

**Minutes
Regular Meeting
November 9th 2021**

The Village of Capitan Board of Trustees met in a Regular Meeting on Tuesday, November 9th, 2021 at the Village Hall in Capitan, New Mexico at 6:00 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 6:01 PM.

Roll Call: Mayor Lowrance – present, Trustee Shearer – present via Zoom, Trustee Fraley – present, Trustee Kearns – present, Trustee Johnson – not present. Stephanie Bason – Village Clerk via Zoom, Grace Centrella – Finance Officer, J. Leinneweber – Administrative Assistant, Angela Autry – Court/Human Resources & Licensing Clerk, Steve Osborn – Water Utilities Supervisor, Johnathan Lamay – Street Supervisor, Randy Spear – Village Chief of Police, and Kevin Kennedy – Village Fire Chief were also present. A list of others in attendance is attached.

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

Trustee Kearns made a motion to Approve the Agenda. Trustee Fraley seconded the motion.

Roll Call: Trustee Shearer – yes, Trustee Fraley – yes, Trustee Kearns - yes

Item #2 on the Agenda: Public Input. (2 Minute Limit per Speaker).

There were no comments from the Public.

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

Trustee Kearns had no comments at this time.

Trustee Fraley had no comments at this time.

Trustee Shearer had no comments at this time.

The Mayor had no comments at this time.

Item #4 on the Agenda: Consent Agenda:

- a. Approval of the Minutes: Regular Meeting – October 12th, 2021
- b. Approval of the Minutes: Special Meeting – October 26th, 2021

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

Roll Call: All were in favor, the motion carried.

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

Trustee Fraley made a motion to Approve the Bills Paid for October 2021. Trustee Kearns seconded the motion.

Discussion: There was no discussion of this item.

Roll Call: Trustee Kearns – yes, Trustee Fraley – yes, Trustee Shearer - yes

Item #6 on the Agenda: Discussion/Action – Approve an Hourly Rate of \$20 for Kevin Kennedy – Projects & Grants Administrator.

Trustee Kearns made a motion to Approve an Hourly Rate of \$20 for Kevin Kennedy – Projects & Grants Administrator. Trustee Fraley seconded the motion.

Discussion: Trustee Fraley asked when the pay increase would start? The Mayor advised the Board it will start November 22nd, 2021.

Trustee Shearer said she will be voting no pending the Budget Workshop. Bobby Johnson had advised Trustee Shearer that the Board will have good numbers at the Budget Workshop. Trustee Shearer said she has discussed this with Kevin Kennedy.

Roll Call: Trustee Shearer – no, Trustee Kearns – yes, Trustee Fraley - yes

Item#7 on the Agenda: Discussion – Schedule a Budget Workshop for the Village of Capitan Board of Trustees.

Discussion: The Mayor advised the Board that LeAnne Brasher, who is working on entering the 2020/2021 finance data onto QuickBooks, should be done by December.

The Mayor asked when the Audit would start and when will the CPA be in to do the Financial Structural Assessment. Stephanie advised the Board the Audit should be in Mid-December and the CPA Assessment will start the last week of November/first week of December.

Trustee Shearer asked Stephanie when the Audit is due? Trustee Shearer said she doesn't want it to be late again.

The Board scheduled a Budget Workshop for Monday, December 6th, 2021 at 6:00 PM.

Item #8 on the Agenda: Discussion/Action – Adoption of Resolution – 2021-18 Recognizing October as Domestic Violence Awareness Month.

Trustee Kearns made a motion to Adopt Resolution – 2021-18 Recognizing October as Domestic Violence Awareness Month. Trustee Fraley seconded the motion.

Discussion: Trustee Fraley asked if the Village had any events scheduled for this? The Mayor replied no, the Village is recognizing October as Domestic Violence Awareness Month through a Resolution. The Mayor said the request for Recognition came from Miss Beckman of COPE at the last Trustee Meeting and that October is widely recognized throughout the United States as Domestic Violence Awareness Month.

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

At this time Stephanie was able to confirm to the Board that the Audit is due on the 15th of December. Trustee Shearer asked if the Auditor would be able to start between the 1st and the 15th of December? Stephanie advised the Board that the Auditor is ready to go, they are just waiting for the Ok from the Department of Finance Administration (DFA) that the Firm is approved. Stephanie said she had an email from the DFA and the approval should come in very soon.

Item #9 on the Agenda: Discussion/Action – Adoption of Resolution – 2021-20 Amendment to ICIP List Adding Healing America’s Heroes.

