

**VILLAGE OF CIMARRON
REGULAR COUNCIL MEETING MINUTES
WEDNESDAY, JANUARY 12, 2022, at 6:00pm**

I. Pledge of Allegiance and to the New Mexico State Flag

Mayor Leo Martinez led the Pledge of Allegiance

II. Roll Call

Mayor Leo Martinez Councilor James Gallegos Councilor Ernie LeDoux
Councilor Matthew Gonzales Councilor/Mayor Pro Tem Judy B. LeDoux

III. Approval of Agenda

Councilor James Gallegos moved to amend the agenda item XIV to include add Mayor report to the minutes- after reviewing the agenda it was determined Councilor James Gallegos had meant to amend the minutes not the agenda.

Councilor James Gallegos then motioned to approve the agenda, Councilor Matthew Gonzales asked to amend the agenda to add Council Concerns back to the end of the agenda and to add discussion item performance evaluations to executive session. This item has been asked to be brought back to the Governing Body every year for review.

There was not a second to approve the agenda

Councilor Judy LeDoux moved to approve the agenda of January 12, 2022, with the two amendments of adding Council Concerns to the end of the agenda and annual staff performance evaluations to executive session. Councilor James Gallegos seconded. Approved 4-0

IV. Mayor Leo Martinez Comments

Mayor Leo Martinez thanked everyone for attending the meeting. He also explained he was unable to attend the public hearing on Monday as he had some personal business, he had to attend to. Mayor Leo Martinez submitted a written report. Mayor Leo Martinez congratulated the newly elected Council to the Board.

V. Reorganization of the Governing Body and Staff

a. Selection of Mayor Pro Tem

Mayor Leo Martinez explained his first initial thought was for Councilman Matthew Gonzales to be the Mayor Pro Tem but with his many things he has going on Mayor explained he needs for the Mayor Pro Tem to be more available. His second choice was Councilman James Gallegos in which he explained he is also out of town a lot and would not be always available. Mayor Leo Martinez made the recommendation of Judy B. LeDoux for the Mayor Pro Tem Position as she is the most available to help if issues come up. He also explained he is fully retired now, and he has more time to spend at the Village but there may be times he needs someone to oversee things if he must be gone. Councilor James Gallegos asked Mayor Leo Martinez if he has checked into nepotism laws in New Mexico? Mayor Leo Martinez responded yes, he did check into this, and it is legal he explained. He also added that so long as there isn't a monetary value it is ok. Mayor Leo Martinez asked for a motion to appoint Judy B. LeDoux as Mayor Pro Tem. Councilor Matthew Gonzales asked just for clarification that he is under the understanding he would not be eligible to vote for Councilor Judy B. LeDoux due to the related relationship. Mayor Leo

Martinez stated that due to the small community issues like this will come up. Mayor Martinez also explained he has correspondence from the NM Municipal League regarding this issue. Admin Shawn Jeffrey left and went to print the email from Lisa Johnston the NMML liaison for the verification of information. Upon the return of Admin Shawn Jeffrey, passed the copy of the email out to each person on the Governing Body, Councilor James Gallegos read the email out loud so the public would have the information as well. The conflict of nepotism is outlined in the email.

Councilor Ernie LeDoux stated he did not run for Council member to abstain from voting, he added he feels it is his civic duty to participate and vote for the betterment of the community. Councilor Matthew Gonzales stated some items need to have discretion and that is the point he was trying to explain.

Mayor Leo Martinez mentioned that Ms. Laura Gonzales will continue to serve as the Cemetery Board president and that the identified improvements are on the ICIP. Funding for the Cemetery improvements project have been submitted.

Councilor James Gallegos moved to approve Judy B. LeDoux for the Mayor Pro Tem Position on the Council. Councilor Matthew Gonzales seconded. Approved 4-0

b. Appointment of Clerk Administrator

Mayor Leo Martinez made the recommendation of Shawn Jeffrey for the appointment of Administrator.

