

**VILLAGE OF CIMARRON  
SPECIAL COUNCIL MEETING MINUTES  
WEDNESDAY, MAY 13, 2020 at 6:00pm**

**The Governing Body met via GoToMeeting Application**  
Monday May 13, 2020 5:30 PM- 6:00 PM (MDT)  
<https://global.gotomeeting.com/join/870444509>

**The dial in meeting information is below:**  
United States (Toll Free): 1 866 899 4679  
United States: +1 (224) 501-3318

**Access Code: 870-444-509**

This code is the same code used for every meeting- it is the Village of Cimarron Code

**I. Pledge of Allegiance**

Mayor Leo Martinez led the Pledge of Allegiance

**II. Pledge to the New Mexico State Flag**

Mayor Leo Martinez Pledge to the  
New Mexico Flag

**III. Roll Call**

Mayor Leo Martinez      Mayor Pro Tem Laura Gonzales      Councilor James Gallegos  
Councilor Judy B. Le Doux      Councilor Matthew Gonzales

**IV. Approval of Agenda**

*Councilor James Gallegos moved to approve the agenda of May 13, 2020 with the amendment to the agenda of removing XIV. e- Task Order Stantec & h-Cemetery Ordinance .  
Councilor Matthew Gonzales seconded.  
Roll Call Vote: Mayor Pro Tem Laura Gonzales-Aye, Councilors Judy B. LeDoux-Aye,  
Councilor James Gallegos- Aye, Councilor Matthew Gonzales- Aye. Approved 4-0*

**V. Minutes**

a. Discuss/Approve: Special Meeting Minutes April 27, 2020

*Councilor Judy LeDoux moved to approve the minutes of April 27, 2020. Councilor Matthew Gonzales seconded. Approved 4-0*

b. Discuss/Approve: Special Meeting Minutes May 4, 2020

*Councilor Matthew Gonzales moved to approve the minutes of May 4, 2020. Councilor James Gallegos seconded. Approved 4-0*

**VI. Comments from the General Public (Limited to 3 minutes)**

Roger Smith of the Colfax Gazette- he had asked that when they go into executive session to examine the items very thoroughly. Mayor Leo Martinez let him know they will be discussing this issue with the attorney in executive session.

**VII. Correspondence**

None

**VIII. Proclamation William Billy Doerr Day May 15, 2020**

Mayor Leo Martinez presented the Proclamation that had been sponsored by Councilor Matthew Gonzales. Councilor James Gallegos read the Proclamation.

*Councilor Judy LeDoux moved to approve Proclamation William Billy Doerr Day March 15, 2020. Mayor Pro Tem Laura Gonzales seconded.*

*Roll Call Vote: Mayor Pro Tem Laura Gonzales-Aye, Councilors Judy B. LeDoux-Aye, Councilor James Gallegos- Aye, Councilor Matthew Gonzales- Aye. Approved 4-0*

**IX. Approve/Disapprove Jodi Martinez-Cimarron Graduation Parade**

Jodi Martinez presented the plan for the graduation parade. She thanked the Mayor and Council for approving the parade.

*Councilor Judy LeDoux moved to approve the request for the graduation parade for the 2020 graduates of Cimarron High School. Mayor Pro Tem Laura Gonzales seconded.*

*Roll Call Vote: Mayor Pro Tem Laura Gonzales-Aye, Councilors Judy B. LeDoux-Aye, Councilor James Gallegos- Aye, Councilor Matthew Gonzales- Aye. Approved 4-0*

**X. Approve/Disapprove Baptist Church Water Repair and request for adjustment for Sewer charges**

*Councilor Judy LeDoux moved to approve to remove the sewer charge for the Baptist Church account due to the water leak was outside and did not go into the wastewater system. Mayor Pro Tem Laura Gonzales seconded.*

*Roll Call Vote: Mayor Pro Tem Laura Gonzales-Aye, Councilors Judy B. LeDoux-Aye, Councilor James Gallegos- Aye, Councilor Matthew Gonzales- Aye. Approved 4-0*

