

## VILLAGE OF CLOUDCROFT

Minutes of the Regular Council Meeting of the Governing Body for the Village of Cloudcroft held on Tuesday, October 13, 2020 at 6:00 p.m., in the Village Council Chambers, 201 Burro Avenue, Cloudcroft, NM.

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

- Trustee – George Mitchell - present
- Trustee – John Tieman – present
- Trustee – James Maynard – present
- Trustee – Bruce Smaga - present

The following Village staff and guests were present: Barbara K. Garcia, Village Clerk/Treasurer; Jini Turri, Administrator; Jefferson Rhodes, VOC Attorney; Kevin Summers, Chief of Police Village of Cloudcroft; Lisa Wojcik, VOC Library Director; Scott Powell, VOC Public Works; Sue Dreikosen, VOC Emergency Management; Eddie Livingston, Livingston Associates; Cindi Bradshaw, Chamber of Commerce; Carole Cameron, self; Gilbert Garcia, self; Shauna Kropp, Mountain Woman Enterprise; Gabriel Gaytan, Tom Blessum, Planning & Zoning, Griselda Blessum, self. (Item #1)

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

### **APPROVAL OF AGENDA:**

Mayor Denney entertained a motion to approve the Agenda for the Regular Council Meeting of October 13, 2020 as presented. Trustee Maynard made such motion, Trustee Mitchell seconded the motion and upon vote of Trustees Mitchell, Maynard, Tieman and Smaga all voting “aye” the motion carried unanimously. (Item #3)

### **APPROVAL OF MINUTES:**

Mayor Denney advised there were no minutes to be approved at this meeting due to approval at previous week’s meeting. (Item #4)

**ANNOUNCEMENTS/DISCUSSION:** *Update on PURE Project – Eddie Livingston:* Mayor Denney turned the floor over to Eddie Livingston of Livingston Associates, P.C. Consulting Engineers. Mr. Livingston provided both an oral update and a bound written presentation on the PURE Water Project Treatment Plant Completion – Engineering Design Summary. This document brings the governing body current on what has occurred in the past and what is being pursued currently. Trustee Maynard requested to know what still need to be done to ensure the WWTP and Water Plant were connected, the connection is in place except for about 20 feet to the tank itself. Infrastructure to inject water down to the well will be done at the same time. Also needed is a chlorination facility at the WWTP. Trustee Maynard requested to know if the remaining work has been funded yet and who will be doing the work? Mrs. Turri explained that once the deficiencies have been satisfied with the Drinking Water Bureau, then NMED will provide the go ahead to go out to construction.

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All plans and bids are ready, and we are funded for the construction so that when DWB is satisfied the project can move forward. Trustee Smaga requested to know what percentage once run through the system would be usable? 75% should be the return. Mrs. Turri reviewed that once we are 75% through the construction, we will begin the education phase for the public.

***Eradication of Invasive Thistles – Cheryl McArthur Brantlay:*** Mayor Denney called for Ms. Brantlay and she was not present to address her requested agenda item.

***Resignation of Village Emergency Management Coordinator:*** Mrs. Turri advised that she had volunteered for the position and she is just not able to take on this position at this time. The Village does have an Emergency Manager and Jini will still assist when and if needed, but she cannot take on this position and fulfill the obligations, so at this time she has turned in her resignation for the position. Trustee Maynard requested to know what the Village would do if we had an emergency and was advised that Sue Dreikosen is the Emergency Manger and she would be able to request someone to assist at that time if needed or ask the state for assistance. The governing body at that time accepted the resignation of Mrs. Turri.

***Report Ski Cloudcroft – Jeremy & Michael Adams*** – The Adams were not present at this meeting due to the last several that they have attended, and they are moving the lift that was approved by the governing body.

***Vacancy on P&Z Commission:*** Mayor Denney advised that there is a vacancy on the Planning & Zoning Commission and if anyone knows of someone or is interested themselves to please send in a letter of interest. (Item #5)

**MAYOR’S REPORT:** Mayor Denney advised that he is still looking at locations for the Police Department Relocation. Chief Summers has decided on the location that he and the other occupants have determined will work for the building. Mayor Denney advised that if anyone had any ideas to email him and he would check them out. (Item #6)

**REPORTS:** Trustee Mitchell questioned one expenditure and was satisfied. Trustee Maynard requested the comparison on GRT to last year and was advised that it was down approximately \$2,000. Trustee Maynard also requested comparison on Lodgers Tax and was given the amount. Trustee Smaga requested an update on the water situation and Scott Powell advised on the wells and recharging. Mayor Denney entertained a motion to approve the reports of September 2020. Trustee Tieman made such motion to approve, Trustee Mitchell seconded the motion and upon vote of Trustees Mitchell, Maynard, Tieman and Smaga all voting “aye” the motion carried unanimously. (Item #7)

**ADMINISTRATORS REPORT:** Jini Turri gave an oral report; currently actively working on water loss by bringing in a team that will work with office personnel as they perform. They will pull high production meters and test them. The utility clerk is working and becoming familiar with the AWWA template. After completion of the initial review and testing, the village staff will be able to perform this on their own annually to see where and when losses occur.

