

VILLAGE OF ANGEL FIRE
Council Regular Meeting Minutes
Tuesday July 10th, 2012 at the Village Hall

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Call to Order

Mayor Cottam called the meeting to order at 5:30 PM

Pledge of Allegiance

Mayor Cottam called for the Pledge of Allegiance.

Roll Call

Present were Mayor Cottam, Mayor Pro-tem Howe, Councilor Germscheid, Councilor Welker, and Councilor Colenda. Also present Village Clerk Terry Cordova and Village Administrator Tomas Benavidez. A full quorum was present.

Approval of Agenda

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

Approval of Consent Agenda

- 1. **Approval of Andy Bertges as Fire Chief**
- 2. **Approval to confirm the Citizens Financial Review Committee and the Trails Committee**
- 3. **Approval to Appoint Robin May to the P and Z Committee**

Mayor Pro-tem Howe made the motion to approve the consent agenda, Councilor Welker seconded. Motion carried 4-0 Mayor Cottam congratulated Andy Bertges on his appointment as Fire Chief.

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

None

Announcements and Proclamations –None

Reports

- a. **Governing Reports –None**
- b. **Administrator’s Report**
Tomas gave a report updating the franchise agreements with the Village.
- c. **Staff Reports- None**

1) Old Business -None

2) New Business

A. Discussion /Approval of Resolution 2012- 22 for Final Approval of the Budget for Fiscal Year 2012-2013

Mayor Cottam stated that Finance Director, Lupita De Herrera was not here tonight but could be reached by phone if needed to answer any questions. Councilor Colenda had some questions about the revenue side of the budget and some of the differences from last year. Tomas Benavidez explained some of the differences. There are some things that need to be worked out in the Incode system to capture the PID lots under revenues. Mayor Pro-tem Howe made the motion to approve resolution 2012-22 for final approval of the budget for the fiscal year 2012-2013. Councilor Germscheid seconded . With no further discussion the motion carried 4-0 with Mayor Pro-tem Howe –aye, Councilor Germscheid –aye, Councilor Welker –aye, Councilor Colenda-aye

B. Discussion /Approval of Resolution 2012-23 Authorizing Submission of a Loan Application to New Mexico Finance Authority (NMFA) for the Purchase of Police Vehicles

Mayor Pro-tem Howe made the motion to approve resolution 2012-23 for the submission of a loan application to NMFA for the purchase of police vehicles. Councilor Colenda seconded. With no discussion the motion carried 4-0 with Mayor Pro-tem Howe –aye, Councilor Germscheid –aye, Councilor Welker –aye, Councilor Colenda –aye.

C. Discussion / Approval of Resolution 2012-24 Granting a Temporary Sign Face Area Variance to Resort Properties of Angel Fire for a ‘For Sale ‘Sign

Mark Rivera, Community Development Director explained that Resort Properties has seven lots with in the Tierra del Cielo subdivision located on the south side of Camino Grande and east of the Moreno Valley High School. Rather than placing seven small signs , Resort Properties would like to put one sign at 21 square feet which will include a plat drawing showing all seven lots .The Planning and Zoning Commission has reviewed this variance and approves of granting this variance with the following conditions ,1) The sign would be removed immediately if all seven lots sold together . 2) If the lots sell individually, this sign will come down with the sale of the fourth lot. 3) The variance will expire three

(3) years from the date of Council approval. Mayor Pro-tem Howe made the motion to approve resolution 2012-24 granting a temporary sign variance to the total face area of a real estate sign. Councilor Colenda seconded. With no discussion the motion carried 4-0 with Mayor Pro-tem Howe – aye, Councilor Germscheid –aye, Councilor Welker –aye, Councilor Colenda -aye

