

**VILLAGE OF CIMARRON
REGULAR COUNCIL MEETING MINUTES
WEDNESDAY, APRIL 14, 2021 at 6:00pm**

The Governing Body met via GoToMeeting Application
Wednesday, April 14, 2020 6:00 PM (MDT)
<https://global.gotomeeting.com/join/870444509>

The dial in meeting information is below:
United States (Toll Free): 1 866 899 4679
United States: +1 (224) 501-3318

Access Code: 870-444-509

This code is the same code used for every meeting- it is the Village of Cimarron Code

Village of Cimarron is open to the public- and Covid Safe Practices are required.

I. Pledge of Allegiance

Mayor Leo Martinez led the Pledge of Allegiance.

II. Pledge to the New Mexico State Flag

Mayor Leo Martinez led the Pledge of the New Mexico Flag

III. Roll Call

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

IV. Approval of Agenda

Councilor Judy B. LeDoux moved to approve the agenda of April 14, 2021. Councilor Matthew Gonzales seconded.

V. Minutes

a. Discuss/Approve: Regular Meeting Minutes March 10, 2021
*Councilor Matthew Gonzales moved to approve the meeting minutes of March 10, 2021.
Councilor Judy B. LeDoux seconded. Approved 4-0*

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

-Representative Roger Montoya attended the meeting he gave a short presentation of his goals and priorities while he is in office. He reported on available programs and business economic opportunities. He added he would like to host a Town Hall to get more public input on the economics and priorities of the Village and the County.

VII. Correspondence and Appreciations

Councilor James thanked Admin. Shawn Jeffrey for the work of obtaining project funding through the Capital Outlay process. The village was very successful this year at the Legislature.

VIII. Reports by Department Heads-

a. Mayor's Comments

Mayor Leo Martinez reported that 11th street is complete with millings and the culverts have been ordered. Councilor Matthew Gonzales asked if the roads would have to be shaped higher for the culverts? Mayor Leo Martinez responded that not at this time. Councilor James Gallegos stated the culverts will be good for storm drainage.

b. Village Administrator Report

Annual Clean Up Day will be scheduled for May 15, 2021 8:00-4:00pm

Admin Shawn Jeffrey reported the Village will be receiving \$15,000 from a FEMA past reimbursement. Mayor Leo Martinez will be putting towards improving the park with new sprinklers and grass seed. Councilor Laura Gonzales reported she has been at the restroom project and she would like to have the building handicap accessible, and she would like to add some signage advertising the businesses.

c. Public Works Report

Work order reports have been submitted.

d. Police Department Report

Chief Ryan Gates submitted his report and gave updates.

e. Ambulance Report

No report

f. Municipal Judge Report

Judge Karen Gates submitted her report.

g. Cemetery Board Report

President Laura Gonzales reported the Board met March 29, 2021 and they have submitted some recommended Ordinance changes. The hours the Cemetery will be open have changed to 8:00am-8:00pm and the gates are locked daily. She also added the fence project has been put on hold until the water treatment plant project is complete. The next meeting will be April 26, 2021 at 12:00pm

h. Senior Center Report, Chamber of Commerce Report, Beautification Board Report, Fire Department Report

The Senior Center water damage is in the process of getting repaired. The insurance company has Archuleta Restoration hired to complete the project.

i. Code Regulation Board Report

Councilor Matthew Gonzales reported the Code regulation has been meeting and discussing the Animal Ordinance which includes animals and livestock. They discussed identifying all the problems and enforcement issues. Councilor Matthew Gonzales also mentioned they are discussing two models of programs one would be Colfax County operating an animal pick up and retention and the other where it would be a partnership with the County for a holding area for animals that are picked up. He informed everyone there would be a work session on May 26th

and he also requested to have a Public hearing scheduled for May 10, 2021 at 6:00 to discuss the Ordinance changes and recommendations.

