



VILLAGE OF MAGDALENA

P.O. BOX 145
108 N. MAIN STREET
MAGDALENA, NM 87825
Phone: (575)854-2261 Fax: (575)854-2273
www.villageofmagdalena.com

AGENDA

**NOTICE OF REGULAR MEETING OF THE VILLAGE OF MAGDALENA BOARD OF TRUSTEES
MONDAY, SEPTEMBER 26, 2022
VILLAGE HALL 108 N. MAIN STREET 5:00 PM**

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

PLEASE SILENCE ALL ELECTRONIC DEVICES

-
1. CALL TO ORDER
 2. ROLL CALL
 3. PLEDGE OF ALLEGIANCE
 4. APPROVAL OF AGENDA
 5. APPROVAL OF MINUTES
 - a. REGULAR MEETING- SEPTEMBER 12, 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 LODGER'S TAX FUNDING FOR ANNUAL HIGHWAY 60 CAR SHOW FUNDRAISER
 11. DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL TO USE AMERICAN RESCUE PLAN ACT (ARPA) FUNDING FOR PAYMENT OF INCREASED AMOUNT OF AIRPORT GRADER COST NOT COVERED BY NMDOT AVIATION GRANT
 12. DISCUSSION & POSSIBLE DECISION TO PAY SOCORRO COUNTY FY2023 INVOICE FOR MAGDALENA SENIOR CENTER MEMORANDUM OF UNDERSTANDING

13. FINAL CONSIDERATION – DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF ORDINANCE NO. 2022-02, NIGHT SKIES

14. EXECUTIVE SESSION - THE FOLLOWING MATTER 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(H)(2), ONLY THE FOLLOWING MATTER WILL BE DISCUSSED IN CLOSED SESSION:

a. DEPUTY MARSHAL – BRIAN WATERMAN

- **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**

15. DISCUSSION & POSSIBLE DECISION CONCERNING APPROVAL TO PROMOTE DEPUTY MARSHAL BRIAN WATERMAN TO THE RANK OF SERGEANT INCLUDING A PAY RATE INCREASE PURSUANT TO SECTION 4.2 OF THE PERSONNEL POLICY

16. 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 and/or mayor@villageofmagdalena.com THE DEADLINE FOR WRITTEN PUBLIC COMMENTS TO BE RECEIVED IS MONDAY, SEPTEMBER 26, 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.

17. 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.

**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 JIM SAUER (Applicant)

Address:

PO Box 1083 11135 Hwy 60 W
Magdalena NM 87825

Phone: 575.854.3438

Email: jsauer000@gmail.com

- 501-3C Non-Profit Entity; (provide proof)
 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: Highway 60 Car Show

Location of Event: NORTH MAIN Street.

Description of Event: Annual Fund raising event for the Kids Science Cafe. Activities include raffle, music, snacks + drinks

Is this a fund raising event? Please describe: yes. Annual Fund Raising Drive for KSC

Proposed Date of Event: 15 Oct 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
registration (\$25/vehicle)	_____	_____
sponsorships (unit)	_____	_____
Donation of raffle items (unit)	_____	_____
TOTAL INCOME	_____	_____

EXPENSES	ESTIMATE	ACTUAL
postage	\$200	_____
envelopes	\$10	_____
baked goods	\$75	_____
liquid products	\$50	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
TOTAL EXPENSES	_____	_____

MARKETING

Who is your target market?

Car Clubs - Local area residents

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

mail ; email ; public posting, radio

* Please include copies of all advertisements following event.

