



**NOTICE OF CITY OF ELEPHANT BUTTE
CITY COUNCIL MEETING**

103 Water Avenue, Elephant Butte, NM 87935

Wednesday, May 15, 2024 – 2:00PM

Minutes*

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Mortensen called the meeting to order and led the pledge of allegiance.

2. ROLL CALL

Mayor Phillip Mortensen – Present
Mayor Pro Tem Kim Skinner – Absent (Present//Arrived at 2:06pm)
Councilor Cathy Harmon – Present
Councilor Michael Williams – Present
Councilor Skylar Arnold – Present

City Clerk Cobleigh conducted a roll call and declared a quorum.

3. APPROVAL OF AGENDA – Council Declaration of Conflict of Interest

Councilor Harmon made a motion to approve the agenda as presented. Councilor Arnold seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.

Councilor Harmon – Yes
Councilor Williams– Yes
Councilor Arnold – Yes
Motion Carried.

4. PUBLIC COMMENT

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

Public comments can be made in person, by phone or given to the City Clerk by email (cityclerk@cityofeb.com) before the meeting.

None submitted.

5. CONSENT ITEMS

- a. Regular Meeting Minutes April 17, 2024
- b. Special Meeting Minutes April 30, 2024
Councilor Williams made a motion to approve both consent items a. & b. together with noted corrections of spelling errors. Councilor Harmon seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.

Councilor Harmon – Yes
Councilor Williams– Yes

Councilor Arnold – Yes
Motion Carried.

6. PRESENTATIONS

- a. Poppy Proclamation Presented to American Legion Post #44
Mayor Mortensen read and presented the members of the American Legion Auxiliary with the Poppy Proclamation.

Mayor Pro Tem Skinner present at meeting, 2:06pm.

- b. Sierra County Sheriff's Office – Sheriff Joshua Baker
Sheriff Baker reported over the last month there were 170 patrol hours. There were 6 criminal cases. Sheriff Baker reported he is waiting on a response from NMDOT to lower the speed limit on Highway 179 that is currently at 55mph. Sheriff Baker stated that he had received the title for the newest truck that was purchased with LEPF.

- c. Bohannon & Huston – David Shields
David Shields briefed the Mayor and Council on the current projects. The water improvement project has materials ordered and is set to start Monday May 20, 2024. One of the grants supplying funding for the water project is due to expire June 30, 2024, so Shields stated that one will need to be expended first. San Andres project is done. Ocotillo is near completion with the wastewater project, once that is complete it can then be paved. Shields reported that Butte Blvd is in the design phase currently. Shields stated the City of Elephant Butte is currently seeking Transportation Project Funding (TPF) for Country Club as one project and Cimarron, Chama, Skyline and Springland as a second project. Shields went over the Mescal project with the mayor and council stating that it might be beneficial to change from design plan 1 to design plan 2 due to design 1 requiring an additional easement.

7. REGULAR ITEMS (DISCUSSION POSSIBLE ACTION)

- a. Discussion/Possible Action: Ordinance 219 // Truth or Consequences Animal Ordinance – Adopting in entirety for ease of services with TorC Animal Control. – *Final Adoption*
Mayor Pro Tem Skinner made a motion to approve the final adoption of Ordinance 219 // TorC Animal Ordinance. Councilor Harmon seconded the motion. 4-0

City Clerk Cobleigh conducted a roll call vote.

Mayor Pro Tem Skinner – Yes

Councilor Harmon – Yes

Councilor Williams– Yes

Councilor Arnold – Yes

Motion Carried.

- b. Discussion/Possible Action: ICIP – Jay Armijo and Angela Rael, SCCOG
Jay Armijo passed out last year's ICIP list of projects. The new ICIP list is due by July 12, 2024, but Jay Armijo has requested an extension until July 17, 2024. Jay Armijo stated there will need to be a resolution for the approval of the ICIP list. Armijo recommended that the ICIP be on the June 12, 2024, meeting for public input. Mayor Mortensen mentioned that the city would like to add 1.3 million for additions to city hall and 4 million for the maintenance of the Michigan arroyo. Chief Long asked if EMS vehicles qualified to be on the ICIP List. Armijo stated yes, they do. Chief Long requested the council to consider the addition of the

purchase of a new Ambulance for the Elephant Butte Fire Department for approximately \$250k. Stephen Archuleta stated that from a lobbyist point of view how helpful it is to have an updated and accurate ICIP List every year.

No Action Taken.

