MINUTES
VILLAGE COUNCIL REGULAR MEETING
MONDAY, MARCH 9, 2020
5:30 P.M.
CITY HALL

PRESENT: Mayor Louie Gallegos, Councilor Elizabeth Steele, Councilor Gerald Cline, Councilor Albert Sena, Councilor Esther Segura, and Clerk Jamie Wall

STAFF PRESENT: EMT- Intermediate Joscelin Stroud, Sonja Williams - Senior Director

OTHERS PRESENT: Lisa Stinnett – De Baca County News, Kaleas Ausborn, Ricky Casaus, Evan Casaus, Barbara Lambus

MAYOR LOUIE GALLEGOS CALLED THE MEETING TO ORDER AT 5:30 P.M.

THE PLEDGE OF ALLEGIANCE: Pledge of Allegiance led by Mayor Louie Gallegos.

1. APPROVAL OF AGENDA
Mayor Gallegos requested Council review agenda for approval. Mayor Gallegos requested Item 4-Encroachment-Pecos Addition be stricken from the agenda and replaced with Item 17- Fire Department Planning Project Review. Councilor Esther Segura moved to approve agenda with proposed changes.
MOTION: Gerald Cline
SECOND: Elizabeth Steele
That the Council approves the agenda with proposed changes.
All voted yes, motion carried.
Show of hands 4-0

2. APPROVAL OF MINUTES
Mayor Gallegos requested review and approval of Minutes for February 10, 2020 Regular Meeting. Councilor Gerald Cline motioned to approve the Minutes of February 10, 2020 Regular Meeting as presented.
MOTION: Gerald Cline
SECOND: Esther Segura
That the Council approves the Minutes of February 10, 2020 Regular Meeting as presented.
All voted yes, motion carried
Show of hands 4-0

3. CONSIDERATION OF RIGHT OF WAY ACCESS FOR IRRIGATION – WHINNERY AVENUE
Mayor Gallegos presented to Council a request from Fort Sumner citizen Ricky Casaus who currently resides on Whinnery Avenue. Mr. Casaus was present as Mayor Gallegos explained to Council the request was for right of way access for a portion of Whinnery Avenue to allow for irrigation to pass to Mr. Casaus's property to which he had irrigation rights. Mr. Casaus stated all costs incurred for the right of way access for irrigation would be paid by him. Mayor Gallegos provided a picture of the area and stated the responsibility to call 811 – Call Before You Dig would also belong to Mr. Casaus. Councilor Albert Sena moved to allow Mr. Casaus right of way access for irrigating purposes on Whinnery Avenue.
MOTION: Albert Sena
SECOND: Gerald Cline
That the Council approves right of way access to Ricky Casaus for irrigating purposes on Whinnery Avenue.
Three voted yes, motion carried
One Abstained: Esther Segura
Show of hands 3-0-1

4. CONSIDERATION OF FIRE DEPARTMENT PRE-PLANNING PROJECT CONTRACT REVIEW/UPDATE.
Mayor Gallegos and Council discussed with Joscelin Stroud the status of the Fire Department Pre-Planning Project status. Discussion included the last update from Ms. Stroud on having completed two buildings according to the specifications of the State Fire Marshall. Ms. Stroud stated the Fire Marshall had given some clarification needed on the number of binders required and that all commercial buildings were to be done "no matter if it was a barn or a business". Business owners were to report any changes to floor plans after completed to keep the binder updated and that all fire hydrants must be tested. Ms. Stroud reported the process was time consuming and required several steps which supported the request to compensate each building completed at $45.00, rather than $15.00 previously agreed to. After a short discussion, the $45.00 fee was agreed to per building with a cap $2,000.00 at which time the Council would hear an update and re-evaluate the project to which Ms. Stroud agreed.

