



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

103 Water Avenue, Elephant Butte, NM 87935

Wednesday, July 17, 2024 – 2:00PM

Minutes*

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Pro Tem Skinner called the meeting to order, and Councilor Williams led the pledge of allegiance.

2. ROLL CALL

Mayor Phillip Mortensen – Present by Phone
Mayor Pro Tem Kim Skinner – Present
Councilor Cathy Harmon – Present
Councilor Michael Williams – Present
Councilor Skylar Arnold – Absent for Training

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

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

Councilor Williams made a motion to approve the agenda as submitted. Councilor Harmon seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.

Mayor Pro Tem Skinner – Yes
Councilor Harmon – Yes
Councilor Williams – 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 / Rock Canyon Dry Dock – Mr. Smith provided a two-page printout for each present member of the governing body and staff member. Mr. Smith requested that Clerk Cobleigh hand these documents out. The document was a printed article from the Sierra County Sentinel Newspaper regarding John Mascaro. Mr. Smith stated that he was a fire captain for Espanola for many years. Mr. Smith questioned why there had been three homes, and one business lost to fire with Roger Long as Chief of the Elephant Butte Fire Department. Mr. Smith requested that the governing body go into executive session and reappoint John Mascaro as the Elephant Butte Fire Chief and place Roger Long where he belongs in EMS only.

Ronald Trujillo 303 Lakeshore Drive – Mr. Trujillo spoke on the needed paving for Canadian Circle and Lakeshore Drive being a priority. Mr. Trujillo requested that John Mascaro be reinstated as Fire Chief of the Elephant Butte Fire Department. Mr. Trujillo requested that the investigation into John Mascaro be made public knowledge by the City of Elephant Butte. Mr. Trujillo requested that Roger Long’s credentials and certifications be made public knowledge. Mr. Trujillo questioned why Chief Long had fired a qualified Volunteer Firefighter from the Elephant Butte Fire Department.

Mike Behnan 103 Canadian Circle – Mr. Behnan asked the council why Canadian Circle was not considered for the slurry project.

5. CONSENT ITEMS

- a. Regular Meeting Minutes June 12, 2024
- b. Special Meeting Minutes June 21, 2024

Councilor Williams made a motion to approve both Consent Items a & b as submitted. Councilor Harmon seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.
Mayor Pro Tem Skinner – Yes
Councilor Harmon – Yes
Councilor Williams– Yes
Motion Carried.

6. PRESENTATIONS

- a. Sierra County Sheriff’s Office – Sheriff Joshua Baker
Sheriff Baker provided a two-month report to the council and staff. Sheriff Baker reported there was 126 patrol hours for may and 160 patrol hours for June. It was reported that the 4th of July Holiday Weekend was smooth. Sheriff Baker reported that he is aware of the increased traffic concerns on Rock Canyon Road and Butte Blvd stemming from the Marathon Gas Station during busy operating hours.
- b. Bohannon & Huston – David Shields
No report. No representative present.
- c. Zoning Commission Update – Chairman Morris
Chairman Morris presented to the City Council the recent discussion items that the zoning commission is working on. Chairman Morris requested approval from the City Council to begin meeting every other month rather than quarterly. Morris stated this would be easier to plan for every other month meetings rather than trying to plan for a special meeting every other month. The council was in favor of this and stated the zoning commission can meet as often as they see necessary.

7. REGULAR ITEMS (DISCUSSION POSSIBLE ACTION)

- a. Discussion/Possible Action: Resolution 24-25-101 SCCOG
Councilor Harmon made a motion to approve Resolution 24-25-101 SCCOG. Councilor Williams seconded the motion. 3-0.
City Clerk Cobleigh conducted a roll call vote.
Mayor Pro Tem Skinner – Yes

Councilor Harmon – Yes
Councilor Williams– Yes
Motion Carried.

- b. Discussion/Possible Action: Resolution 24-25-102 Minimum Pool for EBLSP at 30%
Stephen Archuleta presented this item to the Mayor Pro Tem and Council.
Councilor Williams made a motion to approve resolution 24-25-102 Minimum Pool for EBLSP at 30%. Councilor Harmon seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.
Mayor Pro Tem Skinner – Yes
Councilor Harmon – Yes
Councilor Williams– Yes
Motion Carried.

- c. Discussion/Possible Action: Resolution 24-25-103 Travel Reimbursement Per Diem
City Clerk Cobleigh presented this item to the Mayor Pro Tem and Council. Cobleigh explained that this resolution is adopting the per diem rates set by DFA. Every spring DFA updates all per diem rates that take effect July 1st of that year. Cobleigh stated that the format of the reimbursement form stayed the same, just a few minor adjustments to bold certain text for clarity.
Councilor Williams made a motion to approve resolution 24-25-103 Travel Reimbursement Per Diem. Councilor Harmon seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.
Mayor Pro Tem Skinner – Yes
Councilor Harmon – Yes
Councilor Williams– Yes
Motion Carried.

