

**VILLAGE OF CLOUDCROFT  
AGENDA  
REGULAR MEETING**

**Tuesday, JANUARY 14, 2020, 6:00 p.m.**

1. **Call to Order:** Mayor – David C. Venable
2. **Pledge of Allegiance:** Mayor – David C. Venable

**PLEDGE OF ALLEGIANCE**

“I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.”

**SALUTE TO THE FLAG OF NEW MEXICO**

“I salute the flag of the State of New Mexico, the Zia symbol of perfect friendship among united cultures.”

3. **Approval of Agenda:** Regular Meeting of January 14, 2020
4. **Approval of Minutes:** Special Meeting January 9, 2020
5. **Announcements/Discussion:**
  - Recognition of Erich Wuersching as a Certified Emergency Manager
  - Retirement of Librarian, Joyce Kromaus
  - Retirement of Deputy Chief of Police, Mark Tarantino
  - Vacancy on Planning & Zoning Commission
  - Discussion:** Bus Maintenance Facility Utility Service Request – Kelly Heyer
  - Discussion:** Temporary movement of parking barriers on Burro Ave. – William Denney
  - Discussion/Action:** Appointment of Jini Turri, Village Administrator as Emergency Management Coordinator
6. **Mayor’s Report:**

7. **Reports:** Judicial, P&Z, Police, Library, Fire Dept., Wells & Springs, Water Usage/Production, GRT, Lodger's Tax and Travel Reports for December 2019.
8. **Administrators Report:**
- 9: **Executive Session:** **Discussion:** Review of Draft Lease Agreement for Village of Cloudcroft Ski Area - Real Property & Water Rights §10-15-1.H (8)
10. **Unfinished Business:** **Action:** Adoption of Ordinance No. 384- Repeal of Section 3-4-7 G of Village of Cloudcroft Code; Title 3; General License Provisions; Exemptions to Tax
- Action:** Adoption of Ordinance No. 385- Revised Ordinance Amending Section 9-4A1 of the Village of Cloudcroft Code Regulating Permitted Uses in Zone R-1
- Discussion:** Review Revised Ordinance Village Code 7-1A-4; Tap and Service Connections and 7-1B-5; Construction of Sewers, to include language requiring contractors to repair roads after construction.
- Discussion/Action:** Proceed with USDA Funding Application for the Mountain Top Lead Abatement Project
- Discussion:** Proposed Revision Article A. Fire Department
11. **New Business:** **Discussion/Action:** Approval for Application for Colonias Infrastructure Fund Resolution No. 2020.01
- Discussion/Action:** Approval Second Quarter Budget Adjustments Resolution No. 2020.02
- Discussion/Action:** Approval Second Quarter Budget Adjustments Resolution No. 2020.03
12. **Executive Session:** Threatened/Pending Litigation §10-15-1.H (7) David Black vs. Village of Cloudcroft
13. **Bills & Treasurer's Report:** **Acknowledgment:** December 2019

14. **Adjournment:**

## VILLAGE OF CLOUDCROFT

Minutes of the Regular Council Meeting of the Governing Body for the Village of Cloudcroft, held on Tuesday, January 14, 2020 at 6:00 p.m., in the Village Council Chambers, 201 Burro Avenue, Cloudcroft, NM.

Mayor David C. Venable called the meeting to order at 6:00 p.m. with the following Council members providing a full Quorum: Present/absent:

- Trustee / Mayor Pro Tem William Denney - present
- Trustee – Cynthia Voight - present
- Trustee – George Mitchell - present
- Trustee – John Tieman – present

The following Village staff and guests were present: Jini Turri, Administrator; Barbara K. Garcia, Village Clerk/Treasurer; Erich Wuersching, VOC; Gilbert Garcia, self; Joyce Komraus, Library; Kelly A. Heyer, ASA Architects; Tana Daugherty, Cloudcroft Schools; Randall Chavez, Forest Service; Therese Peyton, self; Cindy Preslar, Cloudcroft Schools; Jim Dowding, P&Z Commission (Item #1)

The pledge of allegiance to the US and NM flags was led by Mayor David C. Venable. (Item #2)

### **APPROVAL OF AGENDA:**

Mayor Venable entertained a motion to approve the Agenda for the Regular Meeting of January 14, 2020. Trustee Voight made such motion to approve as amended with addition, Trustee Mitchell seconded the motion and upon vote of Trustees Denney, Mitchell, Voight and Tieman all voting “aye” the motion carried unanimously. (Item #3)

