



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

103 Water Avenue, Elephant Butte, NM 87935

Wednesday, October 16, 2024 – 3:00PM

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

Mayor Pro Tem Skinner made a motion to approve the agenda as submitted. 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 addressed and asked about the corruption within the city municipality. Mr. Smith stated he has received 100 signatures on a petition to recall the Mayor's oath of office. Mr. Smith stated that John Mascaro was accused of something he never did, why was he not re-instated? Mr. Smith brought up the termination of Brian Burlage, that it was a personal vendetta against Brian. Mr. Smith brought up Stephen Archuleta leaving the City.

5. CONSENT ITEMS

a. Regular Meeting Minutes September 18, 2024

b. Public Hearing Minutes October 7, 2024

c. Special Meeting Minutes October 7, 2024

Councilor Williams made a motion to approve items 5a, 5b, 5c with the minor grammar amendments that were noted. 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 presented a drafted written report for the Mayor and Council on last month's activity. Sheriff Baker stated there was a total of 151 patrol hours in Elephant Butte, 13 reports filed, and 4 arrests. Sheriff Baker stated that it is slowing down now that summer is over. Councilor Arnold asked about the recent theft of dirt bikes in Elephant Butte. Sheriff Baker declined a comment on this subject and stated these cases are being investigated.
- b. Flood Commissioner – Sandy Jones
Sandy Jones updated the Mayor and Council on the drainage project on Mescal. Jones stated that one of the issues was obtaining a right of way easement with the property owner. Jones states there will be a utility survey of the older utilities in the area as well.
- c. Bohannon Huston (Written Report Only)
No written report was submitted to city staff.

7. REGULAR ITEMS (DISCUSSION POSSIBLE ACTION)

- a. Discussion/Possible Action: Resolution 24-25-110 – Disposal by Gift to Las Palomas Fire Department
Chief Long presented this Resolution 24-25-110 to the Mayor and Council as an amending resolution to 24-25-109 which was previously adopted. Chief Long provided pictures of all the water drop tanks that the Elephant Butte Fire Department currently has and how they are kept. Chief Long stated that both water tenders hold a drop tank on them for ease and convenience. Chief Long explained that the drop tank he is proposing to gift to another department would not in anyway hinder Elephant Butte Fire in performing its job capabilities.

Mayor Pro Tem Skinner made a motion to approve resolution 24-25-110 – Disposal by Gift to Las Palomas Fire Department. 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: Resolution 24-25-111 Budget Adjustments for FY24-25 #1
Laura Whiteside, City Treasurer, introduced this resolution for a budget adjustment request to be submitted to DFA. Whiteside stated that the total amount of the budget adjustment is \$755,900.00. Whiteside stated that there are several multiple large amounts of expenses that will be compensated by grant funding reimbursements. Councilor Williams asked what "other

contracts” was. Whiteside explained this is the line item that has paid Stephen Archuleta and Javier Machuca for their contract services with the city. Whiteside stated that there may be a need to increase that line item.

Mayor Pro Tem Skinner made a motion to approve Resolution 24-25-111 Budget Adjustments for FY24-25 #1. 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.

c. Discussion: Municipal League – Legal Services for Municipalities

Mayor Mortensen introduced this matter to the council for discussion. Mayor Mortensen spoke to Clinton Nicley with the New Mexico Municipal League, and they are now offering legal services through the league to municipalities. This would replace the city going out for RFP for an attorney. Councilor Williams requested the council be provided with a presentation on the matter by the NMML.

8. CITY STAFF REPORTS

a. Discussion of Department Reports

City Manager Report

Janet Porter-Carrejo updated the Mayor and Council on the incoming auditor, Stone McGhee. Porter-Carrejo stated that the auditor will be arriving next week. The NM State Auditors’ Office is happy with the progress that the city is making. Porter-Carrejo spoke with Erica with the New Mexico Municipal League regarding training for staff. Porter-Carrejo stated that Stephen Archuleta will be submitting the ICIP list on October 17, 2024, on behalf of the city. The annual fall clean-up event will be November 1-12, 2024, and this will include the roll off dumpster located in the recycling yard. Porter-Carrejo stated that her and Clerk Cobleigh had been working on utility account clean ups. Porter-Carrejo stated that she will be finishing the paperwork for the engineering services RFP. Councilor Williams asked if Stephen Archuleta will remain the lobbyist for Elephant Butte, Porter-Carrejo stated no, he will no longer be the lobbyist.

