

**VILLAGE OF CLOUDCROFT NM
OTERO COUNTY
REGULAR COUNCIL MEETING
October 11, 2022**

Minutes of the Regular Council Meeting of the Governing Body for the Village of Cloudcroft, held on Tuesday, October 11, 2022, at 6:00 p.m., in the Village Council Chambers, 201 Burro Avenue, Cloudcroft, NM.

CALL TO ORDER:

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

Present/Absent:

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: Barbara Garcia, Clerk; Shaela Hemphill, Deputy Clerk; Jefferson Rhodes, VOC Attorney; Jubal Hall, Penny Hall, Kevin Summers, Nathan Tompkins, Cindi Bradshaw, Karen Sonnenfelt, Chamber of Commerce; Jessie & Matt Willett, Amy Coor, Tami & Jason Alexander; Maria Tieman, Marty Mills

PLEDGE OF ALLEGIANCE:

The pledge of allegiance to the United States and New Mexico flags was led by Mayor Denney

APPROVAL OF AGENDA:

Trustee Maynard made a motion to approve the agenda of the October 11, 2022, Regular Council Meeting. Trustee Mitchell seconded. Vote as follows: Trustee Tieman, for, Trustee McCoy, for; Trustee Maynard, for; Trustee Mitchell, for. **Motion carried unanimously.**

APPROVAL OF MINUTES:

Work Session of Governing Body, September 7, 2022, Work Session of Governing Body, September 9, 2022, Regular Council of Governing Body, September 13, 2022, Public Hearing of Governing Body, September 20, 2022

Trustee McCoy motioned to approve all minutes as presented with a postponement of the September 7th Work Session until next regular meeting. Trustee Tieman seconded. Vote as follows: Trustee Tieman, for, Trustee McCoy, for; Trustee Maynard, for; Trustee Mitchell, for. **Motion carried unanimously.**

ANNOUNCEMENTS: Mayor Denney announced a Public Hearing of Re-Zone and Special Council meeting set for October 25th at 5 p.m. and a Public Hearing for Conditional Liquor License for New Mexico Adventures, DBA The Lodge at Cloudcroft and BW Gas and Convenience, DBA Allsup's # 102143 set for November 8th at 5:00 p.m. There were no open discussion signees, none called.

MAYOR'S REPORT: No report

REPORTS:

Trustee Maynard addressed the project coordinator report and his concerns that the project for the Police Building start of preparation to go out to bid where not being performed to the fullest and provided documentation to the council and staff member on how it should proceed. Called in to question where the credentials of the proposed contractor and the need to ensure that credentials were appropriate to what the ask was. Mayor Denney advised that this was a report, and that all due diligence would be performed and checked before the next action was taken, we are in planning phase at this time and Mr. Carrizal is working through the projects. Trustee Mitchell made an objection to the base course that is being utilized on the roads and stated there must be another way to fix the roads without spending thousands of dollars to wash away at the next rain, he would like to have research done on using larger rocks and or chip seal sprayed over what is put down to give longer adhesion. He will not acknowledge any further expenditure for this type of work. Trustee Maynard made a motion to approve the reports as presented. Trustee Tieman seconded. Vote as follows: Trustee Tieman, for, Trustee McCoy, for; Trustee Maynard, for; Trustee Mitchell, against. **Motion carried three (3) to four (4)**

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NEW BUSINESS:

Quarterly Update by Chamber of Commerce – Cindi Bradshaw, Karen Sonnenfelt

A review of the standing of members was given and for this fiscal year the number is currently only down by seven (7) members at this stage, so they are continuing to focus on increasing and showing the success in members that have joined under the new changes that are being brought. New website with analytics on all social media platforms was provided. The chamber has three (3) asks from the Village to assist them.

1. Would like a directional sign to point to business section of Burro Ave.
2. Report on full lodgers' tax collected
3. Other vendors working with Lodgers Tax funds

Clerk advised she will touch base with Chamber to get clear concise direction on what they are looking for.

Confirmation of hire – Public Works, Jerry Parnell

Trustee Maynard made a motion to approve confirmation of full-time employment at rate of pay provided. Trustee Mitchell seconded. Vote as follows: Trustee Tieman, for, Trustee McCoy, for; Trustee Maynard, for; Trustee Mitchell, for. **Motion carried unanimously**

Approval of Final Plans for Allsup's with recommendation of P&Z – Nathan Tompkins

Nathan Tompkins, P&Z Chair made the recommendation to move forward with plans provided by BW & Gas Retailers, Allsup's. All requested changes have been satisfactory. Trustee Maynard questioned if parking was sufficient for the Future Real Estate building adjacent to Allsup's and was advised that the plan in discussion was for Allsup's and that they have met the code for parking and were not required to ensure parking not on their property. Trustee Tieman made a motion to approve recommendation of the P&Z commission. Trustee Maynard seconded, and with no further discussion a roll call vote was taken.

