



**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 13, 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. SPECIAL WORK SESSION – May 16, 2022
  - b. REGULAR MEETING- May 23, 2022
6. APPROVAL OF CASH BALANCE REPORTS
7. APPROVAL OF BILLS
8. MAYOR'S REPORT
9. CLERK'S REPORT
10. DEPARTMENT REPORTS
  - a. EMS
  - b. FIRE
  - c. MARSHAL
  - d. JUDGE
  - e. PUBLIC WORKS
  - f. LIBRARY
11. PUBLIC HEARING - PURSUANT TO NMSA 1978, SECTION 60-6B-4, RESTAURANT A LICENSE (BEER & WINE) APPLICATION #1221781 GOLA'S KITCHEN & EVENTS, LLC, TUMBLEWEEDS DINER 1408 FIRST ST., HWY 60, MAGDALENA, NM 87825
12. CONSIDERATION & POSSIBLE DECISION TO APPROVE OR DISAPPROVE RESTAURANT A LICENSE (BEER & WINE) APPLICATION #1221781 GOLA'S KITCHEN & EVENTS, LLC, TUMBLEWEEDS DINER 1408 FIRST ST., HWY 60, MAGDALENA, NM 87825

13. PUBLIC HEARING – DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF EMERGENCY ORDINANCE NO. 2022-01, & PROCLAMATION RESTRICTING THE SALE AND USE OF FIREWORKS IN THE INCORPORATED AREAS OF THE VILLAGE OF MAGDALENA
14. FINAL CONSIDERATION – DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF EMERGENCY ORDINANCE NO. 2022-01, & PROCLAMATION RESTRICTING THE SALE AND USE OF FIREWORKS IN THE INCORPORATED AREAS OF THE VILLAGE OF MAGDALENA
15. DISCUSSION & POSSIBLE DECISION REGARDING ACCEPTANCE OF BID FOR ADDITION TO MAGDALENA VOLUNTEER FIRE DEPARTMENT
16. DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL TO POST ASSISTANT CLERK POSITION
17. 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, JUNE 13, 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.
18. 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

## NOTICE OF SPECIAL WORK SESSION OF THE VILLAGE OF MAGDALENA BOARD OF TRUSTEES HELD MONDAY, MAY 16, 2022, AT 9:00 AM

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 9:03 a.m.

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

**PARTICIPATING VIA ZOOM VIDEO CONFERENCE:** Trustees: Harvan Conrad and Donna Dawson, Michael Steininger

**GUESTS:** Marshal Michael Zamora, Sabrina A. Aragon–Assistant Clerk

Mayor Richard Rumpf requested that Marshal Michael Zamora lead the gallery in reciting the Pledge of Allegiance.

**APPROVAL OF AGENDA:** Clark Brown motioned to approve the agenda, as presented. James Nelson seconded the motion. The motion carried unanimously.

### DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF FISCAL YEAR 2023 INTERIM BUDGET

A copy of the draft FY 2023 budget was sent out. Librarian Ivy Stover emailed suggested corrections to the library's budget. Mr. Steininger also received a request for a part time data entry position for the Marshal's Office.

Mr. Steininger suggested the possibility of reallocating utility employees to relieve pressure on the Solid Waste Budget, unless it is accurate. Reallocation would impact the cost of the department and therefore the utility rate settings.

Mr. Steininger clarified that the librarian position was listed as full-time in the draft budget, and that the January 2023 increase for minimum wage to \$12.00 per hour was incorporated.

Mr. Steininger stated that according to the Tax and Revenue Department, that there is no state share for cannabis gross receipts, and they are only applicable for communities which have a cannabis store.

Mr. Steininger stated that the Small Cities Assistance was raised from \$180,000 to \$200,000, due to fluctuation. All other revenues were based on this past year (FY 2022), and total \$586,570.

Trustee Nelson questioned how the Prior Year Actual amount of \$791,000 corresponds to the suggested revenue. Mr. Steininger clarified that amount as from FY 2021, when a grant was given for \$326,000. The Small Cities Assistance Actual amount in FY 2021 was \$206,000 and in FY 2022 was \$232,000.

Mr. Steininger stated that House Bill 6, regarding internet sales, is now incorporated into local gross receipts tax, no longer broken out separately. He said that gross receipt tax during Covid went from \$87,000 to \$140,000. He expects that amount to decrease for the next fiscal year. The General Fund as presented is budgeted for a \$9,500 gain; however, this does not include any cost-of-living wage increases.

Trustee Dawson inquired about gross receipt tax received from online shopping. Mr. Steininger stated that the current tax code is destination based. This means the village will receive gross receipt tax for items delivered to addresses within the Village if the shipper codes it as such.

Mr. Steininger stated that the NM Self Insurer's Fund has not indicated that they are going to continue the 50% discount that was offered for the last 2 years. He removed the discount and reverted it to the previous higher amount for all departments that are impacted by insurance costs.

Mayor Rumpf stated that the Fire Chief had reviewed the draft budget and approved the allocation. Mr. Steininger asked whether EMS money should remain in the Ambulance budget or separated. Trustee Nelson agreed that it should remain in the Ambulance budget.

Mr. Steininger stated that the Law Enforcement Protection Fund has gone up to \$45,000 plus \$1,000 per certified officer. He stated he only budgeted the \$45,000 minimum. The loan has not closed yet and was only recently approved. It will not take effect until 2024. Because of this, he said it is not incorporated into the law enforcement budget. He stated there is \$246,000 in the General Fund for the Marshal's department, which is about \$1,000 less than last year. Mr. Steininger stated that the request for a fourth Marshal was not yet approved to be added to the current draft of the budget.

Mayor Rumpf stated that the backhoe will come out of the Water, Solid Waste, and Streets funds. Mr. Steininger stated this would need to be done as a BAR.

Deputy Clerk Gomez questioned whether the Marshal's request to increase the budget for Repair and Maintenance for police vehicles by \$1,500 was included. Mr. Steininger stated he had not added it, as only \$600 was spent in FY 2022, but that he would do so if the Marshal requested. Marshal Zamora said yes.

Mayor Rumpf stated there is still \$99,500 to be spent for a new tractor for the Airport, which should close out before the end of the year. The building for the Airport has been paid for.

Mayor Rumpf stated that the State Legislature will award the village \$210,000 for a new water tank on the hill, \$150,000 to renovate the old Senior Center, and \$80,000 to renovate the buildings at the Rodeo grounds. Those loans will be funded in September 2022.

Regarding the library budget, Trustee Nelson questioned where the \$35,000 Operating Transfer-In amount was coming from and whether it was accounted for in the General Fund. Mr. Steininger clarified that the money comes from the General Fund and is already included as a Transfer-Out in the General Fund. He stated the increase was due to making the librarian a full-time employee. Trustee Nelson requested a breakdown of the transfers in and out of the General Fund by subcategories. Mr. Steininger stated he will try to put that in the final draft.

Mayor Rumpf stated that at some point, the salary scale needs to be updated. He proposed adding the consideration of a 3% cost of living raise across the board to the next meeting's agenda. He also proposed putting the consideration of adding a Part Time Data Entry position for the Marshal's Office on the agenda for the next meeting. He said that position would be for \$13.50 per hour, 10 hours a week, and would not be eligible for insurance or PERA.

Mr. Steininger stated he had no issues with Ivy's suggestions for the library budget.

