

**Minutes
Special Meeting
May 18th, 2021**

The Village of Capitan Board of Trustees met in a Regular Meeting on Tuesday, May 18th, 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 4:32 PM.

Roll Call: Mayor Lowrance – present, Trustee Kearns – present, Trustee Johnson – present, Trustee Shearer – present, Stephanie Bason – Village Clerk, Grace Centrella – Finance Officer, J. Leinneweber – Administrative Assistant, Angela Autrey – Court Clerk/Human Resources Clerk, Steve Osborn – Water Utilities Supervisor and Johnathan LaMay – Street Department Supervisor were also present. A list of others in attendance is attached.

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

Trustee Shearer made a motion to Approve the Agenda. Trustee Johnson seconded the motion. All were in favor, motion carried.

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

There were no public comments

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

Trustee Johnson has no comments at this time.

Trustee Shearer has no comments at this time.

Trustee Kearns has no comments at this time.

The Mayor advised the Board that prices for materials are going up and will affect the cost of current and future projects. Also, the Village didn't receive any bids for the paving of Main Road. One reason may be that advertising was done in Bernalillo County not locally.

Item #4 on the Agenda: Consent Agenda:

- a. Approval of the Minutes: Regular Meeting – May 11th, 2021
- b. Approval of the Minutes: Budget Workshop – May 11th, 2021

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

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

Item #5 on the Agenda: Action - Approval of the Resignation of Kohlby McInnes as a Trustee of the Village of Capitan.

Trustee Kearns made a motion to Approve the Resignation of Kohlby McInnes as a Trustee of the Village of Capitan. Trustee Shearer seconded the motion.

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

Item #6 on the Agenda: Discussion – Appointment of Trustee

The Mayor said he has three people that are interested, but that it came down to a question of nepotism. The Mayor read for the record the Village's Ordinance on nepotism §55-21, a copy of which is attached to these minutes.

Trustee Shearer feels "uncomfortable", the new Civil Rights act just passed "was so broad" she would like to avoid anything that would open the Village up to a violation. Trustee Shearer asked the individual with the possible nepotism issue that is interested in the Trustee position, present at the meeting, to introduce herself.

Sherry Hair lives in Capitan, her brother, Kerry Hair is an employee of the Capitan Water Department. She said she's invested in the Village and given her past positions and responsibilities she would complement the Village Board. The Mayor has her resume, her experience is "primarily with education" 25 years and has "a strong background in the military as well". She said she "wants to see this community thrive" and wants to serve, "it's an honor to serve" and wants "to fulfill the requirement for making this area prosper."

Trustee Shearer would like to hear from all three of the interested parties. The Trustees discussed the fact that while Sherry would not be directly supervising her brother Kerry, as a Trustee she would be involved in decisions regarding salaries and budget for the Water Department and want to avoid the appearance of impropriety. It was decided they would review Sherry's resume along with profiles of the other interested individuals at the next Regular Meeting.

Item #7 on the Agenda: Discussion/Action – Approve Resolution – 2021-07 Budget Adjustment Resolution \$5,000 from the General Fund to Smokey Bear Enterprises.

Trustee Shearer made a motion to Approve Resolution – 2021-07 Budget Adjustment Resolution \$5,000 from the General Fund to Smokey Bear Enterprises. Trustee Johnson seconded the motion.

Discussion: None

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

Item #8 on the Agenda: Discussion/Action – Approve Resolution – 2021-08 A Resolution by the Village of Capitan Requesting Immediate Reforms to New Mexico's Education System.

Trustee Shearer made a motion to Approve Resolution – 2021-08 A Resolution by the Village of Capitan Requesting Immediate Reforms to New Mexico's Education System. Trustee Johnson seconded the motion.

Discussion: The Mayor said he is tired of the State of New Mexico ranking between 47th and 49th in the country in education for the last 20 years. The ranking includes completing 12th grade, suicides, grade point averages and the number of individuals that take effective jobs after graduation. The Mayor asked for the Trustees support citing that "the children are our future".

Trustee Shearer "wanted to say that as far as Capitan schools are concerned" her kids had gone through school and graduated from Capitan, one going on to graduate from New Mexico State. "this is not a commentary on our local school. We have a very fine local school, we have fine teachers here. This is a commentary on the statewide system, particularly the Public Education Department" that she thinks "is a little too administration heavy and not enough teachers in the classroom."

