



ROBERT WILSON  
Mayor

PAM GRIDER  
Mayor Pro-Tem

## VILLAGE OF JEMEZ SPRINGS

### Municipal Office

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SUZETTE WALKER  
Trustee

DAVID P. RYAN  
Trustee

MANO SANCHEZ  
Trustee

# Minutes for Wednesday August 12, 2015 Regular Scheduled Council Meeting – 6:00 P.M. Village Governing Body Conference Room

## 1. Call to Order

*Mayor Wilson called the meeting to order at 6:00P.M.*

## 2. Pledge of Allegiance

*Mayor Wilson led everyone in the Pledge of Allegiance.*

## 3. Approval of Agenda

*Mayor Pro-Tem Grider asked to move items nine and ten up to 5 and 6.*

*Mayor Pro-Tem made a motion to approve the agenda as amended. Trustee Walker seconded the motion, all in favor; motion approved.*

## 4. Approval of July 21, 2015 Special Council Meeting Minutes.

*Trustee Ryan moved to approve the minutes of the July 21, 2015 Special Council meeting as presented. Trustee Sanchez seconded the motion, all in favor; motion approved.*

## 5. Reports Submitted/Not Submitted

- a. Maintenance
- b. Bath House
- c. Library Report
- d. Courts Report
- e. Waste Water *Clerk/Treasurer De Herrera stated that the WW got an extension to March 31, 2016, for the clean water revolving loan grant. This was as a safety measure in order not to lose funding and so the project can be completed.*
- f. Police Chief Report *Trustee Ryan stated needed to start enforcing the speeding laws.*
- g. P&Z Minutes
- h. Lodgers' Tax Minutes
- i. Fire Department

## 6. Discussion on Contract with American Legion.

*Trustee Sanchez stated that the American Legion would like to extend lease and change terms a little.*

*Terms:*

1. *We would like to go for a longer term, 50 years if possible.*

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2. *Rent – would like to change from 1500.00 a year and bring it down to \$0.00 because they would like to use the money for renovations instead of rent. They would be putting in a lot of money into renovations and repairs.*
3. *Requirements project list. Three are done, air conditioners, inside wall, and under floor storage area.*

*Mr. Don Conger stated that 4<sup>th</sup> of July happens mostly because of the American Legion, they are the ones that raise the money for the fireworks. Mr. Charlie Bracken stated that he was the newly appointed bar and kitchen manager and his focus is to bring more stuff to the community through the American legion. He stated that he drives up from Los Alamos because this is his legion. The American Legions have a lot of after school programs and they would like to get some of those programs to this area. The Legion gave four scholarships last year to the local school.*

*Trustee Walker stated that she would like to see more programs for the vets. Mr. Charlie Bracken stated that the Legion Riders already do that. He stated that some of the programs were “Wreaths across America” “Wounded Warrior” and they are starting more programs in this area. Trustee Walker stated there are few vets in the valley that need help. Audience member Ms. Struble asked about membership in the legion. They stated that the Sons of the Legion are up and they have about 70 members. They stated that the Sons of the Legion lost 3 members last year due to death. Trustee Sanchez stated that they might have four life members. Mr. Charlie Bracken stated that the Legion has steak nights that are geared towards members but open to the public, and more public than members participate. Trustee Walker asked about competition here in the Village. Mr. Charlie Bracken stated that it didn’t seem to bother the Legion. Trustee Walker stated that competition is healthy.*

*It was stated that the public could not drink alcohol, unless with a member. Audience member Ms. Wilson asked how the Legion impacted the other businesses. Mr. Charlie Bracken stated that he was not sure. Trustee Ryan asked what the money from steak night goes to. Mr. Charlie Bracken stated to fund the legion and some goes to operation wounded warrior, wreaths across America, as well as for scholarships for the kids. Patriot guard riders are also part of the Legion riders.*

*Mayor Wilson stated that his only concerns were the anti-donation clause and that a 50 year lease agreement might not protect the Village. The 50 year lease would have to protect the Village from the Legion if after a few years they thought of renting the place to Wal-Mart for example. Mayor Wilson stated that the contract needs to state that in five years it would be revisited and if all goals and objectives are being met it can continue and that way it protects both entities.*