Mr. Steininger mentioned a \$51,000 deficit in the Solid Waste fund. He suggested the easiest solution is having it subsidized by the Sewer fund. He suggested reducing the Rental/Lease of Equipment and Machines account to \$8,000. To offset the deficit, he suggested either using the surplus from the Water fund and the Sewer, or to increase the Small Cities Assistance in the General Fund.

Deputy Clerk Gomez stated that Judge Armijo submitted suggestions for changes to his budget regarding travel and training. Mr. Steininger stated that the village pays for the cost of registration, hotels, meals at \$55/day per 24-hour period, and mileage; he recommended the Judge to take the Village Vehicle.

Mr. Steininger stated he would send updates for approval for the next meeting. He mentioned needing to request an extension for submitting the following to the DFA: a policy on acceptance of credit cards, the agreements with online payments, and the merchant contracts. Trustee Nelson thanked Mr. Steininger for his time.

Trustee Dawson motioned to accept the Fiscal Year 2023 Interim Budget with said amendments. The motion was seconded by Trustee Brown. The motion carried unanimously.

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

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Donna Dawson asked what is going on with our new trash truck. Mayor Rumpf stated we had an employee issue; he had to leave early due to a bomb threat in Socorro and he needed to go pick up his wife.

#### **ADJOURNMENT**

Donna Dawson motioned to adjourn the meeting at 11:08 a.m. Clark Brown seconded the motion. The motion carried unanimously.

Respectfully Submitted,

Sabrina Aragon  
Assistant Clerk

Richard Rumpf  
Mayor

# DRAFT

## MINUTES OF THE REGULAR MEETING OF THE VILLAGE OF MAGDALENA BOARD OF TRUSTEES HELD MONDAY, MAY 23, 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, Kathy Stout–Attorney, Carleen Gomez–Deputy Clerk

**PARTICIPATING VIA ZOOM VIDEO CONFERENCE:** Trustee: Donna Dawson (5:18 p.m.), Harvan Conrad, Michael Steininger

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

Mayor Richard Rumpf requested Marshal Michael Zamora recite the Pledge of Allegiance.

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

**APPROVAL OF MINUTES:** James Nelson motioned to approve the minutes of the May 9, 2022 meeting with corrections. Clark Brown seconded the motion. The motion carried unanimously. Approval of the minutes for the Special Work Session on May 16, 2022 was tabled for the next meeting.

### APPROVAL OF CASH BALANCE REPORT:

James Nelson asked about the negative amount in the Capital Projects Fund. Mr. Steininger stated that the Project account is waiting for reimbursements. Clark Brown motioned to approve both cash balance reports presented. James Nelson seconded the motion. The motion carried unanimously.

### APPROVAL OF BILLS:

Deputy Clerk Gomez stated there were no additions to the bill list. Harvan Conrad moved to approve the bill list as presented. Clark Brown seconded the motion. The motion carried unanimously.

**BILL LIST**

City of Socorro	\$2008.20	Provelocity	\$1606.20
Galls	\$59.95	Rak's Building Supply	\$52.89
Hall Environmental	\$722.76	Socorro Electric Coop	\$3,489.90
Ingram Library Services	\$43.18	The Library Story	\$490.30
Kapco	\$118.60	Valley Sanitation	\$307.59
Konica Minolta	\$374.42	W.S. Darley	\$1,691.14
Napa Auto Parts	\$37.80		
NM Rural Water Association	\$831.00	<b>Total Balance:</b>	<b>\$11,833.93</b>

**MAYOR'S REPORT**

Mayor Rumpf stated that the Village was approved for the RAID Grant for \$29,985. The Village will purchase three roll off bins. The money used from the roll off bins will be used for tires, steel, weeds, and other things.

**CLERK'S REPORT**

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

**DISCUSSION & POSSIBLE DECISION TO GIVE VILLAGE EMPLOYEES 3% COST OF LIVING ADJUSTMENT (COLA) RAISE EFFECTIVE ON THE FIRST FULL PAY PERIOD IN JULY 2022**

Clark Brown asked when the last raise happened. Mayor Rumpf stated it was last year. James Nelson stated that discussions regarding raises will happen every year. Harvan Conrad motioned to approve the 3% raise for employees. Clark Brown seconded the motion.

Mayor Rumpf requested a roll call vote:

James Nelson – AYE

Harvan Conrad – AYE

Clark Brown – AYE

Donna Dawson – Absent

The motion carried unanimously.

**DISCUSSION & POSSIBLE DECISION TO CREATE A PART – TIME DATA ENTRY POSITION WITHIN THE POLICE DEPARTMENT AND ADVERTISE FOR SAID POSITION**

Trustee Clark Brown asked for the position to be explained. Mayor Rumpf stated the position will manage reporting for the new mandatory FBI reporting system. He stated there will be training for this new program, but that Marshal Zamora would not be able to do it himself. Mayor Rumpf suggested that Ivy Stover, librarian, do the data-entry, to be paid out of the Police budget. He suggested adding the job to the librarian's position. James Nelson motioned to approve the part-time position. Harvan Conrad seconded the motion.

Mayor Rumpf requested a roll call vote:

Clark Brown – AYE

Harvan Conrad – AYE

James Nelson – AYE

Donna Dawson – Absent

The motion carried unanimously.

## **DISCUSSION & POSSIBLE DECISION TO CLASSIFY THE LIBRARIAN'S POSITION AS A FULL – TIME POSITION**

Cricket Courtney asked if she could speak on Ivy Stover's behalf as she had worked closely with Ivy at the library. She stated that Ivy deserves to be full time, so she doesn't move somewhere else. James Nelson motioned to approve the full-time librarian position. Clark Brown seconded the motion.

Mayor Rumpf requested a roll call vote:

Harvan Conrad – AYE

Clark Brown – AYE

James Nelson – AYE

Donna Dawson – AYE

The motion carried unanimously.

## **DISCUSSION & POSSIBLE DECISION CONCERNING REQUEST FOR VACATION PAYOUT & CARRYOVER FOR DEPUTY CLERK**

Mayor Rumpf stated Deputy Clerk Carleen Gomez has not been able to take the time off that she needs when while we have been short the Clerk/Treasure position. James Nelson made the motion to accept vacation payout & carryover. Harvan Conrad seconded the motion.

Mayor Rumpf requested a roll call vote:

Clark Brown – AYE

James Nelson – AYE

Harvan Conrad – AYE

Donna Dawson – Absent

The motion carried unanimously.

## **DISCUSSION & POSSIBLE DECISION CONCERNING APPROVAL OF RESOLUTION NO. 2022-09, A RESOLUTION ADOPTING THE FISCAL YEAR 2022-2023 BUDGET**

Mr. Michael Steininger stated he made the following changes to the FY2023 budget based on recommendations from the Budget Workshop held Monday, May 16, 2022:

- Increase Law Enforcement Protection Fund (LEPF) Revenue and Expense from \$45,000 to \$47,000.
- Added \$11,070 Transfer Out in LEPF and \$11,070 Transfer In in Debt Service Governmental for NMFA Police Vehicle Loan.
- Increased Marshall's current Repair & Maint-Vehicle budget by \$1,500 to \$3,932.
- Added the Marshall's Data Entry Clerk position.
- Increase Librarian to Full Time at new minimum wage of \$12.00.
- Add 3% COLA raises as of July 1, 2022.
- Increase employer PERA by 0.5% per statute, to take effect in July 2022.
- Revised Library Revenue and Expenses at request of librarian.

