



**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, NOVEMBER 9, 2020**

**VILLAGE HALL 108 N. MAIN STREET 6:00 PM**

**DUE TO THE NATIONAL, STATE AND COUNTY COVID-19 DECLARED EMERGENCY AND PUBLIC HEALTH ORDER DATED OCTOBER 16, 2020 LIMITING GATHERINGS TO 5 PERSONS OR LESS THE MEETING WILL NOT BE PHYSICALLY OPEN TO THE PUBLIC. ALL MEMBERS OF THE PUBLIC WILL BE ABLE TO ATTEND AND LISTEN TO THE MEETING VIA ZOOM 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 – OCTOBER 26, 2020
6. APPROVAL OF CASH BALANCE REPORT
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. PAMELA RICE – DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF FISCAL YEAR 2019 AUDIT
12. DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF RESOLUTION NO. 2020-22, ACCEPTANCE AND APPROVAL OF THE FY 2019 AUDIT
13. DISCUSSION TO SUBMIT REVISIONS TO SOCORRO ELECTRIC COOPERATIVE REGARDING FRANCHISE AGREEMENT
14. PUBLIC INPUT – 1 TOPIC PER PERSON - 3 MINUTE LIMIT

**PUBLIC COMMENT MAY BE MADE VIA EMAIL AND WILL BE ENTERED AND/OR READ INTO THE MEETING MINUTES (IF LESS THAN 3 MINUTES) BY EMAILING COMMENTS TO: [mayor@villageofmagdalena.com](mailto:mayor@villageofmagdalena.com) THE DEADLINE FOR**

WRITTEN PUBLIC COMMENTS TO BE RECEIVED IS MONDAY, NOVEMBER 9, 2020 AT 12:00 PM. EMAILED PUBLIC COMMENT MUST CONTAIN THE AUTHOR'S NAME AND PHYSICAL ADDRESS.

## 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. 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, OCTOBER 26, 2020 AT 6:00 PM

**DUE TO THE NATIONAL, STATE AND COUNTY COVID-19 DECLARED EMERGENCY AND PUBLIC HEALTH ORDER DATED OCTOBER 16, 2020 LIMITING GATHERINGS TO LESS THAN 5 PERSONS OR LESS THE MEETING WILL NOT BE PHYSICALLY OPEN TO THE PUBLIC. ALL MEMBERS OF THE PUBLIC WILL BE ABLE TO ATTEND AND LISTEN TO THE MEETING VIA ZOOM AT THE FOLLOWING LINK:**

<https://us02web.zoom.us/j/4861155997>

**Meeting ID: 4861155997**

**Passcode: MAGDALENA**

Mayor Richard Rumpf called the meeting to order at 6:00 p.m.

**PRESENT:** Mayor Richard Rumpf, Clark Brown, Francesca Gutierrez- Clerk/Treasurer, Carleen Gomez - Deputy Clerk, Kathy Stout – Attorney

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

**GUESTS:** Sabrina Aragon - Assistant Clerk

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

**APPROVAL OF AGENDA:** Agenda items 12 & 13 will be postponed until next meeting on November 9<sup>th</sup>. Donna Dawson made a motion to approve. The motion was seconded by Clark Brown. The motion carried unanimously.

**APPROVAL OF MINUTES:** James Nelson made a motion to approve the minutes of the Regular Meeting held on October 12, 2020, as amended. The motion was seconded by Donna Dawson. The motion carried unanimously with the suggested spelling corrections.

**APPROVAL OF CASH BALANCE REPORT:** Clark Brown made a motion to approve the cash balance report, as presented. The motion was seconded by Donna Dawson. The motion carried unanimously.

**APPROVAL OF BILLS:** Donna Dawson made a motion to approve the bill list. The motion was seconded by Clark Brown. The motion carried unanimously.

