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VILLAGE OF ANGEL FIRE
Council Regular Meeting Minutes
Tuesday August 14th, 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 July 10th, 2012 Regular Council Meeting Minutes**

2. **Approval of July 24th, 2012 Council Work Session Minutes**

3. **Approval of July 24th, 2012 Regular Council Meeting Minutes**

Councilor Colenda asked that council talk about the July 10th minutes item G that discusses the hiring of a maintenance person and whether it has been advertised. Administrator Benavidez stated that we have advertised for a water/wastewater person and a person for solid waste person and that person we would be ask if they had those skills as well. Councilor Colenda asked if there had been someone hired, Administrator Benavidez stated that there had not been anyone hired but that he did advertise for two laborers. Councilor Colenda expressed his frustration that we have had the discussion in July and we are over 20% of our summer is gone. Councilor Germscheid also expressed her surprise that we had not hired someone yet. Mayor Cottam asked how many application we had gotten. Administrator Benavidez was not sure the number. Mayor Pro-tem Howe made the motion to approve the consent agenda with correction to the July 24th minutes to item A under old business the times of the opening of the public hearing be corrected . Councilor Germscheid seconded. Motion carried 4-0

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

1. **Mike Woolley** –Gave his appreciation for a job well done by the Fire /EMS department staff and volunteers.

Announcements and Proclamations – Councilor Germscheid reported about the movie production people being in town.

Reports

a. Governing Reports

Mayor Pro-tem Howe reported that the NERPO meeting would be here in Angel Fire Wednesday August 22nd at the resort. Also the Westphall brick laying at the memorial will be September 1st with almost 100 Run for the Wall riders that will be coming in for the weekend. Mayor Cottam added that the Legislative Finance Committee would me meeting on August 22nd at the resort and that there was an agenda in each of the councilor's boxes.

b. Administrator's Report –None

c. Staff Reports -None

1) Old Business -None

2) New Business

A. Discussion / Approval of the New Mexico Clean and Beautiful Grant for \$3,000

1 Tracy Orr stated that the Village of Angel Fire applied for the New Mexico
2 Clean and Beautiful grant for FY 2012/2013 and we were awarded \$3,000 to be
3 used for 2 clean –up days, and beautification of village hall. She also mentioned
4 that the other areas for beatification would include the median on N. Angel Fire
5 Road, Village Hall, the 2 Fire Stations and the Community Center. The match
6 for this grant is \$750.00 and can be in-kind. Mayor Pro-tem Howe made the
7 motion to accept the New Mexico Clean and Beautiful Grant for FY 2012/2013.
8 Councilor Germscheid seconded Motion carried 4-0

9 **B. Discussion /Approval Ordinance Amending Title 4 , Chapter 3, Section 4-3-
10 8 Adding a Paragraph F Allowing Customers Relief From Solid Waste Fee
11 or Reduction (1st Reading) (Public Hearing)**

12 Mayor Cottam opened the public hearing at 5:52pm, with no input it was closed
13 at 5:52pm. Mayor Pro-tem Howe made the motion to approve first reading of an
14 addition to section 4-3-8 relief from solid waste fee. Councilor Welker seconded.
15 Mayor Cottam asked the reasoning behind this. Tomas Benavidez , Village
16 Administrator stated that this issue had been in answer to citizens that have been
17 in with their concerns about paying two bills and also businesses that claim that
18 they do not generate enough trash to pay for trash . Councilor Germscheid asked
19 why this was different from the resolution that was passed to restructure the fees
20 for business solid waste fee. Tomas stated that it was different because the
21 ordinance says that we cannot reduce the fees. Lupita De Herrera added that
22 there was a fee restructure done and that was to give relief from certain fees.
23 Councilor Germscheid stated that we could find customers that would pay some
24 fee, but that there were some that could apply for relief. Mayor Cottam would
25 like to see more research done before council proceeds. Mayor Pro-tem made the
26 motion to postpone this item until further review. Councilor Colenda seconded.
27 Motion carried 4-0

28 **C. Discussion /Approval of an Ordinance Amending Title 4,Chapter 3, Section
29 4-3-7 Waste Diversion and Recycling Adding Paragraph 5 Grease or
30 Cooking Oil ,Storage and Collection. (1st Reading) (Public Hearing)**

31 Mayor Cottam opened the public hearing at 5:59pm, with no input it was closed
32 at 5:59pm. Mayor pro-tem Howe made the motion to approve first reading to
33 amend title 4, chapter 3, section 4-3-7 waste diversion and recycling adding a
34 paragraph 5, grease and cooking oil recycling, storage and collection. Councilor
35 Colenda seconded. Councilor Colenda asked if we were having a problem with
36 this. Tomas Benavidez stated that we were with businesses that we contract are
37 not adhering to storage requirements. Mayor Pro-tem Howe asked about item 5-e
38 concerning cleanup of spilled grease and whether we should be placing a time
39 limit say 5 days for them to comply. Councilor Welker added that we do not
40 have anyone to enforce this so we may need to give a time period and if they do
41 not clean it up we will send a village crew to clean it and they will be charged for
42 it . It was the agreement of council that staff needed to tighten up some of the
43 wording of this amendment. Motion carried 4-0 with Mayor Pro-tem Howe –aye,
44 Councilor Germscheid-aye, Councilor Welker –aye, Councilor Colenda-aye