- c. Discussion/Possible Action: Resolution 23-24-130 Reappropriation of Fund 89200
Mayor Pro Tem Skinner made a motion to approve Resolution 23-24-130 Reappropriation of Fund 89200. Councilor Harmon seconded the motion. 4-0.

City Clerk Cobleigh conducted a roll call vote.

Mayor Pro Tem Skinner – Yes

Councilor Harmon – Yes

Councilor Williams– Yes

Councilor Arnold – Yes

Motion Carried.

- d. Discussion/Possible Action: Resolution 23-24-131 Resolution Authorizing The Assignment Of Authorized Officers And Agents SAP 22-G2420-STB

Mayor Pro Tem Skinner made a motion to approve Resolution 23-24-131 Resolution Authorizing The Assignment Of Authorized Officers And Agents SAP 22-G2420-STB. Councilor Harmon seconded the motion. 4-0.

City Clerk Cobleigh conducted a roll call vote.

Mayor Pro Tem Skinner – Yes

Councilor Harmon – Yes

Councilor Williams– Yes

Councilor Arnold – Yes

Motion Carried.

- e. Discussion: Sierra Sanitation Service

Mayor Mortensen spoke regarding the survey that Sierra Sanitation Service had sent out to the customers within the community. Mayor Mortensen reported that they are currently using a loaner truck until they receive their new truck.

- f. Discussion/Possible Action: Systems MD Presentation on Services & Contract

Kelly and Mike, representatives from Systems MD, provided a presentation of the currently offered services and the proposed software and hardware upgrade they would like to offer to the city. There would be two firewalls, one for the city and one for fire. The city would migrate to share point cloud system rather than the drop box application service for sharing files. All emails would be updated to be a .gov account rather than the current .com accounts. Kelly and Mike stated that to do the full upgrade the city would be fully down for approximately two hours and then 45 minutes per computer station after that. They stated it would be a two day project to complete all the upgrades.

Councilor Harmon made a motion to approve the proposal for services and contract with Systems MD. Mayor Pro Tem Skinner seconded the motion. 4-0.

City Clerk Cobleigh conducted a roll call vote.

Mayor Pro Tem Skinner – Yes

Councilor Harmon – Yes

Councilor Williams– Yes
Councilor Arnold – Yes
Motion Carried.

8. CITY STAFF REPORTS

a. City Clerk

Lindsey Cobleigh presented her written report as follows. I have been allotting time to get all ordinances, resolutions, and minutes properly organized and in the record books. Amended Ordinance 219 with noted amendments from council. Continuing to maintain the requested schedule of providing the agenda packets the Thursday prior to the meeting. With staff shortages within the office, I have been assisting more at the front counter taking payments. I have also been assisting with setting up new accounts for water and wastewater as well. Worked with Janet Porter-Carrejo on the review and revision of the contract for cleaning services for City Hall, Public Works, and the Community Center. New business registrations for contractors working in the area. We have received 34 new business registrations since July 1st, 2023. I will begin compiling the renewal letters to have them sent out by the end of May. I have already had a few businesses renew their business registration for FY24-25. Golf Cart renewals will be sent out at the end of May as well. All approved Lodgers' Tax Grant Agreement Contracts have been signed and filed. Deadline for reimbursement for FY23-24 Lodgers' Tax is May 25, 2024. At this time there have been no submissions for reimbursement. The Zoning Commission would like to begin meeting every other month rather than quarterly to properly address the code review and amendments. IPRA's have slowed down from what they were at the beginning of the year. Most requests recently have been able to be fulfilled the same day. We had one issue with a rental at the community center. The renter had rented only the tables and chairs and not the whole building. The rental was for a Saturday and the tables, chairs, and community center key were not returned until the Tuesday following the rental. Thankfully there were no damages. I would like to revise the rental contract for the community center to no longer allow the tables and chairs to be rented separately from the building. Amended two resolutions for NMDOT as per requested by Bohannan & Huston.