D. Discussion /Approval of Resolution 2012-25 Accepting the Dedication of an Extension of Tam O’ Shanter Terrace Right of Way and the Vacation of a Portion of the Tam O’ Shanter Cul-De-Sac
Mark Rivera, Community Development Director explained that in 1981 the resort vacated portions of right-of-way that surrounded the Country Club on Tam O’ Shanter Terrace. The cul-de-sac was never constructed. The resort sold lots 13 and 14 to National Recreation Properties Inc. who subsequently sold to Jack and Brenda Christian. The Christians started the process to combine the lots. When the corner stakes were put in place it became apparent that the fairway is encroaching on both lots. The Christians have requested that the council vacate that portion of the cul-de-sac that was dedicated in 1981. To ensure a minimal degree of emergency access, the adjacent property owner to the west of the Christians has agreed to rededicate the portions of the right-of-way they received in 1981. The rededication would end at the Country Club property and at that point emergency access would follow the concrete golf cart ramp. Mayor Pro-tem Howe made the motion to approve resolution 2012-25 accepting the dedication of an extension of Tam O’ Shanter Terrace right of way and the vacation of a portion of the Tam O’ Shanter cul-de-sac. Councilor Welker seconded. Councilor Colenda asked for clarification that the resort has the option to use that road as they are using it now. Councilor Germscheid stated that the resort will still be using it for emergency vehicles and that at some point will have a gate as well. Motion carried 4-0 with Mayor Pro-tem Howe –aye, Councilor Germscheid –aye, Councilor Welker –aye, Councilor Colenda-aye

E. Discussion/Approval for Request for Proposal (RFP) for Annual Audits for Fiscal Years 2011-12, 2012-13,2013-14

Tomas Benavidez, Village Administrator explained that the Office of the State Auditors (OSA) recommends that municipalities do multi-year contracts not to exceed three years. We will start advertising on July 13th and attached to your packets as the RFP and guidelines. Mayor Pro-tem Howe asked if Harshwal would be doing the 2011 audit and if there was going to be any challenge from them from the first contract. Tomas stated that they said that it was our choice. Councilor Germscheid asked if there was any way to hold these auditors accountable to stay on a dead line. Tomas stated that there is nothing now for that but he would possibly talk with the state auditor’s office and get that added to their forms. Mayor Pro-tem Howe made the motion to approve the issuance of a Request for proposal 2012-01 for annual audits for fiscal years 2011-12, 2012-13 and 2013-14. Councilor Germscheid seconded. With no further discussion motion carried 4-0

F. Discussion /Approval of a Contract Agreement with Karen Nichols

Mayor Pro-tem Howe made the motion to approve contract VAF 2012-13-01 with Karen Nichols in the amount of \$12,000 for the year. Councilor Germscheid seconded. With no Discussion the motion carried 4-0

G. Discussion/Approval to hire a Summer Maintenance Person

Councilor Colenda stated that he would like to get the pulse of the council about whether we should have a maintenance person. It was mentioned just today about the ball fields and that we have no one on staff to maintain it, so who is going to do it . We have trails, buildings and things like that. Mayor Pro-tem Howe added that after our last maintenance person left there had been some talk about who would take over those duties but that would not cost so much. Tomas Benavidez ,Village Administrator stated that several weeks ago that staff from the water/wastewater ,streets, solid waste and fire departments got together and that they were working on a plan to work this out .

Adjournment

Mayor Pro-tem Howe made the motion to adjourn at 6:03pm, Councilor Welker seconded. Motion carried 4-0

Passed, Approved and Adopted on this 14th day of August, 2012.


Barbara Cottam, Mayor

ATTEST:


Terry Cordova, Village Clerk

VILLAGE OF ANGEL FIRE
Council Work Session
Tuesday July 24th, 2012 at the Village Hall

Call to Order

Mayor Cottam called the meeting to order at 2:00 PM

Pledge of Allegiance

Mayor Cottam called for the Pledge of Allegiance

Roll Call

Present were Mayor Cottam, Mayor Pro-tem Howe, Councilor Germscheid, Councilor Welker Councilor Colenda. Also present Village Deputy Clerk Christine Breault, Village Administrator Tomas Benavidez. A full quorum was present.

