

VILLAGE OF CLOUDCROFT

Minutes of the Special Council Meeting of the Governing Body for the Village of Cloudcroft, held on Tuesday, February 18, 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 (via telephone conference); Barbara K. Garcia, Village Clerk/Treasurer; Jefferson Rhodes, Village Attorney; Erich Wuersching, VOC; Gilbert Garcia, self; Kelly A. Heyer, ASA Architects; Jubal Hall, Public Works Supervisor VOC; Jim Maynard, self; Matt Willett, self. (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 February 18, 2020. Trustee Denney made such motion, 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 Regular Council Meeting of January 14, 2020. Trustee Tieman made such motion to approve as written, Trustee Voight seconded the motion and upon vote of Trustees Denney, Mitchell, Voight and Tieman all voting “aye” the motion carried unanimously. (Item #4)

MAYOR'S REPORT:

Mayor Venable advised that he had nothing to report at this time. (Item #5)

REPORTS:

Mayor David C. Venable called for a motion to approve the reports for January 2020. Trustee Mitchell made such motion to approve, Trustee Voight seconded the motion and upon vote of Trustees Denney, Mitchell, Voight and Tieman all voting “aye” the motion carried unanimously. (Item #6)

ADMINISTRATORS REPORT:

Mrs. Turri advised that she had nothing to report at this time. (Item #7)

EXECUTIVE SESSION: *Recess into closed session in compliance with Limited Personnel Matters §10-15-1.H (2)*

Mayor Pro-Tem Denney motioned to adjourn to Executive Session to discuss confidential materials concerning Cloudcroft Police Department. 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 6:07 p.m.

RECONVENE INTO OPEN SESSION:

Mayor Venable entertained a motion to adjourn from Executive Session and reconvene into Open Session at 6:49 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 February 18, 2020 a Closed Executive Session was held and the matters discussed in the closed meeting were limited only to Limited Personnel Matters concerning Village of Cloudcroft Police Department as posted on the meeting notice. Mayor Venable noted that no action or votes were taken. (Item #8)

ANNOUNCEMENTS/DISCUSSION:

Confirmation of New Hires for the Cloudcroft Police Department – David Sanchez and Justin Mitchell

Mayor Venable made a recommendation to affirm the hiring of the two individual police officers for the Village of Cloudcroft. Trustee Voight made a motion to confirm the hire of David Sanchez and Justin Mitchell to the Cloudcroft Police Department. Trustee Mitchell seconded the motion. Mayor Pro Tem requested discussion on how the Village would pay for the new officers. Mayor Venable advised that there would be adjustments made to the budget to finish out the fiscal year and that during the fiscal year 2020/2021 budget preparation the new hire would be taken into consideration. The Village Clerk advised that monies could be moved within the existing fund and also fund to fund adjustments and that the Village had a healthy general fund that would be able to handle it. The motion for both officers to be hired was carried unanimously. (Item #9)

UNFINISHED BUSINESS:

- **Discussion/Action:** Bus Maintenance Facility Utility Service:
Discussion ensued between the Public Works Supervisor, governing body, village attorney and ASA Architects representative as to where the meters were currently placed and possibly putting in a fire hydrant. The school will be responsible for putting in the line and the Village will put in the meter. The architect does recommend that a fire hydrant be put in due to the amount of fuel that will be stored at the facility. Mayor Venable called for a motion, Mayor Pro-Tem Denney made a motion to approve Cloudcroft Schools to get a new fire hydrant and water meter to the Bus Maintenance Facility and that the Schools will pay for any water line over fifty (50) feet. Trustee Tieman seconded the motion and upon vote of Trustees Denney, Mitchell, Voight and Tieman all voting “aye” the motion carried unanimously.
- **Discussion/Action:** Permanent realignment of parking barriers on Burro Ave. – Movement to 90 degree angle:
Movement would not narrow the road width, but it is not recommended to do this temporarily due to the amount of man hours that it would take to do this continuously. If this was done to only the end at High Altitude it would gain only 3 to 4 more parking spaces. This was a project that was completed several years ago and will change several areas including Handicap parking. The idea was started to give more walking area for the tourist for summer time only. Delivery trucks seem to cause an issue either way that the parking is angled. Mayor Venable called for a motion to move parking barriers to 90 degree angle, Mayor Pro-Tem made a motion to temporarily realign the parking barriers on Burro Ave., and Trustee Tieman seconded the motion. Upon call for vote Trustee Denney and Voight voted against leaving it two votes against and two votes for, Mayor Venable exercised his right to break the tie and voted against the issue.
- **Discussion/Action:** Proposed Ordinance for publication 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.

