

**VILLAGE OF CLOUDCROFT NM  
OTERO COUNTY  
REGULAR COUNCIL MEETING  
April 11, 2023**

Minutes of the Regular Council Meeting of the Governing Body for the Village of Cloudcroft, held on Tuesday, April 11, 2023, 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 6:00 PM with the following Council members providing a full Quorum: Present/Absent:

Mayor William Denney – present  
Trustee / Mayor Pro-Tem Maynard - present  
Trustee – Grover Sterling – present  
Trustee – George Mitchell – present  
Trustee – Gail McCoy – present

The following Village staff and guests were present: Barbara Garcia, Clerk; Kevin Summers, Chief of Police; Vyanca Vega, Michael Adams, Cindi & David Bradshaw, Eric Haecker, Jacque & John Tanis, Linda Hamilton, Penny & Jubal Hall, Kenneth Brown, Elaine Lynch, Paula Merrill, Cary Bell, Lien Kellman, Lori Dell Palacio, Andy Anderson, Karen Sonnenfelt, Adrienne West, Lann Owen, Debra Spear, Matthew Lockner, Jen Lockner, Susan Maynard, Hannah Dean, Dana Dunlap, Lewis Hournbuckle, Brianna Jonnes, Keith Young, Robin Faux, Jim Swagman, Kelley Shaw, Sonnie Hill, Meredith Langford

**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 amend the agenda to have the minutes read "Special Council Meeting of April 3, 2023" and postpone Resolution #2023.07 to the next regular meeting. Trustee Mitchell seconded. Vote as follows: Trustee McCoy, for, Trustee Maynard, for, Trustee Mitchell, for, Trustee Sterling, for. **Motion carried unanimously.**

**APPROVAL OF MINUTES:**

*Special Council Meeting of GB April 3, 2023.* Trustee Maynard motioned to approve the Special Council Meeting of April 3, 2023, minutes as presented. Trustee Sterling readseconded. Vote as follows: Trustee McCoy, for, Trustee Maynard, for, Trustee Mitchell, for, Trustee Sterling, for. **Motion carried unanimously.**

**ANNOUNCEMENTS/OPEN DISCUSSION:**

There will be a Special Meeting of the Council on April 17, 2023, at 3pm, and a Special Meeting of the Council on April 25, 2023, at 4pm. Jacque Tanis requested that the dog park be cleaned more frequently, that there are signs to pick up after your pet, but the dispensers are not being filled with bags and emptied. Mayor advised that now that the snow is gone, they will be checked several times a week.

**REPORTS:**

Mr. Adams with Ski Cloudcroft informed that summer tubing and pizza would start Memorial weekend at the resort. Trustee Mitchell motioned to accept the reports as presented. Trustee Sterling seconded. Vote as

follows: Trustee McCoy, for, Trustee Maynard, for; Trustee Mitchell, for; Trustee Sterling, for. **Motion carried unanimously.**

**NEW BUSINESS:**

*Proclamation – Motorcycle Awareness Month* – Mayor Denney read a proclamation for Motorcycle Awareness Month.

*Sacramento Senior Center Update – Paula Merrill* – Ms. Merrill provided an update on the return to the Cloudcroft Senior Center. They have called for repair of the center refrigerator/freezer, and it should be fixed within the week. After the repair they will continue to move into the facility.

*Quarterly update – Chamber of Commerce – Karen Sonnenfelt* – Keith Kaplan and Karen Sonnenfelt updated the council on the number of in person visitors and chamber members. Ms. Sonnenfelt made a request that the award for lodgers' tax be reviewed and increased by \$10,000 for fiscal year 2024 or the chamber Christmas event would have to be cancelled.

*Legal enforceability of Village Code* – Attorney was not present to discuss, will be moved to the next regular meeting.

*Fire Truck Purchase – Erich Wuersching* – Kenneth Brown presented a 2004 used Pierce Saber 61' Sky Boom used vehicle that the Fire Department is requesting to purchase. The purchase price is \$250,000 with an additional need of \$25,000 needed for transportation of vehicle to Cloudcroft. Ladder 16 will stay as reserve. This purchase will delay the loan payoff that was requested in fiscal year 2023 but will also lead to a higher likelihood of reaching an ISO level 2 rating. Trustee Maynard motioned to approve the purchase of the vehicle. Trustee McCoy seconded. Vote as follows: Trustee McCoy, for, Trustee Maynard, for; Trustee Mitchell, for; Trustee Sterling, for. **Motion carried unanimously.**

*Resolution #2023.06 Authorizing Application for Transportation Project Funds (DOT)* – Ms. Vega informed the council and audience this was for a large portion of the roads in Cloudcroft and that it would be done in phases if the application was accepted. The timeline for the funding could be up to two (2) years and would be in the amount of approximately four million dollars. Trustee Mitchell motioned to approve Resolution # 2023.06. Trustee Sterling seconded. Vote as follows: Trustee McCoy, for, Trustee Maynard, for; Trustee Mitchell, for; Trustee Sterling, for. Roll call vote as follows:

Trustee McCoy – Aye

Trustee Maynard – Aye

Trustee Mitchell – Aye

Trustee Sterling – Aye

For a **unanimous** roll call vote

*Approval Cloudcroft Beerfest Zenith Park, June 3, 2023* – Currently there are six (6) sponsors, six (6) breweries and one (1) winery participating. Twenty-five vendors and four (4) food vendors have signed on. Trustee Maynard advised that he would abstain from voting as he will be participating in the Beerfest. Trustee Mitchell motioned to approve the Special Event Permit. Trustee Sterling seconded. Vote as follows: Trustee McCoy, for, Trustee Mitchell, for; Trustee Sterling, for. **Motion carried with three votes and one abstention.**

*Draft Ordinance Amending Section 1-6-2 Providing for the Video Recording of Public Meetings and Distribution of Such Recordings.* Trustee Sterling explained that upgrades would need to be made to the current sound system at the village and that an expert has been brought in to advise on the needed enhancements. Upgrades should be under \$3,000 and will allow for the chamber to be wired for video and sound. Trustee Mitchell explained that he liked the idea of the council meetings being recorded but did not feel that the village staff should be doing this. His recommendation was for a private individual to do the video broadcast if they choose. Mayor Denney advised that the draft ordinance was still being worked on and the clerk would forward additional information to the attorney to ensure we have covered all aspects.

*Adoption of Proposed Ordinance 402 VOC Municipal Title 2, Chapter 2, Creating a Parks and Recreation Committee, and publication by Title and General Subject Matter* – Trustee McCoy made a motion to approve Ordinance 402 creating a parks and recreation committee. Trustee Maynard seconded. Roll call vote as follows:

Trustee McCoy – Aye

Trustee Maynard – Aye

Trustee Mitchell – Aye

Trustee Sterling – Aye

For a **unanimous** roll call vote

*Special Use Permit – Cook Caboose & Wood Carving Tent* - Trustee Maynard motioned to approve the special use permits for both entities. Trustee Mitchell seconded. Vote as follows: Trustee McCoy, for, Trustee Maynard, for; Trustee Mitchell, for; Trustee Sterling, for. **Motion carried unanimously.**

*Award ITB 2023.02 Construction Hwy 82 to Squirrel Avenue* – Stantec Engineering and Staff made the recommendation to move forward with Mesa Verde low bid of \$258,592.74. Bid will be over construction and engineering costs by \$40,400.09 and council was advised that the overage could be paid out of the state grant of \$94,000.

Trustee Maynard motioned to award the construction contract to Mesa Verde. Trustee Mitchell seconded. Vote as follows: Trustee McCoy, for, Trustee Maynard, for; Trustee Mitchell, for; Trustee Sterling, for. **Motion carried unanimously.**

## **EXECUTIVE SESSION**

*Real Property and Water Rights – Section 10-15-1 (B) – Real Property/Water Acquisition*

Trustee Mitchell made a motion to recess in Executive Session in compliance with Section 10-15-1 (B) – Real Property and Water Rights – Real Property/Water Acquisition at 7:08 pm. Trustee McCoy seconded. Roll call vote as follows:

Trustee McCoy – Aye

Trustee Maynard – Aye

Trustee Mitchell – Aye

Trustee Sterling – Aye

For a **unanimous** roll call vote

Trustee Sterling made a motion to reconvene into Open Session at 7:48 pm. Trustee Mitchell seconded the motion. Roll call vote as follows:

Trustee McCoy – Aye

Trustee Maynard – Aye  
Trustee Mitchell – Aye  
Trustee Sterling – Aye  
For a unanimous roll call vote

**Statement By Mayor**

The Governing Body of the Village of Cloudcroft, New Mexico, hereby states that on April 11, 2023, a Closed Executive Session was held, and the matters discussed in the closed meeting were limited only to Real Property and Water Rights – Water Rights, as posted on the meeting notice. As required by Section 10-15-1 (J) of the Open Meetings Act, let the record of proceedings reflect that there was no action taken during the executive session.

**STATEMENT OF REVENUES & EXPENDITURES:**

*March 2023 expenditures.*

Trustee Mitchell made a motion to acknowledge March 2023 expenditures, Trustee McCoy seconded. Vote as follows: Trustee McCoy, for, Trustee Maynard, for; Trustee Mitchell, for; Trustee Sterling, for. **Motion carried unanimously.**

**ADJOURN:**

Trustee Mitchell made a motion to adjourn the Regular Council Meeting of April 11, 2023. Trustee Maynard seconded. Meeting adjourned at 7:50 pm

ATTEST

  
Barbara K. Garcia  
Clerk

  
William Denney  
Mayor