### BILL LIST

Albq Publishing Co	\$70.90
Central Region Education	\$206.17
City of Socorro	\$1225.33
DPC Industries	\$384.72
Firefighter Trucks by Jeff	\$1407.02
Galls	\$68.97
Jacob Finch	\$1074.38
Konica Minolta	\$234.17
Lucky Signs	\$143.00
Quill	\$24.00

Raks	\$314.76
REB Management	\$855.29
Route 60 Trading Post	\$100.00
Sierra Propane	\$327.84
Socorro Electric	\$3768.47
Tire Shop	\$10.00
Tyler Technologies	\$4345.41
Winstons Auto Service	\$194.80
 Total	 \$14755.23

## **MAYOR’S REPORT**

Mayor Rumpf stated that the old trash truck was at JV Auto and that the estimate to repair it was over \$8,000. He decided against the repairs and will have it towed back to Village Hall. The Mayor also reported that the funding bonds will be sold at the end of October and will receive the money in November. The Mayor said the Airport project is moving ahead and almost complete.

## **CLERK’S REPORT**

Clerk/Treasurer Francesca Gutierrez was sworn in by Deputy Clerk and Notary Public Carleen Gomez.

**DISCUSSION & POSSIBLE DECISION CONCERNING APPROVAL OF RESOLUTION NO. 2020-18, AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AND SUBSIDY AGREEMENT (“LOAN AGREEMENT”) AND INTERCEPT AGREEMENT BY AND BETWEEN THE VILLAGE OF MAGDALENA, SOCORRO COUNTY, NEW MEXICO (THE “GOVERNMENTAL UNIT”) AND THE NEW MEXICO FINANCE AUTHORITY, EVIDENCING A SPECIAL LIMITED OBLIGATION OF THE GOVERNMENTAL UNIT TO PAY A PRINCIPAL AMOUNT OF NO MORE THAN TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000), TOGETHER WITH INTEREST, AND ADMINISTRATIVE FEES THEREON, AND TO ACCEPT A LOAN SUBSIDY OF NO MORE THAN SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$750,000), FOR THE PURPOSE OF FINANCING THE COSTS OF DESIGNING AND CONSTRUCTING A NEW MUNICIPAL WATER WELL AND WATER LINE IMPROVEMENT/REPLACEMENT TO SUPPLY POTABLE WATER TO THE GOVERNMENTAL UNIT AND AS FUNDING ALLOWS, REHABILITATION TO THE EXISTING WELL AND THE ADDITION OF A NEW STORAGE TANK AND RELATED EXPENDITURES; PROVIDING FOR THE PLEDGE AND PAYMENT OF THE PRINCIPAL, ADMINISTRATIVE FEES AND INTEREST DUE UNDER THE LOAN AGREEMENT SOLELY FROM THE NET REVENUES OF THE ONE-QUARTER OF ONE PERCENT (0.25%) OF THE MUNICIPAL GROSS RECEIPTS TAX, IMPOSED BY THE ORDINANCE PASSED AND APPROVED BY THE GOVERNMENTAL UNIT ON JUNE 18, 1985 WITH AN EFFECTIVE DATE OF JANUARY 1, 1986, PURSUANT TO NMSA 1978, § 7-19-D-1 ET SEQ., AND DISTRIBUTED TO THE GOVERNMENTAL UNIT BY THE STATE TAXATION AND REVENUE DEPARTMENT TO THE NEW MEXICO FINANCE AUTHORITY OR ITS ASSIGNS PURSUANT TO THE INTERCEPT AGREEMENT FOR THE PAYMENT OF PRINCIPAL AND INTEREST DUE ON THE LOAN AGREEMENT; SETTING AN INTEREST RATE FOR THE LOAN; APPROVING THE FORM OF AND OTHER DETAILS CONCERNING THE LOAN AGREEMENT AND INTERCEPT AGREEMENT; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS RESOLUTION; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT AND INTERCEPT AGREEMENT**

Mayor Rumpf stated that the Village was in the final stages of the agreement in passing the resolution. The loan will be for \$250,000 over a 30 year period with a grant covering \$750,000. The mayor said options with the balance of the loan could be used for refurbishing other wells. As soon as the Engineering Firm receives the final documents they can provide a timeline for the project. Donna Dawson asked if there was a prepayment penalty for paying earlier. Kathy Stout said on page 22 of the loan documents that there was no penalty.