	ESTIMATE	ACTUAL
Number of Visitors at Event	100	_____
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 \$ 600 in Lodger's Tax funds to be used as follows:

Portable LATRINES (Stool Bus)
Printing of fliers & letters

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

This request is submitted the 7th day of September, 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

Stool Bus, LLC

P O Box 574

Pie Town, NM 87827

Estimate

Date	Estimate #
9/16/2022	214

Name / Address
Jim Sauer Magdalena, NM 87825

Project

Description	Qty	Rate	Total
3 Stool Rooms and 1 Handwash Station for 150 People Delivery 10/14/2022		165.00	165.00T
Pick up and Disposal 10/17/2022		185.00	185.00T

Thank you for your business.	Subtotal	\$350.00
	Sales Tax (6.3125%)	\$22.09
	Total	\$372.09

SELL PRICE	\$116,167.46
SUBTOTAL	\$116,167.46
TOTAL	\$116,167.46

WARRANTY & COVERAGE

Standard Warranty: 12 Months Unlimited Hours, Parts and Labor (Travel Time included for the first 6 months)

Extended Coverage: 416-36 MO/3000 HR POWERTRAIN + HYDRAULICS

F.O.B./TERMS:
Albuquerque

PAYMENT TERMS

Cash Invoice Terms

CASH WITH ORDER
\$0.00

\$ 8411.1



**MEMORANDUM OF UNDERSTANDING
BETWEEN THE COUNTY OF SOCORRO and THE VILLAGE OF MAGDALENA
FOR
THE FUNDING OF THE MAGDALENA SENIOR CENTER**

WHEREAS, the parties to this Memorandum of Understanding (MOU) are local governments of New Mexico; Socorro County and the Village of Magdalena;

WHEREAS, Socorro County owns and operates a Senior Center at 500 9th Street, Magdalena, New Mexico for the benefit of the senior citizens of the Village of Magdalena;

WHEREAS, the Village of Magdalena has contributed to the Senior Center by providing municipal utilities at no cost, specifically water, sewer, and trash pick-up;

WHEREAS, the actual payment of these costs to the Village of Magdalena by Socorro County would aid the Village in accounting for the utility services it provides;

WHEREAS, Socorro County has agreed to pay monthly costs for water, sewer, and trash pick-up to the Village of Magdalena in exchange for the Village's agreement to pay five thousand dollars (\$5,000) annually to Socorro County as its contribution to the operation of the Senior Center;

THEREFORE, the parties do mutually agree as follows:

- a) The County of Socorro will remit payment for municipal utility services to the Senior Center, specifically water, sewer, and trash pick-up, to the Village of Magdalena upon receipt of a monthly utility bill.
- b) The Village of Magdalena will remit payment in the amount of five thousand dollars (\$5,000.00) annually, no later than May 15th of each year to the County of Socorro as its contribution to the operation of the Senior Center.
- c) This Agreement will commence on August 1, 2017.
- d) Should either party wish to terminate this Agreement, six (6) months notice should be given to the other party prior to the date of termination.

- e) Payment made by the Village pursuant to this Agreement will be used by the County solely for the benefit of the Magdalena Senior Center.

VILLAGE OF MAGDALENA

BY: Richard Rumpf
Richard Rumpf, Mayor

Date: 7-10-2017

Attest:

Stephanie Finch
Stephanie Finch, Village Clerk/Treasurer

COUNTY OF SOCORRO

APPROVED, ADOPTED and PASSED on this 25th day of July, 2017.

BOARD OF COUNTY COMMISSIONERS

Martha A. Salas
MARTHA SALAS, CHAIR
DISTRICT II

Pauline Jaramillo
PAULINE JARAMILLO, VICE-CHAIR
DISTRICT I

Manuel E. Anaya
MANUEL E. ANAYA, MEMBER
District III

Absent
GLEN DUGGINS, MEMBER
DISTRICT IV

Antonio Ray Martinez
ANTONIO RAY MARTINEZ, MEMBER
DISTRICT V

ATTEST BY:

Betty Saavedra
BETTY SAAVEDRA, COUNTY CLERK





**VILLAGE OF MAGDALENA
NIGHT SKIES ORDINANCE No. 2022-02**

WHEREAS, NMSA 1978, Section 3-18-1 (1972) provides that municipalities, have the power to “protect generally the property of its municipality and its inhabitants” and to “preserve peace and order”; and,

