

Minutes
Regular Trustee Meeting
March 12th, 2024
6:00 P.M

The Village of Capitan Board of Trustees met for a regular meeting on Tuesday March 12th, 2024 at the Village Hall in Capitan, New Mexico at 6:00 PM.

Mayor Davalos Called the meeting to order at 5:59 PM

Roll Call: Mayor Davalos – Present, Mayor ProTem Cleckler – Here, Trustee Shearer – Here (via zoom), Trustee Hair – Here, Trustee Menix – Here, The Village Clerk Angela Autrey, Chief of Police Randy Spear and other employees listed on the sign in sheet were also present. The Finance Officer LeAnne Brasher was absent. A list of public people who attended are attached.

Item #1 Approval of the Agenda.

Trustee Shearer motioned to approve the agenda. Trustee Cleckler seconded the motion. All in favor.

Discussion: No discussion was made on this item.

Roll Call: Trustee ProTem Cleckler – Yes, Trustee Menix – Yes, Trustee Hair – Yes, Trustee Shearer – Yes. All in favor.

Item #2 Mayor and Trustee Comments.

Trustee Cleckler – I have a question that was brought to me before I came over here for Randy. My customers want to know if there is anything you can do about the speeding that's going down the hill.

Chief Spear – On road 246?

Trustee Cleckler – Yes. They said particularly one of the former county commissioners is what they said is flying down the road and it's hard for them to pull out. They live at the bottom of the hill and right at that hill, cars come flying down. They want to know if something can be done about that.

Chief Spear – I've been working with Francisco with the State Hwy Department down in Roswell. They did a traffic count survey of speed for a week or two. I never got the results from it. I did one for about 3 weeks. I'm trying to properly post signs out there because it goes from 45 straight into a 25. By federal law it's got to be by increments. I'm trying to fight with them. I've tried to talk to Eddy Sedillo Jr., here. He's having the same problem with Roswell and Santa Fe, trying to get them to do this.

Trustee Cleckler – What they said the problem is not they are not going 45 but they are going like 65.

Chief Spear – The city limit stops right there at the Bailey residence and the Highway Department is just giving fits right now.

Trustee Cleckler – Okay. I told them I would alert you.

Chief Spear – Okay

Officer Wall – We have put the speed limit trailer out there. About a couple months ago.

Chief Spear - It was last month, January.

Officer Wall – We have also done some enforcement out there.

Trustee Shearer- I don't have anything at this time.

Trustee Menix- I have nothing at this time.

Trustee Hair – I'm good thank you very much.

Mayor Davalos – I do not have a comment.

Item #3 Public Input (2 Minutes Per Speaker).

There was no input from the public.

Item #4 Discussion/Action – Approval of the Minutes – Regular Trustee Meeting February 13th, 2024. Budget Workshop February 20th 2024. Budget Workshop March 5th, 2024.

Trustee Hair made a motion to approve the minutes. Trustee Menix seconded the motion. All in favor.

Discussion:

Mayor Davalos – Should I do them one at a time or should I do them all? (No Comment from the Trustee's)

Trustee Hair - Madam Mayor I would like to motion to approve the minutes for those meetings.

Mayor Davalos – Okay. Do I have a second?

Trustee Menix – I'll second.

Mayor Davalos - I have a motion and a second.

Discussion – There was no discussion on this item.

Roll Call: Trustee Cleckler – Yes, Trustee Shearer – Yes, Trustee Hair – Yes, Trustee Menix – Yes. All in favor.

Item #5 Discussion/Action – Approval of January 2024 Bills Paid.

Trustee Hair motioned to approve the bills paid. Trustee Cleckler Seconded. Motion approved 3 yes, 1 no.

Discussion:

Trustee Cleckler – I have a question on Sleuth. That is paid for and....

Village Clerk Autrey- Court

Trustee Cleckler – Police department and court. So, my questions would be for LeAnne. She's not here.

Village Clerk Autrey – I can answer them.

Trustee Cleckler – It's paid by the Court but it's used by the Police Department.

Village Clerk Autrey – That is just our system, the court's side.

Trustee Cleckler – Is this to pay for this year or last year?

Village Clerk Autrey – Last years, and it get's reimbursed completely.

Trustee Cleckler – Okay, Randy said they wanted to switch to something new. I just want to make sure that we are going to be paying for something and then say they don't want to use it.

Village Clerk Autrey – I know. They are in the same system but they are separate.

Trustee Menix – I was going to ask if we could bring Tuesday. I just have some general questions.

