

**VILLAGE OF CIMARRON
REGULAR COUNCIL MEETING MINUTES
WEDNESDAY, DECEMBER 8, 2021, at 6:00pm**

The Governing Body met in Person and via GoToMeeting Application.

Wednesday, December 8, 2022, 6:00 PM (MDT)

<https://global.gotomeeting.com/join/870444509>

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

Mayor Leo Martinez led the Pledge of Allegiance and the Pledge for NM State Flag.

II. Roll Call

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

III. Approval of Agenda

Mayor Leo Martinez asked for a motion to approve the agenda.

Councilor James Gallegos asked about the other two Police Officers who resigned and asked if their resignations will be included as action items on the agenda. Councilor James Gallegos asked to add item X. d. to the agenda to accept Officer Justin Sedillo resignation as well.

Councilor James Gallegos moved to approve the agenda and add item X d. to the agenda for action to accept the resignation of Officer Justin Sedillo. Mayor Pro Tem Laura Gonzales seconded. Approved 4-0

Admin Shawn Jeffrey informed Mayor Leo Martinez an action item cannot be added to the agenda however a discussion item can be added. Mayor Leo Martinez stated to add the item as X. d Acceptance of Justin Sedillo resignation. Discussion only.

IV. Minutes

a. Discuss/Approve: Regular Meeting Minutes November 10, 2021

Councilor Judy B. LeDoux moved to approve the meeting minutes of November 10, 2021, with corrections of adding the request from Councilor James Gallegos to have the mayors report item put back on the agenda. Mayor Pro Tem Laura Gonzales seconded. Approved 4-0

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

There were 26 guests signed in for the meeting with 7 signed up to speak.

Louise Johnson asked if the public works guys could fix 18th street so the traffic can move around better. She said the conditions are rough and the road needs some work. She also mentioned the police department and the issues. She stated the Governing body is elected to work for the citizens not for their own personal agendas.

- Steven Warner commented that as a business owner and resident of the community it is important to have a police force and he would like to know the issues and how they will be rectified.

- Sherry Bennett commented that the Village needs the police force she also added that turning it over to the County would cause a financial hardship to the community and they would lose their police equipment to the state. She also added the Chief of Police is in charge of the Police department and everyone else should stay out of it.
- Jim Zeller explained the county could not provide police coverage the Village needs, and the response times would not ensure a covered incident.
- Tim Farmer explained the Office of the State Engineer has office equipment, survey equipment, and some very old water records stored in the building and he explained they need protection. Police protection is imperative for the safety of the Village. He asked please don't get rid of the police force here in the Village.
- Ernie LeDoux commented he is the newly elected Councilor for the Village. He explained he would like to understand the issues and obtain the details. He added he would like to visit with the Chief and the Council to see if there is a way to resolve the issues in the police department.
- Sherry Bennett also added if the council has issues with the police, they should be taken to the mayor not the police department.
- Colin Tawney explained public safety is the cornerstone of what Governments are supposed to provide the citizens. Mr. Tawney stated he is a resident of the Village and owns two businesses and he echoes the concerns of the citizens. He added the response time for the County would be ridiculous and not provide good coverage. He added he cannot believe it is even up for consideration to have the County take over the Police Department. He went on to say we don't need people in the Governing Body micromanaging the police department. He concluded that we need to create a good work environment for people to do their jobs effectively and make the police feel appreciated.
Colin also commented that people are not aware of when the elections were nor when the filing period was open. He also said there needs to be more communication to the people for events in the Village such as elections. He thanked the Governing Body

VI. Correspondence and Appreciations

- Mayor Pro Tem Laura Gonzales recognized Utility Clerk Santana Cordova for her hard work on the Cemetery records and for resolving issues. She also added she has excellent customer service and has received compliments on how she handles issues relating to the Cemetery
- Admin Shawn Jeffrey thanked Mayor Pro Tem for all the years she has served on the Council and that she is appreciated.

