

**Minutes
Regular Meeting
January 11, 2022**

The Village of Capitan Board of Trustees met in a Regular Meeting on Tuesday, January 11th, 2022 at the Village Hall in Capitan, New Mexico at 6:00 PM.

Mayor Lowrance asked for a moment of silence and led the assembly in the Pledge of Allegiance.

Mayor Lowrance called the meeting to order at 6:00 PM.

Roll Call: Mayor Lowrance – present, Trustee Shearer – present, Trustee Kearns – present, Trustee Fraley (to be Appointed) present, Trustee Hair (to be Appointed) – present. Stephanie Bason – Village Clerk, Al Cavazos – (to be Appointed) Village Clerk, Grace Centrella – Finance Officer, J. Leinneweber – Administrative Assistant, Angela Autrey – Court/Human Resources & Licensing Clerk, Randy Spear – Village Chief of Police, Kevin Kennedy – Grants Administrator/Village Fire Chief, Steve Osborn – Water Utilities Supervisor, Johnathan LaMay – Street Department Supervisor, LeAnne Brasher – Clerks' Assistant and Zach Cook – Village Attorney were also present. A list of others in attendance is attached.

Item #1 on the Agenda: Approval of the Agenda.

Trustee Shearer made a motion to Approve the Agenda. Trustee Kearns seconded the motion.

Discussion: Trustee Kearns said he was expecting to see the Contract for the Sale of Water to the Lincoln County Road Department on the Agenda and asked why it wasn't. The Mayor informed the Board that the Agreement is not ready but that Zach will be working to get that completed by the next regular meeting of the Board.

Roll Call: All were in favor, motion carried.

Item #2 on the Agenda: Public Input. (2 Minute Limit per Speaker).

A member of the public asked if the Audit has been completed and when is it due? She was informed that it has not been completed but that the Auditors are expected this month. The Audit was due on December 15th. The Auditors, due to their recent hiring, could not fit the Village into their schedule to complete the Audit by December 15th so have applied for an extension with the State. The Audit should be completed and to the State by January 31st.

Item #3 on the Agenda: Mayor and Trustee Comments.

Trustee Kearns had no comments at this time.

Trustee Shearer had no comments at this time.

The Mayor had no comments at this time.

Item #4 on the Agenda: Approval of the Minutes: Regular Meeting – December 14th, 2021.

Trustee Kearns made a motion to Approve the Minutes: Regular Meeting – December 14th, 2021.

Trustee Shearer seconded the motion.

Roll Call: All were in favor, the motion carried.

Item #5 on the Agenda: Discussion/Action – Approve Mayoral Appointment of Dr. Joseph Fraley to the Board of Trustees of the Village of Capitan.

Trustee Shearer made a motion to Approve Mayoral Appointment of Dr. Joseph Fraley to the Board of Trustees of the Village of Capitan. Trustee Kearns seconded the motion.

Discussion: Mayor explained that after the November, 2021 Election there were two Trustee seats with no candidates running in the election and therefore needed to be filled, so he made the appointments of Dr. Fraley and Sherry Hair for the open seats pending the Board's approval.

Roll Call: Trustee Shearer – yes, Trustee Kearns – yes

Item #6 on the Agenda: Discussion/Action – Approve Mayoral Appointment of Sherry Hair to the Board of Trustees of the Village of Capitan.

Trustee Kearns made a motion to Approve Mayoral Appointment of Sherry Hair to the Board of Trustees of the Village of Capitan. Trustee Shearer seconded the motion.

Discussion: There was no discussion of this item.

Roll Call: Trustee Shearer – yes, Trustee Kearns – yes, Trustee Fraley – yes

Item #7 on the Agenda: Discussion/Action – Discussion/Action – Approve Resignation of Stephanie Bason as Clerk for the Village of Capitan.

Trustee Kearns made a motion to Approve the Resignation of Stephanie Bason as Clerk for the Village of Capitan. Trustee Shearer seconded the motion.

