

**REGULAR COUNCIL MEETING
TUESDAY, AUGUST 21, 2007@ 6:00 P.M.
IN THE COMMUNITY CENTER**

CALL TO ORDER – The Regular Council meeting of August 21st was called to order by Mayor Odum at 6:00 p.m.

PLEDGE OF ALLEGIANCE – The Pledge was led by Councilor Cordova.

ROLL CALL – Present at the Council meeting were: Mayor Odum, Councilor Baca, Councilor Cordova, Councilor Thompson, Finance Officer Cathy Coppy, Municipal Clerk Julie Kulhan, Public Works Director Kermit Brown. Also present at the meeting were: Betty Ketchum, Frank Schmidt, Melissa Vega, Craig Kerkman, Thane Hascall, Judy Montague, Gay Barrow, Tappen Mahoney from Dennis Engineering Company, Rich Donley, Eloise Donley, Ron and Amanda Hogenkamp, Allen Hogenkamp, June Thompson, Paul Atzberger, Carl Patterson, Netta Walker, Doug and Kelley Strong, Mary Berglund, Cindy Anderson, Ashley Long, Jeff Carr, and Eric Fincher from the Chronicle.

APPROVAL OF AGENDA – Councilor Cordova motioned to approve the agenda with the removal of the financial reports. Councilor Thompson seconded. The motion passed 3-0.

APPROVAL OF MINUTES – REGULAR COUNCIL MEETING JULY 24, 2007 – Councilor Baca motioned to approve the minutes of the regular Council Meeting of July 24, 2007. Councilor Cordova seconded. The motion passed 3-0.

SPECIAL COUNCIL MEETING, JULY 27, 2007 – Councilor Baca motioned to approve the minutes of the July 27th Special Council Meeting. Councilor Thompson seconded. The motion passed 3-0.

NEW BUSINESS:

COUNCIL APPOINTMENT – Mayor Odum stated since proper procedures were not followed at the Special Council meeting regarding the vote for a new Council member, a new motion and vote must be done. Mayor Odum recommended Craig Kerkman to Council for their approval. Councilor Thompson motioned to accept the nomination of Craig Kerkman as a councilor. Motion died for lack of a second.

COMMITTEE APPOINTMENTS – Mayor Odum announced the changes to Committees which are as follows: Benjamin Maynes will be removed from the P & Z Commission and Doug Strong shall move from an alternate to a regular member. Jim Baca was added to Buildings and Grounds, and Councilor Alice Baca was added to the ERP Committee.

NERPO OFFICER AND ALTERNATE – Mayor Odum announced that she will act as the NERPO officer and the alternate will be Councilor Cordova.

ACTUAL REIMBURSEMENT/CDBG WORKSHOP FOR MAYOR AND CLERK IN ABQ. – Mayor Odum stated she and Municipal Clerk Kulhan were requesting actual reimbursement for the CDBG Workshop in Albuquerque. Councilor Baca motioned to grant actual reimbursement for the Mayor and Clerk. Councilor Cordova seconded. The motion passed 3-0.

RESOLUTION 2007-24 HIGH WAY CO-OP – Councilor Thompson motioned to approve Resolution 2007-24. Councilor Cordova seconded. Motion carried 3-0.

AWARDING OF FUEL BID #2007-03 – Councilor Cordova motioned to accept Fuel Bid #2007-03. Councilor Thompson seconded the motion. The motion carried 3-0.

AWARDING OF BID CDBG #05-C-RS-I-1-G-14 – Mr. Tappen Mahoney from Dennis Engineering Company explained their recommendation for the awarding of the construction contract. Tappen stated one bid was received and it was opened Thursday August 16th at 4:00 p.m. The bid received was from New Mexico Underground. He recommended awarding the contract on the “Base Bid Schedule”. The Village will have to secure additional funding for match or leveraging. Tappen recommended the project be awarded for the reduced scope of work at \$436,313.04 to New Mexico Underground at 6201 Industry Way S.E. Albuquerque, NM 87105. Tappen stated he would

notify the contractor. He stated the time line for the construction would be the first part of September to November 12, 2007 after the pre-construction conference. Councilor Cordova motioned to award the construction contract to New Mexico Underground Inc. Councilor Thompson seconded the motion. There being no further discussion, the motion passed 3-0. Tappen stated he was going to present a letter distinguishing the roles that his firm is providing with regards to being the consultant designing the improvements and eliminating them from any maintenance and operation issues. He stated the Village must secure it's Ground Water Discharge Permit which the waste water system is operating under with respect to quality control for the State of New Mexico. He stated Dennis Engineering will not be responsible for the maintenance or the operating issues of the system. Mayor Odum thanked Mr. Mahoney for attending the meeting.

