

**MINUTES OF
REGULAR
MEETING
OCTOBER 18,
2023**

City of Lordsburg
409 W. Wabash
Lordsburg, New Mexico 88045
Minutes of Regular Meeting
October 18, 2023

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

Welcome

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

Absent: Councilor Julie Montenegro and Linda S. Farnsworth, City Clerk

Attendance: Tisha Green, County Manager; George Esqueda, Stantec; Frank Madrid, City Superintendent and Dusti Conover, Community Development Specialist; Alex Ortiz, Waste Water Department; Lois Sonstegand and Oscar Sosa, NM State Police

Approval of Agenda: Mayor Pro-Tem Morelos moved to accept the Agenda as written, 2nd by Councilor Neave. Council present were polled. Motion passed.

Minutes

a). Minutes of Regular Meeting of September 20, 2023

Mayor Pro-Tem Morelos moved to approve the Minutes of the Regular Meeting of September 20, 2023, 2nd by Councilor Randall. Council present were polled. Motion passed.

b). Minutes of Special Meeting of October 3, 2023

Mayor Pro-Tem Morelos moved to approve the Minutes of the Special Meeting of October 3, 2023, 2nd by Councilor Randall. Council present were polled. Motion passed.

Finance Department

a). Finance Statement Summary and Bank Statement for September 2023

Ms. Salas went over the City Account Balances including all interest earned per account for the month. Mayor Greene announced that Ms. Salas has turned in her two week notice as she will be going to work for the City of Deming.

Councilor Saucedo commended Ms. Salas for a job well done. Councilor Neave wanted answers to questions he had asked previously regarding the purchase of top of the line tires vs. lower quality tires at a cheaper prices. Ms. Salas said that she had spoken with Accounts Payable and what is being paid for will be more detailed on bills paid. Councilor Neave also wanted to know who approves the purchase of said tires. Ms. Salas explained that the Procurement Officer does after receiving 3 quotes, but that sometime we have to go with the higher quality tire depending on the wear and tear of the vehicle. City Superintendent, Frank Madrid stated that we try to buy locally when we can. Councilor Neave wanted to know how come we do not by cheaper tires with the same specifications. He stated that he likes to have his questioned answered. Ms. Salas assured him that his questions are valid. At this time, Mayor Greene asked if there were any more questions on the Finance Statement Summary and Bank Statement and there were none. Councilor Saucedo moved to approve the Summary and Statement for the month of September 2023, 2nd by Mayor Pro-Tem Morelos. Council present were polled. Motion passed.

b). Bills Paid for the Month of September 2023

Mayor Pro-Tem Morelos moved to approved the bills paid for the month of September 2023, 2nd by Councilor Plowman. Council present were polled. Motion passed.

c). Resolution No. 2023-31 Budget Adjustments

This adjustment includes the Law Enforcement Recruitment Fund Allocation Grant which is required for this Grant. Last month the Fire Protection Fund was omitted in error and now added to this budget adjustment as well the Gas Fund insurance amounts. Mayor Pro-Tem Morelos moved to approve Resolution No. 2023-31 Budget Adjustments, 2nd by Councilor Plowman. Council present were polled. Motion passed.

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

New Business

a). George Esqueda with Stantec – Update on all projects

Mr. Esqueda gave a complete presentation of all 15 projects that Stantec is currently working on with the City of Lordsburg. He also presented the Council with some aerial photos to show what the project areas entail. Mr. Esqueda stated that Stantec is presently under contract with the City of Lordsburg for Master Services Agreement to provide general engineering support for State and Local funded projects. The agreement went into effect May 2022 for a one year period and the City has an option of extending this contract three additional times in one year increments and it has been extended once through May 2024 and if satisfied, we will seek to extend it further.

b). Updated Employee Personnel Policy

Mayor Greene stated that this policy is for all employees across the board and that it is not specific to any one department. Dusti Conover, Community Development Specialist gave an overview of the changes with the first one being that all employees represent the City of Lordsburg and should come to work clean and presentable, the next being that there was a change in how Paid Time Off (PTO) is now accumulated, also all employees whether salaried or non-salaried must clock in and clock out each day for accountability. There was also a change on bereavement as step-children and step-parents have now been added to the list. Ms. Conover stated that this Policy was passed through legal before presenting to the Council. Councilor Saucedo noted one error on page 7 that will be corrected before the policies are handed out to the employees for signature. Mayor Pro-Tem Morelos moved to accept Updated Employee Personnel Policy with correction, 2nd by Councilor Randall. Council present were polled. Motion passed.

