

**MINUTES
OF
REGULAR
MEETING**

08/12/22

City of Lordsburg
409 W. Wabash
Lordsburg, New Mexico 88045
Minutes of Regular Meeting
August 12, 2022

Meeting called to order at 12:00 p.m.

Welcome

Pledge of Allegiance

Present: Mayor Glenda F. Greene; Martha Salas, Finance Director; Linda S. Farnsworth, City Clerk; Councilor Rodney Plowman, Councilor Roxann Randall; Councilor Julie Montenegro; Councilor Martin Neave; Mayor Pro-Tem Alfredo Morelos, Jr., and Councilor Manuel D.V. Saucedo.

Attendance: 2 in audience that did not sign in and all who viewed on ZOOM

Approval of Agenda: Mayor Pro-Tem Morelos moved to approve the Agenda as written, 2nd by Councilor Plowman. Council polled. Motion carried.

1. Minutes – Budget Workshop July 29, 2022

Councilor Montenegro moved to approve the Minutes of the Budget Workshop of July 29, 2022, 2nd by Mayor Pro-Tem Morelos. Council polled. Motion carried.

2. Minutes – Zoning Commission Meeting July 29, 2022

Councilor Neave moved to approve the Minutes of the Zoning Commission Meeting of July 29, 2022, 2nd by Mayor Pro-Tem Morelos. Council was polled. Motion carried.

3. Minutes – Regular Meeting July 29, 2022

Councilor Randall moved to approve the Minutes of the Regular Meeting of July 29, 2022, 2nd by Councilor Montenegro. Council polled. Motion carried.

Finance Statement for July, 2022 and Bank Statement

Martha Salas, Finance Director addressed the Council regarding the Financial reports for the month of July 2022. Councilor Saucedo questioned as to why \$2,000,000.00 has not been moved to the overnight account to date. Mrs. Salas explained this balance includes part of the American Relief Act Funds. Councilor Saucedo also asked if the Crime Stoppers and Fire Department accounts could be transferred to the overnight account because of the interest rate being higher in the overnight account. Councilor Saucedo also questioned the Debt Service 2001 and Wastewater debt reserve account. Mrs. Salas stated the reserve accounts are restricted accounts through USDA and believed they could not earn interest. Councilor Saucedo asked Mrs. Salas to get proof of this. Mrs. Salas stated that the Crime Stoppers and Fire Department accounts will be moved to an overnight interest-bearing account. With no further questions or comments regarding the Financial Report, Mayor Pro-Tem Morelos made a motion to accept the report, 2nd by Councilor Plowman. Council was polled. Motion carried.

Old Business

- a). 9-hole Disc Golf – School Equipment, Inc. wrote a letter to the Mayor explaining that the new quote was actually for an 18-hole disc course and that they would stand by the quote for \$15,101.55 for the originally discussed 9-hole course. Vern Richardson, City IT Manager spoke before the Council and explained to them that an 18-hole course would be beneficial should we decide to have tournaments. Councilor Randall felt that 18 holes would cause Short Park to be too crowded and Councilor Plowman suggested that we start with 9 holes for now. Motion was made by Mayor Pro-Tem Morelos to go forward with the 9-hole Disc Golf Course, 2nd by Councilor Neave. Council was polled – 5 aye and 1 nay from Councilor Saucedo. Motion carried.
- b). Update of Police Chief Position – Discussion only. To date we have received eight (8) applications and will continue taking applications until the position is filled. Mayor Pro-Tem Morelos and Councilor Plowman have both expressed their interest to sit on an interview Board.

New Business

- a). Special Dispenser Application for Tejano Festival - Debbie Hood has brought all of her licenses up to date for the new fiscal year and motion was made by Councilor Saucedo for Debbie Hood to provide alcohol at the next Tejano Festival

on Labor Day Weekend, 2nd by Mayor Pro-Tem Morelos. Council was polled. Motion carried.

b). Quote from Archive Social – Mayor Greene explained that by contracting with Archive Social it will give us an extra layer of protection regarding Social Media. All comments on our Social Media pages (City, Mayor, Animal Control Office and Lordsburg Police Department) will be archived including the ones that were posted but later deleted. The quote for \$2,988.00 for one year is valid through 8/31/22. Motion was made by Councilor Montenegro to contract this service for one (1) year, 2nd by Councilor Randall. Council was polled. Motion carried.