LIBRARY BOARD – REQUEST FOR NEW MEMBERS - Councilor Baca stated the Library Board has been unable to hold a meeting because they have not had a quorum. The Librarian has submitted two names of individuals she has spoken with and they agreed to serve on the board. Councilor Baca motioned to approve the appointments of Mrs. Inge Parker and Ms. Erin Haas to the Library Board. Councilor Thompson seconded. The motion carried 3-0.

TWIW – CHAMBER'S WATER LEAK – Chamber of Commerce member, Mr. Paul Atzberger stated the Chamber building has had a water leak for the past 8 months, and although they have had a plumber out there to fix the leak, they have only been able to slow it down to a trickle, since the water can not be shut off. Until the village can shut off the water, they can not repair the leak because it is under full pressure. He stated that the water is a gift; the village has not charged the chamber for utilities. Mayor Odum asked if the water could be shut off by the main and asked Public Works Director Kermit Brown if he knew how the water could be shut off there. Kermit stated the Chamber has a very old meter and he suggested to the plumber to screw on faucet, shut off the water, disconnect the pipe that's leaking and replace with a faucet. Paul stated the water must be shut off at the main line. Kermit stated he would have to shut off that whole part of town. Councilor Thompson asked how long would the water be off to fix the leak. Kermit stated it would be a few hours, and it could be done with out shutting off the water but it would be a mess. The plumber could put a cap on the line and a faucet.

BETTY KETCHUM – REQUEST FOR VARIANCE/NORTHLAKE SUBDIVISION 260 3RD STREET – Mayor Odum explained the nature of the request is to allow a single wide mobile home to remain with the property. Ms. Ketchum is asking for a variance or a certificate of non-conforming use. Councilor Cordova motioned to approve the recommendation from the Planning and Zoning Commission. Councilor Baca seconded the motion. The discussion is as follows: Councilor Cordova stated he would like it to state in the variance that anyone who purchases the property would have to place it on a permanent foundation. Councilor Baca stated she thought it was on a permanent foundation. It sits on a concrete foundation and meets the square footage, and has an added room. Mayor Odum stated there was controversy over this item and she had received twenty-eight phone calls from various citizens. Mayor Odum called upon audience members to make their comments. Craig Kerkman stated he had attended the P & Z meeting and he thought the Commission recommended a certificate of non-compliance. Councilor Thompson stated that was correct. Mr. Kerkman stated a certificate of non-conforming use would apply to new owners of the property according to E.N.O.1983-3. Doug Strong stated only the present owner can request to be grandfathered in. Mr. Thane Hascall called for a point of order, since the original agenda item was a request for a variance, not a certificate of non-compliance. Mayor Odum stated the request was for a variance or certificate of non-conforming use. Mr. Hascall stated only the agenda item should be addressed, which is the request for variance. Ms. Ketchum explained she has presented her paperwork to the Planning and Zoning Commission, and P & Z has approved her request and forwarded it to the Village Council. Councilor Thompson asked the motion to be re-read. Councilor Cordova stated he moved to grant Ms. Ketchum the variance that she has requested for her property

as long as it has a permanent foundation. Mayor Odum called for the vote. The motion passed 3-0.

FIRE DEPT – REQUESTING PERMISSION TO USE LANDFILL AREA FOR

EXTRACTION TRAINING – Cathy Coppy stated this was a training exercise for our fire dept. and other local fire depts. in vehicle extraction, and they wanted to use the landfill area because they needed lots of room. She stated she had asked Mike Felix what they would do with the vehicles after they were done. Mike said they had contacted a company out of Raton to take the scrape metal. Councilor Cordova motioned to grant permission to the Eagle Nest Fire Department to use the landfill for their extraction training. Councilor Baca seconded the motion. Councilor Baca stated she'd like the clean-up details in writing. Ron Hogenkamp stated he'd donate the cars to be used and remove them after when they were done with the training. Cathy stated they'd already made arrangements with the company in Raton. The motioned passed 3-0. Councilor Baca motioned to amend the previous motion to include complete clean up and removal of whatever they bring in. Councilor Cordova seconded the amended motion. The motion passed 3-0.