c). Fit for Duty Form

Dusti Conover, Community Development Specialist presented the Fit for Duty Form to the Council stating that we cannot be held accountable for undisclosed medical conditions. All employees will sign and the form will be placed in their personnel files. Councilor Saucedo inquired as to whether or not this came from a different municipality or our own. Mayor Greene stated that it was from our own municipality. Councilor Saucedo wanted to know if there were any privacy issues that should be of concern. Ms. Conover stated that there were no HIPAA (Health Insurance Portability and Accountability Act) issues with it. Ms. Conover stated that the employee does not have to disclose the information, whereas Councilor Saucedo stated “but if they do, we will hold it against them”. Mayor Pro-Tem Morelos asked if this form has gone through legal and Ms. Conover assured him that it had gone through legal and she was told that there were no HIPAA violations and she also stated that this form is to protect the City. Councilor Saucedo stated that he is still concerned with privacy issues. Mayor Greene assured Council that legal had, in fact, viewed the form and that it was legal. Councilor Saucedo wanted to know if the Mayor felt that this form had any merit and especially in this small community. Ms. Conover offered to table this item until next month’s meeting so that she could present Council’s questions to legal and then we could revisit this again next month. Councilor Neave wanted to know if the employees would sign it yearly or only when there was an emergency and then sign it again. Ms. Conover stated that it should be done yearly. With that, Mayor Pro-Tem Morelos made a motion to table this item until next month’s meeting, 2nd by Councilor Neave. Council present were polled. Motion passed to be tabled until next month’s meeting.

d). Time Off Request Form

Mayor Greene stated that this form is for basic payroll tracking. Councilor Saucedo moved to accept the Time Off Request Form, 2nd by Mayor Pro-Tem Morelos. Council present were polled. Motion passed.

e). Garden Shack building consideration for rental and cost of rental

Mayor Greene told the Council that she has someone interested in renting the building to be used for a 2-tier barber shop. Randy Rodriguez, Maintenance Supervisor previously stated that it would take approximately \$5,000.00 to even make the place rentable. Councilor Neave felt that regardless of whether it is rented as a barber shop, the City should invest in repairs to make it rentable to

anyone. Frank Madrid, City Superintendent stated that he felt that it would cost much more than \$5,000.00 and possibly up to \$15,000.00 to bring everything up to code and fix the plumbing and electrical, he also stated that we would need to also put in heating and cooling. We would need a contractor to give us an estimate of how much it would cost. Councilor Saucedo moved that we obtain an estimate for renovations to the building, 2nd by Mayor Pro-Tem Morelos. Council present were polled. Motion passed to obtain an estimate for renovations.

f). Waste Water Treatment – PNM Discharge Agreement

Alex Ortiz, Waste Water Operator came before the Council urging them to terminate the long standing agreement that the City has with the Lordsburg Generating Station (**LGS**) which is presently owned by PNM, as it is likely affecting water quality. The agreement allows for LGS to discharge waste water into the Waste Water Treatment Plant. The City received money each month for this service. Mr. Ortiz presented documentation to the Council that shows increased levels of TDS (**Total Dissolved Solids**) that he is confident is coming directly from the LGS. The documentation also shows increased levels of TDS. This evidence comes from six quarters of monitoring at the Waste Water Treatment Plant. Mr. Ortiz stated that the TDS levels exceeded standards by 68%. The total amount of TDS could include dissolved ions including salts, metals and minerals. Mr. Ortiz stated that LGS is also discharging fluoride, sulfites, chloride, uranium and boron into our Treatment Plant. TDS cannot be removed from the water and even though they are being discharged into the Waste Water Treatment Plant, those chemicals could ultimately end up back into the drinking water. Mr. Ortiz also stated that even though there is no definitive proof that the groundwater is being contaminated by LGS but that in looking back at the well resting results it appears that we can draw the conclusion that it is. All of PNM's generating stations have their own evaporative ponds for wastewater discharge. Councilor Neave asked if PNM had sufficient land area to discharge water onto their property. Mr. Ortiz stated that he felt that they did. Lordsburg is the only one that dumps into the local utility system. Mayor Greene added that the income we receive each year from PNM pales in comparison to the cost associated with potential fines that could come down from the Environmental Protection Agency (EPA). Frank Madrid, City Superintendent added that the increased TDS levels will ultimately increase maintenance costs for the City. Mayor Greene stated her concerns and she said that she felt that we should cut them off as it wasn't worth possible fines. Councilor Neave wanted to know when the Agreement is up for renewal and

