



Village of Wagon Mound  
Regular Meeting Agenda  
Tuesday, July 13, 2021 - 6:00PM  
Presiding Mayor – Mayor Pro Tem Timothy Cruz

**SEE INFO ON REVERSE FOR ZOOM MEETING ATTENDANCE**

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\* - 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

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- 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 June 8, 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 accept quote to repair John Deere 310SG Backhoe.
  2. \*Discussion/Approval/Disapproval: Review and accept Amendment No. 1 to the Agreement for Engineering with Dennis Engineering Company.
  3. \*Discussion/Approval/Disapproval: Review bids and approve Notice of Award for monitoring wells project.
  4. \*Discussion/Approval/Disapproval: Review and acceptance of amendments to the Joint Powers Agreement with the New Mexico Municipal League.
  5. \*Discussion/Approval/Disapproval: Resolution 2021-05 – Participation in Local Government Road Fund Program Administered by New Mexico Department of Transportation.
  6. \*Discussion/Approval/Disapproval: Resolution 2021-06 – Request for Match Waiver New Mexico Department of Transportation.
  7. \*Discussion/Approval/Disapproval: Approve appointment of Gina Garcia as Clerk Treasurer.

8. \*Discussion/Approval/Disapproval: Approve contract with former Clerk Treasurer Monica Martinez.
9. \*Discussion/Approval/Disapproval: Review employee evaluations and approval of pay increases for Utility Superintendent, Utility Assistant, Office Administrator/MVD Manager, and Deputy Clerk.
10. \*Discussion/Approval/Disapproval: Review and acceptance of Letter of Resignation from Mayor Andres Martinez.
11. \*Discussion/Approval/Disapproval: Appointment of Mayor to fulfill the remainder of the term through December 31, 2021.
12. \*Discussion/Approval/Disapproval: Appointment of Councilor to fulfill the remainder of the term through December 31, 2021.

#### VIII. 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

#### 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: 850 4012 9768**

**PASSCODE: 352936**

**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 JULY 13<sup>th</sup>, CLICK ON THE LINK AND ENTER THE MEETING ID AND PASSCODE WHEN PROMPTED.
  - OR-----
  - 2) ON JULY 13<sup>th</sup>, GO TO [www.zoom.com](http://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 Pro Tem Cruz, Councilor Clouthier, and Councilor Lopez were present. Mayor Martinez and Councilor Clouthier were absent.

III. \*Approval of Agenda

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

IV. \*Approval of Minutes for:

A. Regular Meeting Minutes June 8, 2021

**Motion to approve the agenda was made by Councilor Clouthier, seconded by Councilor Lopez. (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
- Deputy Clerk Colleen Engelhardt introduced appointed Clerk Treasurer Gina Garcia to the Council. Colleen explained Gina's original start date was scheduled for July 6<sup>th</sup>, but due to a medical emergency in her family, she did not start until July 12<sup>th</sup>. Colleen stated she failed to give Gina notice of the meeting, and she stated Gina will be going home to get a good night's rest to be prepared for the procurement training class tomorrow.

VII. Business Matters

1. \*Discussion/Approval/Disapproval: Review and accept quote to repair John Deere 310SG Backhoe.
- Utilities Superintendent Gary Sanchez stated the repairs were delayed because the control unit part was on back order. He stated it should be ready by next week.

**Motion to approve acceptance of the quote to repair the John Deere 310SG Backhoe was made by Councilor Lopez, seconded by Councilor Clouthier. (Vote 3-0) Motion carried with all in favor.**

2. \*Discussion/Approval/Disapproval: Review and accept Amendment No. 1 to the Agreement for Engineering with Dennis Engineering Company.

- Deputy Clerk Colleen Engelhardt stated the NM Environment Department has required the engineer to conduct a field study of the well heads and produce a contour map of the area where the monitoring wells are being drilled. She stated these requirements have increased DEC's quote by about \$9K. Colleen stated because these are additional requirements mandated by the NMED, neither the Village nor DEC have the ability to negotiate. Colleen stated the Village received the notice for the amendment the day of the June meeting. She stated it was presented to Council, but it could not be approved as it was not on the agenda.

**Motion to approve acceptance of Amendment No. 1 to the Agreement for Engineering with Dennis Engineering Company was made by Councilor Clouthier, seconded by Councilor Lopez. (Vote 3-0) Motion carried with all in favor.**

3. \*Discussion/Approval/Disapproval: Review bids and approve Notice of Award for monitoring wells project.