MOTION: Albert Sena
SECOND: Gerald Cline
That the Council approves adjusting the change of price per building to $45.00 in the Fire Department Pre-Planning Contract with Joscelin Stroud to include a $2,000.00 cap upon which the project would be re-evaluated.
All voted yes, motion carried.
Show of hands 4-0

5. CONSIDERATION CANAL AVENUE PROJECT BID AWARD
Mayor Gallegos reported to Council that a Bid Opening had taken place March 3, 2020 for the Canal Avenue Project for Wastewater Improvements. Project Engineer Dennis Engineering Company submitted a recommendation for the Council to consider rejecting all bids as the lowest bid received from General Hydronics Utilities, LLC exceeded the available construction budget by more than 10% disallowing negotiations according to NMSA 13-1-105. The recommendation included the option to revise the scope of the project and re-bid the project as is when additional funding is secured. Council discussed options, choosing to modify the scope of the project and re-bid.
MOTION: Elizabeth Steele
SECOND: Gerald Cline
That the Council approves modifying the scope and re-bidding the Canal Avenue Project.
All voted yes, motion carried
Show of hands 4-0

6. CONSIDERATION OF GPS ANTENNA CONTRACT
Mayor Gallegos brought a proposed contract with AllTerra to allow for the placement of a GNSS Reference Station antenna at the Fort Sumner Municipal Airport. The GPS tool makes GPS/GNSS correction services to surveyors, engineers, construction crews, municipalities and other Geospatial Professionals. An annual sum of $600.00 would be paid to the Village for allowing an antenna to be fixed to a structure that had available electricity. A sample photo of the antenna was provided. Councilor Sena motioned to accept the contract with AllTerra for placement of a GPS antenna at the Fort Sumner Municipal Airport for a $600.00 annual compensation.
MOTION: Albert Sena
SECOND: Elizabeth Steele
That the Council approves a contract with AllTerra for placement of a GPS antenna at the Fort Sumner Municipal Airport for a $600.00 annual compensation.
All voted yes, motion carried
Show of hands 4-0

7. CONSIDERATION OF CAPITAL OUTLAY SENIOR VAN PURCHASE
Senior Director Sonja Moyer discussed with Mayor Gallegos and Council the need for a handicapped accessible van in the Senior Center program under $50,000.00. Director Moyer stated a Capital Outlay request had been submitted for Legislative funding, but money was available from a Junior Bill secured by Rep. Martin Zamora if Capital Outlay funding did not pass. Three vans with similar specifications were presented, with one able to haul more passengers in addition to a wheelchair bound client. After some discussion and comparison, Councilor Albert Sena motioned to accept the recommendation of the Senior Director for a handicapped accessible 2020 Dodge Promaster City Wagon able to hold 5 passengers plus a wheelchair client for $34,361.50.
MOTION: Albert Sena
SECOND: Elizabeth Steele
That the Council approves purchase of a 2020 Promaster City Wagon able to hold 5 passengers plus a wheelchair client for $34,361.50.
All voted yes, motion carried
Show of hands 4-0

8. CONSIDERATION OF RFP 2020-01 AIRPORT ON CALL ENGINEER AWARD
Mayor Gallegos and Council reviewed a recommendation from Chief Procurement Officer Jean Moulton on the selection of RFP 2020-01 for Airport On Call Engineer. Two responsive submissions were received from Molzen Corbin and Bohannon Huston. After evaluations were completed, CPO Jean Moulton recommended the Village award RFP 2020-01 to Molzen Corbin and enter into contract negotiations.
MOTION: Albert Sena
SECOND: Esther Segura

That the Council approves awarding RFP 2020-01 Airport On Call Engineer to Molzen Corbin and entering contract negotiations.
All voted yes, motion carried
Show of hands 4-0

