



I. Call to Order and Pledge of Allegiance

II. Roll Call: Mayor Andres Martinez, Councilor Claudia M. Martinez, and Councilor Gabriel D. Maestas were present. Mayor Pro Tem Eldie R. Cruz and Councilor Paul A. Miera were absent.

III. *Approval of Agenda

Motion to approve the agenda with the recommended amendment was made by Councilor C Martinez; seconded by Councilor Maestas. (Vote 2-0) Motion carried with all in favor.

IV. *Approval of Minutes for:

A. Regular Meeting Minutes January 14, 2025

- Councilor C Martinez noted the Mayor's last name was misspelled in the Mayor's report under the third bullet, and another two bullets down, it needs to read "The Mayor *stated* the skid steer..."

Motion to approve the January 14, 2025 meeting minutes with amendments was made by Councilor Maestas; seconded by Councilor C Martinez. (Vote 2-0) 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: Review and selection of quotes for repairs to the Clerk's Office.

- Deputy Clerk Colleen Engelhardt stated the Village received quotes from Belfor and Mooring along with the insurance adjuster's determination from Crawford and Co. She stated the adjuster's documentation shows a Net Claim if Depreciation is Recovered in the amount of \$37,335.63 which is the recommended amount to pay out on the insurance claim. Colleen stated the adjuster was the first to visit the office then Belfor and Mooring each visited to give their estimates. She stated when Belfor was here, he noticed the front door does not seal properly and has been allowing water to seep underneath causing damage to the flooring in the hallway, therefore, the Belfor quote includes additional work that was not in the adjuster's assessment. She stated Belfor's quote is in the amount of \$53,904.20 for a difference of \$16,568.57 from the adjuster, and the Mooring quote is \$41,416.70 for a difference of \$4,081.07. However, she stated, the Mooring quote does not include work in the hallway. Colleen stated the adjuster has stated the Village can select any contractor, but any cost over his assessment will be paid from Village funds. Colleen stated the Village was awarded \$95K in Capital Outlay funds for municipal buildings improvements, and she stated the front door and hallway repairs are in the scope of work for those funds. She stated these funds can potentially be applied to the balance for the repairs.
- Mayor Martinez stated he is recommending the Belfor quote and utilizing the grant funds to pay the cost over the insurance claim. He stated he feels this will accomplish more toward updating the office.
- Colleen also noted both contractors will conduct testing after the clean-up work to ensure the mold has been thoroughly removed before the repair work is done.
- Councilor Maestas asked if there will be work performed to prevent this from happening again, and Mayor Martinez stated his understanding is they will construct a small wall to direct the water away from the building.

Motion to approve the Belfor quote for repairs to Clerk's Office and hallway with the additional cost being applied to the municipal building improvements grant was made by Councilor C Martinez; seconded by Councilor Maestas. (Vote 2-0) Motion carried with all in favor.

