

**Minutes
Regular Meeting
May 11th, 2021**

The Village of Capitan Board of Trustees met in a Regular Meeting on Tuesday, May 11th, 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 4:33PM.

Roll Call: Mayor Lowrance – present, Trustee Shearer – present, Trustee McInnes– present, Trustee Kearns – present, Trustee Johnson – not present, Stephanie Bason – Village Clerk, Grace Centrella – Finance Officer, J. Leinneweber – Administrative Assistant, Angela Autrey – Court Clerk/Human Resources Clerk, LeAnne Brasher – Acting Clerks’ Assistant, Steve Osborn – Water Utilities Supervisor, Johnathan LaMay – Street Department Supervisor and Kevin Kennedy – Fire Chief 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 Shearer seconded the motion. All were in favor, motion carried.

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

A member of the public said, with regards to Item#6, that she hadn’t seen a notice posted for the position after the Mayor had temporarily appointed LeAnne. She pointed out that it is a requirement the notice be posted for five (5) days according to the Village ordinance. She went on to say that that in her opinion the notices for job postings should be posted for a longer period of time. J. assured her that at the time of LeAnne’s appointment the notice had already been posted for several days at the designated places and was only taken down after the five (5) day required period had ended, all in compliance with the Village ordinance.

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

Trustee McInnes announced he is resigning from the Board of Trustees and read aloud his Letter of Resignation, a copy of which is attached to these Minutes. Trustee McInnes said the title of his letter, “Rendezvous With Destiny” was taken from Regan’s 1964 Convention speech.

Trustee Kearns had no comments at this time.

Trustee Shearer wanted to thank Trustee McInnes “for his time” on the Board. She was also happy to see the public back in attendance, in person.

The Mayor thanked Trustee McInnes “for filling the position”. The Mayor pointed out that Trustee McInnes and the Mayor’s boys “go a long ways back” and he hoped the Trustee “learned something” and the Mayor knows Trustee McInnes help the Board. The Mayor wants to help Trustee McInnes move forward with his life, “God bless and go forth”. The Mayor went on to say he’s is “expecting a lot of stuff out of you.”

Item #3 on the Agenda: Mayor and Trustee Comments. (Continued)

Trustee McInnes will be attending Oklahoma City University School of Law. He said he “wants to do criminal”, he wants “to do elder law as well” and he would like to, when he can visit on weekends, do “free will writing for the people of Capitan.”

Item #4 on the Agenda: Approval of Minutes – Budget Workshop May 6th, 2021.

Trustee Shearer made a motion to Approve the Minutes – Budget Workshop May 6th, 2021. Trustee McInnes seconded the motion. All were in favor, the motion carried.

Item #5 on the Agenda: Discussion/Action – Approval of Bills Paid for April 2021.

Trustee Shearer made a motion for the Approval of Bills Paid for April 2021. Trustee McInnes seconded the motion.

Discussion: Trustee Shearer thanked Grace for continuing to do a good job on the bills paid reports to the Trustees.

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

Item #6 on the Agenda: Action – Approve the Hiring of LeAnne Brasher as Clerks’ Assistant.

Trustee Kearns made a motion to Approve the Hiring of LeAnne Brasher as Clerks’ Assistant. Trustee Shearer seconded the motion.

Discussion: Trustee Shearer said she had been hearing from Stephanie that LeAnne has been doing a really great job. She’s been helping with the Budget and other things and Trustee Shearer is “in support of this.” Stephanie confirmed that LeAnne is doing a great job. Stephanie wanted to make a comment that she hadn’t gotten a chance to earlier and that was to inform the Board that there was another individual that picked up an application for the position but never returned it back to the Village. So other than LeAnne’s there were no other applications.

The Mayor said that LeAnne has been a big help to him with understanding Finance.

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

Item #7 on the Agenda: Discussion/Action – Increase Employer Contribution for 457b Retirement Plan.

Trustee Shearer made a motion to Approve an Increase to the Employer Contribution for the 457b Retirement Plan of 6%. Trustee Kearns seconded the motion.

