



**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, JANUARY 11, 2021**

**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 DECEMBER 2, 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 – DECEMBER 14, 2020
  - b. REGULAR MEETING – DECEMBER 28, 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. DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF RESOLUTION NO. 2021-01, OPEN MEETINGS
12. DISCUSSION & POSSIBLE DECISION TO DIRECT PUBLICATION OF ORDINANCE NO. 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 OF STREETS, ALLEYS AND OTHER PUBLIC PLACES FOR SUCH PURPOSE
13. DISCUSSION & POSSIBLE DECISION CONCERNING SUBMISSION OF APPLICATION TO FIREFIGHTERS GRANT (AFG) PROGRAM REGARDING AMBULANCE PURCHASE

14. DISCUSSION & POSSIBLE DECISION CONCERNING LIBRARY/MUSEUM DIRECTOR WAGE INCREASE PER STATE MINIMUM WAGE REQUIREMENTS

15. DISCUSSION & POSSIBLE DECISION CONCERNING CONFIRMATION FROM COUNCIL REGARDING CLERK/TREASURER'S HOURLY RATE

16. DISCUSSION & POSSIBLE DECISION CONCERNING JOINT UTILITY WORKER PAY RATE INCREASE

17. 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, JANUARY 11, 2021 AT 12:00 PM. EMAILED PUBLIC COMMENT MUST CONTAIN THE AUTHOR'S NAME AND PHYSICAL ADDRESS.

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

**MINUTES OF THE REGULAR MEETING OF THE VILLAGE OF MAGDALENA  
BOARD OF TRUSTEES  
HELD MONDAY, December 14, 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?pwd=V0V6SERBNVdGNDNPaE1ZdWp1N004UT09>**

**Meeting ID: 4861155997**

**Passcode: MAGDALENA**

Mayor Richard Rumpf called the meeting to order at 6:01 p.m.

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

**Participating via Video Conference:** Trustees: James Nelson, Harvan Conrad, Francesca Gutierrez- Clerk/Treasurer, Michael Steininger

**GUESTS:** Sabrina Aragon - Assistant Clerk

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

**APPROVAL OF AGENDA:** Clark Brown made a motion to approve the agenda as presented. The motion was seconded by Harvan Conrad. The motion carried unanimously.

**APPROVAL OF MINUTES:** Jim Nelson made a motion to approve the minutes of the Regular Meeting held on November 23, 2020, as presented. The motion was seconded by Clark Brown. The motion carried unanimously.

**APPROVAL OF CASH BALANCE REPORT:** Harvan Conrad made a motion to approve the cash balance report, as presented. The motion was seconded by Jim Nelson. The motion carried unanimously.

**APPROVAL OF BILLS:** Carleen Gomez announced there was one additional bill of \$366.36 to Konika Minolta to be added to the bill list. Jim Nelson made a motion to approve the bill list with the addition. The motion was seconded by Harvan Conrad. The motion carried unanimously.

### **BILL LIST**

Beasley, Mitchell & Co	\$3511.86
Galls	\$310.70
IIMC	\$140.00
Nance, Pato & Stout	\$639.00
NAPA	\$25.18
O'Reilly Auto	\$99.98
Pitney Bowes	\$214.86
Provelocity	\$840.00
Public Safety Center	\$239.95
Quick Med Claims	\$20.89

Quill	\$125.75
REB Management	\$1646.18
Romeros Tires	\$61.24
Route 60 Trading Post	\$100.00
Sewer Equip Co	\$274.98
Sierra Propane	\$951.07
Verizon Wireless	\$919.22
Wex Bank	\$1154.44
WNM Communications	\$804.40
<b>Total</b>	<b>\$12099.70</b>

### **MAYOR'S REPORT**

Mayor Rumpf stated that Secret Santa has started and the presents, food and helpers are working to get everything ordered and going. The Mayor said the presents will be delivered curbside on December 21st from 9-12. The food boxes will be delivered by the Fire Department on the 22<sup>nd</sup>. There are 25 food boxes being given out.

### **CLERK'S REPORT**

Clerk/Treasurer Francesca Gutierrez had nothing to report.