He also stated that he made the following changes while updating the budget:

- Removed payroll budget for Joint Utility Supervisor (Jacob Finch) since position is currently contracted and a 4th utility worker has been hired.
- Updated payroll budget for current employees, current pay rates, and current insurance coverage.
- Added \$11,070 to Debt Service Government for NMFA Debt service payment on police vehicle.
- Reduced American Rescue Plan Act expenditures from \$191,706 to \$155,964 based on additional current year expenses.
- Judge Armijo requested \$300 for Training and \$2,700 for Travel.



Mr. Steininger stated he did not budget for a transfer from General Fund to the Solid Waste fund. There is sufficient budget authorization already in the FY2022 budget to make a transfer, so one should not be needed next year. As such, he did not increase the Small Cities Assistance amount either. He stated he will update the project amounts for the final budget in July, and that hopefully, some of the projects will be completed and not need to be carried over.

Per James Nelson's request at the previous meeting, Mr. Steininger stated he was not able to detail the Transfers In/Transfers Out on the budget worksheet, without altering the account structure. He submitted this summary of the Transfers between funds:

- General Fund to Library Fund \$35,000
- General Fund to Capital Project Fund \$36,164
- Fire Fund to Debt Service Fund \$17,327
- Law Enforcement Protection Fund to Debt Service Fund \$11,070
- Water Fund to Debt Service Fund - Total of \$11,270
  - \$625 for Well Loan
  - \$5,249 for Meter Loan
  - \$1,937 for 1/3 Jetter Loan
  - \$3,459 for 1/3 USDA Refinance Loan
- Solid Waste to Debt Service Fund - Total \$5,396
  - \$1,937 for 1/3 Jetter Loan
  - \$3,459 for 1/3 USDA Refinance Loan
- Wastewater to Debt Service Fund - Total \$5,396
  - \$1,937 for 1/3 Jetter Loan
  - \$3,459 for 1/3 USDA Refinance Loan

Mr. Steininger stated that instead of an overall net loss of \$1700, the budgets now reflect on overall net gain of just under \$65,000. He stated he is very happy with new budget.

James Nelson made the motion to approve Resolution NO. 2022-09 to adopt the Fiscal Year 2022-2023 Budget. 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.

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

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Cricket Courtney stated that early voting for Primary elections started on 05/23/2022 at the Magdalena Senior Center.

**ADJOURNMENT**

Donna Dawson motioned to adjourn the meeting at 5:33 pm. Clark Brown seconded the motion. The motion carried unanimously.

Respectfully Submitted,

Sabrina Aragon  
Assistant Clerk

Richard Rumpf  
Mayor

## Carleen Gomez

---

**From:** James Nelson  
**Sent:** Monday, June 6, 2022 2:49 PM  
**To:** Carleen Gomez  
**Subject:** RE: Department Reports Due

Two EMS calls in May.

**From:** Carleen Gomez <cgomez@villageofmagdalena.com>  
**Sent:** Monday, June 06, 2022 8:18 AM  
**To:** Michael Zamora <marshal@villageofmagdalena.com>; Ivy Stover <library@villageofmagdalena.com>; Nehemiah Peralta <utilities@villageofmagdalena.com>; James Nelson <jcnelson@villageofmagdalena.com>; MVFD Chief <magvfdchief@gmail.com>  
**Subject:** Department Reports Due

ALL,

Just a reminder that Department Reports are due this Friday, 6/10/2022 before noon.

*Thank You,*

*Carleen Gomez, CMC*

Deputy Clerk/Court Clerk

Village of Magdalena

Ph (575)854-2261

Village website: [www.villageofmagdalena.com](http://www.villageofmagdalena.com)



**CONFIDENTIALITY NOTICE:** The contents of this **email** message and any attachments are intended solely for the addressee(s) and may contain **confidential** and/or privileged information and may be legally protected from disclosure.

June 8, 2022

To: Village of Magdalena Trustees, Mayor of Magdalena  
From: Jeff Joseph, Chief - Magdalena Volunteer Fire Department  
Subject: Monthly Report for May 2022

All the bollards have been installed.

**Business and Training Meetings**

- May 14<sup>h</sup> Fire Safety Video, hands-on pump training on Truck 2
- May 21<sup>rd</sup> Video on fire development, training on foam dispensing

Created Activity Form to be used on non-dispatched activity (maintenance, equipment checks, etc.)

Contacted Adrian Morris, Emergency Coordinator at Socorro Hospital for CPR training, potentially in August. We will include all Village personnel.

Email account for the Fire Chief is, [magvfdchief@gmail.com](mailto:magvfdchief@gmail.com). Please feel free to contact me there.

# Magdalena Marshal's Office

<b><i>Monthly Report</i></b>	<u>Month: May</u>	<u>Year: 2022</u>
Marshal Zamora	ID#: Mag-1	
<b>Total Miles Driven:</b>		
<b><u>GENERAL CALLS:</u></b>	<b><u>AMOUNT</u></b>	<b><u>REVENUE</u></b>
TRAFFIC CITATIONS: <b>Village Ordinances</b>	5	4 PA-216 / 1 CA
TRAFFIC CITATIONS: <b>State Statutes</b>		
CRIMINAL CITATIONS		
ANIMAL CONTROL CITATIONS		
TRAFFIC ACCIDENTS	1	
D.W.I. ARRESTS		
FELONY ARRESTS		
MISDEMEANOR ARRESTS	1	
12 HOUR HOLD ARREST		
CRIMINAL INVESTIGATIONS	1	
JUVENILE CASES		
DOMESTIC CASES	1	
CRIMINAL DAMAGE / PROPERTY		
<b><u>ASSISTANCE CALLS:</u></b>		
AMBULANCE/FIRE		
PUBLIC SERVICE	10	
NM STATE POLICE		
SHERIFF'S OFFICE	0	
NM FISH & GAME		
US BORDER PATROL		
US FOREST SERVICE		
<b><u>OTHER:</u></b>		
ALARM CALLS		
FINGERPRINTING	0	
Driving Tests		
Misc. Cases	16	
<b><u>TOTALS:</u></b>	30	216

**MAGDALENA MARSHAL DEPARTMENT**  
**MONTHLY VEHICLE EXPENDITURE REPORT**  
For the month of :     May     Year:   2022

License Number: _____
Make and Model: <u>FORD EX</u> 202 <u>2</u>

Report due in NO LATER THAN THE 10th OF THE MONTH								
Date	Beginning Mileage	Ending Mileage	Miles Traveled	Fuel Gallons	Amount	Motor Oil Quarts	Amount	Maintenance Section
1								01 Chassis Maintenance
2								02 Electrical Maintenance
3								03 Engine Maintenance
4								04 General Supplies
5	178.5	380	201.5	17.5	80.01			05 Interior Maintenance
6								06 Lubrication
7								07 Miscellaneous
8								09 Tire Purchase
9								10 Tire Repair     15
10								11 Wash and Wax
11								(Attach Copy of Invoices)
12								Invoice No.: _____ Amt.\$ _____
13	380	577	197	17.6	75.3			10
14								Invoice No.: _____ Amt.\$ _____
15								Date _____
16								Invoice No.: _____ Amt.\$ _____
17								Code: _____ Date: _____
18								Invoice No.: _____ Amt.\$ _____
19								Code: _____ Date: _____
20								Invoice No.: _____ Amt.\$ _____
21								Code: _____ Date: _____
22								Invoice No.: _____ Amt.\$ _____
23								Code: _____ Date: _____
24								Invoice No.: _____ Amt.\$ _____
25	577	751	174	17.7	81.65			Code: _____ Date: _____
26								Invoice No.: _____ Amt.\$ _____
27								Code: _____ Date: _____
28								Invoice No.: _____ Amt.\$ _____
29								Code: _____ Date: _____
30								Invoice No.: _____ Amt.\$ _____
31								
Totals			572.5	52.8	236.96			

I certify that the above is correct to the best of my knowledge.

