

VILLAGE OF ANGEL FIRE

Angel Fire NM 87710

(575) 377-3232

PUBLIC NOTICE

Council Meeting

Tuesday, October 27th, 2020 at 5:30pm

Please note that in an effort to continue to provide open meetings and to comply with the new rules governing open meetings, this meeting can be accessed by using GoToWebinar using the information at the bottom of the Agenda.

Call to Order

Pledge of Allegiance

Roll Call

Approval of Agenda

Approval of the Consent Agenda

1. Approval of the October 13th Regular Council Meeting Minutes

Requests and Responses from the Audience (Limited to 3 minutes)

Announcements and Proclamations

Reports

1. Governing Body Report

2. Manager's Report

3. Staff Report

4. Committee Reports

Old Business:

A. Discussion/Approval of an Ordinance Granting a Zone Change From R-1 Residential to R-2 Medium Density Residential (2nd Reading) (Public Hearing)

New Business: None

**Terry Cordova, Village Clerk
Post: 10/22/2020**

Jo Mixon, Mayor

THE PUBLIC IS INVITED TO ATTEND

Subject to Change Until Friday October 23rd, 2020 at 5:30pm

Next Council Meeting November 10th, 2020 at 5:30pm

AGENDA MAY BE VIEWED AT OUR WEBSITE: ANGELFIRENM.GOV

IF YOU ARE AN INDIVIDUAL WHO IS IN NEED OF ANY AUXILIARY AID OR SERVICE TO ATTEND THE MEETING

PLEASE CONTACT THE VILLAGE CLERKS OFFICE 48 HOURS PRIOR TO THE MEETING.

Please register for Village of Angel Fire, Village Council Meeting 10-27-2020 on Oct 27, 2020 5:30 PM MDT at:

<https://attendee.gotowebinar.com/register/6050454568443855120>

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VILLAGE OF ANGEL FIRE
Regular Council Meeting Minutes
Tuesday October 13th, 2020
DRAFT

This meeting was conducted via GoToWebinar in compliance with the NM Open Meetings Act

Call to Order

Mayor Mixon called the meeting to order at 5:30pm

Pledge of Allegiance

Mayor Mixon called for the Pledge of Allegiance.

Roll Call

Present were Mayor Mixon, Mayor Pro-tem Lanon, Councilor Billingsley, Councilor Trom, Councilor Peterson. Also, present were Manager Mitchell and Village Clerk Terry Cordova. A quorum was present.

Approval of Agenda

Mayor Pro-tem Lanon made the motion to approve the agenda. Councilor Trom seconded. Motion carried 4-0.

Request and Responses from the Audience (Limited to 3 minutes-None)

Announcements and Proclamations -None

Reports

1. Governing Body Report

Mayor Pro-tem Lanon reported that he has been getting many calls about the road conditions.

2. Manager's Report

Manager Mitchell responded to Mayor Pro-tem Lanon comment about road conditions. He stated that one of the roads reason they are in the condition they are in was because several years ago the Village bought a used water truck and it is the only one we have in our possession. That truck is in poor condition and in need of maintenance. The only way to grade and clean the roads is with that water truck. We thought there would be more rain and without the truck we have not been able to get to them. The truck I currently going through repairs and we are also taking estimates and bids to get a new water truck. Without proper equipment, we cannot maintain the roads. The GO Bond area is going along satisfactory. The only issue we have is some work on the change order due to the road design that include bicycle paths, both southbound and northbound on EL Camino Real. The sidewalk work on 434 is going along great. We have has several inspections done and it looks like all of it will be completed as far as concrete work over the next ten (10) days. There have been some that have voiced concerns on the driveway issues. There are two that we had to cut into the concrete because they did not meet the ADA guidance. That concrete work will be done at the end of the project and those driveways will be smoothed back out. Halo Pines walkthrough has been completed and they only need to complete the water valves, cut them back out and make them accessible to the water department. They will start the demolition on the old Alpine storage sheds later this week and finish the asphalt at the recycle park so that we can begin fencing, lighting and camera work within the park.

Staff Report

Terry Cordova, Village Clerk, went over some misinformation that has been going around about the upcoming election and to encourage everyone to be extra vigilant about voting and election information that does not come from the County Clerk Office or Municipal Clerks Office.

3. Committee Report

Councilor Trom gave an update on the GO Bond /Public Works committee.

Mayor Pro-tem Lanon reported that there would be a Lodgers Tax committee meeting Wednesday at 10 am.

Old Business: None

1 **New Business:**

2
3 **A. Discussion/ Approval of the September 24, 2020 Regular Council Meeting Minutes**

4 Mayor Pro-tem Lanon made the motion to approve the September 24 regular council meeting
5 minutes. Councilor Billingsley seconded. With no discussion, the motion carried 4-0 with
6 Mayor Pro-tem Lanon-aye, Councilor Billingsley-aye, Councilor Trom-aye, Councilor
7 Peterson –aye.

