

**REGULAR COUNCIL MEETING
WEDNESDAY, FEBRUARY 21, 2007
COMMUNITY CENTER @ 6:00 P.M.**

CALL TO ORDER – The Regular Council Meeting was called to order by Mayor Hascall at 6:04 p.m. in the Community Center.

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

ROLL CALL – In attendance were Mayor Hascall, Councilor Baca, Councilor Cordova, Councilor Perkins, Village Administrator Ketchum, Municipal Clerk Kulhan, Finance Officer Cathy Cobby, *Councilor Thompson was absent*. Also in attendance were: Amanda Porter, Ron Hogenkamp, Billie J. Odum, Frank Schimdt, Paul Atzberger, Netta Walker, Ron Walker, Tom Parks, Shelia Parks, Doug Strong, Kelley Strong, Sue Atzberger, Thane Hascall, Kermit Brown from Public Works, Attorney Brian Colon, Kate Hove from the Chronicle, and Tony Aguirre of the Colfax County Sheriffs Dept.

APPROVAL OF AGENDA – Mayor Hascall stated that she would like to move an item on the agenda. Moved “PENDING LITIGATION” to above “EXECUTIVE SESSION”. Councilor Cordova motioned to approve the agenda with the “PENDING LITIGATION” moved to above “EXECUTIVE SESSION”. Councilor Perkins seconded the motion. There being no further discussion, the motion carried 3-0.

APPROVAL OF MINUTES – JANUARY 16, 2007 Councilor Cordova motioned to approve the minutes. Councilor Perkins seconded the motion with the addition of some changes that were handed out to the Council. The motion carried 3-0.

FINANCIAL REPORTS FY05-06 Councilor Cordova motioned to approve the financial reports for May. Councilor Perkins seconded the motion. Councilor Perkins questioned Finance Officer Cobby about there being a glitch in the program, why the columns were not lining up right. Cobby responded “that’s how it does it”. Mayor Hascall called for the vote. The motion carried 3-0.

Finance Officer Cobby gave an update of the progress that has been made while working with Mr. Mondragon. She stated June financials had been completed and the books can be closed for FY05-06. The priority now is to submit the final budget for FY06-07, to replace the approved Interim Budget to the Department of Finance and Administration. Once submitted, the financials will be completed for July 2006 through February 2007.

NEW BUSINESS:

APPROVAL FROM FIRE MARSHALL TO REQUEST FUNDS FROM NMFA.

Fire Chief Ralph Hissem via Cathy Cobby presented to council a letter requesting funds from the State Fire Marshall, John Sandefer. The letter is for his approval in the event we receive funds from NMFA, for the purchase of a water tanker truck. Cathy stated that this was a formality. This is for Council’s information.

2007-2008 Hi Way Co-Op Councilor Cordova motioned to approve the Proposed Cooperative Agreement Program. Councilor Baca seconded. There being no further discussion, the motion carried 3-0.

RESOLUTION 2007-07 M.A.P./STREET IMPROVEMENTS Councilor Cordova motioned to approve Resolution 2007-07 M.A.P./Street Improvements. Councilor Baca seconded. The roll call vote is as follows: Councilor Baca, AYE, Councilor Cordova, Aye, Councilor Perkins, AYE. *Councilor Thompson was absent.* Resolution passed 3-0.

OFFER FOR TWIW PROPERTY Mayor Hascall presented an offer from the owners of the TWIW property stating that they would sell the property to the Village of Eagle Nest for \$200,000.00 plus their cost for an appraisal which is \$4300.00. The Mayor introduced Brian Colon, an attorney with Marcus Rael's office. Mr. Colon stated the benefit of accepting this offer was that the Village would not incur legal fees and the negative publicity of eminent domain. Councilor Cordova questioned who would pay the closing costs. Mr. Colon stated he is not aware of who would be shouldering the burden of closing cost. Councilor Baca motioned to accept the TWIW offer for \$200,000.00 plus the cost for the appraisal which is \$4300.00. Councilor Perkins seconded the motion. Councilor Perkins questioned if there were underground tanks. Councilor Cordova asked if we had the funds for the closing costs. Councilor Baca stated that since the Village is absorbing the cost of the appraisal, we could re-negotiate that the closing cost be absorbed by the seller. Mr. Colon said it was at the will of the Council if they wanted to negotiate the closing costs. Councilor Perkins stated that the typically closing costs run 1% to 3%. Mayor Hascall called for the vote. Councilor Cordova abstained from voting stating that there was a conflict of interest. Councilor Baca made the amended motion to accept the offer for the TWIW property for the cost of \$200,000.00 and the \$4300.00 appraisal and no other costs at this time. The motion carried 2-0.

