



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

Wednesday, December 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 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 Sheriff Glenn Hamilton led the Pledge of Allegiance.

2. ROLL CALL

Clerk-Treasurer Rani Bush conducted roll call.

Mayor Edna Trager – Present
Mayor Pro Tem Kim Skinner – Present
Councilor Travis Atwell – Present
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 Atwell 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.

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

5. PUBLIC COMMENT

Sheridan Fuss – Mayor, Council, I want to tell you how disappointed I am in you, mainly because of the timing of the things you've done. We have a new mayor coming in. We have Special Session. We have Legislative Session. We have budgeting that needs to be massaged, and worst of all, we have Christmas. I'm really disappointed with you guys and what you did.

I understand that there has never been any face-to-face review in the last year with the city manager. No one ever talked to her about anything. If I'm wrong, please correct me. I'm going to tell you what, I have been

volunteering for this city for over 10 years. Every time this city starts making some progress in getting things in line with the way they're supposed to be, with paperwork, we have this tendency to let people go. And I cannot understand it. You need to reconsider what you did when you discuss this later.

Mayor Pro Tem Skinner had a minor correction stating that the Council had done evaluations, not only in January, but in person also in April, so this was a six-month evaluation.

Carla Johnson, 407 Country Club – This is hard for me to say. It's hard for me to speak in front of people. Not something I normally do. And as you all know, every living being has a heart that beats. And that heart keeps the lifeblood going in all of us. In the City of Elephant Butte, in our community, Toby Boone is our heart. His love, and positivity, and care for all of us has kept us healthy and alive. And our heart is leaving us and a transplant is never as good as the real thing.

My hope is that Dona Anna County realizes the treasure that they are getting. And my prayer is with us here in Elephant Butte and that we can keep that heart and that positivity going without Toby. I don't know the right word, encouraging of all of us to keep that spirit going that he has built. He will still be a resident. But he's been in every part of the City, he could do any job here. He has been our go-to person for everything. We called Toby. And I just hope you will join me praying that we can keep that positivity up. Thank you.

Vicki Ballinger – I have been in the workforce over 40 years. I've never been fired. I've been laid off. I have quit for personal reasons, but never fired. Ask any of the previous employers and they would say I consistently perform well above average and was recognized favorably by my peers, all of whom would be incredulous of what has occurred here. These last two years was unprecedented in the number of processes established or changed by the State, not to mention the effect of Covid on the workforce, but we march through. The workplace is nothing like it was even five years ago. Hundreds of emails, texts, online meetings, in person meetings and conversations a week. Not to mention the numerous funding applications. Some with short deadlines and needed lots of backup, documentation, that is difficult to get your hands on. With no secretarial help to keep things organized and still find the time to get head down into reviewing and rewriting and creating documentation.

Some things were delayed, but progress was made. The Comprehensive Plan Survey gave us lots of information we did not have. But there's a limit on how much can be accomplished in 60 to 70 hours a week. Long ago, I learned one of the things to do as a leader is to look at things from different angles, get a perspective other than your own. It will serve you and the people you serve.

Clearly there was a disconnect between what I observed as the city manager and what members of Council observed. Maybe that's because other than the Mayor and the Mayor Pro Tem, none of them ever talked to me. No one ever came to office and talked to me about anything that was going on. Not once. Nor did they ask for my input on any topic before Council as we were required to do by statute.

I intend to embrace my civic duty, and remain present at all City meetings that are open to the public and I encourage others to do the same. At this point, no one knows more about the inner workings of the City than I do and I intend to continue to be well informed so I can serve the community in other ways if I can.

With that, I want to offer my advice on what to do with the proceeds of the golf course when the sale occurs. That money should be used to address basic things that have been neglected for over 3 & 1/2 years. First pay down the debt by taking care of small balances on some of the loans we have. They are within reach or closure. Put some in savings and create an account to hold what is needed for project management funds. And invest in your workforce. To better serve the constituents, we need more staff and equipment in maintenance and we need administrative support in City Hall. We have maintenance and administrative staff who've been with the city for years and are not making much over what is currently minimum wage or what will be come January 1st, 2022.

Clerk-Treasurer Bush read an email from **Kathleen Williams, Owner of Kat's Cleaning**, supporting Vicki Ballinger.

6. PRESENTATIONS

a. Elephant Butte Chamber of Commerce

Earl Greer, Chamber of Commerce Chair, updated the Council about the Chamber's activities since June. Since July, the Visitor Center has been open six days a week from 10 to 2. Visitors from 17 states plus New Mexico and three countries have stopped in. Their website is being rebuilt. The Chamber has posted on social media 649 times, reaching 259,504 people. They ran radio spots for 24 weeks. They spend over \$1,000 on print advertising. They reinstituted the golf tournament this year. They were the primary sponsor or coordinating organization for the Ballon Regetta, the Golf Tournament, the Chili Cookoff, the Desert Lights Christmas Parade, and the City Decorating and Cruise Night.

Events in 2022 include Casino Night on February 26, a music festival in late spring, an expanded Chili cookoff, the Golf Tournament, and the holiday events. Mayor Trager requested the names of the officers. City Attorney Ben Young will review the contract and run it by Michael Steininger from the Department of Finance and Administration.

