

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

103 Water Avenue, Elephant Butte, NM 87935

Wednesday, June 12, 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 – Present
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. 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.

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.

Jim Smith 402 Rock Canyon Road – Mr. Smith stated he has been a part of the area for the past 35-40 years. Mr. Smith made a statement about John Mascaro being let go for embezzlement yet there is no proof of it. Mr. Smith continued his public comment by defending John Mascaro's good and honest character. Mr. Smith stated that John Mascaro was the best Fire Chief the city had ever had. Mr. Smith requested that the City Council bring John Mascaro back as the Fire Chief as everything that was done was wrong.

Stephen Dutill 576 Lakeshore Drive – Mr. Dutill stated to the Council that the speeding on Springland Blvd has gotten continuously worse. Mr. Dutill mentioned that there are numerous bikers and walkers along Springland Blvd. Mr. Dutill suggested during the upcoming detour with construction that the City work with the state parks to utilize the old Jet Boat Cove entrance as the primary entrance rather than detouring lake visitors through the residential area.

5. APPOINTMENTS

- a. Fire Chief Acknowledgement
Mayor Mortensen made a formal acknowledgement of the appointment of Roger Long from Interim Fire Chief to Fire Chief.

- b. Alternate Zoning Commissioner
Mayor Mortensen made a recommendation to appoint both Matt Casas and Mike Finlay as alternate zoning commissioners.

Mayor Pro Tem Skinner made a motion to approve Mayor Mortensen’s recommendation to appoint Matt Casas and Mike Finaly as alternate zoning commissioners. 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.

6. CONSENT ITEMS

- a. Regular Meeting Minutes May 15, 2024
Mayor Pro Tem Skinner made a motion to approve the regular meeting minutes from May 15, 2024. 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. Special Workshop Minutes May 21, 2024
Mayor Pro Tem Skinner made a motion to approve the special workshop minutes from May 21, 2024. 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.

- c. Special Meeting Minutes May 21, 2024

Mayor Pro Tem Skinner made a motion to approve the special meeting minutes from May 21, 2024. 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.

7. PRESENTATIONS

- a. Sierra County Sheriff's Office – Sheriff Joshua Baker

No representative present.

- b. Bohannon & Huston – David Shields

No representative present.

8. REGULAR ITEMS (DISCUSSION POSSIBLE ACTION)

- a. Discussion/Possible Action: Resolution 23-24-135 ICIP –Jay Armijo and Angela Rael, SCCOG

Jay Armijo with the South-Central Council of Government introduced fiscal year 2026-2030 ICIP Project Summary. The council, staff, and members of the SCCOG discussed the summary of projects and items that were in it. Mayor Mortensen requested a full summary report from Jay Armijo showing all projects on the ICIP.

Mayor Pro Tem Skinner made a motion to approve the resolution 23-24-135 ICIP Project Summary. 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: Personnel Policies

Stephen Archuleta introduced a redline copy of the updated Personnel Policies to the Mayor, Council and Staff for discussion. Archuleta stated that there is approximately 150 needed changes for the current personnel policies. There was a discussion on the accumulation and use of comp time as well as the paying out of annual and sick leave. It was discussed to enact a process that would allow employees to utilize a buy back program with annual leave to act as a holiday bonus of sorts. There was a discussion of the employee take home vehicle policy.

No action taken.

- c. Discussion/Possible Action: Roads Identified for Slurry

Stephen Archuleta introduced the proposed project for having several roadways coated in a slurry to prolong their life. Archuleta stated that the slurry project costs \$55,000.00 per mile of roadway and will last 3-5 years. Archuleta created a worksheet for the council to utilize and identify streets that they feel are priorities for this project. Archuleta mentioned that Lakeshore

Drive would be a priority and that it is 1.1 miles long. Councilor Williams mentioned that Canadian Circle would be a suggested roadway for the slurry.

No action taken.

d. Discussion/Possible Action: Resolution 23-24-134 Level 2 Condition Declaration

Chief Long presented resolution 23-24-134 Level 2 Condition Declaration. Chief Long explained that the drought condition procedure for declaration is already set forth in code and able to be done by the approval of the council when needed. Chief Long stated there had been several fires recently of structures and his goal is to prevent any further loss of property.

Mayor Pro Tem Skinner made a motion to approve Resolution 23-24-134 Level 2 Condition Declaration. 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.

