



**VILLAGE OF MAGDALENA**  
PO BOX 145, MAGDALENA, NM 87825  
P. 575.854.2261 F. 575.854.2273  
WWW.VILLAGEOFMAGDALENA.COM

**AGENDA**  
**NOTICE OF REGULAR MEETING OF THE VILLAGE OF MAGDALENA BOARD OF TRUSTEES**  
**MONDAY, APRIL 25, 2022**  
**VILLAGE HALL 108 N. MAIN STREET 5:00 PM**

**PURSUANT TO PUBLIC HEALTH ORDER DATED FEBRUARY 17, 2022, SOCIAL DISTANCING SHOULD CONTINUE TO BE MAINTAINED.**

**MEMBERS OF THE PUBLIC WHO WISH TO ATTEND AND LISTEN TO THE MEETING VIA ZOOM MAY DO SO AT THE FOLLOWING LINK:**

<https://us02web.zoom.us/j/4861155997?pwd=V0V6SERBNVdGNDNPaE1ZdWp1N004UT09>

**Meeting ID: 486 115 5997**

**Passcode: MAGDALENA**

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES
  - a. REGULAR MEETING- APRIL 11, 2022
6. APPROVAL OF CASH BALANCE REPORTS
7. APPROVAL OF BILLS
8. MAYOR'S REPORT
9. CLERK'S REPORT
10. KID'S SCIENCE CAFÉ - DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF REQUEST FOR LODGER'S TAX FUNDING FOR FRONTIER FESTIVAL
11. DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF RESOLUTION NO. 2022-05, DONATION OF TRASH TRUCK TO THE CITY OF SOCORRO
12. EXECUTIVE SESSION – THE FOLLOWING MATTERS WILL BE DISCUSSED IN CLOSED SESSION: MOTION & ROLL CALL VOTE TO GO INTO EXECUTIVE SESSION AND THAT, PURSUANT TO NEW MEXICO STATE STATUTES SECTION 10-15-1, ONLY THE FOLLOWING MATTER WILL BE DISCUSSED IN CLOSED SESSION:
  - a. CLERK/TREASURER
    - MOTION & ROLL CALL VOTE TO RETURN TO REGULAR SESSION
    - MOTION & ROLL CALL VOTE THAT MATTERS DISCUSSED IN CLOSED SESSION WERE LIMITED TO THOSE SPECIFIED IN MOTION FOR CLOSURE, AND THAT NO FINAL ACTION WAS TAKEN, AS PER NEW MEXICO STATUTES SECTION 10-15-1
13. DISCUSSION & POSSIBLE DECISION TO HIRE CLERK/TREASURER

**14. PUBLIC INPUT – 1 TOPIC PER PERSON - 3 MINUTE LIMIT**

PUBLIC COMMENT MAY BE MADE IN PERSON OR VIA EMAIL (IF LESS THAN 3 MINUTES). EMAIL COMMENTS MAY BE MADE BY EMAILING COMMENTS TO: [clerk@villageofmagdalena.com](mailto:clerk@villageofmagdalena.com) and/or [mayor@villageofmagdalena.com](mailto:mayor@villageofmagdalena.com) THE DEADLINE FOR WRITTEN PUBLIC COMMENTS TO BE RECEIVED IS MONDAY, APRIL 25, 2022 AT 12:00 PM. EMAILED PUBLIC COMMENT MUST CONTAIN THE AUTHOR'S NAME AND PHYSICAL ADDRESS AND WILL BE ENTERED AND/OR READ INTO THE MEETING MINUTES.