Councilor James Gallegos moved to appoint Shawn Jeffrey as the Clerk Administrator. Councilor Ernie LeDoux seconded. Approved 4-0

c. Appointment of Police Chief

Mayor Leo Martinez made the recommendation of Ryan Gates for the appointment of Police Chief.

Mayor Pro Tem Judy B. LeDoux moved to appoint Ryan Gates for the Police Chief position. Councilor Matthew Gonzales seconded. Approved 4-0

d. Appointment of Fire Chief

Mayor Leo Martinez made the recommendation of Anthony Martinez for the Fire Chief Position

Councilor James Gallegos moved to appoint Anthony Martinez to the Fire Chief position. Councilor Matthew Gonzales seconded. Approved 4-0

VI. Approve/Disapprove Confirm all Classified Employees

- Utility Clerk

Mayor Leo Martinez made the recommendation of Santana Cordova for the Utility/Court Clerk position.

Mayor Pro Tem Judy B. LeDoux moved to approve Santana Cordova as the Utility/Part Time Court Clerk. Councilor Matthew Gonzales seconded. Approved 4-0

Councilor Matthew Gonzales asked if all employees must be confirmed or just at will employees? Admin Shawn Jeffrey responded that she did check into that and since the Village has a personnel policy that regulates the employees it is not necessary to confirm, however it has been past practice at the reorganizational meeting to confirm all employees.

- Deputy/Finance Clerk
Mayor Leo Martinez made the recommendation of Renee LeDoux for the Deputy/Finance Clerk position
Councilor Matthew Gonzales moved to approve Renee LeDoux as the Deputy/Finance Clerk. Councilor Ernie LeDoux seconded. Approved 4-0
- PT Court Clerk
This position is a joint position with the Utility Clerk duties- No action
- Police Officers
Mayor Leo Martinez made the recommendation of John Valdez and Alvis Jordon May for the police officers.
Mayor Pro Tem Judy B. LeDoux moved to approve the Police Officers John Valdez and Alvis Jordon May. Councilor Matthew Gonzales seconded. Approved 4-0
- Public Works Employees
Mayor Leo Martinez made the recommendation of Danny Martinez, Jerrid Turner, and Monica Garcia for the Public Works Department employees.
Councilor James Gallegos moved to approve Danny Martinez, Jerrid Turner, and Monica Garcia for the Public Works Department employees. Councilor Ernie LeDoux seconded. Approved 4-0

VII. Minutes

- a. Discuss/Approve: Special Meeting Minutes December 3, 2021- Cancelled by Mayor
This meeting was cancelled by the mayor. No Action
- b. Regular Meeting Minutes December 8, 2021
Councilor James Gallegos moved to approve the amended meeting minutes of December 8, 2021, to include on item XIV Next Agenda Items: He would like the minutes to reflect he requested to have the mayor report added to the agenda. Mayor Pro Tem Judy B. LeDoux seconded. Approved 4-0

Mayor Leo Martinez informed the Governing Body that he has submitted a hard copy of his report and that he is not required to have his report approved. Councilor Matthew Gonzales stated that the mayor has submitted a report for decades and now that the position is paid, the mayor doesn't have to submit one? He added that the mayor owes it to the citizens of the Village because they will be paying you, he explained the report is not for the Council it is for the citizens of the Village. Mayor Leo Martinez also stated the public does not get his report that it is in the packet. Councilor Matthew Gonzales and Councilor James Gallegos responded that the public should get the report and the packets should be on the website.

- c. Special Meeting Minutes December 17, 2021- Cancelled due to no Quorum
This meeting was cancelled- No Quorum Present

VIII. Comments from the General Public (Limited to 3 minutes)

- Mayor Boe Lopez, Mayor of the Town of Springer stated he would like to thank the Village of Cimarron for the support for the prison staying open, he also thanked everyone for the event planning so both Springer and Cimarron could host their light parade events on their own nights and both towns' people could attend the events. Lastly, he thanked the Governing Body for supporting them during the crisis of their Jetter quitting on them and Mayor Leo Martinez for approving for Cimarron to help them with our Jetter.