VII. Reports by Department Heads-

a. Mayor's report

Mayor Leo Martinez also thanked Mayor Pro Tem Laura Gonzales for all her hard work. He went on to clarify that he is not sure where the rumors started about giving up the police department nor has there been any discussion about taking a way the police department. He also added he has been working with Chief Ryan Gates to obtain an additional police officer so there is more coverage. Councilor Matthew Gonzales and Councilor James Gallegos asked the mayor if he had additional information concerning Village issues to report on- Mayor Leo Martinez reported the water plant should be ready soon, and the 11th street project funding is ready. Mayor Pro Tem Laura Gonzales asked Mayor Leo Martinez what the current schedule for the Police Department Mayor is responded Chief Ryan Gates is on call every night and he

works days and nights, mostly at night. Councilor James Gallegos asked what the status is of hiring a level three operator to operate the new plant. Mayor Leo Martinez responded that we are still advertising, and applications are available. Councilor Matthew Gonzales asked Mayor what additional efforts are being done to recruit for the position? Mayor Leo Martinez responded that we have been advertising on indeed.com. Mayor Pro Tem Laura Gonzales asked Mayor Martinez if he has reached out to Representative Roger Montoya to ask if there is a way to reduce the requirements to test for water certifications. Councilor James Gallegos stated that the Council asked the mayor months ago to contact the representative and people in state Government to see if the requirements could be reduced so Jerrid could be moved up in levels faster. Admin Shawn Jeffrey reported that we have advertised on indeed.com and have had very little interest. Mayor Pro Tem Laura Gonzales mentioned that it might be a good idea to put a packet together showcasing the school. Employment, pay, and benefits. Councilor Matthew Gonzales asked if the state could provide a list of certified water/wastewater operators in the state, Admin Shawn Jeffrey mentioned Mayor Leo Martinez would have access to that information through his log in to the state NMED site. Councilor James Gallegos reported that the State requires a level 3 operator for the new plant, and we need to aggressively be trying to recruit someone for the position, he also mentioned he has spoken with individuals who stated the salary was not in the range for them to come to Cimarron. Councilor Matthew Gonzales asked if next meeting if they could receive a written report as the Mayor will be receiving a check and a report is expected.

b. Village Administrator Report

Mayor Pro Tem Laura Gonzales asked if nobody could contact Mary Green for the property on 7th & Hamilton what will the next step be? Admin Shawn Jeffrey said she will contact the Colfax County Courthouse to get additional information on the property. Councilor James Gallegos asked why the organization meeting is scheduled for January 3, he asked if it must be a special meeting or can it be done at the regular meeting. Admin Shawn Jeffrey responded that yes it can be done in a regular meeting, he asked if there is any objection to having the reorganization at the regular meeting instead of a special meeting, Mayor Martinez said that would be fine. There was no opposition from anyone. Councilor Matthew Gonzales also stated he asked for a ditch inventory update, he received an email from Admin Shawn Jeffrey outlining the ditches but there was no plan. He asked for an update on the maintenance on the ditches and the plan to clean them up. Mayor Leo Martinez stated Tom Mondragon will be starting this project soon to clean out the ditches. He asked if he could get this on the agenda for next meeting as it has been six months that he has been asking for this update and the plan of attack for the ditches. He is concerned about Spring flooding and wants to ensure there is a better water flow through the ditches. He would like a presentation or something to address this item.

c. Public Works Report

Mayor Pro Tem Laura Gonzales asked if PW Jerrid Turner has gotten any quotes on the small bucket for the mini excavator. Admin Shawn Jeffrey responded that she is not sure if the quotes have come in yet or not. Councilor James Gallegos also asked if they could get a more updated service order list.