Signature:  Title: MARSHAL

## Magdalena Marshal's Office

<b><i>Monthly Report</i></b>	<b><i>Month: MAY</i></b>	<b><i>Year: 2022</i></b>
	ID# Mag 2	
<b>Total Miles Driven:</b>	1129	
<b><u>GENERAL CALLS:</u></b>	<b><u>AMOUNT</u></b>	<b><u>REVENUE</u></b>
TRAFFIC CITATIONS: <b>Village Ordinances</b>	31	\$1,674
TRAFFIC CITATIONS: <b>State Statutes</b>	3	0
CRIMINAL CITATIONS	0	0
ANIMAL CONTROL CITATIONS	0	0
TRAFFIC ACCIDENTS	1	0
D.W.I. ARRESTS	0	0
FELONY ARRESTS	0	0
MISDEMEANOR ARRESTS	1	0
12 HOUR HOLD ARREST	0	0
CRIMINAL INVESTIGATIONS	0	0
JUVENILE CASES	0	0
DOMESTIC CASES	0	0
CRIMINAL DAMAGE / PROPERTY	0	0
<b><u>ASSISTANCE CALLS:</u></b>		
AMBULANCE/FIRE	2	0
PUBLIC SERVICE	4	0
NM STATE POLICE	0	0
SHERIFF'S OFFICE	1	0
NM GAME & FISH	0	0
NM LIVESTOCK BOARD	0	0
US BORDER PATROL	0	0
US FOREST SERVICE	0	0
<b><u>OTHER:</u></b>		
ALARM CALLS	0	0
FINGERPRINTING	0	0
Driving Tests		
Misc. Cases	5/PR	
<b><u>TOTALS:</u></b>	47	\$1,674

**MAGDALENA MARSHAL'S OFFICE**  
**MONTHLY VEHICLE EXPENDITURE REPORT**  
For the month of :    **MAY**    Year:    **2022**

License Number:   G97489    
Make and Model:   CHEVY SILVERADO 1500  

Report due in NO LATER THAN THE 10th OF THE MONTH								
Date	Beginning Mileage	Ending Mileage	Miles Traveled	Fuel Gallons	Amount	Motor Oil Quarts	Amount	Maintenance Section
1								01 Chassis Maintenance
2	105739	105994	255	14.2	\$64.46			02 Electrical Maintenance
3								03 Engine Maintenance
4								04 General Supplies
5								05 Interior Maintenance
6								06 Lubrication
7								07 Miscellaneous
8	105994	106169	175	15.782	\$71.00			09 Tire Purchase
9								10 Tire Repair
10								11 Wash and Wax
11								(Attach Copy of Invoices)
12								Invoice No.: _____ Amt.\$ _____
13								
14	106169	106374	205	14.52	\$65.35			Invoice No.: _____ Amt.\$ _____
15								Date _____
16								Invoice No.: _____ Amt.\$ _____
17								Code: _____ Date: _____
18	106374	106518	144	13.64	\$62.77			Invoice No.: _____ Amt.\$ _____
19								Code: _____ Date: _____
20								Invoice No.: _____ Amt.\$ _____
21								Code: _____ Date: _____
22								Invoice No.: _____ Amt.\$ _____
23								Code: _____ Date: _____
24								Invoice No.: _____ Amt.\$ _____
25	106518	106707	189	17.71	\$81.45			Code: _____ Date: _____
26								Invoice No.: _____ Amt.\$ _____
27								Code: _____ Date: _____
28	106707	106868	161	14.3	\$65.80			Invoice No.: _____ Amt.\$ _____
29								Code: _____ Date: _____
30								Invoice No.: _____ Amt.\$ _____
31								
Totals			1129	90.15	410.83			

I certify that the above is correct to the best of my knowledge.

**Signature:**  **Title:** **DEPUTY MARSHAL M2**

6/1/22



## Magdalena Marshal's Office

<b><i>Monthly Report</i></b>	<b><i>Month: May</i></b>	<b><i>Year: 2022</i></b>
	ID# Mag 3	
<b>Total Miles Driven:</b>	572.5	
<b><u>GENERAL CALLS:</u></b>	<b><u>AMOUNT</u></b>	<b><u>REVENUE</u></b>
TRAFFIC CITATIONS: <b>Village Ordinances</b>	23	\$1,426
TRAFFIC CITATIONS: <b>State Statutes</b>		
CRIMINAL CITATIONS		
ANIMAL CONTROL CITATIONS		
TRAFFIC ACCIDENTS		
D.W.I. ARRESTS	1	
FELONY ARRESTS		
MISDEMEANOR ARRESTS	2	
12 HOUR HOLD ARREST		
CRIMINAL INVESTIGATIONS	2	
JUVENILE CASES		
DOMESTIC CASES		
CRIMINAL DAMAGE / PROPERTY		
<b><u>ASSISTANCE CALLS:</u></b>		
AMBULANCE/FIRE		
PUBLIC SERVICE		
NM STATE POLICE		
SHERIFF'S OFFICE	1	
NM GAME & FISH		
NM LIVESTOCK BOARD		
US BORDER PATROL		
US FOREST SERVICE	1	
<b><u>OTHER:</u></b>		
ALARM CALLS		
FINGERPRINTING		
Driving Tests	1	
Misc. Cases	4	
<b><u>TOTALS:</u></b>	35	\$1,426

**MAGDALENA MARSHAL DEPARTMENT****MONTHLY VEHICLE EXPENDITURE REPORT**

For the month of :      may      Year:    2022

License Number: \_ G-93067

Make and Model: \_ 2015 expediton

Report due in NO LATER THAN THE 10th OF THE MONTH

Date	Beginning Mileage	Ending Mileage	Miles Traveled	Fuel Gallons	Amount	Motor Oil Quarts	Amount	Maintenance Section
1								01 Chassis Maintenance
2								02 Electrical Maintenance
3								03 Engine Maintenance
4								04 General Supplies
5								05 Interior Maintenance
6	0	73576	Started with Mag1					06 Lubrication
7								07 Miscellaneous
8								09 Tire Purchase
9								10 Tire Repair
10								11 Wash and Wax
11								(Attach Copy of Invoices)
12								Invoice No.: _____ Amt.\$ _____
13	73576	73770	194	17.18	89.02			10
14								Invoice No.: _____ Amt.\$ _____
15								Date _____
16								Invoice No.: _____ Amt.\$ _____
17								Code: _____ Date: _____
18	Card wasn't going thru. Steer stop send the invoice							Invoice No.: _____ Amt.\$ _____
19								Code: _____ Date: _____
20								Invoice No.: _____ Amt.\$ _____
21								Code: _____ Date: _____
22							G-	Invoice No.: _____ Amt.\$ _____
23	73770	74176	406	15.22	70			Code: _____ Date: _____
24								Invoice No.: _____ Amt.\$ _____
25								Code: _____ Date: _____
26								Invoice No.: _____ Amt.\$ _____
27								Code: _____ Date: _____
28	74176	74321	145	13.49	62.06			Invoice No.: _____ Amt.\$ _____
29								Code: _____ Date: _____
30								Invoice No.: _____ Amt.\$ _____
31	74321	74538	217	19.49	93.15			
Totals			962	65.38	314.24			

I certify that the above is correct to the best of my knowledge.