### **DEPARTMENT REPORTS**

- a. **EMS-** Jim Nelson, EMS Coordinator, reported 13 calls in November 2020.
- b. **FIRE-** Mayor Rumpf reported 2 calls in November 2020.
- c. **MARSHAL-** A report was submitted by Marshal Zamora and reviewed by the Mayor and Trustees.
- d. **JUDGE-** Judge Simon Armijo and Court Clerk Carleen Gomez submitted a report that was reviewed by the Mayor and Trustees.
- e. **PUBLIC WORKS-** Mayor Rumpf said the jetter was down, but parts have been ordered and have one sewer to address once it is working again.
- f. **LIBRARY-** Librarian Ivy Stover stated the Library closed on 11/26 but is offering curbside services. She is also partnering with the Village on Secret Santa and will have a book giveaway at the same time. She will also have a book reading with Santa on Facebook December 21<sup>st</sup> at 1pm

### **DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF BUDGET ADJUSTMENT RESOLUTION NO. 2020-24, FISCAL YEAR 2020-2021**

Michael Steininger stated that he will be submitting the mid-year report. There is an adjustment to add internet sales line item to the budget per DFA requirements from House Bill 6. Michael also added the Airport Grants to the budget. There was an increase in Fire Department Insurance expenses and increased the Lodgers Tax advertising and promotion line item. The new Trujillo Well grant was added for interest payments to be paid from GRT.

Jim Nelson motioned to approve the Budget Adjustment Resolution No. 2020-24. Harvan Conrad seconded the motion.

Deputy Clerk Gomez requested a roll call vote:

Clark Brown- AYE

Harvan Conrad- AYE

James Nelson- AYE

Donna Dawson- Absent

The motion carried unanimously.

**PUBLIC HEARING – DISCUSSION & POSSIBLE DECISION CONCERNING SUBMISSION OF APPLICATION TO NEW MEXICO FINANCE AUTHORITY REGARDING AMBULANCE PURCHASE**

Mayor Rumpf wants to apply to the NMFA for a \$150,000 loan to purchase a new ambulance. \$10,000 will come from the ambulance fund for a total of \$160,000 on a 10 year loan. Mayor Rumpf stated the Fire funds have a \$65,000 carry over and is expecting 3 more payments to that fund by July 2021. The Mayor stated the current ambulance is 23 years old and was purchased used.

Jim Nelson motioned to approve applying for the loan. Harvan Conrad seconded the motion.

Deputy Clerk Gomez requested a roll call vote:

Harvan Conrad- AYE

James Nelson- AYE

Clark Brown-AYE

Donna Dawson- Absent

The motion carried unanimously.

**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. JOINT UTILITY WORKER**

- **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**

Jim Nelson motioned to go into Executive Session at 6:20pm. Clark Brown seconded the motion.

Deputy Clerk Gomez requested a roll call vote:

Harvan Conrad-AYE

James Nelson-AYE

Clark Brown-AYE

Donna Dawson-Absent

The motion carried unanimously.

Harvan Conrad motioned to go return to Regular Session at 6:27pm. Clark Brown seconded the motion.

Deputy Clerk Gomez requested a roll call vote:

Harvan Conrad-AYE

Clark Brown-AYE

James Nelson-AYE

Donna Dawson-Absent

The motion carried unanimously.

## **DISCUSSION & POSSIBLE DECISION TO POST JOINT UTILITY WORKER POSITION**

Harvan Conrad motioned to approve posting the Joint Utility Worker position. Clark Brown seconded the motion.

Deputy Clerk Gomez requested a roll call vote:

Harvan Conrad-AYE

Clark Brown-AYE

James Nelson-AYE

Donna Dawson-Absent

The motion 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, DECEMBER 14, 2020 AT 12:00 PM. EMAILED PUBLIC COMMENT MUST CONTAIN THE AUTHOR'S NAME AND PHYSICAL ADDRESS.

Ray Martinez, Socorro County Commissioner, thanked the Mayor for all he does for the Village. Martinez said that 10<sup>th</sup> street is not on the county maintenance list and will call the Mayor on the 15<sup>th</sup> to discuss recommendations on fixing the street.

Trustee Clark Brown motioned to adjourn the meeting at 6:31pm. The motion was seconded by Harvan Conrad. The motion carried unanimously.