Approval of Agenda

Mayor Pro-tem Howe made the motion to approve the agenda with the following change under department updates move item F to A and all others move down one. Councilor Welker seconded the motion. Motion carried 4-0

Council Work Session:

1. Richard Dickerson – HR Assessment

Please see attached

2. Discussion to Create Two New Committees, 1. Ordinance Review and 2. Police and Fire Safety Committee

Councilor Welker stated that he felt these two committees would be beneficial. He stated that the ordinance committee would go through the current ordinances and clean out the ones we do not need. As for the safety committee Police Chief, Warren Morey and Fire Chief, Andy Bertges gave their support of the committee. Councilor Colenda does not see the need for an ordinance committee, but would be willing to see a safety committee formed. Councilor Germscheid gave her support of these committees. Council would also like to see that maybe the ordinance committee should have a time frame and may not be a long term committee. This item will be on future work session for further discussion.

3. Financial Update – Lupita De Herrera

Lupita went over current financials. She stated that these were not the final financials for the fiscal year that there are some adjustments that needed to be made and will be brought to council for approval.

At this point in the meeting Village Clerk Terry Cordova took over for Deputy Clerk Christine Breault.

4. August Meeting Schedule

Due to the absence of Mayor Cottam, Councilor Welker and Village Clerk Terry Cordova at the August 28th meeting it has been cancelled.

5. Department Director updates

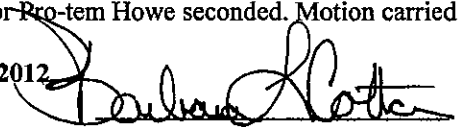
- A. Visitor Center –Jimmy Linton
- B. Planning and Zoning – Mark Rivera
- C. Police –Warren Morey
- D. Fire/EMS- Andy Bertges
- E. Solid Waste / Street – Frank Salois
- F. Water/ Wastewater – Rick Tafoya
- G. Finance –Lupita De Herrera

All department directors gave brief reports. Please see attached reports

I. Adjournment

Councilor Welker made the motion to adjourn at 3:59pm, Mayor Pro-tem Howe seconded. Motion carried 4-0

Passed, Approved and Adopted on this 14th day in August, 2012


Barbara Cottam, Mayor

ATTEST:

Terry Cordova, Village Clerk

VILLAGE OF ANGEL FIRE
Council Regular Meeting Minutes
Tuesday July 24th, 2012 at the Village Hall

Call to Order

Mayor Cottam called the meeting to order at 5:30 PM

Pledge of Allegiance

Mayor Cottam called for the Pledge of Allegiance.

Roll Call

Present were Mayor Cottam, Mayor Pro-tem Howe, Councilor Germscheid, Councilor Welker, and Councilor Colenda. Also present Village Clerk Terry Cordova and Village Administrator Tomas Benavidez. A full quorum was present.

Approval of Agenda

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

Approval of Consent Agenda

1. Approval of June 26th, 2012 Council Work Session Minutes
2. Approval of June 26th, 2012 Regular Council Meeting Minutes
3. Approval of July 2nd, 2012 Special Council Meeting Minutes
4. Approval of Voting Delegate for the New Mexico Municipal League Annual Business Meeting in August

Mayor Pro-tem Howe made the motion to approve the consent agenda, Councilor Germscheid seconded. Motion carried 4-0

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

Announcements and Proclamations –None

Reports

a. Governing Reports

Mayor Pro-tem Howe gave a brief report on his NMML resolution meeting in Albuquerque and stated that we should see the results at the annual conference. He also stated that NERPO will be in Eagle Nest tomorrow and that Angel Fire will be hosting it next month.

b. Administrator’s Report

Tomas gave an update on the two franchise agreements with Comcast and Century Link. He has drafted letter to each of them and is waiting for a response. He met with Harshwal on the phone and he will be meeting with tomorrow to have the amendment to their contract signed. He reported that the design for water and sewer for the sports complex is back in our ball park. H excavation and our volunteer that provided the design went out and looked at the fields and determined that we needed a survey of the area so as to be able to draw a more accurate design and plan.

