

VILLAGE OF CLOUDCROFT

Minutes of the Regular Council Meeting of the Governing Body for the Village of Cloudcroft held on Tuesday, March 9, 2021 at 6:00 p.m., in the Village Council Chambers, 201 Burro Avenue, Cloudcroft, NM.

Mayor William M. Denney 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 John Tieman - present

Trustee – George Mitchell - present

Trustee – Bruce Smaga - present

Trustee – James Maynard – present

The following Village staff and guests were present: Barbara K. Garcia, Village Clerk/Treasurer; Jini Turri, Administrator; Jefferson Rhodes, Village Attorney; Jubal Hall, Public Works VOC; Tony Courvoisier, Public Works VOC; Lisa Wojcik, Library VOC; Danielle Dalton, VOC MVD; Shaela Hemphill, Utility Clerk VOC; James Miller, self; Matt Willett, self; Donald Wiklund, James Sewell Ice Rink; Penny Hall, self; Michael Adams, Ski Cloudcroft; Gilbert Garcia, self; Tom Blessum, self; Shelley M. Hughes, self. (Item #1)

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

APPROVAL OF AGENDA:

Mayor Denney entertained a motion to approve the Agenda for the Regular Meeting of March 9, 2021. Trustee Tieman made such motion, Trustee Mitchell seconded the motion and upon vote of Trustees Smaga, Tieman, Maynard and Mitchell all voting "aye" the motion carried unanimously. (Item #3)

APPROVAL OF MINUTES:

Mayor Denney entertained a motion to approve the Minutes for the following meetings: Regular Council Meeting of February 9, 2021; Special Council Meeting of February 18, 2021; Special Council Meeting of February 22, 2021. Trustee Smaga made such motion to approve all three meeting minutes, Trustee Maynard seconded the motion and upon vote of Trustees Smaga, Tieman, Maynard and Mitchell all voting "aye" the motion carried unanimously. (Item #4)

ANNOUNCEMENTS/DISCUSSION: Budget Workshop March 19-21, 2021. Mayor Denney reminded the Governing Body of the upcoming budget retreat to review the proposed FY 2021-2022 interim budget. (Item #5)

MAYOR'S REPORT: Mayor Denney announced that Mrs. Turri now has a new position with the Village, she is now the Project Manager and is no longer the Administrator. Her focus will be projects and adjustments have been made to allow her to focus. Mayor recognized new EMT, Penny Hall and thanked her for her dedication. Mr. Jim Miller a resident of Lost Lodge addressed the governing body regarding the removal of the bulk water station that has been licensed annually with the Lost Lodge Property Owners Association and the Village of Cloudcroft. He presented a paper presentation and options that they would like to follow up on alternatives to continue keeping the water at its current location. Mayor explained that we would discuss at the budget retreat. With the schools opening, the Mayor has received a call from the Superintendent of Cloudcroft Schools requesting the use of Zenith Park due to social distancing. Mayor Denney agreed. (Item # 6)

REPORTS: Ski Cloudcroft is still open and presented a written report and were present at the meeting, they are hoping to stay open through the weekend. Spring and Water Report; Tony Courvoisier reported on water audit and meters that are under-registering the usage. They are discussing the size of the meters and the possible replacement in 2022. Mr. Courvoisier explained that the spring and wells are dropping and that we are reaching a critical point in the water levels. His suggestion is that the Village goes to a Level 3 at this point. With the lack of snowfall and a poor monsoon season we are in a dire situation that will only progress. He requested to have the governing body do a site visit for a tour and consider water restrictions. A work session will be posted for an open meeting. The meeting was set for March 19, 2021 at 10:00am.

Board approval of the proposed lease agreement between 32 Degrees North, LLC and Village of Cloudcroft, with direction to publish it under statue. Mayor advised that this lease has been reviewed with the governing body and not changed and Attorney Rhodes advised that the lease needs to be signed and published. The lease legal description will be reviewed prior to signatures and publication to ensure that it is accurate. Trustee Maynard questioned what other cost the Village is incurring due to sewage going into holding tanks. Clerk advised of the amount that we have paid due to pumping of tanks. Mayor Denney advised that we are going to have maintenance rebuild the top of the open tank so that we are not pumping and paying for water that has leaked in. Attorney advised that Mayor Denney can agree on lease and then send for publication. After discussion of possible purchase of Vactor Trailer and maintenance pumping sewage it was determined to get the legal correct and publish. Mayor Denney entertained a motion to approve the lease agreement between 32 Degrees North, LLC and Village of Cloudcroft upon agreement and signatures and then publication. Trustee Smage made such motion, Trustee Mitchell seconded the motion and upon vote of Trustees Smaga, Tieman, Maynard and Mitchell all voting "aye" the motion carried unanimously.

Check Registers: Trustee Mitchell requested if the receipts are checked prior to paying the invoice, advised yes, every time. He requested explanation on training and janitorial and was advised the Visa would be pulled and he would be sent an explanation. Mayor Denney entertained a motion to accept the reports, Trustee Tieman made such motion, Trustee Maynard seconded the motion and upon vote of Trustees Smaga, Tieman, Maynard and Mitchell all voting "aye" the motion carried unanimously. (Item #7)

ADMINISTRATORS REPORT: None provided as position has been vacated. (Item #8)

UNFINISHED BUSINESS: ***Qualified Immunity – Chief Summers;*** Chief Summers updated that the house has moved to 256 and that this will be an improvement over what is being presented to date. Emails will be forth coming, and he requested that when they get weekly emails they respond back and comment in support or non-support. Currently there is no estimate on what the coverage will cost, conservatively it is being explained as tripling what the cost is now.

