



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 8, 2021
VILLAGE HALL 108 N. MAIN STREET 5:00 PM**

PURSUANT TO PUBLIC HEALTH ORDER DATED AUGUST 17, 2021 ALL INDIVIDUALS ARE REQUIRED TO WEAR MASKS AND CONTINUED SOCIAL DISTANCING IS ENCOURAGED.

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- OCTOBER 25, 2021
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. DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF RESOLUTION NO. 2021-15 POLICY FOR EMPLOYEE LEAVE COVID-19
12. DISCUSSION & POSSIBLE DECISION REGARDING ACCEPTANCE OF LOWEST RESPONSIBLE BID FROM STEWART BROTHERS CONSTRUCTION FOR SUPPLEMENTAL TRUJILLO WELL PROJECT
13. EXECUTIVE SESSION - THE FOLLOWING MATTERS WILL BE DISCUSSED IN CLOSED SESSION: MOTION & ROLL CALL VOTE TO GO INTO EXECUTIVE SESSION AND THAT, PURSUANT TO NEW MEXICO STATE STATUTES SECTION 10-15-1, ONLY THE FOLLOWING MATTER WILL BE DISCUSSED IN CLOSED SESSION:
 - a. DEPUTY PEACOCK

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

14. DISCUSSION & POSSIBLE DECISION FOR WAGE INCREASE AND PROMOTION FOR DEPUTY PEACOCK

15. 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, NOVEMBER 8, 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.

16. 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 OCTOBER 25, 2021 AT 5:00 PM**

PURSUANT TO PUBLIC HEALTH ORDER DATED JUNE 30, 2021 ALL UNVACCINATED INDIVIDUALS ARE REQUIRED TO WEAR MASKS AND CONTINUED SOCIAL DISTANCING IS ENCOURAGED.

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 Clark Brown, Trustee Jim Nelson, Kathy Stout – Attorney, Francesca Smith- Clerk/Treasurer

Participating via Video Conference: Trustees: Donna Dawson, Harvan Conrad

GUESTS: Carleen Gomez- Deputy Clerk, Janine Emry, Peter Emry, Gwen Rush, Eric Toops

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

APPROVAL OF AGENDA: Jim Nelson moved to approve the agenda, as presented. Clark Brown seconded. The motion carried.

APPROVAL OF MINUTES: Harvan Conrad moved to approve the October 11, 2021 minutes. Clark Brown seconded. The motion carried.

APPROVAL OF CASH BALANCE REPORT: Jim Nelson moved to approve the cash balance report. Clark Brown seconded. The motion carried.

APPROVAL OF BILLS: Carleen Gomez asked to add the following bills- Vexus Fiber \$26.41, Baker Utility \$1016.80, TLC \$1750.49. Jim Nelson moved to approve the bill list, with additions. Clark Brown seconded. The motion carried.

BILL LIST

| | |
|----------------------------|-----------|
| A-1 Quality Redi Mix | \$274.50 |
| Airgas USA, LLC | \$267.18 |
| All Around Auto | \$3303.30 |
| Amazon Credit | \$531.83 |
| Central Region Educational | \$146.11 |
| City of Socorro | \$1942.82 |
| IIMC | \$140.00 |
| Jacob Finch | \$1074.38 |
| Konica Minolta | \$394.54 |
| Magdalena Schools | \$850.42 |

| | |
|--------------------------|-------------------|
| Med- Tech | \$213.71 |
| O'Reilly Auto Parts | \$10.98 |
| Proforce Law Enforcement | \$136.00 |
| Quill | \$182.72 |
| RAKS Building Supply | \$535.43 |
| Romeros Tires | \$1473.01 |
| Sirchie | \$79.85 |
| Socorro Electric | \$3511.33 |
| Tire Shop | \$30.00 |
| Total | \$15098.11 |

MAYOR'S REPORT

Mayor Rumpf said that we received an invitation to apply to Viva Connect through UNM Hospital. Its for \$2,000 and will be used for benches along Main street. The Mayor also said we are still waiting on the ambulance funds to arrive. He also mentioned that the cot for the ambulance is on backorder with no time frame on when it will arrive.

CLERK'S REPORT

Francesca Smith had no report.

