

**VILLAGE OF ANGEL FIRE
Council Regular Meeting Minutes
Tuesday July 23rd, 2013 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 Colenda, Councilor Welker and Councilor Germscheid. Also present Village Manager Jay Mitchell, Village Clerk Terry Cordova. A full quorum was present.

Approval of Agenda

Mayor Pro-tem Howe made the motion to approve the agenda with the removal of item J, Councilor Germscheid seconded. Motion carried 4-0

Councilor Colenda asked that Andy Bertges, Fire Chief explain what the plans are for the upcoming prescribed burn. Councilor Colenda has concerns about how we would get the word out should the burn get out of control. Andy stated that the reverse 911 was not set up, therefore the volunteers and police department would have to go door to door to alert people. There is a burn boss that will be in the area a month before the burn to check the conditions. There will be a meeting that is open to the public August 15th at Fire station #2 the time is not yet been set. We will be getting information out to the public. We will be getting a great deal of input beforehand.

Approval of Consent Agenda

1. Approval of July 2nd Regular Council Meeting Minutes
2. Approval of July 5th Special Council Meeting Minutes
3. Approval of Voting Delegate and Alternate for the New Mexico Municipal League Annual Business Meeting in August 2013
4. Approval of an MOU Between the Village of Angel Fire and The Angel Fire Pubic Improvement District

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

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

Announcements and Proclamations

Mayor Cottam reminded everyone about the Health and Wellness Fair this weekend at the Community Center on Saturday at 8:00 am along with the blood drive. She encouraged everyone to attend.

Reports

a. Governing Body Report

Councilor Colenda reported that he had attended the last school board meeting where the Moreno Valley School Foundation presented a petition to the school board to allow the bond issue to go before the voters rather than the school board deciding. The bonds would be used to replace the deteriorating modules at the school. There will be another meeting in August in Cimarron and he encouraged people to attend.

Mayor Pro-tem Howe reminded everyone that the NERTPO and NEEDO meetings will be held in Angel Fire on Thursday July 24th at the Community Center. He also reported on his meeting in Albuquerque with the New Mexico Municipal League Resolution committee that was held July 20th.

Councilor Germscheid gave a brief report on the recycling committee, stating that there is new educational signage and material and that the marque is getting a facelift. She also mentioned the New Mexico department of transportation meeting and the wonderful opening remarks from the Mayor and wonderful presentation that was given by Manager Mitchell.

1 Mayor Cottam stated that a representative from Holy Cross Hospital would be here at the
2 August 13th council meeting and that we would be providing information to the paper to get
3 the word out.

- 4 **b. Manager's Report -** Manager Mitchell stated that after the DOT meeting he had a chance to
5 talk with Secretary Church and the new distract engineer. Secretary Church agreed with
6 Angel Fire's and district 4's priorities for highways 64 and 434. He stated that the economic
7 stimulus that Angel Fire provided to Colfax County was important. Manager Mitchell also
8 reported that he has talked with Lisah Sadillo who is a planner for North Central and she
9 stated that they would be doing a safety audit for the corner of North Angel Fire Road and
10 434 before winter. Manager Mitchell has also had several water rights meeting in the past
11 few weeks and will continue to have meetings with Buster Chavez, Water Master to monitor
12 our water rights and will work towards enforcing the water restriction stated in the village's
13 level two water restriction proclamation. He and Lupita De Herrera, Finance Director are
14 continuing to work on the budget.
- 15 **c. Staff Report -** Lupita De Herrera, Finance Director talked with Isaac Montoya with DFA
16 and he stated that he could not remember when the village had submitted its budget on time
17 and was very happy with the budget that was submitted.

18 **Old Business**

19 **A. Discussion/Approval of Resolution 2013-22 Deleting All References to Slash Fee and Its**
20 **Associated Fees as Established in Resolution 2008-33 and Replacing it With The Creation**
21 **of the Wildfire Protection Fee**

22 Mayor Pro-tem Howe made the motion to approve resolution 2013-22 deleting all references to
23 slash fee and its associated fees as established in resolution 2008-33 and replacing it with the
24 creation of the wildfire protection fee. Councilor Colenda seconded. Councilor Germscheid
25 asked if Manager Mitchell would explain what the fees would be used for. Manager Mitchell
26 explained that these fees were in the 2013-2014 budget. A lot of the fee funded project that
27 have come up before have failed and I don't think people have to look very far to see what they
28 are. As for the slash fee that was approved on 2008, it was funded correctly but never set up in
29 the billing correctly. This fee will improve our equipment and related activities carried out by
30 the solid waste department. This fee will also be used to implement the Community Wildfire
31 Protection Plan to reduce the risk of wildfire and to restore the health of the forest. Andy
32 Bertges, Fire Chief added that lot owner will want to participate in this program if they find out
33 that their insurance rates may be lowered. He also stated that at some time we will need a
34 forester to assess the health of the forest. With no further discussion the motion carried 4-0 with
35 Mayor Pro-tem Howe -aye, Councilor Germscheid - aye, Councilor Welker -aye, Councilor
36 Colenda- aye.