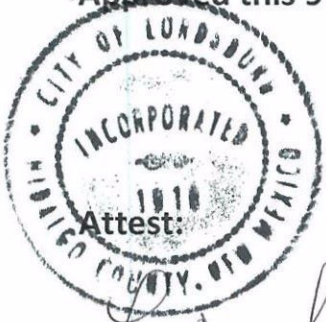
c). Sale of Property – Discussion only - The small building North of Memorial Park had an appraisal years ago but is no longer valid at today's market according to the previous appraiser, Joe Kenneally of Kenneally Appraisals. Three people are presently interested in purchasing the building from the City. Councilor Neave suggested that we have the building re-appraised to find out current market values. Mayor Pro-Tem Morelos agreed with Councilor Neave that we do need a new appraisal in order to sell the building.

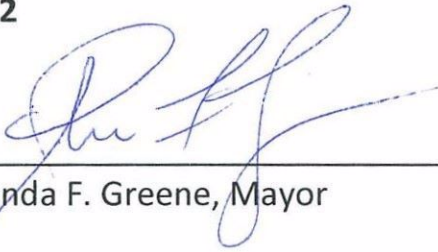
d). Update on SWNM Council of Governments Project (COG) – discussion only. There are 12 projects that the COG is presently working on for the City of Lordsburg and the Council was brought up to date on what COG is working on. Councilor Saucedo stated that he would like to see something done about painting the new overpass. It was suggested that the City should meet with the State Highway Department as they are responsible for the overpasses in Lordsburg.

Adjourn

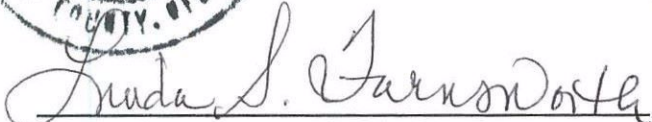
With nothing further to be discussed, a motion was made by Mayor Pro-Tem Morelos to adjourn, 2nd by Councilor Montenegro. Council was polled. Motion carried and meeting was adjourned at 12:31 p.m.

Approved this 9th day of September, 2022





Glenda F. Greene, Mayor



Linda S. Farnsworth, City Clerk

**RESOLUTION
NO.
2022-30**

**FOR SALE OF
SURPLUS
VEHICLES**

RESOLUTION NO. 2022-30

**State of New Mexico
City of Lordsburg**

A Resolution declaring a surplus of vehicles in the Police Department which are not essential for Municipal purposes and authorizing and directing the sale or disposal of said property in accordance with statutory requirements.

Police Department Surplus:

2012 Dodge Charger – 4 door - VIN 2C3CDXAT0CH278470
2012 Dodge Charger – 4 door – VIN 2C3CDXAT4CH142049
2009 Ford Crown Victoria – 4 door – VIN 2FAHP71V29X126043
2009 Ford Crown Victoria – 4 door – VIN 2FAHP71V49X126044
2009 Ford Crown Victoria – 4 door - VIN 2FAHP71VX9X140837

WHEREAS, 3-54-1, NMSA 1978 General Statutes authorizes the City of Lordsburg to dispose of surplus property; and

WHEREAS, The City of Lordsburg desires to dispose of the surplus vehicles listed for the Police Department;

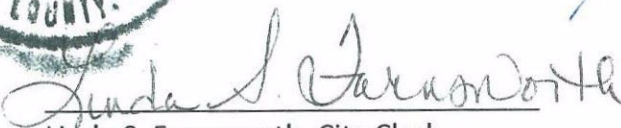
NOW, THEREFORE, BE IT RESOLVED by the governing body of the City of Lordsburg that the 2012 Dodge Chargers (2) and 2009 Crown Victorias (3) are hereby declared surplus and subject for disposal or sale.

BE IT FURTHER RESOLVED that the Office of the Clerk of the City of Lordsburg shall be and is hereby authorized to dispose of this surplus personal property in accordance with statutory requirements.

Passed, Approved and Adopted on September 9, 2022.



ATTEST:


Linda S. Farnsworth, City Clerk


Glenda F. Greene, Mayor

**RESOLUTION
NO.**

2022-31

**Amending Open
Meeting**

Resolution No.