Donna Dawson motioned to approve Resolution NO. 2020-18, authorizing the execution and delivery of a loan and subsidy agreement ("loan agreement") and intercept agreement by and between the Village of Magdalena, Socorro County, New Mexico (the "Governmental Unit") and the New Mexico Finance Authority . Clark Brown seconded the motion.

Clerk/ Treasurer Gutierrez requested a roll call vote:

James Nelson- AYE

Donna Dawson- AYE

Clark Brown- AYE

Harvan Conrad- Absent

The motion was carried unanimously.

#### **DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF RESOLUTION NO. 2020-21, CONCERNING THE VILLAGE OF MAGDALENA'S BANKING RELATIONSHIP WITH FIRST STATE BANK AND ESTABLISHING AUTHORIZED SIGNATORIES**

Donna Dawson made a motion to approve. James Nelson seconded the motion

Clerk/ Treasurer requested a roll call vote:

Donna Dawson- AYE

James Nelson- AYE

Clark Brown- AYE

Harvan Conrad- Absent

The motion was carried unanimously

#### **DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF DFA/LGD QUARTERLY REPORT FOR PERIOD ENDING SEPTEMBER 30, 2020**

Michael Steininger stated that the report ending Sept 30, 2020 was submitted and accepted by the State. The revenue fund looks low because the Small City Assistance fund will be funded in March. Also, property taxes are due in November. He also stated expenses are at 28%, which is on track. The airport is having the reimbursements processed. Michael also said the lodgers tax is at 53%. Donna Dawson motioned to approve.

James Nelson seconded the motion.

Clerk/ Treasurer requested a roll call vote:

Clark Brown- AYE

Donna Dawson- AYE

James Nelson- AYE

Harvan Conrad- Absent

The motion was carried unanimously.

#### **DISCUSSION TO SUBMIT REVISIONS TO SOCORRO ELECTRIC COOPERATIVE REGARDING FRANCHISE AGREEMENT**

The Mayor said the agreement franchise fees will go from 2% to 3%. Also, fiber optic companies want to use the poles. The revised agreement will be presented at the next meeting. Donna Dawson motioned to postpone this issue until they can see the revised agreement. James Nelson seconded the motion. All in favor.

#### **DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF RESOLUTION NO. 2020-23, RENEWED LOCAL EMERGENCY DISASTER DECLARATION CONCERNING THE CONTINUING MEASURES REQUIRED TO CONTAIN COVID-19**

The Mayor said this resolution will allow the Village to close the building to help protect the employees from the virus. He said the building will still hold normal business hours, but open to public by appointment only.

The staff will post the new resolution around town, along with posting signs on the building, internet and MagE board.

Donna Dawson motioned to approve. Clark Brown seconded the motion.

Clerk/ Treasurer requested a roll call vote:

Clark Brown- AYE

James Nelson- AYE

Donna Dawson-AYE

Harvan Conrad- Absent

The motion was carried unanimously.

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

PUBLIC COMMENT MAY BE MADE VIA EMAIL AND WILL BE ENTERED AND/OR READ INTO THE MEETING MINUTES (IF LESS THAN 3 MINUTES) BY EMAILING COMMENTS TO: [mayor@villageofmagdalena.com](mailto:mayor@villageofmagdalena.com) THE DEADLINE FOR WRITTEN PUBLIC COMMENTS TO BE RECEIVED IS MONDAY, OCTOBER 26, 2020 AT 12:00 PM. EMAILED PUBLIC COMMENT MUST CONTAIN THE AUTHOR'S NAME AND PHYSICAL ADDRESS.

Donna Dawson said there was not an American flag at the Marshal Building. She said this is not on private property and should not be on Village Property. The Mayor said a new flag is being purchased. James Nelson asked that the flag be taken down immediately. The Mayor said he will have it taken down himself.

Donna Dawson moved to adjourn the meeting at 6:28 p.m., the motion was seconded by Clark Brown. The motion carried unanimously.

