

THE CITY COMMISSION OF THE CITY OF TRUTH OR CONSEQUENCES
REGULAR MEETING
TUESDAY, FEBRUARY 25, 2014

ACTION MINUTES

TIME & PLACE: The Mayor Pro-tem and the City Commission of the City of Truth or Consequences in the County of Sierra and State of New Mexico met in Regular Session in full conformity with the law and ordinances of said Commission in the Commission Chambers of said City, on Tuesday, February 25, 2014 at 6:00 P.M.

CEREMONY: The meeting was called to order by Mayor Pro-tem Sandra Whitehead who presided and Judy Harris, City Clerk acted as Secretary of the meeting.

Upon calling the roll the following Commissioners were reported present:

Hon. Sandra Whitehead, Mayor Pro-tem
Hon. Steve Green, Commissioner
Hon. Jeff Richter, Commissioner
Hon. Mike Kertesz, Commissioner

Also present:

Juan Fuentes, City Manager
Jay Rubin, City Attorney
Judy M. Harris, City Clerk

QUORUM: There being a quorum present the Commission proceeded with the business at hand.

CEREMONY: Mayor Pro-tem Sandra Whitehead called for fifteen second of Silent Meditation.

Mayor Pro-tem Sandra Whitehead called for the Pledge of Allegiance with Commissioner Steve Green leading the Pledge.

APPROVAL OF THE AGENDA: Mayor Pro-tem Sandra Whitehead called for approval of the Agenda.

Commissioner Steve Green asked that he be allowed to respond to comments from the Public, noting that in the last meeting Ron Fenn had made public comments that were inaccurate. Commissioner Green stated that he wished to address the comments made earlier in the meeting as Mr. Fenn usually leaves before the Response to Public Comments, which is held later in the meeting.

Mayor Pro-tem Sandra Whitehead asked the Commission if Commissioner Green's request to address Response to Public Comment earlier in the meeting.

The Commission approved of allowing Commissioner Green to respond earlier in the meeting.

"Commissioner Steve Green moved to approve the Agenda with the amendment of allowing Response to Public Comment earlier in the meeting."

Seconded by Commissioner Mike Kertesz.

Motion Carried Unanimously.

COMMENTS
FROM THE
PUBLIC:

Ron Fenn approached the podium and made comments regarding the Swimming Pool and cost associated involving the new pool enclosure. Mr. Fenn provided *paperwork for the record*.

Barbara Schalkoffki, Administrator for Dispatch 911, approached the podium and made comments regarding Dispatch and 911 funding, asked for support for the proposition regarding 911 using GRT funding in the coming November election. *Paperwork provided for the record*.

Audon Trujillo approached the podium and made comments regarding recent Municipal Attorney Contracts and procurement codes.

Destiny Mitchell approached the podium and made comments regarding the Pool Enclosure and pool operation hours. *Paperwork provided for the record*.

Sophia Peron approached the podium and made comments regarding the last two years being bad, no monies coming to the City, spoke of the monies collected by the County Treasurer, and the coming elections.

Allison (unknown last name) approached to podium and made comments regarding the Pool Cover, on line forums, emails, websites and swimming pool

fees.

RESPONSE TO
PUBLIC
COMMENT:

Commissioner Steve Green responded to a Public Comment made in the last meeting by City resident Ron Fenn.

Commissioner Green noted several inconsistencies with the report Mr. Fenn had compiled regarding the Sanitation Department and Director Leonard Carrillo. Commissioner Steve Green noted work and hours put in by the Sanitation Director, the hours, both work related and volunteer, that are put in by Mr. Carrillo, the awards he has been given for his determination, hard work within the Sanitation Department, and for the City.

CONSENT
CALENDAR:

Mayor Pro-tem Sandra Whitehead asked for a motion on the Consent Calendar.