**15. ADJOURNMENT**

*NOTE: THIS AGENDA IS SUBJECT TO REVISION UP TO 72 HOURS PRIOR TO THE SCHEDULED MEETING DATE AND TIME (NMSA 10-15-1 F). A COPY OF THE AGENDA MAY BE PICKED UP AT THE VILLAGE OFFICE, 108 N. MAIN STREET, MAGDALENA, NM 87825. PUBLIC DOCUMENTS, INCLUDING THE AGENDA AND MINUTES, CAN BE PROVIDED IN VARIOUS ACCESSIBLE FORMATS. PLEASE CONTACT THE VILLAGE CLERK/TREASURER IF A SUMMARY OR OTHER TYPE OF ACCESSIBLE FORMAT IS NEEDED. IF YOU ARE AN INDIVIDUAL WITH A DISABILITY WHO IS IN NEED OF A READER, AMPLIFIER, QUALIFIED SIGN LANGUAGE INTERPRETER OR ANY OTHER FORM OF AUXILIARY AID OR SERVICE TO ATTEND OR PARTICIPATE IN THE MEETING, PLEASE CONTACT THE VILLAGE CLERK AT 575-854-2261 AT LEAST ONE WEEK PRIOR TO THE MEETING OR AS SOON AS POSSIBLE.*

# DRAFT

MINUTES OF THE REGULAR MEETING OF THE VILLAGE OF MAGDALENA  
BOARD OF TRUSTEES  
HELD MONDAY, APRIL 11, 2022, AT 5:00 PM

PURSUANT TO PUBLIC HEALTH ORDER DATED FEBRUARY 17, 2022, SOCIAL DISTANCING SHOULD CONTINUE TO BE MAINTAINED.

MEMBERS OF THE PUBLIC WHO WISH TO ATTEND AND LISTEN TO THE MEETING VIA ZOOM MAY DO SO AT THE FOLLOWING LINK:

<https://us02web.zoom.us/j/4861155997?pwd=V0V6SERBNVdGNDNPaE1ZdWp1N004UT09>

Meeting ID: 486 115 5997

Passcode: MAGDALENA

Mayor Richard Rumpf called the meeting to order at 5:00 p.m.

**PRESENT:** Mayor Richard Rumpf, Trustee James Nelson, Trustee Clark Brown, Carleen Gomez-Deputy Clerk, Kathy Stout - Attorney

**PARTICIPATING VIA ZOOM VIDEO CONFERENCE:** Trustee Harvan Conrad & Trustee Donna Dawson

**GUESTS:** Cricket Courtney, Richard Esposito, Malcolm Apachito, Michael Zamora – Marshal, Sabrina A. Aragon – Assistant Clerk

Mayor Richard Rumpf requested that all those present recite the Pledge of Allegiance.

**APPROVAL OF AGENDA:** Clark Brown moved to approve the agenda, as presented. Donna Dawson seconded the motion. The motion carried unanimously.

**APPROVAL OF MINUTES:** Clark Brown motioned to approve the minutes of the March 28, 2022, meeting, with no amendments. Harvan Conrad seconded the motion. The motion carried unanimously.

**APPROVAL OF CASH BALANCE REPORT:**

Donna Dawson motioned to approve the Cash Balance Report, as presented. Clark Brown seconded the motion. The motion carried unanimously.

**APPROVAL OF BILLS:**

Deputy Clerk Gomez stated that there were two additions to the Bill List; the first invoice was for Lowe's for Fire Department supplies in the amount of \$936.44 and the second invoice was for Quill for miscellaneous supplies for miscellaneous departments in the amount of \$601.82.

Clark Brown moved to approve the Bill List with said additions. Harvan Conrad seconded the motion. The motion carried unanimously.

**BILL LIST**

Admin Office of The Courts	\$132.00	Rak's Building Supply	\$45.62
Artesia Fire Equipment, INC	\$695.00	Route 60 Trading Post	\$100.00
Beasley, Mitchell & CO.	\$4935.76	The Library Store	\$64.59

Consultant Pharmacist	\$431.50	Tire Shop	\$15.00
Ingram Library Services	\$105.59	Verizon Wireless	\$993.30
Jacob Finch	\$1074.38	Wex Bank	\$3207.87
Merchants Automotive	\$372.80	Winston's Auto Service	\$178.70
Nance, Pato & Stout	\$639.00	WNM Communication	\$725.30
NM Judicial Education	\$66.00		
Provelocity	\$420.00	<b>ADDITIONS:</b>	
Quick Med Claims	\$37.50	Lowe's	\$936.44
Quill	\$32.67	Quill	\$601.82
		<b>TOTAL:</b>	<b>\$15,810.84</b>