### **APPROVAL OF MINUTES:**

Mayor Venable entertained a motion to approve the Minutes of the Special Meeting of January 9, 2020. Trustee Denney made such motion to approve as written, Trustee Tieman seconded the motion and upon vote of Trustees Denney, Mitchell, Voight and Tieman all voting “aye” the motion carried unanimously. (Item #4)

### **ANNOUNCEMENTS/DISCUSSION:**

- US Forest Service – Randall Chavez  
Mr. Chavez announced that an article would be coming out in the paper referring to the statewide five forest fee proposal. They are proposing fees for some of the campsites that do not charge now. The forest recreation will utilize the fees to maintain campsites.
- Recognition of Erich Wuersching as a Certified Emergency Manager  
Jini Turri announced that Erich had earned his certification and wanted to recognize the dedication that he had put into receiving this. Erich advised that the certification was a culmination of his work here in Cloudcroft with the Fire Department and at NASA.
- Retirement of Librarian, Joyce Kromaus  
Mayor Venable announced that Joyce would be retiring with an effective date of June 30, 2020. Joyce has been the Librarian for Cloudcroft for twenty three (23) years. Mayor Venable thanked Joyce for her service on behalf of the Village Council, citizens and visitors to the Cloudcroft Library.
- Retirement of Deputy Chief of Police, Mark Tarantino  
Officer Tarantino will be retiring as of January 31, 2020 after approximately forty three (43) years of service.
- Vacancy on Planning & Zoning Commission  
Craig Voight has decided to vacate his seat on the commission due to other commitments. Anyone wishing to volunteer their time to assist the village in this capacity should submit their interest to the Village Clerk.

- Discussion: Bus Maintenance Facility Utility Service Request – Kelly Heyer  
Kelly Heyer with ASA Architects discussed the new bus maintenance facility that is currently in the design phase. Ms. Heyer presented a google image of the location for the facility. Currently the site does not have water or gas utilities and the request tonight is to have water and potentially sewer/sanitary services extended if available. Mayor Venable advised that sewer was not a possibility and they would need to seek out septic services. The facility would be right across the street from the existing field house on Lost Lodge road. Discussion ensued between the council and Ms Heyer regarding tying into the water line and meter placement, and who would put in the water line. Fire Chief, Erich Wuerschling discussed with the council that the property is not Cloudcroft property and that we therefore have no jurisdiction nor does the Fire Department and he would like further verification on the response of Fire/EMS to facilities. Mayor Venable reiterated that the school was asking if the village would allow them to hook up to the water line, with Attorney Rhodes stating the council will have to approve out of limit connections. Ms. Heyer confirmed that they are requesting that a new line run down the street with a separate meter for the facility rather than tie into the football field. Mayor Venable will get with the Maintenance Supervisor to review all of the utility plans and then call Kelly. Council requested that the item be placed on the February agenda for action.
- Discussion: Temporary movement of parking barriers on Burro Ave. – William Denney  
Trustee Denney stated that he would like a discussion on a temporary movement of the parking barriers during the busy session. He would like to propose that they be moved out about five (5) feet to allow for further walking room and placement of business seating on the boardwalk. Proposed movement would be possibly from Dave's Café down to High Altitude. Chief Summers suggested that if the parking for the entire street was moved back to ninety (90) degree angle it would accomplish the same thing, gain the village approximately six (6) more spaces for parking and improved safety. An offload area was proposed for the business deliveries. Council requested that the item be placed on the February agenda for action.
- Discussion/Action: Appointment of Jini Turri, Village Administrator as Emergency Management Coordinator. Erich Wuerschling, Fire Chief explained the logistics of what this would entail for Jini with the coordination of Sue Driekosen, Emergency Manager. Mayor David C. Venable called for a motion to approve Jini Turri as the Emergency Management Coordinator. Trustee Voight made such motion to approve, Trustee Mitchell seconded the motion and upon vote of Trustees Denney, Mitchell, Voight and Tieman all voting "aye" the motion carried unanimously. (Item #5)

**MAYOR'S REPORT:**

- Mayor Venable advised that he had nothing to report at this time. (Item #6)