IX. Correspondence and Appreciations

None

X. Reports by Department Heads-

a. Village Administrator Report

Submitted report she also added there was a Cannabis public hearing, the Village was awarded \$750,000 CDBG grant for the wastewater facility, submitted a tourism project and capital outlay project for the Philmont walking trail.

b. Public Works Report

Submitted work orders

c. Police Department Report

Chief Ryan Gates gave his report verbally

Councilor Matthew Gonzales asked Mayor Leo Martinez is there has been a resolution to all the issues with the police department that were brought up last month. He also added he has not received a report and Councilor James Gallegos also added he has not received a report. Councilor Ernie LeDoux mentioned that at the last meeting it was determined that all the theories that were presented at the last meeting were hearsay. Mayor Leo Martinez confirmed the information was hearsay and that nobody was trying to get rid of the police department. Councilor Matthew Gonzales told the mayor he was supposed to meet with the Chief to resolve the issues which included time sheets. Councilor Matthew Gonzales also stated that he had not heard anything from Mayor Leo Martinez regarding this issue and as of last Monday Chief Ryan Gates said they had not met. Chief Ryan Gates stated they met this week and went over several things. Mayor Leo Martinez stated the issues have been resolved. The police department is fully staffed. Councilor James Gallegos asked if the update on the police department had been put in the mayor report. Mayor Leo Martinez responded no.

Councilor Ernie LeDoux stated the issues were deemed to be hearsay from the last meeting the police report had been submitted, and issues taken care of. He also did say at the last meeting he did observe a poor display of the Council members arguing and it has continued to this meeting. Councilor Ernie LeDoux also added that if Chief Ryan Gates has any issues he should go to the mayor for answers and if the issues do not get resolved they come to Council for information is that correct? He stated there is a chain of command on how things should be working. Councilor James Gallegos asked Mayor Leo Martinez to get control of the meeting and he stated for one council member to reprimand two other council members is out of form. Councilman James Gallegos once again asked for a training on Robert's Rules of order. He stated particularly for Mayor to learn how to run a meeting.

- d. Municipal Judge Report
Submitted report
- e. Cemetery Board Report
President Laura Gonzales reported they are in the process of gathering the information for the submittal of the grant application. On January 31, 2022, the application will be submitted. She also reported they are working with Sam Minor to get additional information on the dirt work for the project. President Laura Gonzales asked what the status is on the annexation of the Cemetery property? Admin Shawn Jeffrey responded that Shields Survey has the project on their list and will notify the village when the survey will be done. The next meeting will be January 31, 2022, at 12:00pm in the Council Chambers.
- f. Senior Center Report
No report
- g. Ambulance Report
No report
- h. Chamber of Commerce Report
Steve Warner reported for Melissa Warner that the Chamber has new Board Members. The president is Melissa Warner, Vice President Erin Tawney, Treasurer Lawana Whitten, Secretary Danny Tucker, Kathleen Phillips, Phoenix Russell, and Steve Warner. The meetings are the third Wednesday at 6:00pm and the next meeting will be at Hikers Coffee Co. He also reported they are working on some events such as fourth of July parade and Easter Egg Hunt. Mayor Leo Martinez thanked him for the report.
- i. Beautification Board Report, Fire Department Report, Code Regulation Board Report
Beautification: No report
Fire Department: Chief Anthony Martinez reported they responded to a structure fire and a few accidents. He also reported wildland season is coming up and they will begin doing some training and they have designated teams in the department, and they will be out and about more in the public. Fire department operations are moving along.

Code Regulation Board: Councilor Matthew Gonzales reported they did not have a meeting last month.