PUBLIC HEARING – DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF ORDINANCE NO. 2021-02, AN ORDINANCE ESTABLISHING A CONDITIONAL STIPEND FOR THE MAYOR OF THE VILLAGE OF MAGDALENA

The Mayor said this is an increase in the Mayor salary. There was no public comments.

FINAL CONSIDERATION - DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF ORDINANCE NO. 2021-02, AN ORDINANCE ESTABLISHING A CONDITIONAL STIPEND FOR THE MAYOR OF THE VILLAGE OF MAGDALENA

Harvan Conrad moved to approve Ordinance No. 2021-02, an Ordinance Establishing a Conditional Stipend for the Mayor of the Village of Magdalena. Donna Dawson seconded.

Clerk/ Treasurer Smith requested a roll call vote:

Jim Nelson- AYE

Harvan Conrad- AYE

Donna Dawson-NO

Clark Brown-AYE

The motion carried.

PUBLIC HEARING – DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF ORDINANCE NO. 2021-03, AN ORDINANCE PROVIDING FOR REGULATION OF LOCATION AND CONSUMPTION OF RECREATIONAL AND MEDICAL CANNABIS; PROVIDING A PENALTY; ESTABLISHING SEVERABILITY AND AN EFFECTIVE DATE

Jim Nelson has 4 minor corrections in wording. There were no other discussion. There was no public input.

FINAL CONSIDERATION - DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF ORDINANCE NO. 2021-03, AN ORDINANCE PROVIDING FOR REGULATION OF LOCATION AND CONSUMPTION OF RECREATIONAL AND MEDICAL CANNABIS; PROVIDING A PENALTY; ESTABLISHING SEVERABILITY AND AN EFFECTIVE DATE

Jim Nelson moved to approve Ordinance No 2021-03, an Ordinance Providing for Regulation of Location and Consumption of Recreational and Medical Cannabis; Providing Penalty; Establishing Severability and an Effective Date, with corrections. Clark Brown seconded.

Clerk/ Treasurer Smith requested a roll call vote:

Clark Brown-AYE

Donna Dawson-AYE

Harvan Conrad- AYE

Jim Nelson- AYE

The motion carried.

DISCUSSION & POSSIBLE DECISION REGARDING RECISSION, REVIEW AND/OR REVISION OF EMERGENCY COVID-19 POLICY FOR EMPLOYEE LEAVE

Kathy Stout said that the Covid-19 Family Medical Leave act has expired and is bringing this up for discussion if the board wants to rescind or re-write the policy. She said that some municipalities have decided to give the authority to the Mayor. Jim suggested to give fully vaccinated employees the benefit. Donna suggested to make the revision and postpone until the next meeting.

DISCUSSION & POSSIBLE DECISION REGARDING APPLYING FOR FY2023 RECYCLING AND ILLEGAL DUMPING (RAID) GRANT

The Mayor said that this is the same grant that we applied for and received before to recycle tires and scrap metal. Donna moved to approve applying for FY2023 Recycling and Illegal Dumping (RAID) Grant. Clark Brown seconded.

Clerk/ Treasurer Smith requested a roll call vote:

Harvan Conrad- AYE

Jim Nelson- AYE

Donna Dawson-AYE

Clark Brown-AYE

The motion carried.

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, OCTOBER 25, 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.

Pete Emry said he and his wife Janine purchased land from Gwen Rush and are moving to the Village and is very thankful the water tap is almost finished. He said he is really moving forward to moving here and that everyone has been so nice. The Mayor said that the water line should be finished by Wednesday.

Eric Toops said that he is willing to pay for street lighting. He said that one is crooked and needs fixing, there is 1 dead light and wants shields placed on 4 of them near his home.

Gwen Rush said that she requested a shade from SEC and she put the same light and not a shield.

Donna Dawson said this would have to be placed on the agenda for approval since it was changing Village property. Gwen said the person she talked to at SEC stated that this has to be approved by the Village. Pete Emry said he would also like to request a shield on his light pole. The Mayor said he will talk to the electric company about other lights out in the Village.

Trustee Donna Dawson moved to adjourn the meeting at 5:28pm. Clark Brown seconded. The motion carried.