**REPORTS:**

- Mayor David C. Venable called for a motion to approve the reports for December 2019. Trustee Tieman made such motion to approve, Trustee Mitchell seconded the motion and upon vote of Trustees Denney, Mitchell, Voight and Tieman all voting "aye" the motion carried unanimously. (Item #7)

**ADMINISTRATORS REPORT:**

- Mrs. Turri advised that she had nothing to report at this time. (Item #8)

**EXECUTIVE SESSION:** *Recess into closed session in compliance with Real Property & Water Rights §10-15-1.H (8)*

- Mayor Pro-Tem Denney motioned to adjourn to Executive Session to discuss the confidential materials on the Real Property & Water Rights and proposed draft lease between the Village of Cloudcroft and Ski Cloudcroft, LLC. Mayor Venable acknowledged the motion and called for a second, Trustee Tieman seconded the motion and with no further discussion a roll call vote was taken;  
Trustee Denney – Aye  
Trustee Voight – Aye  
Trustee Mitchell – Aye  
Trustee Tieman – Aye  
Council recessed into closed session at 6:52 p.m.

**RECONVENE INTO OPEN SESSION:**

- Mayor Venable entertained a motion to reconvene into Open Session at 7:39 p.m. Trustee Denney made such motion, Trustee Voight seconded the motion and with no further discussion a roll call vote was taken;  
Trustee Denney – Aye  
Trustee Voight – Aye  
Trustee Mitchell – Aye  
Trustee Tieman – Aye  
Statement by Mayor Venable requested that the record reflect that the Governing Body of the Village of Cloudcroft, New Mexico, hereby states that on January 14, 2020 a Closed Executive Session was held and the matters discussed in the closed meeting were limited only to the proposed lease and water rights between the Village of Cloudcroft and Ski Cloudcroft, LLC., as posted on the meeting notice. Mayor Venable noted that no action or votes were taken. (Item #9)

**UNFINISHED BUSINESS:**

- Action: Adoption of ordinance No. 384 – Repeal of Sections 3-4-7 G of Village of Cloudcroft Code; Title 3; General License Provisions; Exemptions to Tax  
Trustee Voight made a motion to adopt Ordinance No. 384 – Repeal of Sections 3-4-7 G of Village of Cloudcroft Code to be published by title and general subject. Trustee Mitchell seconded the motion and upon roll call vote of council,  
Trustee Denney – Aye  
Trustee Voight – Aye  
Trustee Mitchell – Aye  
Trustee Tieman – Aye  
All voting “aye” the motion carried unanimously.
- Action: Adoption of Ordinance No. 385 – Revised Ordinance Amending Section 9-4A1 of the Village of Cloudcroft code Regulating Permitted Uses in Zone R-1  
Trustee Mitchell made a motion to adopt Ordinance No. 385 - Revised Ordinance Amending Section 9-4A1 of the Village of Cloudcroft code Regulating Permitted Uses in Zone R-1 to be published by title and general subject. Trustee Voight seconded the motion and upon roll call vote of council,  
Trustee Denney – Aye  
Trustee Voight – Aye  
Trustee Mitchell – Aye  
Trustee Tieman – Aye  
All voting “aye” the motion carried unanimously.
- Discussion: Review Revised Ordinance Village Code 7-1A-4; Tap and Service Connections and 7-1B-5; Construction of Sewers, to include language requiring contractors to repair roads after construction. Attorney Rhodes presented a discussion draft for the Public Works Supervisors review. Attorney Rhodes requested that Jubal Hall call him to discuss as he was not available at the meeting.

- Discussion/Action: Proceed with USDA Funding Application for the Mountain Top Lead Abatement Project  
The Administrator advised that we had received funding for the Mountain Top Lead Abatement Project and that all of the funding received had been utilized on planning and design. USDA does have funding available for this type of project. A resolution has been approved to put in the application to USDA for funding, however Jini would like to make sure that the council understands that we will need to have a preliminary engineering report and an environmental review done prior to turning in the application and that the village will need to pay for these with the funds being reimbursed once funding is in place. Initial estimate for the report and review is coming in at \$30,000 to \$50,000. Is the council still in agreement with moving forward? Mayor David C. Venable called for a motion to approve proceeding with the funding application for USDA Funding. Trustee Voight made such motion to approve, Trustee Mitchell seconded the motion and upon vote of Trustees Denney, Mitchell, Voight and Tieman all voting “aye” the motion carried unanimously.
- Discussion: Proposed Revision Article A. Fire Department  
Erich Wuerschling, Fire Chief discussed the submitted proposed revision and explained that the volunteers on the committee are now at a place of not being able to finish this request. They do not know where to go from here and are requesting the assistance of the Village Attorney to complete the proposed revisions. Attorney Rhodes will go through and ascertain what should stay and reference the SOP’s and memberships. He will compile into one section that deals with the Fire Department. (Item #10)