d. Police Department Report

Chief Ryan Gates presented his report. He does not have the number of calls report as it is still pending. He reported he has received three resignations in the department. One officer has rescinded his. He also mentioned Officer Justin Sedillo resigned and Reserve Officer Daniel Gurule resigned. Chief Gates thanked Daniel Gurule for all his hard work and the time he put in on the police department. He also reported there is extreme micromanagement of the police department scheduling, hostile work environment, then he presented a contract for police services between Questa and Taos. He added he is not sure why this was given to the Governing Body. He questioned why the document was included in with the pay scales, and wage posters Admin Shawn Jeffrey said when Colfax County Sheriff Leonard Baca sent her the wage rates, he also included this for a reference as to what other places are doing. Admin Shawn Jeffrey explained she was obtaining information for different options for Law Enforcement Protection and the MOU is what Sheriff Baca sent over for review and then it was forwarded to the Governing Body for no other reason but to review. Mayor Leo Martinez stopped the argument over the issue. He asked Chief Ryan Gates to continue his police report. Chief Gates then stated his next topic on his report is the resignation of three officers and what the issues are that caused them to leave. He stated the first issue is the micromanagement of the Police Department schedule, he added that Councilor Judy B. LeDoux requested them to not be out past 9:00pm. Chief Ryan Gates continued his report saying they need to balance their hours better in the day and night. He also stated the work environment is difficult and he cannot understand why Councilor Judy B. LeDoux is following the officers around the Village and he stated he has had three officers come and report this to him. Chief Ryan Gates also stated the police officers were concerned about cuts in their paycheck. Councilor Matthew Gonzales asked Chief Ryan Gates if these issues had been brought to the mayor for discussion. Chief Gates said yes, they had discussed increasing the pay to \$24 per hour for a certified officer. Councilor Matthew Gonzales asked Chief Gates if he has spoken to his staff about the issues in the department, he said they told him its an uncomfortable work environment. Councilor Matthew Gonzales explained if there are issues, they need to be taken to the mayor for resolution. He also added more communication is necessary for the balance of the department. Councilor James Gallegos asked Mayor Leo Martinez if he has a plan for recruitment and retention of officers that could be provided to the public.

e. Municipal Judge Report

No report submitted

f. Cemetery Board Report

Mayor Pro Tem Laura Gonzales reported the Cemetery Board met on Monday November 29th and she reported that all the information has been given to Ms. Coker to submit for the grant for the parking lot. She also explained the packets for the historical designation for the Cemetery is also being put together. Hours for the Cemetery are 8:00am to 5:00pm. She had asked the mayor if he is aware of the contractor at the water plants work schedule as they said they would take care of the gates during the times they are in the area working. Mayor Leo Martinez said he would check their schedule. Mayor Pro Tem Laura Gonzales also added they are looking into purchasing a used probing machine, they will not be having a December meeting, and the next meeting will be January 31, 2022, at 12:00.

g. Senior Center Report

Councilor James Gallegos commented that the Thanksgiving dinner was excellent and compliments to the Chef. He also reported there will be a COVID booster clinic on Monday for all three vaccines.

h. Ambulance Report

Louise Johnson reported the department is staying very busy

i. Chamber of Commerce Report

No Report

j. Beautification Board Report, Fire Department Report, Code Regulation Board Report

Councilor Matthew Gonzales reported him, and Louise Johnson are in the process of recruiting member to the Code Regulation Board. They will not be having a meeting in December but will have one in January. Topics will include junk cars, village right of ways, and beautification

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

a. Check Report and Deposit Register from November 6, 2021, through December 3, 2021

Councilor Matthew Gonzales moved to approve the check report and the deposit register for October 8, 2021, to November 5, 2021. Councilor James Gallegos seconded. Approved 4-0

b. NM Local Government Law Firm bill for \$1,037.94

Councilor Judy B. LeDoux moved to approve the NM Law, LLC billing for \$1034.94. Councilor James Gallegos interjected that when there are questions that the Municipal League should be consulted before the attorneys that way, we reduce the attorney fees. Mayor Pro Tem Laura Gonzales seconded. Approved 4-0

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

a. Resolution 2021-036 NMDOT Match Waiver Program

Councilor Matthew Gonzales moved to approve Resolution 2021-036 NMDOT Match Waiver Program. Councilor James Gallegos seconded. Approved 4-0

b. Carryover Vacation time for Employees

Mayor Leo Martinez recommended that due to the departments being short-handed that the vacation time over 240 hours be carried over to June 30, 2022. Mayor made the recommendation a limit of no more than 100 hours is to be carried over.

