

## **Regular Meeting Minutes–JANUARY 17, 2024**

The Mayor and the Board of Trustees of the Village of Tularosa met in a Regular Meeting on Wednesday, January 17, 2024, at 6:00 P. M. in the Court Conference Room of the Public Safety Facility located at 609 St. Francis Drive, Tularosa, New Mexico.

**Present:** Mayor Deborah Cooksey  
Trustee Patrick Garcia  
Trustee Robert Sainz-Absent  
Trustee Manuel Brusuelas  
Trustee Mark Garwood

Also present was Rebekah Bryant Village Clerk  
Attorney Jeff Rhodes

At 6:00 P. M. Mayor Deborah Cooksey called the meeting to order asking that all rise and join her in the Pledge of Allegiance and the Salute to the Flag of the State of New Mexico.

**1.** Trustee Garcia made a motion to remove agenda item #9 and to accept the agenda. Trustee Garwood seconded the motion. All members voted aye; motion carried.

**2.** Roll call of New Council by the village clerk was taken. Trustee Manuel Brusuelas-Present, Trustee Patrick Garcia-present, Trustee Mark Garwood-present, Mayor Deborah Cooksey-present, Trustee Robert Sainz-Absent.

**3.** Mayor Deborah Cooksey appointed the following positions of Village Clerk to remain Rebekah Bryant and also Village Attorney Jefferson Rhodes.

**4.** Unscheduled correspondence and public comments:

Joan Price- Stated that she wanted to comment on the agenda item approving the open meetings act. She is trying to educate herself on the open meetings act. She stated that they offer monthly training on the open meetings act so she was wondering if the village could set up training for people in the village who want to understand the open meetings act to simplify it in some way.

**5.** Deborah Cooksey, Mayor asked to approve the appointment of Warren Candelaria as the Lieutenant at a pay rate of \$25.50hr. Mayor Cooksey stated that she is now appointing Mr. Candelaria as Chief of Police at a pay rate of

\$30.00hr. Trustee Garcia made a motion, Trustee Garwood seconded the motion. All members voted Aye; motion carried.

**6.** Deborah Cooksey, Mayor asked to change public comments from only agenda items to be discussed to have it open for any comments from the public body. Trustee Garcia made a motion, Trustee Brusuelas seconded the motion. All members voted Aye; motion carried.

**7.** Deborah Cooksey, Mayor asked to reinstate the Planning and Zoning Department. Trustee Garwood made a motion, Trustee Brusuelas seconded the motion. All members voted Aye; motion carried.

**8.** Rebekah Bryant, Village Clerk asked to approve Resolution #2023-2024-9 Open Meetings Act. Rebekah explained that this Open Meetings Act needs to be approved by the board every year as a resolution to be in compliance. She read out loud what the resolution stated. (NMSA, 1978, Sections 10-15- 1 to 10-15-4) states that, except as maybe otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission, administrative adjudicatory body or any other policy making body of any state or local public agency held for the purpose of formulating public policy, discussing public business or for the purpose of taking action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times; and **WHEREAS**, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and **WHEREAS**, Section 10-15-1(D) of the Open Meetings Act requires the Board of Trustees to determine annually what constitutes reasonable notice of its public meetings. Trustee Garwood made a motion, Trustee Garcia seconded the motion. Roll Call was taken: Brusuelas-Aye, Garcia-Aye, Garwood-Aye. All members voted Aye; motion carried.

**9.** Omitted.

**10.** Adam Harper and Ryan Fulton, of SV CSG Tularosa asked to approve a special use permit for the development of a community solar project. Mr. Harper, CEO and founder of OE Solar and Ryan Fulton of Sunvest partner to OE Solar gave a demonstration/slide show of his background in regard to his business. He started with a comprehensive overview or proposed project seeking special permit use that will benefit the community substantially. Mr. Harper stated that his company, which is based in Albuquerque, specializes in engineering, procurement and construction. He stated that community solar is a program

where groups of people can enjoy solar power without the solar panels on their own property, they join in on a bigger shared panel set up located somewhere else and the power is divided among all the people taking part, in turn are able to get lower electric bill as a result of that. He also stated that this is great for people who can't put solar panels on their own because they are renting or maybe just too expensive, so it lets them still get the advantages of solar without having something to put it on. The people that can participate are local municipals, people that own their homes, places that help low-income communities so non-profits, as well as renters, charities and businesses that can all share in community solar power and get a reduced cost for that. Project Tularosa 1 is the Owens property where the solar farm will go which is situated between Tulie gate rd. and north of West Higuera rd. to the south. The capacity is 2.875 megawatts alternating currents. He stated that on every project there will be a 50 ft offset from the property line to the solar panels. Tularosa Project 2 is the Odell property east of H.W. 54 which is designed to have 4.75 megawatts. Tularosa Project 3 is the Shaffer property located to the South of Higuera rd. and to the west of Riata rd. with a 4.5-megawatt capacity. Tularosa Project 4 the Johnson Miller property which is located east of St. Francis Dr. which is designed to produce 2.75 megawatts. The local benefit for the community would be that the Village of Tularosa would gain significantly from millions of dollars of gross receipts tax which will be collected from all four community sites, community savings as these projects will offer the community a chance to save on their utility bills by participating in the solar program and the local economic growth as these projects will create jobs in the local area directly on the project and in related areas. No action was taken, a special meeting will take place two weeks from this meeting to make a decision.

**11.** Vivian Lueras, Individual asked for Loredos Bakery permit to be pulled until they install a grease trap and have them run their own sewer line. Mrs. Lueras stated that the reason she is here tonight is to provide a solution to a problem that has been going on for a while. She stated that if this problem is not taken care of then it will become a problem for the village as well. She said that she has had numerous run ins with Laredo Bakery and the clogging of their sewer. Apparently, they are all on a trunk line and they do not have a grease trap, they have a grease separator. According to the ordinances the village requires to have a grease trap installed and also a control installation. What she is asking is that we do something about Laredos because she is tired of waking up in the middle of the night with the sewer clogged and it is not because of them, she has had the village go out and they can attest to the chunks of grease they have removed. Richard Guilez Utility Supervisor stated that they have cleaned the line several times because that line is completely filled with grease, and they have removed football size chunks of grease. A year ago, he shut Laredos down because their parking lot was full of sewage due to their grease trap not working properly. He stated that he has got the environment dept. involved and that they have two weeks to fix this problem. If this is not done at the end of two weeks, then the village has authority to revoke their business registration. Mayor Cooksey stated

that since the environment dept. is involved let's let them handle it appropriately since they have more authority. Attorney Rhodes stated that the best way to handle this is to have code enforcement handle it and issue citations for each offense.

**12.** Old Business: None

**13.** New Business: Neighborhood watch is still being organized and the village cannot have any involvement.

**14.** Meeting adjourned at 7:15 pm.

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Deborah Cooksey, Mayor

ATTEST: (seal)

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Rebekah Bryant, Village Clerk