

**VILLAGE OF CLOUDCROFT NM
OTERO COUNTY
REGULAR MEETING GOVERNING BODY
NOVEMBER 9, 2021**

Minutes of the Regular Council Meeting of the Governing Body for the Village of Cloudcroft, held on Tuesday, November 9, 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; , Attorney Jefferson Rhodes; Grover Sterling, self; Gilbert Garcia, self; Gail McCoy, self; Karl Campbell, Cabins at Cloudcroft; Laura McDermott, Cabins at Cloudcroft; Jason Austin, self; Mike Woodson, self; Tom Taylor, self; Jubal Hall, VOC Public Works, Erich Wuersching, VOC Fire/EMS; Tom Battle, company; Matt Willett, self; Michael Adams, 32 Degrees North; Tom Blessum, P&Z, Jessica Beach, self; Donald Wiklund, Ice Rink; (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 November 9, 2021. Trustee Tieman made a motion to approve as written, Trustee Mitchell seconded the motion and with further discussion Trustee Maynard would like a point of order; to have the appointment of Fire Chief and Deputy Fire Chief placed on the December agenda as Mayors are to nominate not to confirm. 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 October 12, 2021, and Special Meeting of Governing Body October 26, 2021. Trustee Maynard made such motion to approve both meeting minutes 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 #4)

ANNOUNCEMENTS/DISCUSSION:

Public Hearing on Nov. 16, 2021, at 5:00pm – Request to Zone 202 & 204 James Cyn Hwy as C-7 (Vehicle Fueling Stations) – Justin & Marianne Munoz will be presenting, please attend.

ICIP #1 request for the Henshaw property for water rights will have to be deleted as the project is no longer available due to a deposit put on the property. Mrs. Turri advised that the ICIP will still have five (5) requests they will just be moved up. The #1 request was specific to the property. Mrs. Turri passed out the informational packets for the November 16, 2021, meeting. Mayor Denney appointed Erich Wuersching as Fire Chief and Jubal Hall as Deputy Fire Chief and stated it would be on the December agenda for confirmation of the appointment by the Governing Body.
(Item #5)

MAYORS REPORT: Mayor Denney included with announcements. (Item #6)

Page 1 of 3
Regular Meeting
November 9, 2021

REPORTS:

Report Ski Cloudcroft License – Jeremy & Michael Adams – Advised that each brake on the lift was individually checked and that everything went well, passed insurance inspections.

Treasurers Report – Clerk explained that a few of the reporting numbers were off due to summation and that she would correct. Also brought to the attention of the GB that in the July 20 2021 Special Meeting an overage of \$23,626.61 was approved for the Senior Center Addition – CDGB, CDGB has that we are going to be over \$29,995.75 and they would like to see where this is pledged from. Minutes reflect that the GB will advise where to move from. Mrs. Turri and Clerk will work to get an accurate number and GB should advise where they would like funds to be transferred from. Trustee Mitchell made a motion to accept the reports as written, Trustee Tieman seconded and upon vote of Trustee Tieman, Maynard, Mitchell and Smaga all voting "aye" the motion carried unanimously. (Item #7)

UNFINISHED BUSINESS: None (Item #8)

NEW BUSINESS:

Questions concerning current Cannabis Ordinance – Matt Willett

Mr. Willett discussed the need for a variance and change in distance set by the ordinance. He requested that the distance be changed to 100 feet, and to add the ability to apply for a variance. Mayor Denney brought up signage and hours of operation. Mayor Denney directed Attorney Rhodes to amend the ordinance to include amendment to all addressed and clerk to have on the agenda for the December board meeting.

Questions/Update request concerning Recreational Grant – Multi Use Facility – Tom Taylor

Mayor Denney gave an update to the project. Mr. Taylor questioned the size and use; Mayor Denney advised a pavilion with a large slab without encroaching on the park further. We will wait for the architects' design and a new update will be given at that time.

Nomination of P&Z Board Members

Mayor Denney advised that we have staggered the terms to the following appointments.