2022-01

**Changing date
of meeting**

Resolution No. 2022-31
City of Lordsburg
Governing Body Meetings and Public Notice Required

AMENDING RESOLUTION NO. 2022-01 CONCERNING CHANGE OF GOVERNING BODY MEETINGS

Whereas, Section 10-15-1B, NMSA 1978, provides that “all meetings of a quorum of members of any board, commission or other policy-making body of any state agency, or any agency, or authority of any county, municipality, district or any political subdivision held for the purpose of formulating public policy, discussing public business of such board, commission or other public-making body, are declared to be public meetings open to the public at all times, except as otherwise provided in the constitution or the provision of the Open Meetings Act”; and

Whereas, Section 10-15-3A, NMSA 1978, provides that “no resolution, rule, regulation, or ordinance or action of any board, commission, committee or other policy-making body shall be valid unless taken or made at a meeting held in accordance with the requirements of Section 10-15-1, NMSA 1978”; and

Whereas, Section 10-15-4, NMSA 1978, provides that “any person violating any of the provisions of Section 10-15-1, NMSA 1978, is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than five hundred dollars (\$500.00) for each offense; and

Whereas, Section 10-15-1D, NMSA 1978, requires that “any meetings at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs, and at which a majority or a quorum of the governing body is in attendance, and any closed meetings, shall be held only after reasonable notice to the public. The affected body shall determine at least annually in a public meeting what notice for a public meeting shall be reasonable when applied to such body.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body, hereinafter “City Council” of the City of Lordsburg, New Mexico, that:

1. **Regular Meetings.** Notice shall be given at least five (5) days in advance of any regular meeting of a quorum of the members of the City Council, or other policy-making body held for the purpose of discussing public business or taking any formal action within the authority of such body. All requests for agenda items must be submitted to the Mayor or City Clerk 7 days before the meeting.
2. **Emergency Meetings.** Emergency meetings will be called only under unforeseen circumstances which demand immediate action to protect the health, safety, and property of citizens or to protect the public body from substantial financial loss. Emergency meetings may be called by the mayor or a majority of the members of the City Council upon twenty-four (24) hours notice, unless threat of personal injury or

property damage requires less notice. The notice for all emergency meetings shall include an agenda for the meeting.

3. **Work Sessions.** A “work session” is any meeting of a quorum of the City Council which does not involve any formal action by the governing body. Notice will be posted 72 hours prior to work session. Such sessions include, but are not limited to:
 - a. Discussion related to the formulation of public policy prior to the formal discussion or adoption of any resolution or ordinance pending before the City Council; and
 - b. Discussion of internal administrative actions concerning the operations of the City Council; and
 - c. Discussion, to gather information, between staff and the City Council in preparation for formal discussion or action;

Any person wishing to attend a work session of the City Council which has not been closed pursuant to NMSA 1978 Section 10-15-1(H) and 10-15-1(1) and this Open Meetings Act Policy shall be allowed to attend and listen to the discussions.

4. **Closed Meetings.** Pursuant to NMSA 1978, Section 10-15-1(H) and (1), the City Council upon its own motion may close a meeting to the public if the subject matter of such discussion or action is included in Subsection H of the Open Meetings act, NMSA 1978, Section 10-15-1, or if the need to close the meeting is required by other laws which specifically preserve the confidentiality of certain information that is to be considered at a closed meeting. If any meeting is closed pursuant to the exclusions contained in Subsection H of NMSA 1978, Section 10-15-1, and such closure:
 - a. If made in an open meeting, shall be approved by a majority vote of the quorum of the City Council and the specific statutory or other authority for such closure, and the subject to discussed, shall be stated with reasonable specificity in the motion calling for the vote on a closed meeting, and such vote shall be taken in an open meeting and the vote of each Councilor shall be recorded in the minutes;
 - b. If called when the City Council is not in an open meeting, such closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and stating with reasonable specificity the subject to be discussed, is given to the general public.

Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting, if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

Except as provided in Section 10-15-1 (H) of the Open Meetings Act, any action taken as a result of discussions in the closed meeting shall be made by vote of the City Council in an open public meeting.