MAYOR'S REPORT – Mayor Odum reported someone had dropped off a basket of kittens at the office and thanked the Denning Family for taking them. She attended a Taos Regional Landfill meeting with Councilor Baca. She stated the town of Taos is working on an Ethanol Plan. The Mayor also attended an Inter-Governmental Council (IGC) meeting that day. She stated the IGC is instrumental in helping us attain funding from the Legislature for projects that benefit many communities. Councilor Cordova and the Mayor attended a NERPO meeting on August 15th. They received some ICIP training at this meeting. She attended a New Mexico Department of Transportation meeting on the 16th. She stated this meeting was mostly an awards ceremony. The Mayor stated she and Julie would be leaving for the CDBG workshop after the Council meeting.

DEPARTMENT REPORTS – Mayor Odum called upon the EMS director, Suzy Rose. Suzy stated they were looking for volunteers to become EMT's. There is a first responder classe starting in September, and lasts five weeks. The cost is \$200.00, but they will waive the fee if the student signs on as a first responder for a year. Public Works Director, Kermit Brown, stated he had installed two new pumps at the lift station. Even though he is by himself, Kermit worked on keeping up with road maintenance, meter reads, etc. He has a new tire for the loader, and removed the loader from Bear Mtn. Estates. He has worked on fixing the mower, stated the retention pond needed an aerator, and has been getting things ready for the construction team that will be working on the waste water project.

COMMITTEE REPORTS – Beautification Committee is requesting Council and the general public help decide who shall receive the Beautification awards this year. Citizens may call the Village office with their nominations. The next meeting of the Beautification Committee is August 23rd at noon. Economic Committee – Councilor Cordova stated there was a meeting attended by himself, Paul Atzberger, and Doug Strong. They discussed housing needs, internet/web access, and research the past history of Willow Creek and S. Tomboy for the Grip 2 Project. Emergency Response Committee – A date has not been set for the next meeting. Street, Roads & Paving – Councilor Cordova reported there has been no committee meeting, but he has attended all of the NERPO meetings from July 26th to August 15th. On the July 26th he went to a meeting with Mark Venezuela for the Grip 2 funding, which at that time there were no funds available. August 1st the Councilor attended a meeting in Espanola, which was for the ICIP. The second meeting of that day was with the Regional Transportation Department (RTD) On August 15th and 16th he spoke with Lisa Sedillo at the NERPO meeting. Lisa stated the New Mexico Finance Authority has released more funds, and Eagle Nest is at the top of the list to receive \$700,000.00. He stated there would be no committee meeting until he has more information about Grip 2, since nothing has changed. Chamber of Commerce – Paul Atzberger reported the Chamber had a successful Arts & Crafts Fair, and the Taste of New Mexico went well.

AUDIENCE PARTICIPATION – Thane Hascall – Mr. Hascall brought up the concern about citizens mowing their yards and ditches. Who is to enforce the mowing ordinance? Councilor Baca suggested taking the mowing complaints to P&Z. June Thompson asked who was responsible for mowing the alleys. Ron Hogenkamp wanted the Village to set an example by mowing the ditches and Village lots. Councilor Thompson and Councilor Cordova responded that the alleys and roadways were the Village’s property. Mayor Odum explained that the Village is short handed and Jim Baca is helping out when he can. Councilor Cordova stated they mow their own ditches and if you want to help your community, you could mow your own ditch and not wait for the Village to get to it. Paul Atzberger stated there were street lights out. Kermit stated he was aware of this. The tall lights needed to go through Kit Carson and the custom built ones cost about \$350. to \$400. Cathy stated Kit Carson will help us with the boom truck when they are in town, but we have to coordinate with them. Frank Schmidt expressed his displeasure with the Council’s vote to approve Ms. Ketchum’s variance.

ITEMS FOR NEXT MONTH’S AGENDA – Mr. Hascall requested a priority list for beautification

ADJOURN – Councilor Thompson motioned to adjourn. Councilor Cordova seconded. The motion passed 3-0. The regular Council meeting of August 21st adjourned at 7:15 p.m.

Approved this ___ day of _____ by a vote of ___ in favor and ___ opposed.

The next regular meeting of the Eagle Nest Village Council is September 18, 2007 at 6:00 p.m. in the Eagle Nest Community Center.

SEAL

CLERK