Discussion: Trustee Kearns said he hates to see her go. She came in at a time of transition, the Mayor was new at the time and there were a lot of changes happening. He thinks she did a good job of leading the office. He liked the way she made herself available to the public and addressed their concerns honestly, that her heart was in serving the public. He considers her a friend and thanked her for being here.

Trustee Fraley said he will miss her, that she's done a wonderful job and thanked her for all she has done.

Trustee Shearer said she appreciates how Stephanie made Village Hall more accessible, answered all of the Trustee's questions and provided all the documentation that Trustee Shearer has asked for.

Stephanie said "It has truly been an honor to serve you." And that she is sad to go.

Roll Call: Trustee Shearer – yes, Trustee Kearns – yes, Trustee Fraley – yes, Trustee Hair - yes

Item #8 on the Agenda: Discussion/Action – Approve Mayoral Appointment of Joseph Albert Cavazos (Al) as Clerk for the Village of Capitan.

Trustee Shearer made a motion to Approve Mayoral Appointment of Joseph Albert Cavazos (Al) as Clerk for the Village of Capitan. Trustee Hair seconded the motion.

Discussion: Trustee Shearer said she met last week with Grace and Al, "it was very productive", she appreciates it and that he has hit the ground running.

Trustee Kearns said he was glad Al is here and he looks forward to working with him. He knows Al will "work hard with all the different departments, liaison between the departments and the Mayor." He went on to say that he knows Al will do "a real good job."

The Mayor invited Al to address the Board and tell them a little about himself.

Item #8 on the Agenda: Discussion/Action – Approve Mayoral Appointment of Joseph Albert Cavazos (Al) as Clerk for the Village of Capitan. (Continued)

Al said his background is primarily in the financial industry for major corporations. He was a compliance officer for 10 years, working with the federal government and municipalities. He worked in instituting several federal regulations including the Community Reinvestment Act, making sure those policies were followed. For a short time, Al also worked with Pat Summerall, working with national CEO's putting together programs for major corporations and displaying them on national television.

Recently he worked in the legal department for the US Small Business Administration. He worked to assist those affected by natural disasters which included field work in New Jersey when Hurricane Sandy hit and in Puerto Rico for three months when it was affected by natural disasters.

Al said he expressed to the Mayor that he had recently moved to the area and wanted an opportunity to get involved and share with the community his skills and experience and to work with the Mayor and the Board to assist in whatever capacity they and the Village needs to make Capitan "number one", that will be his goal. He has had an opportunity to meet with some of the department heads and throw out some ideas, based on information he had been given, on what the Village can do departmentally to make "us better" as a unit, a team. "We all grow and get better together." Al went on to say he is available to anyone. He doesn't know if he can measure up to Stephanie, but he'll do his best to follow up on what she has started.

Roll Call: Trustee Shearer – yes, Trustee Kearns – yes, Trustee Fraley – yes. Trustee Hair

Item #9 on the Agenda: Discussion/Action – Approve Mayoral Appointment of Randy Spear as Chief of Police for the Village of Capitan.

Trustee Kearns made a motion to Approve Mayoral Appointment of Randy Spear as Chief of Police for the Village of Capitan. Trustee Hair seconded the motion.

Discussion: There was no discussion of this item.

Roll Call: Trustee Shearer – yes, Trustee Kearns – yes, Trustee Fraley – yes, Trustee Hair - yes

Item #10 on the Agenda: Discussion/Action – Approve Mayoral Appointment of Grace Centrella as Finance Officer/Deputy Clerk for the Village of Capitan.

Trustee Kearns made a motion to Approve Mayoral Appointment of Grace Centrella as Finance Officer/Deputy Clerk for the Village of Capitan. Trustee Fraley seconded the motion.

Discussion: There was no discussion of this item.