**XI. Reports by Department Heads-**

a. Mayor's Comments

Mayor Leo Martinez reported that Philmont is moving ahead with the re-opening plan and they are in the process of drafting their strategic plan for the June 1 opening. He thanked Laura Heath Self for making the masks for the Village Office staff. Mayor Martinez also thanked everyone for attending. He also announced that he has been attending the Mayors weekly conference calls and he has another one tomorrow at 2:00pm

b. Village Administrator Report

Report has been submitted

Did save the Village Hall Improvements project. USDA plans and specs have been approved and once the remaining documents have been approved the funding will be released. We will have enough funding to replace the Euclid crossing done. We do not have enough funding to do any of the others at this time. Mayor Pro Tem Laura Gonzales asked about the election process. Admin Shawn Jeffrey reported that they will have the election in the Council Chambers and there will be social distancing and masks required. Mayor Pro Tem Laura Gonzales also asked about the Sawmill project. Admin Shawn Jeffrey responded that Lances are still working to get all the funding sources together.

c. Public Works Report

Report submitted his report. Councilor James Gallegos stated that after looking at the pictures of the Sewer that had just been repaired and the roots that were in the piping that maybe Damian should check in to a soil sterilizer to put around the areas of connection to help eliminate the root issues.

Councilor Matthew also requested if the PWs could assess the ditches and make sure they are clean and also if they could do something about the weeds in the streets.

Mayor Pro Tem asked when will PWs start to clean up in the Village. Admin Shawn Jeffrey reported that next week they are scheduled to start cleaning up.

d. Police Department Report

Chief Ryan Gates reported he is currently waiting on NMDOT to mark the spots where the speed detection signs would be able to be located. He also added that there had been a burglary a few months ago and they are recovering evidence from that incident. Mayor Pro Tem Laura Gonzales asked the status on the speed signs. Chief Ryan Gates reported that they have been ordered and have not been delivered. Councilor Matthew Gonzales thanked the Police Dept. for getting the signs ordered and he asked if now that things are loosening up will they start making more of a presence in the Village? Chief Ryan Gates said they have been patrolling more. He also stated that he has not had a status on his COPS grant. Mayor Leo Martinez added that Andy and Sue Waldin had paid for the signs and the funds had been received. He thanked them again.

e. Ambulance Report

No report submitted

f. Fire Department Report

No report submitted

g. Municipal Judge Report

Judge Karen Gates reported she will open the Municipal court according to the guidelines set forth from the CDC. She will be drafting a plan.

h. Senior Center Report

Councilor James Gallegos thanked Lorretta Giglia, Lori Self, Susan Tate, and Lucy Brazil for donating PPE for the senior citizens. Mayor Pro Tem Laura Gonzales mentioned that she had an anonymous donor donate masks and shields for the EMS department.

i. Chamber of Commerce Report

No report submitted

j. Cemetery Board Report

No report

- k. Beautification Board Report  
Admin Shawn Jeffrey reported that the logo has been completed and the 2020-clean-up event went well and there was approx. 34 who participated in the event the roll offs will be paid for with NM Clean & Beautiful funds.
- l. Code Regulation Board Report  
Councilor Matthew Gonzales mentioned that he is setting up an OHV clinic for the Village and when its allowable the class will be scheduled.

**XII. Financials- Each Item listed A.-B. will be Considered for Action of Approve/Disapprove:**

- a. Check Report and Deposit Register from April 8, 2020 through May 13, 2020  
*Mayor Pro Tem Laura Gonzales moved to approve the check report and the deposit register. Councilor Judy LeDoux seconded.*  
*Roll Call Vote: Mayor Pro Tem Laura Gonzales-Aye, Councilors Judy B. LeDoux-Aye, Councilor James Gallegos- Aye, Councilor Matthew Gonzales- Aye. Approved 4-0*
- b. Robles, Rael, and Anaya bill for \$  
No billing received