- d. Discussion/Possible Action: Resolution 24-25-104 Personnel Policies Handbook
Stephen Archuleta introduced this resolution to the Mayor Pro Tem and Council for discussion with his recommendation to approve.
Councilor Williams went through the proposed personnel policies page by page with Stephen Archuleta, notating numerous needed amendments from spelling corrections, typos, and clarification requests. A Common correction was replacing “Mayor and Council” with “Governing Body”. Councilor Williams stated that the noted “Appendix” was missing from the draft policy for review.
Mayor Mortensen asked Councilor Williams if he had in fact received the proposed draft copy of the personnel policy that was redlined with the amendments. Councilor Williams stated that he had in fact received the redline copy of the personnel policy.
Councilor Williams brought up for discussion the “At Will Positions” which currently includes City Manager, City Clerk, City Treasurer and Police Chief. Councilor Williams asked why the Fire Chief position was not included in this section? Stephen Archuleta stated that it had not previously been included in this section. Mayor Pro Tem Skinner stated that it had not been apart of the at will positions previously.
Councilor Williams noted the following pages with amendments needed; 2, 4, 10, 15, 18, 20, 22, 23, 31, 48, 49, 65, 68, 78, 79, and 81.

Councilor Williams brought up for discussion the City Vehicle Policy. Stephen Archuleta stated that there will be a separate appendix for the proper use and care of operating and taking home a city vehicle.

Councilor Williams stated that Stephen Archuleta had done a good job on this revision of the personnel policy.

Mayor Pro Tem Skinner thanked both Councilor Williams and Stephen Archuleta for the hard work and feedback provided on the revision of the policy book.

Councilor Williams made a motion to approve resolution 24-25-104 Personnel Policies Handbook with all requested amendments by council. Councilor Harmon seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.

Mayor Pro Tem Skinner – Yes

Councilor Harmon – Yes

Councilor Williams– Yes

Motion Carried.

Councilor Williams provided Stephen Archuleta with his copy of the policies with all noted amendments needed that were discussed.

e. Discussion/Possible Action: Roads Recommendation for Slurry

Stephen Archuleta presented a list of proposed roads for the slurry project. The roads included in the proposal were Lakeshore Drive, Northern, Mimbres, Organ Ave (a portion), Anton Drive (a portion), Superior Drive (a portion), Odessa (a portion), Inca Street, Knox Street, Dove Ave (a portion), Black Range (a portion), Espina North, Montreal (a portion). Total proposed slurry miles is 4.6 miles at \$55,000 per mile for a total of \$253,000.00 for this slurry project. Stephen Archuleta stated at this time the priority is through streets, road base conditions, and drainage impacts. Stephen Archuleta stated that this is the staff recommendation to council and the council can amend this proposal list. Stephen Archuleta presented a written public comment that came into the City Clerk by email.

To whom it may concern.

It has been brought to our attention that the city has allotted \$253,000 on paving/slurring of 14 roads and Canadian Circle is not on that list.

Our question is WHY? We have lived there 5 years and have been repeatedly promised a decent road. The first couple of years our driveway and yard have been a complete washout. Please take time to come and check out our property and view a large pit dug out to collect the runoff of water to help protect the neighbor's property. This makes a large part of our lot unused because of this large hole.

We feel that we are being passed over for this slurry project, and maybe more, just because of who we live next door to. We are so proud to live in Elephant Butte with people that care for one another and a city that promotes equal opportunities.

Please reconsider the upkeep of roads for Canadian Circle.

Respectfully.

D. Curt and Joy Plath

Councilor Williams asked why Canadian Circle was not on the proposed list for the slurry project. Stephen Archuleta stated that with the increased drainage it would be best to have

Canadian Circle be its own project. Mayor Pro Tem Skinner asked if the City could apply for funding to begin the process for Canadian Circle. City Staff agreed.
Councilor Williams made a motion to approve the presented project for road slurry in 2024. Councilor Harmon seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.

Mayor Pro Tem Skinner – Yes

Councilor Harmon – Yes

Councilor Williams– Yes

Motion Carried.

8. CITY STAFF REPORTS

a. City Clerk

City Clerk Cobleigh updated the Mayor Pro Tem and Council on the business registration renewals that had been coming in over the past month.

b. Land Use Administrator

Lindsey Cobleigh updated the Mayor Pro Tem and Council on an end of Fiscal Year report for the Land Use Department. End of Fiscal Year 2023-2024 Report

Total Permit Revenue July 1, 2023 – June 30, 2024: \$12,354.00

Total Permits for FY23-24: 141

Residential NEW Builds – 24

Residential Other – 59

Commercial NEW Builds – 3

Commercial Other – 15

Clearing & Grading - 26

Lot Line Vacation – 5

Demolition – 6

Construction (City) – 3

c. Fire Chief

Chief Long reported to the Mayor Pro Tem and Council on the last month of service.

