



Village of Wagon Mound
Regular Meeting Agenda
Tuesday, June 13, 2023 - 6:00PM
Presiding Mayor – Andres Martinez

* - Indicates an action item

During this meeting the Mayor and Council may convene into Executive Session
as allowed by Section, 10-15-1, H 1-10. NMSA 1978

- I. Call to Order and Pledge of Allegiance
- II. Roll Call: Mayor Andres Martinez, Mayor Pro Tem Eldie R. Cruz, Councilor Claudia M. Martinez, Councilor Paul A. Miera, and vacant Councilor Position #1.
- III. *Approval of Agenda
- IV. *Approval of Minutes for Regular Meeting May 9, 2023
- V. Public Input: Please sign in if you would like to participate (limited to 3 minutes per person)
- VI. Comments or Concerns of Council
- VII. Business Matters
 1. *Discussion/Approval/Disapproval: Acceptance of Letter of Resignation from Councilor Adrian Louthier.
 2. *Discussion/Approval/Disapproval: Appointment of vacant Councilor Position #1.
 3. *Discussion/Approval/Disapproval: Final payment to Highland Construction for completion of Wagon Mound Senior Center – Phase 4 contract.
 4. *Discussion/Approval/Disapproval: Renew contract with NM DFA/TRD to maintain a municipal Motor Vehicle Department.
 5. *Discussion/Approval/Disapproval: Renew Operating Agreement with Colfax County Senior Citizens, Inc to operate Wagon Mound Senior Center.
 6. *Discussion/Approval/Disapproval: Renew contract with Southwest Accounting Solutions for FY23 audit services.
 7. *Discussion/Approval/Disapproval: Review and select quote to purchase tables for park areas utilizing State and Local Fiscal Recovery Funds.
 8. *Discussion/Approval/Disapproval: Purchase Requisitions for Mora County Sheriff's Office utilizing Law Enforcement Protection Funds:
 - a) Acceptance of Filing Cabinet purchase
 - b) Ammunition
 9. *Discussion/Approval/Disapproval: Purchase Requisitions for Wagon Mound Fire Department:
 - a) Annual Hose and Hydrant Testing
 - b) Tires

10. *Discussion/Approval/Disapproval: Renew contract with Abel Moreno as substitute Collection Center employee.

11. *Discussion/Approval/Disapproval: Acceptance of hiring of temporary summer employees.

VIII. Monthly Reports

A. *Approval Item –Approval of Vouchers (payment to vendors) Clerk Treasurer Amber Alcon

B. Utility Delinquent List – Deputy Clerk, Colleen Engelhardt

C. Utility Superintendent – Utility Superintendent, Gary Sanchez

D. MVD Reports – MVD Manager, Amber Alcon

E. Mora County Sheriff's Office Report

F. Housing Authority – Northern Regional Housing Authority

G. Wagon Mound Fire Department – Fire Chief

H. Bean Day Association – President, Luis Lopez

IX. Old Business

X. Mayor's Report

XI. Adjourn



I. Call to Order and Pledge of Allegiance

II. Roll Call was taken by Clerk Treasurer Amber Alcon. Mayor Andres Martinez, Mayor Pro Tem Eldie R. Cruz, Councilor Claudia M. Martinez, Councilor Paul A. Miera were present.

III. *Approval of Agenda

Motion to approve the agenda was made by Councilor C Martinez, seconded by Councilor Miera. (Vote 3-0) Motion carried with all in favor.

IV. *Approval of Minutes for Regular Meeting May 9, 2023

- Mayor Pro Tem Cruz stated the attorney had referred us to the NMDOT and NMED regarding the ordinance, and he asked for an update.
- Deputy Clerk Colleen Engelhardt stated the ordinance is currently in place and has legal standing. She stated the attorney suggested contacting the state agencies to find out more information regarding condemning the pit itself, which would be separate from the ordinance. Colleen stated she has not made those contacts as she has been involved with other projects.

Motion to approve the minutes for May 9, 2023 was made by Mayor Pro Tem Cruz, seconded by Councilor C Martinez. (Vote 3-0) Motion carried with all in favor.

V. Public Input: Please sign in if you would like to participate (limited to 3 minutes per person)

- None

VI. Comments or Concerns of Council

- None

VII. Business Matters

1. *Discussion/Approval/Disapproval: Acceptance of Letter of Resignation from Councilor Adrian Clouthier.