7. MAYOR AND COUNCIL REPORTS

Mayor Trager updated the Council about the newly elected officials swearing-in ceremony, the Infrastructure Capital Improvement Plan submission (ICIP), the cart barn doors at the golf course, the South Central Regional Transportation Planning Organization meeting that she attended, a meeting she had with Toby Velasquez, the Director of State Parks, the contract with Truth or Consequences Animal Control contract, and the Employee Handbook.

Councilor Harmon updated the Council on the South Central Regional Transportation meeting she attended.

Mayor Pro Tem Skinner updated the Council about House Bill 2, gross receipt taxes (GRT) for online sales, the Governor's reduction on GRT and how it affects rural New Mexico, and the Texas Workforce Conference.

8. CITY MANAGER REPORT

No Report.

9. CITY ENGINEER REPORT

City Engineer David Shields updated the Council on the Camino Cinco and Seis projects, the Water Systems improvements, the Mescal Drainage project, the Warm Springs project, the San Andreas project, the Ocotillo project, and the Drainage Master Plan. He then answered questions.

10. CLERK-TREASURER REPORT

Clerk-Treasurer Bush reported that Utility Clerk, Jane Tinon, is out of the hospital recovering at home. Therefore, File Clerk Kellie King is working extra hours to help the City through these difficult times. The FY2021 Audit is delayed, now looking at a January 7 submission. The funds for the Fire Station #1 rebuild were received. She is currently filing the paperwork to get her Certified Municipal Clerk designation.

11. FIRE CHIEF REPORT

Fire Chief Toby Boone reported that the Fire Department continues to operate as normal. He will provide a full turnover report tomorrow at 4:00. Deputy Chief Brittney Flora will be acting as chief after his departure. The annual audit from the State Fire Marshall will be submitted later this afternoon.

Finally, he thanked the constituents of the City for their continued support of the Fire Department. He appreciated them very much. The volunteer firefighters give their hearts and souls to the community.

Councilor Williams thanked him for his service to the City.

12. PUBLIC WORKS REPORT

Field Operations Manager Brian Burlage was unable to attend the meeting. He had submitted an overview of his department and an update on the work that was done this month.

13. LAND USE REPORT

Land Use Admin Lindsey Cobleigh reported that there have been 106 permits issued so far this year. She spent the entire day on Monday working on Code. She has also been working on the Realtors Workshop that will be held on January 27, 2022. Her next training with the NM Municipal League Zoning Officials will be in May in person.

14. CODE ENFORCEMENT REPORT

Land Use Admin Cobleigh reported that there are currently eleven open violations, mostly for weeds or nuisances. She will be out of the office until December 27, 2021.

15. CONSENT ITEMS (Roll Call Vote)

a. Approval of Regular Meeting Minutes, November 17, 2021

Councilor Williams motioned to approve the **November 17 minutes**. Councilor Atwell 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. Approval of Special Meeting Minutes, December 6, 2021

Councilor Williams motioned to approve the **December 6 minutes**. Councilor Atwell 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.

16. REGULAR ITEMS

a. Discussion/Possible Action: Ratification of Action Taken at December 6 Special Meeting to Remove City Manager

Councilor Williams motioned to ratify the action. Mayor Pro Tem Skinner 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. Discussion/Possible Action: Notice of Intent to Sell Sierra del Rio Golf Course

Mayor Trager announced that the City is moving forward with putting the golf course on the market. They will be reaching out to various real estate associations to find interest in representing the City in the sale. Councilor Williams suggested including the link to the country club videos that have been made in the letter to the associations. Councilor Atwell suggested including the commission threshold limit in the letter. Councilor Harmon suggested referring to it as the “Diamond in the Desert” in the letter. Mayor Pro Tem Skinner suggested looking at material from the last time it was up for sale.

City Attorney Ben Young will draft a letter to the real estate associations.

c. Discussion/Possible Action: Lands End’s Use of the City Logo

Mayor Trager went over the email from Lands End included in the packet.

Mayor Pro Tem Skinner motioned to approve Lands End’s use of the logo. 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.

d. Discussion/Possible Action: Add Phillip Mortensen as a signer on City bank accounts

Mayor Pro Tem Skinner motioned to approve Phillip Mortensen as a signer effective January 3, 2022. Councilor Williams 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.

e. Discussion/Possible Action: Michigan Dr. Roadway & Drainage Improvements Project

City Engineers David Shields and Vince Steiner reviewed the Michigan Drive project with the Council and answered questions. They are seeking approval so the project can go out to bid. The Council asked about options to change the scope of work and/or an extension of time.

City Engineer Shields will follow up by asking the State for a change of scope from Ocotillo to Skyline and getting a time extension for Michigan. He will also work on getting the necessary easements.

f. Discussion: Fire Chief Job Description

Mayor Pro Tem Skinner motioned to hold a special meeting on December 28, 2021, at 10 am to discuss the Fire Chief Job description. Councilor Atwell 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.

17. COUNCILOR COMMENTS

Mayor Pro Tem Skinner thanked Fire Chief Boone for his service and helping her husband in January.

Councilor Williams turned in his Code Book.

18. ADJOURNMENT

Mayor Trager adjourned the meeting.

Minutes approved and adopted at the City Council Meeting on January 19, 2022.


Phillip Mortensen
Mayor

ATTEST:


Rani Bush
Clerk-Treasurer