b. Land Use Administrator

Lindsey Cobleigh presented her report as follows. Over the past month there has been a total of 18 permits issued. The Land Use Department has been increasingly busy with permits, plan reviews, lot line vacations, variances, etc. I have started scheduling appointments, that way I can maintain a good amount of time with each resident that comes in and not feel rushed. I have been doing this for two weeks and so far, it is working out great! No opposition from the public on having to have an appointment. I attended the NMLZO Spring Workshop April 24-26, 2024, in Las Vegas, NM. I received my state certified zoning official recognition during this time. Also, I was appointed as the interim City Board Representative for the NMLZO Board. Main elections for board members are in September 2024 and at that time I do plan on running officially to serve a two-year seat as City Board Representative. The next NMLZO Conference is in September. There were several presentations from this conference that have already helped me in my day-to-day job. One of the presentations was on the allowance of accessory structures/guest dwellings. This is one of the topics that has been discussed several times over the years of being in land use. The Zoning Commission met on May 7, 2024, in a regular meeting. This meeting acted as more of a workshop open discussion meeting. We are reviewing and gathering information on the Commercial Code and where it needs the most work. The board and I delegated different sections to each member present to begin a review on. At our Special Meeting in July, we will review all suggested amendments from each member. We are looking at proposing three levels of business; Permitted, Administrative Conditional, and Hearing Conditional. Our goal is to make our commercial code

more developer friendly and aid in the growth of our City. One of the main goals for our commercial zoning district is creating a walking downtown for Elephant Butte. I stressed to the commission the importance of maintaining a standard definition list within our zoning code to be applicable across all zoning. Definitions and conditions will be a main focus within the commercial code amendments. I will begin developing a zoning table as a reference for all of our current zones on what is permitted and what is not.

c. Fire Chief

Chief Long presented his written report as follows. Total Calls = 38 Live Fire Calls = 3 MVA = 7 EMS Calls = 26 Gas Leak = 2

April 16th – Bunker gear drills, vehicle familiarization, Engine 9

April 23rd – Vehicle familiarization, Ambulance

April 30th – Company training, pump and hose training.

May 7th – Business meeting = We voted on new members from probation members to active response members or to support members. We voted on new uniforms for fire personnel and color for rank.

We have been removed from probationary status. As of April 24, 2024, the probationary status for the Elephant Butte Fire Department has been lifted and the department is clear to resume normal activity.

The calls have started to pick back up. Traffic at our lake is on the rise. We had two full days of interviews with attorney Zamora. He interviewed 10 of our firefighters regarding a complaint. 7 firefighters were interviewed on 5/2/24 and 3 firefighters were interviewed on 5/3/24. We will be ordering new hose adapters and supplies to aid in our support with surrounding fire departments. This will ensure smooth transitions when we need mutual aid and support. This will make it possible to assist each other and have uniform equipment we can both utilize and be familiar with. This will make auto aid much easier. Auto aid will again help with our ISO ratings. We did a CPR class for a church group out of Las Cruces. There were 5 people who attended. We will be doing a CPR class for HSHS. This will be held on Friday the 10th for HOSA students. Sierra electric Co-Op here in Elephant Butte has reached out to Elephant Butte Fire for a certification with AED training sometime in the future as they are now looking into ordering new AED's. This is very vital due to what happens to the heart with different currencies are passed through it (AC-DC). We plan on helping our community in every way possible. We have reactivated accounts for ordering EMS supplies. Our Pharmacist has signed our applications for these vendors so we will be able to order appropriate medications. This is important for the direction we are heading so we can be eligible for Fund-Act grants in the next fiscal year. Again, we did a lot of footwork to make these vendors possible due to not having a credit card available to place on these accounts. We have had several high importance calls this past month. We have managed to obtain better working relationships with SVH EMS. During several of these high importance calls we have assisted SVH in the continuing patient care to the ER. We were able to assist with setting up their pumps, starting lifesaving drips, and setting up ventilators for them. We were able to further help with patient care several times. I hope this is the beginning of a strong working relationship as we are all on the same team. Our goals are the same. We are here to keep everyone safe and provide the best patient care possible for our communities.

d. Code Enforcement

Roger Long presented his written report as follows. We have had several complaints still come in concerning our lighting ordinance. 516 Lakeshore was visited on May 9th, 2024. The property owners report they will comply. They showed me the application on their phone they use for the lights on their home. They have turned their lights down to 10%. They have concerns of not being in town and always want their yard visible. We went over Ordinance NO. 203. They report they will put their lights at a 45-degree angle so light does not shine past their yard. I further explained

to them that from 10pm until sunrise the lights need to be on a motion sensor, or it is against our ordinance. I will follow up with them on the 14th to ensure they are with in code. A lot of property owners are not following Ordinance NO. 203. This task alone will keep us busy. 225 Superior. Another person was very upset about his lights being to bright. He wants his property visible because he owns over an acre and feels he should be able to always see every square inch. He was advised his lights were against Ordinance NO. 203. They are only allowed to be 1600 lumens and his are 5000. He has agreed to turn them off, so his neighbors are not upset. He plans to build a shield around them. We will follow up with him on the 21st of May. The person who had the complaint has reached out to me and reports things are much better. 605 Travis is dumping yard waste in a city owned ditch. We have sent them a notice and they have until 5 17, 2024 to clean it up. There is also a light complaint for them.

