**Town of Estancia**

**Regular Meeting of the Board of Trustees**

**Monday, August 3, 2020**

**Municipal Building Gym, 513 Williams Avenue, Estancia, NM 87016**

**Minutes**

**Invocation and Pledge of Allegiance**

**The meeting was called to order at 6:15 pm and Roll Call was taken:**

**Trustee Lovato – Present**

**Trustee Sedillo – Present**

**Trustee Chavez – Present**

**Trustee Hall – Present**

**Mayor Dial – Present**

1. **Approval/Disapproval of Agenda – Action Item**

Clerk Michelle Jones asked that an item be added to the agenda: 9.5 Approval of Mayor’s termination of the P&Z Code Enforcement Officer- Action Item.

**ACTION TAKEN:** Trustee Sedillo makes a motion to approve the agenda as amended above. Trustee Hall seconded the motion. All in favor. **MOTION CARRIED**

1. **Discussion/Approval of the July 20, 2020 Regular Meeting Minutes- Action Item**

**ACTION TAKEN:** Trustee Chavez made a motion to approve the July 20, 2020 Regular Meeting minutes as written. Trustee Sedillo seconded the motion. All in favor. **MOTION CARRIED**

1. **Discussion/Approval of the August 3, 2020 Bill List – Action Item**

**ACTION TAKEN:** Trustee Hall made a motion to approve the August 3, 2020 Bill List. Trustee Sedillo seconded the motion. All in favor. **MOTION CARRIED**

**Public Comment –**

Torrance County Commissioner Javier Sanchez addressed the Board. He began talking about a Torrance

County Economic Development project that he has been working on. He had attended a prior meeting and had given the Trustees information to review. He had asked the Board to provide him with comment. He said that he had received comment from Trustee Hall and wanted to see if the other Trustees had comment. He talked about potential projects on page 52 of a hand-out he had. He asked the Trustees to submit comments to him. He continued to talk about the project. Clerk Michelle Jones said that Commissioner Sanchez had been placed on the agenda for the June 15th meeting to talk about this subject, but he did not show up for the meeting. She reminded the Board that this part of the agenda was for Public Comment and had a 5-minute limit for each comment. Commissioner Sanchez continued to question the Board about this project. Trustee Hall said he had concerns about this being called Economic Development. He said that is why we have EVEDA. He said that, in his opinion, Commissioner Sanchez was promoting quality of life development more than economic development. Commissioner Sanchez and Trustee Hall continued to speak. Mayor Dial said that this section of the agenda was for public comment and that no action could be taken. He suggested that Trustee Hall and Commissioner Sanchez continue this discussion at another time. Commissioner Sanchez asked the Board if he could continue this discussion. Clerk Michelle Jones reiterated that he had been on a previous agenda and had failed to attend the meeting. She said that this agenda contained several items along with Departments updates.

Mayor Dial said he was interested in the topic, but again suggested that Trustee Hall and Commissioner Sanchez continue the discussion at another time. Commissioner Sanchez stood up and told the Board that he was going to tell them something that they probably did not want to hear. He said that Estancia is the weakest link among the towns in his district. He said that Estancia was the hardest to deal with. Trustee Hall disagreed. Commissioner Sanchez’s tone became combative as he compared Estancia to the other municipalities. Mayor Dial said that he does not go to Commission meetings and speak to the Commission in this way; Commissioner Sanchez should not come to a Board of Trustees meeting and speak to the Board and the Mayor in this way. Commissioner Sanchez approached Mayor Dial and asked him to “clock out” and take this fight outside. Mayor Dial, Trustee Sedillo, and Trustee Lovato stood up to confront Commissioner Sanchez. Trustee Chavez asked Mayor Dial not to fight. PD Admin. Melanie Gallegos began to escort Commissioner Sanchez out of the building. Commissioner Sanchez said, “you’re shit” to the Board and the Mayor. As he was leaving, he said, “You’re all shits”. As Ms. Gallegos was escorting him out, he said, “Who the hell are you?” to Ms. Gallegos.

The Board continued the meeting. Later, Commissioner Sanchez came back to the building and told Ms. Gallegos that he wanted to speak to the Board again to apologize. Trustee Lovato said he did not want Commissioner Sanchez to come back in. Trustee Sedillo and Mayor Dial agreed that they did not want him to come back in. When the meeting adjourned, Commissioner Sanchez came back in and continued to make references to the Board, the Mayor, the Clerk and PD Admin about what had occurred earlier in the meeting.

Estancia High School Coach Stewart Burnett addressed the Board. He asked about possibly building a cross county track at the Punkin Chunkin field for Estancia School Cross County events. He said if we had our own track, we could possible host meets here, and our kids could participate. He is hoping to be able to build a track that could be used in November. The Board was very receptive to this idea. Trustee Sedillo asked Coach Burnett to look into what it would cost for the school to accomplish this and to make sure the school had funds in their budget for it. Trustee Sedillo also suggested an MOU be created between the Town and the school if this idea came to fruition. Coach Burnett thanked the Board for their feedback and said he would take this information back to the school.