- Deputy Clerk Colleen Engelhardt stated the Village and DEC held the bid opening for proposals for drilling the monitoring wells. She stated there were two bidders that did not include all the required documentation, and NMED approved allowing a little more time for them to submit the documents. She stated DEC is waiting for the documents before completing the bid tabulation. Colleen stated it is likely the process will be complete to include on the next meeting agenda.

**Motion to postpone approval of Notice of Award for the monitoring wells project was made by Councilor Lopez, seconded by Councilor Clouthier. (Vote 3-0) Motion carried with all in favor.**

4. \*Discussion/Approval/Disapproval: Review and acceptance of amendments to the Joint Powers Agreement with the New Mexico Municipal League.

- Deputy Clerk Colleen Engelhardt stated the NMML has not updated their JPA in about 30 years. She referred the Council to the letter provided by NMML detailing the main provisions that were amended. She stated the Village is required to approve this amendment to remain a NMML and the NM Self-Insurers' Fund.
- Mayor Pro Tem Cruz asked what fee the Village pays to be a member, and Colleen stated she would need to check to be sure. However, she stated, the NMML does a lot of work for municipalities.

**Motion to approve the amended Joint Powers Agreement with the New Mexico Municipal League was made by Councilor Lopez, seconded by Councilor Clouthier. (Vote 3-0) Motion carried with all in favor.**

5. \*Discussion/Approval/Disapproval: Resolution 2021-05 – Participation in Local Government Road Fund Program Administered by New Mexico Department of Transportation.

- Deputy Clerk Colleen Engelhardt stated a request was submitted for \$50K to install sidewalks via the NMDOT Coop program, and the Village was awarded \$40K, which means the NMDOT contributes \$30K with the Village providing a \$10K match.
- Colleen stated this resolution states the Governing Body agrees to the terms of the grant and funding program. She stated the next action item will address a resolution requesting a match waiver from the NMDOT.
- Citizen Irene Rosa stated she has spoken about this concern previously. She stated, according to her research, she has been told the street and curb belong to the NMDOT, and the sidewalk is "no man's land." She stated there is a break in the curb in front of the Wigwam building on Railroad Ave/SR 271, and she requested to repair it with steps and railing.
  - Mayor Pro Tem Cruz stated that is not for the Village to determine.
  - Colleen stated this project was initiated approximately two years ago to install a sidewalk in front of the housing units on S Catron Ave leading down to the rodeo grounds. She stated the Village is opting to carry over previous years' funding to ensure enough money to complete the project. She stated this grant does allow for any additional funds to be applied to other sidewalk and street improvements. She stated before funding can be committed the Village will need to work with the NMDOT to discover responsibility and authority of making the repair. She stated the Village is planning on carrying over the project funding for one more fiscal year, and this will allow time for research. She stated if it is determined Village funding may be used, and there are additional funds available after installing the S Catron sidewalk, the requested repair will be considered as a priority.
  - Irene stated she is concerned for public safety, and Citizen Phillip Trujillo stated if someone is injured the Village and the State will get sued.
  - Mayor Pro Tem Cruz stated the Village cannot address the concern until ownership is known.
  - Irene stated she has spoken with the NMDOT, with the County, and with prior Councilors and Mayors. She stated all she is saying is it is dangerous.
  - Colleen stated the Village recognizes the concern, but the current item up for consideration cannot include the repair at this time. She stated the Village will look into the concern to determine ownership of the sidewalk and curb.

**Motion to approve Resolution 2021-05 – Participation in Local Government Road Fund Program was made by Councilor Lopez, seconded by Councilor Clouthier. (Vote 3-0) Motion carried with all in favor.**

6. \*Discussion/Approval/Disapproval: Resolution 2021-06 – Request for Match Waiver New Mexico Department of Transportation.

- Deputy Clerk Colleen Engelhardt stated this resolution is a request to the NMDOT for a match waiver on the FY22 Coop appropriation due to the Village having a hardship in funding. She stated the State typically allocates the waivers on a first come, first serve basis. She stated they usually will not give a waiver two years in a row, and a waiver was not given last year so it is very possible the Village will receive one for the FY22 appropriation.

**Motion to approve Resolution 2021-06 – Request for Match Waiver was made by Councilor Clouthier, seconded by Councilor Lopez. (Vote 3-0) Motion carried with all in favor.**

7. \*Discussion/Approval/Disapproval: Approve appointment of Gina Garcia as Clerk Treasurer.

- Deputy Clerk Colleen Engelhardt stated the Clerk Treasurer position is an appointed position by State statute, and she is required to take the Oath of Office. Colleen stated as a Notary Public she can administer the oath, and at that time, Gina will officially become the Clerk Treasurer.