City Treasurer Report

Laura Whiteside had no additional reporting after presenting the resolution.

Fire Chief Report

Chief Long provided the Mayor and Council with a written monthly report. There was 1 live fire, 1 trash fire, 1 structure fire, 2 MVAs, and 21 EMS calls for a total of 26 calls for service. Chief Long went over the training that had taken place over the last month for the department. Chief Long stated that the fire department had been a part of the Elephant Butte Balloon Regatta all three days, September 6-8, offering standby services for safety. Chief Long noted he had attended the NM Fire Chiefs Conference in Ruidoso. The last reimbursement for a wildland deployment was received for the Corazon Fire in the amount of \$20,587.86.

City Clerk Report

Lindsey Cobleigh reported that over the last month there has been a total of seven (7) meetings held; 3 council meetings, 3 zoning meetings, and 1 Lodgers' Tax Meeting. During the Lodgers' tax meeting they were able to set the requested meeting dates for 2025 as well as approve the FY25-26 Application for Lodgers' Tax Funding. Cobleigh stated there had been one lien released in the amount of \$1,239.40 for back owed utilities. The release of lien was filed with the county on October 8, 2024.

Land Use Report

Lindsey Cobleigh reported on the permits issued over the past month; 10 total permits issued, 8 residential, 2 public hearings. Mayor Pro Tem Skinner stated there has been a lot of trash along Highway 179 to check on. Cobleigh stated she would make sure that code enforcement checked into this, Cobleigh reminded the council that highway 179 is a state-owned highway and not maintained by the city as well as much of the property along that roadway is not within the city limits.

Code Enforcement Report

Tudy Romero presented his monthly report. There were new 14 code cases opened. Romero stated that he has been placing the yellow door hanger tags on properties for weeds and inoperable vehicles mostly. Romero stated he has several 1st and 2nd notice of violation to be sent out on properties that are to be condemned. The fall clean up will be November 1st-November 12th to aid the community in cleaning up their properties.

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 Clerk Office, Land Use Office, and Fire Chief Office.*

Mayor Pro Tem Skinner 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 Discussion of limited personnel matters – closed pursuant to NMSA 1978, Section 10-15-1(H)(2) –*City Clerk Office, Land Use Office, Fire Chief Office.* 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.

Mayor Pro Tem Skinner 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 Discussion of limited personnel matters – closed pursuant to NMSA 1978, Section 10-15-1(H)(2) –*City Clerk Office, Land Use Office, Fire Chief 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.

- b. Action required following discussion pursuant to NMSA 1978, Section 10-15-1(H)(2) – *City Clerk Office, Land Use Office, and Fire Chief Office.*

No Action.

11. MAYOR AND COUNCIL REPORTS/COMMENTS

Mayor Pro Tem Skinner reported on the Middle Rio Grande project and the legislative project.

Councilor Williams reported that there was no SCRDA meeting. Councilor Williams asked if we are switching over to the new emails yet. If not, he would like to have some new business cards with the updated phone number on them. Janet Porter-Carrejo stated she is working on obtaining the sign-in authentication for GovID to have the email addresses updated to be “.gov”.

Councilor Arnold – No Report.

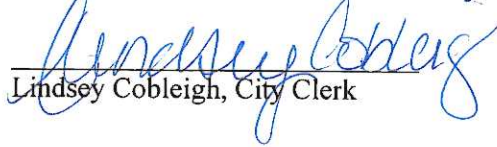
Mayor Mortensen reported on the ICIP reporting and the Municipal League.

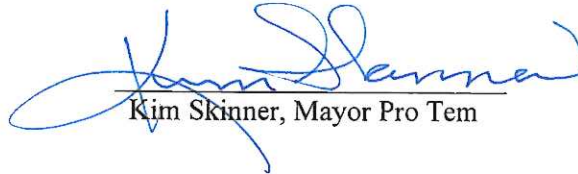
12. ADJOURNMENT

Mayor Mortensen adjourned the meeting.

Minutes approved and adopted at the City Council meeting on November 20, 2024.

ATTEST:


Lindsey Cobleigh, City Clerk


Kim Skinner, Mayor Pro Tem