“Commissioner Steve Green moved to approve the Consent Calendar consisting of:
City Commission Meeting Minutes 2/11/2014, T or C Golf Course Advisory Board Minutes 1/14/2014, Public Utility Advisory Board Minutes 11/8/2013 and Domestic Abuse Draw January 2014.”

Seconded by Commissioner Mike Kertesz.

Motion Carried Unanimously.

PRESENTATIONS:

Mayor Pro-tem Sandra Whitehead announced Presentations and asked Police Chief Mullins to approach.

Police Chief Priscilla Mullins, Captain James Morgan and Malissa Cordell approached; a PowerPoint Presentation for the end of year report was displayed. *Copy attached for the record.*

Mayor Pro-tem Sandra Whitehead announced a Financial Update for the Senior Joint Office on Aging (SJOA) asking Majie Powey to approach.

Majie Powey, SJOA Board Chairman approached and explained Title 3, Title X, Volunteer Programs and SEP funding Programs. Explaining they serve Seniors 60 and over, Spouses of seniors 60 and over, handicapped with a caretaker over 60, Title XX Clients under 60 with referrals, handicapped individuals living in

low-income homes, handicapped and senior housing. Ms. Powey explained under Title 3 they congregate meals at three sites; Ken James Senior Center at 360 W. 4th, Hacienda Orgullo Senior Housing and the Arrey Community Center. Funding from Nutrition Services Incentive Program, Title III State and Federal, local dollars and donations. Ms. Powey spoke about Funding for Congregate Meals, home delivered meals and meal donations; she explained homemaker services and funding, transportation, respite caregiver support and funding realities. *Handout attached for the record.*

NEW BUSINESS: Mayor Pro-tem Sandra Whitehead noted next was discussion/action regarding an Alternative Summary Plat (Spears) asking ACM Bill Slettom to approach.

Commissioner Jeff Richter recused himself from discussion and left the room at this time.

ACM/CDD Bill Slettom approached and explained the Alternate Summary Plat request, stating that this was normally the job of the Planning and Zoning Commission, without the P&Z it now fell to the Commission for a decision. He noted the property owner owns the two adjacent parcels of land and wants to reduce on lot and adding it to the other.

“Commissioner Steve Green moved to approve the Alternative Summary Plat”.

Seconded by Commissioner Mike Kertesz.

Motion Carried Unanimously.

Mayor Pro-tem Sandra Whitehead noted Termination of Grant of Easement (Spears).

City Attorney Jay Rubin stated that in 2001 the City granted Mr. Spear’s road access easement from City property to his property; in 2006 the City conveyed the adjacent City property to Mr. and Mrs. Spears thus nullifying the need for the road easement. Mr. Spears has requested to remove the road easement from his property.

“Commissioner Steve Green moved to approve Termination of Grant of Easement.”

Seconded by Commissioner Mike Kertesz.

Motion Carried Unanimously.

Commissioner Jeff Richter returned and joined the Commission.

Mayor Pro-tem Sandra Whitehead noted Resolution #28 13/14, Authorizing and Approving Submission of a completed application for Financial Assistance and Project Approval to the New Mexico Finance Authority for the Colonial Infrastructure Fund for the Waste Water Treatment Plant.

ACM/CDD Bill Slettom explained the Resolution authorizes staff to submit an application for Colonias Funding. Last year, the City submitted an application but was not funded due to the amount requested of \$8 million. He stated the Colonias board recommended that the project be phased out and a smaller amount be requested for funding. Mr. Slettom stated that the funding application is for Phase 2A Clarifiers, noting that the project was revised into sizes/phases, and explaining the Public Utility Advisory board meet regarding this in a public meeting February 18th, explaining to move forward and apply to the USDA for monies.

Commissioner Steve Green asked about using USDA as match money.

ACM/CDD Bill Slettom answered no, he didn't think so.

Commissioner Mike Kertesz asked what the 9.7 million included.

ACM/CDD Bill Slettom answered construction items and engineering fees.

