City Positions – Governing Boards and Commissions**

Mayor Trager went through the open positions in the City and asked for assistance from the Council and the community in filling these positions.

**15. COUNCILOR COMMENTS**

None

**16. 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 Atwell – Yes  
Councilor LaFont – Absent during the vote  
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 Atwell - 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.

**17. ADJOURNMENT**

**Councilor LaFont motioned to adjourn.** Mayor Pro Tem Skinner seconded. 4-0. Motion passed.

*Minutes approved and adopted at the City Council Meeting on July 21, 2021.*

  
Edna Trager  
Mayor

ATTEST:

  
Rani Bush  
Clerk-Treasurer