c. Staff Reports

1) Old Business

A. Discussion /Approval of an Ordinance Granting a Franchise Agreement with Kit

Carson Electric Second Reading (2nd) (Public Hearing)

Tomas Benavidez went over this item and explained that this item includes additional Wording that was added after the first reading and approval. This wording was added to meet the decision be council to the depth for digging. Mayor Cottam opened the public hearing at 5:36pm, with no input it was closed at 5:36pm. Mayor Pro-tem Howe made to the motion to approve an ordinance granting a franchise with certain rights incident thereto, to Kit Carson Telecom, Inc., its successors and designees, in the Village of Angel Fire and that the Village shall receive cash payments and other considerations therefore. Councilor Colenda seconded. Motion carried 4-0 with Mayor Pro-tem Howe –aye Councilor Germscheid –aye, Councilor Welker –aye, Councilor Colenda -aye

1 2) **New Business**

2 A. **Discussion / Approval of an Ordinance Amending the Uniform Traffic**
3 **Ordinance (UTO) First Reading (1st) (Public Hearing)**

4 Terry Cordova, Village Clerk explained that this item amends the UTO (Uniform
5 Traffic Ordinance). The change removes one part in section 12-8-5 (C). This
6 makes the UTO conform to state statute. Because the Village has adopted the
7 UTO is it required that we make this amendment.

8 It was brought to our attention the item A under old business had not been voted
9 on. After completing item A under old business council resumed with new
10 business. Mayor Cottam opened the public hearing at 5:38pm, with no input the
11 hearing was closed at 5:38pm. Mayor Pro-tem Howe made the motion to
12 approve the first reading of an ordinance amending the uniform traffic ordinance.
13 Councilor Germscheid seconded. Councilor Germscheid asked for clarification
14 as to which part of the road was affected. Chief Morey said that he hoped that
15 our officers would use their discretion in those matters. Motion carried 4-0 with
16 Mayor Pro-tem Howe –aye, Councilor Germscheid –aye, Councilor Welker –
17 aye, Councilor Colenda –aye.

18 B. **Discussion / Approval of an Ordinance Granting a Zone Change From R-2**
19 **Medium Density Residential to HC Heavy Commercial on a Portion of Lot**
20 **170 of the Moreno Valley 3rd Land Subdivision First Reading (1st Reading**
21 **) Public Hearing)**

22 Mayor Cottam opened the public hearing at 5:40pm, Robert Serna, owner of SS
23 Rocks Y Mass and the owner of lot 179 went over the reason for the request
24 saying that he would like to store materials related to his landscaping business on
25 this portion of lot 179. Mark Rivera ,Community Development Director
26 explained that this is a 3 acre lot that is located east of the High School and north
27 of Camino Grande .There are no utilities and the road is not maintained by the
28 Village. The Planning and Zoning commission found the request justified and
29 gave a positive recommendation. Public hearing was closed at 5:42pm. Mayor
30 Pro-tem Howe made the motion to approve the first reading to approve an
31 ordinance granting a zone change from R-2 medium density residential to HC
32 heavy commercial on a portion of lot 179 of the Moreno Valley 3rd Land
33 Subdivision. Councilor Colenda seconded. Motion carried 4-0 with Mayor Pro-
34 tem Howe –aye, Councilor Germscheid –aye, Councilor Welker –aye, Councilor
35 Colenda -aye

36 C. **Discussion/Approval of changes to the Village Code for Fees for Petty**
37 **Misdemeanors. First Reading (1st) (Public Hearing)**