**Motion to approve Resolution 2021-06 – Request for Match Waiver was made by Councilor Lopez, seconded by Councilor Clouthier. (Vote 3-0) Motion carried with all in favor.**

Mayor Pro Tem Cruz recommended convening into Executive Session as allowed by NMSA 1978 Section 10-15-1, H 1-10 to discuss limited personnel matters.

**Motion to approve convening into Executive Session was made by Councilor Lopez, seconded by Councilor Clouthier. (Vote 3-0) Motion carried and all in favor.**

Deputy Clerk Engelhardt took roll call. Mayor Pro Tem Cruz, Councilor Clouthier, Councilor, and Councilor Lopez were present. Mayor Martinez and Councilor Miera were absent. Executive Session convened at 6:20PM.

Mayor Pro Tem Cruz recommended a motion to adjourn Executive Session. He stated only limited personnel matters were discussed and no decisions were made during Executive Session.

**Motion to adjourn Executive Session and reconvene Regular Session was made by Councilor Lopez, seconded by Councilor Clouthier. (Vote 3-0) Motion carried with all in favor.**

Deputy Clerk Engelhardt took roll call. Mayor Pro Tem Cruz, Councilor Clouthier, and Councilor Lopez were present. Mayor Martinez and Councilor Miera were absent. Executive Session adjourned and Regular Session reconvened at 6:50PM.

8. \*Discussion/Approval/Disapproval: Approve contract with former Clerk Treasurer Monica Martinez.

- Deputy Clerk Colleen Engelhardt stated this is the same contract that was put in place when Nora Sanchez stepped down from the Clerk Treasurer position. She stated the intention of the contract is to allow for Monica to help train the new Clerk Treasurer at a pay rate of \$25 per hour. She stated the contract was initiated as of June 14, 2021, and it will require either party a minimum of a 30-day notice to terminate.
  - Mayor Pro Tem Cruz asked for an estimated time frame for the contract, and Colleen stated it will likely be in place for several months as an on-call basis. Mayor Pro Tem Cruz ensured the Mayor will be notified of Monica's hours.

**Motion to approve contract with former Clerk Treasurer Monica Martinez was made by Councilor Lopez, seconded by Councilor Clouthier. (Vote 3-0) Motion carried with all in favor.**

9. \*Discussion/Approval/Disapproval: Review employee evaluations and approval of pay increases for Utility Superintendent, Utility Assistant, Office Administrator/MVD Manager, and Deputy Clerk.
- Mayor Pro Tem Cruz stated Mayor Martinez had recommended the following raises: Utilities Superintendent - \$2; Utilities Assistant - \$1; Office Admin/MVD Manager - \$4; and Deputy Clerk - \$1. He asked Council for any comments or questions with no resulting discussion.

**Motion to approve the recommended raises was made by Councilor Clouthier, seconded by Councilor Lopez. (Vote 3-0) Motion carried with all in favor.**

10. \*Discussion/Approval/Disapproval: Review and acceptance of Letter of Resignation from Mayor Andres Martinez.

- Mayor Pro Tem Cruz stated Mayor Martinez has submitted a letter of resignation due to his health. He stated he hates to see Mayor Martinez resign because he believes he was doing good things for the Village.

**Motion to approve acceptance of Letter of Resignation from Mayor Martinez was made by Councilor Lopez, seconded by Councilor Clouthier. (Vote 3-0) Motion carried with all in favor.**

11. \*Discussion/Approval/Disapproval: Appointment of Mayor to fulfill the remainder of the term through December 31, 2021.

- Mayor Pro Tem Cruz stated he recommends appointment of Councilor F. Luis Lopez as Mayor to fulfill the remainder of the term through December 31, 2021.

**Motion to approve appointment of F. Luis Lopez as Mayor was made by Councilor Cloutier, seconded by Mayor Pro Tem Cruz. (Vote 3-0) Motion carried with all in favor.**

12. \*Discussion/Approval/Disapproval: Appointment of Councilor to fulfill the remainder of the term through December 31, 2021.

- Mayor Pro Tem Cruz asked the Governing Body if they had any suggestions, and Councilor Lopez stated he is interested in appointing Frank Tierney.
- Deputy Clerk Colleen Engelhardt asked if Mr. Tierney is interested in fulfilling the position, and Mayor Pro Tem Cruz recommended postponing the appointment until the August meeting.