Respectfully Submitted,

Francesca Gutierrez  
Clerk/Treasurer

Richard Rumpf  
Mayor

## Carleen Gomez

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**From:** Jim Nelson <jcnelson@villageofmagdalena.com>  
**Sent:** Tuesday, November 3, 2020 2:57 PM  
**To:** Carleen Gomez  
**Subject:** Re: Department Reports Due

10 EMS calls in October

Jim Nelson

Trustee  
EMS coordinator  
Village of Magdalena

On 11/3/2020 2:25 PM, Carleen Gomez wrote:

ALL,

This is just a reminder that Department Reports are due this Friday, 11/6/2020 before NOON. Please let me know if you have any questions.

*Thank you,*

**Carleen Gomez, CMC**  
*Deputy Clerk/Court Clerk*  
*Village of Magdalena*  
*Ph (575)854-2261*

## Magdalena Marshal's Office

<b>Monthly Report</b>	<b>Month: Oct 2020</b>	<b>Year: 2020</b>
Marshal Zamora	ID#:Mag-1	
<b>Total Miles Driven:</b> 474		
<b><u>GENERAL CALLS:</u></b>	<b><u>AMOUNT</u></b>	<b><u>REVENUE</u></b>
TRAFFIC CITATIONS: Village Ordinances	11	591
TRAFFIC CITATIONS: State Statutes		
CRIMINAL CITATIONS		
ANIMAL CONTROL CITATIONS		
TRAFFIC ACCIDENTS		
D.W.I. ARRESTS		
FELONY ARRESTS		
MISDEMEANOR ARRESTS		
12 HOUR HOLD ARREST		
CRIMINAL INVESTIGATIONS		
JUVENILE CASES		
DOMESTIC CASES		
CRIMINAL DAMAGE / PROPERTY		
<b><u>ASSISTANCE CALLS:</u></b>		
AMBULANCE/FIRE	3	
PUBLIC SERVICE	7	
NM STATE POLICE		
SHERIFF'S OFFICE		
NM FISH & GAME		
US BORDER PATROL		
US FOREST SERVICE		
<b><u>OTHER:</u></b>		
ALARM CALLS	4	
FINGERPRINTING		
Driving Tests	1	
Misc. Cases	20	
<b><u>TOTALS:</u></b>	46	591



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

For the month of : OCT Year: 2020

License Number: \_ G93062

Make and Model: \_ FORD EXPID.2015

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								06 Lubrication
7								07 Miscellaneous
8	62517	62774	257	24	52.9			09 Tire Purchase
9								10 Tire Repair
10								11 Wash and Wax
11								(Attach Copy of Invoices)
12								Invoice No.: _____ Amt.\$ _____
13								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	62774	62991	217	21.4	47.2			Code: _____ Date: _____
22								Invoice No.: _____ Amt.\$ _____
23								Code: _____ Date: _____
24								Invoice No.: _____ Amt.\$ _____
25								Code: _____ Date: _____
26								Invoice No.: _____ Amt.\$ _____
27								Code: _____ Date: _____
28								Invoice No.: _____ Amt.\$ _____
29								Code: _____ Date: _____
30								Invoice No.: _____ Amt.\$ _____
31								
Totals			474	45.4	100			

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

Signature: 

Title: MARSHAL

# Magdalena Marshal's Office

<b>Monthly Report</b>	<b>Month: October</b>	<b>Year: 2020</b>
Deputy Valenzuela	ID#:Mag-2	
<b>Total Miles Driven:</b>		
<b>GENERAL CALLS:</b>	<b><u>AMOUNT</u></b>	<b><u>REVENUE</u></b>
TRAFFIC CITATIONS/ Stops Ordinances	12	108
TRAFFIC CITATIONS: State Statutes		
CRIMINAL CITATIONS	0	
ANIMAL CONTROL/ CALLS CITATIONS	0	0
TRAFFIC ACCIDENTS	5(County)	0
D.W.I. ARRESTS	0	
FELONY ARRESTS	0	
MISDEMEANOR ARRESTS	0	
12 HOUR HOLD ARREST	0	
CRIMINAL INVESTIGATIONS	8	
JUVENILE CASES	0	
DOMESTIC CASES	1	
CRIMINAL DAMAGE / PROPERTY		
<b><u>ASSISTANCE CALLS:</u></b>		
AMBULANCE/FIRE	1	
PUBLIC SERVICE	4	
NM STATE POLICE	5	
SHERIFF'S OFFICE	2	
NM FISH & GAME		
US BORDER PATROL		
US FOREST SERVICE		
<b><u>OTHER:</u></b>		
ALARM CALLS	3	
FINGERPRINTING	0	
Driving Tests	1	
Misc. Cases	5	
<b>TOTALS:</b>	42	108