Trustee Kearns made a motion to Discuss the Adoption of Resolution – 2021-20 Amendment to ICIP List Adding Healing America’s Heroes. Trustee Fraley seconded the motion.

Discussion: Trustee Kearns asked for clarification on why Healing America’s Heroes (HAH) needed to be added to the ICIP List since they would be seeking their own funding? Kevin confirmed to the Board that HAH would be seeking their own funding and that one of the funding sources would be Capital Outlay through the New Mexico Department of Finance Administration (DFA) and that they need a Fiscal Agent to proceed. The Trustees voted in their last Meeting that the Village of Capitan would act as Healing America’s Heroes’ Fiscal Agent and a Fiscal Agent Agreement between the Village of Capitan and HAH will need to be executed but has not been drawn up yet. He went on to explain that the DFA has granted an Amendment to the Village’s ICIP List to include HAH. This is necessary for HAH to be eligible to apply for Capital Outlay funds. Kevin suggested the Board Adopt Resolution – 2021-20 at this time and the Fiscal Agent Agreement can be ready for a vote at the next Trustee Meeting.

Trustee Fraley wanted to confirm that HAH would be writing their own Grant requests, that the Village wouldn’t be taking that on? The Mayor confirmed this. The Mayor explained that the Village as Fiscal Agent would be facilitating the fund reimbursements to Healing America’s Heroes from the Grant. The Mayor said the Board could vote on this Resolution now and postpone the vote on Item #10 as it has not been completed yet. The Fiscal Agent Agreement will be ready by the next Trustee Meeting. Trustee Fraley made a motion to Approve Resolution – 2021-20 Amendment to ICIP List Adding Healing America’s Heroes. Trustee Kearns seconded the motion.

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

Item #10 on the Agenda: Discussion/Action – Approval of Fiscal Agent Agreement Between the Village of Capitan and Healing America’s Heroes.

Trustee Fraley made a motion to Postpone the Approval of the Fiscal Agent Agreement Between the Village of Capitan and Healing America’s Heroes. Trustee Kearns seconded the motion.

Discussion: There was no discussion of this item.

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

Item #11 on the Agenda: Discussion/Action – Approve the Use of \$6,377.37 of \$176,000 Received in Covid Relief Funds for Qualifying Delinquent Water Customers.

Trustee Kearns made a motion to Approve the Use of \$6,377.37 of \$176,000 Received in Covid Relief Funds for Qualifying Delinquent Water Customers. Trustee Fraley seconded the motion.

Discussion: Trustee Kearns asked what criteria would be used to establish who is qualified to receive funds to pay delinquent Water accounts?

The Mayor clarified that these Funds were received from the Federal Government. He explained that there are two (2) State Senators suing the Governor for dispersing the Funds. The Funds could be called back unless they have been allocated. Taking care of delinquent water bills is one of the uses the Federal Government had intended when they approved the Funds.

Trustee Kearns asked how the Village is determining who will be forgiven their past due amount or is it a blanket forgiveness? The Mayor said the use of the funds is to help those who have shown “good faith” in paying their delinquency to get caught up.

Item #11 on the Agenda: Discussion/Action – Approve the Use of \$6,377.37 of \$176,000 Received in Covid Relief Funds for Qualifying Delinquent Water Customers. (Continued)

Steve Osborn explained that Charlene, the Village's Water Clerk worked on the delinquent list and who is eligible. The State of New Mexico has determined the criteria to qualify for this program, which Charlene has been following.

Trustee Kearns asked if the criteria could be provided to the Board so they would know and understand why someone had qualified for the program.

Grace clarified that this program is actually called the American Rescue Plan and is for people struggling due to Covid-19. She went on to explain that it "comes from the State and is to the community" and is to be used "for the community." Grace said that the \$176,000 represents half of the funds and the Village should get the remaining half next year.

Angela said that "one of the top priorities is for bill payments."

Trustee Kearns asked again if the Board could get the criteria for qualifying for this program.

Stephanie said she would get it out to the Board Members. Stephanie invited the Board, if after receiving the criteria and they had questions, to come in and discuss them with Charlene. Charlene can also go over which residents have qualified for the program.

Trustee Kearns said he'd like to be informed, it's important to him that he understand so he's able to answer questions from the public about "how decisions were made."

Stephanie said Charlene's review has been made on a "case by case" basis.