**XIII. Old Business- Items A-B will be considered for Discuss/Approve/Disapprove**

- a. FY21 Budget Requests  
Admin Shawn Jeffrey proposed the Village pay the 3% increase in insurance for the increase in health insurance due to at this time we cannot give any raises to help offset this extra cost. The Council discussed this and will address it at the next special meeting. Councilor James Gallegos replied that he agrees with the proposal for the Village to pay the 3% increase of the insurance. Mayor Pro Tem Laura Gonzales stated at her place of employment they are looking at this issue as well and she mentioned that she does not recall the Village employees receiving their annual evaluations. She also added that she would like to review the budget before the options are decided. Admin Shawn Jeffrey reported that the interim budget will be complete soon.  
*Discussion only and for this item to be added to the next special meeting.*
- b. CoVid-19 Update  
Mayor Leo Martinez reported about the different items all the Mayors in the state are talking about during the weekly Mayor calls. Mayor Pro Tem Laura Gonzales added that the Governor has a plan to open up a little at a time and June 1<sup>st</sup> and that this Saturday everyone is required to wear a mask in public. Mayor Leo Martinez added that he will be attending the Mayors conference at 2:00pm tomorrow for the weekly conference call. Mayor Pro Tem Laura Gonzales asked about the beauty shop opening up and the owner will be contacting the Village for additional information. Mayor Leo Martinez added that the mandate is from the Governor and the Village cannot tell the owners if they can open or if the cannot.

**XIV. New Business- Each Item listed A.-J. will be considered for Action of Approve/Disapprove:**

- a. Temporary Variance for Eileen Aguirre

Mayor Leo Martinez explained this variance is temporary until Ms. Aguirre get her new home moved in.

*Councilor Matthew Gonzales moved to approve the temporary variance for Ms. Aguirre.*

Councilor Judy B. LeDoux asked how many lots are there in that area. Mayor Pro Tem Laura Gonzales and Mayor told her around four lots.

*Councilor James Gallegos seconded. Approved 4-0*

*Roll Call Vote: Mayor Pro Tem Laura Gonzales-Aye, Councilors Judy B. LeDoux-Aye, Councilor James Gallegos- Aye, Councilor Matthew Gonzales- Aye. Approved 4-0*

b. Proposal Alpha Design Public Restroom Project

Admin Shawn Jeffrey explained this proposal will not be executed until the funds have been released by the Governor. This project is part of the General Fund Appropriations she has frozen at this time.

*Councilor James Gallegos moved to accept the proposal as outlined by Alpha Designs for the design of the public restroom project upon the release of the Capital Outlay funding.*

*Councilor Judy B. LeDoux seconded. Approved 4-0*

*Roll Call Vote: Mayor Pro Tem Laura Gonzales-Aye, Councilors Judy B. LeDoux-Aye, Councilor James Gallegos- Aye, Councilor Matthew Gonzales- Aye. Approved 4-0*

c. Discussion- NM Taxation and Revenue

He asked to reach out to them again and see if we can get some relief – even ask for a total forgiveness. Councilor Matthew Gonzales added that he would like to see a Resolution drafted for this request and submitted to NM Taxation and Revenue for a review.

Councilor James Gallegos nominated Councilor Matthew Gonzales to draft the Resolution.

d. Utility Ordinance 277 Amendment - Bulk Water Sales

Mayor Leo Martinez explained that they have in the past sold bulk water to construction companies and also they have sold to citizens who wish to purchase bulk water. Mayor Pro Tem Laura Gonzales mentioned her concern is for the water status- currently the water the reservoir is full but we still cannot pull water from the river. After much discussion the Governing Body mutually agreed to continue to sell water like the process is currently and directed Admin Shawn Jeffrey obtain rates from other Municipalities that sell water. As for the Cemetery there needs to be signage put up that states the water is for Cemetery use only. Amendment of Ordinance for the sale of bulk water to add clauses for water restrictions, availability, possibly put in a minimum and maximum limit of gallons, and price.

*Discussion only*

~~e. Cemetery Ordinance 288 Amendment to allow people to open and close their own graves~~  
Remove from Agenda

f. Amendment #3 Forsgren Water Plant Project

Mike Waresak explained that the design took more to design than originally anticipated.

*Councilor James Gallegos moved to approve Amendment #3 for the Water Plant Project.*

*Councilor Matthew Gonzales seconded. Approved 4-0*



*Roll Call Vote: Mayor Pro Tem Laura Gonzales-Aye, Councilors Judy B. LeDoux-Aye, Councilor James Gallegos- Aye, Councilor Matthew Gonzales- Aye. Approved 4-0*

g. Ordinance 290 USDA Project Bond Issuance

Final step for the closing of the USDA Bond issuance. This has been advertised in the paper and affidavit has been received.

