



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

103 Water Avenue, Elephant Butte, NM 87935

Wednesday, January 7, 2026 – 2:00PM

Minutes*

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Holcomb called the meeting to order and Mayor Pro Tem Skinner led the pledge of allegiance.

2. ROLL CALL

Mayor Richard Holcomb – 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 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.

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 (l.cobleigh@cityofebnm.gov) before the meeting.

Johanna Tighe, 207 Jade Loop – Mrs. Tighe stated that I had been brought to her attention that the council meeting packets are not being provided or made available to the constituents prior to the meeting. Mrs. Tighe requested a change to this process so constituents can be aware of what the meetings are reviewing and voting on prior to the meetings.

5. CONSENT ITEMS

a. Regular Meeting Minutes December 10, 2025

Councilor Williams made a motion to approve the regular meeting minutes from December 10, 2025. 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 to the council and public the 2025 Sheriff's Office Statistics. Sheriff Baker went over the slideshow presentation slide by slide explain in detail each set of statistics and how they have improved for this past year. Sheriff Baker stated that the total calls for service had decreased from 5,626 in 2024 to 5,396 in 2025. Sheriff Baker reported that traffic stops did increase for 2025 with 4,024 whereas there was 3,702 in 2024. Arrests, traffic stops, DWI arrests, and investigation arrests all went up, while calls for service, traffic complaints, and crashes all significantly decreased. Sheriff Baker provided the information that there was a total of 1,755 patrol hours in 2025 for Elephant Butte. Sheriff Baker went over several highlights of 2025 to include a seizure of fentanyl, methamphetamine, and cocaine. Apprehension of 6 suspects related to the homicide of Charles Hacket. Maintaining a 100 percent solvability rate for homicide cases. Dismantling, apprehension, and prosecution of a large-scale burglary ring, resulting the in the recovery of \$100,000's in stolen property

b. Matejka & Jay Santillanes MJS Consulting – Lobbyist
Unavailable due to illness.

c. County Commissioner, Sandy Jones

County Commissioner Jones spoke to the City Council regarding a proposed county wide clean up day. Jones explained that there have been numerous reports of illegal dumping throughout the county and the hope is that this cleanup day would alleviate the illegal dumping. Jones stated that he would like to propose the date of “Earth Day” for this event to take place. He will taking this proposed event before the County Commission at their next meeting for approval. Jones stated that there would be construction company vehicles available to assist in hauling the debris to the transfer station for disposal. Jones stated that by partnering with the City of Elephant Butte, Village of Williamsburg and City of TorC they could assist with the tipping fees associated with disposal at the transfer station. Mayor Holcomb asked for Jones to clarify what day “Earth Day” is. Jones stated that it is April 22, 2026.

7. PUBLIC HEARING

a. Appeal Hearing – 501 Lakeshore Drive, Michael Foote
Mayor Holcomb requested a roll call to enter the public hearing.

Mayor Richard Holcomb – 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.

Mayor Holcomb introduced the hearing for 501 Lakeshore Drive as case number 26-004. The applicant is requesting an appeal for a denied variance. Mayor Holcomb stated that City Staff will present the matter, the Zoning Commission Chairman will provide testimony, and then the applicant would have a chance to add any additional evidence needed. Mayor Holcomb asked if all legal

postings had been made. City Clerk Cobleigh and Land Use Administrator Rachel Black stated that all postings had been made.

Mayor Holcomb addressed the Council in asking if they had received any ex parte communications of case number 26-004.

Mayor Pro Tem Skinner – No

Councilor Harmon – No

Councilor Williams – No

Councilor Arnold – No

Mayor Holcomb addressed the Council in asking if they had any interest in the matter of case number 26-004.

Mayor Pro Tem Skinner – No

Councilor Harmon – No

Councilor Williams – No

Councilor Arnold – No

Janet Porter-Carrejo, City Manager swore in all parties as a group who wish to testify at this public hearing.

Rachel Black, Land Use Administrator, Michael Foote, Applicant, Lee Morris, Chairman of the Zoning Commission, and Russ Trager.

City Presentation

Rachel Black, Land Use Administrator for the City of Elephant Butte, presented this case to the council as case number 26-004. Black presented a full timeline for the overview of this case. Black noted that due to the non-compliant front setback she had initially denied this permit and referred it to a variance hearing before the zoning commission on November 4, 2025. At the variance hearing the request was denied unanimously by the zoning commission. At this time the applicant was presented a written findings of fact with the option to appeal the decision to the City Council.

Zoning Commission Presentation

Lee Morris, Chairman of the Zoning Commission presented and read to the City Council the written findings of fact from the Public Hearing held on November 4, 2025. This public hearing was for a front setback variance request that was denied by the Zoning Commission.

Applicant Presentation

Michael Foote, 501 Lakeshore Drive. Mr. Foote provided the council with sixteen pages of additional information to add into testimony for today's appeal hearing. Mr. Foote began his presentation by explaining to the council that he has previously in 2007 built another home which was also on Lakeshore Drive. Mr. Foote stated that the first home was used from 2010-2022 when he sold the home. That home had a pull through garage but his plan was to improve on the design plan for the new home with the garage layouts presented. Mr. Foote notated that he felt the Zoning Commission acted arbitrarily and capricious with his variance request in November. Mr. Foote stated that he was not allowed to provide numerous pieces of testimony at that public hearing with the Zoning Commission. Mr. Foote referred to a home located at 101 Goff Circle that has a reduced setback against Lakeshore Drive and had previously been allowed and approved by the City of Elephant Butte. Mr. Foote disagrees with the conclusion from the Zoning Commission. Mr. Foote went into great

detail of how the landscaping would help in maintaining the aesthetic view from the street of the property with the shortened front setback. Mr. Foote pleaded his reasoning on why design wise he was unable to simply move the garage back 8' as had been suggested by the Zoning Commission. Mr. Foote explained that if he moved the garage back it would impede on the accessibility to the vehicular garage.

Russ Trager, 505 Lakeshore Drive. Mr. Trager spoke in favor of Mr. Foote being permitted and allowed to gain his variance to develop. Mr. Trager stated that originally Mr. LaFont had purchased this property with plans for development and later changed his mind and developed at the golf course. Mr. Trager stated that this property has been ignored for years. Mr. Trager stated currently there are a large number of coyotes that run the vacant property where Mr. Foote is planning on building and he feels with the development it will discourage them from coming around the neighborhood.

Mayor Holcomb closed the public hearing for Case Number 26-004.

Councilor Williams made a motion to approve item 7a variance for 501 Lakeshore Drive, Case Number 26-004. Councilor Arnold seconded the motion. 4-0.

Councilor Williams commended Michael Foote on his presentation. Councilor Williams stated he has sat on two different planning and zoning boards and been an elected official for twenty years and has never seen something so well put together. Councilor Williams noted that Mr. Foote stated his case very well and stated he had no questions because of how well his presentation was put together.

City Clerk Cobleigh conducted a roll call vote.

Mayor Pro Tem Skinner – Yes

Councilor Harmon – Yes

Councilor Williams – Yes

Councilor Arnold - Yes

Motion Carried.

For the record the case 26-004 was approved unanimously. Staff are to prepare the written findings of fact regarding this case.

Council took a 5-minute recess from 2:50pm-2:55pm

Councilor Williams stated that his reason behind passing it was he believes there was not an ample opportunity given to Mr. Foote by the Zoning Commission to present all evidence. Councilor Williams stated that he never found one person that was against the development going in on Lakeshore. Councilor Williams stated that this development will make the neighborhood better and increase the home values which is what we want. Councilor Williams stated that with what is across the street from his property (101 Goff Circle) there is no reason the council should not allow it. Councilor Williams then addressed the staff to work with Michael Foote on this permitting process and get this project accomplished.

b. Ordinance 226 – Annexation Request Petition

Mayor Holcomb introduced the hearing for the final adoption of Ordinance 226. Mayor Holcomb asked if all legal postings had been made. City Clerk Cobleigh stated that all postings had been made.

This hearing will be conducted as a quasi-judicial hearing under the provisions required by the New Mexico Court of Appeals intended to protect the rights of all parties to the proceedings. Requirements include the identification of the parties and their witnesses with those providing

testimony will be sworn in. Each witness will be subject to cross-examination by opposing parties and may be questioned by the council and the staff.

Janet Porter-Carrejo, City Manager swore in all parties as a group who wish to testify at this public hearing. Sam Senn, representative of PreReal.

Ben Young, City Attorney – Young provided information on behalf of the City, referencing NMSA 1978 3-7-17. Young stated the City of Elephant Butte received the petition for annexation request on December 10, 2025, and in accordance with the state statute an ordinance was drafted. Young stated that the City of Truth or Consequences had previously heard this and approved the annexation by resolution.

Sam Senn, Engineer & Representative for PreReal Investments – Senn introduced the annexation by stating it would encompass 68 acres; 62.5 acres are owned by the petitioner and 5.5 acres are owned by the City of Elephant Butte. Senn stated that the City Manager of TorC, Gary Whitehead has been working with Janet Porter-Carrejo on this request. Senn stated that the reason for the annexation request is two-fold. The first being that the plan is to expand the Planned Unit Development in the future and they would need to incorporate the land from the City of TorC into the City of Elephant Butte to continue the development and growth of the PUD. Senn stated that the City of TorC is not capable of supplying services to this area in question on the annexation request, such as fire services, water, sewer, and electric. Senn gave a historical background on ordinance regarding the golf course and it's development. Senn stated that TorC never opposed the Wastewater treatment plant being located within the TorC city boundaries. Senn stated that the second reason for the annexation is to annex the wastewater treatment plant into the City of Elephant Butte as it will be the City of Elephant Butte providing services for the future development. Senn stated that all fees and connections will be to the City of Elephant Butte. Senn stated that the new survey is complete with stakes in the ground on the location of the annexation. The surveyor is currently on hold to gain guidance from Ben Young on the proper signature blocks needed on the survey.

Councilor Williams asked if this was the property that had at one time been owned by Gary Levine. Sam Senn stated yes that is correct.

Public Commenter was not sworn in, Ben Young advised Mayor Holcomb to have them sworn in before they comment.

Janet Porter-Carrejo, City Manager swore in all parties as a group who wish to testify at this public hearing. Kathleen Sloan.

Kathleen Sloan, 708 Olivo Williamsburg, Virginia – Stated that she is a reported for the Sierra County Citizen. Sloan stated she attended the meeting in Truth or Consequences where the resolution was presented and it was presented as Elephant Butte being the party to initiate the annexation request. It was presented as two cities down the road would cooperate on solid waste and wastewater. The city of TorC has a problem with its Riverside Drive and the vacuum sewer system. Sloan stated that within the next five years the City of TorC may want to place sewer lines from Riverside Drive to the Elephant Butte Wastewater Treatment Plant. Sloan then went on to speak on solid waste. When the transfer station in TorC was built they tried to get all the local governments to cooperate. The underlying issue here is all the local governments cooperating together because it will cause less money. When the transfer station was built, Sierra County said no and Elephant Butte said no. Sloan stated that the vendor that the City of Elephant Butte has contracted with is utilizing the transfer station in TorC. Sloan went on to talk about how much the trash service is currently costing residents

of Elephant Butte. Sloan stated if a city is increasing its boundaries by state law in Chapter 3-7-1 through 20 or 25. Sloan stated there are only three ways to annex property and two are pertinent to this case. 1) Petition – when a private landowner wants to be annexed into a city, 2) Arbitration – when a City wants to increase its contiguous city boundaries. Sloan stated that she questioned the petition for the annexation that we are using because the people are not being represented. The interest of the private landowner is of interest but not the people. Sloan stated that the TorC resolution stated that Elephant Butte would do the research and legal analysis for the annexation.

Ben Young, City Attorney – Young asked if the Council wanted to hear more from Mr. Senn on the items that were brought up. Young stated that at the end of the day there are multiple methods for annexation of property which consist of 1) Petition, 2) Arbitration, and 3) Land Commission Method. The petition method allows individual property owners the right to start that process. When the individual property owner initiates the petition the municipality must act within 30-days. If a municipality fails to act within the 30-day time frame it allows the property owner to then file claim against the municipality for failure to act.

Mayor Pro Tem Skinner made a motion to approve Ordinance 226 Petition for Annexation. 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.

8. REGULAR ITEMS (DISCUSSION POSSIBLE ACTION)

a. Discussion/Possible Action: Resolution 25-26-117 Open Meetings Act

Mayor Pro Tem Skinner made a motion to approve Resolution 25-26-117 Open Meetings Act. Councilor Williams seconded the motion with two amendments. 1) Correct #8 by removing “business”. 2) Add #10 to be “Where the open meetings act is silent, follow Robert’s Rules of Order.”

Mayor Pro Tem Skinner amended her motion to accept the amendments by Councilor Williams. 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 25-26-119 Holiday Calendar Approval

Mayor Pro Tem Skinner made a motion to approve Resolution 25-26-119 Holiday Calendar Approval. Councilor Williams seconded the motion with an amendment. Councilor Williams requested the addition of January 1st, 2027, to the holiday calendar in preparation of next year.

