

**VILLAGE OF CLOUDCROFT, NM**  
**OTERO COUNTY**  
**REGULAR MEETING GOVERNING BODY**  
**February 8, 2022**

Minutes of the Regular Council Meeting of the Governing Body for the Village of Cloudcroft, held on Tuesday, February 8, 2022, 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 – Gail McCoy - present

The following Village staff and guests were present: Jini S. Turri, Deputy Clerk; Attorney Jeff Rhodes; Jubal Hall, VOC Public Works; Kevin Summers, Police Chief; Erich Wuerschling, Fire Chief; Grover Sterling; Philip Masters; Matt Willett; Andy Anderson; Tom Blessum; Jim Miller; Nicole Widmir; John Battle; Tom Taylor; Dylan Scott; Destin Scott and Gabby C. Apodaca. (Item #1)

The pledge of allegiance to the US and NM flags was led by Mayor Denney.

**1. APPROVAL OF AGENDA:**

A. Approval of the Agenda for the Regular Meeting of February 8, 2022. Trustee Tieman made a motion to approve as written, Trustee Mitchell seconded the motion. Vote as follows: Trustee Tieman, for; Trustee Mitchell, for; Trustee Maynard, for; and Trustee McCoy, for. **Motion carried unanimously.**

**2. APPROVAL OF MINUTES:**

A. Regular Council Meeting of January 11, 2022; Governing Body Work Session of January 18, 2022; and Governing Body Special Meeting of January 25, 2022.

B. Trustee Maynard made a motion to approve all minutes as written, Trustee Mitchell seconded the motion. Vote as follows: Trustee Maynard, for; Trustee Mitchell, for; Trustee Tieman, for; and Trustee McCoy, for. **Motion carried unanimously**

**3 & 4. ANNOUNCEMENTS/DISCUSSION/MAYORS REPORT:**

A. The Mayor announced that Cloudfcroft Police Officer, Kurt Felix submitted his resignation.

**5. REPORTS:**

A. The following reports were presented to the Governing Body: Ski Cloudfcroft, Judicial, Police, Library, Wells & Springs, Water Usage/Production, EMS/Fire, Maintenance, Projects, GRT, Lodger's Tax and Check Register for January 2022.

B. Trustee Mitchell made a motion to approve all reports, Trustee Tieman seconded the motion. Vote as follows: Trustee Mitchell for; Trustee Tieman, for; Trustee Maynard, for; and Trustee McCoy, for. **Motion carried unanimously.**

**6. UNFINISHED BUSINESS:**

A. Discussion/Action – Publication of Proposed Ordinance No. 395, Title 1, Chapter 7, Fire/EMS/PD by Title and General Subject Matter.

B. The Governing Body reviewed the Proposed Ordinance submitted.

C. Trustee Tieman made a motion for the Village Attorney to publish Proposed Ordinance No. 395 by Title and General Subject Matter, Trustee Mitchell seconded the motion. Vote as follows: Trustee Tieman for; Trustee Mitchell for; Trustee Maynard, for; and Trustee McCoy, for. **Motion carried unanimously.**

**7. NEW BUSINESS:**

A. Discussion/Action – Proposal from Stantec Engineering for a 5-year Road Maintenance Plan.

a. Gabby C. Apodaca made presentation of a Proposal to develop a 5-Year Road Maintenance Plan for the Village of Cloudfcroft. The cost of the Proposal was \$32,423.22.

b. After detailed discussion between members of the Governing Body and Ms. Apodaca, Trustee Maynard made a motion that action on the issue be postponed pending Stantec providing additional information regarding the tasks noted in the Proposal and an example of a report showing similar services to other communities. Trustee Mitchell seconded the motion. Vote as follows: Trustee Maynard for; Trustee Mitchell for; Trustee Tieman, for; and Trustee McCoy, for. **Motion carried unanimously.**

c. Trustee Tieman made an additional motion that a Special Meeting be set to review the information once received. Trustee Mitchell seconded the motion. Vote as follows: Trustee Tieman for; Trustee Mitchell for; Trustee Maynard, for; and Trustee McCoy, for. **Motion carried unanimously.**