**NEW BUSINESS:**

- Discussion/Action: Approval for application for Colonias Infrastructure Fund Resolution No. 2020.01  
Stantec and Jini are working on the application for roadwork to be done in the village. Trustee Tieman made a motion to apply for the Colonias Infrastructure Fund, Resolution No. 2020.01, Trustee Mitchell seconded the motion and upon roll call vote of council,  
Trustee Denney – Aye  
Trustee Voight – Aye  
Trustee Mitchell – Aye  
Trustee Tieman – Aye  
All voting “aye” the motion carried unanimously.
- Discussion/Action: Approval Second Quarter Budget Adjustments Resolution No. 2020.02  
Village Clerk reviewed the break out of the budget adjustments requests for the second quarter. Trustee Mitchell made a motion to approve the Second Quarter Budget Adjustments Resolution No. 2020.02. Trustee Voight seconded the motion and upon roll call vote of council,  
Trustee Denney – Aye  
Trustee Voight – Aye  
Trustee Mitchell – Aye  
Trustee Tieman – Aye  
All voting “aye” the motion carried unanimously.
- Discussion/Action: Approval Second Quarter Budget Adjustments Resolution No. 2020.03  
Administrator Turri reviewed the break out of the budget adjustments requests for the second quarter. Trustee Voight made a motion to approve the Second Quarter Budget Adjustments Resolution No. 2020.03. Trustee Mitchell seconded the motion and upon roll call vote of council,  
Trustee Denney – Aye  
Trustee Voight – Aye  
Trustee Mitchell – Aye  
Trustee Tieman – Aye  
All voting “aye” the motion carried unanimously. (Item #11)

**EXECUTIVE SESSION: Recess into closed session in compliance with Threatened/Pending Litigation §10-15-1.H (7) David Black vs. Village of Cloudcroft**

- Mayor Pro-Tem Denney motioned to adjourn to Executive Session to discuss Threatened/Pending Litigation § 10-15-1.H (7) David Black vs. Village of Cloudcroft. Mayor Venable acknowledged the motion and called for a second, Trustee Voight seconded the motion and with no further discussion a roll call vote was taken;  
Trustee Denney – Aye  
Trustee Voight – Aye  
Trustee Mitchell – Aye  
Trustee Tieman – Aye  
Council recessed into closed session at 8:20 p.m.

**RECONVENE INTO OPEN SESSION:**

- Mayor Venable entertained a motion to reconvene into Open Session at 8:37 p.m. Trustee Voight made such motion, Trustee Mitchell seconded the motion and with no further discussion a roll call vote was taken;  
Trustee Denney – Aye  
Trustee Voight – Aye  
Trustee Mitchell – Aye  
Trustee Tieman – Aye  
Statement by Mayor Venable requested that the record reflect that the Governing Body of the Village of Cloudcroft, New Mexico, hereby states that on January 14, 2020 a Closed Executive Session was held and the matters discussed in the closed meeting were limited only to the Threatened/Pending Litigation § 10-15-1.H (7) david black vs. Village of Cloudcroft as posted on the meeting notice. Mayor Venable noted that no action or votes were taken. (Item #12)


**BILLS & TREASURER'S REPORT:**

- Mayor Venable called for a motion to acknowledge the December 2019 Bills and Treasurers report. Trustee Mitchell made such motion, Trustee Voight seconded the motion and upon vote of Trustees Denney, Tieman, Mitchell and Voight, all voting "aye" the motion carried unanimously. (Item #13)

**ADJOURNMENT:** Mayor Venable adjourned the meeting of January 14, 2020, at 8:39 pm. (Item #14)

ATTEST

  
Barbara K. Garcia, CPO  
Village Clerk/Treasurer

  
David C. Venable  
Mayor