



Village of Wagon Mound
Regular Meeting Agenda
Tuesday, November 9, 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 Councilor Francis M. Tierney.
- III. *Approval of Agenda
- IV. *Approval of Minutes for:
 - A. Regular Meeting Minutes October 12, 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. Business Matters
 1. *Discussion/Approval/Disapproval: Review and approval of Harris Technology quote to renew annual service agreement for Fortinet Forticare 24x7 bundle.
 2. *Discussion/Approval/Disapproval: Annual clothing allowance for Utilities Staff.
 3. *Discussion/Approval/Disapproval: Review quotes and approval of electrofusion machine purchase for the natural gas utility.
 4. *Discussion/Approval/Disapproval: Review quotes and approval of purchase of used solid waste vehicle using FY22 Capital Outlay appropriation.
- VIII. Monthly Reports
 - A. *Approval Item –Approval of Vouchers (payment to vendors) Clerk Treasurer Gina Garcia
 - 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. Fire Chief – Robert Mondragon

H. Bean Day Association – President, Luis Lopez

IX. Old Business

X. Mayor's Report

XI. Adjourn

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

MEETING ID: 879 9506 2853

PASSCODE: 673515

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 NOVEMBER 9th, CLICK ON THE LINK AND ENTER THE MEETING ID AND PASSCODE WHEN PROMPTED.

-----OR-----

 - 2) ON NOVEMBER 9th, 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 Lopez, Mayor Pro Tem Cruz, Councilor Clouthier, and Councilor Miera were present. Councilor Tierney was absent.

III. *Approval of Agenda

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

IV. *Approval of Minutes for:

A. Regular Meeting Minutes October 12, 2021

Motion to approve the Regular Meeting minutes for October 12, 2021 was made by Mayor Pro Tem Cruz, seconded by Councilor Clouthier. (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

- Councilor Miera stated he believes the alley needs to get cleaned up including moving out all the vehicles. Mayor Lopez stated the clean-up is still in progress, and it has taken time to clean-up to create space at the rodeo grounds.

Mayor Pro Tem Cruz asked why the employees are still working a 4/10 schedule because he stated he thought it was supposed to end on September 30th. He asked why Council was not notified of the extension of the 4/10 schedule. Councilor Clouthier stated he believes the schedule should change mid-November. He stated he doesn't think the 4/10 schedule should extend into December. Mayor Pro Tem Cruz stated he's just wanting clarification on why no one was notified of the extension.

VII. Business Matters

1. *Discussion/Approval/Disapproval: Review and approval of Harris Technology quote to renew annual service agreement for Fortinet Forticare 24x7 bundle.

- Deputy Clerk Colleen Engelhardt stated a decision on this item was postponed at the October meeting until additional information could be gathered. She stated she asked Harris Technology if they would be willing to have a Representative attend the meeting to provide Council a clear explanation, and she was told the request was above and beyond what they normally do. She stated she asked for a better explanation over the phone, and he provided her with an analogy. She stated the network could be viewed as a kingdom or castle with a wall around it. She stated the wall represents the firewall hardware, and the annual service provides the guards to be on lookout for specific enemies or threats on top off the wall. She stated once a guard is in place the wall will retain it, but without the service, the wall cannot add any new soldiers to scan for new threats.
- Councilor Miera asked if Harris will charge additional fees if there is a problem, and he asked if the Village has had any issues since using this service. Colleen explained the annual contract fees do cover some repairs so it would depend on the nature of the problem, and she stated the network has not had any issues in the past year.

Motion to approve the Harris Technology quote to renew the Fortinet Forticare annual service agreement was made by Councilor Miera, seconded by Mayor Pro Tem Cruz. (Vote 3-0) Motion carried with all in favor.

2. *Discussion/Approval/Disapproval: Annual clothing allowance for Utilities Staff.