The Mayor agreed and said he met with the Capitan Schools the previous day and that he was "really impressed with the School Board."

Item #8 on the Agenda: Discussion/Action – Approve Resolution – 2021-08 A Resolution by the Village of Capitan Requesting Immediate Reforms to New Mexico’s Education System.(Continued)

Trustee Kearns said he taught math and science for over 10 years, has a Master’s Degree in Education and can offer a perspective from being in the classroom. He said what the current Administration is focusing on now is early childhood education which he thinks “is a wonderful thing”. Trustee Kearns said this program gets “young parents who may or may not have a good education or a good experience in education” on the teachers’ side early and involved in developing the curriculum for their child. Over time the parents can become more involved resulting in the child doing better in school. Trustee Kearns made the observation that the ranking of 49th in the country hurts New Mexico economically since it may deter corporations and others from coming to the state. He went on to say he feels the “Administration is on the right track.” A member of the Public asked the Mayor to read or summarize the Resolution.

The Mayor read Resolution 2021-08 for the record to all present, a copy of which is attached to these minutes.

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

Item #9 on the Agenda: Discussion – Increase in Water Rates effective May 1, 2021 per Village Ordinance§215-9.

Trustee Shearer feels the Water System has been mis-managed by the Village Trustees for the last 20 years. The answer is not to “just keep raising the water rates” and to keep doing so is “irresponsible”. Even the rate increase of \$1 or \$2 won’t have a large effect on the revenue. Trustee Shearer wants the Village to consider more extraterritorial connections as the Ordinance allows. It seems the Village has been turning away requests and that should stop.

Steve Osborn said he currently has two requests for this type of connection.

Trustee Shearer said that the Village is currently leasing some of its water rights to another community and that should be looked at to retain water for the Village to be able to sell.

Trustee Johnson said if we have water we should be selling water, the Village should not be denying service and that in the past the Village just wasn’t sure of the supply status.

Steve Osborn said we have plenty of water and that the proposed study would offer more information regarding future water rights and water supply.

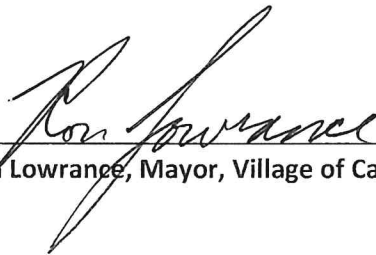
It was decided the increase to the water rates would go on the Agenda at the next Regular Meeting for a vote by the Trustees.

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

Still to be determined are any proposed raises, cost of living and raises to correct hourly wages for the employees. Final numbers will be presented to the Board and a vote taken at a Special Meeting to be held as soon as possible in compliance with the Open Meetings Act, thought to be Friday, May 21, 2021 at 4:30 PM. The deadline to turn in the Interim Budget to the State is May 31, 2021.

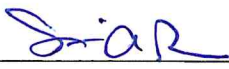
ADJOURNMENT

Mayor Lowrance Adjourned the meeting at 5:36 PM



Ron Lowrance, Mayor, Village of Capitán

Attest:



Stephanie Bason, Village Clerk

Chapter 55. Personnel Policies and Procedures

Article II. Recruitment, Selection and Appointment

§ 55-21. Nepotism.

It is the policy of the Village of Capitan to avoid the practice or appearance of nepotism in employment. In carrying out this policy, the following rules shall apply without exception:

- A. No relative whatsoever shall be hired in a capacity where that person would be subject to supervision by the Mayor or Board of Trustees if related by blood or marriage to the Mayor or a member of the Board of Trustees.
- B. No person shall be hired, promoted, or transferred to a position which is under the immediate supervision of a relative. For purposes of this rule, "relative" includes: spouse, child, parent, brother, sister, son-in-law, daughter-in-law, parent-in-law, brother-in-law, and sister-in-law.
- C. Except as provided in Subsections **A** and **B** of this section, no applicant or employee who is a relative of another Village employee shall be prohibited from seeking and holding a Village position or from retention and advancement in the Village service, provided such applicant or employee meets all applicable qualifications on a competitive basis.

4:30 PM

[illegible]