Roll Call: Trustee Shearer – yes, Trustee Kearns – yes, Trustee Fraley – yes, Trustee Hair – yes

At this time the following were sworn into office by Municipal Judge for the Village of Capitan, Minerva Davalos: Ron Lowrance – Mayor of the Village of Capitan, Al Cavazos – Clerk for the Village of Capitan, Grace Centrella – Finance Officer/Deputy Clerk for the Village of Capitan, Randy Spear – Chief of Police for the Village of Capitan, Sherry Hair – Trustee for the Village of Capitan, Dr. Joseph Fraley – Trustee for the Village of Capitan and Bobbi Shearer – Trustee for the Village of Capitan.

Item #11 on the Agenda: Discussion/Action – Approval of Bills Paid for December 2021.

Trustee Fraley made a motion to Approve the Bills Paid for December 2021. Trustee Kearns seconded the motion.

Discussion: There was no discussion of this item.

Roll Call: All were in favor, motion carried.

Item #12 on the Agenda: Discussion – Smokey Bear Enterprises (SBE) Quarterly Financial Report

Discussion: LeAnne went over the report with the Board explaining that she based her figures on the actual receipts for sales & purchases and expenses for the quarter. She advised the Board that part of the reason SBE is in the red is due to annual costs for liability insurance and Workmen's Compensation Insurance which came due during the 1st quarter. Also, some merchandise ordered in April of 2021 did not arrive until the 1st quarter of 2021/2022 resulting in the payment of that invoice in the 1st quarter. After reviewing the report, the Board asked that cumulative year to date figures also be included so this report could be compared with the Budgetary Reports that Grace provides the Board. LeAnn said she would provide those to the Board and include those figures in future Quarterly Reports for SBE. Trustee Hair asked if this discussion should be tabled until the Board receives the year to date figures. Trustee Hair made a motion to table. Trustee Shearer seconded the motion.

The Mayor said this item was for discussion only, but that in the February Meeting the item could be put on the Agenda for Discussion/Action.

Trustee Shearer was concerned with the current amount of inventory SBE had to sell, it's very low and this was during the holiday selling market. She pointed out that without merchandise to sell it will be very difficult for SBE to climb into the black. The Mayor advised the Board that merchandise had been ordered for the holiday season but some merchandise is taking a long time to arrive due to supply chain challenges.

Item #13 on the Agenda: Discussion – 2021/2022 Fiscal Year Budget.

Discussion: Trustee Shearer advised the Board that she asked Grace to provide the report in its current format but she still doesn't see the beginning cash balance for each fund.

Al advised the Board that he had the opportunity to have a discussion with Suzanne regarding the figures she provided. He explained to Suzanne that it's important the information provided is "true". He also intends to look into some issues that have come up as a result of the last Audit and the auditor. He hopes to resolve them with the State or at the very least make the effort and have on record that these issues are a result of a third party and not caused by the Village's negligence.

The Mayor said "the Audit is the major portion of this month." He said they intend to instill in the staff that everyone is on the same team. There will be cross training so back up is available when necessary. Also, in addition to the ordinance's, they are going to "establish proper procedures for the departments", written down and including job descriptions to provide a standard for the operations of the Village. The Mayor said that a Finance Committee is to be established and will alleviate the confusion currently felt when reviewing the Budget figures. It will meet monthly to stay on top of the process.

Item #13 on the Agenda: Discussion – 2021/2022 Fiscal Year Budget. (Continued)

Al let the Board know that he has discussed with the Mayor the creation of a Finance Committee that will be comprised of Finance, the Department Heads and a Trustee. The committee will meet monthly, two weeks prior to the Board Meeting, review the figures for the month, give their input based on their knowledge of what is in the works for their departments and either validate the figures or make sure to complete any follow-up necessary prior to the Trustee Meeting. In this way Finance will have accurate information regarding expenses, purchases and grant funds with no questions as to which fund the figures are to be applied, resulting in good profit & loss and financial reports. The Committee will vote that the report is acceptable to present to the Board for its approval. This also provides the Board with individuals able to address, in detail any questions they may have as to how figures were arrived at or why they have been applied to a certain fund. The result should allow the Village to make intelligent, accurate financial decisions necessary for the running of the Village while keeping the Village within budget, done in a timely manner without the delays currently being experienced.