Signature:  Title: Mag 3



# May 2022 Utilities Report

- 1) Daily well rounds and screen cleaning
- 2) fixed potholes on North Main St
- 3) Just a few more allies to clean but about 90% done.
- 4) Got some potholes on side roads filled with road base.
- 5) Got some extra Trash bin's to the graveyard for Memorial weekend.
- 6) Starting to clean around the gun range.
- 7) Set up several trash bin's around the rodeo grounds for the firefighters.
- 8) Got the swamp coolers up and running for the Marshal's office and the Library.
- 9) Other than that worked on daily duties and other things as they came up.
- 10) Water samples done and all is good.
- 11) Getting ready for summer.

## Librarian's Report - April 2022

<b>Days Open</b>	22 (127 hours)	<b># of Volunteers</b>	3
<b>Days Closed</b>	0	<b>Volunteer Hours</b>	35
<b>Total Visitors</b>	337		
<b>Museum Visitors</b>	7	<b>New Library Cards</b>	12

### Events:

<b>Number of Events:</b>	10	<b>Attendance:</b>	109
--------------------------	----	--------------------	-----

<b>Date:</b>		<b># of People:</b>
4/7/2022	Friends of the Library	3 Adults
4/8/2022	Code Club	16 Kids + 1 Adult
4/9/2022	VanAnn Moore	1 Kid + 29 Adults
4/14/2022	Library Board Meeting	3 Adults
4/15/2022	Code Club	11 Kids + 1 Adult
4/16/2022	Easter Egg Decorating	6 kids + 9 Adults
4/20/2022	PreK Visit	7 Kids + 2 Adults
4/22/2022	Code Club	10 Kids + 1 Adult
4/28/2022	Book Club	3 Adults
4/29/2022	Code Club	6 Kids

### Circulation

<b>PHYSICAL</b>		<b>DIGITAL</b>	
# of Books	86	# of eBooks	38
# of Books on CD	7	# of Online Audio	84
# of DVDs	78		
<b>Total Physical</b>	<b>171 (46 kids)</b>	<b>Total Digital</b>	<b>122 (9 kids)</b>
<b>Total Circulation</b>	<b>293 (55 Children's Items)</b>		
ILL Processed	1 Requested, 4 Received, 8 Returned		

### Computers/Wi-Fi

<b># Computer Sign ins</b>	24 + 46 Code Club = 70
<b>Total Unique Wi-Fi Devices</b>	172
<b>Avg. # Wi-Fi Devices per day</b>	22
<b>Avg. Data Usage per Device</b>	5.65 GB

### Other:

Personal Leave on 4/1 & 4/2. Volunteers ran the library. | I had a booth at the Spring Fling at the schools on 4/21. Six people signed up for Library Cards.

**Respectfully Submitted, Ivy Stover, Library Director**

## Librarian's Report May 2022

<b>Days Open</b>	18 (105 hours)	<b># of Volunteers</b>	4
<b>Days Closed</b>	3 (Sick Leave)	<b>Volunteer Hours</b>	21
<b>Total Visitors</b>	398		
<b>Museum Visitors</b>	97	<b>New Library Cards</b>	3

### Events:

<b>Number of Events:</b>	7	<b>Attendance:</b>	182
--------------------------	---	--------------------	-----

<b>Date:</b>		<b># of People:</b>
5/5/2022	Friends of the Library	4 Adults
5/7/2022	Cowboy Cookout	~125 People
5/13/2022	Code Club	19 Kids
5/18/2022	PreK Visit	4 Kids + 3 Adults
5/20/2022	Code Club	11 Kids
5/26/2022	Book Club	3 Adults
5/27/2022	Code Club	13 Kids

### Circulation

<b>PHYSICAL</b>		<b>DIGITAL</b>	
# of Books	92	# of eBooks	85
# of Books on CD	4	# of Online Audio	60
# of DVDs	25		
<b>Total Physical</b>	121 (49 Kids)	<b>Total Digital</b>	145 (7 Kids)
<b>Total Circulation</b>	266 (56 Children's Items)		
ILL Processed	Returned 2		

### Computers/Wi-Fi

<b># Computer Sign ins</b>	29 + 43 Code Club = 72
<b>Total Unique Wi-Fi Devices</b>	186
<b>Avg. # Wi-Fi Devices per day</b>	26
<b>Avg. Data Usage per Device</b>	9.54 GB

### Other:

I was out 5/5/22—5/7/2022 with COVID-19. I quarantined for 5 days before returning to work, per currently policy. The library was closed during this time.

I took a personal leave day 5/21/2022; a volunteer kept the library open for me.

Starting 5/26/2022 I moved to a full-time schedule. At the moment, we have not increased Library Hours. I work in the morning either in Village Hall or on data entry for the Marshal. For the rest of June, I'm working 8am-5pm with a 30-minute lunch Tuesday-Friday and then 9am-3pm on Saturdays. (T-F 8am-12; 12:30-5pm = 8.5 hours x 4 days = 34 hours. Saturday 9-3pm = 6 hours. 34 + 6 = 40 hours per week)

Summer Reading Program starts June 4<sup>th</sup>. We will have weekly Craft & Story Time events, plus visits/presentations from other organizations like NM Museum of Natural History and Science (6/6/22). Masks are not required, but I do have plenty of hand sanitizer out and following general cleaning guidelines.

Code Club continues as normal. PreK Visits ended in May with the school year. I hope to have them again in the fall with the next school year.

Sometime between Saturday 5/21 and Tuesday 5/24, someone broke into the library and stole copy money from the drawer and the Friends of the Library cash box. Only about \$20 total was taken; nothing was vandalized. A police report was filed. I'm looking into getting a small safe for the library. In the meantime, no money is being kept in the library besides a small handful of coins to make change.

Per the Mayor's request and as the Marshal suggested, I changed the Wi-Fi availability hours from 24/7 to 6am-9pm. In April 2020, WNMC put up their own Wi-Fi router inside the library to offer free internet. I have no control over it, so I can't change the hours of operation, and we don't need it, because the Wi-Fi provided by the library is sufficient. I contacted them about removing it.

#### Maintenance:

- Swamp Coolers – the guys installed them the last week of May/first week of June
- Bathrooms – The sink in the girls bathroom was not draining. Utility guys worked on it June 9<sup>th</sup>. The bathrooms will be marked Out of Order during Frontier Festival.
- Front Door – the front door jams badly. Zeke mentioned possibly sanding down the floor inside where the door is scraping; ZW mentioned needing to replace the hinges. People think the door is locked sometimes, so I started putting up an Open sign.
- Back Door – I would like some way to reinforce the back door at night.
- I'm looking into purchasing a few outdoor cameras to watch the doors to the library. The cost for that should be reimbursable with GO Bond money.

