

**VILLAGE OF CLOUDCROFT NM
OTERO COUNTY
REGULAR MEETING GOVERNING BODY
OCTOBER 12, 2021**

Minutes of the Regular Council Meeting of the Governing Body for the Village of Cloudcroft, held on Tuesday, October 12, 2021, 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 / Mayor William Denney – present
Trustee / Mayor Pro-Tem Tieman - present
Trustee – Jim Maynard – present
Trustee – George Mitchell – present
Trustee – Bruce Smaga – present via teleconference

The following Village staff and guests were present: Barbara K. Garcia, Clerk; Tom Blessum, P&Z, Attorney Jefferson Rhodes; Grover Sterling, self; Jubal Hall, VOC Public Works, Penny Hall, VOC Fire/EMS; Gail K. McCoy, self; Erich Wuersching, VOC Fire/EMS; Tom Battle, company; Matt Willett, self; Michael Adams, 32 Degrees North (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 Meeting of October 12, 2021. Trustee Maynard made a motion to approve as written, Trustee Mitchell seconded the motion and upon vote of Trustees Tieman, Maynard, Mitchell and Smaga all voting "aye" the motion carried unanimously. (Item #3)

APPROVAL OF MINUTES:

Mayor Denney entertained a motion to approve the Minutes of the Regular Meeting of the Governing Body September 14, 2021. Trustee Maynard made such motion to approve as written, Trustee Tieman seconded the motion and upon vote of Trustees Tieman, Maynard, Mitchell and Smaga all voting "aye" the motion carried unanimously. (Item #4)

ANOUNCEMENTS/DISCUSSION:

Library Board Member – Mayor Denney announced that we are still requesting letters of interest for serving two-year term.
Planning & Zoning Members – Current members, letter of interest to remain on the board and anyone wishing to serve. Provide letters to either Clerk or Mayor. Trustee Maynard requested the Ordinance be reviewed for terms of elections and appointments. (Item #5)

MAYORS REPORT: Mayor Denney advised Tim Baggerly has been appointed to serve on the Library Board. (Item #6)

REPORTS:

Report Ski Cloudcroft License – Jeremy & Michael Adams – The clerk advised the governing body that the trailer house has been demolished and the pictures have been sent to the tax assessors office to have removed from the VOC register. After review of the written report, the board approved the addition of lights and 8x12 portable building at the bottom of the tubing hill to house the transformer, conveyor cover and other tubing hill equipment, and to be added to Schedule C as Lessee property.

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Cloudcroft Water Stabilization – Jubal Hall advised that we have now stabilized, and wells and springs are doing well. Pumps are turning on and off and we are at 85 to 90 gpm. Meters have all been checked and are in working order. There was a water main break on Sugar Pine that they are getting an estimate of water loss on for reporting.

Treasurers Report – Clerk explained a new report that the governing body will see monthly. This report will be given to allow the governing body to see the cash balance reported showing the encumbered funds. Mayor Denney called for a motion to approve the reports, Trustee Maynard made such motion, Trustee Mitchell seconded and with further discussion to request that the encumbered funds be updated monthly, and an explanation for cost of ammunition for the Police department. An update on 113 Swallow was provided by the Chief of Police. With no further discussion, upon vote of Trustee Tieman, Maynard, Mitchell and Smaga all voting “aye” the motion carried unanimously. (Item #7)

UNFINISHED BUSINESS: *Adoption of Ordinance 394 regulating Cannabis and Cannabis Establishments – New Title 3 Chapter 8.* Trustee Maynard discussed the signage in the ordinance and requested that it be deleted as this is covered in the Sign Ordinance. Trustee was advised by the Village Attorney that it is very common to cross reference and provide more information. The Village has the regulatory authority to place restrictions that are not in the overall Sign Ordinance. Trustee Maynard questioned the hours of operation, he stated that it had been agreed to match the State Alcohol Package Legislation instead of setting hard hours. Attorney Rhodes stated that the wording in the Ordinance 394 was more restrictive. The ordinance is covering package, retail and consumption. Attorney Rhodes advised that if changes were to be made at this time, the motion would need to be specific. The clerk advised that the proposed ordinance was published on 9/21/2021 as it currently stands for adoption. Trustee Maynard made a motion to Adopt Ordinance 394 an Ordinance regulating Cannabis and Cannabis Establishments in Accordance with the Cannabis Regulation Act adopting a New Title 3 Chapter 8, by title and general subject matter. Trustee Tieman 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
- Mayor Denney - Aye

The motion carries unanimously. (Item #8)

NEW BUSINESS:

Confirmation of Full Time Employment and removal from six-month conditional employment for Jessica Mallet.

Motion to confirm full time employment and remove Jessica from conditional employment was made by Trustee Tieman, seconded by Trustee Mitchell and upon vote of Trustees Tieman, Maynard, Mitchell and Smaga all voting “aye” the motion carried unanimously.

Confirmation of conditional employment with the VOC PD – Officer Kurt Felix. Reasonable response time was confirmed based on address. Trustee Maynard made a motion to confirm conditional employment for VOC PD, Officer Kurt Felix. Trustee Tieman seconded the motion and upon vote of Trustees Tieman, Maynard, Mitchell and Smaga all voting “aye” the motion carried unanimously.

Approval of update to VOC Employee Handbook. A copy of the pages for proposed changes was provided. Clerk advised governing body of the proposed changes. Discussion ensued. Recommendations were made on dates and amounts of vacation to be allowed for buy back and verbiage to utilize. Vacation will be sold back to Village twice a year in May and December up to 20 hours during each month on approval. The governing body will make the decision at May council meeting. Trustee Maynard would like to have the entire handbook reviewed and rewritten. Trustee Tieman made a motion to accept the changes to the employee handbook, Trustee Mitchell seconded the motion and upon vote of Trustee Tieman, Maynard, Mitchell and Smaga all voting “aye” the motion carried unanimously.

Approval Open Meetings Act Governing Body Resolution No. 2021.22. Trustee Maynard made a motion to approve Resolution No. 2021.22, 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
- Mayor Denney - Aye

The motion carries unanimously.

Approval Resolution No. 2021.23 FY 21.22 First Quarter Budget Adjustments. The clerk reviewed all increases, decreases, and transfers. Trustee Mitchell made a motion to adopt Resolution No. 2021.23 as written, 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
- Mayor Denney - Aye

The motion carries unanimously. (Item 9)

STATEMENT OF REVENUES AND EXPENDITURES

Acknowledgment September 2021 to date expenditures. Trustee Mitchell made a motion to approve the September 2021 expenditures as submitted, Trustee Tieman seconded and upon vote of Trustees Tieman, Maynard, Mitchell and Smaga all voting "aye" the motion carried unanimously. (Item #10)

ADJOURNMENT

Trustee Mitchell made a motion to adjourn the meeting, Trustee Tieman seconded the motion and upon vote of Trustees Tieman, Maynard, Mitchell and Smaga all voting "aye" the motion carried unanimously. Meeting adjourned at 7:44 pm. (Item #11)




ATTEST



Barbara K. Garcia, CPO
Clerk/Treasurer

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William Denney
Mayor