Update on Feasibility Study New Ice Rink Facility – Trustee James Maynard; Mayor Denney stated that there was an update last month and he would like to set up a town hall meeting to have input from the community. The Town Hall will be set for Thursday, March 25th at 6:00 pm. (Item #9)

NEW BUSINESS: ***License Agreement Renewal – Ann Self Lowen.*** This License is an annual license agreement for encroachment on village property. Mayor Denney entertained a motion to approve the License agreement between the Village and Ann Self Lowen. Trustee Tieman made such motion, Trustee Mitchell seconded the motion and upon vote of Trustees Smaga, Tieman, Maynard and Mitchell all voting "aye" the motion carried unanimously.

License Agreement Renewal – Sacramento Mountains Historical Society – Discuss Annual Fee; Mayor Denney advised that the annual fee had not been updated since 2001 and was currently at \$25.00 annually. The question was raised if it should stay at that fee or be raised. It was determined not to raise. Mayor Denney entertained a motion to approve the License agreement between the Village and Sacramento Mountains Historical Society. Trustee Maynard made such motion, Trustee Smaga seconded the motion and upon vote of Trustees Smaga, Tieman, Maynard and Mitchell all voting "aye" the motion carried unanimously.

Adoption ordinance 387 for publication Village Code 7-4-3. E (2) – consecutive meetings missed in term year & 7-4-3. I (2) - Open meetings monthly. Mayor Denney entertained a motion to approve Ordinance 387. Trustee Maynard made such motion to adopt by title and subject matter as written, Trustee Mitchell seconded the motion and with no further discussion a roll call vote was taken.

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

The motion carries unanimously.

Destruction of Records per New Mexico Municipal Records Retention Schedule – 2021.002. Trustee Tieman made a motion to accept the Destruction of Records as presented using NM Municipal Records Retention Schedule, Trustee Smaga seconded the motion and upon further discussion by Trustee Maynard it was clarified that MINUTES of meetings are permanent. Upon vote of Trustees Smaga, Tieman, Maynard and Mitchell all voting "aye" the motion carried unanimously.

Consideration of new hire for administrative position. Mayor Denney advised the council that we are looking to open and hire a new MVD Clerk to open the MVD full time. The court clerk was absorbed into the MVD position and it has now become apparent that it is affecting the revenue that is processed. Discussion ensued regarding pay from the state and what was absorbed by the previous court clerk. Clerk reviewed how it is affecting the front office and how we are not allowing our customers and employees time to perform job duties properly due to time constraints. Mayor Denney entertained a motion to approve the addition of another employee to the Administrative Staff by hiring a full time MVD Clerk. Trustee Tieman made a motion to accept the additional position for MVD, Trustee Maynard seconded the motion and upon vote of Trustees Smaga, Tieman, Maynard and Mitchell all voting "aye" the motion carried unanimously.

Resolution No. 2021.06 – NM DOT MAP Funding. Mrs. Turri advised that this was the project to fix the roadway from Hwy 82 up to Chipmunk. The resolution is for the application process, Trustee Maynard requested if this was just for the engineer and was advised by Mrs. Turri that this was for the full project. There will be a cash match of 5% to complete the project, however Mrs. Turri will put in a waiver for that match. Trustee Maynard made a motion to adopt Resolution 2021.06, Trustee Smaga seconded the motion and with no further discussion a roll call vote was taken.

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

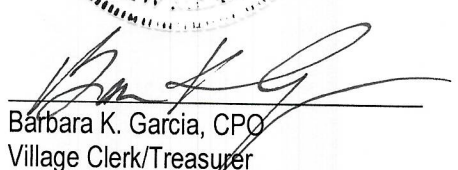
The motion carries unanimously. (Item #10)

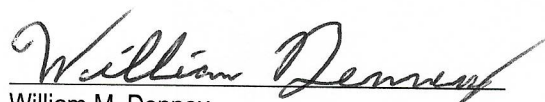
BILLS & TREASURER'S REPORT: *February 2021 Bills Paid and Report.* Trustee Tieman made a motion to approve the bills and treasurer's report, Trustee Maynard seconded the motion, and upon vote of Trustees Smaga, Tieman, Maynard and Mitchell all voting "aye" the motion carried unanimously. (Item #11)

ADJOURNMENT: Mayor Denney requested an update from Jubal Hall, Public Works Supervisor on the sludge press. At this time, he has nothing to report and Trustee Smaga requested that he give some input at the meeting on the 19th at the water plant. Mayor Denney stood for a motion to adjourn the meeting of March 9, 2021, Trustee Mitchell made such motion, Trustee Maynard seconded the motion, and the meeting was adjourned at 7:26 p.m. (Item #12)

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Regular Council Meeting
March 9, 2021




Barbara K. Garcia, CPO
Village Clerk/Treasurer


William M. Denney
Mayor