Total Calls = 82

Live Fire Calls = 12

MVA = 7

EMS Calls = 62

Other = 1

June Trainings

June 4, 2024-Business meeting

June 5, 2024-Training with TorC Fire, Safety

June 6, 2024-RIT (Rapid intervention team) training, down fire fighter rescue technique

June 8, 2024- Spaceport America launch

June 8, 2024- TorC Burn building training

June 11, 2024- Pump operations/Bunker gear drills

June 18, 2024- Cross lay minute man deployment training

June 25, 2024- Wash hose

June 26, 2024- Training with Las Palomas, drafting multiple tanks

This month was our busiest month to date this year. Not only did we run 82 total calls we had two deployments. The White Tail fire near Silver. We billed 33,451.62 for 3 days. We also had

a crew in Ruidoso at the South Fork fire. We billed 18, 298.42 for 6 days. The difference in pay is due to having medical personnel with equipment. Medical pays a lot more for wildland deployments. We had a launch at Spaceport America and several trainings with other departments. It was an eventful month to say the least. We also assisted with Friends of the Butte in setting up and the cleaning up of our firework display for the 4th of July. On the 26th of June we responded to Enchantment childcare development day care for a fire prevention speech and show and tell for approximately 20 3–5-year-olds. We passed out fire prevention material, coloring books, helmets, and crafts for them.

d. Code Enforcement

Chief Long reported that there had only been one code enforcement case opened the past month. Chief Long reported to Mayor Pro Tem and Council that the City had hired A. Tudy Romero as a part-time code enforcement officer, and he is already out in the city learning the process and procedure of code enforcement. Chief Long stated that there will be a detailed report next month.

9. EXECUTIVE SESSION

- a. Closed pursuant to NMSA 1978, Section 10-15-1(H)(8) for discussion of the purchase, acquisition, or disposal of real property.
- b. Discussion of limited personnel matters – closed pursuant to NMSA 1978, Section 10-15-1(H)(2) –*City Manager's Office*.

Councilor Williams made a motion to enter into executive session for the discussion of NMSA 1978, Section 10-15-1(H)(8) for discussion of the purchase, acquisition, or disposal of real property and the discussion of limited personnel matters – closed pursuant to NMSA 1978, Section 10-15-1(H)(2) –*City Manager's Office*. Councilor Harmon seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.

Mayor Pro Tem Skinner – Yes

Councilor Harmon – Yes

Councilor Williams– Yes

Motion Carried.

Councilor Williams made a disclosure statement that there was no discussion of items other than the discussion of NMSA 1978, Section 10-15-1(H)(8) for discussion of the purchase, acquisition, or disposal of real property and the discussion of limited personnel matters – closed pursuant to NMSA 1978, Section 10-15-1(H)(2) –*City Manager's Office*.

10. ACTION

- a. 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 Taken.

- b. Action required following discussion pursuant to NMSA 1978, Section 10-15-1(H)(2) –*City Manager's Office*.

Councilor Williams made a motion to approve the addendum for the City Manager’s contract as discussed. Councilor Harmon seconded the motion. 3-0.

City Clerk Cobleigh conducted a roll call vote.

Mayor Pro Tem Skinner – Yes

Councilor Harmon – Yes

Councilor Williams– Yes

Motion Carried.

11. MAYOR AND COUNCIL REPORTS/COMMENTS

Councilor Williams reported that he attended the Sierra County Regional Dispatch Authority (SCRDA) meeting on 7/17. Councilor Williams reported that they are transitioning to a rapid SOS system that ties into their pre-existing CAD systems for dispatching. Councilor Williams suggested that Chief Long meet with Michelle Atwell at dispatch for more information on this process and program. Councilor Williams stated that at this time there are no tow truck companies on call with dispatch.

Councilor Harmon reported that she attended the RTPO meeting on 6/26 which consisted of an NMDOT presentation and classification of roads. Attended the construction meeting with the city on 6/27 to review open projects. Attended the SCCOG meeting in TorC on 6/28.

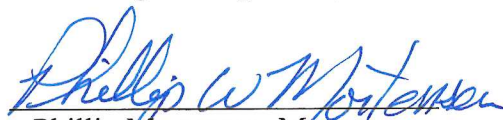
Mayor Pro Tem Skinner reported that the Spaceport America Tax Board had received a letter of interest from Virgin Galactic for the intent of building new hangers at Spaceport America. Mayor Pro Tem Skinner spoke on the wildfires that have affected Ruidoso recently and thank the Elephant Butte Fire Department for continuing their training and being ready and available to aid in wildfires like they did.

Mayor Mortensen – No Comment.

12. ADJOURNMENT

Mayor Pro Tem Skinner adjourned the meeting.

Minutes approved and adopted at the City Council meeting on August 21, 2024.


Phillip Mortensen, Mayor

ATTEST:


Lindsey Cobleigh, City Clerk