B. Discussion/Action – Recommendation of P&Z to Approve Variance Request No. RV-2022-01, David & Shirley Christiansen, 605-607 Squirrel.

a. Trustee Tieman made a motion to approve Variance Request No. RV-22-01 contingent on the re-plat of the two lots into one, Trustee Mitchell seconded the motion. Roll Call Vote as follows; Trustee Tieman for; Trustee Mitchell for; Trustee Maynard, for; and Trustee McCoy, for. **Motion carried unanimously.**

C. Discussion/Action – Clarification of Intent to Use Multiple Zones Simultaneously for One Lot, Pertaining to Proposed Cannabis Retail Establishment to be Located at 102 Mexican Ave.

a. Trustee Mitchell made a motion to approve current zoning of the property for the establishment of a cannabis retail facility and to approve the Notice of Verification and Compliance for CCC Holdings as submitted by the Planning & Zoning Commission. Trustee Tieman seconded the motion. Vote as follows: Trustee Mitchell for; Trustee Tieman for; Trustee Maynard, for; and Trustee McCoy, for. **Motion carried unanimously.**

D. Discussion/Action – Approve Cannabis Establishment Permit – CCC Holdings – 102 Mexican Ave. – Unit 420.

a. Trustee Tieman made a motion to approve the Permit Application for a Cannabis Retail Establishment at 102 Mexican Ave., for CCC Holdings, pending receipt of State License. Trustee Mitchell seconded the motion. Vote as follows: Trustee Tieman for; Trustee Mitchell for; Trustee Maynard, for; and Trustee McCoy, for. **Motion carried unanimously.**

E. Discussion/Action – Approve Cannabis Establishment Permit – Laughing Leaf Dispensary – 504 Burro Ave.

a. Trustee Maynard made a motion to approve the Permit Application for a Cannabis Retail Establishment at 504 Burro for Laughing Leaf Dispensary. Trustee Mitchell seconded the motion. Vote as follows: Trustee Maynard for; Trustee Mitchell for; Trustee Tieman, for; and Trustee McCoy, for. **Motion carried unanimously.**

b. Trustee Maynard made an amendment to the motion to include approval upon the receipt of the State License. Trustee Tieman seconded the motion. Vote as follows: Trustee Maynard for; Trustee Tieman for; Trustee Mitchell, for; and Trustee McCoy, for. **Motion carried unanimously.**

F. Discussion/Action – Renewal of Special Use Permits for: the Cook Caboose, Abby's Pie Shack and, Woodcrafts of NM, located at 96 James Cyn Hwy.

a. Trustee Maynard made a motion to approve renewal of the Special Use Permits. Trustee Mitchell seconded the motion. Vote as follows: Trustee Maynard for; Trustee Mitchell for; Trustee Tieman, for; and Trustee McCoy, for. **Motion carried unanimously.**

G. Discussion/Action –Renewal of Special Use Permit for Mad Jacks Mountain Top Barbecue, located at 105 James Cyn Hwy.

a. Trustee Maynard made a motion to approve renewal of the Special Use Permit. Trustee Mitchell seconded the motion. Vote as follows: Trustee Maynard for; Trustee Mitchell for; Trustee Tieman, for; and Trustee McCoy, for. **Motion carried unanimously.**

At 8:15 p.m., Trustee Maynard made a motion for a five-minute recess, Trustee Mitchell seconded the motion. Vote as follows: Trustee Maynard for; Trustee Mitchell for; Trustee Maynard for; and Trustee McCoy for. **Motion carried unanimously.**

At 8:20 p.m., Mayor Denney reconvened the meeting.