Trustee Shearer confirmed that this would be made up of Village employees and will not include members of the Public. Al said to be most effective the Committee will be made up of employees of the Village with the intimate knowledge of the day to day operations of each department as well as a representative of the Board.

The Mayor said he hopes everyone knows, at this point, that he invites and welcomes public input and that in future public participation in the Finance Committee can be looked into.

Trustee Shearer wanted to make clear that she doesn't mean any animosity toward Grace but the Board has just taken an oath of responsibility to the Village and it needs the information requested to accomplish this. Grace said she understands.

Trustee Shearer reminded the Board that the Village has projects requiring funds to get to "shovel ready" status so that the Village can apply for grants/funds from the State and that the approvals required by the Trustees for these funds are on hold until this is resolved.

The Board requested that Grace use the Audit figures from the 2020/2021 Fiscal Year to provide beginning cash balances for each fund, they felt these would be the most reliable and Stephanie advised the Board that Bobby Johnson agrees, then Grace should build the year to date figures for each fund from that starting point. Grace will start on this immediately and once she has this ready, along with accurate Budget Adjustments and a Budget Amendment, a Special Meeting will be held to review and approve the Amendment and Adjustments.

Trustee Shearer confirmed with Randy Spear that he has enough funds in the Law Enforcement Protection Fund (LEPF) to cover his requested purchase in Item # 16. Randy replied that he does have the funds, he hasn't spent any of the funds as yet.

Item #14 on the Agenda: Discussion/Possible Action - Adopt Resolution 2022-01 Authorizing Budgetary Adjustments and Revisions (BAR).

Trustee Hair made a motion to Postpone the Adoption of Resolution 2022-01 Authorizing Budgetary Adjustments and Revisions (BAR). Trustee Shearer seconded the motion.

Discussion: There was no discussion of this item.

Roll Call: Trustee Shearer – yes, Trustee Kearns – yes, Trustee Fraley – yes, Trustee Hair – yes

Item #15 on the Agenda: Discussion/Action – Adopt Resolution 2022-02 Budget Adjustment.

Trustee Hair made a motion to Postpone the Adoption of Resolution 2022-02 Budget Adjustment.

Trustee Shearer seconded the motion.

Discussion: There was no discussion of this item.

Roll Call: Trustee Shearer – yes, Trustee Kearns – yes, Trustee Fraley – yes, Trustee Hair – yes

Item #16 on the Agenda: Discussion/Action – Approve Purchase for the Capitan Police Department of 2 Additional License Plate Reader (LPR) Cameras paid for from the Law Enforcement Protection Fund (LEPF) at No Cost to the Village.

Trustee Shearer made a motion to Approve Purchase for the Capitan Police Department of 2 Additional License Plate Reader (LPR) Cameras paid for from the Law Enforcement Protection Fund (LEPF) at No Cost to the Village. Trustee Hair seconded the motion.

Discussion: Randy Spear advised the Board that these cameras will be placed on State Hwy 48 and Aspen. They will go on the Hwy right-of-way and Randy has already obtained the approval from the Hwy Department for this.

Roll Call: Trustee Shearer – yes, Trustee Kearns – yes, Trustee Fraley – yes, Trustee Hair – yes

Item #17 on the Agenda: Discussion/Action – Legal Health & Safety Welfare at 104 Aspen – SCAC Inc.

