



CITY OF ELEPHANT BUTTE REGULAR CITY COUNCIL MEETING

Wednesday, April 20, 2022 – 2:00 pm

Municipal Building, 103 Water St. Elephant Butte, NM 87935

The City will also open the meeting to the public through Zoom or going to www.cityofelephantbutte.com for information about accessing the meeting through your computer.

MINUTES

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Phillip Mortensen called the meeting to order and led the Pledge of Allegiance.

2. ROLL CALL

Clerk-Treasurer Renee Cantin conducted roll call.

Mayor Phillip Mortensen - Present

Mayor Pro-Tem Kim Skinner – Present over the phone

Councilor Travis Atwell - Present

Councilor Cathy Harmon - Present

Councilor Edna Trager - Present

Clerk-Treasurer Cantin declared a quorum.

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

Councilor Trager moved to approve the agenda. Councilor Atwell seconded. Clerk-Treasurer Cantin conducted a roll call vote.

Mayor Phillip Mortensen - Yes

Mayor Pro-Tem Skinner – Yes

Councilor Atwell - Yes

Councilor Harmon - Yes

Councilor Trager - Yes

Motion passed.

4. STATEMENT OF OPEN MEETINGS RESOLUTION & 3 MINUTE LIMIT PER SPEAKER ON ALL ISSUES

5. PUBLIC COMMENT (3-minute limit)

Public comment can be made in person, through Zoom or submitted to the Clerk-Treasurer (cityclerk@cityofeb.com) before the meeting.

Charlee Warren, 207 Camino Cinco- He was talking to Rebecca the other day about water issues, and she asked about the OHV park and our progress on it and was hoping the council would address it today.

Carl McCleskey, Ironman Construction, 410 Warm Springs- questions and concerns are on the drainage on the side of the road with the culverts. What is the plan for the road? Before disrupting the flow of traffic coming in and out of his storage unit, he would like to advise his clients if they need to pull something out of there if it's going to be disrupted that he has a few days to let his clients know. That way they have time to pull out if they need to or whatever they have for that weekend.

6. BOARDS & COMMITTEES

Planning & Zoning Commission (*Nathan LaFont, Chair*)

They had a successful April meeting was able to get a lot done. Thank you to the new members they were all in attendance and were very engaged. We were missing a few of our regular members so 3 of them were thrown right into be all voting members.

The priorities for 2022. One is not take on the Fire Code due to it having little to do with land, Creating Transportation and Trucking Ordinance, potentially combining Dark Sky and Lighting Ordinances into a single Ordinance, and clarifying conditional requirement for storage lots.

7. MAYOR AND COUNCIL REPORTS

Mayor Pro-Tem Skinner – unable identify verbiage from audio

Councilor Atwell – Attended South Central Council Government meeting, they completed their audit with zero findings. They have received funding to replace two of their vehicles. Hand over information to the City Manager we now have a contact to go after money for the infrastructure bill.

Councilor Harmon - Attended South Central Transportation meeting they are looking at coming further into Sierra County maybe 2023, depending on funding. They are raising our membership dues.

Councilor Trager – Attended an OHV meeting at the county the main topic was access to state roads. I do not have any progress to report at this state other than work is still going on. I have been working with our City Manager on the NM True Co-op program, we did submit for this upcoming year. We are waiting for approval. We are hoping the outdoor boards recommend by Lodger's Tax and approved by Council that we will get those for half the price that was present. Attended the Tourism meeting that Mayor Pro-Tem Skinner and Sharleen Web hosted at the county, one issues that stood out for us it that NM Magazine July issues will be focused on state parks. Friends of the Lake there was a resolution on firework they are going to be taking place this year on June 25th. Next year they will get it back to the actual holiday. Will be attending the JPC meeting tomorrow.

Mayor- Spring cleanup, the city provides dumpsters for residential yard waste no appliances or furniture please, those dumpsters are starting to arrive, and we will start accepting yard waste on April 22nd to May 7th. Wildland fires. Very dry, low fuel moisture. We all need to be cognizant of our yards and what we are doing. The county has Burn permits in place and they're posted regular on our bulletin so please check on that and let's not have a major issue fire wise.

Information on the lake I talked to the EBID they told me they're looking to start irrigating around June the 1st with about a two-month overall season between them and El Paso for irrigation. Talked with Bureau of Reclamation this morning they may start releasing the week before to get Caballo started and that's also in support of the Fiesta so that tubers can float the river a little bit. Irrigation releases are going start soon. Mary Carlson also said that just like the last year with the exception of the monsoons that helping they expect the lake quite possibly go quite low she didn't want to pin down an exact number so for your recreation needs and so forth then it's what Mother Nature throws at us down here anyway she believes they'll be releasing 3 May from Elephant Butte and then 1 May in Caballo, little contradictory to EBID.