**Motion to postpone the appointment of the vacant Council was made by Councilor Clouthier, seconded by Councilor Lopez. (Vote 3-0) Motion carried with all in favor.**

## VIII. Monthly Reports

- A. \*Approval Item –Approval of Vouchers (payment to vendors) Administrative Assistant Amber Alcon

- Amber stated most payments were the regular monthly bills. She stated a payment was issued to Highlands Construction in the amount of \$62,880. Deputy Clerk Colleen Engelhardt stated this payment is for many of the items that need to be installed including toilets and sinks, bathroom partitions, etc. She stated the while the items have not yet been installed, the contractor purchased them during FY21 so they had to be paid before the end of the fiscal year. Amber stated the State will issue reimbursement next month.

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

- B. Utility Delinquent List – Deputy Clerk, Colleen Engelhardt

- June Active Accounts – 18 letters sent totaling \$1,318 in delinquency with a due date of June 22<sup>nd</sup>. Payments received totaled \$2,081.71.
- June Inactive Accounts - #221600 has been an inactive delinquent account for just over 3 years. The account holder's husband submitted an application for utility service at a different address, and in accordance with Village policy and the Joint Utility Ordinance, this balance needed to be paid in order to gain approval on the new application. The balance of \$228.95 was paid in full.

- Colleen presented the potential July delinquent list, and stated these customers have until July 15<sup>th</sup> to submit payment to avoid delinquency.

#### C. Utility Superintendent – Utility Superintendent, Gary Sanchez

- Water – Chlorine residual is at 0.27mg/L. He stated he is foreseeing many high water reads this month because the tank is staying around 28½ ft, and it is taking almost 10 hours to fill at 140 gal/min.
  - A water main leak was repaired at State Highway 120 and Stonewood Ave. The repair took a few hours, they let it sit overnight, and they tamped all day the following day to complete the repair. The area still needs to be paved.
  - Gary will be taking the disinfection byproducts samples to Albuquerque for September.
- Wastewater – will collect samples from the monitoring well, the 3<sup>rd</sup> Lagoon, and the Sprinkler test bib to take to Albuquerque as well. He stated a new pump will run about \$900, and the mechanic will have to come to the Village because the truck is not running.
  - Deputy Clerk Colleen Engelhardt stated the Village has been allocated Capital Outlay funding to purchase a new truck, but the funds have not been received.
  - Mayor Pro Tem Cruz stated it may be best to wait a few weeks to hear from the State on the distribution of funds before deciding to spend the money on the repair. He stated he doesn't want the staff to be collecting by hand.
- Solid Waste – the water pump gave out on the trash truck leaving the truck inoperable.
- Gary reported the Village purchased a used mower deck for the John Deere mower. He stated the old deck was failing, and it had been repaired several times since he has worked for the Village. He stated the used deck was not too much more than buying replacement parts for the deteriorating old deck.
- Gary stated the backhoe should be ready for pick-up next week.
- Mayor Pro Tem Cruz asked about the status of the NM Help employees hired to cut weeds. Gary stated it seems like productivity has decreased. Mayor Pro Tem Cruz asked the Utilities Superintendent to let them know they need to get moving on weed cutting rather than just driving around. He stated he will drive around town when he gets home from work in the evenings to gauge their productivity.

#### D. MVD Reports – MVD Manager, Amber Alcon

- June – total MVD transactions totaled \$8,333.41, and Mayor Pro Tem Cruz asked what portion of that did the Village receive back from the State. Amber explained the Village will not know what we receive back on June totals until August. She stated the most recent distribution was about \$1,200 when she ran approximately \$6,000 in MVD sales in May. Mayor Pro Tem Cruz asked to please include the most recent distribution from the State in the report so the Council can track that income.

#### E. Mora County Sheriff's Office Report

- Deputy Romero reported MCSO is trying to get Deputies patrolling the Wagon Mound area more regularly. He stated they are working with a schedule to have Deputies in the area from about 8AM to 12AM. He stated they try to mix-up their timing of patrolling town.
  - Mayor Pro Tem Cruz asked if there is any way for the Sheriff to authorize a Deputy to do an unannounced patrol of the Village after midnight every once in a while because there are several people that drive around town speeding with loud music playing, and he stated he has received complaints from several residents. Deputy Romero stated he would take the suggestion to the Sheriff, and he stated it will be helpful for the Village to pass an ordinance to address the loud music because the County does not have anything in place to address that.
- Deputy Romero stated MCSO is trying to get a breathalyzer machine issued by the State for the Village's Marshall's Office. He stated this will allow Deputies to process DUIs in the Village rather than going all the way back to Mora.