Respectfully Submitted,

Francesca Gutierrez  
Clerk/Treasurer

Richard Rumpf  
Mayor

# DRAFT

## MINUTES OF THE REGULAR MEETING OF THE VILLAGE OF MAGDALENA BOARD OF TRUSTEES HELD MONDAY, December 28, 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?pwd=V0V6SERBNVdGNDNPaE1ZdWp1N004UT09>

**Meeting ID: 4861155997**

**Passcode: MAGDALENA**

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

**PRESENT:** Mayor Richard Rumpf, Francesca Gutierrez- Clerk/Treasurer, Kathy Stout – Attorney

**Participating via Video Conference:** Trustees: James Nelson, Harvan Conrad, Donna Dawson

**GUESTS:** Sabrina Aragon - Assistant Clerk, Michael Steininger

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

**APPROVAL OF AGENDA:** Donna Dawson made a motion to approve the agenda as presented. The motion was seconded by Harvan Conrad. The motion carried unanimously.

**APPROVAL OF MINUTES:** The Trustees did not receive a copy of the December 14, 2020 minutes. Donna Dawson made a motion to postpone approving the minutes of the Regular Meeting. The motion was seconded by Jim Nelson. The motion carried unanimously.

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

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

### BILL LIST

Amazon Credit Plan	\$322.62
Central Region Education	\$206.17
Galls	\$28.99
Jacob Finch	\$1074.38
NAPA	\$31.98
Public Safety Center	\$363.12
Sierra Propane	\$652.50
Socorro Electric	\$3702.59
<b>Total</b>	<b>\$6467.26</b>

## **MAYOR'S REPORT**

Mayor Rumpf stated that the RAID grant will begin in January and the Well Project has begun. The Mayor announced he is the new President of the SCOPE Health Council. The Mayor also stated that Secret Santa went well. 25 families received food boxes and the left over gifts from Secret Santa will be donated. The Mayor reported that Tuesday the Fire Department had their hose testing.

## **CLERK'S REPORT**

Clerk/Treasurer Francesca Gutierrez had nothing to report.

## **DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF BUDGET ADJUSTMENT RESOLUTION NO. 2020-25, FISCAL YEAR 2020-2021**

Michael Steininger stated that he needed to add a line item to Establish the Well Water Project. Also establish budget for court fines.

Donna Dawson motioned to approve the Budget Adjustment Resolution No. 2020-25. Harvan Conrad seconded the motion.

Clerk/ Treasurer Gutierrez requested a roll call vote:

Jim Nelson- AYE

Harvan Conrad- AYE

Donna Dawson- AYE

Clark Brown- Absent

The motion carried unanimously.

## **DISCUSSION & POSSIBLE DECISION TO DIRECT PUBLICATION OF ORDINANCE NO. 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 OF STREETS, ALLEYS AND OTHER PUBLIC PLACES FOR SUCH PURPOSE**

The Trustees did not receive a copy of the Ordinance. Donna Dawson made a motion to postpone this item until the next meeting. Harvan Conrad seconded the motion. The motion carried unanimously.

## **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. JOINT UTILITY WORKER**

- **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**

Donna Dawson motioned to go into Executive Session at 6:11pm. Jim Nelson seconded the motion.

Clerk Treasurer Gutierrez requested a roll call vote:

Harvan Conrad-AYE

Donna Dawson-AYE

Jim Nelson-AYE

Clark Brown-Absent



The motion carried unanimously.

Donna Dawson motioned to return to Regular Session at 6:22pm. Harvan Conrad seconded the motion.

Clerk Treasurer Gutierrez requested a roll call vote:

Donna Dawson-AYE

Jim Nelson-AYE

Harvan Conrad- AYE

Clark Brown- Absent

The motion carried unanimously.

#### **DISCUSSION & POSSIBLE DECISION CONCERNING HIRING OF JOINT UTILITY WORKER**

Harvan Conrad motioned to approve hiring Joint Utility Worker Arquis Nelson. Donna Dawson seconded the motion.