**Respectfully Submitted,  
Ivy Stover,  
Library Director**

## Carleen Gomez

---

**From:** Sandoval, Tammy, RLD <Tammy.Sandoval@state.nm.us>  
**Sent:** Wednesday, April 20, 2022 10:29 AM  
**To:** Carleen Gomez  
**Subject:** RESTAURANT A LIQUOR LICENSE APPLICATION #1221781, GOLA'S KITCHEN & EVENS LLC DBA TUMBLEWEEDS DINER  
**Attachments:** LOD Ltr \_Village of Magdalena\_#1221781 \_Gola's Kitchen & Events LLC dba Tumbleweeds Diner.pdf

Good morning Carleen,

Pursuant to our telephone conversation this morning, attached is a copy of my letter to you of today and corresponding documents transmitting Restaurant A Liquor License Application #1221781 for Gola's Kitchen & Events, LLC, doing business as Tumbleweeds Diner for public hearing and approval at the local option district. The original Application package will follow by USPS Certified Mail Receipt No. 9171 9690 0935 0155 7578 32.

The applicant has been notified that the application is being sent to the Village for public hearing and approval.

Respectfully,



**Tammy M. Sandoval | Admin. Law Judge / Hearing Officer**

Alcoholic Beverage Control Division

2550 Cerrillos Road | Santa Fe, NM 87505

P.O. Box 25101 | Santa Fe, NM 87504

[Tammy.Sandoval@state.nm.us](mailto:Tammy.Sandoval@state.nm.us) | [www.rld.state.nm.gov/abc](http://www.rld.state.nm.gov/abc)

(505) 476-4548

SERVICE | DEDICATION | INTEGRITY

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**NMRLD**  
NEW MEXICO  
REGULATION &  
LICENSING DEPARTMENT

STATE OF NEW MEXICO  
**MICHELLE LUJAN GRISHAM, GOVERNOR**  
Linda M. Trujillo, Superintendent  
Andrew Vallejos, Director

April 20, 2022

By Email to: [cgomez@villageofmagdalena.com](mailto:cgomez@villageofmagdalena.com) AND Certified Mail No.: 9171 9690 0935 0155 7578 32

Village of Magdalena

Attn: Carleen Gomez, Deputy Clerk

PO Box 145

Magdalena, NM 87825

Lic. No. /Appl. No.:       Application No. 1221781  
Name of Applicant:       Gola's Kitchen & Events, LLC  
Doing Business As:       Tumbleweeds Diner  
Proposed Location:       1408 First St., Highway 60, Magdalena, NM 87825

The Director of the Alcoholic Beverage Control Division (ABC) has reviewed the referenced Application and granted **Preliminary Approval**. It is being forwarded to you for Local Option District approval or disapproval of the Liquor License Application. The proposed licensed premises is located within the Local Option District of the Village of Magdalena ("Village"), which has not yet approved or held an election to approve Restaurant liquor licenses pursuant the Liquor Control Act. The Director has agreed to grant a provisional Restaurant A License to the Applicant upon approval by the Village, under the condition that the Village holds an election in November, 2022, and submits a copy of the Canvass to ABC if the electorate of the local option district votes to elect restaurant licenses. If the electorate of the Local Option District do not elect to permit restaurant licenses, the provisional license shall be revoked.

**Notice of the Public Hearing** required by the Liquor Control Act **shall be given by the governing body by publishing a notice of the date, time, and place of the hearing twice during the 30 days prior to the hearing** in a newspaper of general circulation within the territorial limits of the governing body. **The first notice must be published at least thirty (30) days before the hearing.** Both publications must occur before a hearing can be conducted. The notice shall include:

- (A) Name and address of the Applicant/Licensee;
- (B) The action proposed to be taken;
- (C) The location of the licensed premises.

In addition, if the Local Option District has a website, **the Notice shall also be published on the website.**

While the law states that "within forty-five (45) days after receipt of a Notice from the Alcoholic Beverage Control, the governing body shall hold a Public Hearing in the question of whether the department should approve the proposed issuance or transfer", we recognize the potential for conflict between the requirement for publication of 30 day notice and the 45 day hearing requirement.

With that in mind, when a local governing body receives a liquor license application from ABC, that governing body has a couple of options:





- 1) Hold a hearing on the license application within the statutory time frame of forty-five (45) days, as required by the Liquor Control Act, and comply with all other statutory and regulatory procedures and notify ABC of your decision within thirty (30) days of the hearing;
- 2) Request from ABC an extension of time, past the forty-five (45) days, designating how much additional time will be needed to conduct the hearing in compliance with all statutory and regulatory procedures. After the extension is granted and the hearing is held, notify ABC of your decision within thirty (30) days of the hearing;

ABC has no preference in the option you choose.

The governing body is required to send notice by certified mail to the Applicant of the date, time, and place of the Public Hearing. The governing body may designate a Hearing Officer to conduct the hearing. **A record shall be made of the hearing.**

**THE APPLICANT IS SEEKING A RESTAURANT A (BEER AND WINE) LICENSE WITH ON-PREMISES CONSUMPTION AND PATIO SERVICE.**

**Within thirty (30) days** after the Public Hearing, the governing body shall notify ABC of their decision to approve or disapprove the issuance or transfer of the license by signing the enclosed original Page 1 of the Application. The original Page 1 of the Application must be returned together with the notices of publication. **If the Governing Body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the Public Hearing, the Director may issue the license based on the provisions listed above.**

If the Governing Body disapproves the issuance or transfer of the license, it shall notify ABC within thirty (30) days setting forth the reasons for the disapproval. A copy of the Minutes of the Public Hearing shall be submitted to ABC with the Notice of Disapproval (*Page 1 of the Application, noting disapproval*).

Respectfully,

*Tammy M. Sandoval*

Tammy M. Sandoval, Admin Law Judge | Hearing Officer  
NM Regulation & Licensing Department  
Alcoholic Beverage Control Division  
Phone: (505) 476-4548 Fax: (505) 476-4595  
Email: [Tammy.Sandoval@state.nm.us](mailto:Tammy.Sandoval@state.nm.us)

**Enclosures:**

1. Original Page 1 of the Application (*must be signed and returned w/notices of publication*)
2. Copy of Page 2 of the Application
3. Copy of the Zoning Statement





NMRLD

NEW MEXICO  
REGULATION &  
LICENSING DEPARTMENT

STATE OF NEW MEXICO  
MICHELLE LUJAN GRISHAM, GOVERNOR  
Linda M. Trujillo, Superintendent  
Andrew Vallejos, Director

**Restaurant Liquor License Application | \$200.00** Application Fee, non-refundable  
ABC USE ONLY: Application Fee \$ 200 Received on: 1-25-22 Receipt No. 2444583  
License Fee \$ 100 Received on: 1-25-22 Receipt No. 2444583  
Application Number: 1221781 Local Option District: \_\_\_\_\_

Check appropriate boxes: Application is for ☒ New Restaurant Liquor License

Applicant is ☐ Individual ☒ Limited Liability Company ☐ Corporation ☐ Partnership (General/Limited)

NAME OF APPLICANT: OSIRIS NAVARRO & MICHAEL GOLA / GOLAS KITCHEN & EVENTS LLC

D/B/A Name to be used: TUMBLEWEEDS DINER Business Phone No: 575-418-7537

Mailing Address: PO BOX 619 MAGDALENA, NM 87825

Email (required) INFO@GOLASKITCHEN.COM

Physical location where license is to be used: 1408 1ST STREET (HIGHWAY 60) MAGDALENA, NM 87825

County: SOCORRO (Include street number / highway number / state road, city, state, and zip code)

Are alcoholic beverages currently being dispensed at the proposed location ☐ Yes ☒ No If Yes, License # / Type: \_\_\_\_\_

Contact Person: OSIRIS NAVARRO Phone #: 575-418-7537 Email: INFO@GOLASKITCHEN.COM

I, (print name) OSIRIS NAVARRO + MICHAEL GOLA, as (title) CO-OWNER being first duly sworn upon oath deposes and says: that he/she is the applicant or is authorized by the applicant to make this application; that he/she has read the same; knows the contents therein contained are true. Applicant(s) agree(s) that if any statements or representations herein are found to be false, the Director may refuse to issue or renew the license or may cause the license to be revoked at any time.