Mayor Davalos – So do we approve them or postpone and bring it to the budget?

Trustee Menix – No, we can do it tonight. I just want to ask some general questions during the budget workshop. Would that be okay?

Trustee Cleckler – I have more questions though. The Coppler Law Firm. Are we still paying them? What are we doing?

Village Clerk Autrey – We are still paying them. Not now, but for the previous months. They were helping us on some things with GreenTree.

Trustee Cleckler – So this is not for January, it should be for December?

Village Clerk Autrey – No. There was one in January and I'm not sure if there is in February. I think there might be.

Trustee Cleckler – There is.

Village Clerk Autrey – The bill is from before, but it was paid in January. The bill from February, is from January paid in February.

Trustee Cleckler – Okay. Then, I know on the child support stuff. That's where you are pulling it out of his check?

Village Clerk Autrey - Yes.

Trustee Cleckler – The Harlem Clark checks?

Village Clerk Autrey - That's for checks from the bank. Our check order.

Trustee Cleckler – That's all of the questions I have.

Trustee Shearer- I don't have any questions but I would like to have copies of the invoice from the Coppler Law Firm. For how ever many months we've been getting those from them.

Mayor Davalos- Okay. Roll call please.

Roll Call: Trustee Cleckler – No, Trustee Shearer – Yes, Trustee Hair - Yes, Trustee Menix – Yes. Motioned passed.

Item #6 Discussion/Action – Approval of February 2024 Bills Paid.

Trustee Hair motioned to approve the February bills paid. Trustee Menix seconded. All in favor.

Discussion:

Trustee Menix – Did we get new computers?

Village Clerk Autrey – The police department did.

Trustee Menix - That's what that is for. I figured it was. Under the fire department, the \$101,000, is that what that is?

Village Clerk Autrey – It came out of?

Trustee Menix- It has a negative.

Village Clerk Autrey – What happened was, they put that in the general account, so we had to write a check to put that into the fire fund. So, it's kind of a transfer.

Trustee Cleckler – You have, Lincoln County Mercantile. The January says, monthly service?

Village Clerk Autrey – We do PO's there. They send us a bill for all of the PO's for the month.

Trustee Cleckler – That's a service they charge us.

Village Clerk Autrey- No. How much is it for?

Trustee Cleckler - \$383

Village Clerk Autrey – That was the bill for the whole month.

Trustee Cleckler – So it's not broken out.

Village Clerk Autrey – She breaks it out in our QuickBooks.

Trustee Cleckler – That’s why it says, Split?

Village Clerk Autrey- Yes.

Trustee Cleckler – Then GreenTree had one for dumpsters, \$219. Is that the replacement of the dumpsters?

Village Clerk Autrey- No, I believe that was... Does it say roll off?

Trustee Cleckler – It’s says February 2024 split.

Village Clerk Autrey – I’m not sure, I’d have to ask LeAnne, because I don’t want to say something that not true.

Trustee Cleckler – I was just wanting to know, what dumpsters. Back here or?

Village Clerk Autrey – Honestly, I don’t know. It might be the bigger ones that....

Trustee Cleckler – I want to make sure they aren’t double dipping you guys because I pay for two of those dumpsters.

Village Clerk Autrey – We have one at the PD we have one at the Senior Center. I’m not sure but I will make sure.

Mayor Davalos – LeAnne will have that information.

Trustee Cleckler – I have a question that goes back to January. The Carr and Rigs is on here again. I know in February, there was a bar item increase to \$20,000. That wasn’t passed and has just disappeared.

Village Clerk Autrey- No, she had to find the money out of someplace else.

Trustee Cleckler – Okay.

Mayor Davalos – Trustee Shearer?

Trustee Shearer – I don’t have anything at this time but I’m going to continue to object to any payments to Coppler Law Firm.

Trustee Cleckler – Are we going to go over anything on the February budget? Just bills?

Village Clerk Autrey – We were waiting. Bobbi is going to come in tomorrow. Her and LeAnne are going to go over it. We didn’t want to put anything out there until they discuss it.

Roll Call: Trustee Cleckler – Yes, Trustee Shearer – Yes, Trustee Hair – Yes, Trustee Menix – Yes. Motion passed

Item # 7 Discussion/Action - Approval of Application for Replat on 109 Aspen Dr., Capitan New Mexico, 88316. Mesa Verde Acres Subdivision, Lot 18, Unit 3. – Charles Stetson.