Discussion: Randy Spear advised the Board that last Thursday he was assisting the Lincoln County Sherriff's Department with an eviction at 104 Aspen, the Capitan Stage Trailer Park. While investigating the current location of the resident being evicted, other residents of the trailer park informed Randy that they are not paying their rent due to the septic tanks, which have been overflowing for over a year. Randy was shown where the septic tanks are leaking, behind several of the trailers and, he could tell they had been leaking for a long time. Randy advised the Board that raw sewage is being diverted into the canyon and there was also an "open septic tank that any child could fall into." Randy contacted EID and New Mexico Ground Water Authority (NMGWA). EID informed Randy that they'd be in Capitan on Friday. Avery of the New Mexico Ground Water Authority contacted Randy and requested photos which he supplied and within the hour Avery called again to say they would be at the trailer park at 11:30 the following morning (Friday). Randy, Danielle Morales – Village Code Enforcement Officer, Kevin Kennedy – Village Emergency Response Co-Ordinator, Steve Osborn – Water Utilities Supervisor spent the better part of Friday with the NMGWA.

Randy is requesting the Village Board of Trustees adopt a Resolution requiring the owner to address the failed septic system at the trailer park. Randy said the State of New Mexico is going to require the owner, who lives in El Paso, TX. to replace all the septic tanks at the park. William Chavez, Bureau Chief of Environmental Health is overseeing this issue. Randy said he sent Mr. Chavez pictures of what has been done for now to address the overflowing septic tanks. Two of the tanks have been pumped with more scheduled to be pumped but this is only a temporary fix, "a band-aid" and is not enough to fix the failed septic system. The open tank has been covered with boards and has been fenced off and where there was standing sewage, to the west, where the sewage runoff had collected, that has been flatten off. Randy went on to say that this is a health hazard, children live and play in the area and the walking trail is affected as well. Randy suggested the Village have Zach Cook, it's attorney, draw up a Resolution to further ensure the owner complies with installing a new septic system for his trailer park.

Item #17 on the Agenda: Discussion/Action – Legal Health & Safety Welfare at 104 Aspen – SCAC Inc. (Continued)

Trustee Shearer asked why Randy couldn't just Site him under Village Ordinances. Randy informed the Board that Avery will site him with a \$25,000 a day fine for up to six months. He told the Board that he intends to Site the owner as well.

Trustee Kearns was unclear why a Resolution is required if the State is going to do the enforcing.

Zach Cook said he was also out at the site on Friday and that there is "a real issue there." He informed the Board that adopting a Resolution to address the health, safety and welfare issue at the Trailer Park would put more pressure on and, negotiating power with the property owner and that State Statute 3-18-5 allows this and allows the Village to enforce the Resolution. Also, the Village would be formally recognizing that a problem exists at the Trailer Park and it has taken measures to correct them. If the property owner fails to comply then the Board can act on the Resolution, clean up the problem and put a lien on the property, then foreclose and sell the property. Zach said he could draft the Resolution by the next Regular Board Meeting and he and Randy will address the Board regarding the Resolution with photos and testimony.

Steve Osborn said that waterlines run adjacent to where the sewage is leaking and there could be a potential threat to the Village's water supply if a break should occur in that portion of the waterline. The Mayor said the Residents are not required to pay rent to the owner until the Septic System has been replaced and, they have been given information and contacts should the owners attempt to evict them. Trustee Hair was concerned with the liability of the Village should the owner just abandon the property. Trustee Fraley asked if the Village would be responsible for the tenants should it foreclose on the property.

Trustee Shearer felt it wouldn't come to that but if it does, then the Village would immediately auction the property.

Zach explained that a lien would only come into play once the Village has paid to clean up the problem. A lien for the cost of the clean up would be placed, then the property immediately foreclosed on and auctioned. The new owner would have responsibility of the property.

Steve informed the Board that in his discussion with the property owner, he learned that the owner is going to request individual taps for each trailer. Because of recent cold weather and to keep the pipes from freezing the tenants have been leaving their water running which has contributed to the problem. Currently there is one water meter for all twenty residents.

