



CITY OF ELEPHANT BUTTE ZONING COMMISSION
NOTICE OF REGULAR MEETING
Tuesday, July 1, 2025 – 10:00am
103 Water Street, Elephant Butte, NM 87935

Minutes*

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Commissioner Lee Morris called the meeting to order, and Vice Chair Logan led the pledge of allegiance.

2. ROLL CALL/IDENTIFICATION OF VOTING MEMBERS

- Chairman Lee Morris – Present
 - Vice-Chair Christine Logan – Present
 - Commissioner John Masce – Present
 - Alternate Commissioner Matt Casas – Absent
 - Alternate Commissioner Mike Finlay - Absent
- City Clerk Cobleigh** conducted a roll call and declared a quorum.

3. APPROVAL OF AGENDA - Declaration of conflict of interest

Vice Chair Logan made a motion to approve the agenda as submitted. Commissioner Masce seconded the motion. 3-0. Motion Carried.

4. PUBLIC COMMENT

- a. *The Open Meetings Act is in effect and there is a 3-minute limit per speaker on all non-agenda items.

Dennis Hoy, 126 Trinity Avenue. Neighbor's property wishing to place a fence bit was denied due to an easement running between his property and the neighbor's. Hoy presented a map to the zoning commission of his property. Hoy stated that the platted easement is not being used, another area is being used as an easement. Hoy stated that numerous properties within this area of the neighborhood have been flooded out. Hoy stated that there is now drainage in place that runs underneath the roadway of Trinity Avenue. Hoy stated that all utilities are using the new easement, and no one is using the old, platted easement. Hoy states the new easement is at least 20 years old. Hoy stated that his neighbor, Chad Long, was denied a permit due to the platted easement encroaching on his property. Hoy is requesting the platted easement be relocated to the opposite side of his neighbor's property.

Gary Schinagel, 404 Hallmark Street. Schinagel addressed the new fencing going in along Balboa and Hallmark and that it is not in compliance with the state HOA standards. Schinagel requested that the zoning commission look into insurance liability. Easements are designed for safety and utility easements. Schinagel stated that numerous people are going to file for litigation regarding the fence. Schinagel requested this to be a matter of record regarding safety. Schinagel stated he was never compensated for surveys he performed for the City of Elephant Butte that were ordered by previous city manager, John Mascaro.

5. CONSENT ITEMS

- a. Regular Meeting Minutes from June 3, 2025

Vice Chair Logan made a motion to approve the meeting minutes as presented. Commissioner Masce seconded the motion. 3-0. Motion Carried.

6. REGULAR ITEMS

- a. **Discussion/Possible Action:** Zoning Commission v. Planning and Zoning Commission

Rachel Black, Land Use Administrator stated her opinion that the board should be made a 5-member board.

Lindsey Cobleigh, City Clerk clarified why a draft ordinance was not drafted for this meeting. Cobleigh stated that due to the board requesting a full board amendment: moving from a zoning commission to a planning & zoning commission there is more involved. Cobleigh explained that Rachel Black can coordinate with City Manager Janet Porter-Carrejo and then coordinate with legal on the dissolution of the current zoning commission and the recreating of a new planning & zoning commission.

Vice Chair Logan stated that she would like to remain as a zoning commission and just increase the board to a 5-member board.

Commissioner Masce stated he is in favor of a 5-member board.

Vice Chair Logan and Chairman Morris requested the discussion of regular item 6a and 6d as they pertain to one another.

Vice Chair Logan stated that she did not fully agree with the notes provided on what was zoning and what was planning over the past year and a half.

Chairman Morris requested that the City Attorney be present for the next regular meeting. Chairman Morris requested that City Clerk Cobleigh contact the attorney for scheduling.

No Action Taken.

- b. **Discussion/Possible Action:** Chapter 154 Drainage & Erosion

Rachel Black, Land Use Administrator introduced this topic to the zoning commission. Black stated that chapter 154 – Drainage & Erosion was created by Ordinance 77 with this ordinance geared towards the City's responsibility not property owners. Black stated that there are currently 5 ordinances that co-mingle drainage and erosion.

Black requested regular items 6b and 6c to be combined for one discussion.

Black stated that her suggestion on this would be reviewing through all ordinances that are intertwined for drainage and erosion. Black utilized a dry erase board showing the various ordinances and how they were connected. Black stated ordinances 65 & 68 were repealed and then later amended and re-included the repealed ordinances. Black wanted to begin by re-writing each zoning district code one by one to make each one a complete stand-alone code to include drainage, erosion, lighting, fencing, culverts, etc. Black stated there is nowhere in the code that addresses water runoff other than runoff from a building. Black stated that her and code officer Romero found a home that has fire hoses connected to their gutters running storm water right out to the roadway.

Vice Chair Logan stated that the culverts and diverting water is already present in code.

Black stated that she was not certain that the most current zoning definition was complete due to it not referencing the original ordinance.

Chairman Morris stated that the Mayor and Mayor Pro Tem want the drainage and

erosion concerns addressed as soon as possible as a priority. Chairman Morris stated that this is a top priority over all other suggestions that Rachel Black had brought up. **Chairman Morris** directed Land Use Administrator, Rachel Black to work on the drainage and erosion for private property owners.

- c. **Discussion/Possible Action:** Review of Ord. 65, 68, and 203 – Lighting
Discussion only with regular item 6b.
No Action Taken.
- d. **Discussion:** Review of last two years of agendas: Planning Items v. Zoning Items
Discussion only with regular item 6a.
No Action Taken.

7. STAFF REPORTS/COMMENTS

Code Enforcement

Tudy Romero asked what the process would be for a replat. Chairman Morris explained the replat process to Code Officer Romero.

8. COMMISSIONER COMMENTS & REPORTS

Commissioner Masce No Report.

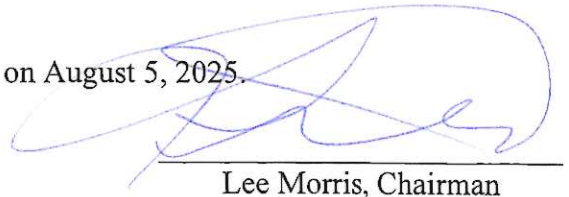
Vice Chair Logan requested a map present during meetings.

Chairman Morris thanked all staff for their hard work.

9. ADJOURNMENT

Chairman Morris adjourned the meeting.

Minutes approved and adopted at the Zoning meeting on August 5, 2025.



Lee Morris, Chairman

ATTEST:



Lindsey Cobleigh, City Clerk