5. **Special Meetings** Special meetings may be called by the Mayor or a majority of the members of the City Council upon three (3) days notice by publication or posting. The notice shall include the subject matter to be discussed. The agenda for the meeting will be available twenty-four (24) hours prior to the meeting.

6. The regularly scheduled meetings of the City Council will be held at **12:00 p.m. (noon) on the 3rd Wednesday of each month in the Council Chambers at 409 West Wabash Street, Lordsburg, New Mexico**, with the exception of July, which will meet in the latter part of July due to Budget hearings. In the event that the regular meeting date falls on a legal holiday, the City Council shall designate an alternate meeting date and/or change the meeting date and/or time to be published or posted as provided in this Resolution. In the event that a regular meeting of the City Council is changed to a different location, advance notice of the meeting shall be published or posted as provided in the Resolution.

7. The notice requirements of Sections 1, 2, 3, 4, 5, and 6 of this Resolution are complied with if notice of the date, time, and place of any regular or special meeting are published or posted. Additionally, the notice shall contain information on how the public may obtain a copy of the agenda, said agenda to be available at least seventy-two (72) hours prior to the meeting. "Publish" means printing in a newspaper that is of general circulation within the municipality. If such newspaper is a non-daily paper which will not be circulated to the public in time to meet publication requirements, "publish" shall mean posting in five places within the municipality, and one of the public places where posting shall be made is the Office of the Municipal Clerk, who shall maintain the posting for public inspection within the time limits specified. The five places notice shall be posted are:

- The Office of the City Clerk
- United States Post Office
- Hidalgo County Courthouse
- Lordsburg Housing Authority
- City of Lordsburg Website - cityoflordsburg.com

8. Pursuant to NMSA 1978, Section 10-15-1, a council member may participate in any open meeting called to take formal action by means of a conference telephone or other similar communications equipment. When it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting.

a). In the event it becomes necessary in order to achieve a quorum for a City Council meeting, a member of the Council who is not available to be present at the meeting shall be permitted to appear by telephone conference with compliance of all safeguards provided herein.

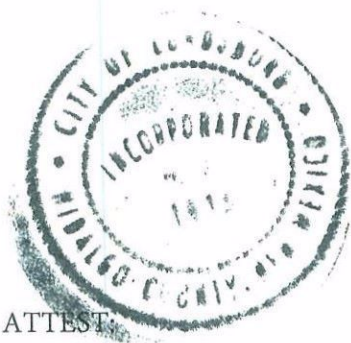
9. The City Council hereby authorizes the publication of the schedule of the regular meetings once or twice if required as a legal advertisement in a newspaper of general circulation in the City of Lordsburg.

10. In addition to the information specified above, all notices shall include the following language:

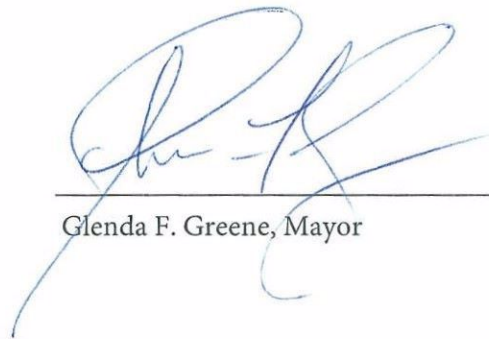
“If you are an individual with a disability who is in need of a reader, amplifier, qualified sign , language interpreter or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at 575-542-3421 at least one (1) week prior to the meeting or as soon as possible. Public documents, including agendas and minutes, can be provided in various accessible formats. Please contact the City Clerk at 575-542-3421 if a summary or other type of accessible format is needed.”

11. Notwithstanding any other provision of this Resolution, meeting locations, in-person meeting, posting requirements and any other deviation made necessary or advisable by any public health emergency or conditions, may be made while taking into account guidance provided by the New Mexico Attorney General’s Office for Public Meetings during public health emergencies.

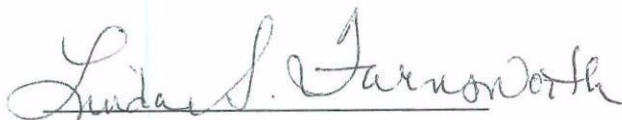
DONE AND PASSED this 9th day of September, 2022



ATTEST



Glenda F. Greene, Mayor



Linda S. Farnsworth , City Clerk