Zach said he can have the Resolution drafted by the March Meeting for sure because Zach will be in Santa Fe for the State's 30-day Legislative session, January 18th through February 17th. This will give Randy time to develop his evidence. Randy will monitor the situation and if there is no action taken by the property owner he'll advise the Mayor and Zach, at which point the Village can move forward with the Resolution.

Trustee Kearns asked if the Resolution is going to reference measures taken by the State. Zach informed the Board that the Resolution will adopt a finding that the condition of the property has created a health, safety and welfare situation and under that finding the Village has resolved to clean it up, allowing the Village to put a lien on the property for the cost and then foreclose on the lien and sell the property per State Statute 3-18-5. As long as the property owner supplies the Village with a plan and timeline that the Village can accept and he is following through with this, the Village will not enforce the lien.

Item #17 on the Agenda: Discussion/Action – Legal Health & Safety Welfare at 104 Aspen – SCAC Inc. (Continued)

Zach said this Resolution is not for the purpose of obtaining and selling the property, it is “a negotiating tactic as well as a legal tactic.” He went to say that in his experience this tactic “has always brought the other party to the table” and his advice to the Board is to exercise any authority that the Board has. Trustee Shearer asked that this item be placed on the Agenda each month to receive updates on the situation. The Mayor agreed will be placed on future Agendas until it has been resolved.

Roll Call: A vote was not taken

Item #18 on the Agenda: Discussion/Action – Approve a Request of \$10,000 by the Capitán Public Library to Contribute to the Cost of the Purchase of an Electronic Sign to Serve the Community.

No motion or second was made to Approve a Request of \$10,000 by the Capitán Public Library to Contribute to the Cost of the Purchase of an Electronic Sign to Serve the Community. The Mayor opened up the Item for Discussion

Discussion: Trustee Shearer wanted to disclose to the Board that one of the people representing the Library is a relative of hers.

The Technology Manager for the Library told the Board that for years the Library has needed a message board, an electronic sign on State Hwy 48. They received a Grant for \$10,000 which had to be spent so the Library purchased an electronic sign in December of 2021. They have obtained permission to place the sign in the Hwy right-of-way from the State with a Landscape Permit. The total cost of the sign is \$30,000 of which \$10,000 was paid by the Grant, the Library has saved \$10,000 and they are asking that the Village of Capitán pay the remaining \$10,000. The Village may use the sign to post information whenever it wishes, just let the Library know what it needs. The sign is programmed via Wi-fi. The sign isn't “huge” but it will be close to the road and easy to view by passers-by providing an effective way to communicate to the public.

Paulette Arnone, Library Director informed the Board that this will be a great improvement on the current sign used by the Library which is a two-sided fiberglass letter board that she picked out of the trash, so it was free but, the letters have to be manually changed in all types of weather, quite a challenge. She advised the Board that she has placed “thank you”s to the Village and the Village Police Department in the past on this board. Paulette said “We would really appreciate it if the Village could pay a third” of the cost for the electronic sign. The Library has, by itself secured the other 2 thirds of the cost.

The Mayor reminded everyone that the Library does so much for the community and that “everyone” drives down Hwy 48 so the sign will provide a great service to the community with information of all the services the Library provides and also information from Village Hall. The Mayor thinks it's important that the Village contributes to the cost and asked the Board to give this its full consideration.

The Technology Manager pointed out that the Library is the un-official chamber of commerce for the Village since there is currently no official chamber of commerce.

Paulette informed the Board that the Capitán Library was the only Library to remain open within a 200-mile radius during the pandemic. She reminded the Board that “we are a poor community” with many unable to afford devices let alone wi-fi and they “kept it open, Monday through Saturday” 10 am to 2 pm. Paulette said they help members of the community apply for sustenance, they help with job applications and they collect clothing, jackets and shoes. The Library also provides books of all types, free to the public. The Library has a table out everyday and people bring bags to fill with free books.

Item #18 on the Agenda: Discussion/Action – Approve a Request of \$10,000 by the Capitan Public Library to Contribute to the Cost of the Purchase of an Electronic Sign to Serve the Community.

