



Village of Wagon Mound
Regular Meeting Agenda
Tuesday, June 8, 2021 - 6:00PM
Presiding Mayor Andres Martinez
SEE INFO ON REVERSE FOR ZOOM MEETING ATTENDANCE

*** - 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 Timothy Cruz, Councilor Adrian A. Clouthier, Councilor Paul A. Miera, Councilor F. Luis Lopez.
- III. *Approval of Agenda
- IV. *Approval of Minutes for:
 - A. Regular Meeting Minutes May 18, 2021
- 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. Public Hearing – Amending Joint Utility Ordinance No. 2021-01 to increase utility rates.
- VIII. Business Matters
 1. *Discussion/Approval/Disapproval: Review and adoption of Ordinance No. 2021-03 – Dog Regulations.
 2. *Discussion/Approval/Disapproval: Republish intent to repeal and amend dog ordinance Nos. 150, 308, and 409.
 3. *Discussion/Approval/Disapproval: Review and adoption of Ordinance No. 2021-04 – Joint Utilities Ordinance.
 4. *Discussion/Approval/Disapproval: Republish intent to repeal and amend Joint Utilities Ordinance No. 2021-01.
 5. *Discussion/Approval/Disapproval: Review and acceptance of Letter of Resignation from Clerk Treasurer.

IX. Monthly Reports

- A. *Approval Item –Approval of Vouchers (payment to vendors) Clerk Treasurer
Monica Martinez
- 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 – Director
- G. Fire Chief – Robert Mondragon
- H. Bean Day Association – President, Luis Lopez

X. Old Business

XI. Mayor's Report

XII. Adjourn

THIS MEETING WILL BE OPEN TO BOTH IN-PERSON AND ZOOM ATTENDANCE. TO PARTICIPATE VIA ZOOM, PLEASE FOLLOW THE DIRECTIONS BELOW.

MEETING ID: 825 9239 2850

PASSCODE: 317083

PLEASE CONNECT STARTING AT 5:45PM SO THE MEETING CAN BEGIN AT 6:00PM

- TO CONNECT USING A CELL PHONE OR LANDLINE: DIAL 1-346-248-7799 - WHEN PROMPTED, ENTER THE MEETING ID AND PASSCODE
- TO CONNECT USING A COMPUTER OR TABLET: FOLLOW ONE OF TWO OPTIONS:
 - 1) CONTACT VILLAGE HALL (575-666-2408 or deputyclerkwagonmound@gmail.com) AND PROVIDE US WITH YOUR EMAIL ADDRESS. WE WILL SEND YOU AN EMAIL WITH A LINK TO ACCESS THE MEETING. ON JUNE 8th, CLICK ON THE LINK AND ENTER THE MEETING ID AND PASSCODE WHEN PROMPTED.
 - OR-----
 - 2) ON JUNE 8th, GO TO www.zoom.com, CLICK ON JOIN A MEETING, AND ENTER THE MEETING ID AND PASSCODE WHEN PROMPTED.



I. Call to Order and Pledge of Allegiance

II. Roll Call was taken by Deputy Clerk Colleen Engelhardt. Mayor Martinez, Mayor Pro Tem Cruz, Councilor Miera, and Councilor Lopez were present. Councilor Clouthier was absent.

III. *Approval of Agenda

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

IV. *Approval of Minutes for:

A. Regular Meeting Minutes May 18, 2021

- Mayor Martinez referred to Business Item 3 and stated the wording of the second bullet needs to be corrected.

Motion to approve the amended meeting minutes for May 18, 2021 was made by Councilor Lopez, seconded by Councilor Cruz. (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. Public Hearing – Amending Joint Utility Ordinance No. 2021-01 to increase utility rates.