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

a. Check Report and Deposit Register from March 5, 2021 through April 9, 2021
Councilor Judy B. LeDoux moved to approve the check report and the deposit register for March 5, 2021 to April 9, 2021. Councilor James Gallegos seconded. Approved 4-0

b. NM Local Government Law Firm bill for \$ 3,394.83
Councilor Matthew Gonzales moved to approve the NM Law, LLC billing for \$2689.47. Mayor Pro Tem Laura Gonzales seconded. Approved 4-0

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

a. Discussion Water Updates

Mayor Leo Martinez reported we continue to be compliant with the state for reporting and the reservoir is still running over the spillway. Mayor Pro Tem Laura Gonzales asked about the status of the river diversion, Admin Shawn Jeffrey reported that Kirk Davis will be installing a new drain at the bottom of the building, he will be hiring the drilling company to drill a hole at the bottom of the building to get the new pipe installed. Councilor Matthew Gonzales asked if Emergency Manager Thomas Vigil could be contacted to assist with getting the emergency preparedness plan updated. Councilor James Gallegos also asked if there are plans to work with Philmont to clean up the watershed at the reservoir Mayor Leo Martinez said he would check into this issue. Mayor Leo Martinez also added that NM State Forestry has been up at the watershed assessing the area however he is not sure if they are checking on thinning options for the area.

b. Discussion Solid Waste Updates

Admin Shawn Jeffrey thanked PW Jerrid Turner for all his work in assisting with the water, sewer, and solid waste. The public workers employees have done a great job of taking care of the Village. Mayor Leo Martinez also offered his words of appreciation for the great job they have been doing.

Mayor Martinez also reported Jerrid Turner has submitted a draft route for the solid waste disposal and he also added the dumpsters will be going out soon and the transition will be done before the end of April. Councilor James Gallegos asked if we have any agreements with Raton or Springer for services of assistance. Admin Shawn Jeffrey reported she spoke to Mayor Neil Segotta and Raton City Manager Scott Berry and he said that they would help anytime we need a driver.

c. Discussion COVID-19 Updates

Mayor Leo Martinez stated that Colfax County is in turquoise designation and most businesses are open for service. Mayor Pro Tem Laura Gonzales asked if the State is still hosting Mayor forum for the officials? Mayor Leo Martinez said he has not received any information on any upcoming meetings of the Mayor forum.

d. Comnet/FirstNet Agreement

Mayor Leo Martinez reported he spoke with attorney Charles Rennick earlier and Charles recommended to not take any action on this item yet as Comnet has not provided the documents they are supposed to provide. Mayor Leo Martinez and Councilor James Gallegos reported their concerns and updates from the meeting with Comnet and the main concern is for Comnet to be fair with the Village of Cimarron and pay a fair rate.

e. Public Building Lease

Councilor James Gallegos shared the information he obtained from local and area realtors on the current rates for leasing public buildings. He also stated it is important to have the rates the same across the board for all buildings. He also added that .50 or .75 a square foot is not unreasonable for doing business in Cimarron. Councilor Matthew Gonzales asked to get additional information from area Municipalities that lease out buildings for business and bring those rates back to the Governing Body for consideration of approval. Mayor Leo Martinez asked to have the public works guys measure the buildings so there is an accurate amount of square footage being listed. The building needs to be advertised for lease once a rate had been identified.

Councilor Judy B. LeDoux moved to table the public building lease until next month. Councilor Laura Gonzales seconded. Approved 4-0

f. Ordinance 289 LEDA- Sawmill Project

Councilor James Gallegos moved to advertise the posting of Ordinance 289 LEDA- Sawmill Project. Councilor Judy B. LeDoux seconded. Approved 4-0

g. Public Participation Agreement-Sawmill Project

Councilor Judy B. LeDoux moved to table the public Participation Agreement until the next meeting. Councilor Matthew Gonzales seconded. Approved 4-0

h. Intergovernmental Agreement-Sawmill Project

Councilor Judy B. LeDoux moved to table the intergovernmental agreement until the next regular meeting. Mayor Pro Tem Laura Gonzales seconded. Approved 4-0

i. Telepharmacy Agreement

Councilor Judy B. LeDoux moved to table the Telepharmacy Agreement until the next meeting, Councilor James Gallegos offered to amend the motion to just table the agreement, Councilor Judy B. LeDoux agreed with the amendment. Councilor James Gallegos seconded. Approved 4-0