9. CITY STAFF REPORTS

a. City Clerk

Lindsey Cobleigh presented a verbal report to the council. Cobleigh stated that this past month has been focused on preparing the business registration renewal letters as well as the business registrations as they are paid. Cobleigh stated that so far there had been a good amount already submitted back to the city for renewal.

b. Land Use Administrator

Lindsey Cobleigh presented a written report to the Mayor and Council. Over the past month there has been a total of 13 permits issued. There has been a total of 77 permits issued for the year so far. Residential NEW Builds – 1, Residential Additions – 8, Residential Clearing – 1, Lot Line Vacation – 1, Signs – 2. The Land Use Department was slower this past month on permitting, but there was an increase in inspections, meetings, and consultations prior to permitting. By scheduling appointments, I can maintain a good amount of time with each resident that comes in and not feel rushed. I have been doing this for approximately six weeks and so far, it is working out great! No opposition from the public on having to have an appointment. I have implemented a new process when construction is on or near an easement I will first go out and mark the property lines in hot pink pain to signify where the perimeter/property line is. So far this has been done on one project as it had a very wide front easement that needed to be marked. I am continuing to work towards the development of a Technical Review Committee (TRC) that will review new residential, new commercial, subdivision plats. My goal for the TRC is to create continuity within the City of Elephant Butte. By having a 4-member board all departments of the city would be involved in and aware of development. My thoughts for members would be City Manager, Public Works, Fire Chief, Utility Department. As this develops, I will bring it before the zoning commission and the city council. I am currently working on an ordinance amendment for a zoning amendment to the PUD. This was requested by David Berman, James Prendamano and Sam Senn. I am working on the packet for the platting approval of a new subdivision that will house 54 lots within a 12-acre parcel. I am working on three public hearings to be heard at the zoning commission on July 16, 2024. One is a conditional use business registration, and two are for variance requests. On May 22, 2024, I attended a development meet and greet at the golf course. We were invited to tour the four model homes that have been built recently. They have currently

sold two of the models and using one as their sales office for future home designs and sales. The dirt work has begun for the proposed playground and pickleball courts located at the intersection of Stagecoach and Turtleback Parkway. The initial clearing area is a 300x100 area to accommodate the playground, pickleball courts, and parking lot. The City will be holding interviews for code enforcement the week of June 10-14. We had three official applicants. I am getting the short-term rentals scheduled for their inspections which are due every two years. Due to ongoing questions and concerns about covenants within the City of Elephant Butte I am planning on drafting an educational notice along the lines of the one I did "building permit v zoning permit". I want to continue aiding in the education and understanding within our community to the best of my ability. In simple terms: Codes/Ordinances - Are *local municipal laws that define how property in specific geographic zones can be used*. Covenants - Are either personal, restricting only the party who signs the agreement, or they "run with the land," passing the burden along to subsequent property owners. A restriction is simply a limitation on the use of the land. Most covenants have an expiration or time limit that they must be amended or extended, or they are no longer in effect.

c. Fire Chief

Chief Long presented a written report to the Mayor and Council. There was a total of 41 calls: 5 live fires, 4 MVAs, 30 EMS calls, and 2 others. We had two structure fires this month. The first one was at 48 Cedar cove RV park. It was isolated to one 5th wheel. We had 11 fire fighters respond to this call. The fire was contained in a short time. We spent most of our time with operations training, RIT training, and mop ups. Our second fire was at the intersection of Cholla Drive and Cactus. This involved 1 shed, 1-5th wheel, 2 boats, and 2 structures. When we arrived, the shed and the 5th wheel were completely gone. The shed was burned to the ground and the 5th wheel was burnt to the frame. This fire had been burning for 30 minutes or longer (some time) prior to us being dispatched. We had 10 fire fighters respond to this call. Truth or Consequences brought 5 fire fighters and an engine. Las Palomas brought 8 fire fighters and two water tenders. We had 40 mph gusts during this fire. We had our ISO inspection. All went well. They were very happy with our organization and thanked us multiple times for being prepared. Everything we reported to them is what they found. All our apparatus were in good working order and our documentation reflected what they saw. All our stations were clean and organized. Their report can sometimes take a couple of months. I am certain we will stay at our rating of a 5 and we have a good shot at advancing to a 4. This was directly from the inspector. We knew we had areas where we could gain extra points and we capitalized on it. Our water tender tank is back and repaired. Tender 9 is back in service. Bartoo sand and gravel helped us with the use of a crane to place the tank back on our chassis. They donated their services and equipment. They will not be sending us a bill. We will continue to strive to serve our community. Again, this had to go out to ProPoly due to the warranty and they now have placed the appropriate supports and re-welded some of the baffles on our tank. We found out about the warranty from speaking with the dealer in Waco Texas. He gave us the serial number on the tank. We will have training on how to operate this vehicle in the future to help eliminate or minimize damage to our equipment. We had a safety training with TorC fire on Wednesday the 5th and we will be conducting training at their burn building on Saturday the 8th. We will have a special assignment at Spaceport America on the 8th and sending a water tender and brush truck for standby. They have drafted a new mutual aid contract for us. We are working out negotiations with them for future launches in about a year for us to be reimbursed for our time and gas per apparatus and personnel. We have been in contact with the training academy in Socorro. I have started the process to get A&O certifications for our fire fighters. This will be a 40-hour course. We will be coordinating with other fire departments to have enough fire fighters to attend. This is a prerequisite for FF 1&2 which we are already working out the details for this obviously. We want to provide the best service for our communities, and we want all our fire fighters IFSAC certified 1 & 2. This will give them not only confidence, but SAFETY and