- Deputy Clerk Colleen Engelhardt stated in previous years the Utilities Staff have each received a \$500 clothing allowance. She stated the Village would issue a purchase order to Big R, and the employees would be able to go into the store to purchase clothes in the sizes they needed. She stated last year the intention was to have the employees wear the same clothes similar to having a uniform, and each employee received more than \$500 to ensure they had all the items they need to work through the winter.
- Councilor Miera asked if the employees need new items, and Citizen/Mayor Elect Andres Martinez stated he believes the allowance should go back to \$500 this year because they have the more expensive cold weather items.
- Mayor Pro Tem Cruz asked if the items have been priced wondering if the items needed will cost \$500. He asked if the employees are going for the best, most expensive items because they have \$500 to spend. He stated he understands they need good gear, but he also understands the Village does not have a lot of money.
- Councilor Miera stated they do not need to spend the money all at once, and they could buy items as needed throughout the year. Councilor Clouthier stated the allowance is something they receive every year. Mayor Pro Tem Cruz suggested they go and price out the items they need and then submit the request.
- Colleen stated the Council could change the allowance from a dollar amount to specific items. Councilor Miera asked if the office receives the invoice to see what items are purchased, and Colleen confirmed.
- Citizen/Mayor Elect Martinez stated last year there were issues with getting some items through Big R, and the pants and shirts were purchased from Popular Dry Goods. Admin Assistant Amber Alcon suggested the Village could assess the condition of items around October and purchase the items that need replacing. Councilor Miera agreed and stated as other items wear out, they can be replaced. Mayor Pro Tem Cruz also agreed, and he stated they should get what they need as it is needed and not be issued \$500 to spend all at once. He suggested the office staff could assess the condition of their gear and determine what needs replacing.
- Mayor Pro Tem Cruz asked if they will be buying through Big R or Popular Dry Goods, and Colleen stated her thought is to contact both for pricing. She stated she recalls Popular Dry Goods offering a better deal on Carhartt items last year, and the boots were a better deal at Big R.
- Mayor Pro Tem Cruz stated he believes the allowance should still be \$500, but it should only be used as needed throughout the year.

Motion to approve the annual clothing allowance for the Utilities Staff to be used throughout the year as needed up to \$500.00 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 quotes and approval of electrofusion machine purchase for the natural gas utility.

- Deputy Clerk Colleen Engelhardt stated this is a machine that is used to fuse plastic pipe. She stated the Utilities Staff went to a recertification today, and they thought they'd be back for the meeting. She stated the training ran long, and her understanding is the Village's current electrofusion machine will not be recertified to be used in the field. She stated she isn't certain why it won't be recertified, and she isn't certain when the current certification will expire.
 - Colleen stated there is only one quote from Secor, and they are not on a purchase agreement. She stated procurement rules require three quotes on items more than \$500.00. She stated she has contacted two other companies for quotes, but they have not yet responded.
- Colleen stated this machine is needed to properly operate the natural gas utility, and the Village will need to purchase one eventually. However, she stated, it is a tool that is only used when working on a gas line repair or installing a new hookup. She stated if the Village runs into a situation where the current machine's certification expires and welding pipe is needed, Secor does offer machines for

rent. She stated the next item on the agenda will be addressing a new solid waste vehicle. She stated there have been several items purchased out of the utilities accounts in the past year, and she acknowledged the spending has not been frivolous as the items have been needed to operate the utilities. But, she stated, the utilities bank account need to recoup from these expenditures. She stated her thought, in relation to procurement and staging spending from the accounts, is to not purchase the electrofusion until more information is gathered. She stated the Village could budget for the purchase in the near future.

- Citizen/Mayor Elect Andres Martinez stated the electrofusion machine would be paid from the natural gas fund which has more money in it than the other utility funds while the trash truck would be paid from the solid waste fund so the two payments should not affect one another.
 - Colleen stated the different utilities funds are tracked separately in General Leger, but the actual money in the bank is in one account.
 - Administrative Assistant Amber Alcon stated gas purchases are only drawn from the gas funds and solid waste purchases are only drawn from the solid waste fund, but the Utilities bank account will be impacted if both big purchases are made at the same time. Citizen/Mayor Elect Martinez stated the purchases don't need to be made in the same month. Amber agreed stating that the recommendation is to space out the purchases with the electrofusion machine purchase being made in the future while focusing on the more pressing expenditure right now. She stated the Village has been making several necessary purchases to bring the natural gas utility up-to-date, and the total balance in the Utilities bank account has decreased.
- Mayor Pro Tem Cruz stated the Village needs to know the cost of renting as well as the two additional quotes to purchase machine. He suggested postponing the decision until the December meeting. Councilor Miera agreed, and he stated the Utilities Superintendent will be present as well to provide better information.

Motion to approve postponing the electrofusion machine purchase until the December meeting was made by Mayor Pro Tem Cruz, seconded by Councilor Clouthier. (Vote 3-0) Motion carried with all in favor.

