



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

103 Water Avenue, Elephant Butte, NM 87935

Wednesday, August 21, 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 Williams made a motion to approve the agenda as submitted. 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.

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 inquired why proper procedure was not followed when a fireman backed into the fire station. Why was a drug and alcohol screen not performed. Were all members of the City Council informed of John Mascaro's lawsuit?

5. CONSENT ITEMS

a. Regular Meeting Minutes July 17, 2024

b. Special Meeting Minutes July 29, 2024

Councilor Williams made a motion to approve both Consent Items a & b as presented. 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.

6. PRESENTATIONS

- a. Sierra County Sheriff's Office – Sheriff Joshua Baker
Sheriff Baker reported that there had been 189 patrol hours logged for the month of July. During the past month there was a reported burglary at the local Marathon Gas Station as well as a speed chase that went through the entire county including Elephant Butte. Mayor Pro Tem Skinner asked how the lowering of the speed limit on 179 was coming along. Sheriff Baker stated that the department is working on obtaining a new data program that will aid in proof to the state of a needed change in the speed limit.

7. REGULAR ITEMS (DISCUSSION POSSIBLE ACTION)

- a. Discussion/Possible Action: Ordinance 220 Amendment for Re-Zone of PUD – *Approval of Publication*
City Clerk Cobleigh attempted to phone in David Berman for further comment and discussion on this action item. Mr. Berman was unavailable.
Chairman Morris of the Zoning Commission presented on behalf of the Zoning Commission the boards recommendation to approve this zoning amendment request by ordinance.
Sam Senn spoke about the purpose of this ordinance was to move lot counts within the PUD from one subdivision to another, keeping the main lot count the same overall. Other reasons were to correct zoning names and acreage within the zones.

Councilor Harmon made a motion to approve this Ordinance 220 Amendment for Re-Zone of PUD for publication. 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.

- b. Discussion/Possible Action: Preliminary Plat Submission for Las Palomas Subdivision
Mayor Mortensen had some questions on this subdivision and felt he and the council may need more time for review.
Attorney Ben Young stated that Ordinance 220 had to go through the final adoption prior to the approval of the preliminary plat.
Sam Senn disagreed with Ben Young stating that the zoning amendment had no impact on this preliminary plat whatsoever.
The council decided to review and discuss only, no action was taken.
It was requested that City Clerk Cobleigh pull the original La Sima Plat which is the subdivision where Las Palomas will be. Its name was changed since originally proposed in 2007 with the original 6 subdivisions. It was requested of City Clerk Cobleigh to pull the meeting minutes and ordinances to show any reference to La Sima from 2006 and/or 2007.

- c. Discussion/Possible Action: Resolution 24-25-107 Rescinding Level 2 Condition
Chief Long introduced this resolution for the Council’s approval. Chief Long stated that there had been plenty of rain and moisture and that he felt the city could lift the level two drought conditions. Chief Long stated that the city would still follow the county recommendations on burn bans as well.
Councilor Williams made a motion to approve Resolution 24-25-107 Rescinding Level 2 Condition. 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. Discussion of Department Reports
Manager’s Report – Janet Porter-Carrejo stated that the city is working on numerous projects including fencing in the maintenance yard at public works. It was noted there have been some duct work issues within City Hall including collapsed ducts in offices. Janet Porter-Carrejo stated that NMDOT had visited the Balboa/Hallmark site and had recommended a reduced speed in the area and that guardrails were not needed at this time.
Stephen Archuleta reported on the current infrastructure projects. Archuleta stated that Warm Springs Blvd should be finished up next week. The community center remodel will begin after the election as it was already advertised as a polling location through the county and state. Mayor Pro Tem Skinner asked how the Fire Station build was coming along. Archuleta stated that it will be going back out for rebid of the 1st floor only as that is all there is funding for currently. Councilor Williams asked where Bohannan was for this meeting. Archuleta stated they should have submitted a report. Councilor Harmon stated that all detoured traffic from Springland Blvd is currently going down Northern and Skyline Drive. City Clerk Cobleigh requested a detour map as she was unaware Springland Blvd was closed.
Code Enforcement – Tudy Romero briefed the council on specific cases throughout the city. One case in particular is 301 Calle del Prado. Romero is in the process of getting this property into compliance as the owner had passed away and it is tied up in legal. Romero stated he has been in touch with the deceased owner’s daughter, and she will be having someone care for the property to gain compliance.
Land Use Administrator/City Clerk – Lindsey Cobleigh. Councilor Williams requested clarification on Cobleigh’s job titles and if she was still the code enforcement officer. Cobleigh clarified that she is not the code enforcement officer she is the Land Use Administrator and the City Clerk. Councilor Williams asked what the initials “CZO” stood for next to her name on her reports. Cobleigh stated that is for “Certified Zoning Official”, this was the state certification obtained in April 2024. Cobleigh stated that within the last week since her report to council an additional \$2,000 in revenue had been brought in with more permitting. Councilor Williams requested that Cobleigh remain the City Clerk. Cobleigh stated that at this time all of her acquired training and certifications have been in zoning.
City Treasurer – Laura Whiteside presented to the council a monthly finance report. Whiteside stated that she is working diligently to get the city caught up and current on all reporting including IRS, State, GRT, Worker’s Compensation, and Check Report Register reporting. A question was asked about the Medical Supplies budget within the fire fund budget

had already been half used within the current discal year. Chief Long clarified that this large initial purchase was to gain the licensing needed for the ambulance and to stock the ambulance.