37 38 **New Business**

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40 **A. Discussion/ Approval of an Ordinance Amending Sections of Title 7,9,and 10 of the**
41 **Village Code (1st Reading) (Public Hearing)**

42 Mayor Cottam opened the public hearing at 6:03pm. Manager Mitchell stated that is was part of
43 the much needed code updates. Mark Rivera, Community Development Director explained that
44 in 2007 then Public Works Director, Glenn Boone had updated Title 7 expanding streets and
45 drainage standards. At that time he did not eliminate similar, less detailed provisions from title
46 10. So in the ordinance you will see several deletions from title 10 which were added to title 7
47 in more detail. One of the most significant change to title 9 is to give a new business 45 days of
48 banner display time when they register their business, exclusive of 60 days allowed each
49 calendar year. Push carts will be allowed under the itinerant vendor section. Manager Mitchell
50 added that a loophole for residential water hook ups has also been removed. With no further
51 discussion Mayor Cottam closed the public hearing at 6:10pm. Mayor Pro-tem Howe made the
52 motion to approve first reading of an ordinance amending sections of title 7, 9, and 10 of the
53 village code. Councilor Welker seconded. With no further discussion motion carried 4-0 with

1 Mayor Pro-tem Howe-aye, Councilor Germscheid-aye, Councilor Welker -aye, Councilor
2 Colenda - aye.

3 **B. Discussion / Approval of Resolution 2013-24 Authorizing Execution of the 2013-2014**
4 **Cooperative Agreement for Funds in the Amount of \$40,000 for the Reconstruction of**
5 **Four (4) Roads Within the Village**

6 Manager Mitchell explained that this is a \$40,000 grant with a \$10,000 in kind match and again
7 we will provide equipment and manpower for this and the remaining \$30,000 will be for
8 material. The roads that are schedule to be done fall in line with the villages priorities for
9 installing new water lines. The work for this project is scheduled for next year. Mayor Pro-tem
10 Howe made the motion to approve Resolution 2013-24 a resolution authorizing execution of the
11 2013-2014 cooperative agreement for funds in the amount of \$40,000 for the construction of
12 four roads within the village, cooperative agreement # SP-4-14 (913) contract # L400143.

13 Councilor Welker seconded. With no further discussion the motion carried 4-0 with Mayor Pro-
14 tem Howe -aye, Councilor Germscheid -aye, Councilor Welker -aye, Councilor Colenda -aye.

15 **C. Discussion/ Approval of Resolution 2013-25 Accepting the Subdivision Improvements for**
16 **El Vado Place of Chalets Unit 1A Subdivision Located in the Village of Angel Fire**

17 Mark Rivera, Community Development Director stated that this was the last improvement
18 acceptance resolution that would be coming before council. Chalet 1A is very large subdivision,
19 but has the fewest amount of roads. The work done in this subdivision took more time because
20 the proposal was rejected by the Corp of Engineers to place a bridge over the Cieneguilla Creek.
21 All of their concerns and recommendations have been addressed. Mayor Pro-tem Howe made
22 the motion to approve resolution 2013-25 a resolution accepting the subdivision improvements
23 for El Vado Place of Chalet unit 1A subdivision located in the Village of Angel Fire. Councilor
24 Germscheid seconded. Councilor Germscheid asked if some of the past warranty issues have
25 been resolved. Mark said that there have been some issues with water utilities and that once the
26 issue is identified it does not matter if the warranty year is over or not.

27 With no further discussion the motion carried 4-0 with Mayor Pro-tem Howe-aye, Councilor
28 Germscheid, Councilor Welker-aye, and Councilor Colenda-aye

29 **D. Discussion / Approval of Resolution 2013-26 Amending Resolution 2013-01 and**
30 **Rescinding all Others**

31 Terry Cordova, Village Clerk explained that at the last legislative session they changed the
32 required time for posting notices from 24 hours to 72 hours. Because council approved the open
33 meeting resolution in January 2013 it was necessary to amend that one to reflect the change.
34 Mayor Pro-tem Howe made the motion to approve resolution 2013-26 a resolution amending
35 the open meeting resolution and rescinding all other open meeting resolutions. Councilor
36 Colenda seconded. With no discussion the motion carried 4-0 with Mayor Pro-tem Howe-aye,
37 Councilor Germscheid -aye, Councilor Welker-aye, Councilor Colenda -aye.