I. Discussion/Action – Recommendation to Increase Pay by \$.50 hourly Water/WasteWater Operators, Anthony Courvoisier and Scott Powell.

a. Trustee Maynard made a motion to approve the pay increases for Anthony Courvoisier and Scott Powell. Trustee Mitchell seconded the motion. Vote as follows: Trustee Maynard for; Trustee Mitchell for; Trustee Tieman, for; and Trustee McCoy, for. **Motion carried unanimously.**

J. Discussion/Action – Approval of Personal Services Contract between VOC Fire Dept. and Noemi Smith.

a. Fire Chief, Erich Wuersching presented a Personal Services Contract to the Governing Body for Philip Masters as a part-time contractor to perform Fire Pre-Plan assessments on 10 commercial businesses within the Village of Cloudfcroft, at the cost of \$50 a business. The contract presented showed that the fee would be paid upon completion of the Pre-Plans. Chief Wuersching asked that the Contract be amended to pay 75% up front and the remaining 25% upon completion. There was detailed discussion that the Contract shows Noemi R. Smith as the Contractor, not Philip Masters.

b. Trustee Mitchell made a motion to change the Contractor's name to Philip Masters and to amend the services rendered portion to 75% up front and 25% upon completion. Trustee Maynard seconded the motion. Vote as follows: Trustee Mitchell for; Trustee Maynard for; Trustee Tieman, for; and Trustee McCoy, for. **Motion carried unanimously.**

K. Discussion/Action – First National Bank in Alamogordo – Resolution by Corporation.

a. Trustee Mitchell made a motion to approve the Resolution. Trustee Maynard seconded the motion. Roll Call Vote as follows: Trustee Mitchell for; Trustee Maynard for; Trustee Tieman, for; and Trustee McCoy, for. **Motion carried unanimously.**

L. Discussion/Action – Consideration for Renewal of License Agreement between VOC and High Canyon Weavers & Spinners Guild.

a. Trustee Mitchell made a motion to approve the License Agreement. Trustee Tieman seconded the motion. Vote as follows: Trustee Mitchell for; Trustee Tieman for; Trustee Maynard, for; and Trustee McCoy, for. **Motion carried unanimously.**

M. Discussion/Action – Resolution No. 2022.02 – Colonias Application for Water Infrastructure Improvements on Sugar Pine Dr., and Resolution No. 2022.03 – Colonias Application for Water Infrastructure Improvements on Curlew Pl. through Corona Ave.

a. Trustee Maynard made a motion to postpone action on the Resolutions pending information regarding whether or not the Village Public Works Dept., can perform the construction on the projects. Trustee Mitchell seconded the motion. Vote as follows: Trustee Maynard for; Trustee Mitchell for; Trustee Tieman, for; and Trustee McCoy, for. **Motion carried unanimously.**

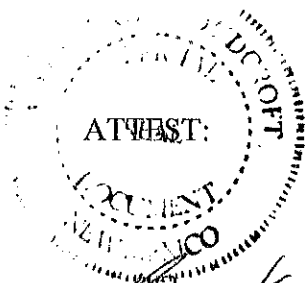
**8. STATEMENT OF REVENUES AND EXPENDITURES:**

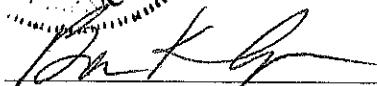
A. Acknowledgement of January, 2022 to date expenditures. Trustee Mitchell made a motion to approve as presented, Trustee Tieman seconded the motion. Vote as follows: Trustee Mitchell, for; Trustee Tieman, for; Trustee Maynard, for; and Trustee McCoy, for. **Motion carried unanimously.**

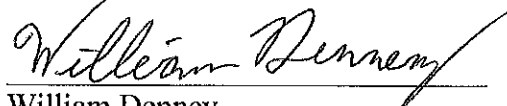
**9. ADJOURNMENT:**

a. Trustee Mitchell made a motion to adjourn the Regular Meeting of February 8, 2022. Trustee Maynard seconded the motion. Vote as follows: Trustee Mitchell, for; Trustee Maynard, for; Trustee Tieman, for; and Trustee McCoy, for. **Motion carried unanimously.**

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Regular Meeting  
February 8, 2022



  
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Jini S. Turri  
Deputy Clerk

  
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William Denney  
Mayor