

## VILLAGE OF CLOUDCROFT

Minutes of the Regular Council Meeting of the Governing Body for the Village of Cloudcroft held on Tuesday, May 11, 2021 at 6:00 p.m., in the Village Council Chambers, 201 Burro Avenue, Cloudcroft.

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

Present/absent:

- Mayor – William M. Denney – present
- Trustee – Bruce Smaga - present
- Trustee – John Tieman - present
- Trustee – James Maynard – present
- Trustee – George Mitchell – present

The following attendees were present at the Village Council Chambers: Barbara K. Garcia, Village Clerk/Treasurer, Kevin Summers, Chief of Police; Jubal Hall, VOC Public Works; Judge Dustin Wiley, VOC Courts, Gilbert Garcia, self; Erich Wuerschling, VOC; Michael Adams, Ski Cloudcroft; Jessica Beach, self; Donald Wiklund, James Sewell Ice Rink; Linda Meyer, self; Anthony Courvoisier, VOC Public Works; Gail McCoy, self; Grover Sterling, self, Tom Blessum; P&Z. (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 of the Regular Meeting of May 11, 2021, Trustee Maynard made such motion to approve as written, Trustee Tieman 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 Special Meeting of April 27, 2021. Mayor Denney called on Trustee Tieman who requested an amendment to the Minutes of April 27, 2021 to reflect the time as 4:00 p.m. Mayor Denney entertained a motion to approve the minutes as amended, Trustee Smaga 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 #4)

**Announcements/Discussion:** *Resolution #2021.08 Acceptance & Approval FY 2019-2020 Audit Cloudcroft Audit Report as presented by Axiom – Jaime Rumbaoa*

Francisco Teran Rascon joined the meeting virtually via Zoom and presented the FY 2019-2020 Audit. A Review of the financials was performed along with discussion on the two repeat findings. All board members were advised findings were insignificant and asked for questions. After no questions, the exit interview was concluded. Trustee Tieman made a motion to approve Resolution #2020.08 Acceptance & Approval FY 2019-2020 Audit, Trustee Maynard 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 #5)

**Mayor’s Report: Resignation of Tom Lea from P&Z Commission,** Mayor Denney advised that Mr. Lea had given his resignation from the planning and zoning commission which now left two openings on P&Z and one on the Library Board. He advised that he had received letters of interest and that his recommendation to the governing body was Jessica Beach and Mark Tatum be appointed to serve on the P&Z commission. Trustee Smaga made a motion to appoint both Ms. Beach and Mr. Tatum to the P& Z commission, Trustee Tieman seconded the motion and upon vote of Trustees Smaga, Tieman, Maynard and Mitchell all voting “aye: the motion carried unanimously.

*Creation of Committee to review Large Balance Water Bills due to 10% Late Fee:* Mayor Denney advised that he would like to create a committee to review the 10% late fee that is being assessed on utility bills. The committee will give input on the ordinance and its intent and resulting balances due to Auditor’s Interpretation and go on to review the full water ordinance to provide recommendations. Trustee Maynard and Smaga both agreed to assist with the help of staff a date will be set for the first meeting.

*Preliminary Discussion for ICIP FY 2023-2027.* Trustees were provided packets of the 2022-2026 ICIP Submission and asked to review for remaining projects prioritization and new input for the upcoming submission date in September 2021. (Item #6)

**Reports: Report Ski Cloudcroft License – Jeremy & Michael Adams:** Michael reported that they have been working on the tubing hill area and seeding for erosion control. The mSnow tubing lanes have been ordered and they are hoping for install prior to July 4. They will be opening the restaurant for the summer months. Mayor advised that the summer tubing lanes be placed on Exhibit C of the lease to show that 32 Degrees North, LLC own.

*Police – Chief Summers* advised that at the Chiefs conference they were advised that a workshop is needed to review the Qualified Immunity that will go into effect on July 1, 2021 and it will require policy changes. A meeting was set for May 25, 2021 at 4:00 p.m.

*Wells & Springs – Mr. Courvoisier* explained that two major leaks had been found here in town and have been repaired. This allowed the wells to be switched to auto and well two came back. Statewide drilling came out two days ago and pulled the pump and cleaned, however this did not help in the production of the well. The pump will be downgraded so that it is not out pumping the flow of the water. Discussion ensued on the depth of the wells and the plan going forward to maintain pumps and wells on a normal cycle and plans for water shortage throughout the summer months. The public was advised that their efforts could be seen in water conservation but at this time we will stay at water level 3 restrictions and work to find water elsewhere. Jubal will be calling Rural Water Association for assistance. Currently out of 13 springs the Village has 5 that are offline.