Respectfully Submitted,

Francesca Smith
Clerk/Treasurer

Richard Rumpf
Mayor

Carleen Gomez

From: James Nelson
Sent: Wednesday, November 3, 2021 9:11 AM
To: Carleen Gomez
Subject: Re: Dept Reports Due 11/5/2021

15 EMS calls in Oct.

Sent from my iPhone

On Nov 3, 2021, at 9:08 AM, Carleen Gomez <cgomez@villageofmagdalena.com> wrote:

Good Morning Jim,

I just wanted to remind you that Dept Reports are due this Friday by noon.

Have a great day!

Thank you,

*Carleen Gomez, CMC
Deputy Clerk/Court Clerk
Village of Magdalena
Ph (575)854-2261
<image001.png>*

Magdalena Marshal's Office

| Monthly Report | <u>Month: Oct</u> | <u>Year: 2021</u> |
|--|----------------------|-----------------------|
| Marshal Zamora | ID#:Mag-1 | |
| Total Miles Driven: | | |
| <u>GENERAL CALLS:</u> | <u>AMOUNT</u> | <u>REVENUE</u> |
| TRAFFIC CITATIONS: Village Ordinances | 10 | 701 |
| TRAFFIC CITATIONS: State Statutes | | |
| CRIMINAL CITATIONS | | |
| ANIMAL CONTROL CITATIONS | | |
| TRAFFIC ACCIDENTS | | |
| D.W.I. ARRESTS | | |
| FELONY ARRESTS | | |
| MISDEMEANOR ARRESTS | 5 | |
| 12 HOUR HOLD ARREST | | |
| CRIMINAL INVESTIGATIONS | 6 | |
| JUVENILE CASES | | |
| DOMESTIC CASES | | |
| CRIMINAL DAMAGE / PROPERTY | 0 | |
| | | |
| <u>ASSISTANCE CALLS:</u> | | |
| AMBULANCE/FIRE | | |
| PUBLIC SERVICE | 10 | |
| NM STATE POLICE | | |
| SHERIFF'S OFFICE | 0 | |
| NM FISH & GAME | | |
| US BORDER PATROL | | |
| US FOREST SERVICE | | |
| <u>OTHER:</u> | | |
| ALARM CALLS | | |
| FINGERPRINTING | 0 | |
| Driving Tests | | |
| Misc. Cases | 20 | |
| | | |
| <u>TOTALS:</u> | 0 | 0 |

MAGDALENA MARSHAL DEPARTMENT
MONTHLY VEHICLE EXPENDITURE REPORT
 For the month of: **OCT** Year: **2021**

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 | 69239 | 69491 | 252 | 22.3 | 76.95 | | | 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 | | | | | | | | 09 Tire Purchase |
| 9 | | | | | | | | 10 Tire Repair |
| 10 | | | | | | | | 11 Wash and Wax |
| 11 | | | | | | | | (Attach Copy of Invoices) |
| 12 | 69491 | 69751 | 260 | 24.7 | 87.9 | | | 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 | 69751 | 69997 | 246 | 21.4 | 76.1 | | | Invoice No.: _____ Amt.\$ |
| 21 | | | | | | | | 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 | | | 758 | 68.4 | 240.95 | | | |

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

Signature:  Title: MARSHAL



JUDGE'S REPORT OCTOBER 2021

The Magdalena Municipal Court continues to follow all required COVID guidelines set forth by the Supreme Court of the State of New Mexico. At this time, most Court cases continue to be heard telephonically with some trials held in-person.

Cases heard in OCTOBER 2021

12-6-12.6 Suspended/Revoked Driver's License – Telephonic Arraignment

Defendant agreed to submit proof that he was getting his Driver's License renewed. Defendant was told that if he was not able to provide this proof a possible fine of \$300 and a court fee of \$29 would be charged.