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

For the month of : October Year: 2020

License Number: \_\_ G

Make and Model: \_\_ Chevy Sil

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	Mainte
1								01 Chass
2								02 Electri
3		86916	200	21.7	49.75			03 Engine
4								04 Gener
5								05 Interio
6	86916	87173	257	19.5	43			06 Lubric
7								07 Miscel
8								09 Tire P
9								10 Tire R
10								11 Wash
11	87173	87464	291	23.7	52.5			(Attach C
12								Invoice N
13								3 7
14								Invoice No.
15								
16								Invoice No.
17	87664	87798	134	22.9	\$42.50			Code:_____
18								Invoice No.
19	87798	88140	342	22.5	49.75			Code:_____
20								Invoice No.
21								Code:_____
22								Invoice No.
23	88140	88410	270	20.9	\$46			Code:_____
24								Invoice No.
25								Code:_____
26	88410	88736	326	22	\$40.50			Invoice No.
27								Code:_____
28								Invoice No.
29								Code:_____
30	88736	89032	296	23.1	\$51.00			Invoice No.
31								
Totals		2116	2116	176.3	375			

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

Signature: 

Title: Deputy Valenzuela

# Magdalena Marshal's Office

<b>Monthly Report</b>	<u>Month: Oct</u>	<u>Year: 2020</u>
FRAERE, Mariano <i>#03</i>	Badge# Mag 03	
<b>GENERAL CALLS / REPORTS:</b>	<b><u>TOTAL</u></b>	<b><u>REVENUE</u></b>
TRAFFIC CITATIONS: Village Ordinances	9	\$746.00
TRAFFIC CITATIONS: State Statutes		
CRIMINAL CITATIONS		
ANIMAL CONTROL CITATIONS		
HARASSMENT		
TRAFFIC ACCIDENTS		
D.W.I. ARRESTS		
FELONY ARRESTS		
MISDEMEANOR ARRESTS		
12 HOUR HOLD ARREST		
CRIMINAL INVESTIGATIONS		
JUVENILE CASES	1	
DOMESTIC CASES		
CRIMINAL DAMAGE PROPERTY		
WELFARE	1	
<b>ASSISTANCE CALLS:</b>		
AMBULANCE/FIRE		
PUBLIC SERVICE		
NM STATE POLICE		
SHERIFF'S OFFICE		
NM FISH & GAME		
US BORDER PATROL		
US FOREST SERVICE		
<b>OTHER:</b>		
ALARM CALLS	1	
FINGER PRINTS	1	
DRIVING TEST		
MISC. CASES	1	
WARRANT ARREST		
<b>TOTALS:</b>	14	\$746.00

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

For the month of : October Year: 2020

License Number: G97490

Make and Model: 2016, Chev, Silverado

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	70775	70831	56	13.13	\$39.52			
2								
3								
4								04 General Supplies
5								05 Interior Maintenance
6								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# _____ Amt\$ _____
13								
14	70831	70909	78	17.43	\$52.29			Invoice No# _____ Amt\$ _____
15								Date _____
16								Invoice No# _____ Amt\$ _____
17								Code: _____ Date: _____
18								Invoice# _____ Amt\$ _____
19								Code: _____ Date: _____
20								Invoice# _____ Amt\$ _____
21								Code: _____ Date: _____
22								Invoice# _____ Amt\$ _____
23								Code: _____ Date: _____
24								Invoice# _____ Amt\$ _____
25								Code: _____ Date: _____
26								Invoice# _____ Amt\$ _____
27								Code: _____ Date: _____
28								Invoice# _____ Amt\$ _____
29	70909	71058	149	18	\$54.01			Code: _____ Date: _____
30								Invoice# _____ Amt\$ _____
31								
Totals	70909	71058	283	48.56	\$145.82			

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

Signature:

Title: Deputy FRAERE 03

#63



## **JUDGE'S REPORT OCTOBER 2020**

The Magdalena Municipal Court continues to follow all required guidelines set forth by the Supreme Court of the State of New Mexico.