8 **B. Discussion/Approval of an Ordinance Granting a Zone Change From R-1 Residential to**
9 **R-2 Medium Density Residential (1st Reading) (Public Hearing)**

10 Mayor Mixon opened the public hearing at 5:50pm. Christine Breault, Planning and Zoning
11 Coordinator explained that Larry and Sandra Trom are requesting a zone change so that they
12 may rent out a portion of their home. Staying in the residence, we consider this either an
13 apartment or bed and breakfast or a boarding house as far as zoning is concerned. The
14 Planning and Zoning Commission have heard this and gives a positive recommendation.
15 Manager Mitchell noted that on the staff recommendation under managers comments that his
16 recommendation was the removal of condition #2 stating that not once has the Village ever
17 make an ordinance change using a property owners name or a condition based on who owns a
18 property . I don't think this is the time to set the precedent for it. Zoning belongs to the land
19 itself, the use of the land and the use of the buildings, not the discretion of ownership. It is
20 Village zoning. We had to go back and had to ask the question of why this is even an
21 ordinance change and not simple a resolution. The zoning for the Village of Angel Fire was
22 codified in 2002 as a map that showed every property, every tract, and every lot within the
23 Village and what its zoning designation was. Since it was codified in the ordinance, it
24 requires ordinance changes. So looking at this as an ordinance change and strictly as advising
25 Council, I do not believe that tying the land itself for the building to a current or future
26 owners name is appropriate and we recommend that the amendment to B be struck from the
27 ordinance itself. During the second reading that item will be removed. Councilor Trom also
28 stated that there was a typo in the subdivision .Christine stated that those changes would be
29 done and ready for the second reading. With further input, Mayor Mixon closed the public
30 hearing at 5:56pm. Mayor Pro-tem Lanon made the motion to approve an ordinance granting
31 a zone change from R-1 residential to R-2 medium density residential with the removal of
32 amendment 2 and the correction to the zoning ,first reading public hearing. Councilor
33 Billingsley seconded. With further discussion, the motion carried 3-1 with Mayor Pro-tem
34 Lanon-aye, Councilor Billingsley-aye, Councilor Trom recused himself from the vote,
35 Councilor Peterson –aye.

36 **C. Discussion/ Approval to Apply, Accept and Execute the FEMA FY20 AFG-S Grant for**
37 **Regional Projects**

38 Mayor Pro-tem Lanon made the motion to apply, accept, and execute the FEMA FY20 AFG-
39 S grant for regional projects. Councilor Trom seconded. John Murtagh , Fire Chief explained
40 that the AFG grant is supplemental out of the CARES Act and is specifically providing an
41 additional chance for volunteer and combination fire departments to apply for funding for FY
42 20 . My intention is to use this as a regional grant as it is specified for communications. With
43 all of the issues that we have had previously, I got a quote from Advanced Communications.
44 The building itself will be about \$88,000 and there is all of the equipment which will be
45 almost \$21,000. We are asking for \$106,000 with a 25% match that would come from our
46 wildland funds. I would need assistance from the Village and some other departments as far
47 as the match. Mayor Pro-tem Lanon asked how much money you are going to need from
48 other departments. John stated that it's about \$30,000 for the match so probably half. The
49 departments that would be asked are the police department, water department, and we might
50 be able to get some from the county. Councilor Billingsley asked if this would help with some
51 of the areas where we do not have the best radio coverage. John yes it might give us better
52 communication to the south and possible into the Taos canyon. With no further discussion,
53 the motion carried 4-0

1 **D. Discussion / Approval to Apply, Accept and Execute a Grant from the Eugene and**
2 **Dorothy Martin Foundation to Purchase an Unmanned Aerial System (UAS)**

3 Mayor Pro-tem Lanon made the motion to apply, accept and execute a grant from Eugene and
4 Dorothy Martin Foundation to purchase an unmanned aerial system. Councilor Billingsley
5 seconded. John Murtagh, Fire Chief explained that as technology improves we try to use it to
6 the best of our ability. Technology in this area has proven to help public safety entities
7 increase their efficiency and effectiveness by decreasing manpower and time during mission
8 critical situations. I can give you two examples, not too long ago, we had a lightning strike
9 fire up on heading home we could see the smoke from the station, but it took four hours to
10 locate the seat of the fire, and then about another hour to put it out, we could have launched
11 an unmanned aerial system and found it within five minutes. The second purpose obviously is
12 search and rescue. We do have a lot of lost hikers and hunters in the area. Not too long ago
13 we had a lost four year old right up back behind the Lowes. Fortunately, the four year old was
14 found unharmed, but in another case, or in another situation similar to that, we could use this
15 unmanned aerial system, too assist us because it's going to have a thermal imaging camera on
16 it. It also has GPS tracking and I will have Manager Mitchell speak to that. Manager Mitchell
17 explained it has the capability to outline pipes. Once the work is completed by the water
18 department it's put into the GIS system. This would allow us to go out and use the positioning
19 systems and GIS the location of our underground infrastructure facilities. With the IR system
20 we could also do tank checks at a random basis when we suspect we may be having water
21 tank issues. It is a highly valuable tool. John read the description of the Eugene and Dorothy
22 Martin Foundation. With no further discussion, the motion carried 4-0