Discussion: Trustee McInnes was concerned that the increase “may not be the most prudent use of resources currently.” He understands where Trustee Shearer is coming from too, but that is his position. Trustee Shearer said that she feels comfortable, after reviewing the Budget that it can sustain the \$15,000 increase. She reminded the Board that when the 3% match was implemented it was a “bare bones” amount and that she agreed to review the matter for a better match. She feels the 6% match is not a large increase and comparable to what the Police Department employees are getting, which is 10% and 15%.

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

Item #8 on the Agenda: Discussion/Action – Approve for the Fire Department the Purchase of Bunker Gear at a cost of \$9,000.00.

Trustee McInnes made a motion to Approve for the Fire Department the Purchase of Bunker Gear at a cost of \$9,000.00. Trustee Shearer seconded the motion.

Item #8 on the Agenda: Discussion/Action – Approve for the Fire Department the Purchase of Bunker Gear at a cost of \$9,000.00. (Continued)

Trustee Shearer said she noticed that there are still funds in the Fire Fund that need to be spent. Kevin said some of the funds are encumbered by a brush truck and a service truck he has on order that are much needed and will go on Purchase Order before the end of the Fiscal Year.

The Mayor introduced Kevin Kennedy to the Public as the Village's Fire Chief in case they were not aware. Kevin advised the Board that he has 22 individuals that he needs to get "geared up". The current gear is older than its approved life of 10 years and the Fire Department needs to get in compliance.

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

Item #9 on the Agenda: Discussion – Pricing of Water & Sewer Service.

Trustee Shearer feels that the pricing of Water & Sewer services should not exceed the cost of operation to the Village, the other Trustees agree. She reminded the Board that the moratorium on extra-territorial water taps was repealed a long time ago but the public is under the impression that the Village doesn't allow it. The rate for extra-territorial water is 1.5 times of with-in Village limits rate. If the Village just provides the taps that the ordinance allows, this would generate more revenue and there wouldn't be a need to raise rates. Trustee Kearns is in full agreement with this assessment. Steve Osborn was asked for his input. He advised the Board that every year in May the Village increases or decreases its rates by May's Federal Consumer Price Index and it may be required by Village Ordinance. Steve believes part of the reason for adjusting the rate annually is to avoid a large increase further on in the years to come.

Trustee Shearer repeated her desire to see a Tap report, how the Village is managing the system. There could be ways other than increasing rates to increase needed revenue.

Steve said he is aware of a rate study and should be hearing more on Monday and the Village may be eligible for a free rate study.

Trustee Shearer said the Village needs to update its 40 Year Water Plan, the plan is 25 Years old. She thought a rate study could be incorporated in the update process.

Item #10 on the Agenda: Discussion – Budget for Fiscal Year 2021/2022.

The Mayor asked if the Trustees had any questions regarding the items they received or require additional information prior to the upcoming Budget Workshop. They did not.

Item #11 on the Agenda: Discussion/Action – Approve Lot Line Adjustment Transferring Tiger Drive from Capitan Municipal Schools to the Village of Capitan.

Trustee Shearer made a motion to Approve Lot Line Adjustment Transferring Tiger Drive from Capitan Municipal Schools to the Village of Capitan. Trustee McInnes seconded the motion.

Discussion: Trustee Kearns is happy to see the transfer of Tiger Drive "come to fruition", that the Village has been working on this for a couple years and its been an issue for the last 25/30 years. He's happy the Village was able to work with the other entities, the Municipal Schools and the State and he appreciates the effort.

The Mayor said the Village has started the procedure to get Grants to widen and straighten Tiger Road.

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

Item #12 on the Agenda: Discussion/Action – Approve

Trustee McInnes made a motion to Approve the Application for New Construction, Garage Addition at 165 Crestview Rd – Carl Dietzman. Trustee Shearer Seconded the motion.

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

Item #13 on the Agenda: Discussion/Action – Approve the Closing of the Safe Deposit Account at Washington Federal in Capitan, NM.

Trustee Kearns made a motion to Approve the Closing of the Safe Deposit Account at Washington Federal in Capitan, NM. Trustee Shearer Seconded the motion.