*Mayor Wilson questioned what date he could expect the contract to be ready? Trustee Sanchez stated that by he end of the year, or maybe October. Trustee Ryan stated that it would make sense to make the contract start January 1, 2016 since they are paid until December 31, 2015. Trustee Ryan stated that he did have a problem with 50 year lease because after all improvements are done then the Village would be losing out on money.*

*Mayor Wilson stated that he would check with Mr. Randy Van Vleck on the anti-donation clause as well as lease requirements or regulations in regards to the Legion.*

*Trustee Sanchez stated that the Legion will be having Breakfast this Sunday, Spaghetti next Saturday, he stated that they serve breakfast from 9-12:30.*

## **7. Community Art Project presentation by Cynthia East.**

*Ms. Cynthia East stated that the Jemez Springs Presbyterian Church after school program has been going on since last June. (JASP) Jemez after School Program, have a mission to ensure creativity. She stated that they have dozens of children and many volunteers. One of the most wonderful projects from this year is the children’s art mural. Ms. East stated that she would like to permanently display it on village property; it would show support of art, beautification and show better connections with families. Ms. East then asked where she could display it.*

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*Discussions ensued with different locations. The tennis courts were discouraged because of vandalism and tagging so it was rounded down to either the new building or on the south side of the library.*

*Ms. Struble stated that with the grant for the new building, it was stated that any art to be displayed must go out to the public for bid.*

*Trustee Ryan stated that he did not have any problem putting it on the new building or the south side of the library.*

*Trustee Walker made a motion to accept it on the new building or library.*

*Trustee Ryan moved to approve the allowance of the painting to be placed on Village property with the placement to be determined later. Mayor Pro-Tem Grider seconded the motion. All in favor motion approved.*

*A tentative date to see if we like it the placements is Saturday afternoon at 3:00 meet at Presbyterian church north driveway.*

*Ms. Mary Nelson stated that they put an anti-tagging agent on the plaques on the bridges and maybe the Village could look into that to see what it was and how much it costs.*

#### **8. GRT's Hold Harmless.**

*Mayor Wilson explained the gross receipts tax rate that the village gets which is currently 1.4375%. He stated that all the information was included in the New Mexico Taxation and Revenue Departments Municipal Gross Receipts Tax Location Options included in the packets. He stated that the increase can be done but it must be done by ordinance.*

*Mayor Wilson stated that the municipalities can impose a maximum hold harmless gross receipts tax of three-eighths of one percent. It can be done in one-eighth increment up to an aggregate rate of three-eighth percent. This can be done by local options to be passed by the local municipalities. In order to make this effective January 1, 2016, we have to pass an ordinance at the September meeting so that by September 30 we can send notice to the Taxation and Revenue Department. Mayor Wilson stated that each increment of 1/8 would be about \$5,600.00.*

*It was stated that the last time GRT'S were raised here in the village was back in 1995. GRT's were raised by the County after that that, but not by the village.*

*Mayor Pro-Tem Grider asked what the current rate was and what the future rate would be. Mayor Wilson stated that the current rate is 6.9375, and would go up to 7.3125. Mayor Wilson stated that it needed to be done in 3 ordinances with each being 1/8, but could all be implemented at the same time.*

*Trustee Ryan made a motion to do what is necessary to bring 3 ordinances to increase our GRT'S with 1/8 increments to our September to be done all at once to go in effect January 1, 2016. Trustee Sanchez seconded the motion all in favor motion approved.*

#### **9. Approval of Ordinance #188 – Amend Ordinance No. 179: An Ordinance to add, change and delete to the Code of the Village of Jemez Springs, Chapter 130- Zoning.**

*Mayor Pro Tem Grider stated that errors were done in the Ordinance when first approved last year and so now the Village is correcting all the mistakes within the ordinance and there is no commercial use in the residential district.*

*Ms. Sandy Gaiser from MRCOG stated that the Village of Jemez Springs Planning and Zoning Commission has worked really hard to get a Comprehensive Land Use Plan, correct the mistakes in the Zoning Ordinance and have a done a great job. Ms. Gaiser stated that there was a lot of input and cooperation with the residents as well and was very surprised with the number of surveys filled out. She stated that there were a few errors that needed to be corrected and issues that needed to be addressed as far as the flood plain zone, but they had all been addressed.*