9. CONSIDERATION OF RFP 2020-02 ON CALL ENGINEER AWARD
Mayor Gallegos and Council reviewed a recommendation from Chief Procurement Officer Jean Moulton on the selection of RFP 2020-02 for On Call Engineer. Four responsive submissions were received from Dennis Engineering, Bohannon Huston, Molzen Corbin and Delph Engineering. After evaluations were completed, CPO Jean Moulton recommended the Village award RFP 2020-02 to Dennis Engineering and enter into contract negotiations.
MOTION: Elizabeth Steele
SECOND: Albert Sena
That the Council approves awarding RFP 2020-02 On Call Engineer to Dennis Engineering and entering contract negotiations.
All voted yes, motion carried
Show of hands 4-0

10. CONSIDERATION OF AIRPORT RENTAL FEE – FORT SUMNER CONCRETE
Mayor Gallegos brought before the Council a proposed rent increase of $50.00 for Fort Sumner Concrete currently renting space at Fort Sumner Municipal Airport, bringing the rental fee to $250.00 monthly.
MOTION: Esther Segura
SECOND: Elizabeth Steele
That the Council approves a rent increase of $50.00 for Fort Sumner Concrete currently renting space at Fort Sumner Municipal Airport, bringing the rental fee to $250.00 monthly.
Three voted yes, motion carried
One Abstained: Albert Sena
Show of hands 3-0-1

11. CONSIDERATION OF PROPOSED ORDINANCE 417 – BUSINESS REGISTRATIONS
Clerk Jamie Wall petitioned Mayor Gallegos and Council with proposed Ordinance 417 relating to Business Registrations. Clerk Wall stated the proposed Ordinance would replace two separate ordinances passed in the early 1980's for the Village to charge a Business Registration fee including the scope and process to do so. Clerk Wall pointed out that while there was a $100.00 penalty for violation of this Ordinance, the terms were ambiguous and no enforcement measures were included. After some research and discussion with Municipal League Attorney, it was learned that New Mexico State Statute gave the Village parameter and permission to enforce this ordinance, but was best practice to include enforcement language in the Ordinance. Discussion was heard whether or not the Registration could be prorated during the year for new business. Mayor Gallegos requested Village Attorney Randy Knudson review the Ordinance before the final draft was presented for consideration.
MOTION: Elizabeth Steele
SECOND: Esther Segura
That the Council approves proceeding to publication with proposed Ordinance 417- Business Registrations.
All voted yes, motion carried
Show of hands 4-0

12. CONSIDERATION OF RESOLUTION 2020-08 HARDSHIP SALE PARTICIPATION
Clerk Jamie Wall addressed Mayor and Council regarding Resolution 2020-08 Hardship Sale Participation to allow the Village of Fort Sumner to submit a letter of request with a list of needed equipment to the State of New Mexico Department of Transportation surplus equipment sale. A letter of justification would accompany the Resolution requesting consideration of $25,000.00 awarded to municipalities who qualified for the financial hardship status. Councilor Esther Segura motioned to approve Resolution 2020-08 Hardship Sale Participation.
MOTION: Esther Segura
SECOND: Albert Sena
That the Council approves Resolution 2020-08 Hardship Sale Participation.
All voted yes, motion carried.
Show of hands 4-0

13. CONSIDERATION OF RESOLUTION 2020-09 BUDGET ADJUSTMENT -101
Clerk Jamie Wall addressed Mayor and Council regarding Resolution 2020-09 Budget Adjustment to increase Revenue in General Fund 101 by $96,000.00 to $731,600.00. Mayor Gallegos recommended Council approve Resolution 2020-09 Budget Adjustment for General Fund 101.
MOTION: Elizabeth Steele
SECOND: Albert Sena
That the Council approves Resolution 2020-09 Budget Adjustment for General Fund 101.
All voted yes, motion carried.
Show of hands 4-0