(Continued)

Paulette called Jim Miller, former Superintendent for Carrizozo Schools, who loads up a truck with books that would otherwise be burned and asked him to bring them to the Capitan Library instead for this purpose. The Library provides free wi-fi 24/7 and leaves extension cords outside so those without internet access can plug in and use the Library's wi-fi. She reminded the Board that they are non-profit and always looking for donations of any kind, from anybody, to keep up the good works they are doing for the community.

Chris Shearer introduced herself as Chairman of the Board for the Library. She disclosed that she is a relative of a Member of the Board and also said she used to teach math at the high school and knows the Mayor's son.

Trustee Shearer asked those representing the Library if it will cause them a problem if the Board comes back to this next month, after the Board has beginning cash balances for its fiscal year budget. She was told it would not cause a problem.

Trustee Shearer said she thinks the Library does "an amazing job" and hopes that the Board can "come up with the money to do this."

The Technology Manager expressed his thanks to the Board for the attention paid to the building housing the Not 2 Shabby Shop which the Village owns and leases to the Library.

The Mayor said this item will be placed on the next Agenda, Regular or Special Meeting, for a vote by the Board.

The Board agreed that they want to provide the funds to the Library for its sign if they can.

Roll Call: A vote was not taken

Item #19 on the Agenda: Discussion/Possible Action – Refund to Promise Lane.

The Mayor informed the Board that this item will be Discussion only and invited Steve Osborn to address the Board.

Discussion: Steve explained that splitting the cost by six potential users the individual cost comes out to \$178.00 per lot. He believes the owner to receive a refund was charged \$200. If divided by 8 the cost comes to \$133.00 per lot. Steve left it up to the Board how the cost should be split.

Trustee Shearer felt that splitting between the potential users for this waterline is only fair since that is what has been done for subsequent owners needing a water line extension for water service. She said that even though the Village will absorb the remaining cost of this waterline the Village is gaining a permanent water customer and that's the cost of doing business.

The Board decided to base the refund on the cost when split between 6 property owners and that Steve will document it so when other property owners come on to this water line extension for water service, they will be charged the appropriate amount for their share of the water line extension.

Trustee Kearns doesn't want anyone to be under the illusion that the Village will get full reimbursement for the water line. Some of the property owners may never hook up to the Village's water supply due to any number of reasons, including that some of the lots may not be able to be developed due to sloping, the levelness of a lot.

Steve advised the Board that with extra-territorial water requests being approved some existing water lines, in future, may need to be replaced with a wider pipe if too many properties are on that line.

Item #19 on the Agenda: Discussion/Possible Action – Refund to Promise Lane. (Continued)

Trustee Shearer thinks the Village should have a discussion with the County, the Village's attorney and the County attorney, about the fact that the Village is providing county residents with water service to determine if an agreement or other document is needed between the two.

She went on to say that the Village has better trash service than what the County provides and trash service comes with water service. Perhaps trash service should also be offered to county residents even if they are not getting water service from the Village.

Steve said he would like to get the Water Assessment done, because the Village "still has some battles there" with the State Engineers.

Trustee Shearer agreed, that information is critical, she said the Water fund is not currently self-sustaining and more water taps are required to accomplish this.

Steve advised the board that a rate study will also be conducted to determine where the Village is in comparison to other municipalities in the State, on what they charge.

It was agreed that Steve will provide the figure for the refund at the next Regular Trustee Meeting for the Trustees to approve.

Roll Call: None was taken.

CORRESPONDENCE:

ADJOURNMENT:

Trustee Kearns made a motion to Adjourn. Trustee Hair seconded the motion.

Roll Call: All were in favor, motion carried.

Mayor Lowrance Adjourned the meeting at 8:05 PM.


Ron Lowrance, Mayor, Village of Capitán

Attest:


Al Cavazos, Village Clerk

January 11th, 2022
6:00 PM

[illegible]