4. *Discussion/Approval/Disapproval: Review quotes and approval of purchase of used solid waste vehicle using FY22 Capital Outlay appropriation.
- Deputy Clerk Colleen Engelhardt stated she has been in communication with Monica Tapia at the DFA, and she stated she inquired if the Village may use the funds to purchase a used solid waste vehicle. Colleen stated she was informed that there is no rule barring the purchase of a used vehicle, but the Village needs to ensure the vehicle will last ten years or longer. She stated Ms. Tapia suggested that the vehicle purchased is no more than 5 years old, and Colleen stated Monica provided an article on the value of solid waste vehicle maintenance extending the operating life.
 - Colleen stated the Utilities Superintendent spent time researching used solid waste vehicles, and he found some good, clean looking used vehicles on a few different "truck trader" websites. She stated several of the quotes are from Prince Motors in Riverside, CA. Colleen stated she contacted them, and they do not offer any kind of warranty or guarantee on their used equipment. Additionally, she stated, having the truck shipped from California would add about \$4,600 to the cost of the vehicle. She stated she also contacted RDK Truck Sales in Tampa, FL, and they do offer a 30-day warranty on internal oiled parts only. She stated they also charge a driving or trailering fee that will add approximately \$3,300 to \$7,400 to the cost of the vehicle. Colleen also stated this truck is a 2013.
 - Colleen stated the Capital Outlay funds allocated to buying a trash truck total \$135K. She stated when Mayor Martinez was looking into trucks this spring, he found an option of an F350 chassis outfitted with a satellite collection system mounted in the back that, at the time, cost less than the appropriation. She stated the Village has received \$76K from the American Rescue Plan, and these funds may be spent on anything related to the impacts of the pandemic. She stated because materials have increased, etc, she believes this money could be added to the Capital Outlay funds for a total of \$211K. She stated she believes there is more that needs to be researched before making the purchase.

- Mayor Pro Tem Cruz stated the quotes presented are for trucks that are a far larger capacity than what is needed. He stated the satellite system truck has an 8-yard capacity, and the two utilities staff could work together to collect trash.
 - Citizen/Mayor Elect Martinez stated when he obtained the quote, the total cost of the truck and system combined would have left about \$55K remaining as a contingency in case something goes wrong. He stated it will be a brand new truck with a 5-year warranty, and the satellite system is new with warranty as well. Administrative Assistant Amber Alcon stated this truck will not require a CDL which would also result in a operating cost reduction.
 - Citizen/Mayor Elect stated he believes lack of maintenance is a major reason why the trucks are failing. Councilor Miera stated he's asked about maintenance records, and he's never seen one. Colleen stated the article provided by Monica Tapia states the daily walk-around is the number one way to avoid issues. Citizen/Mayor Elect Martinez stated maintenance records were being kept on a weekly basis when he was Mayor previously.
- Mayor Pro Tem Cruz suggested disapproving the current item and to include a discussion regarding the purchase of a solid waste vehicle on the next agenda.
- Citizen/Mayor Elect Martinez stated he had requested a quote from Sandoval's in Raton to repair the blue trash truck before he stepped down, and he stated his opinion is to include that repair on the December agenda.
 - Colleen stated the Sandoval's quote is for \$2,372.50, and she is in contact with a few other repair shops to obtain quotes. She stated the repair can be included on the December agenda.
 - Mayor Pro Tem Cruz asked about the status of the white trash truck donated by the City of Las Vegas (CLV). Mayor Lopez explained the hydraulics are not functioning because the PTO sensors are out. Colleen stated the vehicle is drivable, but it cannot collect trash bins.
 - Colleen stated when the vehicle donated, the CLV Utility Director stated they would help the Village with any needed repairs, but when Village staff tried contacting them, they felt blown off. She stated she contacted the Utilities Director again, and she provided contact information for the City's Solid Waste vehicle repair guy as well as one they with whom they contract.
- Mayor Pro Tem Cruz stated he is recommending both solid waste vehicles are repaired in the near future. He stated he would like to see the white truck taken to CLV to have it checked out, and additional quotes can be obtained once we know the exact repairs needed. He stated he would like to have this information along with quotes for the blue truck repairs for review at the December 14th Council Meeting. He stated he would also like to have a discussion on the Dec agenda reagrng the purchase of a new solid waste vehicle.