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.

Councilor Harmon 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. 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.

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)(8) – for discussion of the purchase, acquisition, or disposal of real property.

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.

11. MAYOR AND COUNCIL REPORTS/COMMENTS

Mayor Pro Tem Skinner attended the JPC Meeting, State Board Meeting, Meeting with the tourism photoshoot taking place in downtown TorC.

Councilor Harmon attended the JPC Meeting, the ribbon cutting for the Dollar General and Gunhers and attended the Construction Meetings at the City.

Councilor Williams inquired about what infrastructure funding is the city looking into. Councilor Williams inquired about the recent employment positions posted in the newspaper; janitorial, accounts payable, and city clerk. Manager Porter-Carrejo gave clarification on the positions that were posted as vacant and noted that the janitorial position had been filled.

Councilor Arnold reported that she attended the NMML Conference in Clovis along with Mayor Mortensen and City Manager Porter-Carrejo.

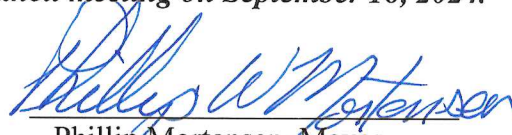
Mayor Mortensen - Over the last several months, the City has undergone several positive and important changes. We have entered into a contract with Jan Porter Carrejo to serve as the City's manager. Ms. Carrejo has been a manager and treasurer for other government entities in New Mexico. She has a wealth of experience in managing government personnel, finances, and operations in this state - which is something the City has lacked for many years. Supporting her, the City has also continued to contract with Stephen Archuleta, engaging his services as a consultant and lobbyist. Mr. Archuleta also has extensive experience managing New Mexico entities and personnel. We've also brought in Laura Whiteside and Javier Machuca CPA who have been able to identify weaknesses from previous fiscal years and develop better financial safeguards and practices that are consistent with New Mexico Procurement and Fiscal requirements for New Mexico government entities. We are

hopeful that, with their work, we'll be able to correct the City's prior financial deficiencies, allowing the City to achieve greater prosperity and consistency in the years to come. As you know, the City has been subject to investigations by several state agencies including the Fire Marshal, Auditor, and State Police. As of today, the State Police and Auditor's investigations are ongoing, and we have nothing to report other than our staff is cooperating with these investigations. The Fire Marshal's investigation concluded and found that nearly \$30, 000 was either misspent or unaccounted for. The Fire Marshal also found a number of regulation violations, jeopardizing our Fire Department's ISO rating which, if it had fallen, would have increased home insurance rates for our residents. Fortunately, we were able to transition leadership of the Fire Department to Roger Long, who was installed as deputy chief by former Chief John Mascaro. The former chief was correct in his assessment of Roger Long's capabilities, which allowed for a smoother transition than if the department had to start from scratch. Not only has Chief Long corrected the Fire Marshal's adverse findings, he has put the Fire Department in a position of receiving an improved ISO rating. I understand there will be growing pains with a new chief as he gains experience but, with the assistance and participation of the State Fire Marshall's office, Manager Carrejo, our staff, and our residents, we are further along than where we've been in the past and anticipate great things in the future. Chief Long is dedicated to improving the City's service to its residents, developing a collaborative approach with all stakeholders in emergency services in this region, and following all applicable laws, regulations, and requirements. We have a great team in place at the City of Elephant Butte. We would be unable to operate without our dedicated staff. We are very grateful for their hard work and commitment to the City. In particular, I am thankful for Lindsey and Jane who have made all of the administrative changes possible. Their hard work, institutional knowledge, and teamwork have been invaluable. I am excited about the future for this City, and I hope each of you are too. Please do not let rumors discourage you about the state we are in and where we hope to go. Feel free to speak with me, our Councilors, Ms. Carrejo, or Chief Long. / will also provide updates such as this one during council meetings when there are new developments.

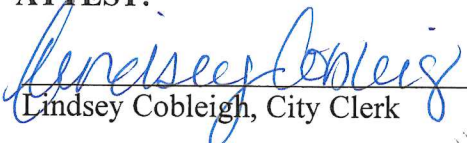
12. ADJOURNMENT

Mayor Mortensen adjourned the meeting.

Minutes approved and adopted at the City Council meeting on September 18, 2024.


Phillip Mortensen, Mayor

ATTEST:


Lindsey Cobleigh, City Clerk

