

Regular Meeting Minutes–June 20, 2024

The Mayor and the Board of Trustees of the Village of Tularosa met in a Regular Meeting on Wednesday, June 20, 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
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 asked to move agenda items #3 to #18, #15 to #4 and #14 to #3. Trustee Sainz made a motion to accept the agenda. Trustee Garwood seconded the motion. All members voted aye; motion carried.

2. Unscheduled Correspondence and public comments.
None

3. Rusty Helton, Planning and Zoning asked to approve a permit request for Isaac Wall at 47 St. Francis. Rusty stated that they looked at the permit request and everything seems to be okay, and they do not see a problem with it. Mr. Rupp stated that they have met several times at the location that is south of the sawmill and Mr. Wall will be putting in a business selling trailers and fifth wheels. He will be building a barn style building with a concrete foundation. Mr. Rupp stated that there was some confusion about the utilities and easements and Mr. Wall was willing to give us 25 ft instead of the 20ft which is standard that way the new truck that the village has will be able to drive down the easement and to make it easier for public works. Trustee Garcia made a motion, Trustee Brusuelas seconded the motion. All members voted Aye; motion carried.

"15". Rusty Helton, Planning and Zoning asked to approve a permit request for Enrique Ortiz at 1508 W 4th St. Mr. Helton stated that Mr. Ortiz just wants to build a carport in front of his trailer and will not be attached to his trailer and will not interfere with the right of way on either side. Trustee Garcia made a motion,

Trustee Garwood seconded. All members voted Aye; motion carried

4. Rebekah Bryant, Village Clerk asked for closure of all village offices on July 5, 2024, personal time to be used for this day off. Trustee Sainz made a motion, Trustee Garcia seconded the motion. All members voted Aye; motion carried.

5. Rebekah Bryant, Village Clerk asked to approve the award to Bohannon Huston for the Village of Tularosa's Comprehensive Development Plan. Trustee Sainz made a motion, Trustee Brusuelas seconded the motion. All members voted Aye; motion carried.

6. Warren Candelaria, Chief of Police asked to approve the appointment of William Kimmons to Lieutenant at a pay rate of \$27.00. Trustee Garcia asked if he was licensed, and Lt. Williams stated that he has his Texas Peace Officer license, and he is in the process of getting his packet together to submit to the state of NM for his waiver. Trustee Garcia asked if that would take place soon and Chief Candelaria stated that it will be in September. Mayor Cooksey asked Lt. to tell the board what towns he worked in. Lt. Kimmons stated that he's been in for 32 years and that he prefers small towns. Tularosa Trustee Garcia made a motion, Trustee Garwood seconded the motion. All members voted Aye; motion carried.

7. Patricia Gonzales, Pecos Valley Productions asked for approval for a consumption lounge at their establishment at 308 Granado St. Patricia stated that she was the manager for Pecos Valley Productions, and she oversees 22 retail dispensaries in NM and Pecos Valley Productions is the largest dispensary in NM. They are wanting to propose a consumption lounge to hold events with the community. She stated that 11% of Tularosa residents are consumers whether it be medicinal or recreational. Consumption hours would not allow any sales during that time, customers would have to bring their own and be able to participate in Karaoke, or a smoke and paint with local artist to lead that and have safe activities for adults in the community. Mayor Cooksey asked if the consumption lounge would be inside, and Patricia stated that yes it would be. Mayor Cooksey also asked if there is one in Alamogordo and Patricia stated that there is not, and Tularosa would be the first one as they are wanting to start small and see how it would work. Mayor Cooksey asked the Chief of Police that if you are dealing with someone who is drunk compared to someone getting high what is the difference? The Chief stated that there would be no difference because under that state statute you are still considered under the influence. Mayor Cooksey asked but how is their behavior? The Chief stated that their behavior is slow reacting and real calm and the mayor also asked if it makes people combative. The Chief stated that it affects everyone differently. Trustee Garwood asked what they have in place to make sure they have a designated driver? Patricia said that is a great question and they will be making sure if

needed that they can call a safe ride to come and pick them up. Trustee Sainz asked if they had a board that approves stuff and do they agree with this and Patricia stated that yes they do and they are very excited to start in Tularosa. Trustee Garcia made a motion, Trustee Garwood seconded the motion. All members voted Aye; Motion carried.

8. Erik Luna, Individual asked to approve a permit to place his mobile home at 1702 W 2nd St. Mr. Luna stated that he did not know that he was supposed to ask permission before he placed the trailer. He also provided pictures and diagrams of the set trailer. Trustee Brusuelas made a motion, Trustee Garcia seconded the motion. All members voted Aye; motion carried. Planning and Zoning will go inspect the trailer and permit will be given after inspection.