### **MAYOR'S REPORT**

Mayor Rumpf stated that Senator Lujan's Office requested that the Village put in for direct appropriations through the Senators Office. Mayor Rumpf stated that he put in the request for the funding to finish the water line extension on the east end of town on through to the rodeo grounds. Senator Heinrich's Office had a meeting concerning the Fire Departments that were requesting fire equipment and Heinrich said that it was a good idea to be planning. Mayor Rumpf put a request in for the assistance in the amount of \$650,000.00. Mayor Rumpf is waiting for a response. Mayor Rumpf reported that the Water Well was finished last week and they are just moving equipment and cleaning up. He stated that within the next ten days they will do a pump test and a water flow test to make sure everything is working correctly. They will then connect it to the Well and to the building to make everything is working correctly there. We should know by the end of the week a schedule of when they will be taking down the old water tanks. The Marshal's vehicle should be finished soon. Mayor Rumpf stated that he had a chance to interview Mrs. Angela Mosier and he would like to offer her the Clerk/Treasurer position. Mayor Rumpf was happy to say that The Source 2022 magazines are out with articles about Magdalena and surrounding areas through the summer.

### **CLERK'S REPORT**

Deputy Clerk Carleen Gomez stated that there was nothing to report at this time.

### **DEPARTMENT REPORTS**

#### **EMS**

Jim Nelson reported that there were nine calls in March 2022.

#### **FIRE**

A report was submitted by Fire Chief Jeff Joseph and reviewed by the Mayor and Board of Trustees. Mayor Rumpf stated that there were no fire calls in the month of March 2022.

#### **MARSHAL**

A report was submitted by Marshal Michael Zamora and reviewed by the Mayor and Board of Trustees.

#### **JUDGE**

A report was submitted by Municipal Judge Simon Armijo and Court Clerk Carleen Gomez and reviewed by the Mayor and Board of Trustees.

#### **PUBLIC WORKS**

A report was submitted by Utility Worker Nehemiah Peralta and reviewed by the Mayor and Board of Trustees.

## **LIBRARY**

A report was submitted by Librarian Ivy Stover and reviewed by the Mayor and Board of Trustees.

### **BEASLEY, MITCHELL & CO., LLP – PRESENTATION & DISCUSSION REGARDING FISCAL YEAR 2021 AUDIT**

Dalilah Garcia with Beasley Mitchell & Company discussed the Audit for Fiscal Year 2021 ending June 30, 2021. She reported that the FY2021 Audit has been approved by the State Auditors' Office and we have now made it past the five-day waiting period. The Audit is now available for the public. The Audit Report was reviewed and issued an unmodified opinion. Mrs. Garcia explained that the Villages' financial statements are stated fairly, and they did not have any reservations on our presentation. She pointed out the Beasley, Mitchell & Company issued another report regarding our audit which was the report on internal controls. She stated that in that report they don't issue an opinion they just identify any internal control items that are required to be reported to the Village or the areas that have errors or concerns. There are two items on the internal control reports that are related to two findings. There were ten findings and eight have been resolved. The two findings that were made are the Lodger's Tax and Lodger's Tax audit report finding. The Village is required to monitor and provide a report on Lodger's Tax and how the information is collected. A report has not been done in the past. Beasley, Mitchell & Company submitted a quote on what the cost would be to have this done externally. The second finding was the EMS Billing and the accounts receivable having to do with that billing. The Village is offering the ambulance services and the billing is not being reported properly. She stated that there had been no progress in the finding.

### **DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF RESOLUTION NO. 2022-04, ACCEPTANCE AND APPROVAL OF THE FISCAL YEAR 2021 AUDIT**

Donna Dawson made the motion to approve Resolution No. 2022-04. Clark Brown seconded the motion.

Mayor Rumpf requested a roll call vote:

Donna Dawson – AYE

Harvan Conrad – AYE

James Nelson – AYE

Clark Brown – AYE

The motion carried unanimously.

### **DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF QUARTERLY REPORT FOR MARCH 31, 2022**

Michael Steininger stated that this report is from the quarter ending on March 31<sup>st</sup>, 2022, and it is much like the report for the quarter ending December 2021. He stated that the only thing that concerned him is that the Solid Waste Fund it is down to \$1,400.00 in cash because of the purchase of the new trash truck. He stated that he anticipated that the funds would be low due to the price changes in the purchase of the trash truck. Mr. Steininger stated that we still have an approved \$20,000.00 transfer that we can make use of if we need it. As the end of the quarter, we are 75% of the way through the fiscal year and the General Fund is at 130% of revenue because we have received the annual Small Cities Assistance. He stated that our expenses are running at 70%, Water is almost on target at 70% of revenue and 60% expenses, Solid Waste is running a little bit high at 89% revenue and 91% expenses, Wastewater is at 99% of revenue and 85% expenses, Ambulance is at 88% revenue and 86% expenses, and the library is at 111% revenue 96% expenses. Mr. Steininger stated that he anticipates that between now and the end of June another transfer will have to be made to the library. He stated that we still have \$15,000.00 of transfer potential that was approved for the library and there shouldn't be any other changes. Mr. Steininger stated that he should have the preliminary draft of the budget based on where we are as of March, but he will need help on any projects or anything we anticipate doing next year. He stated that next meeting we will start with the preliminary draft.

Donna Dawson made the motion to approve the Quarterly Report for March 31, 2022. Harvan Conrad seconded the motion.

Mayor Rumpf requested a roll call vote:

Clark Brown – AYE

James Nelson – AYE

Harvan Conrad – AYE

Donna Dawson – AYE

The motion carried unanimously.

#### **DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF FIRE DEPARTMENT BYLAWS**

Jim Nelson moved to approve the Fire Department Bylaws. Clark Brown seconded the motion.

Mayor Rumpf requested a roll call vote:

James Nelson – AYE

Donna Dawson – NAY

Harvan Conrad – AYE

Clark Brown – AYE

The motion carried unanimously.

#### **DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL TO PURCHASE UTILITY TRAILER FOR UTILITY DEPARTMENT**

Mayor Rumpf stated he has been lending the Village his utility trailer for the past year or so and would like to get the Village its own utility trailer. The Village has a contract with CES buying cooperative through CMT. We have done business with them in ABQ with our trash trucks. We need permission from the Board for \$5,000.00 to move ahead with this purchase.

Donna Dawson made the motion to approve purchasing the utility trailer under State Contract. Clark Brown seconded the motion.

Mayor Rumpf requested a roll call vote:

James Nelson – AYE

Clark Brown – AYE

Donna Dawson – AYE

Harvan Conrad – AYE

The motion carried unanimously.

#### **EXECUTIVE SESSION – THE FOLLOWING MATTERS WILL BE DISCUSSED IN CLOSED SESSION: MOTION & ROLL CALL VOTE TO GO INTO EXECUTIVE SESSION AND THAT, PURSUANT TO NEW MEXICO STATE STATUTES SECTION 10-15-1, ONLY THE FOLLOWING MATTER WILL BE DISCUSSED IN CLOSED SESSION:**

##### **a. DEPUTY MARSHAL**

- **MOTION & ROLL CALL VOTE TO RETURN TO REGULAR SESSION**
- **MOTION & ROLL CALL VOTE THAT MATTERS DISCUSSED IN CLOSED SESSION WERE LIMITED TO THOSE SPECIFIED IN MOTION FOR CLOSURE, AND THAT NO FINAL ACTION WAS TAKEN, AS PER NEW MEXICO STATUTE SECTION 10-15-1**

Harvan Conrad moved to go into Executive Session at 5:19 p.m. Donna Dawson seconded the motion.

Mayor Rumpf requested a roll call vote:

James Nelson – AYE

Harvan Conrad – AYE

Donna Dawson– AYE

Clark Brown– AYE

The motion carried unanimously.

Donna Dawson made a motion to return to Regular Session at 5:23 p.m. and certified that only the item on the agenda was discussed and no decisions were made. Harvan Conrad seconded the motion.

Mayor Rumpf requested a roll call vote:

Clark Brown– AYE

Donna Dawson – AYE

Harvan Conrad – AYE

James Nelson – AYE

The motion carried unanimously.

#### **DISCUSSION & POSSIBLE DECISION TO HIRE DEPUTY MARSHAL**

Donna Dawson motioned to approve the hiring of Mr. Malcolm Apachito as Deputy Marshal 3. Clark Brown seconded the motion.

Mayor Rumpf requested a roll call vote:

James Nelson – AYE

Harvan Conrad – AYE

Donna Dawson – AYE

Clark Brown – AYE

The motion carried unanimously.

Malcolm Apachito took a minute to state that he would like to do what is best for Magdalena and is excited to work with everyone. He thanked the Village for hiring him and giving him another opportunity to work with the community.

#### **PUBLIC INPUT – 1 TOPIC PER PERSON – 3 MINUTE LIMIT**

**PUBLIC COMMENT MAY BE MADE IN PERSON OR VIA EMAIL (IF LESS THAN 3 MINUTES). EMAIL COMMENTS MAY BE MADE BY EMAILING COMMENTS TO: [clerk@villageofmagdalena.com](mailto:clerk@villageofmagdalena.com) and/or [mayor@villageofmagdalena.com](mailto:mayor@villageofmagdalena.com) THE DEADLINE FOR WRITTEN PUBLIC COMMENTS TO BE RECEIVED IS MONDAY, APRIL 11, 2022 AT 12:00 PM. EMAILED PUBLIC COMMENT MUST CONTAIN THE AUTHOR'S NAME AND PHYSICAL ADDRESS AND WILL BE ENTERED AND/OR READ INTO THE MEETING MINUTES.**

Richard Esposito from the Hop Canyon Fire Department stated there has been fires on Oak Street near his residence in the Village and he wanted to bring it to the Trustees attention that he never knows how many volunteer fire fighters are going to show up from the Village of Magdalena or Socorro County Departments. Mr. Esposito stated that his opinions on how to fix this problem of how many volunteers show up were never addressed. He would like the Hop Canyon Fire Department to be more involved with getting help and other opportunities. Mr. Esposito stated that the Mutual Aid Agreement got discarded also there is only one certified fire fighter and the Chief left in Hop Canyon and the Chief is not in good health. Hop Canyon only has five new volunteers, but they are not trained in anything. Mayor Rumpf stated the Village of Magdalena Fire Department has its own trainings and the Hop Canyon Fire Department can go to those trainings so there should be no reason they are not trained. Jim Nelson asked Mr. Esposito if he would like to voice his opinions

at one of the meetings. Mr. Esposito stated he would, but he doesn't feel like he's getting listened to or helped. Mayor Rumpf stated that is not true.

**ADJOURNMENT**

Donna Dawson motioned to adjourn the meeting at 5:42pm. Clark Brown seconded the motion. The motion carried unanimously.

Respectfully Submitted,

Sabrina Aragon  
Assistant Clerk

Richard Rumpf  
Mayor



**Request to Village of Magdalena for Use of Lodger's Tax  
(Pursuant to Lodger's Tax Act Section 3-38-14 NMSA 1978)**

**Our mission is to stimulate economic growth by marketing Magdalena as a visitor destination through tourism.**

**Eligible uses of Lodger's Tax Proceeds are to defray the costs of:**

- **advertising, publicizing and promoting tourist-related attractions, facilities and events as stated in SECTION 4 of the Village Ordinance.** (A complete copy is available upon request.)

1. This request is made by Kids' Science Cafe' (Applicant)

Address:

202 Spruce St. PO Box 1083  
Magdalena NM 87825

Phone: 575-854.3438 Email: jsauer000@gmail.com

- 501-3C Non-Profit Entity; (provide proof) EIN 83-4056590
- For Profit Entity; (Private Individual/Entity)
- Group/Organization without Non-Profit Status;
- Other: \_\_\_\_\_

The purpose of this request is to provide tourist related activities and contract with the Village and other individuals/entities in the provision of tourist-related promotional activities.

Name of Event: Frontier Festival

Location of Event: N. MAIN ST.

Description of Event: community festival.

Is this a fund raising event? Please describe:  
NO

Proposed Date of Event: 11 June 2022

**1. All printed material must include the Village logo (available at Village Hall once approval has been given), and indicate that Village of Magdalena Lodger's Tax funds were used in the purchase of said items.**

- **BEFORE EVENT**  
- Applicant is required to provide an estimated budget to include: Revenue (income from sponsors, sales, booth space fees, etc.) and

**EVENT/ORGANIZATION:** \_\_\_\_\_

**BUDGET WORKSHEET** (complete this form as an estimate BEFORE your event and again AFTER your event showing actual amounts, along with an event summary)

**INCOME SOURCES**

ESTIMATE / ACTUAL

\_\_\_\_\_

*we might get some donations*

*but do not, as yet, know how much*

\_\_\_\_\_

\_\_\_\_\_

**TOTAL INCOME**

\_\_\_\_\_

**EXPENSES**

ESTIMATE / ACTUAL

*Portable LATRINE*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*550<sup>00</sup>*

**TOTAL EXPENSES**

\_\_\_\_\_

**MARKETING**

Who is your target market?

How/where are you advertising your event? Does this reach your target market?

\* Please include copies of all advertisements following event.

ESTIMATE / ACTUAL

Number of Visitors at Event *~400*

Number of Motel Rooms Filled \_\_\_\_\_

**EVENT SUMMARY** (Please let us know how your event went, things that went well, areas that need work or attention for next year)

Expenses (advertising, rental fees, etc.).

• FOLLOWING EVENT

- Applicant shall provide accurate financial records (invoices, receipts, etc.) for all items for which the City pays.

2. Use of Funds

The use of Village of Magdalena's Lodger's tax funds are outlined by Village Ordinance No. 2015-06. The requirements as outlined by the Village's Lodger's Tax Ordinance must be adhered to in the execution of all aspects of this request. Applicant acknowledges that a complete copy is available and understands the eligible uses of Lodger's Tax Proceeds. \* Lodger's tax funds are not to be used to pay for motel rooms.


3. Terms and Conditions of this Request

A. Contractor is requesting \$ N550 in Lodger's Tax funds to be used as follows:

3 Portable LATRINES - Have called to verify cost  
HAND WASH STATION

B. Any other requests (ie. Use of Village property, police escort, etc. must be made at Village Hall).

This request is submitted the 8 day of April, 2022.

  
\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Village of Magdalena

Approval

As Mayor of the Village of Magdalena I am authorizing the above described event with the understanding that all preliminary administrative functions have been met (i.e. budget, Board approval, etc.).

\_\_\_\_\_  
Richard Rumpf – Mayor



**RESOLUTION № 2022-05**

**DONATION OF TRASH TRUCK TO THE CITY OF SOCORRO**

**WHEREAS**, the Village of Magdalena Board of Trustees met upon notice of a duly published meeting on at 5:00 pm on April 25, 2022 at Village Hall, 108 N. Main Street, Magdalena, New Mexico as required by law; and,

**WHEREAS**, the City of Albuquerque donated a 2009 Model 320 Peterbilt Truck to the Village for its use; and,

**WHEREAS**, the Village no longer requires the truck, but the City of Socorro could utilize it.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Trustees for the Village of Magdalena finds that donation of 2009 Model 320 Peterbilt Truck VIN 3BZL50X39F719184 is in the best interest of the public and that the donation be made upon approval of the local government division of the department of finance and administration. NMSA 1978, Section 3-54-2(D).

**APPROVED, ADOPTED, AND PASSED** on this 25th day of April, 2022.

\_\_\_\_\_  
Richard Rumpf, Mayor

Attest:

\_\_\_\_\_  
Carleen Gomez, Deputy Clerk