*Mayor Pro-Tem Grider stated that on page 19, we need to strike "in accordance with Item G", because it no longer is needed.*

*Village Clerk/Treasurer De Herrera stated that the numbers needed to be corrected as well, it was just a numbering issue and could be taken care of easily. Village Clerk/Treasurer De Herrera also explained the publishing rules and regulations for ordinances and when they actually become effective. She stated that she would be publishing these ordinances tomorrow and needed to be published for five days then they become law.*

*Mayor Pro-Tem Grider moved to approve with approve Ordinance #188 Amending Ordinance No. 179: An Ordinance to add, change and delete to the Code of the Village of Jemez Springs, Chapter 130,-Zoning with corrections. Trustee Ryan seconded the motion, all in favor; motion approved.*

#### **10. Approval of Ordinance #189 - Adopt the Comprehensive Plan: Adopt the Comprehensive Plan for the Village of Jemez Springs.**

*Mayor Pro-Tem Grider stated that everyone involved with the Comprehensive Land Use Plan did a wonderful job; committee members, community members, and Mr. Derrick Webb from MRCOG. Mr. Webb was amazed with the percentage of surveys filled out it showed a lot of community involvement.*

*Ms. Gaiser stated that the comprehensive land use plan is for a community in the future and the population of Jemez Springs is getting older and not as many kids. This plan takes into consideration how to serve residents in 15 to 20 years. Ms. Gaiser encouraged all to look at the comprehensive land use plan for the ICIP and it shows the interest of the community. Ms. Gaiser stated that a lot of the applications for grants ask if their ICIP projects are listed in the Comprehensive Land Use Plan and many of them would not get funded if there wasn't a CLUP in force.*

*Ms. Mary Nelson stated that the plan is great, but would like to know is there any way the Village could move forward on the plans in the ICIP or the comprehensive plan, because it doesn't seem like their getting done. Ms. Nelson asked about aging in place. Trustee Walker stated that she thought it was up to the community and not the governing body to show more interest in the projects and then they would see that they are being done.*

*Mayor Pro-Tem Grider stated that the comprehensive zoning ordinance already covers a lot of aging in place.*

*Mayor Pro-Tem Grider made a motion to approve Ordinance #189 -Adopt the Comprehensive Plan: Adopt the Comprehensive Plan for the Village of Jemez Springs. Trustee Walker seconded the motion, all in favor motion approved.*

#### **11. Approval of Resolution 2015-19: Approval of ICIP for Fiscal Year 2017-2021**

*Mayor Wilson stated that the Village would receive 90,000.00 for bathhouse renovations. He also stated that the bathhouse needs to be placed second on the list for fiscal year 2017-2021 and geothermal for all buildings be placed first. We will be asking for planning, design, and engineering monies.*

1. Geothermal \$120,000.00
2. Bath House \$

*Discussion ensued in regards to matching funds and engineering and grants.*

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*Trustee Walker moved to approve Resolution 2015-19: Approval of ICIP for Fiscal Year 2017-2021 with the discussed items of change including the geothermal. Trustee Ryan seconded the motion, all in favor: motion approved.*

## **12. Lodgers' Tax PR Contract Approval.**

*Mayor Wilson stated that he was asking for the authority to approve the hire of Ms. Erica Asmus-Otero as the new PR Director for the Village of Jemez Springs Lodgers' Tax Board. He stated that that Lodgers Tax would be paying for the contract.*

*Mayor Pro-Tem Grider stated that paragraphs 3 & 6 on "responsibilities of the Village" should be changed to state Village of Jemez Springs (Lodgers' Tax Board). Adding Lodgers' Tax Board.*

*Trustee Ryan moved to approve the Lodgers' Tax PR contract with Erica Asmus-Otero with amendments. Mayor Pro-tem Grider seconded the motion, all in favor; motion approved.*

## **13. Fire Department**

### *a. Administrative Assistant-Contract Funding; Prior Year & Budget*

*Mr. Peter Dudley stated that they need an administrative assistant. The work load is phenomenal. Mr. Dudley stated that they were having a hard time handling all the paperwork plus the day to day stuff before Craig came along. Mr. Peter Dudley stated that they are volunteers and he has volunteered for 20 years and has not received a penny for it. He doesn't see any problem with paying one individual \$250.00 a month to help the other volunteers who are actually volunteering their time.*