38 **E. Discussion / Approval of Resolution 2013-31 Authorizing the Drilling of a Domestic Well**
39 **Within the Service Area of the Village of Angel Fire on Parcel Three, Portion of Lots 35**
40 **& 36 , Moreno Valley 3rd Land Subdivision**

41 Mayor Pro-tem Howe made the motion to approve resolution 2013-31 authorizing the drilling
42 of a domestic well within the service area of the Village of Angel Fire on parcel three, portion
43 of lots 35 & 36, Moreno Valley 3rd land subdivision. Councilor Germscheid seconded. Mayor
44 Pro-tem Howe disclosed that he is a member of the Holy Angels Church and Councilor
45 Germscheid disclosed that she was a member of the church as well. Council had no objections
46 with them voting on this item. Manager Mitchell stated that he along with Mark Rivera,
47 Community Development Director and Rick Tafoya, Public Works Director wrestled with this
48 one a little bit , as it is the first lot that is not a frontage off of west 434. There are as you know
49 water and sewer lines running west side on 434. Because this is the first lot coming off of those
50 lines we looked at this as a requirement to connect. There were several issues that convinced us
51 that we were not going to do that. The road has some right a way issues that we have not
52 secured and we would not secure them as we do not need to until development. We also felt it
53 would be an undue financial burden for the church at this time. We are also waiting on

1 discussions with the Girl Scout Ranch and which avenue will be used to extend those water
2 lines. So until that time we felt it premature to extend those lines to only service one or two
3 customers. Staff concurs with the recommendation to approve. With no further discussion the
4 motion carried 4-0 with Mayor Pro-tem Howe-aye, Councilor Germscheid –aye, Councilor
5 Welker –aye Councilor Colenda-aye.

6 **F. Discussion/ Approval of Resolution 2013-27 DFA Resolution to Increase the Budget to**
7 **Account for COOP Grant**

8 Lupita De Herrera, Finance Director, explained that this resolution was to account for a COOP
9 Grant that the Village received in the amount of \$40,000 with a \$10,000 match. Because this
10 grant was not in the approved budget the amount of the grant needed to be accounted for in the
11 2013-2014 budget. Mayor Pro-tem Howe made the motion to approve resolution 2013-27 a
12 resolution to increase village budget to account for COOP grant. Councilor Welker seconded.
13 With no discussion the motion carried 4-0 with Mayor Pro-tem Howe-aye, Councilor
14 Germscheid –aye, Councilor Welker-aye, Councilor Colenda-aye

15 **G. Discussion / Approval of Resolution 2013-28 DFA Resolution to Increase the Budget to**
16 **Account for Increase in the Award of the EMS Funds Grant**

17 Andy Bertges , Fire Chief explained that the village received a EMS Funds grant in the amount
18 of \$11,518 which is \$4,018 more than what was budgeted for . This resolution is to increase that
19 grant amount in the 2013-2014 budget. Mayor Pro-tem Howe made the motion to approve
20 resolution 2013-28 a resolution to increase the budget to account for an additional increase of
21 the award of the EMS Funds grant. Councilor Germscheid seconded. With no discussion the
22 motion carried 4-0 with Mayor Pro-tem Howe –aye, Councilor Germscheid –aye, Councilor
23 Welker –aye, Councilor Colenda-aye

24 **H. Discussion / Approval of Resolution 2013-29 DFA Resolution to Increase the Budget to**
25 **Account for Increase in the Award of the State Fire Protection Grant**

26 Andy Bertges , Fire Chief explained that the village received a State Fire Protection Fund in the
27 amount of \$ 157,880 which is \$27,880 more than what was budgeted for . This resolution is to
28 increase that amount in the 2013-2014 budget. Mayor Pro-tem Howe made the motion to
29 approve resolution 2013-29 a resolution to increase the budget to account for additional increase
30 of the State Fire Protection Grant. Councilor Germscheid seconded. With no discussion the
31 motion carried 4-0 with Mayor Pro-tem Howe –aye, Councilor Germscheid –aye, Councilor
32 Welker-aye, Councilor Colenda-aye.

33 **I. Discussion/ Approval of Resolution 2013-30 DFA Resolution to Increase the Budget to**
34 **Account for Increase in the Award of the EMS Special Project Vehicle Project**

35 Andy Bertges, Fire Chief explained that the village received a EMS Special Project Vehicle
36 Purchase grant in the amount of \$97,500. There is a match of 25%, \$32,500. This resolution is
37 to increase that amount in the 2013-2014 budget. Lupita De Herrera, Finance Director added
38 that the amount of \$130,000 ,the grant amount and match is to account for revenues and
39 expenditures. The \$130,000 would be for capital projects fund and the \$32,500 would be
40 budgeted out of the general fund for the fire department. Mayor Pro-tem Howe asked if this was
41 going to replace one of our ambulances . Andy stated that yes and no . That we would like to
42 place ambulance #78 out of service and at some point use the box of that vehicle on a new
43 chassis. Mayor Pro-tem Howe made the motion to approve resolution 2013-30 a resolution to
44 increase the budget to account for the award of the EMS Special Projects Vehicle Purchase .
45 Councilor Colenda seconded. With no further discussion the motion carried 4-0 with Mayor
46 Pro-tem Howe –aye, Councilor Germscheid-aye, Councilor Welker-aye, Councilor Colenda-
47 aye.

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50 Andy Bertges announced that the fire ban was lifted about two weeks ago at the same time that
51 the state forestry lifted theirs.
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Adjournment
Mayor Pro-tem Howe made the motion to adjourn at 6:30pm, Councilor Welker seconded. Motion carried 4-0

Passed, Approved and Adopted on this 13th, day in August, 2013

Chuck Howe
Chuck Howe, Mayor Pro-tem

ATTEST:

Terry Cordova
Terry Cordova, Village Clerk