9. David Fuentes, Individual asked for help about the trees in the village. Mayor Cooksey stated that they currently are looking for someone to cut the trees down as the individual who they use left the area. The mayor also stated that they are at the end of our fiscal year and once the budget is approved, they will get someone to get the trees trimmed but not the whole village but the ones that are the worst at the moment. Mr. Fuentes just stated that he was just concerned about the bad ones.

10. No Show

11. Trish Allen, Individual asked to change the village ordinance regarding the signage regarding business signs to be placed closer to the street. Trish stated that she works at cutting up hair salon and she is wanting to put a sign up because no one really knows that she has a business there. Her problem is that the owner of the building has several vehicles parked in front of the business so where she is allowed to put a sign she cannot because the vehicles are there so she was asking if the village can change the ordinance so that she can put a sign in an area closer to the street. Mayor Cooksey stated that maybe she needs to talk to the owner about moving his vehicles so she can utilize the space for a sign as there is already an ordinance regarding signage. No Motion.

12. Laurie Moyer, Select Row Cypress Creek Renewables asked for a special use permit to develop a community solar project. Laurie presented a power point presentation to the board. Trustee Garwood made a motion, Trustee Brusuelas seconded the motion. Trustee Garcia voted nay, Trustee Sainz voted Nay Mayor Cooksey had to vote to break the tie and she voted Nay; motion dies.

13. Ali Kassam, Individual asked to revoke his monthly minimum water charge from the ordinance or grant a waiver. Mr. Kassam stated that his water bill is \$500 a month plus tax, and he only has two trailers using water in the trailer park. He stated that the minimum for a trailer park is \$500 for 100,000 gallons a month use and he only has two trailers that are using less than 10,000 a month and this is crushing his financial situation given that he is trying to make improvements to the park and that money can be used somewhere else like landscaping or something. Mr. Kassam wants to be charged for usage not based on the trailer park. Mayor Cooksey stated that they have an ordinance that would have to be changed and there are a few other trailer parks in town and that would affect all of them, but it is something she will look into. No Motion.

14. Moved to #3.

15. Moved to #4.

16. Mark Garwood, Trustee asked for the removal of underbrush and salt cedar around the village waterworks areas area (creek). Trustee Garwood stated that under the salt cedar eradication act that was put into law the salt cedars that run along the Bosque are considered nonindigenous species and it pulls up to 200 gallons a day per tree. He says he knows its next to the creek and the roots have probably gone under the creek and all around the creek, so into today's water conservation efforts to alleviate wasted water, he believes that it is very important to remove these from the creek area and to clear all the underbrush from around there just to save water for the village so that the creek will not be affected by it under dry conditions and with Ruidoso having fires our water source is very important. So, he feels like we don't need to be watering nonindigenous species along the creek area. Mayor Cooksey asked him how we would do this and Mr. Garwood stated that we have city workers that can do that right. Mayor Cooksey stated that that was way too much time and way too much money but there are grants out there that he can look for. Mr. Garwood stated that he is just proposing this at this time but eventually this needs to be done. Trustee Garcia stated that he agrees with Trustee Garwood. Trustee Garwood stated that this is just a proposal at this time.

17. No show

18. Adolph Walters, Individual asked for the approval for the use of the little league baseball field for the Tularosa Basin Downwinders to hold their annual

candlelight vigil. Mr. Walters stated that they have been doing it there for about 15 years and with approval would like to use it on July 20th and would also like some support with sand because they do sell luminarias, last year they did over 800 names and most of them are from this Otero County area. Mayor Cooksey stated that the only thing she is concerned about is the baseball field has had a lot of work done on it so they would need to be very careful. Trustee Sainz made a motion, Trustee Garwood seconded the motion. All members voted Aye; motion carried.

19. Jeff Rhodes, Village Attorney asked to go into executive session per section 10-15-1 of the open meetings act. Trustee Garcia made a motion to go into executive session, Trustee Sainz seconded the motion. Roll call was taken: Brusuelas-Aye, Garcia-Aye, Garwood-Aye, Sainz-Aye. Went into session at 7:27pm and came back into session at 8:00pm. Trustee Brusuelas motioned to come back into session, Trustee Garwood seconded the motion. Roll call was taken: Brusuelas-Aye, Garcia-Aye, Garwood-Aye, Sainz-Aye.

20. Old Business:

none

21. New Business:

none

22. Meeting adjourned at 8:02 pm.

Deborah Cooksey, Mayor

ATTEST: (seal)

Rebekah Bryant, Village Clerk