- Mayor Martinez read Councilor Clouthier's resignation letter aloud, and he noted the resignation was effective immediately. The Mayor stated Councilor Clouthier has not been able to attend meetings for some time as he has been addressing health related issues.

Motion to approve the letter of resignation from Councilor Adrian Clouthier was made by Mayor Pro Tem Cruz, seconded by Councilor Miera. (Vote 3-0) Motion carried with all in favor.

2. *Discussion/Approval/Disapproval: Appointment of vacant Councilor Position #1.

- Mayor Martinez stated the Village received two letters of interest. He stated one was from Ferdinando Luis Lopez, and the second was from Gabriel Maestas. He read both letters aloud.
- Mayor Martinez recommended the appointment of Gabriel Maestas.

Motion to approve the appointment of Gabriel Maestas to Councilor Position #1 was made by Councilor C Martinez, seconded by Councilor Miera. (Vote 3-0) Motion carried with all in favor.

***Clerk Treasurer Amber Alcon gave Gabriel Maestas the Oath of Office, and Councilor Maestas took his seat on the Village Council.**

3. Discussion/Approval/Disapproval: Final payment to Highland Construction for completion of Wagon Mound Senior Center – Phase 4 contract.

- Deputy Clerk Colleen Engelhardt stated the architect on this project, Michael Freeman, passed away recently. She stated Phase 4 is very near completion and the contractor, Highland Construction, has

submitted their final pay request. Colleen stated typically this payment would not be presented to Council for approval because the contract with Highland Construction was approved at the onset of the project. She stated the normal process for paying out the contractor requires a signature of approval from the architect who ensures the work reported on the pay request is sufficient. Colleen stated a final punch list was created at a meeting with both the architect and the contractor present, and the architect passed during the time the contractor was working through the punch list. She stated the Village no longer has the added layer of review from the architect for the closeout of the project. She stated she has communicated with Aging and Long-Term Services Department (ALTSD), the state agency overseeing the funds allocated to the project, and they will adhere to Council's decision on how to proceed. Colleen stated ALTSD did suggest the Village refer to legal representation to ensure the Village is covered. Colleen also stated the funding for this phase of the project will expire on June 30, 2023 which means the final payments to both the contractor and the architect must be issued and the checks cashed before the expiration date. Colleen stated the contractor's pay application is in the amount of \$12,0997.58 with \$6,500.00 being the final payment due from the Phase 4 funding that will be expiring, and the remaining \$5,597.58 is payment for the tile installation approved via Change Order #6. Colleen stated there are still two items from the punch list that need to be addressed which are ensuring the ADA automatic door openers are functional and connecting the fire alarm monitoring system.

- Mayor Martinez stated the electrician and the door subcontractors are scheduled to address those issues next week, and they will be completed prior to issuing payment.

Motion to approve the final payment to Highland Construction for completion of Wagon Mound Senior Center – Phase 4 was made by Councilor Miera, seconded by Mayor Pro Tem Cruz. (Vote 4-0) Motion carried with all in favor.

4. *Discussion/Approval/Disapproval: Renew contract with NM DFA/TRD to maintain a municipal Motor Vehicle Department.

- Clerk Treasurer Amber Alcon stated this is the standard contract renewal. She stated the contract defines how the MVD must operate in order to maintain the office including hours of operation, bond and insurance requirements, etc.

Motion to approve renewing contract with NM DFA/TRD to maintain a municipal Motor Vehicle Department was made by Councilor C Martinez, seconded by Mayor Pro Tem Cruz. (Vote 4-0) Motion carried with all in favor.

5. *Discussion/Approval/Disapproval: Renew Operating Agreement with Colfax County Senior Citizens, Inc to operate Wagon Mound Senior Center.

- Clerk Treasurer Amber Alcon stated this is the annual renewal for the Operating Agreement that allows Colfax County Senior Citizens, Inc to operate the Wagon Mound Senior Center.
- Deputy Clerk Colleen Engelhardt stated the Operating Agreement is renewed annually, and the Service Agreement is renewed every four years.
- Councilor C Martinez asked if this contract will carry over to the new facility, and Mayor Martinez stated it will.

Motion to approve renewing Operating Agreement with Colfax County Senior Citizens, Inc to operate Wagon Mound Senior Center was made by Councilor C Martinez, seconded by Mayor Pro Tem Cruz. (Vote 4-0) Motion carried with all in favor.

6. *Discussion/Approval/Disapproval: Renew contract with Southwest Accounting Solutions for FY23 audit services.

Clerk Treasurer Amber Alcon stated this is another renewal of an annual contract, and it has not changed with a fee of \$21,116.53. She stated this is the last year the Village will contract with Southwest Accounting Solutions, and the Village will need to go out for bid for the FY24 audit.

Motion to approve renewing contract with Southwest Accounting Solutions for FY23 audit services was made by Mayor Pro Tem Cruz, seconded by Councilor C Martinez. (Vote 4-0) Motion carried with all in favor.

7. *Discussion/Approval/Disapproval: Review and select quote to purchase tables for park areas utilizing State and Local Fiscal Recovery Funds.

- Councilor Miera stated he prefers the tables from Treetop because they are 8 feet long with ADA accessible ends.
- Mayor Martinez stated he was going to recommend Treetop as well because he believes it is a higher quality product, and other companies charges for the hardware to assemble the tables while this is all inclusive.
- Councilor Miera asked if they will be anchored down. Mayor Martinez stated he's still considering that. Colleen stated they do offer a bracket that fits over the base bars, and rebar or a stake could anchor it to the ground.
- Colleen stated the Treetop quote for ten tables is in the amount of \$15,700.29, and there are still funds in the amount of \$18,520.60 in the SLFRF funds.

Motion to approve purchasing ten tables from Treetop utilizing SLFRF funds was made by Mayor Pro Tem Cruz, seconded by Councilor C Martinez. (Vote 4-0) Motion carried with all in favor.

8. *Discussion/Approval/Disapproval: Purchase Requisitions for Mora County Sheriff's Office utilizing Law Enforcement Protection Funds:

- a) Acceptance of Filing Cabinet purchase
- b) Ammunition

- Mayor Martinez stated the filing cabinet purchase was discussed at last month's meeting, and a purchase requisition for ammunition was also submitted.

Clerk Treasurer stated the filing cabinet was purchased in the amount of \$3,199.00, and the ammunition purchase request is in the amount of \$2,000.00.

Motion to approve both Purchase Requisitions utilizing LEFP was made by Councilor Miera, seconded by Councilor C Martinez. (Vote 4-0) Motion carried with all in favor.

9. *Discussion/Approval/Disapproval: Purchase Requisitions for Wagon Mound Fire Department:

- a) Annual Hose and Hydrant Testing
- b) Tires

- Deputy Clerk Colleen Engelhardt stated the annual hose and hydrant testing will be conducted by Waterway of New Mexico, which is the only certified company in New Mexico for testing. She stated the hose testing quote is for \$2,457.55 and the hose testing quote is in the amount of \$1,884.00. She stated the combined total for the tire purchase request is \$13,597.76.
- Mayor Martinez stated he noticed the tires on one of the trucks were almost bald with chunks cut out of them. He stated if a tire blows out and causes an accident, the Village is liable, and insurance may not cover it because of the lack of maintenance. He stated he asked a WMFD volunteer, Rio Armijo, to get the sizes on the tires on all the vehicles, and the Mayor helped him obtain quotes for them. The Mayor stated the purchase will require the Fire Chief's approval, but he stated he feels Council should approve because he believes the vehicles are not safe to operate with the current tires. He stated the Fire Fund has plenty of money, and he finds it unacceptable that the vehicles are not being properly maintained.
- Colleen stated the tire quotes are from Garcia Tire in Las Vegas, and they are on a state contract, at least until July 9, 2023, so three quotes are not required. She stated this all took place on Friday so they did not have time to get the Fire Chief's signature. She stated the total of the five quotes is \$13,597.76. She stated she also discovered a few repair shops in Las Vegas that are also on a state contract so this may be helpful for the Fire Department address the needed repairs.
- Mayor Pro Tem Cruz asked what if the Fire Chief does not approve, and Councilor C Martinez asked if he is the only person authorized to approve. Clerk Treasurer Amber Alcon stated, technically he is

the only one authorized because when the funds are distributed from the state, they are addressed to the Fire Chief. The Mayor stated the Council can approve it, but it will be the Fire Department's responsibility to make the purchase.

Citizen Julia Roy asked if it is the Fire Chief's responsibility to come to the Mayor and Council, and the Mayor stated yes. She asked why is he still the Fire Chief if he isn't doing his job, and who has the authority to appoint another person. Mayor Martinez stated that is the duty of the Mayor. Citizen Roy stated for the safety of all, she is officially asking for the appointment of a new Fire Chief. The Mayor stated he has been contemplating this concern, and he stated he would like to wait and see how things are addressed with Council's approval of the new tires. Council agreed they understand the concerns with the Village being liable, and that a change may be necessary.

- Amber stated her biggest concern is the truck that has not been titled and registered is still in use. She stated the vehicle does not have plates, it should not be in use, and she stated she has communicated this to the Fire Chief and other Fire Department members.
- Mayor Martinez stated the Deputy Clerk sent an email detailing the contact information for obtaining the necessary documentation for getting the truck titled, and he stated he is unaware if there has been any follow-up.
- Citizen Roy suggested the keys be taken for the truck so it is not usable.
- Undersheriff Romero stated anytime the Mora County Fire Department is called out, they are required to perform a walk-around to note any damage or concerns, and the Fire Chief is required to sign off on the vehicle check to determine if the vehicle is operable or not.
- Mayor Martinez stated he is not aware if the WMFD does this, and Undersheriff Romero stated it is his understanding that there would be some kind of protocol or guideline to be able to operate.
- Amber stated it has become her understanding that anyone working on a first responder vehicle must have a PRC clearance, but she stated non-certified people have been working on the vehicles. She asked Undersheriff Romero for clarification, and he stated Mora County Sheriff's Office and the ambulance service are required to have specifically certified mechanics work on their vehicles and equipment. He stated, to the best of his knowledge, the Fire Department's vehicles are even more extensive than theirs due to the amount of equipment and moving parts.
 - Mayor Martinez asked the Undersheriff if he's aware of fire vehicles being inspected by the state. The Undersheriff stated he isn't certain of inspections, but he is aware of the Fire Chiefs sending in reports. He stated after the Calf Canyon Fire last summer, all the trucks used were "flatlined," and each vehicle was fully inspected with all repairs performed before the trucks were allowed to be used again. He stated the State Fire Marshall would have more information.
 - Councilor Martinez asked if it is the Wagon Mound Fire Chief's responsibility for doing this, and Amber stated yes because he is responsible for signing the reports.
- Citizen Frances Lovato asked as an appointed official, isn't it mandatory for the Fire Chief to attend meetings and provide Council a report. Mayor Martinez stated he will be contacting the Fire Chief tomorrow to see how this matter will be addressed. The Mayor stated the Council may need to take further action if it is not addressed.

Motion to approve Fire Department Purchase Requisitions for hose and hydrant testing and tires was made by Councilor Miera utilizing LEPF was made by Councilor Miera, seconded by Councilor Maestas. (Vote 4-0) Motion carried with all in favor.

10. *Discussion/Approval/Disapproval: Renew contract with Abel Moreno as substitute Collection Center employee.
 - Clerk Treasurer Amber Alcon stated the Village held a prior contract with Abel Moreno, but it was for \$11.50 per hour. She stated Abel is also a temporary employee right now for the summer. She stated she wanted to make changes to the contract to reflect the increase in minimum wage to \$12.00, to state he is the substitute for the transfer station employee, and that he can also perform tasks performed by the Utilities Assistant.

Motion to approve the contract with Abel Moreno as substitute Collection Center employee was made by Councilor C Martinez, seconded by Mayor Pro Tem Cruz. (Vote 4-0) Motion carried with all in favor.

1) Discussion/Approval/Disapproval: Acceptance of hiring of temporary summer employees.

- Mayor Martinez stated the Village posted for applicants interested in working for the summer cleaning weeds, helping the utilities staff, and disassembling the old rodeo arena and constructing the new one.
- The Mayor stated four applications were received with one application only having a signature. He stated he has hired Gabriel Maestas, Abel Moreno, and Elias Armijo.
- Mayor Pro Tem Cruz asked if there is a conflict of interest with Mr. Maestas working for the Village and serving on the Council. Councilor Maestas state he had inquired about this prior to submitting his letter of interest. Deputy Clerk Colleen Engelhardt stated she has not looked into this, specifically, but she stated she believes she has heard of employees serving councils of other municipalities. Clerk Treasurer Amber Alcon stated she does not believe it is an issue because he is a temporary/at-will employee, and Mayor Martinez stated he will only be employed for about two more months.

Motion to accept the hiring of Gabriel Maestas, Abel Moreno, and Elias Armijo as temporary summer employees was made Mayor Pro Tem Cruz, seconded by Councilor Miera. (Vote 4-0) Motion carried with all in favor.

VIII. Monthly Reports

A. *Approval Item –Approval of Vouchers (payment to vendors) Clerk Treasurer Amber Alcon

- Clerk Treasurer Amber Alcon reported the majority of the outstanding LEPF purchase orders were paid out with all other payments being regular monthly bills and taxes. s

Motion to approve the May monthly vouchers was made Councilor C Martinez, seconded by Councilor Miera. (Vote 4-0) Motion carried with all in favor.

B. Utility Delinquent List – Deputy Clerk, Colleen Engelhardt

- May Active Accounts – 9 letters sent with a due date of May 24th. Total delinquency was \$930.26. All payments were received on-time, and the total received was \$1,308.15.
- May Inactive Accounts – 9 letters sent. Total delinquency of \$916.96 with payment total of \$173.65.
 - Acct #113600 – paid down account balance on May 11th before letters were sent.

C. Utility Superintendent – Utility Superintendent, Gary Sanchez

- Mayor Martinez stated he let Gary leave earlier because his step-father passed away, and the services will be tomorrow.

D. MVD Reports – MVD Manager, Amber Alcon

- MVD Manager Amber Alcon stated the new hire, Julia Olguin, has completed her general training modules and has gained her security clearance. She stated Julia has begun working with her to learn the processes of working with customers. Amber stated Julia will need to complete a few training modules in Tapestry to learn how to use the system, and then she'll be able to process transactions on her own.
- May – 63 transactions processed for a total of \$6,620.89.

E. Mora County Sheriff's Office Report

- Undersheriff Romero reported Deputy Cortez has graduated from the academy, and Deputy Olguin is currently on paternity leave.

F. Housing Authority – Northern Regional Housing Authority

- Absent

- Mayor Pro Tem Cruz asked if they have submitted their audit. Mayor Martinez stated he spoke with the HUD Director, Julian Barela, in Albuquerque who expressed his frustrations with the situation. The Mayor stated Mr. Barela stated Northern Regional should have hired additional people by now, and he is putting pressure on them to get the audit submitted. He stated Mr. Barela was informed it would be submitted by June 30th.
- Clerk Treasurer Amber Alcon stated she will be submitting the 4th quarter budget report for FY23 on July 31st. She stated if the Village's FY22 audit is not complete by that date, the 4Q closeout for FY23 will not be approved nor will the FY24 budget. She stated this is exactly what happened last year.
- Mayor Martinez stated Mr. Barela has been in communication with one of Northern Regional's board members who also works for the City of Raton so she understands the severity of the situation. The Mayor stated Mr. Barela was very apologetic for the Village being put in this position.
- Deputy Clerk Colleen Engelhardt stated the Village received an email from HUD today stating the Wagon Mound Housing Authority is not in compliance, and they are requesting a proposed recovery plan. Councilor C Martinez stated the letter itself has inconsistencies because it was sent to former board members rather than the current members.

G. Wagon Mound Fire Department – Fire Chief

- Absent

H. Bean Day Association – President, Luis Lopez

- Absent

IX. Old Business

- None

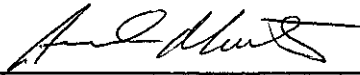
X. Mayor's Report

- Mayor Martinez notified Council members that a Special Meeting will be called in the next week or so to discuss the legal documents that were served to the Village and Council members directly before the meeting to discuss the matter with the attorney.

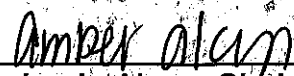
XI. Adjourn

Motion to approve adjournment was made by Councilor Maestas, seconded by Councilor Miera. (Vote 4-0) Motion carried with all in favor. The meeting adjourned at 7:00PM.

Approved and attested this 11th Day of July 2023.



 Andres Martinez, Mayor

Attest: 

 Amber L. Alcon, Clerk Treasurer
 (SEAL)