Trustee Hair motioned to approve the application of the replat. Trustee Shearer seconded the motion. All in favor.

Discussion:

Trustee Hair- I see that this plan has been signed off by the Planning Committee.

Trustee Cleckler – This was in last term, they talked about subdivisions, and you can’t go less than an acre or 5 acres. Does that one fall...

Village Clerk Autrey – I thought it was less than half an acre. The minimum was less than half an acre.

Trustee Cleckler – That was in Mt. Capitan. This isn’t Mt. Capitan, is it?

Mayor Davalos – Mesa Verde.

Trustee Cleckler – I didn’t want, down the line, somebody...

Village Clerk Autrey – No, you are fine. (looking through her binder for the Ordinance)

Trustee Cleckler – Nothing was ever said and done at that meeting.

(Janiece Wall went for a copy of the Ordinance to read.)

Trustee Shearer- Mayor, if I can comment. If I understood this map, this portion of the property is already cut off with Montes Dr., in front of the main property. Is that correct?

Mayor Davalos – That is correct.

Trustee Cleckler – I think nothing was ever decided on it.

Village Clerk Autrey- It never was, but I want to say that in the Ordinance... I want to make sure that I'm not reading it wrong. (Reading from the ordinance) Lots in any subdivision or replat that have access to Village sewer and water shall be no less than one-half-acre minimum.

Roll Call: Trustee Cleckler – Yes, Trustee Shearer – Yes, Trustee Hair – Yes, Trustee Menix – Yes. Motion passed

Item #8 Discussion/Action – Approval of Application for Two Modular Duplexes – 443 W. 2nd and Dockray Addition, Lot #19, 11 Capitan, New Mexico 88316.

Trustee Menix motioned to approve the application. Trustee Hair seconded the motion. All in favor.

Discussion:

Trustee Shearer- Is this one lot? I couldn't tell how many lots this is. Is it one lot? How big is this property?

Village Clerk Autrey – It's two lots.

Trustee Shearer – Okay. It's two full lots.

Village Clerk Autrey- Yes

Trustee Shearer – Is it described this way because of an overlap in the original plat or something?

Village Clerk Autrey – What do you mean overlap?

Trustee Shearer- It says, all of 19 and the westerly 5 feet of lot 11. Then the tract of land 19'x127'. I'm just trying to figure out exactly what it describes. Anyway, I think if it's two full lots it fits the ordinance. Is that correct?

Village Clerk Autrey – I believe so. There is a garage on the smaller portion, that's going to stay there. They are not doing anything with that because it's already there. I think that's what you are talking about overlapping, is that correct?

Trustee Shearer – I'm just trying to read the legal description. It describes lot 19 and then the westerly 5 feet of lot 11. It doesn't describe two full lots. It's hard to tell how much it's describing. If it comes out to two full lots. I know we have a lot of issues down town with overlapping property lines.

Village Clerk Autrey – 68'x100' I believe it's two lots.

Trustee Shearer – Okay. I guess if it's 127' wide. It's almost 2 and a half of the original lots.

Village Clerk Autrey- Yes.

Trustee Shearer – That answers my question.

Chief Spear – Mayor, that's going to be 2nd and Forest. That won't be 2nd and Dockray. It should be the property right across the street from the school.

Mayor Davalos- I'm sorry. Dockray Addition.

Roll Call: Trustee Cleckler – Yes, Trustee Shearer – Yes, Trustee Hair – Yes, Trustee Menix – Yes. Motion Passed.

Item #9 Discussion/Action – Approval to Add Smokey Bear Link to Be Placed on the Village of Capitan Website.

Trustee Menix moved to approve. Trustee Cleckler seconded the motion. All in favor.

Discussion:

Trustee Shearer – Go get your Smokey Bear license plates.

Roll Call: Trustee Cleckler – Yes, Trustee Shearer – Yes, Trustee Hair – Yes, Trustee Menix – Yes. Motion passed.

Item #10 Discussion/Action – Approval of the Use of Village of Capitan Property for the Hometown Association/Smokey Bear’s 80th Birthday Celebration.

Trustee Menix motioned to approve. Trustee Hair seconded the motion. All in favor.

Discussion:

Shirley Pavlovic – I presented packets last month for you all to look at. The property we wanted to use is, parking spaces out in front of Smokey Bear Historical Park that still belongs to the Village. The park is in the process of having a survey, but at this time I think that property is still owned by the Village. We also wanted to use the property in front of the old fire station, the concrete lot. Then property on the side of the old train depot and also the community playground property that belongs to the Village because part of that also belongs to the State Park. Those are the properties that we are talking about here. Thank you for your support and help with the celebration. We really appreciate it.

Mayor Davalos – Absolutely, I think we are all looking forward to it.

Shirley Pavlovic – Thank you to the Village staff as well. We appreciate you.

Village Clerk Autrey- Thank you!

Shirley Pavlovic- You’re welcome.

Roll Call: Trustee Cleckler – Yes, Trustee Shearer – Yes, Trustee Hair – Yes, Trustee Menix – Yes. Motion passed.

Item #11 Discussion – Presentation of Annual Update with the Humane Society of Lincoln County and Contract Shannon Lefebvre and Abel Guzman.

Debbie Barbie – I’m Debbie Barbie. I’m the president of the Humane Society Board. This is Shannon Lefebvre, who is our treasurer. This is the time that we update you with all of our good work here. We want to start out by telling you that we have had 800 animals leave our shelter in 2023. They were either adopted, returned to the owner, or they were transferred to a rescue. Our initiative is to get everybody in Lincoln County microchipped. We’ve done pretty good we’ve done 687 microchips. We’ve applied for a grant to try do a microchip clinic, with either very low cost or free microchips if we get this grant. This has helped keep the cost down for everybody. You all got your scanners, didn’t you, that we were offering last year?

Chief Spear – I think she does have one.

Debbie Barbie – I know that we tried to get one to each municipality. You can scan animals right there. Then they can go home, instead of coming here. We also offer the SPOT program. Stop Pet Over Population. Today, we’ve done 110 sterilizations through that. It’s low cost for people that are low income. You can get a voucher for \$40 and then take them to the Vet. to get them sterilized. We have a trap and release program. We have done 240 cats. Today, which is why I’m able to visit, our executive director can’t be here because he’s been busy for the last

couple of weeks. We've participated in World Spay Day. Where we have collected the money to pay for Vet's to come in and do this for us. Where we can offer free sterilization for pet owners who don't qualify for low income and they don't make enough money to be able to afford the surgery. We did 155 animals for free to our community and Lincoln County. Also, in house we've done 340. So, in 2023 we sterilized 845 animals in Lincoln County. We think that those are pretty good numbers. Not this year, but the one before, you guys donated \$1,000 to us to help fund it. So, maybe when the contract comes due, you might consider that again, because this has been great. Also, our numbers this year. I told you, we had 800 go out, we had 1,359 come in. So, we are working on fosters, and we have a very good volunteer group too. But, specifically for your Municipality, we took in 23 cats, and 37 dogs for a total of 60 animals. Something that you guys had asked us last year is, when we presented our contract. How we tracked where they came from. I have a list of every animal that came from Capitan. Either the ACO, Danielle brought in. Or the public brought them in. I will give you this information so that you can see exactly where all of the animals came from, and make for sure they came from your Municipality.

Mayor Davalos – I noticed on your contract you sent over, you did specify how you were tracking it. I noticed it on here.

Debbie Barbie – Yes. I'm giving you all of that information so that you guys can have that and see. When Danielle brings them in, she fills out the paperwork and tells us where she picked them up. That is your Animal Control Officer.

Mayor Davalos – Right.

Debbie Barbie – When the public brings them in, they have to show ID too and tell us where they picked them up. So, we can keep track of where all the animals come from. That's required of everybody. There is your yearly report. I want to give a pat on the back to everyone at the shelter because they work hard.

Mayor Davalos – We appreciate your service, and I did get a report from my ACO. I see where we are at. What we are going to do is, we are working on our budget right now. We will be looking at it, and as soon as we can we will let you know.

Debbie Barbie – I appreciate it. We usually come to your meeting to represent that.

Mayor Davalos – We appreciate that. It's helpful to know with what you all are doing, and how you all are doing it. That was one of the concerns. I read through your contract here and it really broke it down, how you track what's coming in from Capitan. It does specifically say here how you track our Capitan animals. Thank you so much.

Adjournment:

Trustee Menix motioned to adjourn. Trustee Hair seconded the motion. All in Favor.

Roll Call: Trustee Cleckler – Yes, Trustee Shearer – Yes, Trustee Hair – Yes, Trustee Menix – Yes. Motion passed.

Meeting adjourned at 6:33 PM

Attest:


Angela Autrey, Village of Capitan Clerk


Minerva Davalos, Village of Capitan Mayor