**Town of Estancia**

**Regular Meeting of the Board of Trustees**

**TUESDAY, February 18, 2020 6:15 pm**

**Municipal Building, 513 Williams Avenue, Estancia, NM 87016**

**Minutes**

**Invocation and Pledge of Allegiance**

**The meeting was called to order at 6:15 pm and Roll Call was taken:**

**Trustee Lovato – Present**

**Trustee Sedillo – Present**

**Trustee Chavez – Arrived Late**

**Trustee Hall- Present**

**Mayor Dial – Present**

1. **Approval/Disapproval of Agenda – Action Item**

**ACTION TAKEN:** Trustee Sedillo made a motion to approve the February 18, 2020 Regular meeting agenda as written. Trustee Lovato seconded the motion. All in favor. **MOTION CARRIED**

1. **Discussion/Approval of the February 3, 2020 Regular Meeting Minutes – Action Item**

**ACTION TAKEN:** Trustee Lovato made a motion to approve the February 3, 2020 Regular Meeting Minutes. Trustee Sedillo seconded the motion. All in favor. **MOTION CARRIED**

1. **Discussion/Approval of the February 18, 2020 Bill List – Action Item**

**ACTION TAKEN:** Trustee Hall made a motion to approve the February 18, 2020 Bill List. Trustee Lovato seconded the motion. All in Favor. **MOTION CARRIED**

**Public Comment-** A member of the audience expressed her opinion about agenda item # 6. She is against

the proposed “Red Flag” law that is currently being proposed in the State Legislature. She said that she highly recommends that the Board pass Resolution 2020-03. She said that the proposed law is unconstitutional.

**New Business**

1. **Audit Exit Conference- Jose J. Ortiz, Kubiak Melton and Associates- Information Only**

Mr. Jose J. Ortiz from Kubiak Melton and Associates presented the Town’s Annual Financial Report. (Copies of this audit report are available for viewing at the Town office.) The report covered the Towns finances for fiscal year 2018/19. The auditor did express a ‘Disclaimer of Opinion’, which the Town will work to rectify.

The auditor also addressed the Schedule of Findings and Responses included in the audit report. Mr. Ortiz reported to the Board that, at the end of fiscal year 2018, the Town had a total of 4findings. At the end of fiscal year 2019, the Town had a 1 repeat finding and no new findings. He addressed the finding. He noted the urgent need for the Town to try to move to better accounting software. The Town is in the process of moving to Caselle and has an anticipated start date with Caselle of July 1, 2020. Mr. Ortiz spoke to the Board about the goal of getting the Town to an “unmodified opinion” within the next two years. All agree that this is the goal. Mr. Ortiz was thanked for his work with the Town and for this very important presentation. Clerk Michelle Jones expressed her gratitude to Mr. Ortiz for his work with the Town. She also thanked Deputy Clerk Michelle Dunlap for her all her efforts towards this very good audit. **INFORMATION ONLY**

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1. **Sealed Bids for Town of Estancia Vehicles – Information Only**

Clerk Michelle Jones told the Board that three PD vehicles were at Town Hall for auction. The Town will accept sealed bids on the vehicles until 5:30 pm on February 27th. The sealed bids will be opened at the Board of Trustees regular meeting on March 2nd. High bidders will be contacted and must respond within 48 hours or the next highest bidder will be contacted. Vehicles will be sold “as is” to the highest bidder. **NO ACTION, INFORMATION ONLY**

1. **Resolution** **2020-03 A Resolution Declaring Opposition to the Extreme Risk Protection Order Act- Action Item Roll Call Vote**

Mayor Dial spoke about this item. He explained that the Legislature was currently looking at passing into law what is being called the “Red Flag” bill. He expressed that he is against the passing of this bill in its current form. Torrance County Sheriff Marty Rivera addressed the Board and said that he is also strongly against the passing of this bill. He said that Torrance County has already passed a resolution in opposition to this legislation. He said that the law would take discretion out of the Sheriff’s hands. He expressed several points in his opposition.

Trustee Hall also spoke and asked how this vote of opposition would make a difference. Sheriff Rivera said that it would make a difference for Estancia and that the Governor had not yet signed the bill into law. Several members of the audience expressed their opposition to the legislation. Trustee Hall said that he had not read the legislation and he would not vote in favor of this resolution. There was much discussion about this item. Trustee Lovato and Trustee Sedillo expressed their opposition to the proposed legislation as well. Trustee Lovato said he had spoken to several residents and they are totally against the bill. He expressed his support of the resolution when he made the following motion. He said, among other things, that he was proud to stand by our Sheriff. **ACTION TAKEN:** Trustee Lovato made a motion to approve Resolution 2020-03 A Resolution Declaring Opposition to the Extreme Risk Protection Order Act. Trustee Sedillo seconded the motion. Roll Call Vote: Trustee Lovato- Yes, Trustee Sedillo – Yes, Trustee Chavez – Yes, Trustee Hall – No. **MOTION CARRIED**

1. **Resolution 2020-04** **A Resolution Approving the Mayor’s Policy to provide 1 (One) yearly Admin day for essential P.W. and P.D. employees- Action Item Roll Call Vote**

Mayor Dial explained that there is an Interoffice Memorandum currently in place that states, among other things, the following:

For the purpose of providing consistency, when the Estancia Municipal Schools are closed for inclement weather, the Town of Estancia offices will follow the Estancia School schedule.