1. **Department Updates:**

**Police/Animal Control-**Estancia PD Admin Ms. Melanie Gallegos presented the following written update:

**Estancia Police Department**

**Update**

* The Town Has Had a Drop in Calls for Service Went From 181 Calls Last Month to 101 Calls, this is good.
* Everything is going great now all of the reports and reporting are up to date and on time. The Officers are working hard and their schedules seem to be working out good with coverage in the town and with TCSO.
* An IPRA Request was made to the PD back in November of 2019 and it was not taken care of by the former Chief of Police. A complaint was filed against myself, Michelle Jones, and Town Hall with the AG’s Office on behalf of the Police Department. I was able to talk to the Original Investigator who had requested the information; he allowed me 5 days to get all of the required Information and documents submitted to him, he now is working to get this rectified with the AG’s Office and it should be completed very soon.
* On a brighter note, I am very happy to say that the Police Department is looking very nice and we are getting new carpet this Friday. We have had some very bad leaks with all of the rain, but the Public Works gentlemen have sealed the windows to see if this will stop the leaks. Please come by and see the new carpet once it’s installed.

Any questions or comments:

**Planning and Zoning**

Update

* Amy Embick is no longer the code enforcement officer
* I am working with Michelle Jones doing P & Z, I am making phone calls and answering calls and talking to people when they come to the office if they have questions.
* There has not been a big change since our last meeting

Any question or comments:

**Animal Control**

Update

* Nothing to Report

Any questions:

Trustee Sedillo asked about a water leak at the PD. Ms. Gallegos said the rain leaked into the building and needed to be cleaned up. The Public Works guys were working on fixing the leak. New carpet is being installed at the PD and the guys are working to fix the leak before then. Ms. Gallegos also told the Board that our new PD vehicle needed more equipment installed. Per the previous Chief’s request, the vehicle came with no radar equipment and no dashcam. These items are being installed.

Ms. Gallegos was thanked for her hard work. Ms. Jones complimented Ms. Gallegos on her handling of a recent IPRA request.

**Fire** had no update for this meeting.

**Library** had no update for this meeting.

**Maintenance** Public Works Supervisor Lorenzo Bernal said his department has been very busy. They have been fixing leaks, painting, doing work at the cemetery, etc. They will be working on a major road project on Alan Ayers shortly.

**Administration** Clerk Michelle Jones presented the following written report:

Clerk’s Update 8/3/2020

1. I passed my Certified Procurement Officer recertification tests.
2. We have been working with Stephen Montoya from Poolside Design; this is his recent recap:

•The pool was drained, all debris removed, the surface was pressure washed and cleaned with dawn dish soap. Cost is 5800.00.

• Light inspections and testing free estimates

• equipment inspections free of charge

• paint touch ups within one gallon free,

  Paint was not touched up because it’s past one gallon touch ups, it needs new paint or re-plaster.

• All work is completed.

•Once we test the lights I can turn in an estimate, without power I can’t test the lights.

1. We have a meeting with Donzil on Wednesday to discuss the status of our Capital Outlay projects and PERs.
2. I am working on our CARES application for reimbursement of COVID related expenses- we have approximately $19,000.00 in expenses. The application is due August 7th.

**Old Business**

1. **Approval of a monthly Stipend for the Volunteer Fire Chief – Action Item**

Mayor Dial explained that because of PERA, we could not make the Fire Chief salaried. He asked the County about their Chief. He wants our Fire Chief job description to mirror theirs. He is requesting that the Board approve a monthly stipend of $750.00 for our Fire Chief. Our Chief will also be allowed to take home a Town vehicle for Town business only. On the next agenda, we will be requesting approval to amend the Fire Chief job description. **ACTION TAKEN:** Trustee Hall made a motion to approve a monthly stipend of $750.00 for our Fire Chief. Trustee Chavez seconded the motion. All in favor. **MOTION CARRIED**

1. **Discussion/Approval of Resolution 2020-23- Amendment to Planning and Zoning Ordinance F. Manufactured Homes. 1. Installation- Action Item – Roll Call Vote**

Clerk Michelle Jones asked for NO ACTION on this item. Trustee Hall provided her with the correct updated ordinance, and she said it no amendment was needed. **NO ACTION**

1. **Request of Public Works to purchase a Tractor- Discussion and Possible Action**

Public Works Supervisor Lorenzo Bernal provided the Clerk with three quotes for a tractor. Trustee Sedillo suggested that the Town look at the NM Statewide Price Agreements and consider leasing rather than buying a tractor. Clerk Michelle Jones will look into this. **NO ACTION**

**New Business**

1. **Approval of Independent Contract Agreement with Ms. Araceli Cuevas for Cleaning of MVD twice monthly for a fee not to exceed $200.00 per month - Action Item**

