



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, JUNE 28, 2021
VILLAGE HALL 108 N. MAIN STREET 5:00 PM

PURSUANT TO THE PUBLIC HEALTH ORDER DATED January 29, 2021, LIMITING PUBLIC GATHERINGS IN THE STATE, THE FOLLOWING MEETING ATTENDANCE CAPACITY RULES APPLY:

****RED LEVEL** - (very high risk): the meeting will not be physically open to the public. Members of the public may attend and listen to the meeting via Zoom or Facebook.

****YELLOW LEVEL** - (high risk): the meeting is limited to 10 members of the public, inclusive of public officials & employees. Admission will be on a first come first serve basis. All other members of the public may attend and listen to the meeting via Zoom or Facebook.

****GREEN LEVEL** - (medium risk): the meeting is limited to 20 members of the public, inclusive of public officials & employees. Admission will be on a first come first serve basis. All other members of the public may attend and listen to the meeting via Zoom or Facebook.

****TURQUOISE LEVEL** - (medium risk): the meeting will be open to the public. Members of the public may also attend and listen to the meeting via Zoom or Facebook.

ALL OTHER PUBLIC HEALTH ORDER COVID-19 REQUIREMENTS AND FIRE MARSHAL CAPACITY LIMITS APPLY.

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- JUNE 14, 2021
6. APPROVAL OF CASH BALANCE REPORT
7. APPROVAL OF BILLS
8. MAYOR'S REPORT
9. CLERK'S REPORT

10. DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF RESOLUTION 2021-06 AMENDED, NOTICE TO THE COUNTY CLERK OF 2021 MUNICIPAL ELECTIONS

11. DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF RESOLUTION 2021-07, NMDOT LGRF COOPERATIVE AGREEMENT CONTROL NO. L100493

12. DISCUSSION & POSSIBLE DECISION REGARDING AMERICAN RESCUE FUNDING
13. DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF ADDING BAY TO FIRE DEPARTMENT
14. DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF LODGERS TAX FUNDS FOR MAGDALENA CHAMBER OF COMMERCE
15. DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF LODGERS TAX FUNDS FOR INK/PAPER FOR ADVERTISING FOR VILLAGE EVENTS
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, JUNE 28, 2021 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.

DRAFT

MINUTES OF THE REGULAR MEETING OF THE VILLAGE OF MAGDALENA
BOARD OF TRUSTEES
HELD MONDAY JUNE 14, 2021 AT 5:00 PM

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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 Clark Brown, Francesca Gutierrez- Clerk/Treasurer, Kathy Stout – Attorney

Participating via Video Conference: Trustees: Donna Dawson, James Nelson and Michael Steininger

GUESTS: Carleen Gomez- Deputy Clerk, Michael Zamora, Athena Gassoumis

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 carried.

APPROVAL OF MINUTES: Clark Brown moved to approve the May 24, 2021 minutes, as presented. Donna Dawson seconded. The motion carried.

APPROVAL OF CASH BALANCE REPORT: Donna Dawson moved to approve the cash balance report, as presented. Clark Brown seconded. The motion carried.

APPROVAL OF BILLS: Carleen Gomez- Deputy Clerk, asked to add the following additions: Sierra Propane \$23.39, Stryker \$101.04. Donna Dawson moved to approve the bill list, with the additions. Clark Brown seconded. The motion carried.

BILL LIST

Baker Utility Supply	\$696.18
Bound Tree Medical	\$117.00
Central Region Education	\$204.55
City of Socorro	\$3672.64
Consultant Pharmacist	\$431.50
Durkin Diesel	\$797.81
GunMag Warehouse	\$839.80
Hall Environmental	\$226.54
Integration & Control Solut	\$315.00
Jacob Finch	\$1074.38
Med-Tech Resources	\$213.71
Merchants Auto	\$384.09
Nance, Pato & Stout	\$639.00
New Mexico Meters	\$1900.00
Printing Systems	\$171.42
Provelocity	\$1274.00
REB Management	\$1429.72
Route 60 Trading post	\$100.00
Verizon Wireless	\$1045.07
WEX Bank	\$1725.50
Winstons Auto	\$104.28
WNM Communications	\$863.43
Total	\$18225.62

MAYOR'S REPORT

Mayor Rumpf thanked everyone that helped in the Cemetery clean up. He said the DAV put new flags on the Veterans graves. He also said the Frontier Festival went well and had a good turnout. The Mayor also mentioned he met with Bohannon about the airport and said that the DOT Aviation Division may have excess money to help chip seal the road and runway. He also mentioned some upcoming events; July 3rd at 10am will be a parade and August 21st will be a Fly -In.