Tom Blessum, Tabitha Foster, Nathan Tompkins for a one (1) year term. Mark Tatum and Jessica Beach for a two (2) year term. Mayor Denney advised that he has an ad hoc member to nominate also, as we have one (1) additional applicant. David Bradshaw would be placed as a non-voting member for a two (2) year term and would then be able to step up if there are any losses to the board. Attorney Rhodes confirmed this would not be a violation of the policy. Trustee Tieman made a motion to accept the nominations and terms as stated, Trustee Mitchell seconded the motion and with further discussion from Trustee Maynard requesting to amend the motion to appointment the current members at terms stated with no further ad hoc member being added. Mayor Denney confirmed the requested amended motion, called for a second and upon having no second, amendment dies. Original motion carries 3 to 1: Trustee Tieman – AYE, Trustee Mitchell – AYE, Trustee Smaga – AYE, Trustee Maynard - NO

Review of Title 2, Chapter 1 Planning & Zoning Commission – Trustee Maynard

Trustee Maynard would like to move the Village appointments to match the state election cycle and staggered terms. Mayor Denney directed Attorney Rhodes to rewrite Title 2, Chapter 1 P&Z Zoning Commission to adjust to allow new board to nominate and confirm.

Recommendation to award RFP 2021.02 PURL Water Project Completion

Procurement Officer made recommendation to award RFP 2021.02 PURL Water Project Completion to CDM Smith Inc. based on evaluation committee scores. Trustee Tieman made a motion to award RFP 2021.02 to CDM Smith Inc., 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.

Reviewed proposed Ordinance 395 Public Safety Division and Recreating EMS

Discussion regarding proposed Ordinance ensued with Trustees, Fire Chief and Police Chief. Trustee Tieman made a motion to disband the ambulance and run a rescue service only. Attorney Rhodes advised to strike the motion from record as that is not on the agenda. Trustee Smaga made a motion to accept the proposed ordinance 395 with Sunset Clause of one (1) year from day of enactment. Trustee Tieman seconded the motion and with no further discussion a roll call vote was taken

- Trustee Smaga - Aye
- Trustee Tieman – Aye
- Trustee Maynard – No
- Trustee Mitchell – No
- Mayor Denney - Aye

The motion carries 3 to 2 with Mayor Denney voting to break the tie.

Village Code Title 7 – Utilities, Public Ways and Property, Chapters 1, 2, & 3

On agenda as recurring, a workshop is scheduled for the 17th of November to continue review of Ordinance.

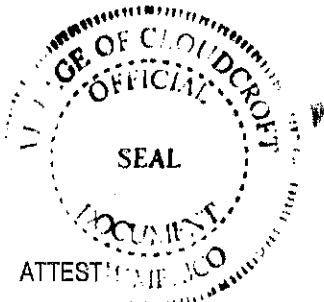
Approval of Records Destruction per NMLL Retention Schedule – 2021.005 Trustee Tieman made a motion to approve the destruction of records per NMLL Retention Schedule 2021.005, Trustee Smaga seconded and upon vote of Trustees Tieman, Maynard, Mitchell and Smaga all voting "aye" the motion carried unanimously. (Item #9)

STATEMENT OF REVENUES AND EXPENDITURES

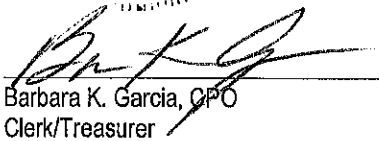
Acknowledgment October 2021 to date expenditures. Trustee Mitchell made a motion to approve the October 2021 expenditures as submitted, Trustee Smaga seconded and upon vote of Trustees Tieman, Maynard, Mitchell and Smaga all voting "aye" the motion carried unanimously. (Item #10)

ADJOURNMENT

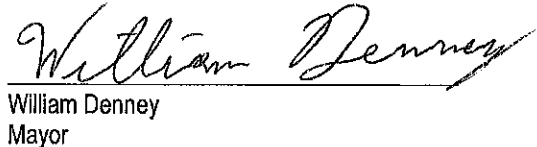
Trustee Mitchell made a motion to adjourn the meeting, Trustee Tieman seconded the motion and upon vote of Trustees Tieman, Maynard, Mitchell and Smaga all voting "aye" the motion carried unanimously. Meeting adjourned at 8:23 pm. (Item #11)



ATTEST:


Barbara K. Garcia, CPO
Clerk/Treasurer

Page 3 of 3
Regular Meeting
November 9, 2021


William Denney
Mayor