38 Warren Morey, Police Chief explained that this was really a reclassification of
39 the fines and that the proposed changes to Village code are simply in keeping
40 with State law. Mayor Cottam opened the public hearing at 5:45pm, Bubba
41 Davis asked about the portion of the code that referred to lodging and if that was
42 per day. Chief Morey stated that it was a step up for each offence. Public hearing
43 was closed at 5:46pm. Mayor Pro-tem Howe made the motion to approve first
44 reading for changes to the Village code in accordance with the New Mexico 47th
45 Legislature second regular session 2006 revised state law by increasing the
46 amount of certain crimes classified as petty misdemeanors from \$100.00 to
47 \$250.00. Councilor Welker seconded. Motion carried 4-0 with Mayor Pro-tem
48 Howe –aye, Councilor Germscheid –aye, Councilor Welker –aye, Councilor
49 Colenda –aye,

50 D. **Discussion/ Approval of Resolution 2012-26 Supporting the Village of Angel**
51 **Fire Requirements Governing Elected Officials , Appointed Officials, Staff**
52 **and Employees use of Computer and Technology Resources**

1 Tomas Benavidez, Village Administrator explained the need for this policy. He
2 stated that we had a policy that did not serve all aspects of technology. He went
3 on to go over some of the changes. The policy also covers how the employee
4 must ask before accessing certain information. Councilor Colenda asked for
5 some clarification on the list of people that were required before access of
6 information and did you have to ask all those people or can you go right to the
7 last person on the list. Tomas explained that you would talk to one or more of the
8 persons from the list. Mayor Pro-tem Howe made the motion to approve
9 resolution 2012-26 supporting the Village of Angel Fire requirements governing
10 elected officials, appointed officials, staff and employees use of computer and
11 technology resources. Councilor Welker seconded. Councilor Colenda expressed
12 his dislike for the resolution and that there was some language that did not apply
13 and it was overly complex. He was also concerned that employees will not read
14 it all. Councilor Germscheid asked if this was going to be part of the employee
15 hand book. Tomas said that no it would not the policy would stand on its own.
16 Mayor Cottam would like to see staff meeting to go over this resolution with
17 staff. Tomas said he would set those meetings up. Motion carried 3-0 with
18 Mayor Pro-tem Howe –aye, Councilor Germscheid –aye, Councilor Welker –
19 aye, Councilor Colenda –nay.

20 **E. Discussion /Approval of the Final Audit Report for FY 2010**

21 Lupita de Herrera, Finance Director, let everyone know that if council has any
22 further questions from the work session to please get in contact with her. Mayor
23 Pro-tem Howe made the motion to accept the final audit report from Harshwal
24 for fiscal year 2010. Councilor Welker seconded. Motion carried 4-0

25 **F. Executive Session Per NMSA 10-15-1H -2**

26 **1. Personnel Matters**

27 **A. Up Coming Search for Administrator**

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29 Mayor Pro-tem Howe made the motion to go into executive session to discuss
30 personnel matters, upcoming search for administrator at 6:04pm. Councilor
31 Germscheid seconded. Motion carried 4-0 with Mayor Pro-tem Howe-aye, Councilor
32 Germscheid –aye, Councilor Welker –aye, Councilor Colenda –aye.

33 Mayor Cottam asked for a motion return from executive session, and stated that only
34 the items on the agenda were discussed.

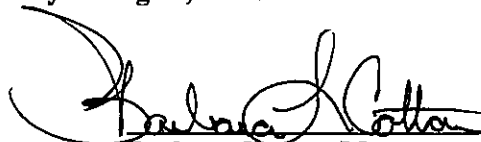
35 Mayor Pro-tem Howe made the motion to come out of executive session at 6:42pm,
36 Councilor Welker seconded. Motion carried 4-0

37 Councilor Welker made the motion to make the deadline for closing the search for
38 the administrator to be two weeks after the NMML (New Mexico Municipal League)
39 reporter comes out. Councilor Colenda seconded. Motion carried 4-0

40 **Adjournment**

41 Mayor Pro-tem Howe made the motion to adjourn at 6:42pm, Councilor Colenda
42 seconded. Motion carried 4-0

43 **Passed, Approved and Adopted on this 14th day of August, 2012.**

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49 Barbara Cottam, Mayor

49 **ATTEST:**

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53 Terry Cordova, Village Clerk