Motion to disapprove the purchase of a used solid waste vehicle using FY22 Capital Outlay appropriation and was made by Mayor Pro Tem Cruz, seconded by Councilor Miera. (Vote 3-0)

Motion carried with all in favor.

VIII. Monthly Reports

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

- Clerk Treasurer Gina Garcia stated the Village received the FY22 \$20K LEPF distribution, and the altitude valve was received and paid. She stated the remaining payments are all regular monthly payments, and she stated business is running well.
- Gina informed Council she will be out of the office next week at the Clerk's Institute training.

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

B. Utility Delinquent List – Deputy Clerk, Colleen Engelhardt

- October Active Accounts – 16 letters sent for delinquency total of \$838.73, and payments received totaled \$1,138.88.
- October Inactive Accounts – 9 letters sent for total delinquency of \$1,203.01 with no payments received. She stated she has scheduled an appointment with the Village's attorney to discuss

processing liens. She stated she believes establishing a lien filing procedure is important, but she suggested also potentially amending the ordinance to increase the penalty fee charged when payment is past due.

Potential November Delinquent List – Colleen presented the list to Council, and she stated these accounts will only become delinquent if not paid by end of day on the 15th.

- Mayor Pro Tem Cruz asked if the inactive accounts continue to receive letters each month, and Colleen confirmed. She stated two of them have been returned recently, and she no longer has a good address for account D28000. She stated this is a former Housing resident, and HUD requires for her to pay this outstanding bill if she ever applies to live in a Housing unit in the future. Mayor Pro Tem Cruz asked if Housing would not be responsible for the balance, and Colleen stated this is a question she'll ask the attorney.

C. Utility Superintendent – Utility Superintendent, Gary Sanchez

- Absent – Getting recertification for electrofusion and butt fusion in Albuquerque

D. MVD Reports – MVD Manager, Amber Alcon

- Amber reported October was smooth with a total of \$6,076.79 in MVD sales.
- Amber stated she will not be taking MVD appointments next week because she will also be attending the Budget Conference online.

E. Mora County Sheriff's Office Report

- Sergeant Romero stated the Sheriff's Office is still looking to hire one more Deputy and calls for service have gone up in October. He stated calls have also increased from Wagon Mound Public Schools for fighting. He stated the Sheriff's Office provided a bullying presentation to the entire school last week, and the Undersheriff is working with the Mora and Wagon Mound School Districts to establish a School Resource Officer to work with both Districts.
- The Sergeant stated the Sheriff's Office recently ran a DWI Checkpoint, and they ran 350 vehicles.
- Sergeant Romero stated the Undersheriff is still working with New Mexico Labs to issue an intoxilizer machine to be used at the Wagon Mound Marshall's Office. He stated having the machine set-up will allow Mora County Sheriff's Office, State Patrol, and neighboring law enforcement agencies to utilize this office for DWIs.
- Deputy Coca stated October saw a little more than 300 calls for service county wide. He stated the County just imposed fire restrictions which are enforceable.
- Deputy Coca and Sergeant Romero stated the radar and cameras approved at the last meeting have been installed and are working well.

F. Housing Authority – Northern Regional Housing Authority

- Executive Director Terry Baca stated he has been in communication with the Housing Authority's auditor, and he has determined he should have the audit complete by the December 15th deadline.
 - Terry stated they will be going through tenant files to verify necessary information is up-to-date and rents are correct. He stated they may recommend to the Board to make some updates and changes to the lease.
 - Terry stated they are in the process of updating the bank account information to remove past signers and add current board members.
 - He stated Angie Romero is interested in remaining on the Housing Board, but her term expired in October. He stated she will need to be reappointed at the next meeting, and he stated Esther Mondragon and Claudia Martinez have been sworn in.
- Deputy Director Natasha Martinez stated with the tenant file reviews, they will also be conducting reexaminations by the end of the month.
- She stated a Special Meeting may be held to address policy and procedures to update the lease. She stated they are running into issues enforcing the lease because it is not as clear as they would

like it to be. However, she stated, they have not had many lease violators. She stated Perfecto has been good at keeping everyone up-to-date and letting them know what is going on.

- Natasha asked for the utilities department to notify them of any service cutoffs. Deputy Clerk Colleen Engelhardt stated she has been emailing delinquent letters sent to housing tenants to two Norther Regional employees in the Raton office, but she stated there have not been any shutoffs of housing tenants. Terry stated they cannot act unless the service is cutoff, but he and Natasha requested for Colleen to continue sending the delinquent notices.