**ACTION TAKEN:** Trustee Hall made a motion to approve this agreement with an annual renewal option up to 4 years. Trustee Chavez seconded the motion. All in favor. **MOTION CARRIED**

1. **Approval of Independent Contract Agreement with Ms. Araceli Cuevas for Cleaning of PD and FD twice monthly for a fee not to exceed $200.00 per month - Action Item**

Clerk Michelle Jones asked for NO ACTION on this item. Cleaning at the PD will not be contracted out. **NO ACTION**

**9.5 Approval of Mayor’s Termination of the P&Z Code Enforcement Officer- Action Item**

Mayor Dial briefly explained that due to a family situation the Code Enforcement Officer had to be let go. She was not able to work her scheduled hours. **ACTION TAKEN:** Trustee Lovato made a motion to approve the Mayor’s termination of the P&Z Code Enforcement Officer. Trustee Hall seconded the motion. All in favor. **MOTION CARRIED**

1. **Request for Ratification of Resolution 2020-26 Transferring $1,342.00 from Water to Debt Service for FY21- Action Item- Roll Call Vote**

Clerk Michelle Jones explained that when she was finalizing the FY21 budget she realized that she needed an additional funds from water for Debt Service. Mayor Dial signed Resolution 2020-26 authorizing this transfer. Now she is requesting that the Board ratify his signature. **ACTION TAKEN:** Trustee Sedillo made a motion to Ratify Resolution 2020-26 Transferring $1342.00 from Water to Debt Service for FY21. Trustee Chavez seconded the motion. Roll Call Vote: Trustee Lovato – Yes, Trustee Sedillo – Yes, Trustee Chavez – Yes, Trustee Hall – Yes. **MOTION CARRIED**

1. **Discussion/Approval of Support of the Estancia Basin Water Planning Committee in the amount of $500.00 for FY21- Discussion and Possible Action**

**ACTION TAKEN:** Trustee Hall made a motion to approve support of the Estancia Basin Water Planning Committee in the amount of $500.00 for FY21. Trustee Chavez seconded the motion. All in Favor; Trustee Sedillo abstained. **MOTION CARRIED**

1. **Discussion/Approval of Resolution** **2020-27 – Amendment to Personnel Ordinance 8.5 On Call Pay– Action Item- Roll Call Vote**

The following amendment to the Personnel Ordinance is requested:

From:

**8.5 ON CALL PAY**. If the Police Department scheduling provides for “on call” work, police officers will receive a flat fee to be determined annually by the Board of Trustees for on-call pay….

To:

**8.5 ON CALL PAY**. If the Police Department scheduling provides for “on call” work, police officers will receive a flat fee to be determined by the Board of Trustees for on-call pay….

This amendment will eliminate the requirement for the Board to review the on-call fee annually.

**ACTION TAKEN:** Trustee Hall made a motion to approve Resolution 2020-27 – Amendment to Personnel Ordinance 8.5 On Call Pay. Trustee Chavez seconded the motion. Roll Call Vote: Trustee Lovato – Yes, Trustee Sedillo – Yes, Trustee Chavez – Yes, Trustee Hall – Yes. **MOTION CARRIED**

1. **Mayor/Council:**

**Trustee Hall** told his fellow Trustees that he has been working with Mr. Tim Nisly on his proposed development. At the last Board meeting Mr. Nisly talked about developing a Mobile Home/RV Park in town. Trustee Hall said that we really need a P&Z Planning Committee. He asked each of his fellow Trustees to submit the name of a candidate for this Committee.

**Trustee Chavez** had no update for this meeting.

**Trustee Sedillo** asked Clerk Jones to order Catch and Release Bass fish signs for the pond and he

asked if the 4 way stop at the corner of Alan Ayers and 9th had been approved. The Mayor replied

that it had.

**Trustee Lovato** asked if the Mayor was going to post to fill the Police Chief position. The Mayor has decided not to post for that position at this time. He is posting for the P&Z Code Enforcement Officer position. Trustee Lovato said that Mountainair Mayor Nieto is doing a drug initiative; he will look into this to see if it is something we would want to do here in Estancia.

**Mayor Dial** talked about a recent inquiry about a Town owned property. He said a local church

will be holding a basketball tournament. He said that Old Timer’s Day happened and was nice. On Thursday, EVSWA will be holding a meeting at 3:00pm. EMW Gas will be holding a meeting tomorrow night here in the gym. The Wells Fargo building has been purchased. The ATM will stay there for 5 years.

**14.0 Executive Session- As per motion and Roll Call Vote- Pursuant to NMSA 1978-10-15-1 to 10-15-4 Section (H) (7) Threatened or Pending Litigation**

There was NO EXECUTIVE SESSION – **NO ACTION**

**Adjournment**

Trustee Lovato made a motion to adjourn the meeting. Trustee Hall seconded the motion. All in favor. **MOTION CARRIED.**

The meeting adjourned at 8:00 pm.

**Approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**