Mayor Venable entertained a motion to adopt Ordinance 386 which has been published by Title and General Subject Matter. Trustee Tieman made such motion to adopt; Mayor Pro-Tem Denney seconded the motion and upon further discussion it was determined that the compaction rate of 95% would be based on a six (6) inch lift. The contractor will have to handle the instrument for the compaction and the Public Works Supervisor confirmed that the Village would provide an employee for the duration to ensure compaction rate was met. With no further discussion a roll call vote was taken;

Trustee Denney – Aye

Trustee Voight – Aye

Trustee Mitchell – Aye

Trustee Tieman – Aye

Mayor Venable called for a motion to direct the Village Attorney to Publish the Adoption of Ordinance 386 by Title and General Subject Matter, Trustee Mitchell made such motion and Trustee Voight seconded the motion and upon vote of Trustees Denney, Mitchell, Voight and Tieman all voting “aye” the motion carried unanimously.

□ **Discussion/Action: Proposed Draft Article A. Fire Department.**

Fire Chief Wuersching requested that sections highlighted in green be removed. Mayor Venable called for a motion to direct the Village Attorney to Publish Notice of Proposed Ordinance by Title and Subject Matter. Trustee Voight made such motion, Trustee Mitchell seconded the motion and with no further discussion the motion carried.

□ **Discussion/Action: Paid Fire Dept. Personnel – Erich Wuersching**

Fire Chief Wuersching passed out documents regarding the cost of employees for review. Discussion ensued regarding the cost of employees versus outsourcing. After lengthy discussion of funding, grants and intergovernmental grants, it was determined that the Village of Cloudcroft would table the discussion until budget workshops and in the meantime would seek out a meeting with Otero County to discussion revisions to the current MOU.

NEW BUSINESS:

□ **Discussion/Action: Approval of payroll increase for Shaela Hemphill per Village Policy Manual.**

Council was advised that in order to bring Shaela Hemphill into line with the current Employee Policy Manual we would need to provide a pay increase that was not given at time of removal from probation.

Mayor Venable called for a motion to approve the payroll increase of .49¢ per hour, Mayor Pro-Tem Denney made such motion to approve for first full payroll after this meeting. Trustee Voight seconded the motion and upon vote of Trustees Denney, Mitchell, Voight and Tieman all voting “aye” the motion carried unanimously.

□ **Discussion/Action: Promotion and Pay Increase for Mike Testa – Deputy Chief of Cloudcroft Police Dept.**

Mayor Venable called for a motion to approve the promotion and payroll increase to \$21.05 per hour, Trustee Voight made such motion to approve for first full payroll after this meeting. Trustee Mitchell seconded the motion and upon vote of Trustees Denney, Mitchell, Voight and Tieman all voting “aye” the motion carried unanimously.

□ **Discussion/Action: Revision to Personnel Policies and Employee Handbook**

The Governing Body determined that the review of the policy manual would require a workshop with the proposed revisions presented. A workshop was set for Tuesday, February 25, 2020 at 5:00 p.m.
(Item #10)

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 concerning 306 Lynx Loop and Concerning 102 Mexican Ave.

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 8:33 p.m. (Item #11)

RECONVENE INTO OPEN SESSION:

Mayor Venable entertained a motion to adjourn from Executive Session and reconvene into Open Session at 8:58 p.m. Trustee Voight made such motion, 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

Statement by Mayor Venable requested that the record reflect that the Governing Body of the Village of Cloudcroft, New Mexico, hereby states that on February 18, 2020 a Closed Executive Session was held and the matters discussed in the closed meeting were limited only to the proposed Real Property & Water Rights §10-15-1.H (8) concerning 306 Lynx Loop and Concerning 102 Mexican Ave., as posted on the meeting notice. Mayor Venable noted that no action or votes were taken. (Item #11)

Discussion/Action: Concerning 102 Mexican Ave.

The Council would like to know what the value of the land is without the improvements of the building to determine the amount of a sale price. It was requested that Mr. Willett go to his surveyor to have the west side portion of Osha Trail and to provide a square footage of everything west of there. Surveyor should contact Public Works Supervisor to determine what part of the road is maintained by the Village. Mr. Willett will provide information back to the Mayor and or the Administrator the information when obtained. (Item #11)

Discussion/Action: Concerning 306 Lynx Loop – None taken (Item #11)

BILLS & TREASURER'S REPORT:

Mayor Venable called for a motion to acknowledge the January 2020 Bills and Treasurers report. Trustee Voight made such motion, Trustee Mitchell seconded the motion and upon vote of Trustees Denney, Tieman, Mitchell and Voight, all voting "aye" the motion carried unanimously. (Item #12)

ADJOURNMENT: Mayor Venable adjourned the meeting of February 18, 2020, at 9:22 pm. (Item #13)

ATTEST


Barbara K. Garcia, CPO
Village Clerk/Treasurer


David C. Venable
Mayor