G. Fire Chief – Robert Mondragon

- Absent
- Assistant Fire Chief Timothy Cruz stated there is nothing to report.

H. Bean Day Association – President, Luis Lopez

- None

IX. Old Business

- Deputy Clerk Colleen Engelhardt reported on the following items:
 - Protestant for Well Drilling on Property South of the Village – Colleen stated the Fourth District Court of Appeals granted summary judgement to protestants, and Quintana initially appealed the decision. However, she stated he withdrew the appeal earlier this month so the decision in favor of the appellees stands, and the case is done.
 - Monitoring Wells – Colleen stated work was supposed to begin on Mon, Nov 8. Colleen stated Stewart Brothers submitted the application to the Office of the State Engineer later than expected, and their driller was potentially exposed to COVID so he had to stay home for a few days. Colleen stated the work will begin on Mon, Nov 15, and they are anticipating the work to be complete within a week or two.
 - ICIP and 1st Quarter Report – Colleen stated both were submitted and accepted.
 - Housing Board – Colleen stated Esther Mondragon, Claudia Martinez, and Lily Martinez have all been sworn in, and Angie Romero's reappointment will be included on the December agenda. She stated this still leaves one vacant position on the Housing Board.
 - New Senior Center – Colleen stated Southwest Glass has installed the glass in the vestibule area, and the RFP panels are almost completely installed in the kitchen. She stated they ran out of the specific glue needed to install them, and they have not been able to purchase any due to supply chain issues. She stated once the RFP panels are installed, they will install the stainless-steel items in the kitchen. She stated the contractor has stated they will be meeting with Jack Roper, the HVAC/mechanical guy, to line out his work. She stated the contractor is unable to provide a timeline for gaining the CO due to supply chain issues and labor shortages, but we are still aiming for early 2022.
 - Colleen stated the Village has been addressing a concern of the architect. She stated Michael Freeman has been pressing to get the roof beams sealed, and he had claimed there had been a change order to include this work. Colleen stated the Village was on track to receive additional Capital Outlay funding for FY21, and this work would have been included with this allocation. She stated the Governor vetoed the Village's appropriation along with many other with the onset of the pandemic. Colleen stated she believes communication was lacking between the Village, the architect, and the contractor at that time. Additionally, she stated the sealer should have been applied when the roof was installed, and it is not clear why this didn't happen. Colleen stated the Village is the project manager, and the Village's perspective is to do everything we can to gain a certificate of occupancy (CO) with the current funding with no monies going toward items that are not needed to gain the CO.
 - Cannabis Ordinance – Colleen stated she attended another workshop offered by the NM Municipal League (NMML). She stated NMML had a team of attorneys to provide input on the

Cannabis Regulation Act (CRA). She stated one is a prosecuting attorney, and she stated she would review local ordinances as though she were being hired by a cannabis entity. Colleen stated during the session someone mentioned the possibility of a federal regulation establishing a distance requirement from a federal road in the meeting chat. She stated the Village's Cannabis Establishment Boundary includes area directly adjacent to I-25, and she stated she has submitted the Village's ordinance to the NMML and to the Village's attorney for additional review. She stated she learned the roll out of the CRA is likely going to be a mess, and it will have to go through the courts to be sorted out. She stated the CRA allows local governments to determine time, place, and manner of cannabis establishments, but it also states the regulations must be "reasonable," which leaves room for deliberation. She stated wording of the ordinance is critical, and the "Where As" statements should include terminology indicating the Village approved of the time, place, and manner of the establishments based on public health and safety concerns and/or as a matter of Village concern. Colleen stated the Village's ordinance does include this language.

X. Mayor's Report

- None

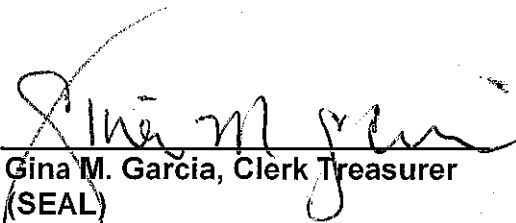
XI. Adjourn

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 7:28PM.

Approved and attested this 14th Day of December 2021.



Luis Lopez, Mayor

Attest: 
Gina M. Garcia, Clerk Treasurer
(SEAL)