*Councilor James Gallegos moved to approve Ordinance 290 USDA Project Bond Issuance.*

*Councilor Judy B. LeDoux seconded. Approved 4-0*

*Roll Call Vote: Mayor Pro Tem Laura Gonzales-Aye, Councilors James Gallegos-Aye, Councilor Matthew Gonzales- Aye, Councilor Judy B. LeDoux- Aye. Approved 4-0*

~~h. Task Order Stantec contract for the Crossings Project~~  
Removed from agenda

i. Resolution 2020-023 Budget Alignment & Adjustment

Admin Shawn Jeffrey explained this resolution is to align the budget to make sure the budget is balanced and to increase the budgeted revenues for the Wastewater fund.

*Mayor Pro Tem Laura moved to approve Resolution 2020-023 Budget alignment & adjustment. Councilor Judy B. LeDoux seconded. Approved 4-0*

*Roll Call Vote: Mayor Pro Tem Laura Gonzales-Aye, Councilors James Gallegos-Aye, Councilor Matthew Gonzales- Aye, Councilor Judy B. LeDoux- Aye. Approved 4-0*

j. Resolution 2020-024 Extension of Time NMDOT Project CN#400453

Admin Shawn Jeffrey explained this resolution is to extend the NMDOT funding to ensure the project is complete.

*Mayor Pro Tem Laura Gonzales moved to approve Resolution 2020-024. Councilor Matthew Gonzales seconded. Approved 4-0*

*Roll Call Vote: Mayor Pro Tem Laura Gonzales-Aye, Councilors James Gallegos-Aye, Councilor Matthew Gonzales- Aye, Councilor Judy B. LeDoux- Aye. Approved 4-0*

**XV. ADJOURN TO EXECUTIVE SESSION TO DISCUSS LITIGATION AND LIMITED PERSONNEL MATTERS AS PER NEW MEXICO OPEN MEETINGS ACT 10-15-1 SECTION H SUBSECTIONS 2 & 7:**

**Limited Personnel Matters-**

- A. Discussion of pending or Threatened Litigation: Village of Cimarron vs. Bennett Strahan No. D-809-CV-2019-00008

*Councilor James Gallegos moved to approve to adjourn into executive session. Councilor Judy B. LeDoux seconded. Approved 4-0 7:05pm*

*Roll Call: Mayor Leo Martinez, Mayor Pro Tem Laura Gonzales, Councilor James Gallegos, Councilor Matthew Gonzales, Councilor Judy B. LeDoux seconded. Approved 4-0*

**Return from Executive Session**

*Councilor James Gallegos motioned to adjourn from executive session. Councilor Judy LeDoux seconded. Approved 4-0 7:30pm*

*Roll Call: Mayor Leo Martinez, Mayor Pro Tem Laura Gonzales, Councilor Matthew Gonzales, Councilor James Gallegos, Councilor Judy B. LeDoux*

Mayor Leo Martinez reported the only items discussed were those listed on the agenda and no decisions were made.

**XVI. Approve/Disapprove Settlement Option for Litigation: Village of Cimarron vs. Bennett Strahan**

Mayor Leo Martinez and the Governing Body reported in discussion that Mr. Charles Rennick the Village attorney was asked to explore a couple of options for the resolution of this issue and send an update to the Village.

**XVII. Miscellaneous**

*None*

**XVIII. Council Concerns**

Councilor James Gallegos asked about wash stations- if they had been ordered. Admin Shawn Jeffrey stated that yes they had been and will be delivered soon.

Councilor Matthew Gonzales asked if the streets would be maintenance soon for the weeds on the roads and to check the ditches.

Also Admin Shawn Jeffrey asked about the cold mix purchase an the Governing body requested that the Village purchase a smaller quantity and to price the 50lb bags.

**XIX. Adjourn**

*Councilor James Gallegos moved to adjourn the meeting. Councilor Matthew Gonzales seconded. Approved 4-0 8:04pm*

*Roll Call Vote: Mayor Pro Tem Laura Gonzales- Aye, Councilors Judy B. LeDoux-Aye, Councilor James Gallegos- Aye, Councilor Matthew Gonzales- Aye. Approved 4-0*

**APPROVED THIS 26 DAY OF MAY 2020**

  
Leo Martinez, Mayor

Attest:

  
Shawn Jeffrey, Clerk-Administrator