



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

**Wednesday, September 15, 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.**

---

**MINUTES**

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

Mayor Pro Tem Kim Skinner called the meeting to order, and Councilor Michael Williams led the Pledge of Allegiance.

**2. ROLL CALL**

Clerk-Treasurer Rani Bush conducted roll call.

Mayor Edna Trager – Absent  
Mayor Pro Tem Kim Skinner - Present  
Councilor Travis Atwell – Present via WebEx  
Councilor Cathy Harmon - Present  
Councilor Michael Williams – Present

Clerk-Treasurer Bush declared a quorum.

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

**Councilor Williams motioned to approve the agenda.** Councilor Harmon seconded. 4-0. **Motion passed.**

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

**5. PUBLIC COMMENT**

None

**6. BOARD AND COMMITTEE REPORTS & APPOINTMENTS**

**a. Sierra Vista Hospital Governing Board - Katharine Elverum, Elephant Butte  
Representative**

Governing Board Representative Elverum updated the Council on the hospital. There was a special meeting on September 9 to address policy regarding the Governor's mandate about staff being vaccinated or having weekly tests. The unintended consequence was the loss of clinical staff and the inability to get traveling nurses. In addition, 50% of the housecleaning staff and the IT manager resigned. They decided on a temporary 15% pay increase for current staff until the October meeting. Help is needed so that the hospital doesn't close.

The Bohannon presentation was postponed until after the Mayor and Council reports.

## 7. MAYOR AND COUNCIL REPORTS

**Councilor Harmon** attended the August 25 South Central Regional Transit District meeting. She requested that it be put on the agenda next month for discussion and possible action on whether Elephant Butte should continue with this board. She has concerns that their 10-year financial plan only has southward developments. She also attended a South Central Regional Transportation Planning Organization call. Several of our projects were funded. Next year \$26-28 million is projected per district for drainage. There is also a fund for the 5% match.

**Mayor Pro Tem Skinner** attended a Turtleback Trails Steering Committee meeting and a Middle Rio Grande Economic Development Association meeting. She also commented that the new federal guideline requiring vaccinations for businesses with over 100 employees is a huge financial burden. There's an approximately \$14,000 fee per violation. The various boards she sits on support COVID safe practices but object to the staff being required to be vaccinated.

**Councilor Atwell** is concerned about the Governor's mandate and feels the Council might need to take action. City Attorney Ben Young will look into the issue and provide recommendations. City Manager Vicki Ballinger will also reach out to the NM Municipal League for support.

## 8. PRESENTATIONS

### a. Bohannon Huston Project Update – David Shields

City Engineer Shields updated the Council on the Warm Springs, Camino Seis, Michigan, Mescal Loop, Ocotillo, and San Andreas projects. He is also working on an NM Finance Authority planning grant application to update the Master Drainage Plan. In addition, he will be meeting with City Manager Ballinger and Fire Chief Toby Boone next week to go over water system improvements to get better fire flow throughout the City.

## 9. CITY MANAGER REPORT

**City Manager Vicki Ballinger** updated the Council about the American Rescue Plan, an Outdoor Recreation Trails grant submission, a Local Government Road Fund award for Mescal Loop, animal control issues and our agreement with Truth and Consequences, trash clean-up bins procedures and dates, and Elephant Days.

Councilor Williams asked about using excess gross receipt taxes to start a drainage fund. City Manager Ballinger let him know she is applying for drainage funding. It would be better to look at excess gross receipts towards the end of the fiscal year. City Manager Ballinger and Land Use Administrator Lindsey Moore answered Councilor Harmon's questions about sewer connections and water line sizes for fire flow.

## 10. CLERK-TREASURER REPORT

**Clerk-Treasurer Bush** updated the Council about the ballot box outside of City Hall placed by the county clerk. It will be open for use from October 5 until the end of the month for the November 2 election. She has updated the website and Facebook with election information. Two weeks ago, she attended the NM Municipal League's annual conference. The eleven uncoded ordinances have been sent to American Legal, and a new supplement will be ready by the end of the year.

## **11. FIRE CHIEF REPORT**

**Fire Chief Boone** thanked everyone who attended and/or participated in the two 9-11 ceremonies held on Saturday.

## **12. LAND USE REPORT**

**Land Use Admin Lindsey Moore** updated the Council on animal registration, a meeting with City Attorney Young and Planning and Zoning Chair Nathan Lafont about erosion and easements, and upcoming public hearings.

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

- a. Approval of Special Meeting Minutes, August 11, 2021**
- b. Approval of Regular Meeting Minutes, August 18, 2021**
- c. Approval of Special Meeting Minutes, September 1, 2021**

**Councilor Williams** motioned to approve all consent items. Councilor Harmon seconded. Clerk-Treasurer Bush conducted a roll call vote.

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

**Motion passed.**

## **14. REGULAR ITEMS**

- a. Discussion/Possible Action: Resolution 21-22-103 LGRF HW2L100521 Warm Springs**

**City Manager Ballinger** explained that this resolution formally approves the agreement that was before the Council last month. Clerk-Treasurer Bush added that the program was a municipal arterial program (MAP) rather than a local government road fund (LGRF) program.

**Councilor Williams** motioned to Resolution 21-22-103 with the amendment of changing it from an LGRF program to a MAP program. Councilor Harmon seconded. Clerk-Treasurer Bush conducted a roll call vote.

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

**Motion passed.**

- b. Postponed until October: Wood Road Agreement**
- c. Postponed until October: Wildland Fire Fund**

## **15. COUNCILOR COMMENTS**

Councilor Williams asked City Manager Ballinger to look into having the official city seal available for shirts instead of the city logo.



## 16. EXECUTIVE SESSION

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

Mayor Pro Tem Skinner – Yes  
Councilor Atwell – Yes  
Councilor Harmon – 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).**

**Councilor Williams motioned to come out of executive session.** Councilor Harmon seconded. Clerk-Treasurer Bush conducted a roll call vote.

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

**Motion passed.**

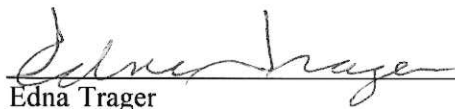
\*\*\*\*\*EXECUTIVE SESSION CAME TO AN END\*\*\*\*\*

Councilor Williams certified 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 Harmon motioned to adjourn.** Councilor Atwell seconded. 4-0. **Motion passed.**

*Minutes approved and adopted at the City Council Meeting on October 20, 2021.*

  
Edna Trager  
Mayor

ATTEST:

  
Rani Bush  
Clerk-Treasurer

