

**Minutes  
Regular Meeting  
January 12<sup>th</sup>, 2021**

The Village of Capitan Board of Trustees met in a Regular Meeting via Telephone Conference, Skype and in Person on Tuesday, January 12<sup>th</sup>, 2021 at the Village Hall in Capitan, New Mexico at 4:30 PM.

Mayor Lowrance asked for a moment of silence and led the assembly in the Pledge of Allegiance.

Mayor Lowrance called the meeting to order at 4:39 PM.

**Roll Call:** Mayor Lowrance – present, Trustee McInnes – present, Trustee Johnson – present, Trustee Kearns – present, Trustee Shearer – present, Stephanie Bason – Village Clerk, Grace Centrella – Finance Officer, J. Leinneweber – Administrative Assistant, Angela Autrey – Administrative Floater and Steve Osborn – Water Utilities Supervisor were also present. A list of others in attendance is attached.

**Item #1 on the Agenda: Approval of the Agenda.**

Trustee McInnes made a motion to Approve the Agenda. Trustee Johnson seconded the motion.

Roll Call: Trustee McInnes – yes, Trustee Johnson – yes, Trustee Kearns – yes, Trustee Shearer – yes.

**Item #2 on the Agenda: Public Input. (Agenda Items Only).**

No Public Comments

**Item #3 on the Agenda: Mayor and Trustee Comments.**

Trustee Kearns had no comments at this time.

Trustee McInnes had no comments at this time.

Trustee Johnson had no comments at this time.

Trustee Shearer had no comments at this time.

Mayor Lowrance said that the Library received some funding for a digital sign like the School's and they are asking the Village to help pay for the sign. The sign will serve the whole community and can be used by the Village. The Mayor also let the Trustees know that GreenTree Solid Waste Authority has paid back the \$100,000 Loan that they had taken out from the Village last year.

**Item #4 on the Agenda: Consent Agenda.**

Trustee Shearer made a motion to Approve the Consent Agenda. Trustee McInnes seconded the motion.

Roll Call: Trustee McInnes – yes, Trustee Johnson – yes, Trustee Kearns – yes, Trustee Shearer – yes.

**Item #5 on the Agenda: Discussion/Action – Approval of Bills Paid for December, 2020.**

Trustee Shearer made a motion for the Approval of Bills Paid for December, 2020. Trustee Kearns seconded the motion.

Discussion: Trustee McInnes had some questions regarding the expenditure at Boots & Jeans in Ruidoso, he thought the price was expensive. The Trustees were advised that price comparisons were done and the cost of shipping and the hassles of returning the coveralls and jackets should they not fit properly since items cannot be tried on prior to purchasing, and the expense in time and fuel to travel to a further location to purchase the items for a less expensive price would offset any savings. So, the decision was made to make the purchase locally.

Roll Call: Trustee McInnes – yes, Trustee Johnson – yes, Trustee Kearns – yes, Trustee Shearer – yes.

**Item # 6 on the Agenda: Discussion/Action – Approval of Full Time Status for Michael Chavez.**

Trustee Shearer made a motion for the Approval of Full Time Status for Michael Chavez. Trustee Kearns seconded the motion.

Discussion: Trustee Kearns thought the reasoning for increasing Mr. Chavez to full time makes good sense to take up some of the grounds work instead of paying a third party. Trustee Kearns also noted that Mr. Chavez would be taking on some of the auto mechanical work, observing the Village will be well served. The Mayor shared a list of items that Michael has already repaired. Trustee Shearer said she whole heartedly agrees. Trustee Johnson thought it's a good idea to have somebody in house to take care of little mechanical things here rather than sending it out.

Roll Call: Trustee McInnes – yes, Trustee Johnson – yes, Trustee Kearns – yes, Trustee Shearer – yes.

**Item #7 on the Agenda: Approval – Employer Match of 3% for Village of Capitan Employee 457b Retirement Plan.**

Trustee Shearer made a motion for the Approval of Employer Match of 3% for Village of Capitan Employee 457b Retirement Plan. Trustee McInnes seconded the motion.

Discussion: The Mayor reminded the Board that \$100,000 went back in the General Fund so the Village is good for this year and looking at the reports, revenue is going up.

Trustee Shearer said it looks like the Trustees may be able to raise the match percentage.

Trustee Kearns feels this is the right thing to do. The Village wants to keep good people. People that will look at this as a profession not just a job and retirement is important in that aspect.

Roll Call: Trustee McInnes – yes, Trustee Johnson – yes, Trustee Kearns – yes, Trustee Shearer – yes.

**Item # 8 on the Agenda: Approval – Employees will be fully vested in Village of Capitan Employee 457b Retirement Plan after 6 months of employment.**

Trustee Shearer made a motion for the Approval of Employees will be fully vested in Village of Capitan Employee 457b Retirement Plan after 6 months of employment. Trustee Johnson seconded the motion.

Discussion: none

Roll Call: Trustee McInnes – yes, Trustee Johnson – yes, Trustee Kearns – yes, Trustee Shearer – yes.

**Item #9 on the Agenda: Discussion/Action – Approval of the Code Enforcement/Animal Control Officer Participation in the Public Employees Retirement Association (PERA).**

Trustee Shearer made a motion for the Approval of the Code Enforcement/Animal Control Officer Participation in the Public Employees Retirement Association (PERA). Trustee McInnes seconded the motion.

Discussion: Trustee McInnes verified that the position currently does not participate in a 457b plan. The Mayor confirmed that and said if this position is not included to participate in PERA then it will be the only position in the Village not able to participate in an employer matched retirement plan.