Total: \$329.00

TOTAL: \$329.00

Respectfully Submitted,

Simon Armijo
Magdalena Municipal Judge

Carleen Gomez, CMC
Deputy Clerk/Court Clerk

Librarian's Report October 2021

| | | | |
|------------------------|--------------------------------|--------------------------|----|
| Days Open | 22 (127 hours) | # of Volunteers | 5 |
| Days Closed | 0 | Volunteer Hours | 28 |
| Total Visitors | 593 (306 @ events, 287 normal) | | |
| Museum Visitors | 43 | New Library Cards | 1 |

Events:

| | | | |
|--------------------------|----|--------------------|--------------------------------------|
| Number of Events: | 10 | Attendance: | 306 (147 kids, 21 teens, 138 adults) |
|--------------------------|----|--------------------|--------------------------------------|

| Date: | | # of People: |
|-------|---------------------------|--|
| 10/1 | Code Club | 13 kids + 1 adult = 14 |
| 10/7 | Friends of the Library | 5 adults |
| 10/8 | Code Club | 19 kids + 1 teen + 2 adults = 22 |
| 10/9 | Dean Crane - Speaker | 2 kids + 16 adults = 18 |
| 10/15 | Code Club | 13 kids + 1 adult = 14 |
| 10/16 | Car Show | 15 kids + 25 adults = 40 |
| 10/20 | PreK Visit | 9 kids + 2 adults = 11 |
| 10/21 | Book Club | 5 adults |
| 10/28 | Halloween Costume Contest | 62 kids + 20 teenagers + 80 adults = 162 (probably an undercount) |
| 10/29 | Code Club | 14 kids + 1 adult = 15 |

Circulation

| PHYSICAL | | DIGITAL | |
|--------------------------|---------------------------------------|----------------------|------------|
| # of Books | 138 | # of eBooks | 41 |
| # of Books on CD | 7 | # of Online Audio | 62 |
| # of DVDs | 61 | | |
| Total Physical | 206 | Total Digital | 103 |
| Total Circulation | 309 (42 children's) | | |
| ILL Processed | 12 Requested, 12 Received, 3 Returned | | |

Computers/Wi-Fi

| | | |
|-----------------------------------|-----------------------------------|---------------------------------|
| # Computer Sign ins | 26 normal + 83 code club = 109 | |
| Total Unique Wi-Fi Devices | Avg. # Wi-Fi Users per day | Avg. Data Usage per User |
| 175 | 27 | 3.6 GB |

Other:

Code Club: We are up to 20 kids! We don't have all 20 every week, but there are 20 kids dedicated to coming most weeks, ages 6-13.

Purchases/Bills:

- Book Systems, Inc/Atrium – library catalog system, yearly fee
- Bathroom supplies: Paper towel dispensers, soap dispensers, soap
- External hard drive: GO Bond reimbursable; for librarian computer, to back up all the saved historical records/photos; I ordered the wrong thing the first time, sent it back (got the refund from Quill), and then ordered the correct one
- iPad stand – so we can live stream in person events; GO Bond reimbursable

Internet:

The State of New Mexico has tasked the Public Schools & Facilities Authority (PSFA) to create a statewide network for schools. We worked with the PSFA as part of the project that brought fiber optic internet to the library and the schools here. We are currently part of a consortium called West Central Consortium (WCC), a part of the Central Region Educational Cooperative (CREC). [The bills come from CREC.]

The PSFA is considering bringing the WCC into a larger network with more schools and libraries. They have not yet decided what that will look like, what it will cost, or any of the details. But to start with it, they had to know how many entities might be interested. To keep apprised of the situation, Francesca and I submitted two forms: a Letter of Agency and a Letter of Intent to Participate.

The forms **do not** legally bind us to anything. We will have many opportunities to pull out along the way, without repercussions, should we choose to do so. The forms simply state our interest in the project and desire to be kept informed as it progresses. I will keep the Board updated as it goes.

NMLA Conference: I was at the New Mexico Library Association conference in Albuquerque, Thursday 10/21 & Friday 10/22. Saturday 10/23, I was out on pre-approved personal leave. Volunteers kept the library open while I was gone. I learned a lot from the conference and have lots of ideas for new things to try in the library. I'm very grateful for the opportunity to attend.

PreK Visits: I arranged for the PreK class taught by Corine Madril to visit the library once a month for a story and craft with me. Our first one was in October, and it went well. The kids had fun and were introduced to the library. They were required to wear masks, but the kids were fabulous about following the rules.

High School Visit: On Wednesday 11/3, I have been invited to present to every English class at the High School about the Library and our services. I'll be taking library card applications to give to all the students. Volunteers will run the library while I'm at the school.

