

Town of Estancia
Regular Meeting of the Board of Trustees
Tuesday, September 3, 2024 at 6:15 PM
Municipal Building, 513 Williams Avenue, Estancia, NM 87016

MINUTES

Join Zoom Meeting

<https://us06web.zoom.us/j/3655158721?pwd=VVlxY2luK0x0WGlySGY0RHfzSDVMdz09&omn=86967374114>

Meeting ID: 365 515 8721

Passcode: 413375

Invocation and Pledge of Allegiance

Meeting was called to Order at 6:15 pm and Roll Call was taken:

Trustee Lovato - Present

Trustee May - Present

Trustee Sanchez - Absent

Trustee Hall - Absent

Mayor Dial - Absent

1.0 Approval/Disapproval of Agenda - Action Item

Trustee Lovato made a motion to approve the September 3, 2024 Agenda, Trustee May seconded; All in Favor - MOTION CARRIED

2.0 Approval of the August 19th, 2024 Regular Meeting minutes - Action Item

Trustee May made a motion to approve the regular meeting minutes; Trustee Lovato seconded; All in Favor - MOTION CARRIED

3.0 Discussion/Approval of the August 19th, 2024 Bill List - Action Item

Trustee May asked why several checks got voided, Deputy Clerk Hubbard advised the Trustee's that an error had occurred with the check numbers while printing. Trustee May made a motion to approve the Bill List, Trustee Lovato seconded; All in Favor - MOTION CARRIED

No Public Comment

Old Business

4.0 Discussion/Approval of the Concentra Medical Compliance Administration Contract for Drug Screening - Action Item

Deputy Clerk Hubbard advised the Trustee's that we should move on to another Drug Screening Company that will travel to the Town of Estancia - NO ACTION TAKEN

5.0 Discussion/Approval to add Paychex HR Pro to current Paychex contract for time management and training compliance for Town Employees - Action Item

Deputy Clerk Hubbard explained to the Trustee's the cost breakdown of upgrading to Paychex HR Pro. Trustee Lovato made a motion to approve the upgrade to Paychex HR Pro, Trustee May seconded; All in Favor - MOTION CARRIED

New Business

6.0 Presentation/Discussion to be presented by Bo Lutrick of Estancia, NM – Discussion Only

Mr. Lutrick brings up the time it has taken to get a Public hearing scheduled to move forward with hopefully starting an RV Park within the Town of Estancia town limits. Mr. Lutrick advises the board of Trustee's that he had spoken with his Attorney who also agrees with the Town of Estancia's Attorney about the definition of "public right-a-way". Mr. Lutrick continues to explain to the board of Trustee's that the lack of communication between him and the Town is what is slowing the process down. Mr. Lutrick agrees to obtain another site plan to include the entire property and plan. A public hearing will be scheduled and letters will be mailed out per the Town of Estancia's Planning and Zoning Ordinance. Mr. Lutrick presented the following document:

STEIDER & ASSOCIATES, P.C.,

Attorneys at Law

10600 Menaul Blvd. NE
Albuquerque, New Mexico 87112
Phone (505) 237-9880
Email: steiderlaw@gmail.com

August 28, 2024

Delivered via email to pdsutherland@hotmail.com

To: D'rese Sutherland

Re: Proposed RV Park in Estancia, New Mexico

Dear D'rese,

As you know, I am a big fan of Estancia. I am a native New Mexican and I have always appreciated the proximity Estancia has to I-40 and Albuquerque while providing a nice rural setting for its residents. I lived in Red River for 10 years and love small town living. I'm happy to hear you are doing a project that will be good for Estancia in many ways. Your RV park will be an attractive addition to town that will generate new revenue and fill a need for guests and workers in the area by providing a nice place for them to stay.

I have reviewed the zoning ordinance that was adopted in 2020 to confirm any issues I feel you may face in building this park. In my opinion, your park is a conforming use as well as a permissive use under the ordinance and is subject to the Special Use Zone requirements of section 14 which has provisions that squarely apply to your plans. Despite the fact your property is on both sides of a public road, you have one acre (minimum size for an RV park) which is "contiguous" property based on the definition of "contiguous" contained in section 4.B.5. The definitions in section 4 apply to the entire ordinance. There are no provisions in the Special Use Zoning section that contradicts the definition of contiguous property.

The ordinance is relatively short and concise and generally provides for objective application. There are some provisions that could be construed on a subjective basis if someone objected to your project. However, as long as the Town Board is reasonable about applying the ordinance to your project in an objective manner, they should have no problem approving your project.

As you know, the Ordinance requires you make proper application and pay the fee they have established, and the Town Board has to review your plan for compliance with the Ordinance. The town zoning officer can accept your application and information, but really can't give you approval since your use falls under the Special Use provisions of the Ordinance. Based on what you have done so far, I think you have met your obligations in presenting your plan. At this point, I would expect the Town Board to review your plan and be satisfied that your project is allowed under the terms of the Ordinance and that in addition to the benefit the town will enjoy, there won't be any harm done as articulated in the Ordinance. I would be quite surprised if your project is not approved without delay.

Again, I think you have an excellent and exciting project that should be a significant benefit to Estancia. As you know, I have had many years of experience with planning and zoning matters and I'll be more than happy to provide any further advice you may need if the Town Board has any concerns. But, I am confident you will be treated fairly and your plan should be well received.

Please feel free to call me or email if you have any further questions or need additional assistance.

Sincerely,
Timothy D. Steider
Steider & Associates PC

7.0 Approval of Resolution 2024-21 Approving the grant agreement between the Town of Estancia and NM DFA for the Firefighter Recruitment Fund (FFRF) – Action Item/Roll Call
Trustee Lovato made a motion to approve, Trustee May seconded; **ROLL CALL – Trustee Lovato: Yes; Trustee May: Yes; Mayor Dial: Yes – MOTION CARRIED**

8.0 Approval of hiring Bernadette Anaya to Full-Time, Exempt position, of Clerk/Treasurer for the Town of Estancia – Action Item
Trustee May made a motion to approve the hire of Ms. Bernadette Anaya as Clerk/Treasurer, Trustee Lovato seconded; All in Favor – MOTION CARRIED

9.0 Swearing in of Bernadette Anaya to the Clerk/Treasurer position – Pending Item 8.0 Action Item – Informational Only
Mayor Dial gave Oath of Office

10.0 Discussion/Approval of the YCC request for proposals for the summer of 2025 – Action Item
Deputy Clerk Hubbard wanted to ask the Board of Trustee’s if they would like for us to reach out for funding for the Summer of 2025 YCC Project. Trustee Lovato made a motion to approve to seek funding, Trustee May seconded; All in Favor – MOTION CARRIED

11.0 Mayor/Council:

Trustee Hall- N/A

Trustee May- Trustee May has asked about the unpaved roads to get them to get paved. Deputy Clerk Hubbard explained that cost for road repairs and funding. Trustee May asked about the possibility of getting tablets for ease of access to the Ordinances and Town materials.

Trustee Sanchez- N/A

Trustee Lovato- Trustee Lovato gives update about the Baseball Field and the progress. Looking at scheduling a soft launch for the baseball field. Trustee Lovato brings up Red Ribbon week at the school and request if Police Department and Fire Department attend.

Mayor Dial- Mayor Dial advised the Board of Trustee’s about a Flood Management Discovery meeting located at the County Commission Chambers on September 4, 2024 at 10 am. Youth Corp Dinner on the 10th.

Adjournment – Trustee Lovato made a motion to adjourn, Trustee May seconded; All in Favor – MOTION CARRIED

Meeting adjourned at 7:04 pm

Approved:  Date: 9/16/2024
Mayor Nathan Dial

Attest:  Date: 9/16/2024
Deputy Clerk Roy Hubbard

The Public is welcome and encouraged to attend all meetings. The Town of Estancia is an equal opportunity provider and employer.