2. *Discussion/Approval/Disapproval: Mora County Sheriff's Office Purchase Requisitions from the Law Enforcement Protection Fund.
- Undersheriff Romero provided a brief description of each Purchase Requisition:
 - Flock Safety - \$9,000.00 – Annual fee to maintain the three Flock cameras in the Village.
 - Mayor Martinez asked about the effectiveness of the cameras, and the Undersheriff stated while the cameras are good tools, they are not used every day. He stated the cameras are collecting and storing data constantly, but they are not really needed until they detect a vehicle affiliated with a crime. The Undersheriff stated these Flock cameras communicate and exchange information with Flock cameras throughout the state, so they are very useful when needed. He stated MCSO along with other LE agencies have successfully utilized them. For example, he stated, Las Vegas Police Department was tracking a vehicle involved in multiple armed robberies from Albuquerque to Las Vegas, and one of the Wagon Mound cameras detected it. He stated this allowed LE to track the vehicle, and it was apprehended in Bernalillo.
 - Axon Enterprise - \$29,971.87 – Five of the MCSO Dodge Durangos currently have Axon dash cameras. This purchase will include one camera for the sixth Durango as well as a 2-year subscription for all six cameras. These cameras will provide the same functions as the Flock system continuously reading license plates from the dash of each vehicle.
 - Dog House Graphix - \$1,161.00 – Class B uniforms for all deputies. Class B uniforms are less expensive than Class A dress uniforms which are tailored to each deputy. This will be a less expensive way to provide uniforms for new hires to ensure they are going to remain with MCSO before ordering the more costly Class A uniform.
 - FBI-LEEDA - \$1,590.00 – Leadership training course for the Sheriff and the Sergeant in Rio Rancho to gain better leadership skills and to network within the LE community.
 - TLC Uniforms – \$1,105.26 – One ballistic vest for newest hire, Deputy James Suazo, from the Village of Taos Police Department.
 - Mayor Martinez asked for the balance of the LEPF funds, and Clerk Treasurer Amber Anguiano stated the Undersheriff and she will need to review records for an exact balance. The Mayor stated the funds need to be obligated by April so they can be paid out before the end of the fiscal year. He stated he is comfortable with fully obligating the funds, but he expects MCSO to uphold their end of the agreement by showing presence in Wagon Mound.
 - Undersheriff Romero stated their deputies have been here regularly, but he recognized sometimes they fall out of the routine. He stated he is going to try a new schedule by sending two deputies to Wagon Mound/the east side of the county with one in Wagon Mound for two hours and the other on the interstate, and then they'll swap so neither become disengaged.
 - Deputy Clerk Colleen Engelhardt stated today's request total is \$42,828.13.

Motion to approve the MCSO Purchase Requisitions from LEPF was made by Councilor C Martinez; seconded by Councilor Maestas. (Vote 2-0) Motion carried with all in favor.

3. *Discussion: Developing a Facility Rental Contract.
- Clerk Treasurer Amber Anguiano stated she provided Council with an example of a facility rental agreement from Town of Springer along with the recommended insurance requirements for facility rentals from the NM Self Insurers Fund. She stated she is wanting Council to review the list so we have a good understanding of what is expected of the Village from our insurer as we develop a rental agreement. She stated the Springer agreement is just a starting point as a reference to see how they manage park rentals.
 - Deputy Clerk Colleen Engelhardt stated the primary rental location will be the rodeo grounds, but other Village owned facilities as well such as the parks, the Chambers, and the Fire Department.
 - Mayor Martinez stated, as an example, a rodeo company could rent the rodeo arena for a designated fee and show proof of insurance through a contract.
 - Councilor Maestas asked if the Village will establish that businesses do not have the right to sublet properties or enter into contracts with other entities during rental events. He stated he has heard concerns regarding whether or not the Village decides how facilities are managed or is it the entity

holding the event, e.g. Bean Day Association (BDA), that stipulates how the facilities are being used. He stated the question that needs to be addressed is – who's in charge?