XI. Financials- Each Item listed A.-B. will be Considered for Action of Approve/Disapprove:

a. Check Report and Deposit Register from December 3, 2021, through January 7, 2022
Councilor James Gallegos moved to approve the check report and the deposit register for December 3, 2021, to January 7, 2022. Councilor Ernie LeDoux seconded. Approved 4-0

b. NM Local Government Law Firm bill for \$554.55
Councilor James Gallegos moved to approve the NM Law, LLC billing for \$554.55. Mayor Pro Tem Judy B. LeDoux seconded. Approved 4-0

XII. Old Business- Each Item listed A-C will be considered for Action of Approve/Disapprove/Discuss:

a. Update Ditch Inventory

Admin Shawn Jeffrey stated she included a note in the packet as to the update status on cleaning the ditches also included were the maps of the drainage ditches. The status update included the information about Mr. Tom Mondragon and the ditch progress that has been made. Mr. Mondragon is still working on the ditches. Councilor Matthew Gonzales reported he initially brought this project up six months ago and he would like a running list of what has been completed and what has not. He also stated this is the first update he has received in six months. Councilor Ernie LeDoux asked if there is a way to get the state to help the Village develop a 50-year flood plan for the North end of the Village. This plan would help with the flooding of the areas on the North end of the Village. Mayor Leo Martinez stated the north ditch that flooded is on private property and not much the Village can do with that area. He also added that some property owners filled in their part of the ditch and dammed it up which caused more issues as those areas breached and water was diverted all over. Mayor Leo Martinez also added that maybe the Village could approach those landowners to see if the Village could possibly reconstruct the ditch to improve flood water drainage.

Councilor Matthew Gonzales moved to table the update ditch inventory until next meeting so it can be discussed again. Councilor James Gallegos seconded. Approved 4-0

b. Resolution 2022-013 Vacate Property- CS Ranch- Rayado Properties

Mayor Pro Tem Judy B. LeDoux moved to approve Resolution 2022-013 Vacate Property. Councilor James Gallegos seconded. Approved 4-0

c. Resolution 2022-014 Vacate Property- Final Sitzberger Property

Councilor James Gallegos moved to approve Resolution 2022-014 Vacate Property- Final Sitzberger Property. Councilor Matthew Gonzales seconded. Approved 4-0

XIII. New Business- Each Item listed A-Q. will be considered for Action of Approve/Disapprove/Discussion:

a. Task Order 22-01 Wastewater System Plant Improvements -DEC

Councilor James Gallegos moved to approve Task Order 22-01 Wastewater System Plant Improvements- DEC. Councilor Matthew Gonzales seconded. Approved 4-0

b. Cimarron Fire Department Stipend Policy

Councilor James Gallegos moved to approve the Cimarron Fire Department Stipend Policy. Mayor Pro Tem Judy B. LeDoux seconded. Approved 4-0

c. Resolution 2022-001 Holiday 2022 Schedule

Mayor Pro Tem Judy B. LeDoux moved to approve the State Holiday Schedule for the Village employees. Councilor James Gallegos seconded. Approved 4-0

Councilor James Gallegos asked about the schedule and commented he is on the state schedule, and he does not get a Spring holiday day off- Mayor Pro Tem Judy B. LeDoux confirmed she

approved the state schedule. Admin Shawn Jeffrey mentioned she put both schedules in the packet.

d. Resolution 2022-002 Open Meeting Act

Mayor Pro Tem Judy B. LeDoux moved to approve Resolution 2022-002 Open Meetings Act. Councilor James Gallegos seconded. Approved 4-0

e. Resolution 2022-003 Fair Housing

Councilor James Gallegos moved to approve Resolution 2022-003 Fair Housing. Councilor Matthew Gonzales seconded. Approved 4-0

f. Resolution 2022-004 Citizen Participation Plan

Councilor James Gallegos moved to approve Resolution 2022-004 Citizen Participation Plan. Councilor Matthew Gonzales seconded. Approved 4-0

g. Resolution 2022-005 Residential Anti Displacement

Councilor Matthew Gonzales moved to approve Resolution 2022-005 Residential Anti Displacement and relocation plan. Councilor James Gallegos seconded. Approved 4-0