XI. New Business- Each Item listed A.-L. will be considered for Action of Approve/Disapprove:

a. Amendments Ordinance 288 Cemetery

President of the Cemetery Board Laura Gonzales reported they met on Mar 29th they identified some changes they would like to bring to the Governing Body for consideration of approval. First one is to change is 2.50.030 B. term limit of years from a two-year term to a four-year term and the second is 2.50.080 A. Plot Fees. to decrease cremation burial plot fees to \$100.00 Councilor Matthew Gonzales recommended to reduce the amount to \$75 per cremation plot. *Mayor Pro Tem Laura Gonzales moved to approve the Notice of intent to publish Ordinance 288 with the changes presented. Councilor Judy B. LeDoux seconded. Approved 4-0*

b. Annexation of Cemetery and Area

Mayor Pro Tem Laura Gonzales reported that due to issues that require Law Enforcement to respond to the area the Village would have to have the area annexed so the Cimarron Law Enforcement can respond to any issues in that area. Mayor Pro Tem Laura Gonzales also reported that with her conversation with Mr. Kirk Davis, they concluded it may be best to include 18th street as well as the Townsite area South and West of the Cemetery. Councilor Matthew Gonzales stated the Village currently provides service to those areas. Mayor Pro Tem Laura Gonzales confirmed.

Councilor Judy B. LeDoux moved to continue with the Annexation of the Cemetery, the Townsite area, and 18th street. Councilor Matthew Gonzales seconded. Approved 4-0

c. Purchase of Holiday Tree

Admin Shawn Jeffrey reported she would like to purchase a holiday tree for the park- the Gross receipts are up projects GRT is up, and interest revenue is up, and these are the funds we would like to use to pay for the tree. Its is a 14ft pre-lit artificial tree that has the option of adding sections every year. Councilor James Gallegos mentioned he would also like to see the stumps pulled out of the park as well, Mayor Leo Martinez reported that work orders have been put in for the removal of the stumps. Councilor James Gallegos and Councilor Judy B. LeDoux stated they would like to see it up all year around.

Councilor James Gallegos moved to approve the purchase of the Holiday Tree. Councilor Judy B. LeDoux seconded. Mayor Pro Tem Laura Gonzales voted- Aye, Councilor Matthew Gonzales voted- Nay Approved 3-0

d. Resolution 2021- 013 Budget Adjustment

Admin Shawn Jeffrey reported the adjustments are necessary for the balance of the budget and the third quarter is right on track for the 75%.

Councilor James Gallegos moved to approve Resolution 2021-013 Budget Adjustment. Councilor Matthew Gonzales seconded. Approved 4-0

e. Resolution 2021- 014 EMS Surplus Equipment

Admin Shawn Jeffrey reported that EMS has not submitted the list for surplus equipment.

f. Change Order #2 Forsgren Water Plant Project

Mike Waresak of Forsgren explained the Change Order is due to a rebid of the project and the USDA requirement of full-time inspection at the project. Admin Shawn Jeffrey reported the Change Order would be covered with the contingency funding that is in the project.