The Mayor said the Village doesn't need it and it cost the Village \$40 per year. Trustee Shearer pointed out that any Warranty Deeds that would be stored in the box are on file with the County. Stephanie said there were no Warranty Deeds in the box when they reviewed the contents.

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

Item #14 on the Agenda: Discussion – November 2021 Municipal Elections.

The Mayor asked J. to update the Trustees on what she found out regarding the upcoming November Elections with regards to the Mayor's seat and the Board of Trustees. She informed the Board that the Ordinance adopted by the Village to extend terms of office so the elections can be run by the County cannot be applied to appointees due to overriding State statutes. This means that the only seat not up for election is the seat Trustee Kearns holds. The rest, including the Mayor's are up for election in the November 2021 election and then revert to their normal election year. Candidate filing day at the County in Carrizozo is Tuesday, August 24, 2021.

Item #15 on the Agenda: Discussion/Action – Approve Holding of Community Service Award Directly Following Regular Trustee Meeting at Village Hall.

Trustee Shearer made a motion to Approve Holding of Community Service Award Directly Following Regular Trustee Meeting at Village Hall. Trustee McInnes seconded the motion.

The Mayor invited the public attending the Trustee Meeting to stay for the Award Ceremony presented by the Library to their volunteers. The Mayor asked to be informed if others wish to recognized individuals or groups that have made special efforts for the community. Trustee McInnes thought Nateal should be in the running due to her great job in communicating updates and information on the Three Rivers Fire on the Find it in Capitan Facebook page.

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

Item #16 on the Agenda: Discussion/Action – Old Business Projects and Funding.

No Old Business to discuss.

Item #17 on the Agenda: Discussion/Action – New Business Projects and Funding.

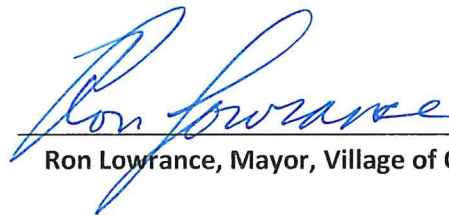
- a. Trustee Shearer made a motion to Approve Resolution – 2021-07 Budget Adjustment Resolution \$5,000 from the General Fund to Smokey Bear Enterprises. Trustee Kearns seconded the motion. To adhere to the Open Meetings Act, the Trustees decided not hold a vote on this now but wait until the item can be placed on the Agenda of the Meeting. Trustee Shearer made a motion to postpone the Approval of Approve Resolution – 2021-07 Budget Adjustment Resolution \$5,000 from the General Fund to Smokey Bear Enterprises until the Special Meeting.
- b. To adhere to the Open Meetings Act, the Trustees decided not hold a vote on this now but wait until the item can be placed on the Agenda of the next Meeting. Trustee Shearer made a motion to postpone the Approval Resolution – 2021-08 A Resolution by the Village of Capitan Requesting Immediate Reforms to New Mexico’s Education System until the Special Meeting.

CORRESPONDENCE

There was no discussion regarding Correspondence.

ADJOURNMENT

Mayor Lowrance Adjourned the meeting at 5:07 PM



Ron Lowrance, Mayor, Village of Capitan

Attest:



Stephanie Bason, Village Clerk

Kohlby McInnes

Village of Capitan

05/11/21

Rendezvous With Destiny

Friends, citizens, the Board of Trustees, and the Mayor of Capitan, I come before the board today to announce my resignation as a Village Trustee. I was born and raised in Capitan, and it has been my highest honor and privilege to serve on this board. I want to thank the Board of Trustees for my appointment, and the Mayor for choosing me to fill this position. I am leaving to fulfill a dream that I have had ever since I was in middle school; I will be leaving in mid to late May to start law school early. I will be back though, but until then I'd like to leave the governing body with a quote from Thomas Paine: "These are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of his country; but he that stands it now, deserves the love and thanks of man and woman" (p. 1).

My resignation will go into effect May 12, 2021. Thank you again to everyone; it has been a pleasure. I would like to strongly suggest that you fill my position with Drew Haynes.

4:30 PM

[illegible]