h. Resolution 2022-006 Section 3 Plan

Councilor James Gallegos moved to approve Resolution 2022-006 Section 3 Plan. Mayor Pro Tem Judy B. LeDoux seconded. Approved 4-0

i. Resolution 2022-007 Procurement Policy

Councilor Matthew Gonzales moved to approve Resolution 2021-007 Procurement Policy. Mayor Pro Tem Judy B. LeDoux seconded. Approved 4-0

j. Resolution 2022-008 Annual CDBG Resolutions

Councilor James Gallegos moved to approve Resolution 2022-008 Annual CDBG Resolutions. Councilor Matthew Gonzales seconded. Approved 4-0

k. Resolution 2022-009 IRS Mileage

Councilor Matthew Gonzales moved to approve Resolution 2022-009 IRS Mileage Rate. Councilor James Gallegos seconded. Approved 4-0

Mayor Pro Tem Judy B. LeDoux asked what exactly the rate per mile is. Admin Shawn Jeffrey said she was not sure but would check and the rate is the 2021 rate. Deputy Clerk Renee LeDoux stated the rate of fifty and half cents per mile.

l. Resolution 2022-010 Water Conservation

Councilor James Gallegos moved to approve Resolution 2022-010 Water Conservation Plan. Councilor Matthew Gonzales seconded. Approved 4-0

m. Resolution 2022-011 Budget Adjustment

Councilor Matthew Gonzales moved to approve Resolution 2022-011 Budget Adjustment. Councilor James Gallegos seconded. Approved 4-0

n. Resolution 2022-012 Bank Signatures

Councilor Matthew Gonzales moved to approve Resolution 2022-012 bank signatures. Mayor Pro Tem Judy B. Ledoux seconded. Approved 4-0

o. Fair Housing Proclamation

Councilor Matthew Gonzales moved to approve the Fair Housing Proclamation. Councilor James Gallegos seconded. Approved 4-0

p. Acceptance of Officer Justin Sedillo Resignation

Councilor James Gallegos moved to approve Officer Justin Sedillo resignation. Councilor Matthew Gonzales seconded. Approved 4-0

Councilor Matthew Gonzales asked if an exit interview had been conducted when Mr. Sedillo left. Chief Ryan Gates said he did not.

q. Acceptance of Reserve Officer Daniel Gurule

Councilor James Gallegos moved to approve Reserve Officer Daniel Gurule resignation. Councilor Matthew Gonzales seconded. Approved 4-0

XIV. ADJOURN TO EXECUTIVE SESSION TO DISCUSS LITIGATION AND LIMITED PERSONNEL MATTERS AS PER NEW MEXICO OPEN MEETINGS ACT 10-15-1 SECTION H SUBSECTIONS 2 & 7:

Limited Personnel Matters-

- A. Probationary Period with Raise- Santana Cordova
- B. Hire Police Officer John Valdez
- C. Hire Jessica Cordova- Janitorial Services Village Hall
- D. Raise Alvis May
- E. Performance Evaluations for Department Heads

Councilor Matthew Gonzales motioned to adjourn to executive session to discuss the items listed. Mayor Pro Tem Judy B. LeDoux seconded. Approved 4-0 6:51pm

Roll Call Vote: Councilor James Gallegos-Aye, Mayor Pro Tem Judy B. LeDoux-Aye, Councilor Matthew Gonzales-Aye, Councilor Ernie LeDoux-Aye

XV. Return to Regular Session

Councilor Matthew Gonzales moved to return to open session at 7:33pm. Mayor Pro Tem Judy LeDoux seconded. Approved 4-0

Councilor Matthew Gonzales reported the only items discussed were those listed on the agenda and no decisions were made.