- Deputy Clerk Colleen Engelhardt passed out a handout, and stated Council made their decision to propose the utility rate increase after reviewing this information at the May meeting. She stated the documents show both expenditures and revenue in the water fund, and she explained how to read the budget tables. She referred to the long list of line items on the expenditures and stated these represent all the possible items the Village needs to pay out to operate the utility properly. She stated to begin FY21 the Village projected the costs to operate the water utility at \$105,675, but actual expenditures to date total \$132,364.68. Colleen referred to the revenue table, and stated revenue is only generated from customer payment of bills, and the Village projected a revenue total of \$62,300 for FY21. She stated year after year the Village approves the annual budget planning for a minimum loss of \$40K to operate the water utility, and she stated, year-to-date, the Village has incurred an actual loss of \$70,038.62. She stated expenditures increase regularly, and the Village cannot control these costs as they are required to operate. She stated the Village can control revenue which is done by increasing utility rates. She stated the Village recognizes no one likes to see rate increases, but she stated for the Village to continue operating the utilities these increases are necessary. Colleen stated she compared utility rates from Maxwell, Roy, and Springer, and the proposed rates are still slightly less than what a customer would pay for 8,000 gallons in these municipalities. Colleen gave examples of costs increasing, and she stated the Village needs to show it is trying to reach fiscal solvency or else it will not be considered for grants and loans which represent money to fund projects to make improvements in the community. She stated many entities including the budget analyst, the auditor, and the Department of Finance and Administration have stated the Village needs to increase rates to show that the Village is willing to take care of and invest in ourselves. Colleen also stated the proposed increase will equate to a

monthly increase of \$13.13 per bill, and approximately an annual increase of \$24K in revenue. She stated \$24K does not cover the \$70K shortage, but it is a significant step in the right direction.

- Mayor Martinez stated the Village has proposed these rate increases in order for the Village to prosper and to work toward being solvent. He asked for any comments from the public, and there were none.

VIII. Business Matters

1. *Discussion/Approval/Disapproval: Review and adoption of Ordinance No. 2021-03 – Dog Regulations.

- Mayor Martinez recommended adoption Ord No. 2021-03. He stated the Village's attorney has reviewed the ordinance, and she has some minor suggestions that can be amended at a future meeting.

Motion to approve Ordinance No 2021-03 – Dog Regulations was made by Councilor Lopez, seconded by Councilor Cruz. Roll Call Vote: Councilor Lopez – yea, Councilor Clouthier – absent, Councilor Miera – yea, and Mayor Pro Tem Cruz – yea. (Vote 3-0) Motion carried with all in favor.

2. *Discussion/Approval/Disapproval: Republish intent to repeal and amend dog ordinance Nos. 150, 308, and 409.

- Mayor Martinez stated this item is no longer needed as the proposed ordinance passed, and he recommended this item be disapproved.

Motion to disapprove republishing intent to repeal and amend dog ordinance Nos. 150, 308, and 409 was made by Mayor Pro Tem Cruz, seconded by Councilor Miera. (Vote 3-0) Motion carried with all in favor.

3. *Discussion/Approval/Disapproval: Review and adoption of Ordinance No. 2021-04 – Joint Utilities Ordinance.

- Mayor Martinez recommended approval of Ordinance No 2021-04.

Motion to approve adoption of Ordinance No 2021-04 – Joint Utilities Ordinance was made by Councilor Lopez, seconded by Councilor Miera. Roll Call Vote: Councilor Lopez – yea, Councilor Clouthier – absent, Councilor Miera – yea, and Mayor Pro Tem Cruz – yea. (Vote 3-0) Motion carried with all in favor.

4. *Discussion/Approval/Disapproval: Republish intent to repeal and amend Joint Utilities Ordinance No. 2021-01.

- Mayor Martinez stated this item is no longer needed as the proposed ordinance passed, and he recommended this item be disapproved.

Motion to disapprove republishing to repeal and amend Joint Utilities Ordinance 2021-01 was made by Mayor Pro Tem Cruz, seconded by Councilor Miera. (Vote 3-0) Motion carried with all in favor.

5. *Discussion/Approval/Disapproval: Review and acceptance of Letter of Resignation from Clerk Treasurer.

