

**City of Lordsburg  
409 W. Wabash  
Lordsburg, New Mexico 88045  
Minutes of Regular Meeting  
September 9, 2022**

Meeting was 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; Mayor Pro-Tem Alfredo Morelos, Jr., and Councilor Manuel D.V. Saucedo. **Absent:** Councilor Martin Neave.

**Attendance:** Alfonso Alvarez, Tisha Green and all who viewed on ZOOM

**Approval of Corrected Agenda:** Original Agenda revised to remove appointment of Chief of Police. Councilor Saucedo moved to approve the Corrected Agenda as written, 2<sup>nd</sup> by Mayor Pro-Tem Morelos. All Council present polled. Motion carried.

**1. Minutes – Regular Meeting of August 12, 2022**

Mayor Pro-Tem Morelos moved to approve the Minutes of the Regular Meeting of August 12, 2022, 2<sup>nd</sup> by Councilor Montenegro. All Council present polled. Motion carried.

**2. Financial Statement for August, 2022 and Bank Statement**

Martha Salas, Finance Director addressed the Council regarding the Financial Reports for the month of August, 2022. She advised the Council that The Department of Finance Administration (DFA) has approved our final budget for FY 2022-2023. With no further questions or comments regarding the Financial Report, Mayor Pro-Tem Morelos made a motion to accept the report, 2<sup>nd</sup> by Councilor Montenegro. All Council present polled. Motion carried.

**New Business:**

- a). **Olam Holdings** – David Swasburg with Olam Holdings explained that his Company will be putting in a charging station for Commercial Vehicles just East of the City limits West of Cattle Rest Road. It will be on 110 Acres of land and contain 14 charging stations and be within 1 mile of I-10 Exit 24. We informed them to contact us when they are ready for their letter of support. They are working with PNM and NMDOT to start working on Phase I of this project. They added that the charging station should have a 10 year lifespan. There was some concern about the wear and tear on Cattle Rest Road, but Olam informed the Council that the road was on private land and should not affect said road.
- b). **Departmental updates** – Oscar Martinez for Code Enforcement and Randy Rodriguez for Maintenance Department presented letters to the Council on what was going on in their Departments. Frank Madrid spoke on behalf of Utilities and Water/Wastewater and brought the Council up to date on what the men have been working on. Interim Police Chief could not attend meeting due to a wreck on the Interstate had he and his men handling the traffic flow through the City. Councilor Saucedo is concerned about our new overpass. Representative Candie Sweetser has suggested that we apply for beautification grants to improve the new overpass and the underpass on Highway 70, which is in a very bad condition. Councilor Saucedo would also like to have legal contact the Railroad regarding the weeds on the Railroad property as a safety issue. The Railroad refuses to allow anyone on their property to cut down the weeds.
- c). **Resolution No. 2022-30 for Sale of Surplus Vehicles** – There will be an auction at the end of October conducted by Walters Auction. This resolution is permission to move forward with the sale of vehicles listed in this Resolution. Councilor Saucedo made a motion to accept Resolution No. 2022-30 Sale of Surplus Vehicles, 2<sup>nd</sup> by Councilor Montenegro. All Council present polled. Motion carried.



Councilor Plowman AYE  
Councilor Randall AYE  
Councilor Montenegro AYE  
Councilor Neave ABSENT  
Mayor Pro-Tem Morelos AYE  
Councilor Saucedo – AYE

**e). Resolution No. 2022-31 Amending Open Meeting Resolution No. 2022-01 to change date of Meeting to 3<sup>rd</sup> Wednesday of every month at 12:00 p.m. Noon.**

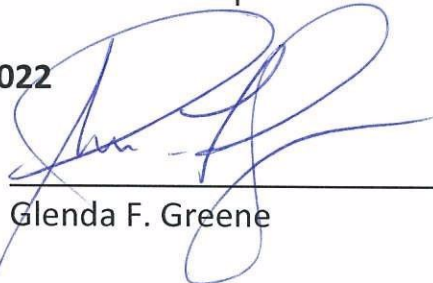
Councilor Montenegro made a motion to Accept Resolution No. 2022-31 changing the date of meeting to the 3<sup>rd</sup> Wednesday of every month at 12:00 p.m. Noon, 2<sup>nd</sup> by Councilor Saucedo. All Council present polled. Motion carried.

Councilor Plowman AYE  
Councilor Randall AYE  
Councilor Montenegro AYE  
Councilor Neave ABSENT  
Mayor Pro-Tem Morelos AYE  
Councilor Saucedo – AYE

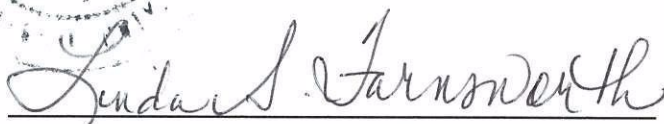
**Adjourn**

With nothing further to be discussed, a motion was made by Mayor Pro-Tem Morelos to Adjourn, 2<sup>nd</sup> by Councilor Montenegro. All Council present polled. Motion carried and meeting was adjourned at 12:57 p.m.

**Approved this 19<sup>th</sup> day of October, 2022**

  
\_\_\_\_\_  
Glenda F. Greene

**Attest:**

  
\_\_\_\_\_  
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;

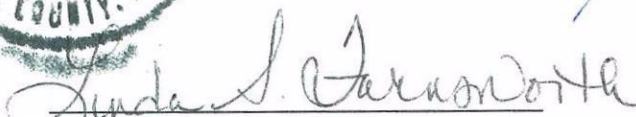
NOW, THEREFORE, BE IT RESOLVED by the governing body of the City of Lordsburg that the 2012 Dodge Chargers (2) and 2009 Crown Victorias (3) are hereby declared surplus and subject for disposal or sale.

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 3<sup>rd</sup> 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](http://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.

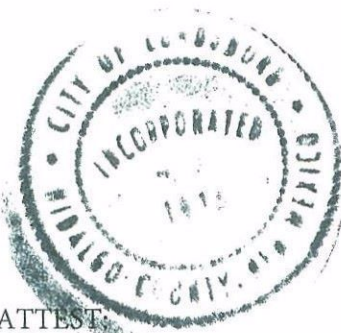
9. The City Council hereby authorizes the publication of the schedule of the regular meetings once or twice if required as a legal advertisement in a newspaper of general circulation in the City of Lordsburg.

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.”**

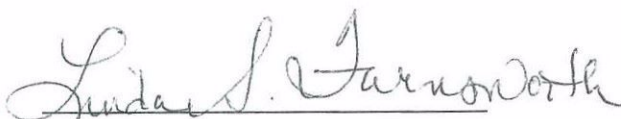
11. Notwithstanding any other provision of this Resolution, meeting locations, in-person meeting, posting requirements and any other deviation made necessary or advisable by any public health emergency or conditions, may be made while taking into account guidance provided by the New Mexico Attorney General's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