- Deputy Clerk Colleen Engelhardt clarified that MCSO is now on contract with 911 dispatch, and Deputy Romero confirmed stating 911 calls will get dispatched directly to Deputies.
- Citizen Norma Vasquez asked how can fireworks be addressed because she stated people were shooting off fireworks before and after the Fourth of July, and she stated they are a nuisance. Deputy Romero stated the County does not have a firework ordinance, but if the Village were to put one in place, the Deputies would be able to enforce it.
- Deputy Romero stated MCSO is working with the school to host an active shooter training.

#### F. Housing Authority – Director

- Executive Director of Northern Regional Housing Authority, Terry Baca, provided a report:
  - NRHA operates 645 units in northern New Mexico with 30 employees, and they are here to help in light of Theresa Carmody's passing. He stated the contract was initiated as of June 1<sup>st</sup>, and will be valid until the Board decides otherwise.
  - Terry stated they have run into a few issues as Theresa was sick for some time, and things were not being taken care of the way they should have. He stated NRHA is working toward getting the books caught up, and he stated the books are good through December so far.
  - He stated they will be contracting with the same auditor for one more year.
  - Terry stated there were two audit findings last year, and one was for not depositing funds daily. He stated they are developing a procedure to make daily deposits in Las Vegas because there is no bank in Wagon Mound.
  - Terry stated they are currently operating the office by appointment only. He stated he had a conversation with the Board Chair, Esther Mondragon, and they are looking at opening the office in the morning a few days each week with the Maintenance employee staffing those hours. He stated any issues requiring more expertise will be directed to the Las Vegas office.
  - Terry stated the Maintenance employee was transferred to NRHA employment.
  - Terry stated they discovered one of the Housing vehicles is a government vehicle registered with a regular license plate. He stated they are working toward getting it straightened out, but the maintenance employee will be using a NRHA truck in the meantime.
  - Terry stated the Housing Board needs two members appointed so they may operate properly.
- Deputy Director Natasha Martinez also provided a report:
  - She stated bills are getting paid, and June payables totaled \$3,921.48. She stated with the transfer of the maintenance employee, NRHA will bill Wagon Mound Housing for his pay.
  - She stated NRHA is working through the application process as some aspects did fall through the cracks. She stated they will be ensuring applicants on the waitlist are interested, qualified, and they have turned in all the required information. She stated the waitlist is open with three people on it currently.
  - Natasha stated the FY22 budget of \$230K was approved. Terry stated no funds have been drawn from Wagon Mound accounts. He stated bills have been paid from NRHA accounts, and NRHA will be preparing a bill reflecting the payments made on Wagon Mound's behalf.

#### G. Fire Chief – Robert Mondragon

- Absent
- Assistant Fire Chief Cruz stated the Mora County fire restrictions are still in place.

#### H. Bean Day Association – President, Luis Lopez

- President Luis Lopez stated Bean Day has been postponed until next year.

#### IX. Old Business

- Deputy Clerk Colleen Engelhardt stated she has provided the Mora County Clerk with the positions on the Governing Body that will be up for election in November. She stated the Mayor held by F. Luis Lopez, Position #2 held by Timothy Cruz, and Position #4 held by Paul Miera will



be up for four-year terms. Colleen stated the now vacant seat, Position #3, formerly held by Luis - Lopez will be up for a two-year term. Colleen stated the filing date to run for one of these positions is August 24<sup>th</sup> between 9AM and 5PM. Colleen stated the Village will be posting this information along with a request for letters of interest to fill the vacant council position for the remainder of the term as well as a call for anyone interested in serving on the Housing Board.

- Colleen stated the Village Council will need to convene for a Special Meeting on Mon, July 26<sup>th</sup> to approve the 4<sup>th</sup> Quarter Report, budget adjustments, and the FY22 budget.

#### X. Mayor's Report

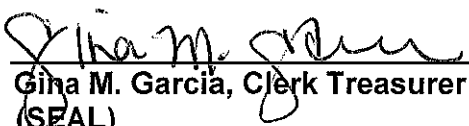
- None
- Deputy Clerk Colleen Engelhardt stated the Mayor reported at the June meeting an interest in developing an illegal dumping ordinance, and she stated she does not want it to be forgotten because she feels it is important.

#### XII. Adjourn

**Motion to adjourn was made by Councilor Clouthier, seconded by Councilor Lopez. (Vote 3-0)  
Motion carried and all in favor. The meeting adjourned at 7:39PM.**

Approved and attested this 10<sup>th</sup> Day of August 2021.

  
\_\_\_\_\_  
F. Luis Lopez, Mayor

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

