

Regular Meeting (Remote Meeting in compliance with NM Open Meetings Act)
May 11, 2021
6:00 P.M.

Members Present: Mayor Nuñez, Mayor Pro Tem Torres, Trustee Whitlock, and Trustee Crist.

Members Absent: Trustee Atencio

Others Present: Mike Castillo, Tim Thornton, Richard Garcia, Jorge Au, Lisa Neal, Dave Shields, Alfredo Holguin, Shirley Rice, Dave Sment, Elizabeth Porras.

A regular meeting of the Board of Trustees of the Village of Hatch was held remotely. In attendance through remote electronic communication were Mayor Nuñez, Mayor Pro Tem Torres, Trustee Whitlock, and Trustee Crist. Mayor Nuñez asked the Clerk Treasurer for roll call as follows: Mayor Nuñez – Present, Mayor Pro Tem Torres – Present, Trustee Atencio – Absent, Trustee Whitlock – Present, and Trustee Crist – Present. There being a quorum, Mayor Nuñez called the meeting to order at 6:00 p.m.

Trustee Torres led all in attendance in the Pledge of Allegiance and Trustee Whitlock gave the opening prayer. Mayor Nuñez then called for a moment of silence.

Trustee Whitlock moved to approve the agenda as presented. Seconded by Trustee Crist. Motion carried with all Trustees voting aye.

Trustee Whitlock moved to approve the consent agenda as presented. Seconded by Trustee Crist. Motion carried with all Trustees voting aye.

Dave Shields with Bohannon Huston gave a project status update for all ongoing services provided. On the Canal Road Low Water Crossing the project is complete and punch list repair items have been corrected. Working on final close out documents. The Chile Capital Lane Extension is complete and 2019/20 LGRF funding has been closed out. NMDOT 2020/21 funds have been requested and should be paid in the next couple weeks. All clearance requests have been sent to the different agencies as required. Will close out with the Canal Rd. project. The Hatch Airport Pavement preservation work is complete and waiting on new gate installation. The Hatch Water Preliminary Engineering Report- Approved by NMED and reimbursement request will be sent to DFA. The Hatch NMDOT LGRF Projects 21/22 NMDOT District One has preliminary approval for 2021/22 grant to pave Fajardo St. The Hatch Gateway Monument on I-25- NMDOT District One has sent review packet to Right of Way Bureau in Santa Fe and received April 16, BHI has talked with Jeremy Lujan with the ROW Bureau, and said he is still a few weeks out from confirming the right of way. Then he'll send it over to the Review Committee. It sounds like it is still a few months out from even being reviewed. On the Village Properties BHI has reached out to several surveyors to retrace the property boundaries for both the Village Yard and the Well on NM 187. So far none of them have agreed to take on the project, and are waiting to hear back from Underwood Engineering to see if they are interested. The well property does have a deed to the village, and can have the surveyor retrace the boundary to make sure it is clear of adjacent properties. However, it doesn't show anything on

the water rights for the well. The Village Yard property is going to be more complex since one lot is still showing NMDOT as the owner and the other shows Candelaria as owner. It will need to be re-platted and filed with the county. The ultimate plan is to correct the parcel ownership with the county and then transfer the 2-acre feet of water rights from the yard to the community center well. I have contacted the OSE about efforts to clean this up and transfer the water rights, but it is going to take some time to get the survey portion done and filed.

Trustee Whitlock moved to approve Resolution No. 1015 Authorizing the execution and delivery of a Local Government Planning Grant Agreement by and between the NMFA and the Village of Hatch, Dona Ana County, NM in the amount of \$36,068.08. Seconded by Trustee Crist. The Board was polled as follows: Mayor Pro Tem Torres-aye, Trustee Whitlock-aye, Trustee Crist-aye, Trustee Atencio-absent. Motion carried.

Trustee Whitlock moved to approve the execution of Grant #3-35-0021-016-2021 Federal funds associated with the Hatch Municipal Airport, which is included as part of this ACRGR Grant Agreement. Seconded by Trustee Crist. Motion carried with all Trustees voting aye.

Alfredo Holguin provided a project status update for all ongoing services provided by Wilson & Company. On the Rodey Lift Station Rehabilitation and New Chile Capital lane Lift Station Project the agreement for Engineering Services has been submitted to NMED for concurrence. Approval Anticipated by May 20, 2021. The Agreements will need to be executed and concurrence received from NMED to begin on the project. The Placitas Water System Improvements Data Collection and Coordination with Village Public Works to begin as soon as Agreement is executed. On the 2021 NMED CWSRLF storm pumps project Village Accepted Award Offer and is working on closing documents. The 2021 Capital Outlay Project: Hero's Park Multi-Purpose Flood Control the Village was awarded \$200,000 in Grant on April 10 and is anticipated to be available in October 2021. The 2021 Colinas Infrastructure Funds Project Hero's Park Multi-Purpose Flood Control application Submitted: March 3, 2021 and final funding recommendations scheduled for May 20, 2021.

Trustee Whitlock moved to approve Resolution No. 1014 Authorizing the execution and delivery of a loan and subsidy agreement and intercept agreement by and between the Village of Hatch and the NMFA, evidencing a special limited obligation of the governmental unit to pay a principal amount of no more than \$251,750, together with interest, and administrative fees thereon, and to accept a loan subsidy of \$755,250. Seconded by Trustee Torres. The Board was polled as follows: Mayor Pro Tem Torres-aye, Trustee Whitlock-aye, Trustee Crist-aye, Trustee Atencio-absent. Motion carried.

Trustee Crist moved to approve to create an ordinance authorizing the Village of Hatch to enter into a loan agreement with the NMED for the purpose of obtaining project loan funds in the principal amount of \$610,000 plus (0.0%) accrued interest; and loan subsidy grant funds in the amount of \$782,000 for a total funded project of \$1,392,000; Designating the use of the funds for the purpose defined in the most current project description form as approved by NMED; Declaring the necessity for the loan. Seconded by Trustee Whitlock. The Board was polled as

follows: Mayor Pro Tem Torres-aye, Trustee Whitlock-aye, Trustee Crist-aye, Trustee Atencio-absent. Motion carried.

Trustee Whitlock moved to approve Resolution No. 1013 Authorizing the assignment of authorized officer(s) and agent(s). Seconded by Trustee Crist. The Board was polled as follows: Mayor Pro Tem Torres-aye, Trustee Whitlock-aye, Trustee Crist-aye, Trustee Atencio-absent. Motion carried.

Trustee Whitlock moved to approve Resolution No. 1016 A Resolution confirming the Village of Hatch to participate in the NMDOT project fund call for projects FY-2022. Seconded by Trustee Torres. The Board was polled as follows: Mayor Pro Tem Torres-aye, Trustee Whitlock-aye, Trustee Crist-aye, Trustee Atencio-absent. Motion carried.

*6:19 p.m. Trustee Whitlock moved to convene in closed executive session to discuss threatened or pending litigation, employment matters as authorized by the open meetings act § (H)(7). Seconded by Trustee Crist. The Board was polled as follows: Mayor Pro Tem Torres-aye, Trustee Whitlock-aye, Trustee Crist-aye, Trustee Atencio-absent. Motion carried.

*7:52 p.m. Trustee Whitlock moved to reconvene in open session from closed executive session where no decisions were made. Seconded by Trustee Torres. The Board was polled as follows: Mayor Pro Tem Torres-aye, Trustee Whitlock-aye, Trustee Crist-aye, Trustee Atencio-absent. Motion carried.

Trustee Crist moved to ratify to hire Melissa Castillo as Pool Manager effective April 12, 2021. Seconded by Trustee Whitlock. Motion carried with all Trustees voting aye.

Trustee Crist moved to approve a pay increase of fifty cents for Melissa Castillo effective may 3, 2021. Seconded by Trustee Whitlock. Motion carried with all Trustees voting aye.

Trustee Torres moved to ratify the advertisement to hire lifeguards for the 2021 season. Seconded by Trustee Whitlock. Motion carried with all Trustees voting aye. Trustee Torres moved to table item 13(d) of the agenda until more research is done. Seconded by Trustee Crist. Motion carried with all Trustees voting aye.

Trustee Torres moved to accept the retirement of Officer Larry Bleimeyer Jr. effective June 30, 2021. Seconded by Trustee Crist. Motion carried with all Trustees voting aye.

Trustee Whitlock moved to approve to advertise for two full time police officer positions to fill the vacancies. Seconded by Trustee Torres. Motion carried with all Trustees voting aye.

Trustee Whitlock moved to approve to continue doing business with Barncastle Law Firm after attorney's fees increase to \$175.00 per hour. Seconded by Trustee Crist. Motion carried with all Trustees voting aye.

Trustee Whitlock moved to approve Legal Services Engagement with Chappelle Law LLC. Seconded by Trustee Crist. Motion carried with all Trustees voting aye.

Mike Castillo, Public Works Director gave a brief report on the Utilities Department. Utility crew has been working on getting the Swimming Pool ready for summer operations. Has also been working on the electrical rebates Tree planting is scheduled for June 5, 2021. Tim Thornton, Chief of Police reported no issues at the police department, it's been a busy month, and also working on FOP negotiations. Jorge Au, Fire Chief gave an update on the different activities at the Fire Department. Training ongoing with weekend shifts. Pump operation and fire tactics ongoing. Purchase fo new HME Silver Fox Pumper Equipment Unit 19-01. PO provided to vender and ninety nine percent of equipment received. Chief Au, Captain Au, and Captain Mata are now Certified AHA CPR Instructors. ISO visit/audit completed. New ISO rating to be issued in May or June.

There being no further business Trustee Crist moved to adjourn at 8:20 p.m. Seconded by Trustee Whitlock. Motion carried with all Trustees voting aye.

Signed: _____, Mayor ATTEST: _____,

Date: _____