This will be an expenditure that is not in the budget and we are currently waiting on pricing. Jini advised that we are still waiting for the State to come back with the recreational grant. (Item #8)

**UNFINISHED BUSINESS:** *Discussion/Action: Proposal to re-name the Sacramento Mountain Senior Center*

Mayor Denney announced that this was to honor Mayor Dave Venable, he advised that a call was placed to the Director of the Senior Center and she has reached out to the board members and they like the idea, no negatives have come back and this will not affect any bank accounts or LLC. We are only requesting to change the name of the building. Mayor Denney entertained a motion to approve the name change, Trustee Smaga made such motion, Trustee Mitchell seconded the motion and upon further discussion the building will be named Mayor Venable Senior Center. Trustee Maynard suggested that the name and signage be placed after the remodel of the building. Upon vote of Trustees Mitchell, Maynard, Tieman and Smaga all voting “aye” the motion carried unanimously.

***Discussion:*** *Update on proposed purchase of tent/tents for Village of Cloudcroft* – Trustee Maynard expressed that for this year this may have come to an end, but he would like to establish this as a budget item. He has no feedback from the Chamber of Commerce but the artists in town agree. He would like to keep on the agenda. Mayor Denney requested of Cindi Bradshaw if they have done anything to this point. She stated that they have many questions as to who will put it up and take down, who will store. Trustee Maynard asked that she get these questions to the village in writing and we will continue to look at this monthly. (Item #9)

**NEW BUSINESS:** *Discussion/Action: Permitting and Failure to oversee the placement of residential structure located at 703 Chautauqua – Carole & Paul E. Cameron III*

Mrs. Cameron introduced herself and explained her reasoning for being at the meeting was the small structure located at 703 Chautauqua, she appears before the governing body at this time to question the placement of the structure and whether or not it is legally there. She advised that she wanted to be honest and stated that she did not want to cause problems, but that she wanted to do the same thing. She has a vacant lot that she would like to place a small structure on (under 600 sq. ft.) for rental purposes. However, under the current ordinance of the Village Code you cannot have a house under 600 sq. ft., hence her question of the structure. Mrs. Cameron preceded to review the questions that were sent to the homeowners and responses. She stated that in her opinion the village is still not in the right place as the zoning for this property is R1 & T2. The structure does not meet the requirements for R1 and T2 requirements are for the use of a Recreational Vehicle Park suitable for temporary location of mobile units. Mrs. Cameron stated that the structure is on a permanent foundation and that it is not mobile as it has been there for months. She stated that after review of T2 she believes that the property owners are not meeting the requirements. She is requesting to be able to do this also, since the owners of this small structure have been allowed to remain without recourse to this date. Mayor Denney advised Mrs. Cameron that she take her situation to Planning & Zoning Commission, that due to the finding of one rule broken does not allow someone else to proceed. Mrs. Cameron’s situation is not related to the other. Mayor Denney stated that if we have a problem with the current structure the village will investigate the issue. Mrs. Cameron asked if the village felt that it meets the standards of the T2?

If the village did not, she felt there was no reason for her to pursue with P&Z. Mayor Denney advised that he would speak with the P&Z Commission and determine the next course of action if there is one. Administrator Turri advised that she has the audio of the approval by the governing body and that the Brunner's are on standby for a phone call if the governing body would like to speak with them. The governing body discussed some of the options that could be taken to determine if this were placed appropriately and if not, then what actions should be taken. Mr. Blessum of Planning and Zoning spoke to the requirements of T2 and Real Property. Mr. Blessum stated that in the opinion of the Planning & Zoning Commission there is no zone in the Village of Cloudcroft that this structure would be approved in as the Zone is written today. Discussion ensued with the attorney and Governing Body regarding the placement and zones. Attorney Rhodes suggested that a letter be sent to the homeowners to allow them to provide their intent. Mayor Denney opened for a motion to have Attorney Rhodes draft a letter to the homeowners. Trustee Maynard made such motion, Trustee Smaga seconded the motion and with no further discussion upon vote of Trustees Mitchell, Maynard, Tieman and Smaga all voting "aye" the motion carried unanimously.