MAYOR'S REPORT Mayor Hascall presented a Legislative Report. Mayor Hascall stated she spent two days appearing before Committees. On the first day, our request for equipment went through and on the second day it was the money for the match of the GRIP 2, which is our streets project. The GRIP 2 project itself has not been passed yet. She stated that Toby Kessler, of the Senior Center, informed her that the money has come through to lower the ceiling, and at this point they will be going out for bids. Mayor Hascall brought up the issue of the Senior Center's roof. She stated she contacted Victor Trujillo and that he was going to get in touch with Jim Baca. The Mayor then stated Jim Baca has resigned effective at the end of this month for health reasons.

DEPARTMENT REPORTS Councilor Perkins reported that he had spoken with Cathy in regards to putting out bids for the roofs of the Senior Center and Community Center. Councilor Perkins asked Cathy if she had more contractors than what he had on the list he gave her. Cathy asked the councilors to look over her call for bids notice and submit any changes to her by Friday 23rd. Councilor Perkins asked, what is the maximum amount we can spend for repairs? Cathy responded that she wasn't sure. Expenditures of \$5000.00 or more, public notification of Sealed Bids and Sealed Competitive Proposals, Council approval and other requirements as stipulated by State Purchasing act. Finance Officer

Coppy stated she was unsure of the costs. Councilor Perkins questioned the costs of going out to bid. Cathy responded "We have to advertise in the paper, so the cost of the ad and that's about it. Usually less than \$200.00."

COMMITTEE REPORTS Councilor Baca reported that the Angel Fire Baptist Church donated 50 new blankets and 16 pillows, and Angel's Attic donated pillow cases for the Eagle Nest designated shelters. Councilor Perkins thanked Lu Janna Courlas for donating soup during last emergency. Councilor Perkins proceeded to thank many folks for all their help during last month's snow emergency. He stated they are still looking for volunteers. He stated the need for people who are in need of special assistance to fill out a HIPAA release so that their name can be placed on a list. He made a request to the Administrator for a list of equipment, and the status of said equipment. Mayor Hascall brought up the press release that is going out to the Chronicle. Clerk Kulhan stated that the press release was not printed in this week's paper, but will be in next week's paper. The press release states that anyone who is in need of auxiliary aid should come in to the Village offices and sign a HIPAA release so that their name may be placed on a list and shared with other emergency personnel. If their name is not on the list, then they will not be recognized as needing aid.

AUDIENCE PARTICIPATION Billie Odum stated that she was glad that the Senior Citizen roof project was going out to public bid. Kermit Brown from public works stated that the recent weather has really wreaked havoc on the roads. They have an order in for gravel. He asked for patience since the snow melt has damaged many roads. Ron Hogenkamp stated the need for road work on Fisherman's Lane. Administrator Ketchum stated that road was turned in to the emergency. Amanda Porter questioned if the HIPAA release was for kids too. Councilor Perkins stated it is for anyone in need of auxiliary aid.

ITEMS FOR NEXT MONTH'S AGENDA Councilor Perkins stated he would like to see the appointment of Pat Casias and Suzy Rose to the ERP Committee and perhaps vote on the plan. Councilor Cordova stated he would like to see the plan 5 days before he has to vote on it. Clerk Kulhan stated that she would need any information that is to go out on the Tuesday before the next Council meeting.

EXECUTIVE SESSION At this time Councilor Cordova motion to go into Executive Session. Councilor Perkins seconded. The roll call vote is as follows: Councilor Baca, AYE, Councilor Cordova, AYE, Councilor Perkins, AYE. *Councilor Thompson was absent.* Motion carried 3-0. Clerk Kulhan read the following "We are going into Closed Session under State Statute section 10-15-1. Items for discussion are: Pending Litigation." Time was 6:43 pm. Council came back into session at 7:07 pm with the clerk reading "We are back in Open Session, the time is 7:07 pm. The only items discussed were Pending Litigation." The Mayor stated there was action. Councilor Baca made the motion that we consider our settlement options. Councilor Perkins seconded the motion. There being no further discussion, the roll call vote is as follows: Councilor Baca, AYE, Councilor Cordova, AYE, Councilor Perkins, AYE. *Councilor Thompson was absent.* The motion carried 3-0.

ADJOURN Councilor Cordova motion to adjourn the meeting. Councilor Perkins seconded. The motion carried 3-0. The meeting was adjourned at 7:09 p.m.

Approved this __th day of _____, 2007 by a vote of __ in favor and __ opposed.

The next meeting of the Eagle Nest Village Council will be March 20th, 2007 at 6:00 p.m. in the Eagle Nest Community Center.

SEAL

Julie Kulhan, Municipal Clerk