Trustee Maynard made a motion to approve the reports, Trustee Mitchell seconded the motion and upon vote of Trustees Smaga, Tieman, Maynard and Mitchell all voting “aye” the motion carried unanimously. (Item #7)

**Unfinished Business:** Nothing to discuss (Item #8)

**New Business: Approval for Renewal of CLOC annual license** - License was not renewed last year Due to Covid-19. Nothing new is needed in the license other than a change of date. Trustee Smaga made a motion to renew the license between Village of Cloudcroft and CLOC as written, Trustee Maynard seconded the motion and upon vote of Trustees Smaga, Tieman, Maynard and Mitchell all voting "aye" the motion carried unanimously.

*Consideration/Approval of recommendation for P&Z commissioner(s). – Approved in Mayors report Continuation of License Agreement for James Sewell Ice Rink. Timeline on demolition and summer events usage* – Mayor Denney confirmed that without a renewal Donald Wiklund will continue as the current license reads. Trustee Smaga questioned if the license was based on a percentage of the GRT's being paid to the Village and was advised no it was a flat fee. It was determined that when a decision is made on the Recreation Grant if a new rink is built it may roll into a lease and would be re-written at that time and done as an Ordinance. Trustee Mitchell made a motion to allow the license to continue as written between Village of Cloudcroft and James Sewell Ice Rink, Trustee Maynard seconded the motion and upon vote of Trustees Smaga, Tieman, Maynard and Mitchell with Trustees Tieman, Maynard and Mitchell voting "Aye" and Trustee Smaga abstaining, the motion passed with 3 for and 1 abstention.

*Recommendation for Approval/Disapproval of Re-Subdivision Application by Cory Herman, in Accordance NMSA3-20-5A. (3) and Village Code 10-3-4 – Presentation by Tom Blessum, P&Z Chair* – Mr. Blessum reviewed the application for subdivision/resubdivision for Cory Herman with land survey provided by Alamotero Land Surveyors, LLC. The recommendation from Planning & Zoning is to grant the request to sub-divide. This is a requirement of the owner's mortgage company. Trustee Mitchell made a motion to approve the application, Trustee Tieman seconded the motion and upon vote of all voting "aye" the motion carried unanimously.

*Resolution 2021.09 FY 21.22 Budget Approval of Interim FY 2021.2022* – Discussion of changes needed for review on road maintenance/rehabilitation and new police vehicle unit. The governing body determined to approve \$100,000 to be added to the interim budget with \$25,000 for police unit and \$75,000 for road maintenance. 50% will come from Fund 100 General Fund and 50% will come From Fund 110 General Fund Emergency Reserves. Mayor Denney stood for a motion, Trustee Smaga made such motion to approve changes, Trustee Maynard 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.

*Resolution 2021.10 Regular Election Municipal Resolution* – Clerk advised this will be sent to the County Clerk for the November local election to advise of the positions that will need to be on the ballot for the Municipal Election. Trustee Smaga made a motion to approve Resolution 2021.10 with a revision of the word "Count" to County, 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.

*Proposed amendment to Ordinance 354-1/12/2010 – Chapter 6, 1-6-3 – DMV Administrative Fees*

Mayor Denney explained that this was the administrative fee of \$5.00 that we charge. Research has been done that shows that other contractors are charging \$35.00. Trustee Tieman made a motion to raise the convenience fee to \$10.00 per transaction, Trustee Maynard seconded the and with no further discussion a roll call vote was taken.

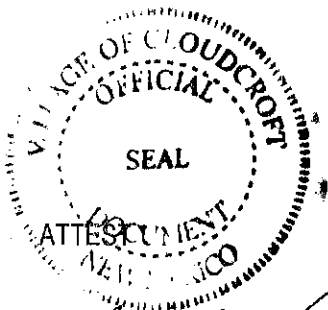
- Trustee Smaga - Aye
- Trustee Tieman – Aye
- Trustee Maynard – Aye
- Trustee Mitchell – Aye

The motion carries unanimously. (Item #9)

**Bills & Treasurer’s Report:** *Acknowledgment April 2021 Bills Paid and Report;* Mayor Denney entertained a motion to acknowledge the bills and treasury report for April 2021. Trustee Mitchell made such motion, Trustee Maynard seconded, and upon vote of Trustees Smaga, Tieman, Maynard and Mitchell all voting “aye” the motion carried unanimously.

**Adjournment:** Mayor Denney entertained a motion to adjourn the Regular Council Meeting of May 11, 2021. Trustee Mitchell made such motion, Trustee Maynard seconded and upon vote of Trustees Smaga, Tieman, Maynard and Mitchell all voting “aye” the motion carried unanimously. Adjourned at 8:18 p.m.

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Regular Council Meeting  
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*[Handwritten signature of Barbara K. Garcia]*

Barbara K. Garcia, CPO

Village Clerk/Treasurer

*[Handwritten signature of William M. Denney]*

William M. Denney

Mayor