Trustee Shearer thought that any position at the Police Department should be able to participate in PERA.

Roll Call: Trustee McInnes – yes, Trustee Johnson – yes, Trustee Kearns – yes, Trustee Shearer – yes.

**Item #10 on the Agenda: Discussion/Action – Increase Annual Boot Allowance for Water, Street, Parks & Recreation and Police Departments' Employees from \$100.00 to \$200.00.**

Trustee Kearns made a motion to Approve an Increase Annual Boot Allowance for Water, Street, Parks & Recreation and Police Departments' Employees from \$100.00 to \$200.00. Trustee Shearer seconded the motion.

Discussion: Trustee Kearns reminded the Board of how much boots costs, he paid \$200.00 for a pair of work boots quite a while back and thought this was a reasonable request.

Trustee McInnes thought it was a little much because it's supposed to supplement the cost to the employee.

Trustee Johnson asked if what the Village pays is just a portion of the cost. Trustee McInnes replied yes, like a clothing allowance.

Trustee Shearer made the observation that these employees often work in tough conditions that can cause them to quickly go through boots. She supports the increase.

Trustee McInnes asked if they increase the Boot Allowance will they also be increasing clothing allowance, standard of living, those types of things? Mayor Lowrance said they can address that when discussing the Budget.

Trustee Kearns feels that \$200.00 is just a portion of the cost.

Trustee Shearer pointed out that they have been waiting for almost a year now to get current financial information, and having that would put the Board in a better position for making these decisions.

Trustee Kearns appreciates having a conservative voice in Trustee McInnes on the Board when it comes to the budget.

Roll Call: Trustee McInnes – no, Trustee Johnson – yes, Trustee Kearns – yes, Trustee Shearer – yes.

**Item #11 on the Agenda: Discussion/Action – Request to stop billing for sewer, owner using their own septic at 409 West Fifth Street – Ricke Huguley.**

Trustee Kearns made a motion to Approve the Request to stop billing for sewer, owner using their own septic at 409 West Fifth Street – Ricke Huguley, then he withdrew his motion to Approve. Discussion:

The Trustees decided they need more information before moving further with this item. Trustee Shearer made a motion to postpone pending legal advice Item #11 on the Agenda: Discussion/Action – Request to stop billing for sewer, owner using their own septic at 409 West Fifth Street – Ricke Huguley. Trustee McInnes seconded the motion.

**Item #11 on the Agenda: Discussion/Action – Request to stop billing for sewer, owner using their own septic at 409 West Fifth Street – Ricke Huguley. (continued)**

Discussion: Steve Osborn said the property was not hooked up, as far as he could tell to the sewer system but Mr. Huguley has been paying for the service since July 2010. Per the Village Ordinance he should be hooked up to the sewer line and should be paying for the service. Questions the Trustees have, should the Village require Mr. Huguley to hook up to the Sewer line now per the Ordinance, should he be refunded? Should the Ordinance be reviewed? Also, are there State environmental requirements regarding being hooked up to a sewer system in the Village? Are there other properties that are not hooked up to the sewer system that should be according to the ordinance? Would a refund be in violation of anti-donation laws?

Roll Call: Trustee McInnes – yes, Trustee Johnson – yes, Trustee Kearns – yes, Trustee Shearer – yes.

**Item #12 on the Agenda: Discussion/Action – Approval of Building Permit for a Storage Container at 101 Carole Drive – Sherry Ann Hair.**

Trustee McInnes made a motion for the Approval of Building Permit for a Storage Container at 101 Carole Drive – Sherry Ann Hair. Trustee Johnson seconded the motion.

Discussion: Trustee Kearns pointed out that this is a permit for a Shipping Container and while there is nothing in the ordinances at this time prohibiting shipping containers and he would approve this request, he would like to address changing the ordinances prohibiting Shipping Containers and would like to see this on a future Agenda for discussion. Trustee Kearns thinks allowing shipping containers on properties result in lowering the property values of other properties in the area. He said that was his professional opinion.

Trustee Shearer thinks that the Board should consider the average annual income of the Village of Capitan and ought to be extremely careful restricting what people can do with their own property based on a realtor's approach of what a property value should be.

Roll Call: Trustee McInnes – yes, Trustee Johnson – yes, Trustee Kearns – yes, Trustee Shearer – yes.

**Item #13 on the Agenda: Approval – Resolution 2021-01 Participation in Local Government Road Fund Match Waiver Program Administered by New Mexico Department of Transportation.**

Trustee Shearer made a motion to Approve Resolution 2021-01 Participation in Local Government Road Fund Match Waiver Program Administered by New Mexico Department of Transportation. Trustee Johnson seconded the motion.

Discussion: none

Roll Call: Trustee McInnes – yes, Trustee Johnson – yes, Trustee Kearns – yes, Trustee Shearer – yes.

**Item #14 on the Agenda: Discussion/Action – Old Business Projects and Funding.**

None

**Item #15 on the Agenda: Discussion/Action – New Business Projects and Funding.**

None

**Correspondence:**

There was no discussion regarding Correspondence.

**Adjournment:**

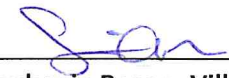
Mayor Lowrance Adjourned the meeting at 5:22 PM.



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Ron Lowrance, Mayor, Village of Capitán

**Attest:**



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Stephanie Bason, Village Clerk

## Regular Meeting

**January 12<sup>th</sup>, 2021**

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