- Mayor Martinez thanked Clerk Treasurer Monica Martinez for going above and beyond her duties to get the Village's finances back on track. He stated she did amazing on the audit and the budget.

Motion to approve acceptance of letter of resignation from Clerk Treasurer Monica Martinez was made by Mayor Pro Tem Cruz, seconded by Councilor Miera. (Vote 3-0) Motion carried with all in favor.

IX. Monthly Reports

- A. *Approval Item –Approval of Vouchers (payment to vendors) Clerk Treasurer Monica Martinez

- Monica stated the Fire Fund received the final FY21 distribution payment, and the ARRA annual loan payment was made in the amount of \$5,128.29. The final payment to former Village attorney Dave Romero was made, but he has not yet cashed the check.

Motion to approve the monthly vouchers was made by Mayor Pro Tem Cruz, seconded by Councilor Miera. (Vote 3-0) Motion carried with all in favor.

B. Utility Delinquent List – Deputy Clerk, Colleen Engelhardt

- May Active Letters – 14 sent with due date of May 24th for total delinquency of \$1,173.03. Payments received total \$1,226.61.
 - Acct #114900 – tried making payment on 5/23 with a recently issued card from new bank account. Customer thought card was a temporary debit card, but it was for ATM use only. The Mayor authorized the bank to cut a check and mail it, and it was received on 5/26.
 - Acct#108720 – initiated account 2 months ago, but payment was never made. Spoke with customer on due date, and he said he would be in to make payment before 9AM. Payment was not received, and several phone call attempts were made to communicate with customer. Service was shut-off for non-payment on 5/26, \$75 shut-off fee was applied to his account, and a letter was issued.
- Mayor Pro Tem Cruz asked if the delinquent list regularly contains the same customers or does it vary month to month.
 - Colleen stated approximately 80% to 90% of the list are the same people each month. She stated it appears these customers treat the shut-off date as the payment due date.
 - Mayor Pro Tem Cruz stated he believes the Village needs to address these customers in order to get them paying on the regular billing cycle.
 - Colleen stated her intention had been to recommend an increase in the penalty fee with the utility rate increases. Currently, she stated, any balance remaining on a customer's account on the 16th of the month is charged a 1% penalty fee, which amounts to about 50¢ on the average bill. She stated the penalty needs to be more of a deterrent.
 - Mayor Martinez stated he may even recommend a flat rate penalty up to \$20 because the Village uses time and resources to process, send, and track the letters month after month. He stated this amendment should be considered in the near future.

C. Utility Superintendent – Utility Superintendent, Gary Sanchez

- Water – Chlorine residual is at 0.25 mg/L, and the Village total water usage for the month was almost 2 million gallons. Gary stated he believes the high usage is due in part to a significant leak at the meter box at Wagon Mound Public Schools at the meter box.
- Waste Water – Been jetting the Village mains in all trouble spots about every 2 weeks, and it seems to be helping. Have found some roots, but big clots of grease have been the main source of clogs. Mayor Pro Tem Cruz requested the Village include a message to customers to not dump food or grease down the drain, and Colleen stated she will include it in the bill insert message.
 - Still working on fixing tear in 2nd Lagoon, and still working on obtaining a quote.
- Natural Gas – nothing to report at this time
- Waiting to hear back on the John Deere backhoe repair before he can install a water tap on S. Catron Ave.

D. MVD Reports – MVD Manager, Amber Alcon

- May - processed transactions totaling \$6,745.80, and now starting to process more titles from dealers.

E. Mora County Sheriff's Office Report

- Absent
- Deputy Clerk Colleen Engelhardt stated the Village manages both the Joint Powers Agreements and the Memo of Understanding, and they are both expiring at the end of the month. She stated

the State has given the Village a deadline to submit the renewed documents by June 15th. She stated she will be driving them to Albuquerque on Monday the 14th for the attorney's signature, and then she will deliver them to Santa Fe. This will allow the State to distribute the FY22 LEPF funds.