45 **D. Discussion/Approval of a Contract for Audit Services from Axiom CPA’s
46 for Fiscal Years 2011-12,2012-13and 2013-14**

47 Lupita De Herrera, Finance Director explained the RFP process. Tomas
48 Benavidez, Village Administrator, explained that Axiom was the firm that met
49 our criteria. Lupita Stated that she checked the references for Axiom and got
50 excellent results. The RFP is for 3 years but the contract with state auditors will
51 be for a year at a time. Mayor Pro-tem made the motion to approve the award of
52 a contract for auditing services for FY 2011-12, 2012-13, 2013-14 to Axiom

1 Certified Public Accountants and Business Advisors LLC. Councilor
2 Germscheid seconded. Motion Carried 4-0

3 **E. Discussion/Approval of an Independent Contractor's Agreement with**
4 **Richard Dickerson for Human Resource's Services**

5 Mayor Pro-tem Howe made the motion to approve an independent contract
6 agreement with Richard Dickerson for Human Resource's Services. Councilor
7 Welker seconded. Councilor Germscheid asked if the audit of HR files would be
8 more in depth and Richard Dickerson stated that it would. Councilor Germscheid
9 also asked if the hours of 142 will be enough to do this scoop of work. Richard
10 stated that he felt that it was but that for the issues that may come up as he goes
11 along it may not. Motion carried 4-0

12 **F. Discussion / Approval of a Proposed Lease Between Angel Fire Water and**
13 **the Village of Angel Fire to Lease water**

14 David Bagley from Angel Fire Water Co. LLC went over his proposal (see
15 attached). Lupita De Herrera, Finance Director asked if this proposal has been
16 discussed with the water department. Tomas Benavidez, Village administrator
17 said that it had not been, but that this was just a preliminary discussion.
18 Councilor Germscheid asked how this would work in a year similar to this one
19 when the village is on water restrictions. Tomas stated that we would have to ask
20 Darrell. David Bagley said he would have to also talk with Darrell. Mayor Pro-
21 tem Howe believes that we need to continue to work out some of the water rights
22 issues as we go forward with this process. Mayor Cottam would like to see a
23 motion of support along with sending this proposal to the village attorney. The
24 council was in agreement with that and also would like to see more input from
25 the water department. Mayor Pro-tem Howe made the motion to send an
26 agreement for lease of water between Angel Fire Water Co. and the Village of
27 Angel Fire to the village attorney for review .Councilor Welker seconded.
28 Councilor Colenda would like to see that we get all the parties together before
29 we send this to the attorney. Mayor Pro-tem Howe made the motion to amend to
30 prepare an agreement for lease of water between Village of Angel Fire and
31 Angel Fire Water Co. for submission to the village attorney for review.
32 Councilor Welker seconded. Motion carried 4-0

33 **G. Discussion/ Approval of Resolution 2012-27 to Transfer Outdated Structure**
34 **Fire Protective Ensembles to the Newly Formed Carson Fire Department**

35 Andy Bertges, Fire Chief explained that the newly formed Carson Fire
36 Department contacted him and stated that they did not have any equipment. We
37 have ensembles that have never been used by our department and Andy feels
38 comfortable releasing 20 sets to them and we have enough to cover our staff.
39 Mayor Pro-tem Howe made the motion to approve resolution 2012-27 to transfer
40 outdated structure fire protection ensembles to the newly formed Carson Fire
41 Department. Councilor Welker seconded. Motion carried 4-0 with Mayor Pro-
42 tem Howe-aye, Councilor Germscheid-aye, and Councilor Welker -aye,
43 Councilor Colenda -aye.

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

45 **1. Personnel Matters**

46 **A. Administrator's Contract**

47 **B. Salary Adjustment for Village Clerk**

48 Mayor Pro-tem Howe made the motion to go into executive session at 6:37pm to
49 discuss the administrator's contract and salary adjustment for Village clerk.
50 Councilor Colenda seconded. Motion carried 4-0, with Mayor Pro-tem Howe
51 Aye, Germscheid -aye, Councilor Welker -aye, Councilor Colenda-aye.

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53 Council came out of executive session at 7:37pm.

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Mayor Cotton stated that only the items on the agenda were discussed and no decisions were made.

Mayor Pro-tem Howe made the motion to authorize the Mayor to provide the Village Administrator with a letter of termination. Councilor Colenda seconded Motion carried 4-0

Adjournment

Mayor Pro-tem Howe made the motion to adjourn at 7:38pm, Councilor Welker seconded. Motion carried 4-0

Passed, Approved and Adopted on this 11th day of September, 2012.


Barbara Cottam, Mayor

ATTEST:


Terry Cordova, Village Clerk