Mayor Greene stated that it was up for renewal now. Councilor Neave stated this his vote would have to be no. Councilor Plowman made a motion to immediately sever ties with LGS and no longer accept their discharge water, 2nd by Mayor Pro-Tem Morelos. Council present were polled. Motion passed to no longer accept discharged water from PNM.

g). Tisha Green – Joint Powers Agreement

Tisha Green, County Manager approached the Council with a Joint Powers Agreement that needs to be signed annually. Mayor Greene pointed out that this is only up for discussion at this point. Ms. Green stated that the last Agreement referenced a 5% increase annually which is proving to be problematic for both the City and the County as it is difficult to budget for. Ms. Green suggested that we do away with the 5% annual increase and also the \$40,000.00 PNM PILT payment as that should not be part of the Agreement. She also stated that this Agreement is for EMS, Dispatch and Detention Center Costs. Ms. Green proposed a flat fee and to possibly find ways where the City and County can work together. After putting much data together on the amount of calls generated within the City of Lordsburg Ms. Green shows that the County has a budget shortfall of about \$806,000.00. She proposed increasing the City's Joint Powers Agreement payment to \$200,000.00 per year. She suggested utilizing the Animal Control Officer within a 5 mile radius of City Limits which would include POW Road and Glen Acres. Ms. Green also suggested that we utilize the Economic Development Specialist's grant writing skills for projects that would benefit both City and County. Councilor Plowman asked about how much the Ambulance Department brings in each year and Ms. Green stated approximately \$284,000.00. The Joint Powers Agreement will be brought back as an action item at next month's meeting.

h). Resignation of Animal Control Officer

Mayor Greene informed the Council that Stephanie Helbig has resigned as Animal Control Officer (ACO) and that we are currently advertising for another. Councilor Plowman moved to accept the resignation of Stephanie Helbig, 2nd by Councilor Neave. Council present were polled. Motion passed.

i). Law Enforcement Recruitment Fund Allocation Grant 2-ZH5048-44

This is a grant to be used for new recruitment for the Police Department and will also pay for related departments such as dispatchers and staff. This grant pays for salaries and benefits over a 3 year period in the amount of \$393,750.00. It will

not cost the City anything at this point in time. Councilor Saucedo moved to accept this Grant, 2nd by Councilor Neave. Council present were polled. Motion passed.

Resolutions

a). Resolution No. 2023-32 – Request Time Extension FY23 Local Government Road Fund Control #HW2 L100527

This is the time extension that George Esqueda with Stantec spoke of earlier in the meeting. It is in regards to a \$50,000.00 project so that the City can get a competitive bid and contractor. We will try to line it up with the County's Power Plant Road project. Councilor Saucedo moved to approve Resolution No. 2023-32, 2nd by Mayor Pro-Tem Morelos. Council present were polled. Motion passed.

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

Ordinances

a). Ordinance No. 2023-06 - Littering Ordinance

Mayor Pro-Tem Morelos moved to approve Resolution No. 2023-06 – Littering Ordinance, 2nd by Councilor Randall. Council present were polled. Motion passed.

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

Executive Session – To discuss a). Threatened or pending litigation as authorized by Section 10-15-1 (H)(7) Police Department

Mayor Pro-Tem Morelos moved that they go into Executive Session for the purpose of discussing threatened or pending litigation as referenced above, 2nd by Councilor Plowman. Council members present were polled. Motion passed to go

into Executive Session. Mayor Greene announced that the Regular meeting was adjourned to go into Executive Session at 1:41 p.m.

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

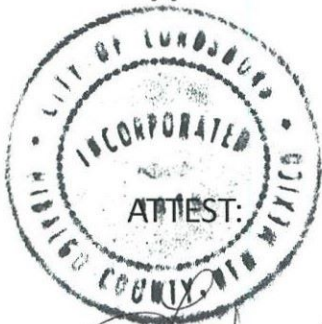
At 2:32 p.m. Mayor Pro-Tem Morelos stated "I move that we return to Open Session and affirmatively state that only those matters for which the meeting was closed were discussed in Executive Session, 2nd by Councilor Saucedo. Council members present were polled. Motion passed.

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

Adjourn

With nothing further to be discussed, a motion was made by Councilor Saucedo to adjourn, 2nd by Councilor Plowman. Council present were polled. Motion passed and meeting was adjourned at 2:33 p.m.

Approved this 15th day of November, 2023.