Mayor Pro Tem Laura Gonzales moved to approve Change Order #2 with Forsgren. Councilor James Gallegos seconded. Approved 4-0

g. Discussion: Elected Officials Compensation

Councilor Matthew Gonzales presented his reasoning for the agenda item. The Governing Body discussed the item in depth and there was not a consensus on the issue. He asked to have this item put back on the agenda for discussion next month. Discussion Only

h. 2022 Budget Requests

Diversion work, Councilor Matthew Gonzales mentioned it would be nice to have a community wading pool in the baseball field area that would be fed using the Village Water Rights by a diversion in the Cimarron River he also added it would be nice to have RV hook ups in that area. Councilor James Gallegos mentioned sidewalks through the village and possibly a round about at the intersection of Hwy 64 and Hwy 21. *Discussion Only*

i. ICIP 2023-2027 Priorities

The Governing Body discussed the priorities they would like to see the public Works Building enclosed to provide protection from the weather for the equipment. The also discussed the use of the Ambulance barn for the equipment. *Discussion only*

j. Ordinance #291 Water Boil Alert Reimbursement

Councilor James Gallegos moved to approve Ordinance #291 with a three-month 50% base rate credit to the residents this month. Mayor Pro Tem Laura Gonzales seconded. Approved 4-0

k. Part-Time Court Clerk

Judge Karen Gates stated she needs a part time court clerk in the office to take care of some of the daily tasks she cannot take care of.

Councilor Matthew Gonzales moved to approve the part time court clerk position. Mayor Pro Tem Laura Gonzales seconded. All favor 2-0

Councilor James Gallegos voted Nay, Councilor Judy B. LeDoux voted Nay.

Mayor Leo Martinez voted Nay to break the tie Disapproved 3-2

l. NM Loan Application for Law Enforcement Vehicle

Chief Ryan Gates explained the need for a new unit and the LEPF fund would be used to intercept the loan. He also added the loan would be for enough to purchase the vehicle and the current LEPF funds would be used to equip the unit.

Councilor James Gallegos moved to approve the NM Loan Application for the Law Enforcement Vehicle. Councilor Matthew Gonzales seconded. Approved 4-0

XII. 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. Solid Waste Department Employee
- B. Janitorial Service Outdoor Restroom- Britt Darby
- C. Cemetery Pending Legal
- D. Strahan Pending Litigation
- E. Jerrid Turner- Raise increased duties and CDL Certification.

Mayor Pro Tem Laura Gonzales motioned to adjourn to executive session. Councilor James Gallegos seconded. Approved 4-0 8:08pm

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

XIII. Return from Executive Session

Councilor James Gallegos moved to return to open session at 8:50pm. Councilor Judy B. LeDoux seconded. Approved 4-0

Mayor Leo Martinez reported the only items discussed were those listed on the agenda and no decisions were made.

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

XIV. Approve/Disapprove Solid Waste Employee

Councilor Matthew Gonzales moved to approve Pamela West for the full time Solid Waste Employee position at \$15.00 an hour. Councilor Judy B. LeDoux seconded. Approved 4-0

XV. Approve/Disapprove Janitorial Service Outdoor Restroom- Britt Darby

Councilor James Gallegos stated he would take no action on this item as it has not been advertised. *No Action*

XVI. Approve/Disapprove Strahan Settlement

Councilor Matthew Gonzales moved to approve the Strahan settlement that was presented to the Governing body by Attorney Charles Rennick. Mayor Pro Tem Laura Gonzales seconded. Approved 4-0

XVII. Approve/Disapprove Jerrid Turner- Raise increased Duties and CDL Certification

Councilor James Gallegos moved to approve Jerrid Turner a raise increase of a \$2 an hour for increased duties and CDL certification. Councilor Judy B. LeDoux seconded. Approved 4-0

XVIII. Items for Next Agenda

Councilor Matthew Gonzales asked to have the 100 Days of Summer Safety added to the agenda for the May meeting.

XIX. Adjourn

Councilor Judy B. LeDoux moved to adjourn the meeting. Mayor Pro Tem Laura Gonzales seconded. Approved 4-0 8:53 pm Approved 4-0

APPROVED THIS 12 DAY OF MAY 2021


Leo Martinez, Mayor

Attest:


Shawn Jeffrey, Clerk-Administrator