*Mr. Dudley stated all the monies that went out during year 2011 from the Friends of the Volunteer Fire Department.*

*Mr. Craig Francois is the assistant fire chief as well as the training coordinator. He handed a list of the items that he does not include in the other duties that he does as assistant fire chief.*

*It was stated that each firefighter is required to have 120 hours of training. That is equal to three weeks and it is a requirement for all volunteer firefighters, who mostly have full time jobs and it is hard to accomplish, without having to worry about the paperwork and fundamentals.*

*Mayor Wilson asked if the job was necessary.*

*1. Yes*

*Who pays for the position?*

*1. For those periods in the past who pays?*

*a. Does the village get reimbursed for past payments.*

*Mr. Dudley stated that the village got reimbursed \$5,000.00 and then there is \$894.00 that the Village couldn't find. They also bought an AED for the Chief.*

*Mr. Mark Michel stated the friends funds are private funds. The Friends Funds are to be spent on items that the Village and Fire Department cannot spend on. For example they had to get a security system in order to keep meds at the station for the EMS and the Friends Funds paid for that.*

*Trustee Ryan stated that he would like to see the rule of needing a security system in order to keep meds, because he has worked in the EMS department for over 20 years and has not heard of that rule. Trustee Ryan stated that other volunteer fire departments are far more busy and they don't pay anyone*

to do paperwork. Trustee Ryan stated that he did appreciate everything that Mr. Francois did but did not see the need.

Discussion ensued in regards to contracts, and payments. It was stated that a contract needed to be put in place with an evaluation, and the evaluation will be done by the Fire Department Executive Board or Fire Chief and Officers.

Trustee Walker moved to approve that the Village pay for the administrative assistant contract for the remaining of this fiscal year. Mayor Pro-Tem Grider seconded the motion, majority in favor; motion approved.

Trustee Ryan Opposed.

Trustee Sanchez made a motion to accept all prior as offset except for the \$894.00. Mayor Pro-Tem Grider seconded the motion, all in favor: motion approved.

#### **14. Monthly Reports**

##### **a. Village Clerk Report – Clerk/Treasurer De Herrera**

###### **1) Monthly Financial**

Village Clerk/Treasurer De Herrera explained all the forms. No questions.

#### **15. Mayor's Report**

Mayor Wilson stated that he had never publicly thanked the American legion or Mr. Robert Cart and his crew for making 4<sup>th</sup> of July successful.

Trustee Walker and Mayor Pro Tem Grider stated that Sylvia A. Roybal should also be thanked.

Mayor Wilson stated that there will be a concert this weekend at the Leyba land being done by Mr. Brian Appell and the Mayor stated that in good faith signed the permit, but Mr. Appell did not meet any of the qualifications and the Mayor wanted to state that publicly. Mayor Wilson stated that he would not sign another permit in good faith again for Mr. Appell.

Discussion ensued in regards to Los Ojos.


- a. Mayor Pro-Tem Grider** –stated that the Village needed to have a contract with Shane Johnson.
- b. Trustee Walker** – stated that in the packets was a copy of a proposal for the website for bath house. She stated that she would like the trustees to consider the proposal and have it on the agenda for next meeting. She stated we have security issues. Please read proposal. This proposal is just for the bath house. Trustee Walker apologized for the last meeting and some of her actions, and for her behavior. She also stated that an incident occurred with a Friend of the Library member and a Library Employee and that it may need to be addressed.  
**Mayor Wilson** - Mayor Wilson stated that the first proposal was for \$10,000.00 and it wasn't in the budget and now the second proposal is for \$14,000.00 so it is still not in the budget. Mayor Wilson stated that he thought the incident Trustee Walker was talking about just got exaggerated and was not anything that needed to be addressed as of yet.
- c. Trustee Ryan** – No report
- d. Trustee Sanchez** – No report

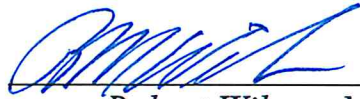
#### **16. Adjournment**

Trustee Ryan moved to adjourn the meeting. Trustee Sanchez seconded the motion, all in favor; Motion approved.

Meeting adjourned at 9:14PM.

ATTEST:

  
Lupita De Herrera, Clerk/Treasurer

  
Robert Wilson, Mayor