November Absences: I will be out Thursday-Saturday 11/4-11/6 for personal leave; Volunteers will run the library while I'm out.

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



RESOLUTION No. 2021-15

POLICY FOR EMPLOYEE LEAVE COVID-19

WHEREAS, the Village of Magdalena Board of Trustees met upon notice of a duly published meeting at 5:00 P.M. on November 8, 2021 at Village Hall, 108 N. Main Street, Magdalena, New Mexico as required by law; and,

WHEREAS, the Families First Coronavirus Response Act is no longer in effect; and,

WHEREAS, because Covid 19 continues to spread and affect employees and their families, the Village wishes to provide additional leave to its employees and their families under circumstances described herein.

NOW, THEREFORE, THE FOLLOWING PANDEMIC PROVISIONS SHALL BE ADDED TO THE VILLAGE'S SICK LEAVE POLICY IN PLACE OF THE PROVISIONS ADDED ON OR ABOUT NOVEMBER 23, 2020:

1. "Fully vaccinated employees" who test positive for Covid-19, as that term is defined by the Centers for Disease Control and Prevention (CDC) at the time of infection, shall receive 80 hours of paid sick leave without being required to use the sick leave they have already accumulated.
2. "Fully vaccinated employees" who have been exposed to someone who tests positive for Covid-19, as that term is defined by the Centers for Disease Control and Prevention (CDC) at the time of exposure, shall receive 80 hours of paid sick leave without being required to use the sick leave they have already accumulated.
3. Any employee who tests positive or is required to quarantine will not be considered fit-for-duty to return to work until they have complied with the guidance issued by the New Mexico Department of Health (DOH) concerning return to work.

APPROVED, ADOPTED AND PASSED on this 8th day of November 2021.

Mayor Richard Rumpf

Attest:

Francesca Smith
Village Clerk Treasurer

Employee Acknowledgment of Receipt

Date

November 4, 2021

Mayor Richard Rumpf
Village of Magdalena
108 N. Main Street
Magdalena, NM 87825

Re: Village of Magdalena Supplemental Well

Dear Mayor Rumpf,

Bids were telephonically opened for the above-referenced project on November 2, 2021, at 3:00 p.m. The following is a summary of the bids received:

| Contractor | Base Bid | Additive Alternate |
|--------------------------------------|---------------------|--------------------|
| <i>Engineer's Estimate</i> | \$402,960.46 | \$21,487.50 |
| Stewart Brothers Drilling Co. | \$470,006.83 | \$5,371.88 |
| Yellow Jacket Drilling Services LLC | \$701,603.40 | \$30,834.56 |

Note: All values include NMGRT.

There were no mathematical errors found in the bid submitted by Stewart Brothers Drilling Company. The bid from Yellow Jacket Drilling Services had one error - they did not include the material testing allowance when calculating the total NMGRT. This omission does not change the recommendation of award.

After the evaluation, the apparent low bidder for the project Stewart Brothers Drilling Company. We have reviewed the documents provided with the bid submitted by Stewart Brothers Drilling Company, which include the following:

- The Bid Proposal was signed by Joel H. Stewart and William Yarborough, both individuals who are duly authorized to bind the company.
- Stewart Brothers Drilling Company did not provide a Certificate of Registration with New Mexico Department of Workforce Solutions, however, we were able to verify that the New Mexico Department of Workforce Solutions lists a Registration No. of 0126820060317 for this company:
(<https://www.dws.state.nm.us/pwaa/LRDEmployer/PW/Search/LEFSearch.ASPX>).
- New Mexico Office of the State Engineer issued Well Driller Licenses WD-1723 and WD-331.

Engineering ▲

Spatial Data ▲

Advanced Technologies ▲

- Stewart Brothers Drilling Company does not hold Contractor License Classifications GF-8, GF-9, or GS-8 as defined in NMAC 14.6.6, as listed in Article 3.01.E of Contract Document C-200. We have verified this information with PSI License Management: (<http://public.psiexams.com/search.jsp>).
 - While Article 3.01.E does require the licenses noted above, after review of NMAC 14.6.6 BHI feels these licenses are not required for this project.
 - Based on the definition of a Contractor <https://www.rld.state.nm.us/uploads/files/60-13-3.pdf> well drilling is excluded per Section D.2 and may not require a general contractor's license to complete the work. This work only includes well drilling activities.