F. Housing Authority – Director

- Absent
- Deputy Clerk Colleen Engelhardt stated the WMHA board is now working with the Northern Housing Authority based in Taos. She stated they are overseeing operations for the time being. She stated Northern will be addressing the recent audit findings, but currently, they are getting settled in to their role.

G. Fire Chief – Robert Mondragon

- Assistant Fire Chief Timothy Cruz stated the weather has been hot and dry, and Mora County still has fire restrictions in place. He stated the Fire Department will respond to any fire, and they will request the fire be put out. He stated if the person refuses to extinguish the fire, the Fire Department will put it out for them.

H. Bean Day Association – President, Luis Lopez

- None

X. Old Business

- Deputy Clerk Colleen Engelhardt provided updates:
 - Monitoring Wells – presented letter sent to DEC from NMED with required changes that need to be made to the contract before it goes out to bid along with a response letter from DEC to NMED confirming the items have been addressed including the creation of a contour map . DEC will be amending their contract with the Village to include the additional costs of \$9,127.88 from the required changes, and this item will on the agenda for the July meeting. Colleen stated with approval from NMED, DEC will be submitting a Request for Proposals, and they will set dates for the pre-bid meeting along with the bid opening, and ideally, the Notice of Award to the contractor will also be included in the July agenda. Mayor Martinez clarified that the project timeline is for the construction to take place in August, and the project should be complete by September.
 - Federal Funding Requests – heard back from Rep Leger Fernandez's office, and the Village's completion of the Senior Center was not selected. Colleen was contacted by Sen Lujan's staff, and the Village was encouraged to submit the request through his office as well. Colleen submitted a second request through Sen Lujan's and Sen Heinrich's offices.
 - NMDOT – the Village has been awarded the Coop grant in the amount of \$40K with a \$10K match for FY22. These funds will be added to the FY21 funds to construct a sidewalk running in front of the S Catron Ave housing units leading down to the rodeo grounds. Colleen stated at the July meeting Council will review the contract along with a resolution to request a match waiver. Mayor Martinez stated these funds will be carried over to supplement current funds to complete the full sidewalk project.
 - Resident Irene Rosa stated the sidewalk has failed in front of the Veteran Affairs building on Railroad Ave. She stated she has been told the sidewalk was installed as a WPA project, and it is "no man's land" as the NMDOT is responsible for the street and the curb. She stated the curb has broken off, and the chunk is still sitting there. She asked for Village employees to remove the chunk, and the Mayor stated the Utilities Staff will address it.

XI. Mayor's Report

- Senior Center – The contractor informed us their painters are booked out for three months, and the Mayor stated he started contacting painters in the area. The Mayor stated the contractor has

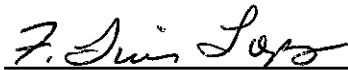
subcontracted with one of them with a quote of \$8000. Mayor Martinez stated the painter will finish in about a week, and then the contractor will be able to move forward with the installation of the drop ceiling, the floor tiles, the interior glass, and the bathroom and kitchen fixtures. Mayor Martinez stated the Village is also waiting on a \$70K distribution from the federal government for COVID recovery, and the funds will be used to purchase all new kitchen equipment and dining room furniture.

- Cemetery – The Village has been receiving reports of dumping trash and branches. He stated he is working with the NMDOT to dispose of the branches, and the Utilities Staff has cleaned up the trash, including 35 tires. The Mayor stated he will be proposing the adoption of an ordinance stating a fine for illegal dumping. Then, he stated he would like to post signs at the entry to the cemetery with the Ordinance number stating “No Illegal Dumping.” He stated this ordinance can also be effective for other areas throughout the Village where illegal dumping is taking place.

XII. Adjourn

**Motion to adjourn was made by Mayor Pro Tem Cruz, seconded by Councilor Miera. (Vote 3-0)
Motion carried and all in favor. The meeting adjourned at 7:00PM.**

Approved and attested this 13th Day of July, 2021.



F. Luis Lopez, Mayor

Attest: 
Colleen Engelhardt, Deputy Clerk
(SEAL)