The city would also like to ask for volunteers to help put out flags on Memorial Day. We will start at 6:15 AM to install them, and then they may need to take them down about 2:00 Mayor Mortensen, I've reached out to a couple lodges and legions. If anybody belongs to those and would like to help some volunteers, I've talk to Friends of the Butte a little bit, so hopefully we can then get them up and in place quick and in a hurry and get them taken back down. I know that's a little ways out, but I wanted to plant that seed a little early. Thank you.

8. CITY ENGINEER REPORTS

David Shields from Bohannon Huston updated the council on Warm Springs, MAP funding, Michigan Street project, The DOT funding, Mescal drive project Drainage analysis, the water system improvements, Fire Station #1 re-build, OHV park, NM Trails Grant, and Colonias grant.

9. CLERK-TREASURER REPORT (*Renee Cantin, City Clerk-Treasurer*)

Our deputy clerk is attending training and beginning her certification this week.

Jane has been working with accounts that had not been billed. With unpaid utility bills we are having to put liens on people's property. Jane, Kellie and Lindsey have been diligent in doing that, we now put a process in place so that that doesn't get push aside.

Jessica has been sitting in with the City Manager and I had to learn how budget works. It was good for her being that she does the accounts payable and wasn't knowledgeable about how the budget works.

The audit exit conference last week, they presented our findings. We project that the next Council meeting will have their presentation on the audit.

Will begin working on quarterly report

Kellie is also looking at websites. Something we can find that is little bit easier than our website is to upload things.

10. CITY MANAGER REPORT (*Stephen Archuleta, City Manager*)

OHV park, we're working on the ordinance to make it more conformable to Williamsburg and Sierra County that will be coming on the May meeting. The DOT had asked us to try to get those as close as we can together so that they all kind of match and there's only one package that they go forward to, to the state on those ordinances. We'll be working on that, bring it to the Council for their report. We're also working on the environmental for that area for the 20 acres. So as soon as we get that, then we can start making some future plans on that.

It's my pleasure to announce that Elephant Butte has hired a new Fire Chief, his name is John Mascaro, he's from North Carolina, he's here a zoom with us today. He'll be travelling down here, and he'll be with us on May 10th. He's a 28-year veteran with the fire service. He's had eight years experiences as a Fire Chief and he is married to his wife, Sylvia who will join him later, who also has 12 years of experience of 911. Just for information purposes, we had seven candidates for the position we chose after we did the matrix to do to interview four of the candidates and as you know, we offered the position, and he has accepted the position. Council Trager already mentioned this, but I really want to sort of stress the work that went into that. And I really want to commend council Trager, she has been doing a lot of work with that and we sat at my desk a couple of times for a couple of hours, and we were able to get that in. The nice thing about that is that it's a three to one match. We are hoping that the state us that match. They are going to be meeting and discussing all of the funds, across the state and then they'll get back and let us know. So, I do again commend Council Trager on that and the work that she's done throughout the years to get us to this point. In point with at I've also met with the chair, Susan LaFont and Russ Trager, and talked about moving forward. I really want to make sure that our Lodger's Tax board is an empowered board. I want to make sure that the y are meeting and I want to make sure that we are pushing all those projects forward. As the Council had requested at the last meeting, we set aside the \$5,000 for other projects that are coming on board, so the other projects that we have not seen that may come up throughout the year.

We are in the beginning stages of the pre-planning for Elephant Butte Days in the middle of October till will be a 3-day event. We want to get the carnival here, vendors, we are probably going to be doing a car show, going to have music, we also want to have a beer garden. Jessica, Jane, Renee Brian, myself, the Mayor and councilor Trager were on the planning committee.

We attended the New Mexico statewide meeting in T or C, a lot of information was given out and a lot of cards were exchanged and a lot of new names.

We talked about the audit that's been done. We were really pushing our auditors at the end because right now we are going into the budget season, so we're trying to finish the old budget. What we're doing is lining up all the line items to match the DFA requirements.

Public Works Report

The speed limit signs have been changed on Beach Blvd. We're also doing some work on some other roads just to see what's going out there with speed limit signs are if hiding and there is only one in the hole road, those kinds of things. So, we're doing that, but we'll beat that back to council before we put any other signs or anything like that out there, have some discussion on that. They're also working on some sort line issues and some maintenance issues, some general road maintenance.

Fire Department Report *(Brittney Flora, Acting Fire Chief)*

New Build, we had to send over an email and letter requesting a change to Derek for the structure change on the new building fire station. All that's changing in there is. Basically, we're making it a basic model just so that we can bring the cost down so we can use those funds before the time is that before the time is ran. We several of us have all decided that station that we chose at first choice would have been the single story all one height of a building and that just increases your chance of growth, there will be the restroom, day room, training space and office space this puts us with all the criteria for Derrick over at sate fire. We're discussing a change on the layout for safety reasons, changing direction for pull out from the north side to the West. We are already meeting their criteria for the next grant funding that does open in June.

Calls, we did have 24 medical calls and the month of March, we did have 3 fire calls, 1 of them being a structure with a reignite following day. With that we did call for state fire investigators to come through because it was a mobile home and the type of fire it was where the fire started there were question. T or C fire assisted us with that one. They came out the next day and their finding were electrical due to some shady wiring.

We're doing another pack test coming on Saturday. Everybody did pass their one 3190 refresher. We do have two more that just have to be red carded and that will happen on Saturday. We did have the fire in Ruidoso, we were on standby for deployment. Not sure really what happened, why they weren't called out? There is a

new ignite that just happens, that one is further up north. It's already hit 100 acres. We do have some crews on stand-by.

Land Use/Code Enforcement Report (*Lindsey Cobleigh, Land Use Administrator*)

Land use- We have a total of 47 open building permits at this time. I've actually issued 3 more since producing this report last week. There are currently 9 new residential bills, 10 commercial improvement and 28 through residential.

Code violation- Over the past month, there haven't been nearly as much. It's dry, weeds aren't an issues quiet yet. The biggest thing is the accumulation of solid waste, people are starting to just stack stuff up trash, junk vehicles, building materials, all kinds of random stuff. I have come across 3 dwelling that are abandon. I'm starting to process on that, trying to get ahold of the owner. If that is not doable, then we'll start doing a clean and lien style on those to get those properties cleaned up and removed. That way they're no longer a hazardous property within the community. There was one that was reported that vandals were going inside the home, so we got to take care of that.

11. CONSENT ITEMS (*Roll Call Vote required*)

- a. Approval of Workshop Minutes, March 3, 2022
- b. Approval of Regular CC Minutes, March 16, 2022
- c. Approval for City Clerk to have full access to all Banking Accounts (in-person and online) and the Financial System as the Administrator
- d. Approval of the 2022-2023 Law Enforcement Protection Fund (LEPF) Application for the Sierra County Sheriff's Department

Councilor Atwell moved to approve the Consent Item d. approval of the LEPF funds for Sheriff's Department. Councilor Trager seconded. Roll call vote taken by Renee Cantin:

Mayor Pro Tem Skinner- Yes

Councilor Atwell - Yes

Councilor Harmon- Yes

Councilor Trager- Yes

Motion carried unanimously.

12. REGULAR ITEMS

- a. Discussion: Fire Station #1 Rebuild design. (*David Shields, Engineer*)
David Shields presented Fire Station #1 rebuild with specifications on the size of the building, how many bays and restrooms. With the funds you have there is not enough to do the design, purchase materials and build.
- b. Discussion/Possible Action: Contract with Bohannon Huston for the design of San Andreas and Ocotillo drive for the NMDOT TPF Project. (*David Shields, Engineer*)
David Shields presented Road Improvements for San Andreas and Ocotillo- 1.7 million to do road improvements to San Andreas and Ocotillo, bulk of those funds will go to San Andreas for drainage issues.

Councilor Harmon moved to approve the Contract with Bohannon Huston for the design of San Andreas and Ocotillo drive Project. Councilor Atwell seconded. Roll call vote taken by Renee Cantin:

Mayor Pro Tem Skinner- Yes

Councilor Atwell – Yes

Councilor Trager- Yes

Councilor Harmon- Yes

Motion carried unanimously.

- c. Discussion/Possible Action: Resolution No. 21-22-117 to approve the NMDOT TPF for Warm Springs reconstruction. (*David Shields, Engineer*)
David Shields presented that this is a reconstruction from Turtleback to HWY 181 this means mill and fill and roadside drainage improvements we can make.

Councilor Atwell moved to approve Resolution 21-22-117. Councilor Trager seconded. Roll call vote taken by Renee Cantin:

Mayor Pro Tem Skinner- Yes

Councilor Atwell – Yes

Councilor Trager- Yes

Councilor Harmon- Yes
Motion carried unanimously.

- d. Discussion/Possible Action: Final Adoption of Ordinance No. 202 related to the Short-Term Rental overlay zone. *(Nathan LaFont, P & Z Chair)*

Nathan LaFont presented Ordinance No. 202, it was over two years in the making, with lots of meeting and been thought multiple hearings and input to present it to the council today. Checks the fees that are involved and address if any changes need to be done.

Councilor Trager moved to approve the Final Adoption of Ordinance 202 related to the Short-Term Rental overlay zone. Councilor Atwell seconded. Roll call vote taken by Renee Cantin:

Mayor Pro Tem Skinner- Yes
Councilor Atwell – Yes
Councilor Trager- Yes
Councilor Harmon- Yes

Motion carried unanimously.

- e. Discussion/Possible Action: MOU with Sierra County for Pictometry. *(Lindsey Cobleigh, (Land Use Administrator)*

Lindsey Cobleigh presented the MOU with Sierra County for Pictometry Mapping System. Sierra County is offering their new mapping system to all the local municipalities to buy into it. \$10,000.00 for 3 years, there will be a new fly over done and will keep the old map and have then new mapping available.

Councilor Atwell moved to approve the MOU with Sierra County for Pictometry. Councilor Harmon seconded. Roll call vote taken by Renee Cantin:

Mayor Pro Tem Skinner- Yes
Councilor Atwell – Yes
Councilor Trager- Yes
Councilor Harmon- Yes

Motion carried unanimously.

- f. Discussion/Possible Action: Resolution No. 21-22-118 Budget Adjustment #3 Revision. *(Renee Cantin, Clerk-Treasurer)*

Renee Cantin presented the budget adjustment #3.

- g. Discussion/Possible Action: Resolution No. 21-22-119 amending the Custodian of Records Resolution allowing the selection of the NM Municipal Retention Schedules for destruction, email guidelines for retention, and the method of destruction to be used. *(Renee Cantin, Clerk-Treasurer)*

Renee Cantin Presented the Resolution No. 21-22-119 amending the Custodian of Records Resolution allowing the selection of the NM Municipal Retention Schedules for destruction, email guidelines for retention, and the method of destruction to be used.

Councilor Trager moved to approve the Resolution No. 21-22-119 amending the Custodian of Records Resolution allowing the selection of the NM Municipal Retention Schedules for destruction, email guidelines for retention, and the method of destruction to be used. Councilor Harmon seconded. Roll call vote taken by Renee Cantin:

Mayor Pro Tem Skinner- Yes
Councilor Atwell – Yes
Councilor Trager- Yes
Councilor Harmon- Yes

Motion carried unanimously.

- h. Discussion/Possible Action: Application for funding Charging Stations and Restrooms. *(Phillip Mortensen, Mayor)*

Mayor Mortensen presented potential utilizing funding for electric vehicle charging and a restroom in our empty parking lot.

Councilor Atwell moved to approve the Application for funding Charging Stations and Restrooms. Councilor Trager seconded. Roll call vote taken by Renee Cantin:

Mayor Pro Tem Skinner- Yes

Councilor Atwell – Yes

Councilor Trager- Yes

Councilor Harmon- Yes

Motion carried unanimously.

13. COUNCILOR COMMENTS

Mayor Pro Tem Skinner- David Shields did all the engineering and prepared the grant application for the charging station. The funds are coming from the federal government so I can't imagine they wouldn't have the latest equipment updates. We also have plans for picnic table, shade structure, bathrooms, and big pull thru for a RV bump station.

Councilor Atwell – Multiple dump stations are needs in this town. we would have better control of the people that illegally bump

Councilor Trager- As far as the bump station goes, it is something that has been discussed with the SCOG in the past for a different location.

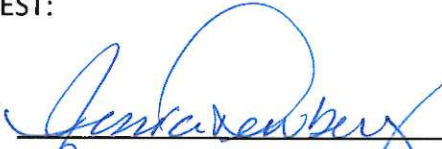
Mayor – Excited for all the activity in town and really like all the collaboration that is going on. I encourage you to help on the planning with Elephant Days and all the other good stuff.

14. ADJOURNMENT

Mayor Mortensen adjourned the meeting.


Phillip Mortensen, Mayor

ATTEST:


Jessica Newberry, Deputy Clerk



Sign in Sheet

Wednesday, April 20, 2022, 2:00 pm

Any Citizen wishing to address the City Council must sign in and indicate the topic on which he/she wishes to speak. The time limit is **THREE minutes per speaker** on all issues.

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