Councilor James Gallegos moved to approve the carry-over of vacation time for employees with the caveat that if any employee with a dispute be given the option of negotiations to resolve the issue. Councilor Matthew Gonzales seconded. Approved 4-0

c. Vacate Property- Final Sitzberger Property

Admin Shawn Jeffrey explained that Mr. O'Neill has a partial survey completed with the entire area identified. He will have the full survey completed by next month. Mr. O'Neill presented the survey that he has and explained the area.

Councilor Matthew Gonzales moved to table the vacate property final Sitzberger property until the complete survey has been done. Councilor James Gallegos seconded. Approved 4-0

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

a. 2022 Legislative Requests- ICIP Priorities

Mayor Leo Martinez explained to the audience the definition of the ICIP and the priorities Admin Shawn Jeffrey explained the top priorities of the Village.

Councilor Matthew Gonzales asked what the plan is for visiting with legislative staff and representatives for the priorities. Mayor Leo Martinez said he would be contacting the representatives regarding the Capital Outlay. Mayor Pro Tem Laura Gonzales stated to Mayor Martinez that there are two people here that have experience serving on the legislature and she recommends that they be utilized during the legislative process. Mayor Leo Martinez invited all the Council members to go to Santa Fe and attend on behalf of the Village for Capital Outlay *Mayor Pro Tem Laura Gonzales moved to approve 2022 Legislative Requests- ICIP Priorities. Councilor Judy LeDoux seconded. Approved 4-0*

b. Lodgers Tax Funding Recommendations

Lodgers Tax representative Sharon Smith provided the explanation of the process of obtaining funds and the uses. The list was presented which is the Chamber of Commerce, Cimarron Challenge, Cimarron Civic Club, and Cimarron Mavericks Rodeo Assoc.

Councilor James Gallegos moved to approve the list except the Chamber of Commerce request until records from the past 5 years have been produced for review. No second, Motion dies

Councilor Matthew Gonzales moved to approve the Lodgers Tax recommendations as presented. Mayor Pro Tem Laura Gonzales seconded. Approved 4-0

c. Acceptance of Officer Alvis May Resignation

Mayor Leo Martinez stated there will not be any action on this item as Officer Alvis May has rescinded his resignation

d. Discussion Acceptance Officer Justin Sedillo Resignation

Councilor James Gallegos asked if Officer Justin Sedillo has turned in his resignation

XI. 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. Raise Jerrid Turner- Water Level 1 Certification

Councilor Judy B. LeDoux motioned to adjourn to executive session to discuss raise for Jerrid Turner- Water Level 1 Certification. Councilor Matthew Gonzales seconded. Approved 4-0 7:20pm

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

XII. Return to Regular Session

Councilor Matthew Gonzales moved to return to open session at 7:40pm. Councilor Judy B. LeDoux seconded. Approved 4-0

Councilor Matthew Gonzales reported the only items discussed were those listed on the agenda and no action was taken.

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

XIII. Approve/Disapprove/Discuss Raise Jerrid Turner- Water Level 1 Certification

Councilor Judy B. LeDoux moved to approve the raise for Jerrid Turner to \$16 an hour for his water level 1 certification. Mayor Pro Tem Laura Gonzales seconded. Approved 4-0

XIV. Items for Next Agenda

Mayor Pro Tem Laura Gonzales asked for a point of personal privilege. She wanted to take a moment to say she has spent the last five years serving the Village of Cimarron and it has been a great learning experience. She appreciates all the support she has received throughout the years, and she thanked the Village Council, Mayor, and staff. She will continue to be the Cemetery President and she will be volunteering on the beautification board.


-Councilor Matthew Gonzales- asked for a plan on the remediation of the drainage ditches in the Village. He also asked for workshop on Parliamentary procedure

- Councilor James Gallegos asked to have the Mayors report put back on the agenda

XV. Adjourn

Mayor Pro Tem Laura Gonzales moved to adjourn the meeting. Councilor James Gallegos seconded. Approved 3-1 Councilor Matthew Gonzales voted - No 7:45 pm

APPROVED THIS 12 DAY JANUARY 2022



Leo Martinez, Mayor

ATTEST:



Shawn Jeffrey, Clerk-Administrator