- Colleen stated it has become confusing because contracts or agreements have never been established to define who is responsible for what. She stated when the Bean Day event is held Village property is utilized and so is State property with SR 271 being used for the parade. She stated BDA is required to apply for permits with the State to close the road for the parade. However, she stated, she believes neither the Village nor BDA have authority over private property.
- Amber stated the small lot between the two parks where vendors set up for Bean Day as well as the serving area at the south end of the big park is private property. She stated neither is owned nor leased by the Village. She stated this facility rental contract will only pertain to Village owned property, and the locations will need to be clearly defined. She stated it will need to state any operations occurring on private property will require authorization from the landowner.
- Councilor C Martinez asked who is charging the Bean Day vendors that set up in that area. Colleen stated the Village's prerogative regarding vendors is Business Registration fees, and this would apply to any business entity operating in Village limits. She stated BDA vendor fees would be collected from any vendor operating on properties rented or authorized for BDA use.
- Amber stated one of her goals with the agreement is to communicate the processes for utilizing Village facilities as well as to define roles and responsibilities. She stated she believes it should be the responsibility of the event holder, e.g. BDA, pay the business license fees to the Village for the vendors selling during their event. She stated it should be the event holder's responsibility to ensure their vendors are properly licensed, have a CRS number, and Tax IDs. And she stated, if the vendor is not licensed to sell in Wagon Mound, it should be the role of the event holder to pay the Village the business registration fees for those vendors.
- Councilor Maestas gave the example of a private entity renting the rodeo grounds facilities, and he asked if the renter will have the authority to contract with a rodeo production company, or will the rodeo company be required to contract directly with the Village.
 - Mayor Martinez suggested the private entity would need to contract with the Village as the renter, and the Village will have requirements that need to be followed for the renter to bring in any other vendor(s) including a rodeo production company.
 - Amber stated the agreement will need to stipulate the Village owned properties where the Village can authorize use, and it will then need to stipulate how these properties may be used and what procedures need to be followed.
 - Colleen stated the event organizer/renter will be responsible for working with the Village including signing the agreement, paying rental fees, communicating their needs for the event, and providing the Village with required documentation such as insurance and vendor information. She stated the Village will need to provide our requirements for any given vendor whether it's a food truck or a rodeo production company.
 - Amber stated for the Village to issue a business license, we must verify the business is licensed through the state, etc otherwise the Village could be held liable.
- Mayor Martinez stated there needs to be a contract in place between the renter and the Village.
 - Colleen stated all documentation of insurance, vendor licenses, etc will need to be submitted to the Village along with the contract for our records.
 - Amber stated the rental application should include a checklist for all the items required to rent the facility. She stated the contract should include details such as the gate needs to be unlocked at a certain time, the rodeo arena needs to be prepped by a given time, etc.
 - Mayor Martinez stated because the property is owned by the Village, and we will be renting it for specific uses, it will be the Village's responsibility to properly prepare the facilities – e.g. plowing and prepping the arena when a rodeo is being held.
 - Councilor C Martinez stated the services the Village can provide need to be identified. She stated the Village would obviously be providing different services to a renter like BDA than to a group renting the park on a Saturday afternoon.
 - Councilor Maestas stated the fee schedule could be created to reflect the services provided, and Amber agreed stating the contract could state these services are available for this price.

- Councilor Maestas stated this will generate revenue to apply toward the cost of Village operations such as using the tractor to prep the rodeo arena or cost of staffing an event.
- Mayor Martinez stated Fluhman Builders will be constructing the canopy over the new bleachers soon, and he has agreed to use his equipment to move the remaining cement barriers donated by the NMDOT to line the mud bog area to make it safer. Additionally, he stated they will move the old bleachers to the west side of the mud bog area to provide seating, and it will help alleviate parking congestion.
 - Amber stated these are all excellent ideas, and these improvements will help determine fees. She stated we have to consider all improvements, the cost to operate such as trash collection and disposal, electricity, etc, and employee time – before, during and after an event.
- Colleen stated the way she is seeing it is the Village is providing a property, and the Village determines what the property may be used for – rodeos, music, food vendors, etc. Therefore, she stated the Village will ensure that all the requirements are met for that specific use (e.g. a rodeo). Then, she stated the Village will require the renter to pay a fee and provide insurance coverage for the given event.
 - Amber stated the renter's insurance bond will have to match the value of the facility (e.g. rodeo grounds). She stated the NMSIF recommended insurance requirements include a "minimum of \$1,000,000 per occurrence bodily injury/property damage" so the values of the cost of an accident or injury are accurate. She stated this will ensure the Village is properly covered.
 - The Mayor stated when a bull rider enters a rodeo competition, he is required to sign a waiver with the rodeo company indicating the company will not be held liable for any injuries.
 - Councilor Maestas suggested the Village should be included in the same waiver.
 - Amber stated this is where the contract between the renter and the Village will come into play.
 - Mayor Martinez stated the renter will agree to take responsibility because they are the entity hosting the event.
 - Councilor C Martinez suggested the contract needs to state the Village will be held harmless, and the renter will assume all responsibility and liability for the event they're holding.
 - Colleen stated the check list should include an understanding that if the renter is planning on having food vendors, then the renter needs to ensure they have proper licenses to operate, and the documentation needs to be provided to the Village.
- Councilor Maestas asked if the Village will require this for vendors operating only on Village property.
 - Amber and the Mayor stated the Village can only address the renter's operations on Village owned property. However, the Mayor stated any business operating on private property within Village limits are required to maintain a Village business license.
 - Councilor Maestas stated it seems that some utilization is outside the bounds of a contract. For example, he stated vendors on private property are operating outside the bounds of a contract with the Village. He suggested it may be useful to clarify some of these concerns in an ordinance or resolution that also pertains to the rental contract. He stated the contract itself is unenforceable outside the bounds of the contract. He stated it needs to clearly establish the rights of the Village to regulate these activities, and it needs to clearly state which properties and facilities over which the Village has jurisdiction, the rights of the entities using Village properties, rights of public entities and the utilities and/or services the Village is able to provide at the rental facilities. He stated these concepts seem to be a little more complex than what is represented in the Town of Springer rental agreement due to the types of facilities the Village is offering. He stated the rodeo grounds is a valuable property, and the rental system established will therefore need to be more complex.
 - Amber reiterated that she is responsible for confirming a business is compliant and fit to operate in Village limits before issuing a business registration or a daily business permit. She stated a business operating on private property is still required to have a Village business license.
 - Councilor Maestas stated there are not any real repercussions for when this is violated. Colleen stated the business license ordinance does have a penalty fee that can be assessed.
- Mayor Martinez stated a resolution could be developed to support and address the facility rental agreement and process.
 - Amber stated an ordinance is not a bad idea. She stated the business license ordinance needs to be updated, and some or all of these things could be addressed or referenced in it.