CLERK'S REPORT

Francesca Gutierrez had no report.

DEPARTMENT REPORTS

- a. **EMS**- Jim Nelson, EMS Coordinator, reported 3 calls in May 2021.
- b. **FIRE**- Mayor Rumpf reported 0 calls in May 2021.
- c. **MARSHAL**- A report was submitted by Marshal Zamora and reviewed by the Mayor and Trustees.
- d. **JUDGE**- Judge Simon Armijo and Court Clerk Carleen Gomez submitted a report that was reviewed by the Mayor and Trustees.
- e. **PUBLIC WORKS**- No report was submitted. The Mayor reported an injector pump is needed for the blue trash truck.
- f. **LIBRARY**- Librarian Ivy Stover submitted a report that was reviewed by the Mayor and Trustees.

ATHENA GASSOUMIS – REQUEST TO PRESENT FOR POSSIBLE APPROVAL MEMORANDUM OF UNDERSTANDING FOR OVERTIME PAY FOR MARSHAL & DEPUTY(IES) THROUGH SOCORRO PREVENTION PROGRAM

Athena Gassoumis asked for review from the Village attorney and the Marshal. This is a prevention program from a LDWI grant with DFA. This money will pay for the Marshals overtime for more patrols this summer to look for drinking etc.

Jim Nelson moved to approve the Request to Present for possible approval memorandum of understanding for overtime pay for marshal and deputy (ies) through Socorro Prevention Program. Donna Dawson seconded. Motion carried.

DISCUSSION & POSSIBLE DECISION REGARDING DISBURSEMENT AND CLOSING OF THE UTILITY AIDE ACCOUNT

Michael Steininger said with the new approved Utility Ordinance, there is no longer a Utility Aide fund. There is \$1293.02 in the fund. The Mayor suggested transferring it to the Secret Santa Fund.

Donna Dawson moved to transfer funds to the Secret Santa fund and close the Utility Aide Fund. Jim Nelson seconded.

Clerk/ Treasurer Gutierrez requested a roll call vote:

Jim Nelson- AYE

Donna Dawson-AYE

Clark Brown-AYE

Harvan Conrad-Absent

The motion carried.

DISCUSSION & POSSIBLE DECISION REGARDING APPOINTMENT OF TRUSTEE JIM NELSON TO CITY OF SOCORRO LANDFILL OVERSIGHT COMMITTEE

The Mayor said this Committee has been dormant for over 10 years and Socorro County wants to revitalize it. This committee overlooks the operations of the Socorro landfill.

Donna Dawson moved to approve Appointment of Trustee Jim Nelson to the City of Socorro Landfill Oversight Committee. Clark Brown Seconded. Motion carried.

DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF FY 2022 LOCAL GOVERNMENT ROAD FUND COOPERATIVE AGREEMENT CONTROL NO. L100493

Francesca Gutierrez said this was the application she submitted for Chestnut, Elm, Spruce, Main and Kelly. This is to repair pot holes and chip seal.

Donna Dawson moved to approve FY22 Local Government Road Fund Cooperative Agreement Control No. L100493. Clark Brown seconded.

Clerk/ Treasurer Gutierrez requested a roll call vote:

Donna Dawson-AYE

Clark Brown-AYE

Jim Nelson- AYE

Harvan Conrad-Absent

The motion carried.

DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF QUOTE OF MONITORING WELL AT LAGOONS

The Mayor said the Village has 3 monitoring wells on the East side of the Lagoons, West of the old landfill. One of the wells went dry and needs to be replaced. This is required by the State Environment department. The Mayor said only one driller responded to submit a quote.