advanced fire suppression knowledge. As you can see these are the majority of all our responses. MVA are fire related first for extrication, but they are also medical once the patient is out of the vehicle. This is why I give MVA their own category. Our working relationship with SVH EMS has improved vastly. SVH admin has contacted me multiple times this month during our busy weekend asking us to transport for them. We did not have to because of circumstances but we are building our relationships with them. We have also been asked several other times to ride in or continue our patient care to assist them to SVH. We have consistently done this multiple times a month. We hope to continue to build and work on our working relationships not only with SVH EMS but all our surrounding agencies. At the end of the day our goals are the same.

We had a meeting with our medical director on June 6th. We met for 90 min discussing guidelines, protocols and operations. He is very pleased with where we are as a department and praised us for our advancements. He stated he has confidence in our knowledge and medical decision-making ability. He was also my medical director in college, so he is familiar with and had a hand in my understanding of medicine. He understands Fire is our number one concern. We must prove we can stop a fire adequately and be able to rescue someone from a burning building first.

d. Code Enforcement

Roger Long reported that there had been one new code case this past month. Other cases had been followed up on as well.

10. EXECUTIVE SESSION

- a. Discussion of limited personnel matters – closed pursuant to NMSA 1978, Section 10-15-1(H)(2) – *Treasurer's Office*.

Mayor Pro Tem Skinner made a motion to enter into executive session for the discussion of limited personnel matters – closed pursuant to NMSA 1978, Section 10-15-1(H)(2) – *Treasurer's Office*. 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) – *Treasurer's Office*.

11. ACTION

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

- b. Appointment of City Treasurer

Mayor Mortensen recommended the appointment of CW Laswell as the City Treasurer pending the negotiation with the City Manager to abide by the discussed guidelines.

Mayor Pro Tem Skinner made a motion to approve Mayor Mortensen's recommendation to appoint CW Laswell as the City Treasurer pending the negotiation with the City Manager with the discussed guidelines. Councilor Williams 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.

12. MAYOR AND COUNCIL REPORTS/COMMENTS

Mayor Pro Tem Skinner reported that the NM Tourism Department had been here in Elephant Butte running promotional ads. Chris Bolen with the EBLSP had marked off a whole section of beach in preparation of the filming for them. Mayor Rolf Hechler of TorC aided in obtaining the needed permits for using the State Parks.

Councilor Harmon reported that she had attended a construction meeting to review all open City projects. Councilor Harmon has an upcoming RTPO meeting and a SCCOG meeting.

Councilor Williams reported there had not been a SCRDA meeting. Councilor Williams requested for the city lead with consistency and transparency and requested to meet with both Janet Porter-Carrejo and Stephen Archuleta following the meeting.

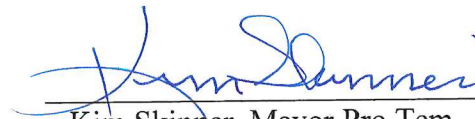
Councilor Arnold – No Report.

Mayor Mortensen reported that he had met with Secretary Serna and had a discussion of the City giving back Highway 195 and Warm Springs to the state. Mayor Mortensen mentioned that Secretary Serna had informed him of a Road Safety Class happening in Roswell.

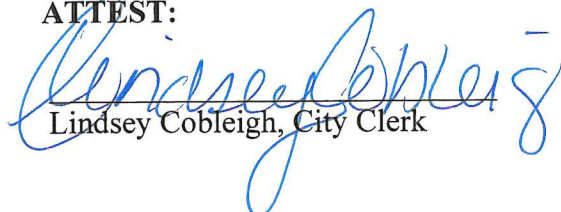
13. ADJOURNMENT

Mayor Mortensen adjourned the meeting.

Minutes approved and adopted at the City Council meeting on July 17, 2024.


Kim Skinner, Mayor Pro Tem

ATTEST:


Lindsey Cobleigh, City Clerk