- Colleen stated she fully supports identifying Village properties, the available uses, and the requirements needed to rent them. But she stated, she is hesitant to address any private property issues in the ordinance or resolution.
- Councilor Maestas stated he feels it is important to create either an ordinance or resolution because then there are powers of enforceability established. He stated, for example, if a regulatory authority notifies a business that they're not in compliance for whatever reason, but the business does not notify the Village of the violation, then the Village needs to have the authority to nullify the contract with that business from the date of the violation even though the violation was withheld from the Village. He stated this is a complex concept, and Colleen suggested this concept may be something that is covered by a "hold harmless" clause.
- Mayor Martinez stated he agreed, and possible enforcement ideas were discussed such as retroactive fines, not allowing the business to operate for a length of time, etc.
- Colleen stated the current business license ordinance refers to a business registration, which applies to any business operating in the Village, and the fee is \$35. She stated this fee is regulated by state statute which says a municipality can charge up to \$35 for the registration. Then, she stated there is a business license fee of \$150 which is charged in addition to the registration fee, and this is for businesses selling state regulated items such as gasoline, alcohol, tobacco, and lottery. Amber stated the third type listed in the Village ordinance is a \$25 daily business permit, and this is for an entity that does not have a tax ID number established or for a travelling sales person, etc. Amber suggested this permit fee could be reduce to \$10 or \$15 per day.
- Colleen stated there is a lot that can be addressed by updating the business license ordinance. She suggested including a map identifying Village owned properties, and include a statement of what a business needs to do in order to operate on those properties.
- Amber stated the ordinance also needs to address what is required from the Village to operate on private property as well in order to comply with state and federal statutes and regulations.
- Colleen suggested the Village needs to determine if we can require a business to provide proof of consent from the property owner when they intend to operate on private property they do not own.
- Amber stated she operates a food stand, and she is familiar with the processes required to sell at events. She stated they work directly with the event holder rather than with the municipality, and they are required to provide proof of licenses.
- Councilor Maestas clarified that this contract system is the preferred method the Village will establish, and Amber agreed stating it shouldn't be the Village's responsibility to track down vendors the day of an event for business license payments. She stated this process also puts the liability on the event holder which makes sense because they are the established renter entering into a contract with the Village.
- Mayor Martinez stated this is all very important because the Village is already getting inquiries about using the facilities outside of the Bean Day rodeo. He stated the mud bog company expressed interest in coming a few times over the summer.
 - Amber suggested investing in a sign for the rodeo grounds identifying the name of the facility and contact information for rentals.
- The Mayor suggested various ways to best utilize Village properties and suggested ideas like holding a small carnival on the rodeo grounds during an event, utilizing the new Senior Center parking lot for the dances over Bean Day weekend, and Colleen suggested the Village could better organize the layout of the rodeo grounds by taping off where parking is allowed to improve safety.
 - Amber stated there are so many possibilities, and now it takes the Village establishing a good contract with appropriate fees to cover costs of operations. She stated a lot of hard work has gone into creating the facilities, and now it's a matter of putting a contract with processes in place.
 - Mayor Martinez also noted the BDA had about 20 volunteers that helped construct the new arena, and he stated he believes it is important to work with them.
 - Councilor C Martinez stated Bean Day happens on the same weekend every year, and there is no reason why BDA can't be communicating what they need months prior to the event.
 - The Mayor stated lack of organizing and communication is what has caused many issues with Bean Day, and Amber stated the contract will serve the purpose of detailing roles, responsibilities, and timelines of what needs to happen to make the event happen.