Roll Call: Mayor Leo Martinez, Councilor Ernie LeDoux, Councilor James Gallegos, Mayor Pro Tem Judy B. LeDoux, Councilor Matthew Gonzales- All are present

XVI. Approve/Disapprove/Discuss Probationary Period with Raise- Santana Cordova
Mayor Pro Tem Judy B. LeDoux moved to remove Santana Cordova from probationary status to classified status at \$14.50 an hour effective next pay period. Councilor James Gallegos seconded. Approved 4-0

Councilor Ernie LeDoux commented that the past week he has seen more police presence at the school, and he appreciates that. He also mentioned police presence in the mornings and evenings would really help keep the traffic slowed down.

XVII. Approve/Disapprove/Discuss Hire Police Officer John Valdez
Councilor Matthew Gonzales moved to approve hiring police officer John Valdez at \$23 dollars an hour at the rank of sergeant. Councilor James Gallegos seconded. Approved 4-0

XVIII. Approve/Disapprove/Discuss Hire Jessica Cordova- Janitorial Services for Village Hall
No Action

XIX. Approve/Disapprove/Discuss Raise Alvis May
Councilor Matthew Gonzales moved to approve a raise for Officer Alvis May in the amount of \$23 an hour and promote him to the rank of sergeant. Mayor Pro Tem Judy B. LeDoux seconded. Approved 4-0

XX. Items for Next Agenda

- Councilor Matthew Gonzales mentioned a Roberts Rules of Order Class for everyone, and he would like to get the website upgraded and more up to date and he would also like to get a strategic plan started. Councilor James Gallegos commented he would like to have the packets on the website. He also mentioned maybe Santana Cordova could receive training to update the website.

XXI. Council Concerns

- Councilor Matthew Gonzales stated last meeting he offered for him and James to go with the Mayor to Santa Fe to speak with the Governor on Capital Outlay. Councilor Matthew Gonzales asked if he had been to Santa Fe yet or talked to anyone. Mayor Leo Martinez responded that he did go to Santa Fe last month for the mayor caucus at the Capital and he will be attending another on Friday. Councilor Matthew Gonzales asked him if the meeting is for the ICIP priorities? Mayor Leo Martinez said it was part of the meeting. Mayor Leo Martinez explained to Councilor Matthew Gonzales he had been talking to others on the priorities such as the wastewater improvements, Cimarroncito Dam improvements, and on the water level certifications regulations. Councilor Matthew Gonzales asked Mayor Leo Martinez during his meetings what specifically has Governor Michell Lujan Grisham said would give the Village out of her pork fat? Mayor Leo Martinez responded that he had not had a specific meeting with her but that the Governor had attended the meetings and she is hosting a Mayor Caucus this Friday and it has been changed to virtual. Councilor Matthew Gonzales informed all of the legislative process. Councilor James Gallegos commented that a meeting with the mayor and a couple Council members should be scheduled for this session to ask for Capital Outlay. He also explained the legislative process and how the Governors pork is allocated and how it is allocated separate from the rest of the Capital Outlay. Mayor

Leo Martinez asked if he does schedule a meeting with Governor Michelle Lujan Grisham can both Councilor James Gallegos and Councilor Matthew Gonzales attend? Councilor Matthew Gonzales said yes, they could attend, and we can post for a possible quorum. Mayor Leo Martinez stated he will make the appointment soon.

- Mayor Pro Tem Judy B. LeDoux asked when the date of the newly elected officials meeting will be- Admin Shawn Jeffrey said it will be in March after the elections
- Councilor Matthew Gonzales said he has a procedural request- that all Council receive an electronic calendar invite meeting notice for all meetings.

XXII. Adjourn

Councilor Matthew Gonzales moved to adjourn the meeting. Councilor James Gallegos seconded. Approved 4-0 7:50 pm

Roll Call Vote: Mayor Pro Tem Judy B. LeDoux-Aye, Councilor Matthew Gonzales- Aye, Councilor James Gallegos-Aye, Councilor Ernie LeDoux- Aye Approved 4-0

APPROVED THIS 8 DAY OF FEBRUARY 2022


Matthew Gonzales, Mayor

Attest:


Shawn Jeffrey, Clerk-Administrator

Red Lettering is the changes added to the agenda