14. CONSIDERATION OF RESOLUTION 2020-10 BUDGET ADJUSTMENT -101-202
Clerk Jamie Wall addressed Mayor and Council regarding Resolution 2020-10 Budget Adjustment to increase Transfer Out in General Fund 101 by $25,000.00 to $44,000.00 and increase Transfer In Environmental Fund 202 by $25,000.00 to $25,000.00. Mayor Gallegos recommended Council approve Resolution 2020-10 Budget Adjustment for Fund 101-202.
MOTION: Gerald Cline
SECOND: Esther Segura
That the Council approves Resolution 2020-10 Budget Adjustment for Fund 101 and 202.
All voted yes, motion carried.
Show of hands 4-0

15. CONSIDERATION OF RESOLUTION 2020-11 BUDGET ADJUSTMENT -101-217
Clerk Jamie Wall addressed Mayor and Council regarding Resolution 2020-11 Budget Adjustment to increase Transfer Out in General Fund 101 by $25,000.00 to $69,000.00 and increase Transfer In Recreation Fund 217 by $25,000.00 to $40,000.00. Mayor Gallegos recommended Council approve Resolution 2020-11 Budget Adjustment for Fund 101-217.
MOTION: Elizabeth Steele
SECOND: Esther Segura
That the Council approves Resolution 2020-11 Budget Adjustment for Fund 101 and 217.
All voted yes, motion carried.
Show of hands 4-0

16. CONSIDERATION OF RESOLUTION 2020-12 AAA AUTHORIZATION
Clerk Jamie Wall addressed Mayor and Council regarding Resolution 2020-12 AAA Authorization to participate and allow Mayor Louie Gallegos and Clerk Jamie Wall to sign and enter a contract with and sign off on all official documents with Non-Metro Area Agency on Aging to provide Senior Center services. Councilor Sena motioned to approve Resolution 2020-12 AAA Authorization.
MOTION: Gerald Cline
SECOND: Esther Segura
That the Council approves Resolution 2020-12 AAA Authorization.
All voted yes, motion carried.
Show of hands 4-0

17. DISCUSSION – UPCOMING EVENTS
Mayor Gallegos and Council discussed upcoming events including upcoming District 4 Meeting scheduled for March 19, 2020 in Portales, NM.

18. EXECUTIVE SESSION: PURSUANT TO OPEN MEETINGS ACT – 10-15.1 H.7 – THREATENED OR PENDING LITIGATION
Mayor Gallegos recommended Council close the Regular Meeting to meet in Executive Session to discuss threatened or pending litigation.
MOTION: Albert Sena
SECOND: Elizabeth Steele
That the Council approves closing the Regular Meeting to meet in Executive Session to discuss threatened or pending litigation.
Show of hands 4-0

ROLL CALL TO ENTER EXECUTIVE SESSION.
Jamie Wall, Clerk called roll:
Albert Sena – Yes
Esther Segura – Yes
Gerald Cline - Yes
Elizabeth Steele – Yes
Mayor and Council requested Clerk Jamie Wall accompany them as they entered Executive Session at 7:09 P.M.

RE-OPEN REGULAR MEETING
Returning from Executive Session: Mayor Gallegos, Councilor Elizabeth Steele, Councilor Esther Segura, Councilor Gerald Cline, Councilor Albert Sena, and Clerk Jamie Wall were present at 7:31 P.M.
Mayor Gallegos recommended Council re-open the Regular Meeting.
MOTION: Albert Sena
SECOND: Esther Segura
That the Council approves opening the Regular Meeting.
Show of hands 4-0

ROLL CALL EXITING EXECUTIVE SESSION.
Jamie Wall, Clerk called roll:
Albert Sena – Yes
Esther Segura – Yes
Gerald Cline - Yes
Elizabeth Steele – Yes
NO ACTION TAKEN

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 7:35 P.M.
MOTION: Gerald Cline
SECOND: Elizabeth Steele
All voted yes, motion carried.
Show of hands 4-0

APPROVED:

MAYOR Louie Gallegos
LOUIE GALLEGOS

ATTEST:

Jamie A. Wall
JAMIE WALL, CLERK