Along with the signed Bid Proposal form, Stewart Brothers Drilling Company submitted the following complete bid items:

- Bid Bond in the amount of 5 percent of the Bid price with Power of Attorney. The surety for the Bid Bond is Western Surety Company who is listed on Federal Circular 570 and licensed to do business in the State of New Mexico to an underwriter's limit of \$153,342,000. We have verified this information with the U.S. Department of the Treasury's Listing of Sureties Approved to Conduct Business in the State of New Mexico: (https://www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570_a-z.htm#f).
- List of Proposed Subcontractors. (Note: Upon review of subcontractor registration per Articles 3.04 and 3.06 of Contract Document C-200, it was discovered that the Geophysical Logging Services is not registered with the Workforce Solutions. A registered subcontractor for logging work will need to be obtained by the Contractor prior to construction or the listed subcontractor shall register with Workforce Solutions)
- List of Proposed Suppliers
- Qualifications Statement with supporting data. (Note: The financial form was included in the documents and additional information requested as noted in the forms. BHI anticipated that once the information is received the information will not alter the quality or quantity of the services with the bid submitted.)
- Non-Collusion Affidavit
- Campaign Contribution Disclosure Form
- Form XP-215 MBW/WBE/SBRA Utilization Form
- Certification Regarding Debarment, Suspension, and Other Responsibility Matters
- Resident Contractor Certification

Based on the information before us, Stewart Brothers Drilling Company submitted the lowest responsive, responsible bid. We therefore recommend, if a Contract for this work is awarded, it be awarded to Stewart Brothers Drilling Company for the Base Bid, including New Mexico gross receipts tax, for a Total Project cost of \$470,006.83. The Additive Alternate may be considered by the Village at a later date pending well testing results.

Mayor Richard Rumpf
Village of Magdalena
November 4, 2021
Page 3

The Village of Magdalena shall also verify the contractor meets all other criteria stated in the bidding documents.

Sincerely,

A handwritten signature in black ink, appearing to read "Nathan Roberts".

Nathan Roberts, PE
Vice President
Water and Wastewater Systems

NR/ab
Enclosure

cc: Judi Kahl, NMED (w/encl.)
Todd Burt, BHI (w/encl.)
Donzil Worthington, BHI (w/encl.)