Jim Nelson moved to approve the quote of Monitoring Well at Lagoons. Clark Brown seconded.

Clerk/ Treasurer Gutierrez requested a roll call vote:

Clark Brown-AYE
Jim Nelson- AYE
Donna Dawson-AYE
Harvan Conrad-Absent
The motion carried.

DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL TO APPLY FOR DFA/NMFA LOAN FOR MARSHAL VEHICLE

The Mayor said this be using LEPF funds and would not come out of the Police/ General Fund. The Marshal wants an SUV. This would replace the vehicle with the most mileage and in the worst condition. Donna Dawson moved to approve to apply for DFA/ NMFA loan for Marshal vehicle. Clark Brown seconded.

Clerk/ Treasurer Gutierrez requested a roll call vote:

Jim Nelson- AYE
Clark Brown-AYE
Donna Dawson-AYE
Harvan Conrad-Absent
The motion carried.

DISCUSSION & POSSIBLE DECISION REGARDING POSTING OF FULL TIME DEPUTY MARSHAL POSITION

The Mayor said that Deputy Carlos Valenzuela was released from Workers Comp and chose to resign. This will be a replacement position for him. Donna Dawson moved to approve Posting of Full time Deputy Marshal Position. Jim Nelson seconded. Motion carried.

DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF BUDGET ADJUSTMENT RESOLUTION NO. 2021-06, FISCAL YEAR 2020-2021

Michael Steinger said this BAR was to transfer an addition \$5000 to the Library and also reversing Well Loan #2 because the intercepts don't start until November 2022. Jim Nelson moved to approve Budget Adjustment Resolution No. 2021-06, Fiscal Year 2020-2021. Donna Dawson seconded.

Clerk/ Treasurer Gutierrez requested a roll call vote:

Donna Dawson-AYE
Jim Nelson- AYE
Clark Brown-AYE
Harvan Conrad-Absent
The motion carried.

DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF RESOLUTION 2021-06, NOTICE TO THE COUNTY CLERK OF 2021 MUNICIPAL ELECTIONS

Donna Dawson moved to approve Resolution 2021-06, Notice to the County Clerk of 2021 Municipal Elections. Jim Nelson seconded. Motion carried.

PUBLIC INPUT – 1 TOPIC PER PERSON – 3 MINUTE LIMIT

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The Mayor said the State Water Engineer signed off on the Well Permit and also the RFP for a driller is moving along. The Mayor also said the Benjamin Well storage tank and booster pump are in process. Jim Nelson mentioned spelling corrections on the Judges report and the Minutes.

Trustee Donna Dawson moved to adjourn the meeting at 5:34pm. Clark Brown seconded. The motion carried.

Respectfully Submitted,

Francesca Gutierrez
Clerk/Treasurer

Richard Rumpf
Mayor



**RESOLUTION № 2021-06
AMENDED**

NOTICE TO THE COUNTY CLERK OF 2021 MUNICIPAL ELECTIONS

WHEREAS, the Board of Trustees for the Village of Magdalena met at a duly noticed meeting on June 28, 2021 at 5:00 P.M. at Village Hall, 108 N. Main Street, Magdalena, New Mexico; and,

WHEREAS, the Governing Body of the Village of Magdalena, New Mexico has opted into the Local Election Act, Article 1, Section 1-22-3.1 of the NMSA 1978; and

WHEREAS, the Governing Body of the Village of Magdalena wishes to convey the correct and complete election information to the Socorro County Clerk as required by 1-22-4 (A)

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees for the Village of Magdalena that the Socorro County Clerk is hereby notified that the following positions are to be filled at large.

- A. A regular local election is to be held on November 2, 2021; and
- B. At the regular local election, persons shall be elected to fill the following at large municipal elective offices:
 1. ONE Mayor (4 year term)
 2. ONE Trustee (4 year term); Position 3
 3. ONE Trustee (4 year term); Position 4
 4. ONE Trustee (2 year term); Position 2
- C. All positions require Candidates to reside within the Village Limits of the Village of Magdalena,.
- D. All Declarations of Candidacy shall be filed in the Office of the Socorro County Clerk on August 24, 2021, between the hours of 9:00 a.m. and 5:00 p.m.