Mayor Pro Tem Skinner amended her motion to accept the amendment by Councilor Williams. 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/Possible Action: Resolution 25-26-120 NMDOT Match Waiver
Mayor Pro Tem Skinner made a motion to approve Resolution 25-26-120 NMDOT Match Waiver and naming Janet Porter-Carrejo as the contact. 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.
- d. Discussion/Possible Action: Resolution 25-26-121 Budget Adjustment FY25-26 #2
City Treasurer, Laura Whiteside, introduced this resolution to the council for review and approval.
Councilor Williams made a motion to approve Resolution 25-26-121 Budget Adjustment FY25-26 #2. 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.
- e. Discussion/Possible Action: Remove Phillip Mortensen from First Savings Bank Signature Cards
Mayor Pro Tem Skinner made a motion to remove Phillip Mortensen from First Savings Bank Signature Cards. 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.
- f. Discussion/Possible Action: Add Richard Holcomb to First Savings Bank Signature Cards
Councilor Williams made a motion to add Richard Holcomb to First Savings Bank Signature Cards. 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.

9. CITY STAFF REPORTS

- a. Discussion of Department Reports

City Clerk

Lindsey Cobleigh presented to the council the 2nd Quarter Lien Report for FY25-26. For October there was one lien paid in full in the amount of \$737.73. There were five intent to liens mailed out, one paid in full in the amount of \$235.44. There were 20 liens on file. For November there were not liens filed and no payments received. There were 20 liens on file. For December there were four liens filed in the amount of \$1,595.64. One lien was paid and released for \$895.08. There were eleven intent to liens sent out, four paid in full in the amount of \$974.41. There were 24 liens on file.

Land Use

Rachel Black presented the council with an updated report that had been corrected from the one provided in their council packets. Black stated there were 7 total permits issued in December for various projects throughout the City of Elephant Butte.

Fire Department

Roger Long presented his written report to the council. Long stated for the month of December there was a total of 45 calls for service: 38 EMS, 2 Fire, 3 MVAs, 1 Gas Leak, 1 Other. Long reported for the calendar year of 2025 Elephant Butte Fire Department had a total of 464 calls: 364 EMS and 100 Fire Related Calls. Long noted the preventative maintenance that is being performed on several apparatus within the Fire Department to maintain them and keep them in service.

City Treasurer

Laura Whiteside presented her written report to the council which included the fund balances for all funds and the check report. Whiteside stated that all funds are in the positive except Wildland which was found to have had a double posting in 2023. This has now been corrected and was one of the items on the Bar #2 on today's agenda. Councilor Williams asked about the check written to "A&E Engineering, LLC" and what project this was for. Whiteside stated it is for the fire pumping station out at Lakeshore Highlands. Councilor Williams asked about a purchase in the amount of \$17,000.00 to Municipal Emergency Services and asked what that was for. Whiteside stated that this is a company that services the fire trucks and provides equipment and gear to the department. Councilor Williams asked Chief Long if this was for the routine maintenance he had mentioned. Chief Long stated he would need to look up the exact number.

City Manager

Janet Porter-Carrejo stated to the council that she has been very busy answering questions about services that Elephant Butte provides. Porter-Carrejo stated that everything is running smoothly. Porter-Carrejo stated that she and Laura Whiteside go over the budget regularly and she feels very good about the financial aspects of where we are currently.

10. MAYOR AND COUNCIL REPORTS/COMMENTS

Mayor Pro Tem Skinner noted that she had attended several meetings. Mayor Pro Tem Skinner stated she attended a zoom meeting about the NM Cultural Affairs Grant that is open until January 15, 2026. The grant is from \$1,000.00 - \$10,000.00. One of the questions was asking what you think New Mexico looked like 250 years ago. Mayor Pro Tem Skinner stated she had met with Janine Sjostrum who had quite a few ideas on it. Mayor Pro Tem Skinner attended the Sierra County Lodgers' Tax meeting and the Tourism Meeting.

Councilor Harmon – No Report

Councilor Williams asked to be removed from the solid waste committee as it is the same time as the council meetings. Mayor Holcomb stated that he and Janet Porter-Carrejo will be discussing this next week. Councilor Williams stated there is a SCRDA meeting tomorrow. Councilor Williams asked about the NM Water rate increase and asked if the City was the same rate. Janet Porter-Carrejo stated that with this increase they will be more than the city's current rates.

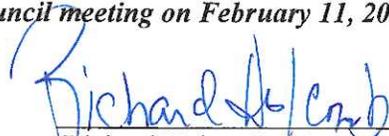
Councilor Arnold – No Report

Mayor Holcomb thanked everyone for their patience during this first meeting. Mayor Holcomb stated that he will be attending Newly Elected Officials training in Santa Fe next week.

11. ADJOURNMENT

Councilor Williams made a motion to adjourn the meeting. Mayor Pro Tem Skinner seconded the motion. 4-0. Motion Carried.

Minutes approved and adopted at the City Council meeting on February 11, 2026


Richard Holcomb, Mayor

ATTEST:


Lindsey Cobleigh, City Clerk