9. EXECUTIVE SESSION

- a. Discussion of limited personnel matters – closed pursuant to NMSA 1978, Section 10-15-1(H)(2) – *Clerk's Office, Treasurer's Office, and City Manager's Office.*
- b. Closed pursuant to NMSA 1978, Section 10-15-1(H)(8) for discussion of the purchase, acquisition, or disposal of real property.
- c. Discussion of Request for Proposal (RFP) for Water & Wastewater Emergent Services.

Mayor Pro Tem Skinner made a motion to enter into executive session for the discussion of items a, b, and c. Councilor Harmon seconded the motion. 4-0.

City Clerk Cobleigh conducted a roll call vote.

Mayor Pro Tem Skinner – Yes

Councilor Harmon – Yes

Councilor Williams– Yes

Councilor Arnold – Yes

Motion Carried.

Mayor Pro Tem Skinner made a disclosure statement that there was no discussion of items other than the discussion of limited personnel matters – closed pursuant to NMSA 1978, Section 10-15-1(H)(2) – *Clerk's Office, Treasurer's Office, and City Manager's Office, AND* Closed pursuant to NMSA 1978, Section 10-15-1(H)(8) for discussion of the purchase, acquisition, or disposal of real property AND Discussion of Request for Proposal (RFP) for Water & Wastewater Emergent Services.

10. ACTION

- a. Action required following discussion of limited personnel matters – closed pursuant to NMSA 1978, Section 10-15-1(H)(2) – *Clerk's Office, Treasurer's Office, and City Manager's Office.*

Mayor Mortensen made a recommendation for Janet Porter-Carrejo to be approved as City Manager for the City of Elephant Butte. Mayor Pro Tem Skinner made a motion to approve Janet Porter-Carrejo for the open position of City Manager. Councilor Arnold seconded the motion. 4-0.

City Clerk Cobleigh conducted a roll call vote.

Mayor Pro Tem Skinner – Yes
Councilor Harmon – Yes
Councilor Williams– Yes
Councilor Arnold – Yes
Motion Carried.

- b. Action required following discussion closed pursuant to NMSA 1978, Section 10-15-1(H)(8) for discussion of the purchase, acquisition, or disposal of real property.
No Action.
- c. Action required following discussion of Request for Proposal (RFP) for Water & Wastewater Emergent Services.

Mayor Mortensen stated that the City of Elephant Butte has been utilizing a wastewater contractor for quite some time and he feels it is time for the city to go out for RFP for these services. This would be for both water and wastewater services for the City of Elephant Butte. Mayor Pro Tem Skinner and Councilor Harmon were both in favor and agreement with the Mayor. Councilor Williams asked if this would affect the current contract and Mayor Mortensen replied that the current company would have the opportunity to submit a bid as well.

No Action.

11. MAYOR AND COUNCIL REPORTS/COMMENTS

Mayor Pro Tem Skinner attended the governor's conference, Middle Rio Grande Economic Development Meeting, attended a meeting with Sierra County on Economic Development with Janet. Sierra County is looking at hiring an economic development coordinator and wishing to do an MOU with the city.

Councilor Harmon attended the SCCOG Meeting where they received kudos on their financial audit, attended the JPC Meeting, meeting with the South-Central Transportation Authority to rank TPF job requests to go through NMDOT for funding.

Councilor Williams stated there was no SCRDA meeting no meeting until July. Requested to clear the air for all city employees and the public that he met Councilor Harmon in the year 2015 and she is not his wife's mother. The only relative he has in this town is his wife.


Councilor Arnold continues to read the ordinances and familiarize herself with what she needs to catch up on.

Mayor Mortensen attended the JPC Meeting, finished some ombudsman training for the VA, thanked Javier Machucha a consultant who in three weeks has reconciled a little over a year's worth of bank records. We will be ready for the audit to start at the end of May.

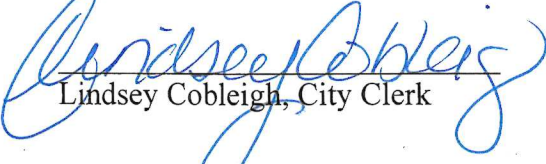
12. ADJOURNMENT

Mayor Mortensen adjourned the meeting.

Minutes approved and adopted at the City Council meeting on June 12, 2024.


Kim Skinner, Mayor Pro Tem

ATTEST:


Lindsey Cobleigh, City Clerk