The Magdalena Municipal Court previously requested that Village janitorial staff clean and disinfect the court room prior to each scheduled court date. This is being required by the Supreme Court of the State of New Mexico as provided in the Supreme Court of the State of New Mexico COVID-19 Public Health Emergency Order. The Court is please that Joint Utility Worker Nehemiah Peralta cleaned the the court room very thoroughly and his hard work is greatly appreciated.

### **Cases heard in October 2020**

#### **Speeding – 40 mph/30 mph zone**

Defendant paid citation of \$54.00 - did not come to Court.

**Total: \$54.00**

#### **Speeding – 45 mph/30 mph zone**

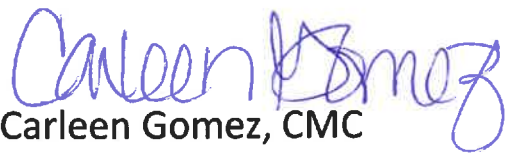
Defendant plead guilty and requested payment arrangements. Judge ordered a fine of \$59.00 plus the \$29.00 court cost to be paid by Dec. 3,2020.

**Total: \$88.00**

**TOTAL: \$142.00**

Respectfully Submitted,

Simon Armijo  
Magdalena Municipal Judge

  
Carleen Gomez, CMC  
Deputy Clerk/Court Clerk

## Librarian's Report OCTOBER 2020

	OCTOBER 2020	OCTOBER 2019
Days Open	22 (127 hours)	23 (134 hours)
Days Closed (other than norm)	1 (10/27 snow)	0
Visitors	261	450 (282 + 168 @ events)
Museum Visits	11	31
New Patrons/Library Cards	0	5
# of Volunteers	0	11
Volunteer Hours	0	53

### Events:

	OCTOBER 2020	OCTOBER 2019
Number of Events	4	9
Total # of People (for events)	21 (15 kids + 6 adults)	168

Date:		# of People:
10/8	Friends of the Library Meeting	3 adults
10/9	Code Club	4 kids + 1 adult
10/16	Code Club	5 kids + 1 adult
10/30	Code Club	6 kids + 1 adult

### Circulation

	OCTOBER 2020	OCTOBER 2019
# of Books	102 (22 J • 11 Y • 1 YA)	113
# of DVDs	61	261
# of Books on CD	1	5
Total Books/DVDs/Audio	164	379
# of eBooks	44	67
# of Online Audio	44	35
Total eBooks/Online Audio	88	102
Total Circulation	252	481
ILL Processed	7 (6 books + 1 DVD)	5 books + 10 articles

### Computers/Wi-Fi

	OCTOBER 2019	OCTOBER 2019
# Computer Sign ins	11 + 15 Code Club = 26	81
Total Unique Wi-Fi Users*	161	90
Avg. # Wi-Fi Users per day	20	11
Avg. Usage per User	4.20 GB	3.31 GB

\*Total Unique Wi-Fi Users = How many distinct people used the Wi-Fi– each person only counted once, regardless of days used.



**Other:**

10/27 Tuesday – Library closed due to weather.

We restarted Code Club in partnership with the Kid's Science Café. According to state guidelines (Mr. Sauer verified with State Police) we can have at max a ratio of 4 kids to 1 adult. When more than 4 kids were present, we split them into two groups, about 15 minutes apart for cleaning. Kids were spread out on the computers for social distancing and required to use hand sanitizer or wash their hands before and after using the computers. Snacks were individually packaged. So far, it's pretty good turn out and the kids who come are very engaged.

The Boxcar Museum remained open in October – only state-run museums were asked to close. Temporary rules still in place: no more than 4-5 people at a time, no touching the displays, masks required.

For the main building, temporary hours and rules are still in effect and haven't changed. Governor's orders still declare libraries in the same group as non-essential retail business, which are capped at 25% of max occupancy.