Glenda F. Greene, Mayor

Linda S. Farnsworth, City Clerk

**MINUTES OF
SPECIAL
MEETING
OCTOBER 26,
2023**

City of Lordsburg
409 W. Wabash
Lordsburg, New Mexico 88045
Minutes of Special Meeting
Thursday October 26, 2023

Meeting called to order at 12:57 p.m.

Welcome

Present: Mayor Glenda F. Greene; Martha Salas, Finance Director; Linda S. Farnsworth, City Clerk; Councilor Rodney Plowman (via phone); Councilor Roxann Randall; Councilor Julie Montenegro (via phone); Councilor Martin Neave (via phone); Mayor Pro-Tem Alfredo Morelos, Jr.

Absent: Councilor Manuel D.V. Saucedo

Attendance: Dusti Conover, Community Development Specialist

Approval of Agenda

Mayor Pro-Tem Morelos moved to approve the Agenda as written, 2nd by Councilor Randall. Council were polled. Motion passed.

New Business

a). Finance Officer resignation approval

Martha Salas has given her two week notice as she has taken a position with The City of Deming. Councilor Montenegro moved to accept her resignation, 2nd by Councilor Randall. Council were polled. Motion passed.

Councilor Plowman AYE (via phone)

Councilor Roxann Randall AYE

Councilor Julie Montenegro AYE (via phone)

Councilor Martin Neave NAY (via phone)

Mayor Pro-Tem Morelos NAY

b). Finance Officer new hire approval

Dusti Conover has been asked to fill the Finance Officer position. She will still be doing all drug testing and CPR training for the City and the Community Development Specialist which includes Human Resources, Code Enforcement and Safety for now until her position can be filled. Councilor Neave spoke up in support of Ms. Conover and stated that even though we will miss Martha, he feels confident that Ms. Conover will do a fine job in replacing Ms. Salas. It was approved that the City will start Ms. Conover at \$65,000.00 per year with chances for increase in the future. Ms. Conover accepted her salary increase. Mayor Pro-Tem Morelos moved to accept Ms. Conover as the new Finance Officer, 2nd by Councilor Montenegro (via phone). Council were polled. Motion passed.


Councilor Plowman AYE (via phone)
Councilor Roxann Randall AYE
Councilor Julie Montenegro AYE (via phone)
Councilor Martin Neave AYE (via phone)
Mayor Pro-Tem Morelos AYE

Adjourn

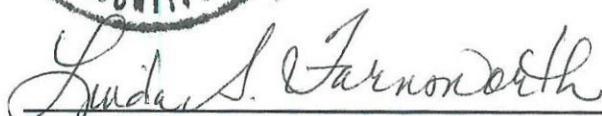
With nothing further to be discussed, a motion was made by Mayor Pro-Tem Morelos to adjourn, 2nd by Councilor Montenegro (via phone). Council were polled. Motion carried and meeting was adjourned at 1:07 p.m.

Approved this 15th day of November, 2023





Glenda F. Greene, Mayor



Linda S. Farnsworth, City Clerk

**MINUTES OF
REGULAR
MEETING
OF
11/15/23**

City of Lordsburg
409 W. Wabash
Lordsburg, New Mexico 88045
Minutes of Regular Meeting
November 15, 2023

Meeting was called to order at 12:04 p.m.

Welcome

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

Absent: Councilor Manuel D.V. Saucedo

Attendance: Tisha Green, County Manager

Approval of Agenda: Councilor Montenegro moved to accept the Agenda as written, 2nd by Councilor Randall. Council members present were polled. Motion passed.

Minutes

a). Minutes of Regular Meeting of October 18, 2023

Councilor Neave moved to approve the Minutes of the Regular Meeting of October 18, 2023, 2nd by Councilor Randall. Council members present were polled. Motion passed.

b). Minutes of Special Meeting of October 26, 2023

Councilor Plowman moved to approve the Minutes of Special Meeting of October 26, 2023, 2nd by Councilor Montenegro. Council members present were polled. Motion passed.