- Trustee McCoy - Aye
- Trustee Tieman – Aye
- Trustee Maynard – Aye
- Trustee Mitchell – Aye

The motion carries unanimously.

Resolution 2022.18 Open Meetings Act

Mayor Denney advised this was our resolution for continuation of Open Meetings Act for the year. Trustee Maynard made a motion to approve Resolution 2022.18. Trustee Mitchell seconded, and with no further discussion a roll call vote was taken.

- Trustee McCoy - Aye
- Trustee Tieman – Aye
- Trustee Maynard – Aye
- Trustee Mitchell – Aye

The motion carries unanimously.

Records Destruction 2022.01

Clerk provided records destruction 2022.01 with Records of Certificate and full documentation of the records to be destroyed following the New Mexico Municipal League Retention Schedule adopted by the Village of Cloudcroft via Resolution 2018.16. Trustee Tieman made a motion to approve destruction. Trustee Mitchell seconded. Vote as follows: Trustee Tieman, for, Trustee McCoy, for; Trustee Maynard, for; Trustee Mitchell, for. **Motion carried unanimously**

Approval of Findings of Facts & Conclusions of Law & Judgements for Zoning Request – CZR#2022.01, Apache Peak, LLC.

Trustee Maynard made a motion to approve Findings of Facts, Conclusions of Law and Judgement for Zoning Request CZR 2022.01 Apache Peak, LLC. Trustee Mitchell seconded. Vote as follows: Trustee Tieman, for, Trustee McCoy, for; Trustee Maynard, for; Trustee Mitchell, for. **Motion carried unanimously**

EXECUTIVE SESSION:

*Per NMSA 10-15-1.H (2) Limited Personnel Matters – Administrative Leave As to a Particular Public Works Employee
Recess into closed session in compliance with Limited Personnel Matters §10-15-1.H (2)*

Mayor William Denney called for a motion to adjourn to Executive Session to discuss confidential materials concerning Administrative Leave as to a particular Public Works Employee. Trustee Mitchell made such motion, Trustee Tieman seconded motion and with no further discussion a roll call vote was taken;

Trustee McCoy – Aye

Trustee Tieman – Aye

Trustee Maynard – Aye

Trustee Mitchell – Aye

Council recessed into closed session at 6:30 p.m.

RECONVENE INTO OPEN SESSION:

Mayor Denney entertained a motion to adjourn from Executive Session and reconvene into Open Session. Trustee Mitchell made such motion; Trustee Tieman seconded the motion and with no further discussion a roll call vote was taken.

Trustee McCoy – Aye

Trustee Tieman – Aye

Trustee Maynard – Aye

Trustee Mitchell – Aye

Council reconvened into open session at 7:11 p.m.

Statement by Mayor Denney requested that the record reflect that the Governing Body of the Village of Cloudcroft, New Mexico, hereby states that on October 11, 2022, a Closed Executive Session was held, and the matters discussed in the closed meeting were limited only to Administrative Leave as to a Particular Public Works Employee Per NMSA 10-15-1. H (2) as posted on the meeting notice. Mayor Denney noted that no action or votes were taken.

STATEMENT OF REVENUES & EXPENDITURES:

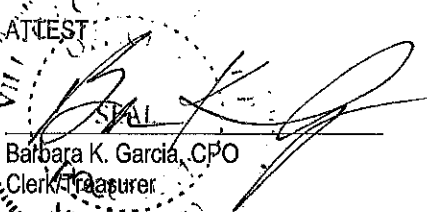
September 2022 to date expenditures. Trustee Tieman made a motion to approve the report. Trustee Maynard seconded. Vote as follows: Trustee Tieman, for, Trustee McCoy, for; Trustee Maynard, for; Trustee Mitchell, against. **Motion carried three (3) to four (4).**

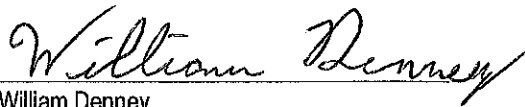
OPEN DISCUSSION:

Marty Mills within the audience requested to address the council prior to adjournment, she was late to the meeting and did not have the opportunity to discuss prior. Mayor Denney acknowledged that she could have the floor, Mrs. Mills requested the road maintenance plan that has been discussed and was advised that the Public Works supervisor had been advised to prepare the plan at the budget cycle work session in March but as to this time we are not in possession. Mrs. Mills expressed concern that a budget could not be properly set for road maintenance if there was no plan in place and requested to know when this would take place and when it would be shared with the citizens? Mayor Denney advised that he review the progress with the Public Works Supervisor and that he would get back with her. She questioned if this would be done by the next budget cycle and shared, she expressed that she would be at the next budget cycle meetings to ensure that we are moving forward and not spending monies that are not appropriately budgeted.

ADJOURN:

Trustee Maynard made a motion to adjourn the Regular Council Meeting of October 11, 2022. Trustee Mitchell seconded. Meeting adjourned at 7:15 pm

ATTEST

Barbara K. Garcia, CPO
Clerk/Treasurer


William Denney
Mayor