23 **E. Discussion. Approval to Apply, Accept and Execute the New Mexico EMS Fund Act**
24 **Vehicle Purchase Grant**

25 Mayor Pro-tem Lanon made the motion to apply, accept and execute the New Mexico EMS
26 Fund Act vehicle purchase grant. Councilor Peterson seconded. John Murtagh, Fire Chief
27 explained that this is a special grant from the Ems Fund Act for the fiscal year 22. As you
28 know, 80% of our calls are EMS calls and we provide service to the unincorporated areas of
29 Colfax County. In the Moreno Valley our Ambulances are taking a beating, even the new one
30 we just bought has needed service. This grant for a new ambulance does requires a 25%
31 matching funds which would come from net funds we get from fighting wildland fires. With
32 no discussion, the motion carried 4-0

33 **F. Discussion/ Approval of a Request for a Budget Adjustment for FY21 for a Correction**
34 **of the Original Budget Submission**

35 Mayor Pro-tem Lanon made the motion to approval a request for a budget adjustment for FY
36 21 for the correction of the original budget submission. Councilor Trom seconded. John
37 Murtagh, Fire Chief explained that there was a mistake preparing the budget for FY21, there
38 was a keystroke error and I did not catch it. The amount should be \$185,000 and the budget is
39 for \$105,000. Money from the 208 will be utilized for supplementing this error until full
40 reimbursement can be collected. With no discussion, the motion carried 4-0 with Mayor Pro-
41 tem –aye, Councilor Billingsley-aye, Councilor Trom –aye, Councilor Peterson –aye.

42 **G. Discussion/ Approval of Task Order #2017-006C with HDR Engineering for the**
43 **Wastewater Treatment Facility Improvements**

44 Mayor Pro-tem Lanon made the motion to approve task order #2017-006C with HDR
45 Engineering for the wastewater treatment facility improvements. Councilor Billingsley
46 seconded. Amos Torres, Utilities Superintendent explained that during the design of the
47 facility we came across a few hiccups. One of those was the design of the dissolved oxygen
48 system and the other was the Headwork facility which is located at Darrell Benjamin and
49 Camino Grande and at this locate we have had problems in the wintertime freezes the
50 equipment. If we can get all of this inside a building it will be easier on the equipment. So
51 part of the redesign is for the building. Bidding will be done in the winter months and
52 construction should start in the spring of 2021 and be completed in the fall of 2021. We do
53 have funding for the project form the Clean Water State Revolving Fund loan/grant and what

1 we are asking is that any other would be paid out of the 2020 GO Bond. Manager Mitchell
2 added that the reason we were looking at this under the GO Bond was that it fits the
3 requirements that we stated we were going after in the GO Bond. This also bring our facility
4 back into compliance. The location has been in conflict on the Headwork building with the
5 completion of Camino Grande with the intersection alignments and this will correct that issue.
6 With no further discussion, the motion carried 4-0
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9 Mayor Mixon adjourned the meeting at 6:33pm.

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11 **Passed, Approved and Adopted on this 27th day in October, 2020**
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16 Jo Mixon, Mayor

17 **ATTEST:**

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20 Terry Cordova, Village Clerk
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ORDINANCE NO. 2020-

**AN ORDINANCE GRANTING A ZONE CHANGE
FROM R-1 RESIDENTIAL TO R-2 MEDIUM DENSITY RESIDENTIAL
ON LOT 221A OF THE ANGEL FIRE CHALETS UNIT 2A AMENDED SUBDIVISION
WITHIN THE VILLAGE OF ANGEL FIRE.**

WHEREAS Lawrence and Sandra Trom are requesting this zone change on lot 221A of the Angel Fire Chalets Unit 2A Amended Subdivision with an address of 173B El Camino Real; and

WHEREAS this lot is bordered by O-5 zoned properties to the north; and

WHEREAS there is ample off-street parking for additional vehicles; and

WHEREAS the Trom's would like to use their additional space as a short-term rental unit while residing in the home; and

WHEREAS the Planning & Zoning Commission has reviewed this application and sends a positive recommendation with the following conditions:

1. No additional structures or spaces for accessory living may be added to the property

NOW THEREFORE BE IT ORDAINED by the Angel Fire Village Council that a zone change is granted on lot 221 A of the Angel Fire Chalets Unit 2-A Amended Subdivision from R-1 to R-2.

PASSED, APPROVED AND ADOPTED this 27th day of October, 2020

Mayor Jo Mixon

ATTEST:

Terry Cordova, Village Clerk