Trustee Fraley asked if there is a list of what the funds can be used for or can it be used for anything as long as it's for the community. Angela informed the Board that while there is no list of "approved uses" there is a list of what the funds cannot be used for.

Trustee Fraley thought it important that during the Budget Workshop the Board look at allocating the remainder of the \$176,000 so it couldn't be taken back by the State.

Trustee Kearns asked if anyone besides Charlene reviewed the accounts for qualification? Trustee Kearns thinks it's important that another person review the criteria to the approved accounts, he thinks there should be "some sort of oversight". Stephanie said after Charlene's review of the delinquent accounts and her determination of who qualifies she takes her findings to Stephanie or Angela who then give it a final review.

Trustee Kearns said it was good to know that there is a process in place with oversight to determine who qualifies for the program.

At this time Stephanie advised the Board that Trustee Shearer had lost her Zoom connection and was in the process of reconnecting to the meeting. Stephanie then said the Board could go ahead and vote with the members that were present. The Mayor said that there was still a quorum and it was ok to proceed with a vote.

Roll Call: Trustee Fraley – yes, Trustee Kearns – yes

Item #12 on the Agenda: Discussion/Action – Approve the Use of \$15,000 of the \$176,000 Received in Covid Relief Funds to Hire a Hydrologist for 1st Phase of Water Assessment.

Trustee Kearns made a motion to Approve the Use of \$15,000 of the \$176,000 Received in Covid Relief Funds to Hire a Hydrologist for 1st Phase of Water Assessment. Trustee Fraley seconded the motion.

Discussion: The Mayor invited Steve to address the Board and explain what was being requested.

Steve said that hiring a Hydrologist is the starting point for the Water Assessment, determining and obtaining the Village's water rights.

Item #12 on the Agenda: Discussion/Action – Approve the Use of \$15,000 of the \$176,000 Received in Covid Relief Funds to Hire a Hydrologist for 1st Phase of Water Assessment. (Continued)

Trustee Kearns asked if these were the same funds being discussed in Item #11? The Mayor confirmed this.

Trustee Kearns asked how hiring a Hydrologist qualifies for these funds. Steve said they would have to check it against the criteria for use of the funds. Angela said that in her research she discovered that a lot of Village's were using these funds for their Water. A Village's water supply is important and directly impacts the community.

Trustee Fraley asked how much of the \$176,000 has been used? The Mayor replied that so far just the \$6,377 for Item #11 and this request for \$15,000. He advised the Board that along with the what remains of the \$176,000 there is \$206,000 from Small Cities Assistance that hasn't been touched and the remaining \$176,000 that the Village will be receiving in May, 2022.

Trustee Kearns asked the name of the source of these funds. Grace replied they were from the American Rescue Plan.

Roll Call: Trustee Shearer – no response, Trustee Fraley – yes, Trustee Kearns – yes

Item #13 on the Agenda: Discussion – Burn Building Presentation by Kevin Kennedy – Village of Capitan Fire Chief.

Discussion: Kevin Kennedy introduced himself as the Fire Chief for the Village of Capitan Fire Department. He advised the Board that the American Rescue Plan is also focused on Fire. Kevin wanted to talk to the Board about a Steel Burn Building "and that a few months ago it was brought up that we were going to work on this project." It took some time but they were able to narrow down the price to \$550,000. The purpose of the Building is to provide training locally, a lot of the firefighters in Lincoln County can't take the time to go to Socorro for training. This type of training allows firefighters to experience what fire feels like "so they'll feel comfortable about going in a house, putting a fire out." Lincoln County Fire Departments have committed to contributing to the Burn Building. The Village of Capitan has the land for the Building and the water to facilitate this training so the Building will be placed in Capitan at the Wetlands. Kevin advised the Board that the funding to be applied for will be Federal. The structure itself is small. It's an engineered structure with a cement slab. All that's needed is for the Building to be shipped to Capitan and erected. The tower is three (3) stories high and the building has a smoke room. Kevin said this will help with the Insurance Services Office (ISO) points. He went on to explain that the ISO goes to every community and determines how well the Fire Department is prepared to fight a structure fire and they rate the Fire Departments from 10 to 1, 1 being best. As a Fire Department gets better and improves their training facility, their number goes down. With that in mind the result will be that all the ISO numbers in Lincoln County will go down and this reduces insurance rates for homeowners. The Village of Capitan has 105 hydrants, a good water system that in the past had never been inspected. Kevin had started the inspection process, next year will be the 3rd year of inspections which is what the ISO requires before reducing its number for a community, so Capitan will benefit from this as well.