- E. All Declaration of Candidacy for write-in candidates shall be filed in the Office of the Socorro County Clerk on August 31, 2021, between the hours of 9:00 a.m. and 5:00 p.m.

PASSED, APPROVED and ADOPTED, this 28th day of June, 2021.

Richard Rumpf, Mayor

ATTEST:

Francesca Gutierrez, Clerk/Treasurer

**VILLAGE OF MAGDALENA
BOARD OF VILLAGE TRUSTEES
RESOLUTION NO. 2021-07**

PARTICIPATION IN LOCAL GOVERNMENT ROAD FUND PROGRAM ADMINISTERED
BY NEW MEXICO DEPARTMENT OF TRANSPORTATION

WHEREAS, the *Village of Magdalena* and the New Mexico Department of Transportation enter into a Cooperative Agreement.

WHEREAS, the total cost of the project will be **\$60,000.00** to be funded in proportional share by the parties hereto as follows:

- a. New Mexico Department of Transportation's share shall be 75% or **\$45,000.00**

and

- b. *The Village of Magdalena's* proportional matching share shall be 25% or **\$15,000.00**

TOTAL PROJECT COST IS **\$60,000.00**

The Village of Magdalena shall pay all costs, which exceed the total amount of **\$60,000.00**

Now therefore, be it resolved in official session that *The Village of Magdalena* determines, resolves, and orders as follows:

That the project for this Cooperative agreement is adopted and has a priority standing.

The agreement terminates on **December 31, 2022** and *The Village of Magdalena* incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into the written agreement.

- NOW therefore, be it resolved by *The Village of Magdalena* to enter into Cooperative Agreement Control Number **L100493** with the New Mexico Department of Transportation for LGRF Project for year **2021-2022** to **Furnish bituminous and aggregate materials and preparing and treating the following street termini with these materials.**
 - 1. **Chestnut Street: HWY 60 to .05 miles north**
 - 2. **Spruce Street: HWY 60 to .05 miles north**
 - 3. **Elm Street: HWY60 to .05 miles north**
 - 4. **Kelly Road: HWY 60 to .05 miles north**
 - 5. **Main Street: HWY 60 to .1 miles north**within the control of *The Village of Magdalena* in *Socorro County*, New Mexico.

Richard Rumpf, Mayor

June 28, 2021

Attest:

Francesca Gutierrez, Clerk/ Treasurer

June 28, 2021

**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 MAGDALENA CHAMBER (Applicant)
Address: OF COMMERCE

P.O. Box 281

Phone: 610-656-2861 Email: JOHN.RORGE@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: FOURTH OF JULY PARADE

Location of Event: MAGDALENA

Description of Event:
OLD FASHIONED WAVE THE
FLAG, SHOW THE SPIRIT EVENT

Is this a fund raising event? Please describe:
NO

Proposed Date of Event: JULY 3, 2021

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

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 \$ 188.67 in Lodger's Tax funds to be used as follows:

ADVERTISING IN EL DEFENSOR CHIEFTAIN

AND FUNDS, FEES ETC. WILL GO THE

VILLAGE OF MAGDALENA

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

This request is submitted the 21 day of JUNE, 2021

John W. Lee, D.V.M.
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

EVENT/ORGANIZATION: FOURTH OF JULY PARADE

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
<u>LODGER'S TAX</u>	_____	_____
_____	_____	_____
_____	_____	_____
TOTAL INCOME	_____	_____

EXPENSES	ESTIMATE	ACTUAL
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
TOTAL EXPENSES	_____	_____

MARKETING
Who is your target market?

SOCARRO COUNTY

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

NEWS PAPER, POSTERS

* Please include copies of all advertisements following event.

	ESTIMATE	ACTUAL
Number of Visitors at Event	_____	_____
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)