- Amber stated this discussion was the first step in detailing out how the Village can create a contract to best rent and manage our facilities. She suggested everyone continue thinking about ideas and write them down.
- Councilor Maestas suggested the first rental agreement should include the stipulations of insurance because this is a big hurdle to ensure the Village is covered, and this will allow for time to craft an ordinance or resolution which will offer more detail and enforcement.
 - Amber stated pricing will also need to be determined.
 - Councilor Maestas stated in order to determine prices, we need to have a definition of the properties available to rent and what options are offered at each location.
- Mayor Martinez suggested creating a committee to work through the details to create a draft to be presented to Council, and the March agenda will include an item to establish the committee.

III. Monthly Reports

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

- Clerk Treasurer Amber Anguiano stated payments were made to NM Self Insurers Fund for the annual renewal fees, and to NM Labor Law Posters for the new 2025 poster. She stated all other payments issued were regular monthly bills.
- Amber reported she received the paperwork necessary to title and register the Fire Department's rescue truck. She stated she should have the Manufacturer's Certificate of Origin by the end of the week, and she'll be able to send it to MVD to get the plates.
- Amber stated she sent in all the remaining financial documents Wagner Equipment needed for the skid steer purchase so that should also be settled by the end of the week. Mayor Martinez stated Wagner will be sending some parts because the Village decided to change from an 18" to a 9" and a plate that connects the backhoe attachment.

Motion to approve the January 2025 vouchers was made by Councilor C Martinez; seconded by Councilor Maestas. (Vote 2-0) Motion carried with all in favor.

B. Utility Delinquent List – Deputy Clerk

- Active Accounts – 7 letters sent with total delinquency of \$637.62, and a due date of January 27th. All payments were received on time totaling \$789.09.
- Inactive Accounts – 4 letters sent (8 accounts total but 4 no longer have valid mailing addresses) with a total delinquency of \$649.81, and no payments were received.

C. Utility Superintendent – Utility Superintendent

- Clerk Treasurer Amber Anguiano reported in the Utility Superintendent's absence. She stated he asked her share that the representative from the company where the Village purchased the line locator was on-site today to train on the use of the machine. She stated it was determined that the wand was defective and not working. She stated the new part is already on order, and when it arrives, he'll come back to the Village to install it and complete the training.
- Deputy Clerk Colleen Engelhardt reported that both the Superintendent and the Assistant will be attending a butt fusion training/recertification next month, the New Mexico Rural Water Association Annual Conference and an 811 line locating class in April, and the PRC has scheduled the comprehensive Standard Inspection of the natural gas utility for March 31st – April 4th.
- Mayor Martinez stated he has informed the Utility Superintendent that he wants him to work on getting his Level 2 water certification because that will allow the Village to enroll in a program that helps pay the cost of training a new water employee.