Temporary rules: masks required, no more than 8 people (+1 librarian) allowed inside at a time, 1-hour visit limit, bathrooms still closed to the public, social distancing required, especially at computers.

Temporary Hours: (45 minutes shorter to allow time to clean)  
Tuesday-Friday 11:30-4:45pm  
Saturday 10:30-2:45pm  
Closed Sunday & Monday

Attendance and circulation are both down this month as a result of rising COVID-19 cases and precautions, and likely from the Governor asking people to stay home when possible. Outside Wi-Fi usage has started to slow down as it gets colder.

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



**State of New Mexico**  
**Office of the State Auditor**

CONSTITUENT SERVICES  
(505) 476-3821

Via Email

August 11, 2020

SAO Ref. No. 6118

Richard Rumpf, Mayor  
Village of Magdalena

mayor@villageofmagdalena.com

Re: Authorization to Release FY2019 Village of Magdalena Audit Report

The Office of the State Auditor (OSA) received the audit report for your agency on 6/19/2020. The OSA has completed the review of the audit report required by Section 12-6-14(B) NMSA 1978 and 2.2.2.13 NMAC. This letter is your authorization to make the final payment to the Independent Public Accountant (IPA) who contracted with your agency to perform the financial and compliance audit. In accordance with the audit contract, the IPA is required to deliver to the agency the number of copies of the report specified in the contract.

Pursuant to Section 12-6-5 NMSA 1978, the audit report does not become a public record until five days after the date of this release letter, unless your agency has already submitted a written waiver to the OSA. Once the five-day period has expired, or upon the OSA's receipt of a written waiver:

- the OSA will send the report to the Department of Finance and Administration, the Legislative Finance Committee and other relevant oversight agencies;
- the OSA will post the report on its public website; and
- the agency and the IPA shall arrange for the IPA to present the report to the governing authority of the agency, per 2.2.2.10.M(4) NMAC, at a meeting held in accordance with the Open Meetings Act, if applicable.

The IPA's findings and comments are included in the audit report on pages 56-80. It is ultimately the responsibility of the governing authority of the agency to take corrective action on all findings and comments.

Sincerely,

A handwritten signature in black ink, appearing to be "B. Colón", with a long horizontal stroke extending to the right.

Brian S. Colón, Esq.  
State Auditor

cc: Rice & Associates, CPA



## RESOLUTION NO. 2020-22

### ACCEPTANCE AND APPROVAL OF THE FY 2019 AUDIT

**WHEREAS**, the Village of Magdalena is required by Statute to contract with an independent auditor to perform the required annual audit or agreed upon procedures for Fiscal Year 2019; and,

**WHEREAS**, the Board of Trustees has directed the accomplishment of the audit for FY2019 be completed; and,

**WHEREAS**, this audit has been completed and presented to the Village of Magdalena Board of Trustees on November 9, 2020 and letter from the State Auditor authorizing release of the FY2019 audit dated August 11, 2020.

**WHEREAS, NMAC 2.2.2.10(M)(4)** provides in pertinent part that "Once the audit report is officially released to the agency by the State Auditor (by release letter) and the required waiting period of five calendar days has passed, unless waived by the agency in writing, the audit report shall be presented by the IPA, to a quorum of the governing authority of the agency at a meeting held in accordance with the Open Meetings Act, if applicable;" and,

**NOW THEREFORE, BE IT RESOLVED**, that the **VILLAGE OF MAGDALENA** does hereby accept and approve the completed audit report and findings as indicated within this document.

**ACCEPTED AND APPROVED** this 9<sup>th</sup> day of November, 2020 in regular session by the Board of Trustees, at the Village of Magdalena, Socorro County, New Mexico.

