



**REPORTS** – Manager Brown addressed the Highway 180 project. When the bids were opened, the lowest bid was substantially higher than the budget allotted. The plan was to re-bid as a phased project, with a bid planned for early summer. A short discussion centered on Juniper Street. Mr. Dominguez of the New Mexico DOT who was being promoted was thanked for his many years of service to the community, and the new engineer welcomed. Manager Brown said that hospital demolition was scheduled for mid January.

The meeting was adjourned for a break at 8:18 pm, and called back to order at 8:30 pm.

**PUBLIC HEARING ORDINANCE 1127 ARIZING FROM ZC 06-9.** The Mayor read the protocol for the hearing and asked if any Councilors had had any ex-parte discussions on the issue, to which all replied that they had not. Alexandra Maestas and Peter Russell of the Community Development Department, and Patrick Conlin as Broker for the Applicant, were sworn in by Town Clerk Wheaton-Smith. Planner Maestas reviewed the case and the commission's support for the zone change. Patrick Conlin for the applicant said that the rezoning was needed as part of the financing program. The Mayor asked if there was any opposition, there was none. Councilor Clauss moved to adopt Ordinance 1127 with finding number four and no conditions. Councilor May seconded the motion. There was no discussion. A roll call was held with Councilors Ward, Nupp, Clauss, and May in favor, none against. The motion carried and the Ordinance was adopted.

#### **NEW BUSINESS**

**DIRT ROAD MAINTENANCE.** Manager Brown said that the Town had been asked to maintain areas that appear to be dirt roads but have not been officially accepted by the Town, but there were many issues involved. One issue was that recent flooding had consumed 90% of the street maintenance funds leaving little left for new projects. There were many issues and a number of solutions. Factors to consider included the quality of the road, liability, sewer, and utilities. Community Development Director Russell discussed a number of cases in more detail, and said that one road for a block would consume about \$200,000. Public Works Director Pena added more perspective, and a citizen, Mrs. Bower, discussed the issues that she faces. Mayor Marshall recommended that all the issues should be gathered together, a work session should be scheduled, a risk assessment made, priorities reviewed, and legal opinions drafted and case law reviewed.

**RESOLUTION 2006-46 SUPPORTING NEW MEXICO HEALTH SECURITY ACT.** A discussion indicated support for the principle, but less so for the text of the resolution. Councilor Nupp moved to postpone the resolution to the next meeting, seconded by Councilor Ward. Councilors Ward, Nupp, and May voted for the motion, Councilor May against. The motion was carried resulting in the need for research before being presented at the next meeting.

**BRANDING IRON WATER AGREEMENT.** Utilities Director summarized the agreement. There was a substantial discussion on fire response issues, and water rationing issues. One sentence was clarified. A motion made to accept the agreement with some typos identified, and the clarified sentence. A vote was held with Councilors Ward, Nupp, and May in favor, Councilor Clauss against. The motion carried, the agreement accepted with appropriate changes.

The meeting was adjourned for a break at 10:15 pm, and called back to order a 10:25 pm.

**REGIONAL TRANSIT DISTRICT (RTD).** A discussion surrounded the benefits of an RTD was held. Councilor Clauss said that an RTD was not suited to rural areas. Councilor May clarified what the Council was being asked to agree to. A discussion of the legal reviews of assets, ownership, liability, and amount of match was held. Councilor Nupp presented an analysis based on figures provided by Corre Caminos, and concerns were highlighted on the conditions of the RTD bylaws, and the power of the RTD. Councilor Nupp moved to instruct the Mayor to participate in signing the RTD contract, Councilor Ward seconded the motion, A short discussion ensued about the good vision of an RTD, and the need for an RTD to advance the economic setting. A vote was held with Councilors Ward, Nupp, and Clauss voting against the motion, and Councilor May voting for. The motion was defeated.

**RESOLUTION 2006-45 NMFA FINANCING LOAN FOR SANITATION EQUIPMENT.** Manager Brown presented the background and process for this loan. Councilor Ward moved to adopt, seconded by Councilor May. A short discussion clarified an apparent dollar discrepancy. A vote was held with all in favor, none against. The motion carried adopting the resolution.

**RESOLUTION 2006-47 ELEMENTARY BREAKFAST.** Councilor Clauss presented the resolution. Councilor Nupp moved to adopt, seconded by Councilor May. With no additional discussion a vote was held with all in favor, none against. The motion passed and the resolution adopted.

**RESOLUTION 2006-48 HEALTHY SCHOOLS HEALTHY ECONOMY.** Councilor Clauss presented the resolution. Councilor Nupp raised the issue of maggot infested food as a concern. Councilor May moved to adopt, seconded by Councilor Clauss. A vote was held with Councilors Ward, Clauss, and May in favor, Councilor Nupp against. The motion passed and the resolution thusly adopted.

**RESOLUTION 2006-49 COOP MICHIGAN ST FY05 06 II.** Manager Brown presented the background. Councilor Clauss moved to adopt the resolution seconded by Councilor Ward. A short discussion followed on culverts. A vote was held with all Councilors voting in favor, none against. The motion carried, the resolution was adopted.

**RESOLUTION 2006-51 CDC UTILITIES CDBG WATER SYSTEM PROJECT.** Manager Brown presented the background. A motion was made to adopt, seconded and a vote held with all Councilors for, none against. The motion carried and the resolution adopted.

**HISTORIC DESIGN REVIEW APPOINTMENTS.** Joseph Gendron presented the names and recommendations of the candidates. Recommended new members would be Steven Shelendich and David Lorenz.; Becky Smith, an existing member. was also recommended for appointment. With the concurrence of Council, the Mayor appointed as requested.

**EXECUTIVE SESSION.** At 11:25 pm Councilor Clauss moved to go into executive session pursuant to § 10-15-1 (H)(2), NMSA 1978, to discuss, limited personnel matters with no decisions being made, councilor May seconded. A roll call was held, with all Councilors in favor, none against, the motion carried, and an executive session was held.

**REGULAR COUNCIL MEETING** was reconvened at 13 minutes after midnight. The Mayor called the session back to order and stated that the executive session was held in accordance with the motion, to which all Councilors were roll called, and all confirmed the nature of the executive session.

A motion was made to cancel the December 27<sup>th</sup> 2006 regular meeting, seconded, and all Councilors were in favor. None against, and the motion carried, thus canceling the December 27<sup>th</sup> Regular Meeting.

**ADJOURNMENT** – A motion was made to adjourn the meeting, seconded, and voted upon almost simultaneously. The vote was unanimous, and the motion passed. The regular meeting adjourned at sixteen minutes after midnight on Wednesday December 13<sup>th</sup>, 2006

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James R. Marshall, Mayor

Attest:

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Simon Wheaton-Smith, Town Clerk