D. MVD Reports – MVD Manager

- January – 66 transactions for a total of \$11,374.18 and 6 exams.

E. Mora County Sheriff's Office Report

- Undersheriff Romero stated MCSO currently has ten staff members with two open positions. He asked to please let anyone interested know they are accepting applications.

- The Undersheriff stated they have one cadet currently in the academy, and he's in his second week.
- Undersheriff Romero stated both the MOU and the JPA have been submitted to the county's attorney awaiting her approval.
- The Undersheriff stated MCSO is working with NM State Communications to install CAD/GPS in all their units. He stated this will allow them to see what dispatch sees, and dispatch will be able to track the location of their deputies for their entire shift. He stated he does not anticipate this launching until later in the year.

F. Housing Authority – Northern Regional Housing Authority

- Absent

G. Wagon Mound Fire Department – Fire Chief

- Absent

H. Bean Day Association – President

- Absent

X. Old Business

- Deputy Clerk Colleen Engelhardt reported on the status of the USDA Rural Development funds awarded to the Village for the Senior Center. She stated she and Amber met with our USDA staff and two staff members of Senator Lujan's to discuss how to move forward to get our funds obligated. She stated they are in limbo given the holds on federal spending. She stated they are trying to help the Village, but they also have to follow USDA rules and guidelines. She stated even though Sen Lujan sent a letter requesting we be allowed to spend the funds piecemeal, they are unable to obligate the funds until we provide a budget detailing how the full \$164K will be spent. She stated originally they wanted us to provide three quotes for each item we intend to purchase in order for them to obligate the funds. She stated now they are allowing us to estimate the cost of each item we want to purchase rather than submitting three quotes. Colleen stated Jena and the Mayor are working on getting cost estimates, and then she'll complete the required form to send to our local USDA Rural Development Office. From there, she stated, it will need to be approved through USDA to be obligated, and then the Village can begin making purchases. At that time she stated, we will still be required to provide three quotes for each item with an explanation for our selection.

X. Mayor's Report

- Mayor Martinez provided an update on the Senior Center parking lot and street paving project. He stated after the engineer sent the contractor a letter denying Substantial Completion, Pacheco's was on-site yesterday, and they stated they had already completed several of the smaller items the engineer is requiring they address. The Mayor stated they are proposing a sealer product to cover the entire parking lot which will address all the cracks and issues, but this product requires day and night temperatures to be in the 40s-50s for it to cure properly. He stated the road work will need to be milled up and repaved, and they will fix the bump at the seam with the old road at that time as well. The Mayor stated he is looking at the work being completed by the end of March.
 - Deputy Clerk Colleen Engelhardt stated she and the Mayor spoke with the engineer, and the contractor is required to provide the engineer a plan for how to resolve the issues listed in the Substantial Completion denial letter. She stated the engineer will then review and give approval for moving forward. She stated once they have done the repair work, the contractor and engineer will conduct a second Substantial Completion site visit, and the engineer will determine whether or not the work was performed to meet specifications. She stated there may be a small Puch List of items created at that time to be completed before issuing final payment and closing out the project.
- Mayor Martinez informed Council that Mora County's day at the legislature is February 20th. He stated they are hosting a private reception that evening in Santa Fe, and the Village Council is invited to attend.

- The Mayor stated he, the Clerk and the Deputy Clerk will be going to the legislative session that day, and he asked if any Council members are interested in going as well. Councilor Maestas stated he would like to go, and Councilor C Martinez stated she has a conflict.
- Colleen stated she will reach out to Representative Sanchez and Senator Campos to let them know we like to meet with them.

XII. Adjourn

Motion to adjourn was made by Councilor Maestas, seconded by Councilor C Martinez. (Vote 2-0)
Motion carried with all in favor. The meeting adjourned at 7:44PM.

Approved and attested this 11th Day of March 2025.



Andres Martinez, Mayor

Attest:



Amber L. Anguiano, Clerk Treasurer

(SEAL)