Village of Magdalena Supplemental Well

Bid Tabulation

Project #: 20200346

Date: 11/2/2021

| Bid Item | Item ID # | Description | Unit | Quantity | Engineer's OPC | | Stewart Brothers Drilling Co. | | Yellow Jacket Drilling Svcs. LLC | |
|--------------------|-----------|---|------|----------|----------------|---------------------|-------------------------------|--------------|----------------------------------|---------------------|
| | | | | | Cost/Unit | Extension | Cost/Unit | Extension | Cost/Unit | Extension |
| 1 | | Construction Staking, compl. | LS | 1 | \$10,000.00 | \$10,000.00 | \$4,500.00 | \$4,500.00 | \$5,000.00 | \$5,000.00 |
| 2 | | Site Mobilization and Potholing, compl. | LS | 1 | \$30,000.00 | \$30,000.00 | \$35,000.00 | \$35,000.00 | \$65,418.00 | \$65,418.00 |
| 3 | | Construction Demobilization, compl. | LS | 1 | \$3,000.00 | \$3,000.00 | \$15,000.00 | \$15,000.00 | \$20,000.00 | \$20,000.00 |
| 4 | | Construction Traffic Control & Barricading, compl. | LS | 1 | \$7,500.00 | \$7,500.00 | \$7,500.00 | \$7,500.00 | \$1,875.00 | \$1,875.00 |
| 5 | | NPDES Permitting, compl. | LS | 1 | \$6,800.00 | \$6,800.00 | \$9,000.00 | \$9,000.00 | \$4,375.00 | \$4,375.00 |
| 6 | | Site Clearing & Grubbing, compl. | AC | 0.5 | \$1,500.00 | \$750.00 | \$11,500.00 | \$5,750.00 | \$12,500.00 | \$6,250.00 |
| 7 | | Site Piping including fittings, CIP. | LS | 1 | \$5,000.00 | \$5,000.00 | \$17,250.00 | \$17,250.00 | \$58,810.00 | \$58,810.00 |
| 8 | | Concrete Slab | CY | 0.3 | \$650.00 | \$195.00 | \$28,750.00 | \$8,625.00 | \$500.00 | \$150.00 |
| 9 | | Chain link fence and gate, incl. all attachments, hardware & anchor posts, cip. Around new well | LF | 160 | \$40.00 | \$6,400.00 | \$110.00 | \$17,600.00 | \$78.00 | \$12,480.00 |
| 10 | | Well Drilling, including 30-inch borehole for conductor casing, 26-inch conductor casing, 0.25-inch wall, cement in place; two sets of geophysical logs incl. deviation and caliper logs; 24-inch bore hole, reverse mud rotary, single pass; 18-inch copper bearing mild steel blank casing, 0.3125-inch wall; 17-inch bore hole, air rotary; 12.75-inch stainless steel blank casing, 0.375-inch wall; 12.75-inch copper-bearing steel shutter screen with 0.090-inch slots, 0.375-inch wall; and 1.9-inch mild steel schd. 40 gage line. | LS | 1 | \$120,000.00 | \$120,000.00 | \$236,920.00 | \$236,920.00 | \$440,526.00 | \$440,526.00 |
| 11 | | Well Development, including bentonite annular seal, 10-ft of 8-12 gradation silica sand, 0.125-inch to 0.375-inch O'Kelly Gravel, and development by swabbing and reverse air-lift pumping. | LS | 1 | \$80,000.00 | \$80,000.00 | \$25,075.00 | \$25,075.00 | \$27,400.00 | \$27,400.00 |
| 12 | | Well Testing and Pumping, including disinfection, bacteriological sampling, water quality analysis, and development pumping and pumping tests. Supply, install and remove test pump and appurtenances. Include well video survey. | LS | 1 | \$100,000.00 | \$100,000.00 | \$43,350.00 | \$43,350.00 | \$2,000.00 | \$2,000.00 |
| 13 | | Seeding Class "A", native, cip. | AC | 0.2 | \$2,100.00 | \$420.00 | \$34,500.00 | \$6,900.00 | \$18,750.00 | \$3,750.00 |
| | | Base Bid Items 1-13 Subtotal | | | | \$370,065.00 | \$432,470.00 | \$648,034.00 | | |
| | | Materials Testing Allowance | LS | 1 | \$5,000.00 | \$5,000.00 | \$5,000.00 | \$5,000.00 | \$5,000.00 | \$5,000.00 |
| | | NMGR | | 7.4375% | | \$27,895.46 | \$32,536.83 | \$48,000.00 | | \$48,000.00 |
| | | Base Bid + NMGR | | | | \$402,960.46 | \$470,006.83 | | | \$701,603.40 |
| Additive Alternate | | | | | | | | | | |

| Bid Item | Item ID # | Description | Unit | Quantity | Engineer's OPC Cost/Unit | Extension | Stewart Brothers Drilling Co. Cost/Unit | Extension | Yellow Jacket Drilling Svcs. LLC Cost/Unit | Extension |
|----------|-----------|--|------|----------|-----------------------------|---------------------|--|---------------------|---|---------------------|
| AA1 | | Acidification and purging of the well for the purpose of increasing production | LS | 1 | \$20,000.00 | \$20,000.00 | \$5,000.00 | \$5,000.00 | \$28,700.00 | \$28,700.00 |
| | | Additive Alternate Subtotal | | | | \$20,000.00 | | \$5,000.00 | | \$28,700.00 |
| | | NMGRT | | 7.4375% | | \$1,487.50 | | \$371.88 | | \$2,134.56 |
| | | Total Add Alt (including NMGRT) | | | | \$21,487.50 | | \$5,371.88 | | \$30,834.56 |
| | | TOTAL PROJECT COST | | | | \$424,447.96 | | \$475,378.71 | | \$732,437.97 |

Denotes a mathematical error in summation of extended costs

Denotes changes made to Engineer's Estimate via Addendum during Bidding

Items removed from project