You must sign and date this form before a Notary Public.

Signature of Applicant: \_\_\_\_\_

Date: 1/19/22

Notary Public Use Only: (State of NEW MEXICO, County of SOCORRO)

SUBSCRIBED AND SWORN TO before me this 19 day of JANUARY, 2022

By: GLENN TRIGELIO

Notary Public: \_\_\_\_\_

Date my Commission Expires: 01/07/24

Local Option District Use Only: Local Governing Body of \_\_\_\_\_

Public Hearing held on \_\_\_\_\_ 20\_\_\_\_ Please check one: ☐ Approved ☐ Disapproved

Signature of City/County Official: \_\_\_\_\_ Title: \_\_\_\_\_

Alcoholic Beverage Control Division Use Only: ☐ Approved ☐ Disapproved, \_\_\_\_\_

Signed by Director: \_\_\_\_\_ Date: \_\_\_\_\_



## Premises Location, Ownership, and Description | NMSA §60-6B-10 | Page 2

1. The land and building which is proposed to be the licensed premises is: **(check one)**

- ☒ Owned by Applicant, copy of deed/document attached    ☐ Leased by Applicant, copy of lease/document attached  
☒ Other (provide details): **PURCHASED BUILDING IN JULY 2020, WITH OWNER CARRYING THE NOTE**

2. If the land and building are not owned by Applicant, indicate the following:

A. Owner(s): **GAIL AND DALE ARMSTRONG ARE CARRYING THE NOTE**

B. Date and Term of Lease: \_\_\_\_\_

3. Premises location is Zoned (example C-1, see Zoning Statement): **NO ZONING, SEE LETTER FROM MAYOR RICHARD RUMPF**

**Zoning Statement attached** Yes ☒ No ☐ Must be obtained from the Local Government, listing the proposed location by address, Type of Zone, state whether alcoholic beverages are allowed at proposed location, and if applicable, whether packaged sales, patio service and/or manufacturing is allowable. If there is no zoning in the proposed location, attach Statement from the local government, indicating there is no zoning.

4. **Distance\* from nearest Church:** (Property line of church to closest point of licensed premises—shortest distance)

Name of Church: **ST MARY MAGDALENE CATHOLIC CHURCH** Miles/feet: **0.8 MILES**

Address/location of Church: **204 ELM STREET . MAGDALENA, NM 87825**

5. **Distance\* from nearest School:** (Property line of school to closest point of licensed premises—shortest distance)

Name of School: **MAGDALENA SCHOOLS** Miles/feet: **1.3 MILES**

Address/location of School: **201 DUGGINS DRIVE . MAGDALENA, NM 87825**

6. Distance from military installation \*(Property line of military installation to closest point of licensed premises—shortest distance.)

**Name of Military Installation, *check one*:**

- ☐ Kirtland Air Force Base (Albuquerque),    ☒ White Sands Missile Range (Las Cruces),  
☐ Holloman Air Force Base (Alamogordo),    ☐ Cannon Air Force Base (Clovis)

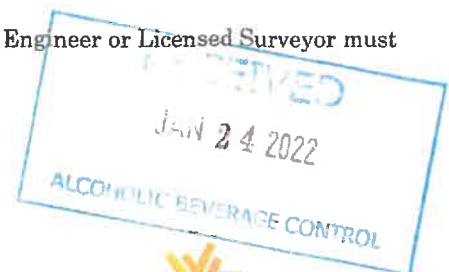
7. Attach Detailed Floor Plan, must include the Total Square Footage of premises; List nearest cross street; Show which direction is North; Show each level (floor) where alcoholic beverages will be sold or consumed, exterior walls, doors, and interior walls; Patio Area with type of barrier used; Highlight Bonded Areas. The floor plan should be no larger than 8½ x 11 inches and must be labeled with designated areas highlighted, which will reflect the proposed Licensed Premises.

8. Type of Operation: ☐ Hotel    ☐ Lounge    ☐ Package Grocery    ☒ Restaurant    ☐ Racetrack

☐ Small Brewer    ☐ Craft Distiller    ☐ Winery    ☐ Wholesaler

☐ Other (specify): **RESTAURANT A (BEER + WINE)**

**NOTE:** If the distance is beyond 300 feet, but less than 400 feet, a Registered Engineer or Licensed Surveyor must complete a Survey Certificate showing the exact distance.





January 13, 2022

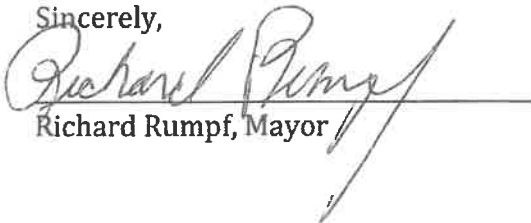
Alcohol Beverage Control Division  
P.O. Box 25101  
Santa Fe, NM 87504

Re: Zoning Statement for Restaurant A Liquor License Application  
Golas Kitchen & Events LLC, dba Tumbleweeds Diner ID #6212042

To Whom It May Concern:

I am writing to confirm that the Village of Magdalena does not have any zoning restrictions. If you have any questions, please contact Village offices at (575) 854-2261 or email me at [mayor@villageofmagdalena.com](mailto:mayor@villageofmagdalena.com).

Sincerely,

  
Richard Rumpf, Mayor





**VILLAGE OF MAGDALENA  
EMERGENCY ORDINANCE NO. 2022-01  
&  
PROCLAMATION  
RESTRICTING THE SALE AND USE OF FIREWORKS  
IN THE INCORPORATED AREAS OF THE VILLAGE OF MAGDALENA**

**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**, NMSA 1978, Section 43-17-3 eliminates the general ordinance publication requirement for ordinances “dealing with an emergency declared by the mayor to be an immediate danger to the public health, safety and welfare of the municipality;” and,

**WHEREAS**, the Board of Trustees finds that restrictions should be imposed upon the sale and use of fireworks within the Village; and,

**WHEREAS**, the Board of Trustees finds, pursuant to NMSA 1978, Section 60-2C-8.1, based upon current drought indices published by the national weather service and other information supplied by the United States Forest Service that exceptional drought conditions affect the Village of Magdalena; and,

**WHEREAS**, the Board of Trustees finds that restrictions should be imposed upon the sale and use of fireworks within the incorporated areas of the Village of Magdalena; and,

**WHEREAS**, the Board of Trustees finds that there exists an immediate danger to the public health, safety, and welfare of the Village.