#### ROLL CALL VOTE:

Trustee James Nelson	YES	NO
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Richard Rumpf, MAYOR

Trustee Harvan Conrad	YES	NO
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ATTEST:

Trustee Donna Dawson	YES	NO
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Francesca Gutierrez, CLERK/TREASURER

Trustee Clark Brown	YES	NO
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**DRAFT**

**VILLAGE OF MAGDALENA  
ORDINANCE №. 2020-03**

**AN ORDINANCE GRANTING TO SOCORRO ELECTRIC COOPERATIVE, INC. AND ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PRIVILEGE AND FRANCHISE TO DISTRIBUTE ELECTRICAL ENERGY IN THE VILLAGE OF MAGDALENA, NEW MEXICO, AND USE THE STREETS, ALLEYS AND OTHER PUBLIC PLACES FOR SUCH PURPOSE**

**WHEREAS**, NMSA 1978, Section 3-42-1 provides that municipalities have the power to grant, by ordinance, a franchise to any person, firm or corporation for the construction and operation of any public utility; and,

**WHEREAS**, Ordinance 2000-01 is over twenty (20) years old and the longest a franchise ordinance can be in effect is twenty-five (25) years.

**NOW THEREFORE, BE IT ORDAINED** that the Board of Trustees of the Village of Magdalena adopts the following Ordinance providing a franchise to Socorro Electric Cooperative, Inc. (SEC).

**Section 1.** That there is hereby granted to SEC and its successors, assigns, employees, and agents hereinafter referred to as the "Grantee", the right, privilege and franchise to construct, maintain, and operate in the present and future roads, streets, alleys and public areas of the Village of Magdalena, Socorro County, New Mexico, hereinafter referred to as the "Village", an electric distribution system consisting of poles and lines, with all necessary and desirable appurtenances, including underground conduits, for the purpose of supplying electrical current or internet service within and in the vicinity of the Village.

**Section 2.** The Grantee may enter in and upon the said roads, streets, alleys and public places at any time for the purpose of making excavations and removing, repairing and maintaining such poles, wires, cables and all other structures necessary or convenient in supplying such electric service. Any and all excavations shall be repaired and obstructions removed as quickly as is reasonably possible under the circumstances.

**Section 3.** The poles for such distribution system shall be placed and erected in such a manner as not to interfere with the use of the roads, streets, alleys and public places in the Village or the inhabitants or property owners along such roads, streets, or alleys.

**Section 4.** The construction, replacing and manner of erecting the poles and lines of the Grantee and all fixtures and attachments thereto shall be at all times subject to the police power of the Board of Trustees of the Village and shall comply with all applicable industry standards and regulations.

**Section 5.** The Grantee shall during the term of this franchise hold the Village harmless against any and all damage that may be caused by reason of the construction, maintenance, and operation of the Grantee's electrical distribution system in the Village to any and every person that may be damaged by reason of the construction, maintenance, or operation of such distribution system. The Grantee shall defend or cause to be defended at its own expense, all actions that may be commenced against the Village for the damages caused by reason of the construction, maintenance, or operation of such distribution system.

**Section 6.** For and in consideration of the right, privilege and franchise herein granted, the Grantee shall pay the Village a sum equal to three percent (3%) of the gross receipts of the Grantee from electric power furnished by the Grantee to customers within the corporate limits of the Village (excluding non-profit organizations, governmental entities, and all other qualifying facilities); said sum to be paid by the Grantee to the Village on or before the fifteenth (15<sup>th</sup>) day of each month for the preceding month.

**Section 7.** In further consideration of the grant made herein, the Village may attach fire alarms, police wires, contract for the installation of fiber optic or internet cables, or other necessary equipment to the poles belonging to the Grantee which are located within the Village limits. Furthermore, the Village shall assume responsibility for its own attachments and additions within the limits of the Tort Claims Act and the Village will be responsible for maintaining such attachments in a workmanlike manner consistent with any applicable industry standards with adequate clearances between Village owned equipment and facilities for the protection of life and property.

**Section 8.** This ordinance will take effect thirty (30) days after approval subject to NMSA 1978, Section 3-42-1(C) and (D) and will expire upon recension or the passage of twenty-five (25) years, whichever comes first. The provisions of this ordinance are severable and if any section, provision, or part shall be held invalid, the remainder shall continue in full force and effect.

**PASSED, APPROVED, and ADOPTED** this       day of       , 2020.

Approved:

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Richard Rumpf, Mayor

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Katherine Stout, General Counsel as to  
legal sufficiency

Attested:

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Francesca Gutierrez, Clerk/Treasurer