WHEREAS, NMSA 1978, Section 3-17-1 *et seq.* provides that municipalities may adopt ordinances, not inconsistent with the laws of the State of New Mexico, to discharge those powers necessary and proper to provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of the municipality and its inhabitants; and,

WHEREAS, Magdalena attracts both professional and amateur astronomers and is known for its rural character and dark skies; and,

WHEREAS, The Night Sky Protection Act, NMSA 1978, Section 74-12-7(B) does not prohibit county ordinances that are equal to or more stringent than the provisions of that Act.

NOW, THEREFORE, BE IT ORDAINED:

I. DEFINITIONS

A. “outdoor lighting fixture” means an outdoor artificial illuminating device, whether permanent or portable, used for illumination or advertisement, including searchlights, spotlights and floodlights, whether for architectural lighting, parking lot lighting, landscape lighting, billboards or street lighting; and

B. “shielded” means a fixture that is shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.

II. MINIMUM REQUIREMENTS.

- A. All outdoor lighting fixtures shall be shielded except incandescent fixtures of one hundred fifty watts or less and other sources of seventy watts or less unless the fixture is extinguished by an automatic shutoff device between the hours of 11:00 PM and sunrise.
- B. No mercury vapor outdoor lighting fixtures shall be sold or installed.
- C. No outdoor recreational facility, whether public or private, shall be illuminated after 11:00 pm except for a national or international tournament or to conclude any recreational or sporting event or other activity conducted, which is in progress prior to 11:00 pm at a ballpark, outdoor amphitheater, arena, or similar facility.

III. EXEMPTIONS. The following are exempt from the requirements of this Ordinance.

- A. Outdoor lighting fixtures on advertisement signs on interstates and federal primary highways.
- B. Navigational lighting systems at airports and other lighting necessary for aircraft safety.
- C. Outdoor lighting fixtures that are necessary for worker safety at farms, ranches, dairies, feedlots or industrial, mining or oil and gas facilities.
- D. Outdoor lighting fixtures for fire stations and community centers.
- E. Outdoor lighting fixtures existing and installed prior to the year 2000; however, when existing lighting fixtures become unrepairable, their replacements are subject to all the provisions of this Ordinance.

IV. PENALTIES

- A. An offense, for the purpose of this Ordinance, is defined as thirty (30) days from the date of a warning or adjudication of guilt. If the violation continues after the expiration of thirty (30) days following either of these triggering events, a subsequent offense will occur.
- B. For a first offense, the alleged violator will be warned in writing.
- C. For a second offense or subsequent offense, persons violating this ordinance shall, upon conviction, be subject to a fine of up to three hundred dollars (\$300.00).

V. ENFORCEMENT

The Magdalena Marshal's Office and any other legally qualified law enforcement officer or any of their agents shall have the ability to enforce this Ordinance.

Approved, Adopted, and Ordained this _____ day of _____, 2022.

VILLAGE OF MAGDALENA

Richard Rumpf, Mayor

Attest:

Carleen Gomez, Deputy Clerk



Magdalena Marshal's Office

PO Box 145

Magdalena, New Mexico

Marshal@villageofmagdalena.com

575-854-2493 Office

09/15/2022

To, Mayor Rumpf and distinguish Magdalena Village Board members

I am requesting your approval of promoting Deputy Brian Waterman to the rank of Sergeant to include an up in pay rate of \$1.25. Deputy Waterman has completed the six-month probation period; he has demonstrated good leadership and has performed all his duties using good judgement and professional proficiency. He has become a good asset for the Magdalena Marshal Department and for the Village of Magdalena. With all due respect I urge you to seriously consider this request. Thank you in advance for you attention to this matter.

A handwritten signature in black ink, appearing to read 'Michael Zamora'.

Marshal Michael Zamora