



# CITY OF ELEPHANT BUTTE REGULAR CITY COUNCIL MEETING MINUTES

**Wednesday, June 15, 2022, 2:00 pm**  
103 Water Street, Elephant Butte, NM 87935

The meeting is also open to the public through this **Zoom** link: <https://zoom.us/j/85000630230>  
Meeting ID: 850 0063 0230 or see [www.cityofelephantbutte.com](http://www.cityofelephantbutte.com) for more information.

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## MINUTES\*

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

**Mayor Mortensen called the meeting to order at 2:00 p.m.**

#### ROLL CALL

### 2.

Mayor Phillip Mortensen – Present  
Mayor Pro-Tem Kim Skinner – Present  
Councilor Travis Atwell – Present  
Councilor Cathy Harmon – Present  
Councilor Edna Trager – Present

**Deputy Clerk Newberry conducted a roll call and announced a quorum is present.**

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

**Mayor Pro-Tem Kim Skinner moved to approve the agenda as submitted.** Councilor Atwell seconded the motion. Motion carried unanimously.

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

### 5. PUBLIC COMMENT

### 6. CONSENT ITEMS

- a. Approval of Regular CC minutes April 20, 2022  
A discussion was held over spelling errors: comfortable should be comparable, and covert should be a culvert.  
**Councilor Trager moved to approve April 20, 2022, minutes, including the changes just noted.** Mayor Pro-Tem Skinner seconded the motion. **Motion carried unanimously.**
- b. Approval of Regular CC minutes May 18, 2022  
A discussion was held over corrections on the minutes: item 3. Approval on Agenda the revised order was suggested by Mayor Pro-Tem Skinner, Consent Items a. was Councilor Trager pointed out the deficiency and under item 12. it should say committee, not comity.  
**Councilor Trager moved to approve May 18, 2022, minutes, noting the revision just stated.** Mayor Pro-Tem Skinner seconded the motion. **Motion carried unanimously.**

- c. Approval of Special CC minutes budget Workshop May 25, 2022  
**Mayor Pro-Tem Skinner moved to approve the Special CC minutes budget Workshop on May 25, 2022.** Councilor Atwell seconded the motion. **Motion carried unanimously.**
- d. Approval of Special CC minutes Budget May 25, 2022  
**Mayor Pro-Tem Skinner moved to approve the Special CC minutes Budget on May 25, 2022.** Councilor Atwell seconded the motion. **Motion carried unanimously.**

## 7. REGULAR ITEMS (DISCUSSION POSSIBLE ACTION)

- a. Updated Fee Schedule (Lindsey)  
Land use Administrator and Code Enforcement Lindsey Cobleigh reviewed the updated fee schedule with the Council, and a discussion was held over it.  
  
**Councilor Trager moved to approve the updated fee schedule, with the retention, detention ponds and flood plan manager review with the revision making the appeals to the Council to \$35.00.** Mayor Pro-Tem Skinner seconded. Deputy Clerk Newberry conducted a roll call vote. 4-0  
**Motion carries.**
- b. Continuation of remote access and participation at public meetings.  
A discussion was held over whether to continue with zoom or convert back to phone conferencing.  
**Mayor Pro-Tem Skinner moved to approve to switch over to phone conferencing until we can purchase the new equipment needed to update the room.** Councilor Atwell seconded. Deputy Clerk Newberry conducted a roll call vote. 3-1  
**Motion carries.**
- c. Resolution No. 21-22-120 Municipal Fire Member Coverage Plan 1.  
A discussion was held over Resolution No. 21-22-120 Municipal Fire Member Coverage Plan 1.  
**Mayor Pro-Tem Skinner moved to approve the resolution approving the participation in the PERA municipal fire member coverage plan 1** with the revision of (.5%) changed to 50% and a maximum of 90%, not 60%. Councilor Atwell seconded. Deputy Clerk Newberry conducted a roll call vote. 4-0  
**Motion carries.**
- d. Notice Attempt to Adopt Ordinance No. 20 -22- 204 Amending Ordinance 1998-10 Providing for the separation of the City Clerk and City Treasurer Positions  
A discussion was held over Ordinance No. 20 -22- 204 to split the Clerk/Treasurer into two positions.  
**Councilor Trager moved to approve the Ordinance No 20 -22- 204 amending Ordinance No. 1998-10, Providing for the separation of the City Clerk and City Treasurer Positions.** Mayor Pro-Tem Skinner seconded. Deputy Clerk Newberry conducted a roll call vote. 4-0  
**Motion carries.**
- e. Lodgers Tax Board recommendation and possible action.  
Co-Chair of Lodger's Tax Board, Russ Trager, presented the Lodger's Tax Board recommendations.
  - Sierra Health Council Balloon Regatta and Turtleback Mtn Music \$4,500.00  
A discussion was held over the Sierra Health Council Balloon Regatta and Turtleback Mtn Music Fest and the funding they received from other entities in the county.
  - Elephant Butte Chamber of Commerce Marketing Plan \$7,115.00  
A discussion was held over the Elephant Butte Chamber of Commerce Marketing Plan, recommending that they be awarded \$4,000.00.

- Friends of the Lake Elephant Butte State Park Fireworks \$2,000.00

A discussion was held over the Firework Extravaganza for 2023.

**Mayor Pro-Tem Skinner moved to approve the Sierra Health Council Balloon Regatta and Turtleback Mtn Music Fest for \$2,100.00.** Councilor Atwell seconded. Deputy Clerk Newberry conducted a roll call vote. 4-0. **motion carries.**

**Mayor Pro-Tem Skinner moved to approve the Friends of the Lake Elephant Butte State Park Fireworks 2023 for \$2,000.00.** Councilor Atwell seconded. Deputy Clerk Newberry conducted a roll call vote. 4-0. **Motion carries.**

**Mayor Pro-Tem Skinner moved to approve to fund the Elephant Butte Chamber of Commerce the recommendation from the Lodger's Tax Board of \$4,000.00.** Councilor Atwell seconded. Deputy Clerk Newberry conducted a roll call vote. 4-0. **Motion carries.**

## 8. MAYOR AND COUNCIL REPORTS

9.

**Mayor Pro-Tem Skinner** – Attend the ICIP training and New Mexico Hospitality Government Affairs Board. New Mexico Tourism Department

**Councilor Harmon** – Update about the South-Central Transit District.

**Councilor Trager** – Attended some of the ICIP training and EDD training.

**Mayor Mortensen** – ICIP training has been going on the whole month.

May 12th and 13th, I attended the first annual New Mexico Rural Summit sponsored by State Senator Roger Montoya and Representative Gail Armstrong.

We submitted an electric vehicle charging station and convenience station to Senator Ben Ray Lujan's office and received a letter saying they're not funding electric vehicle stations at this time.

We did get some funding from the New Mexico Department of Transportation.

A big thank you to the volunteers on the flags for Memorial Day, Steve Anderson, Karen Savage, Charlie Simmons, Deb Vance, Donald Peter, John and Shawna Masce, Larissa and Aaron Thomas and their daughter Brooke, Alan Brown, and Dean Riggs, all came out on Memorial Day weekend and helped put flags up. They went up and down quickly and easily, which greatly appreciated the community's pride.

## 10. CITY ENGINEER REPORT

Pavement is going in on Michigan. Stephen, Brian, and Jessica met with A Mountain and closed out Camino Cinco and the 1<sup>st</sup> phase of Warm Springs.

## 11. CLERK-TREASURER REPORT – None

## 12. CITY MANAGER REPORT – City Manager Archuleta

**City Manager Stephen Archuleta** – I attended this month's meeting with the hospital's CEO. They have many fire code violations, and so we've met with them to see where they are with those fire code violations because the City of Elephant Butte is also part of that. They've done much work on that, and the CEO said he'd be willing to talk to the Council.

We had our entrance meeting with DFA on our budget. We have some very clear guidance, and we talked to them about what the city is doing differently to move forward. Part of what we had talked to them about was that we would bring this resolution forward to separate the positions, longevity, looking at staff, cross-training, all those things must be discussed with them. Michael Steiniger has been assigned to us and is working with us at this point moving forward to bring us into compliance with the Department of Financial Administration. The preliminary budget was put into the system on



May 29th, 2022. It has been accepted. Now we're working towards the final budget. Staff continues to work on the budget and reconciling the books, and we will continue to move forward. The good thing is that all the revenues have been reconciled.

The maintenance staff has finished the second half of road grading the week of June 1st, 2022. I hope we get some rain so we can continue to maintain those roads; we already need to get back on the first half of the road grading that we did. Start getting out there and maintaining those roads, taking the worst ones first and then moving on down the line, ensuring that we hit all the roads.

DFA has requested a response to the audit findings. I put up a copy of that letter in your packet. That letter has been accepted by DFA and approved.

As I mentioned earlier, the letter was sent to the South-Central Regional Transit District, saying we'd love to be a part of this program. We want to be a part of that, but we can't continue to pay taxpayers' dollars if they're not getting any service for their money. So hopefully, we'll hear from them, and maybe they'll start providing some service to move forward.

The mayor updated the keys within the administration, maintenance and fire in the admin building, and we also have the current and existing key control log for all of our locks. We are updating our security lighting within the administration building; we also updated our security lighting just to ensure that we have the building lit up. We're also looking at our cameras and security system throughout the building.

Juneteenth is a new federal holiday adopted by the state of New Mexico Supreme Court.

The property has sold around the golf course. All the focus will now be on closing the actual golf course. The buyer's attorneys have already approved the purchase agreement and sent it to the buyer for signature. As of this morning, they requested the contract of spirit golf, which I've already provided to them, and they're also requesting six months and one year of numbers of golf rounds, what's the restaurant rating, those kinds of things and the books. I requested that from Spirit Golf, and I'll be providing it. The staff is working hard to copy the books we have here within the city so that we have those available for their due diligence. If they want to look at those books, we'll provide them with a copy. We've also separated all the equipment, from every beer glass out there to every lawnmower and everything we have. Four buyers to come to look at the property. They did have lunch out there, looked at every portion of the property, went to the maintenance, went to the kitchens, and toured the complete golf course. They spent most of the day here looking at the golf course.

a. **Fire Chief Report**

**Fire Chief John Mascaro** – Before I even arrived here, I was sent a packet of fire violations found at the hospital and at that time, there were 121. Then the day of our meeting, the head maintenance man gave a report which listed about 155 fire violations. At the time of our meeting, they had 109 of them taken care of in the main part of the hospital, the rest remain in The West Wing, the old section of the hospital.

May 1<sup>st</sup>- 31<sup>st</sup> – 25 EMS calls, 4 motor vehicle accidents with 1 fatality, 1 fire alarm, 2 vehicles fire, 1 structure fire. Deputy Chief Tuma has retired. Grant opened for the new building. 4 new firefighters and 1 junior.

b. **Land Use / Code Enforcement Report**

**Land use Administrator and Code Enforcement, Lindsey Cobleigh** presented her report.

13. **EXECUTIVE SESSION**


14. **ADJOURNMENT**

**The meeting adjourned.**

*Minutes approved and adopted at the City Council meeting on July 20<sup>th</sup>, 2022.*

  
Phillip Mortensen, Mayor

**ATTEST:**

  
John Mascaro, City Manager