***Discussion/Action: Discussion/Action: Construction and Placement of a Dog Park:***

Mrs. Turri advised that Duane Apprill would like to make a five thousand-dollar (\$5,000) donation to the village for a dog park. There have been several members of the Parks & Recreation Committee that have also requested this in their meetings. This is being brought to the governing body for a decision on location. Locations recommended were up on top by the disk golf course or Zenith Park. Reasons for the park and the concerns of land, enforcement and liability were discussed. Mayor Denney requested that this be postponed to next month's agenda while location is thought about and liability is researched.

***Discussion/Action: Renewal of License Agreements with Yucca Council of Boy Scouts, Mountain Woman Enterprises***

**Yucca Council:** After discussion there will be no license change, Mayor Denney entertained a motion to accept the License Agreement between the Yucca Council of Boy Scouts and the Village of Cloudcroft, Trustee Smaga made such motion, Trustee Maynard seconded the motion and with no further discussion upon vote of Trustees Mitchell, Maynard, Tieman and Smaga all voting "aye" the motion carried unanimously.

**Mountain Woman Enterprises:** Mayor Denney advised that there are two (2) contracts, one (1) for Fire & EMS and one (1) for Library/Community Center and Council Chambers. Mayor Denney was not aware that these contracts were coming due this soon. He would like to advise the council that the Public Works department has come forward with the possibility of adding a full-time employee. He would suggest extending the contracts to allow for research to be done to see if the proposed new employee could possibly pick up the custodial duties. The council requested that a cost analysis be done on if it is feasible to hire an employee that would then be eligible for all benefits. The council requested that we change the date to the end of the budget year. Mayor Denney entertained a motion to extend the contracts to the end of FY 2020-2021 (June 30). Trustee Tieman made such motion, Trustee Maynard seconded with clarification of \$21 hourly, and with no further discussion upon vote of Trustees Mitchell, Maynard, Tieman and Smaga all voting "aye" the motion carried unanimously.

**Discussion/Action:** *Award of Bid for Emergency Generators for the WWTP and WTP*

The clerk advised that two (2) bids were received in and that evaluations were performed by Scott Powell, Tony Courvesiour and Gilbert Garcia. The evaluations came up lacking and after Jini Turri getting with Eddie Livingston who drafted the ITB, and it has been determined that we need further time to review the language of the bid to determine if SPECIFICATION was followed appropriately.

The bid was just for the tangible product and no installation. Mrs. Turri advised that we may go out to bid again with more specific language. Mayor Denney entertained a motion to postpone the award of bid. Trustee Smaga made such motion, Trustee Mitchell seconded and with no further discussion upon vote of Trustees Mitchell, Maynard, Tieman and Smaga all voting “aye” the motion carried unanimously.

**Discussion/Action:** *Resolution No. 2020.24 1<sup>st</sup> Qtr. Budget Adjustments*

The clerk reviewed the resolution requests and explained each that were on the Exhibit. Mayor Denney entertained a motion to approve Resolution No. 2020.24 for 1<sup>st</sup> Qtr. Budget Adjustments. Trustee Tieman made such motion, Trustee Maynard seconded and with no further discussion a roll call vote was taken.

- Trustee Mitchell - Aye
- Trustee Maynard – Aye
- Trustee Tieman – Aye
- Trustee Smaga - Aye


The motion carries unanimously. (Item #10)


**BILLS & TREASURER’S REPORT:** *Acknowledgment of September 2020 Bills Paid and Report.*

Mayor Denney entertained a motion to acknowledge the bills and treasurers report. Trustee Mitchell made such motion to approve, Trustee Smaga seconded the motion and upon vote of Trustees Mitchell, Maynard, Tieman and Smaga all voting “aye” the motion carried unanimously. (Item #11)

**ADJOURNMENT:** Mayor Denney called for a motion to adjourn the Regular Council Meeting of October 13, 2020, Trustee Mitchell made such motion to approve, Trustee Maynard seconded the motion and upon vote of Trustees Mitchell, Maynard, Tieman and Smaga all voting “aye” the motion carried unanimously and the meeting was adjourned at 8:29 pm. (Item #12)



  
Barbara K. Garcia, CPO  
Village Clerk/Treasurer

  
William M. Denney  
Mayor

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