“Commissioner Steve Green moved to approve Resolution #28 13/14 Submission of completed application for Financial Assistance and Project Approval to the New Mexico Finance Authority for the Colonias Infrastructure Fund for the Waste Water Treatment Plant.”

“Seconded by Commissioner Mike Kertesz.

Motion Carried Unanimously.

Mayor Pro-tem Sandra Whitehead noted next was Fiscal Agreement for Professional Services with South Central Council of governments (SCCOG) for project #13-1783, Animal Shelter.

City Manager Juan Fuentes explained that DFA/LGD has approved the fiscal agent agreement between the City and SCCOG, for the Animal Shelter. He explained SCCOG administrative fee under the agreement is \$3,000 and once approved it would be mailed to the Department of Finance Authority, and a grant agreement will be mailed for final signatures.

“Commissioner Steve Green moved to approve the Fiscal Agreement for Professional Services with South Central Council of Governments for Project #13-1783, Animal Shelter.”

Seconded by Commissioner Mike Kertesz.

Motion Carried Unanimously.

REPORTS:

City Manager Juan Fuentes showed a Commercial by Griffin and Associates, the City’s Marketing Firm and Kim Skinner, which was being shown on Television. He also noted the contribution of John Hendry. City Manager Fuentes stated that it looks like we will receive \$135,000, from the Legislature, for the Waste Water Treatment Plant, but noting for the Animal Shelter, noting that during the budget we would have to address where the money for the Shelter would come from.

City Attorney Rubin reported that regarding the Contracts for the Courts and wished to assure the Commission the action was appropriate and Local Resolutions were followed.

Commissioner Jeff Richter: No Report.

Commissioner Steve Green gave his thanks to those volunteers who put together Poly-Carts, noting the second part for 500 was done. Commissioner Green made note of the Chamber event at the Airport, noting the Chamber had donated a television and courtesy car for Airport use, thanking Hans Townsend and the Chamber Members for the contribution to the City. Commissioner Green thanked Chunk Wentworth from the Sentinel for his article regarding the “Perfect Storm”. Commissioner Green also stating that Mathew 25 had received reduced rent and because of the article, the owner of the building was reducing the rent the facility they use for the food pantry. He thanked those who serve the community.

Mayor Pro-tem Sandra Whitehead: No Report.

RESPONSE TO
PUBLIC
COMMENT:

No further Response to Public Comment (see after Public Comments)

Mayor Pro-tem Sandra Whitehead called for a motion to go into Executive Session.

“Commissioner Steve Green moved that the meeting be closed for Executive Session, pertaining to:

1. Personnel 10-15-1H(2)
 - a. Related to the Annual review of the City Manager “

Seconded by Commissioner Mike Kertesz.

Mayor Pro-tem Sandra Whitehead asked for the Roll Call Vote.

Hon. Sandra Whitehead, Mayor Pro-tem
Hon. Steve Green, Commissioner
Hon. Jeff Richter, Commissioner
Hon. Mike Kertesz, Commissioner

Motion Carried Unanimously.

OPEN SESSION:

Commissioner Steve Green stated that the Commission was now in Open Session.”

Commissioner Steve Green certified that only matters pertaining to:

1. Personnel 10-15-1H(2)
 - a. Related to the Annual review of the City Manager ;

Stating the above item was discussed in Executive Session and no decisions were made.”

Seconded by Commissioner Mike Kertesz.

ADJOURNMENT:

With nothing further to come before the Commission;

“Commissioner Steve Green moved to adjourn.”

Seconded by Commission Mike Kertesz.

Motion Carried Unanimously.

APPROVAL: PASSED AND APPROVED this _____ day of _____, 2014, on motion duly made by Commissioner _____, seconded by Commissioner _____, and carried.

ATTEST:

SANDRA WHITEHEAD, MAYOR PRO-TEM

Judy M. Harris, City Clerk