



Village of Wagon Mound
Special Meeting Agenda
Thursday, September 30, 2021 - 6:00pm
Presiding Mayor F. Luis Lopez

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 F. Luis Lopez, Mayor Pro-Tem Timothy Cruz, Councilor Adrian A. Clouthier, Councilor Paul A. Miera, and Francis M. Tierney.
- III. *Approval of Agenda
- VI. Public Hearing – Cannabis Regulation Ordinance
- V. Business Matters
 - 1. *Discussion/Approval/Disapproval: Adoption of Ordinance #2021-05 – Cannabis Regulations.
- VI. Adjourn

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

MEETING ID: 856 3357 8917

PASSCODE: 285894

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 SEPTEMBER 30th, CLICK ON THE LINK AND ENTER THE MEETING ID AND PASSCODE WHEN PROMPTED.
-----OR-----
 - 2) ON SEPTEMBER 30th, 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 Clerk Treasurer Gina Garcia. Mayor F. Luis Lopez, Councilor Adrian A. Clouthier, and Councilor Francis M. Tierney were present in-person. Councilor Paul A. Miera was present via Zoom, and Mayor Pro Tem Timothy Cruz was absent.

III. *Approval of Agenda

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

VI. Public Hearing – Cannabis Regulation Ordinance

- Deputy Clerk Colleen Engelhardt stated the Village has held two previous public hearings. She stated Council approved the third draft of the Cannabis Regulations Ordinance for Intent to Adopt at the September 14th Regular Meeting, and she stated it has been posted for two weeks. She invited the public to speak.
 - Citizen Irene Rosa asked if this is the same document the State and County are passing or is it an individual document the Village is passing. Colleen stated House Bill 2 (HB 2) approved by the State allows for local governing bodies to determine the time, place, and manner of how cannabis establishments operate as long as local regulations are in compliance with HB 2 and the Dee Johnson Clean Air Act. She stated this Ordinance is specific to the Village. She stated much of the Village's proposed ordinance defines different cannabis terms, and Council is proposing a Cannabis Establishment Location Boundary which includes all area within Village limits west of Old Hwy 85.
 - Citizen Rosa stated she has seen what has happened in Colorado. She stated each local governance could vote whether or not they wanted growers and dispensaries in their location, and some locations voted no. She asked about a provision allowing Village residents to vote where "we the people" of the Village make the decision. Colleen stated HB 2 does not allow for that. She stated it specifically mandates local governing bodies to comply with the State regulations, and Citizen Rosa stated local governances are not allowed to make their own decision. Colleen stated she believes local governances could take the stance of standing against HB 2, but it would involve legal action and expensive legal fees. She stated in the New Mexico Municipal League training she attended, they strongly advised to treat cannabis establishments like other businesses because the cannabis industry is well funded and willing to litigate. She stated the best protection the Village has is to utilize the time, place, and manner provisions. She stated the Village does not have a zoning ordinance, but the primary residential area is located east of the railroad. Colleen stated this is the Council's reasoning behind allocating the Cannabis Establishment Boundary to the west of Old Hwy 85. Colleen read Section 3 of the proposed ordinance which pertains to the manner in which cannabis establishments may operate in Village limits.
 - Citizen Rosa stated she understands there are Village residents interested in opening a cannabis establishment, and Colleen stated the Village has heard from one. Colleen stated the State started reviewing applications for producers and manufacturers on September 1st, and they will begin reviewing applications for retailers no later than January 1, 2022. Citizen Rosa stated thank you for answering her questions.

V. Business Matters

1. *Discussion/Approval/Disapproval: Adoption of Ordinance #2021-05 – Cannabis Regulations. Motion to approve Ordinance #2021-05 – Cannabis Regulations was made by Councilor Miera, seconded by Councilor Tierney. (Vote 3-0) Motion carried with all in favor.

VI. Adjourn

Motion to adjourn was made by Councilor Miera, seconded by Councilor Clouthier. (Vote 3-0) Motion carried with all in favor. The meeting adjourned at 6:12PM.

Approved and attested this 12th Day of October, 2021.

F. Luis Lopez
F. Luis Lopez, Mayor

Attest:

Gina M. Garcia
Gina M. Garcia, Clerk Treasurer

(SEAL)