The Mayor said Hondo, Carrizozo, Corona, Capitan and the Lincoln County Fire Departments are participating.

Kevin said currently Capitan's ISO score is a 6. If the Village can get down to a 4 it will make a significant cost savings for everybody.

Item #13 on the Agenda: Discussion – Burn Building Presentation by Kevin Kennedy – Village of Capitan Fire Chief. (Continued)

The Mayor reminded the Board that the Building is already engineered, hiring an engineering company and putting the project out for bid will not be required. Once purchased the Company will come out and erect the Building, “they will do everything.”

Trustee Kearns confirmed with Kevin that acquiring this Burn Building for Training will help the Village to train Firefighters to Level 2s.

Trustee Kearns asked if reaching out to communities further east of Lincoln County could be done?

Kevin said yes, they could come and train for their Level 2s and that any Fire Department outside the County would be charged. He said he’s very excited about this project and wanted to let the Trustees know about the project and its benefits to the community.

In response to a member of the public whose comment/question was unintelligible, Kevin said the cost should be 10% of \$550,000 which would then be split ten ways between the participating Fire Departments in Lincoln County.

Kevin said they should know by February/March of 2022 if they have the money and he will update the Trustees as new information becomes available.

The Mayor advised the Board that Kevin is asking for use of some of the American Rescue Plan Funds to help with this project which will be a great benefit to the community.

Item #14 on the Agenda: Discussion/Action – Approve a Building Permit for New Construction at 100 Long Rd. – Ronan Ivins & Rebecca Denniston.

Trustee Kearns made a motion to Approve a Building Permit for New Construction at 100 Long Rd. – Ronan Ivins & Rebecca Denniston. Trustee Fraley seconded the motion.

Discussion: There was no discussion of this item.

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

Item #15 on the Agenda: Discussion/Action – Approve Extra-Territorial Water Service at 121 Zia Dr. – Brian Newell.

Trustee Fraley made a motion to Approve Extra-Territorial Water Service at 121 Zia Dr. – Brian Newell. Trustee Kearns seconded the motion

Discussion: There was no discussion of this item.

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

Item #16 on the Agenda: Discussion/Action – Approve Extra-Territorial Water Service at 123 Zia Dr. – Aaron Humphreys.

Trustee Fraley made a motion to Approve Extra-Territorial Water Service at 123 Zia Dr. – Aaron Humphreys. Trustee Kearns seconded the motion.

Discussion: Steve advised the Board this will involve a water main extension. In an earlier meeting 123 Zia Dr was approved and the property owners would be paying for the main extension. Steve said there are a total of four (4) lots that could hook up to Village water, one hasn’t shown “any indication” that they want to do so, but two have been approved. Steve said the extension would be about 300 feet. He went on to say that Mr. Newell, approved in Item #16, had already paid for an extension, he thought in the 1990’s, to his property “on the other side of the road.”

Item #16 on the Agenda: Discussion/Action – Approve Extra-Territorial Water Service at 123 Zia Dr. – Aaron Humphreys. (Continued)

The property across the road, “technically his land”, probably will not require an extension. Given this, in Steve’s opinion, there are three (3) houses that should split the cost of the extension. Steve said for 300 feet the cost is \$3,000. Two (2) have been approved, one (1) tonight and one (1) in an earlier meeting. Steve suggests that if the 3rd home ever ties on then they would pay the remaining 3rd of the cost but that the Village would have to “eat that cost until then.”

Trustee Kearns, after confirming that the Village would be reimbursed when the 3rd property tied into the water main, said he “liked that idea.”

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

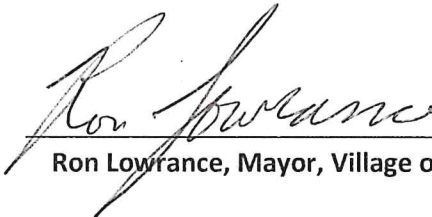
CORRESPONDENCE:

ADJOURNMENT:

Trustee Fraley made a motion to Adjourn. Trustee Kearns seconded the motion.


Roll Call: All were in favor, motion carried.

Mayor Lowrance Adjourned the meeting at 6:42 PM.



Ron Lowrance, Mayor, Village of Capitán

Attest:



~~Stephanie Bason, Village Clerk~~
Grace Centrella, Deputy Clerk

November 9th, 2021
6:00 PM

[illegible]