**NOW THEREFORE, BE IT ORDAINED & PROCLAIMED BY THE BOARD OF TRUSTEES, THAT:**

- Section 1. For purposes of this Ordinance/Proclamation, the word “fireworks” means any device intended to produce a visible or audible effect by combustion, deflagration or detonation. The term fireworks is used in this Ordinance/Proclamation includes but is not limited to the definition of the “fireworks” provided in NMSA 1978, Section 60-2C-2K (1999).
- Section 2. Pursuant to NMSA 1978, Section 60-2C-8.1(B)(2)(a)(1999), the Board of Trustees does hereby allow the sale but limits the use of cone fountains, crackling devices, cylindrical fountains, flitter sparklers, ground spinners, illuminating torches, toy smoke devices, wheels and mines fireworks within the incorporated areas of the Village to areas that are paved or barren or that have a readily accessible source of water for use by the homeowner or the general public.
- Section 3. Pursuant to NMSA 1978, Section 60-2c-8.1(B)(1)(1999) the following types of fireworks are banned from sale and use within the incorporated areas of the Village: stick-type rockets, helicopters & aerial spinners, missile-type rockets, ground audible devices, firecrackers, and display fireworks.
- Section 4. Except as permitted by this Ordinance/Proclamation, the sale and use of all other fireworks of any kind or description are banned within the incorporated areas of the Village of Magdalena.
- Section 5. Regarding display fireworks, any individual, association, partnership, corporation, organization, county or municipality seeking to put on a public display shall secure a written permit from the governing body, which shall consider the safety of such a display given weather conditions, and the display fireworks shall be purchased from a distributor or display distributor licensed by the State Fire Marshal and the Bureau of Alcohol, Tobacco, and Firearms at the United States Department of the Treasury.
- Section 6. REPEAL OF PREVIOUS ORDINANCE(S)
- This Ordinance/Proclamation hereby replaces, repeals and supersedes any prior Ordinance or Proclamation concerning this subject.
- Section 7. EFFECTIVE DATE AND DURATION
- Pursuant to NMSA 1978, Section 60-2C-8.1 and Section 3-17-3(A), the Board of Trustees hereby declares it is necessary for the public peace, health, safety and welfare that this Ordinance/Proclamation take effect immediately after passage. This Ordinance/Proclamation shall be effective for thirty (30) days unless a succeeding Ordinance/Proclamation is issued or the Board of Trustees, after



conducting an emergency hearing, determines that weather conditions have improved.

Section 8. 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/Proclamation.

Section 9. PENALTIES

Any violation of this Ordinance/Proclamation shall be deemed a misdemeanor and punishable by a fine of not more than five hundred dollars (\$500) and/or up to 90 days in jail.

Section 10. SEVERABILITY

If any article, section, subsection, paragraph, sentence, clause, phrase, provision or portion of any article, section, subsection, paragraph, sentence, clause, phrase or provision in this Ordinance/Proclamation is, for any reason, held to be unconstitutional, invalid or void, the remaining portion shall not be affected since it is the express intention of the Board of Trustees to pass such article, section, subsection, paragraph, sentence, clause, phrase or provision and every part thereof separately and independently from every other part.

Approved, Adopted, and Ordained this 13<sup>th</sup> day of June, 2022.

**VILLAGE OF MAGDALENA**

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Richard Rumpf, Mayor

Attest:

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Carleen Gomez, CMC – Deputy Clerk

# PROPOSAL

## LAR-CO CONSTRUCTION

PO BOX 446  
SOCORRO, NM 87801  
Cell: 505-550-3193

NO: 4140  
DATE: 27 May 2022  
STREET NO:

PROPOSAL SUBMITTED TO:	WORK TO BE PERFORMED AT:
NAME: Village of Magdalena	NAME: Fire Department
STREET: 108 N. MAIN ST	STREET: 700 First Street
CITY: Magdalena	CITY: Magdalena STATE NM 87825
STATE: New Mexico 87825	DATE OF PLANS: June 19, 2021
PHONE:	ARCHITECT: Jon Mortenson PE 8704

WE HEREBY PROPOSE TO FURNISH THE MATERIALS AND PERFORM THE LABOR NECESSARY FOR THE COMPLETION OF  
CONSTRUCTION OF AN ADDITION TO THE FIRE DEPARTMENT,  
ON EXISTING CONCRETE SLAB AS FOLLOWS: ALL CONSTRUCTION  
AS PER ENGINEERED PLANS. DRILL HOLES IN CONCRETE AND  
INSTALL ANCHOR BOLTS WITH EPOXY ADHESIVE. INSTALL ALL POST  
WELD PLATES AS PER PLAN. AND WELD POSTS TO PLATES.  
INSTALL TRUSSES ON 4X4 POSTS. INSTALL WALL PURLINS ON  
POSTS AND ROOF PURLINS ON TRUSSES.  
INSTALL R-10 WRAP AND U-PANELS AT WALLS AND ROOF  
WITH BUTYL RUBBER CAULKING ON OVERLAPS, AS PER PLAN.  
INSTALL CORNER TRIM, J-TRIM, RAIN GUTTER & DOWN SPOUTS.  
AS PER PLAN. INSTALL 2-12X14 OVERHEAD DOORS AND  
ONE (1) 36" X 80" METAL DOOR.

INSTALL (1) ONE HANGING L.P. GAS HEATER - VENTING AND  
GAS LINES FROM EXISTING GAS LINES IN EXISTING BUILDING.  
(6) SIX (6) LED LIGHTS AND 6 OUTLETS. CLEAN-UP CONSTRUCTION  
DEBRIS AND HAUL TO SOCORRO LANDFILL.

A CONTINGENCY MAY BE ADDED TO OFFSET THE RAPID COST OF MATERIALS QUOTED BETWEEN TIME OF QUOTE AND  
COMPLETION OF PROJECT.

ALL MATERIAL IS GUARANTEED TO BE AS SPECIFIED AND THE ABOVE WORK TO BE PERFORMED IN ACCORDANCE WITH  
THE DRAWING AND SPECIFICATIONS SUBMITTED FOR ABOVE WORK AND COMPLETED IN A SUBSTANTIAL WORKMAN-  
LIKE MANNER FOR THE SUM OF DOLLARS (\$) \$59,400.00 - Fifty-Four Thousand Four Hundred  
Dollars  
WITH PAYMENTS TO BE MADE AS FOLLOWS:

ANY ALTERATION OR DEVIATION FROM ABOVE SPECIFICATIONS IN-  
VOLVING EXTRA COSTS, WILL BE EXECUTED ONLY UPON WRITTEN  
ORDERS, AND WILL BECOME AN EXTRA CHARGE OVER AND ABOVE  
THE ESTIMATE. ALL AGREEMENT CONTINGENT UPON STRIKES, ACCI-  
DENTS OR DELAYS BEYOND OUR CONTROL.

RESPECTFULLY SUBMITTED

PER

Larry Vigil  
LAR-CO CONSTRUCTION

NOTE - THIS PROPOSAL MAY BE WITHDRAWN BY US IF NOT ACCEPTED  
WITHIN DAYS.

### ACCEPTANCE OF PROPOSAL

THE ABOVE PRICES SPECIFICATIONS AND CONDITIONS ARE SATISFACTORY AND ARE HEREBY ACCEPTED. YOU ARE  
AUTHORIZED TO DO THE WORK AS SPECIFIED. PAYMENT WILL BE MADE AS OUTLINED ABOVE.

DATE:

SIGNATURE:

SIGNATURE: