NOTICE OF CITY OF ELEPHANT BUTTE
CITY COUNCIL MEETING
103 Water Avenue, Elephant Butte, NM 87935
Wednesday, October 14, 2026, – 2:00PM

Minutes*

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Holcomb called the meeting to order, and Councilor Arnold 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
Councilor Williams made a motion to approve the agenda with the following amendments; move items 5d and 5e to follow approval of agenda, swap 8f and 8d and place the Treasurer Report following 8d, add the Mayor Report to 9b. Councilor Harmon seconded the motion with all amendments. 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.

Item 5d – Proclamation for National Physician's Assistant Week. Councilor Arnold read the proclamation and presented it to Physician Assistant, Dallas Lipscomb.

Item 5e – Proclamation for Fire Prevention Month. Councilor Williams read the proclamation and presented it to Fire Chief Long for the Elephant Butte Fire Department.

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.

June Russett, 511 Gray Street TorC. Was present on behalf of the Tree or C Organization which was founded in 2024. So far, they have planted 425 trees across Sierra County and have given away an additional 425 smaller trees as well. Russett explained that so far, they have received 53 requests for trees in Elephant Butte. A date of February 13, 2027, has been scheduled for tree delivery and planting in Elephant Butte. Russett encouraged individuals to sign up for trees and/or to volunteer to help.

James Prendamano, via email. Good afternoon, Mayor Holcomb and members of the council. I'm James Prendamano. Thank you for the time, and thank you to Toby Velásquez and State Parks for being here today. I want to start with the good news. The recent rains made a real difference. Elephant Butte held about 84,000 acre-feet on October 6. By October 12 it was up to 93,005 acre-feet. Since September 1, stored water has more than tripled. That is welcome, and we should celebrate it. But I want to keep the size

of the problem in view. Even after that gain, the lake is only about 4.7% of conservation capacity, up from about 4.3% a week earlier. The gap to just half full is still about 900,000 acre-feet. That is nearly 14 times everything we have gained since September 1. That is relief. It is not recovery. Albuquerque just had its wettest September on record, and this lake is still under 5% full. Rain helps, but a storm is not a maintenance program. Toby will show you what that means on the ground: visitor access, visitation, park revenue, and the cost of running a park with the lake this low. For this community, that is not just a reservoir statistic. It is our economy. So my ask is simple. Our immediate priority is rehabilitating and cleaning out the Low Flow Conveyance Channel, the LFCC, along with responsible removal of invasive vegetation, so more water actually reaches this lake. And that work needs a dedicated, recurring annual maintenance budget, funded separately from one-time capital. If we build it and don't fund the upkeep, we will be right back here in a few years. That work can and should move forward now, on its own track, independent of the longer-term reforms being discussed in Santa Fe. So let me leave you with one number. The lake tripled, and the gap to just half full is still nearly 14 times everything we gained. We cannot rain our way out of this. We have to finish the work. The message I'd leave you with: Celebrate the water. Support the communities. Finish the work. Thank you.

5. PRESENTATIONS

a. Sierra County Sheriff's Office – Sheriff Joshua Baker

Sheriff Baker reported that there was a total of 8 incidents in Elephant Butte for the previous month. Baker stated there is water coming back into the lake with recent storms. Baker stated that the Sheriff's Department is currently preparing for the numerous Trunk-or-Treat Community Events throughout the county this month.

b. EMNRD – Toby Velasquez

Toby Velasquez, Director of New Mexico State Parks. Velasquez stated he has been with the NM State Parks for 28 years. There are currently 195 fulltime positions across 41 locations, with 86% of the staff being field workers. There are currently 18 fulltime staff positions at the Elephant Butte Lake State Park location. Elephant Butte has been operating at a 40-60% vacancy rate, having only 9-11 fulltime employees. Velasquez noted that there are 21 "Friends" groups across New Mexico to include the Friends of Elephant Butte Lake, that are in attendance today. Velasquez noted that state parks must generate 75% of their budgets with only 25% being provided by the state legislator. Velasquez stated that over the past 23 years there has been only a 2% increase in the budget received. Velasquez stated that for FY26-27 there has been a decrease in visitors of 20%. Typically, there are 5-5.5 million visitors in a normal year across the state, with Elephant Butte attributing for 1/5 of all visitors. Concessionaires lost approximately 12% in revenue due to the low water levels and lack of visitors. Velasquez stated that there are currently 18 state parks receiving renovations and upgrades to outdoor restrooms to include Elephant Butte and Caballo Lake State Parks. From October 1 – April 30 day use passes for New Mexico residents is waived and entry is free. Velasquez stated that they had received $300,000.00 in low level funding from BOR to perform maintenance and repairs to the main marina ramp. Velasquez stated they had received an additional 1 million in funding to acquire emergency ramps for use during low lake levels. These should be delivered in February 2027. Mayor Holcomb asked how the lake falling to 1.4% effected the state parks. Velasquez stated that with the lower lake levels there was a decrease in visitors. Velasquez stated that there had been several lake and beach clean up days organized by the park. Velasquez stated that the tire wall will be moved and improved during this time of lower water levels as well.

c. Veteran's Integration Centers – Michelle Fraire & Craig Yazzie

Craig Yazzie on behalf of the Veteran's Integration Center presented a power point to the council. The power point gave the council an in-depth look at the services provided to veterans through this program.

Yazzie explained that the Veteran's Integration Center has a special QR code that individuals can use to refer veterans in need through.

d. *Proclamation for National Physician's Assistant Week (Moved below #3)*
e. *Proclamation for Fire Prevention Month (Moved below #3)*

6. CONSENT ITEMS

a. Regular City Council Minutes September 9, 2026

Councilor Williams made a motion to approve the Regular Meeting Minutes from September 9, 2026, with the correction on page 8 to amend "procedures" to be "standard operating procedures". 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.

7. PUBLIC HEARING

a. Ordinance 229 – Amendment to 137 Business Registration

Mayor Holcomb called the public hearing to order. These hearings 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 councilors and the staff.

Councilor Williams swore in Lindsey Cobleigh, City Clerk.

Have all public notices been published? City Clerk affirmed that the publication had taken place.

City Clerk Cobleigh displayed the ordinance on the screens for all members of council to review. Cobleigh stated there were no amendments to the ordinance from the approval for publication. Cobleigh went over the ordinance with the council; red is proposed to remove, blue is new, and black is currently in code.

Louis Kesselbrenner, on behalf of PreReal Investments. First, I want to commend the City's work on Ordinance 229. Consolidating short-term rental registration into Chapter 110 alongside the City's other business registration provisions is a sensible step toward a more streamlined code. I do want to flag one point for the Council's consideration before adoption. Current Ordinance 202, § (b) (Applicability) provides that the short-term rental overlay zone "applies to all non-commercial residential property within the City regardless of the zoning district." That "regardless of the zoning district" language does not appear anywhere in proposed new § 110.02(F), which instead provides only that "all properties applying for short-term rental registration shall be located within the residential zoning districts." Turtleback is zoned as a Planned Unit Development (PUD) overlay—a distinct zoning category under the City's code, separate from the enumerated residential zoning districts. Read literally, new § 110.02(F) could be understood to exclude any property within the PUD overlay from eligibility for short-term rental registration altogether, since a PUD is not itself one of "the residential zoning districts." If that reading were applied, it would bar short-term rental registration for Turtleback properties entirely, which is a significantly different and more restrictive outcome than current law. This is not merely a hypothetical: Turtleback currently has short-term rentals operating lawfully under

the Association's governing documents, and a literal reading of § 110.02(F) would render those existing properties ineligible to register going forward. I do not believe this was the intended effect. Nothing in Ordinance 229's stated purpose suggests the City meant to narrow which properties qualify for short-term rental registration, only to streamline and consolidate how registration works. I would ask the City to confirm that the amendment is still meant to apply to all non-commercial residential property within the City, consistent with current practice. To resolve this before adoption, I respectfully request that the Council revise § 110.02(F) to restore language confirming that short-term rental eligibility applies to all non-commercial residential property within the City, consistent with current Ordinance 202. For example, the first sentence of § 110.02(F) could be revised to read: "For short-term rentals, this section applies to all non-commercial residential property within the City, regardless of the zoning district." This mirrors the applicability language already in current Ordinance 202(b), rather than narrowing eligibility to only the enumerated residential zoning districts. If the Council is not prepared to amend this provision at today's hearing, I would alternatively ask that consideration of § 110.02(F) be continued to a future meeting rather than adopted as currently drafted, so that this language can be corrected before it takes effect.

Councilor Williams made a motion to approve Ordinance 229 Amending Ordinance 137 with the amendment to § 110.02(F) "For short-term rentals, this section applies to all non-commercial residential property within the City, regardless of the zoning district." 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. Ordinance 230 – Repealing Ordinance 209

Mayor Holcomb called the public hearing to order. These hearings 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 councilors and the staff.

Councilor Williams swore in Lindsey Cobleigh, City Clerk.

Have all public notices been published? City Clerk affirmed that the publication had taken place.

City Clerk Cobleigh displayed the ordinance on the screens for all members of council to review. Cobleigh stated there were no amendments to the ordinance from the approval for publication. Cobleigh went over the ordinance with the council; stating this ordinance is an amending ordinance to remove the third party booking agent as a responsible party in remitting the lodgers' tax and places that on the owner.

Councilor Williams made a motion to approve Ordinance 230 Lodgers' Tax Amendment. 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.

8. REGULAR ITEMS (DISCUSSION POSSIBLE ACTION)

a. Discussion/Possible Action: Resolution 26-27-114 NMDOT TPF Program – Country Club Blvd
Councilor Williams asked if the city had the money for the match request on this item. Laura Whiteside, City Treasurer, stated yes the city does have the match.
Councilor Williams made a motion to approve Resolution 26-27-114 NMDOT TPF Program – Country Club Blvd. 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.

b. Discussion/Possible Action: Resolution 26-27-115 Colonias Funding
Councilor Williams asked if this was a grant. Laura Whiteside, City Treasurer, stated that it is a grant with a loan component of $41,030.00. Whiteside stated this will be going towards wastewater.
Councilor Williams made a motion to approve Resolution 26-27-115 Colonias Funding. 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.

c. Discussion/Possible Action: Resolution 26-27-116 FY26-27 BAR #1
Laura Whiteside, City Treasurer, presented this resolution to the council for review. Whiteside noted that a portion of the BAR #1 presented today has the council requested payroll adjustments entered in the provided spreadsheet. Whiteside stated she has decreased the GRT by $100,000.00, stating that the city is already down $50,000.00. Councilor Williams asked how the negative and positive numbers in the report work. Whiteside went over the report as written with the council explaining the difference between the line items reflecting a negative and those reflecting positives balances in the revenue and expense lines.
Councilor Williams made a motion to approve Resolution 26-27-116 FY26-27 BAR#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.

d. Discussion/Possible Action: Resolution 26-27-117 DFA Grant for EBFD
Chief Long introduced this item to the council for their review and approval. Chief Long explained that this resolution was a requirement of a grant that is currently available for Fire Departments. Chief Long stated that this is a 2-year grant through DFA that would provide the salary for four fulltime personnel. Chief Long stated that the department has currently ran over 400 calls for service this year. Chief Long

stated that he applied for a base of $65,000.00 per personnel per year making a total grant request of $520,000.00. Chief Long stated that the Fire Department would then have two years to develop a plan to fund the positions past the grant. Mayor Pro Tem Skinner stated that on line 16 states $653,000.00 not the $520,000.00. Mayor Pro Tem Skinner stated that this does not match what Chief Long presented and needs to be updated to match the stated $65,000.00 per personnel per year; $520,000.00. Mayor Pro Tem Skinner stated that line 12 states that the department responds to more than 500 calls annually, yet Chief Long stated only 400 calls. Lindsey Cobleigh, City Clerk, stated that both statements are accurate; 400 currently and more than 500 per calendar year. Mayor Pro Tem Skinner then stated that the city can in no way fund these positions after the two year grant. Councilor Williams agreed with Mayor Pro Tem Skinner that this is not the right time to be asking for staff. Mayor Pro Tem Skinner stated that it be clear in the meeting minutes that there is no guarantee of continued employment after the conclusion of the two year grant. Chief Long stated that it is his goal that the Fire Department be self sufficient within the next two years and be able to provide the salaries to the personnel after the grant.

Councilor Williams made a motion to approve Resolution 26-27-117 DFA Grant for EBFD. Councilor Arnold seconded.

Mayor Pro Tem Skinner stated she would not vote due to lack of information.

Councilor Williams amended his motion to include the request for the copy of the DFA Grant that was submitted be provided to the city council. Councilor Arnold seconded the motion with the amendments. 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: Ordinance 231 IFC 2021

David Smith, City Manager, requested from council to table this item.

Councilor Williams made a motion to table Ordinance 231 IFC 2021 until November 18, 2026, regular meeting. 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.

f. Discussion/Possible Action: Approval of Contract with Bohannan Huston *(Followed item 8c)*

Laura Whiteside, City Treasurer, went over the proposed contract between City of Elephant Butte and Bohannan and Huston. Whiteside went over the list of updates that had been entered into the contract.

Councilor Williams made a motion to approve the Contract Bohannan Huston. 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.

City Treasurer Report *(Followed item 8f)*
Laura Whiteside went over her written report. In her provide report was a graph showing the GRT over the past two years. Whiteside stated she included with her report a fund balance that provides a balance on each fund.

g. Discussion/Possible Action: Elephant Butte Chamber of Commerce Contract – Proposed
Mayor Pro Tem Skinner asked if this contract amount had been included in the FY26-27 budget. Lindsey Cobleigh, City Clerk, stated that Laura Whiteside, City Treasurer, had clarified at the previous meeting during discussion that it had not been included.
No Motion Made.

9. CITY STAFF REPORTS

a. Discussion of Department Reports

Fire Department
Chief Long presented two different reports to the council; one is from First Due which is based off all the reports entered. Total of 3 fire calls, 5 MVAs, 28 EMS, 1 Public Service and 3 Cancelled. Attended three events on 9/11. Participated in the Healing Our Community Event by Sierra Vista Hospital on September 17, 2026. September 19, 2026, attended a full day of live fire training. September 20, 2026, was a full day of extrication training hosted by Elephant Butte Fire Department. Quarterly EMS inspection by the pharmacist. The board of pharmacy has also done their inspection. Councilor Harmon requested to see the number of participants for the fire department trainings. Chief Long stated he has all the sign-in sheets as well as a spreadsheet with all logged training hours for the firefighters. Mayor Holcomb asked if there were any firefighters who do not participate in any training. Chief Long stated there are two that are military that are currently on leave. Councilor Williams stated that the easiest thing to do would be to add that into the fire report. Councilor Williams stated that his request last month to the city clerk didn't get over to the Chief to include the SCRDA report. David Smith, City Manager, stated he had the reports printed out and forgot to bring them in. Cobleigh asked if it would be easier if SCRDA just sent the report to her if that was ok with everyone.

City Manager
David Smith reported that himself and Rachel Black have been working on a utility account audit. Smith stated they have been in contact with Tyler, the utility software, and Tyler is going to log in with them and aid in correcting known issues. Woking on the integration of the new meters. Worked on the billing coordination between Badger Meters and Tyler. For public works, there have been several road projects completed that were needed. Roads involved were Chama, Brazos, Cimarron, Canadian Circle, and topped Country Club Blvd. Smith stated the public works crew went in on Country Club Blvd and removed all of the old patched before the re-top to make sure it was smooth and laid down correctly. Smith met with the trash company. Spent the day out taking pictures and went and looked at all issues. Reviewed the infractions of the contract. Went over the clean up process, tackled the VFW and the oil stain from when the hydraulic line broke. There will be a pressure washing company coming into clean and correct roadways. Councilor Williams asked when the council was going to see the Standard Operating Procedure (SOP) on the mileage logs. Smith stated that the mileage logs are in place. Smith stated that all city vehicles have mileage books including admin vehicles. Councilor Williams asked if the presentation would be ready for the next meeting. Smith stated he will have the presentation and SOP ready for the next meeting. Councilor Harmon asked for clarification that the mileage logs were in all city vehicles. Smith stated yes, all city vehicles. Councilor Harmon asked if this included the fire department. Smith stated that the fire department has already had them in place. Councilor Harmon requested quarterly copies of mileage logs so they can see for themselves what is being used and who is using it. Harmon stated the more information the council has the less they must ask for.

City Clerk

Lindsey Cobleigh reported on her written report. Cobleigh reported that IPRAs are remaining steady and are on a range of topics. Cobleigh stated she has received quite a few that are law enforcement IPRAs and she has referred them over to the Sierra County Sheriff's Department. Cobleigh stated she is continuing to work on the inactive accounts with credit balances, to date 19 accounts have received refunds. Cobleigh stated that there have been numerous letters received as undeliverable. Cobleigh stated the next step is to advertise the names in a legal posting as unclaimed property. Mayor Holcomb asked what the next step was after the advertisement if it is not claimed. Cobleigh explained at that time if it is unclaimed, it will be issued to the state as unclaimed property. Cobleigh gave an update on asset management and received titles for on the assets they had been waiting approximately ten months for. Cobleigh stated that there is one lien to file this month and 5 intent to lien notices to be sent out, with 7 liens nearing expiration. Cobleigh informed the council that the following week she will be attending the Clerk's Institute training in Ruidoso. Cobleigh stated that the training is approximately 34 hours but she will be working in the evenings after class to prepare for the upcoming meeting on the 28th. Cobleigh went over the Lodgers' Tax Advisory Board meeting, stating that the board would like to re-write and amend the current application process for the upcoming year.

Code Enforcement

Lindsey Cobleigh stated that she had spent a few days out in the field following up on properties as well as finding new violations. Cobleigh stated that there was a lot of complaints regarding yard debris, one came in last week that there was yard debris pushed into the roadway. Councilor Arnold asked about animal control and stated she thought they were supposed to be present quarterly to present a report. Cobleigh stated she will reach out to the City of TorC and carbon copy city manager into the correspondence as well. Councilor Harmon asked if the city is supposed to be receiving reports from the Vector Mosquito Spraying. Cobleigh stated she will need to follow up on that. Cobleigh stated she will send a copy of the approved map that was with the contract over to all members of the council.

Land Use

Rachel Black submitted her written report to the packet. Rachel Black was absent from meeting as she attended training.

10. EXECUTIVE SESSION

a. Discussion of limited personnel matters – closed pursuant to NMSA 1978, Section 10-15-1(H)(2) –*City Manager's Office, Fire Department.*

Councilor Williams made a motion to enter into executive session for the discussion of NMSA 1978, Section 10-15-1(H)(2) –*City Manager's Office, 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.

Councilor Williams made a certification statement that there was no discussion of items other than the discussion of item 10a.

11. ACTION

a. Action required following discussion of limited personnel matters –pursuant to NMSA 1978, Section 10-15-1(H)(2) *City Manager's Office, Fire Department.*
No Action Taken.

12. MAYOR AND COUNCIL REPORTS/COMMENTS
No Reports.

13. DISCUSSION OF TOPICS FOR NEXT MEETING

Mayor Pro Tem Skinner stated for all members of council to email the clerk for items for the next agenda.

14. ADJOURNMENT
Mayor Holcomb adjourned the meeting at 6:12pm.
Minutes approved and adopted at the City Council meeting on October 28, 2026

Richard Holcomb, Mayor

THE CITY OF ELEPHANT BUTTE NEW MEXICO 1998 SEAL

ATTEST:

Lindsey Cobleigh, City Clerk