Finance Department

a). Finance Statement Summary and Bank Statement for October 2023

Dusti Conover, Finance Director went over the City account balances including all interest earned per account for the month. Mayor Greene asked if there were any more questions for Ms. Conover and there were none. Councilor Montenegro moved to approve Summary and Statement for the Month of October 2023, 2nd by Councilor Plowman. Council members present were polled. Motion passed.

b). Bills Paid for the Month of October 2023

There was no action and no motion for approval or denial

New Business

a). Muralist – Artwork for Overpass – Economic Development

Muralist impressions for the overpass artwork were presented to the Council for approval. Birds on a telephone line were questioned about its meaning and simplicity. Both Councilor Randall and Mayor Greene weighed in on this stating that we took the money we had for the mural as far as we could with the money that we have. The birds mural can be added to as we receive more money for this project. Mayor Pro-Tem Morelos made a motion to accept the Muralist's Impressions for the Overpass Artwork, 2nd by Councilor Montenegro. Council members present were polled. Motion passed.

b). Addendums to Personnel Policy

- 1).** Facial hair should not exceed the length of a #2 blade and should be neatly groomed
- 2).** Missed work and consequences
- 3).** Stand by Duty and Pay

Dusti Conover for Code Enforcement presented the above referenced addendums to the Council. Mayor Pro-tem Morelos wanted to know if these addendums had been run by our legal department for approval. Ms. Conover told him that yes, all had been approved by our attorney. Mayor Pro-Tem Morelos made a motion to approve these three (3) addendums as written, 2nd by Councilor Montenegro. Council members present were polled. Motion passed.

c). New Hire – Community Development Specialist

Tristyn Gandara introduced herself to the Council as the newly hired Community Development Specialist and told them all a little about herself. Mayor Pro-Tem Morelos made a motion to accept the new hire, 2nd by Councilor Plowman. Council members present were polled. Motion passed.

Old Business

a). Fit for Duty Form

Dusti Conover for Code Enforcement addressed the Council for the 2nd time on this form. Ms. Conover spoke to our Attorney and he stated that there are no issues with this form and that it does not go against any HIPAA laws. She also stated that we should probably fill out this form yearly. Councilor Neave stated that when someone comes back from an illness that a letter from their doctor should be required and Ms. Conover agreed. Mayor Pro-Tem Morelos made a motion to accept the Fit for Duty Form, 2nd by Councilor Montenegro. Council members present were polled. Motion passed.

b). Joint Powers Agreement

Tisha Green, County Manager approached the Council about the cost of a building permit which was more than it was going to cost to fix the roof on one of the County buildings and she also stated that they cannot afford to have other County buildings repaired because the permit is so expensive. Councilor Neave stated that he thought that the permit costs were based on a new business. The Mayor stated that they will re-visit the fees in December to clarify. The City currently pays the County \$183,000.00 for providing dispatch services, emergency medical services and detention. The current agreement mandates a 5 percent (5%) annual increase. Tisha Green, County Manager proposed a flat fee of \$200,000.00 and that the City Animal Control Officer begin covering a 5 mile radius outside of the Lordsburg City Limits which would include Glen Acres, Gold Hill Road and POW Road. The County Manager also asked for partnering with the City by having the current Economic Development Specialist, Emily Gojkovich assist with the County's comprehensive plan and help with grant writing. The County Manager also stated that the 5% per year would then be removed from the agreement. Mayor Greene asked County Manager Green if the City expands the ACO coverage would the County still use the City's animal shelter whereas the County Manager answered, 'yes'. The County Manager also added that they pay \$1,000.00 annually for feeding of the animals. The Mayor then suggested we pay

\$192,000.00 instead of the requested \$200,000.00 and remove the 5% annual increase and PNM fees and add the Animal Control Officer covering a 5 mile radius outside of the City limits and also including the current Economic Development Specialist assistance with the Comprehensive plan and grant writing. County Manager Green stated that she would take that to her County Board for consideration. Mayor Pro-Tem Morelos moved to accept the Mayor's suggestion, 2nd by Councilor Montenegro. Council members present were polled. Motion passed.

Executive Session – To discuss a). Threatened or pending litigation as authorized by Section 10-15-1 (H)(7) Police Department

Mayor Pro-Tem Morelos moved that they go into Executive Session for the purpose of discussing threatened or pending litigation as referenced above, 2nd by Councilor Montenegro. Council members present were polled. Motion passed to go into Executive Session. Mayor Greene announced that the Regular meeting was adjourned to go into Executive Session at 12:45 p.m.

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

At 1:15 p.m. Mayor Pro-Tem Morelos stated "I move that we return to Open Session and affirmatively state that only those matter for which the meeting was closed were discussed in Executive Session", 2nd by Councilor Montenegro. Council members present were polled. Motion passed.

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

Adjourn

With nothing further to be discussed, a motion was made by Mayor Pro-Tem Morelos to adjourn, 2nd by Councilor Montenegro. Council members present were polled. Motion passed and meeting was adjourned at 1:16 p.m.

Approved this 20th day of December, 2023.



Linda S. Farnsworth

Linda S. Farnsworth, City Clerk

Glenda F. Greene

Glenda F. Greene, Mayor