If in the event an early release is necessary due to inclement weather, the Town of Estancia will follow the schedule of the Estancia Municipal Schools. If the Estancia Municipal Schools are not in regular session and a determination must be made for a delay or early release because of inclement weather, that decision will be determined by the Mayor and will be communicated through the respective department heads.

Employees, who are required to report/remain at work for the health and safety of the public, will remain at their regular rate of pay or comp time as the personnel policy outlines. A credit for future use of administrative leave will not be granted.

 **The Mayor is requesting the following amendment to the third paragraph:**

 Employees, who are required to report/remain at work for the health and safety of the public, will remain at their regular rate of pay or comp time as the personnel policy outlines. ~~A credit for future use of administrative leave will not be granted~~**~~.~~  A 1 (One) day credit for future use of administrative leave will be granted to essential P.W. and P.D. employees if this policy is implemented for non-essential employees.**

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**ACTION TAKEN:** Trustee Lovato made a motion to approve Resolution 2020-04 A Resolution Approving the Mayor’s Policy to provide 1 (One) yearly Admin day for essential P.W. and P.D. employees. Trustee Hall seconded the motion. Roll Call Vote: Trustee Lovato- Yes, Trustee Sedillo – Yes, Trustee Chavez – Yes, Trustee Hall – Yes. **MOTION CARRIED**

1. **Review/Approval to make repairs to the PD – Discussion and Possible Action Item**

Mayor Dial told the Board that PD Chief Cobb is looking into the option of moving the PD to the Town owned building across the street from Town Hall or making safety modifications to their existing location. Mayor Dial present the Board with two quotes that Chief Cobb recently received from a CCS Construction. The quote to make necessary modification to the building across from Town Hall was $15,000.00. the quote for safety modification to their current location was $4,327.50. Clerk Michelle Jones recommended going with the lower quote. After some discussion Trustee Sedillo said he wanted to see additional quotes. His fellow Trustees agreed. **ACTION TAKEN:** Trustee Lovato made a motion to TABLE this item until other quotes could be reviewed. Trustee Sedillo seconded the motion. **ITEM TABLED**

**9.0** **Mayor/Council:**

 **Trustee Hall** talked about a residential property in town with Keep off signs. The Mayor said

 he understands why the signs are there and he will not take action unless someone complains.

 **Trustee Chavez** asked about the progress of getting additional lights at the park. Ms. Jones will

 follow up. Trustee Chavez also asked about the pumps in the pond. Mayor Dial said that when

 the weather warms up they will stand the pumps up correctly. Trustee Chavez asked Public

 Works to run the blade through the Park parking lot the next time it snows. She also asked about

 YCC and the Pool. We are waiting for the notice to proceed on YCC and we will begin asking

 for pool donations next month and requesting applications in April.

 **Trustee Sedillo** asked if the new PERA bill had passed into law. It has. This new law will be

 very bad for our Town. He also said that there are many many gophers at the park and this

 problem needs to be addressed. The Mayor will assist in trying to find a solution.

 **Trustee Lovato** talked about the opposition he heard against the Red Flag bill. He said residents

 have complained to him about the condition of the road to CCA. He said people are also speeding

 on that road, which is very hazardous.

 **Mayor Dial** asked Ms. Dunlap to check and see if we are on Windows 10 or better because

 Windows 7 is no longer supported.

1. **Executive Session- Pursuant to NMSA 1978, Section 10-15-1 to 10-15-4 Section (H)(8) Real Property ACTION TAKEN:** Trustee Hall made a motion to go into Executive Session, as per Motion and Roll Call Vote- Pursuant to NMSA 1978- 10-15-1 to 10-15-4 Section (H)(2) to discuss Real Property. Trustee Sedillo seconded the motion. Roll Call Vote: Trustee Lovato- yes, Trustee Chavez- yes, Trustee Sedillo – Yes, Trustee Hall- yes. **MOTION CARRIED**

 Executive Session began at 7:42pm.

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**Return from Executive Session-**

**ACTION TAKEN:** Trustee Hall made a motion to return to Regular Session at 8:12pm. Trustee Chavez seconded the motion. All in Favor. **MOTION CARRIED** Trustee Hall stated that the only item discussed in Executive Session was the item listed on the agenda and no action was taken.

**Adjournment**

Trustee Lovato made a motion to adjourn the meeting. Trustee Sedillo seconded the motion. All in favor. **MOTION CARRIED.**

The meeting adjourned at 8:12 pm.

**Approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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