Clerk/ Treasurer Gutierrez requested a roll call vote:

Jim Nelson- AYE

Donna Dawson- AYE

Harvan Conrad- AYE

Clark Brown- Absent

The motion 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, DECEMBER 28, 2020 AT 12:00 PM. EMAILED PUBLIC COMMENT MUST CONTAIN THE AUTHOR'S NAME AND PHYSICAL ADDRESS.

Donna Dawson apologized for missing the last Board Meeting. She also thanked the Mayor and Jim Nelson for assisting in the EMS call involving her mother.

The Mayor said ashes will be dumped on Wednesday and new containers will be delivered Tuesday.

Trustee Donna Dawson motioned to adjourn the meeting at 6:26pm. The motion was seconded by Harvan Conrad. The motion carried unanimously.

Respectfully Submitted,

Francesca Gutierrez  
Clerk/Treasurer

Richard Rumpf  
Mayor

## Carleen Gomez

---

**From:** Jim Nelson <jcnelson@villageofmagdalena.com>  
**Sent:** Monday, January 4, 2021 5:53 PM  
**To:** Carleen Gomez  
**Subject:** Re: DEPT. REPORTS DUE 1/8/2021

13 EMS calls in Dec

Jim Nelson

Trustee  
EMS coordinator  
Village of Magdalena

On 1/4/2021 4:42 PM, Carleen Gomez wrote:

Good Afternoon All,

Just a reminder that I will need your department reports by this Friday, January 8, 2021 before noon. If you have any questions please let me know. If you have already submitted your reports please disregard this email.

*Thank you,*

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

## Magdalena Marshal's Office

<b><i>Monthly Report</i></b>	<u>Month: DEC 2020</u>	<u>Year: 2020</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>	2	2 C/A 2 P/A 113.00
TRAFFIC CITATIONS: <b>State Statutes</b>		
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	4	
CRIMINAL DAMAGE / PROPERTY		
<b><u>ASSISTANCE CALLS:</u></b>		
AMBULANCE/FIRE	3	
PUBLIC SERVICE	10	
NM STATE POLICE	1	
SHERIFF'S OFFICE		
NM FISH & GAME		
US BORDER PATROL		
US FOREST SERVICE		
<b><u>OTHER:</u></b>		
ALARM CALLS		
FINGERPRINTING		
Driving Tests	1	
Misc. Cases	10	
<b><u>TOTALS:</u></b>	31	113

**MAGDALENA MARSHAL DEPARTMENT**  
**MONTHLY VEHICLE EXPENDITURE REPORT**  
For the month of :    DEC    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	63622	63920	298	21.7	47.85			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								Invoice No.: _____ Amt.\$
13								10
14	63920	64170	250	21.5	47.45			Invoice No.: _____ Amt.\$
15								Date
16								Invoice No.: _____ Amt.\$
17								Code: _____ Date: _____
18	64170	64296	126	11.4	25.25			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								Code: _____ Date: _____
26								Invoice No.: _____ Amt.\$
27								Code: _____ Date: _____
28								Invoice No.: _____ Amt.\$
29								Code: _____ Date: _____
30								Invoice No.: _____ Amt.\$
31								
Totals			674	54.6	120.55			

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

Signature:  Title: MARSHAL

# Magdalena Marshal's Office

<b>Monthly Report</b>	<u>Month: Dec</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	2	\$113.00
TRAFFIC CITATIONS: State Statutes		
CRIMINAL CITATIONS		
ANIMAL CONTROL CITATIONS		
HARASSMENT		
TRESPASSING		
D.W.I. ARRESTS		
FELONY ARRESTS		
MISDEMEANOR ARRESTS		
VEHICLE CRASH		
CRIMINAL INVESTIGATIONS		
JUVENILE CASES		
DOMESTIC CASES		
CRIMINAL DAMAGE PROPERTY		
WELFARE		
<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		
FINGER PRINTS		
DRIVING TEST		
MISC. CASES	1	
WARRANT ARREST		
<b>TOTALS:</b>	3	\$113.00

**MAGDALENA MARSHALS DEPARTMENT****Monthly Vehicle Expenditure Report**

For the Month of: December Year: 2020

License Plate #: G97490

Make and Model: 2016, Chev, Silverado

Report due by the 10th of the Month								
Date	Beginning Mileage	Ending Mileage	Miles Traveled	Fuel Gallons	Amount	Motor Oil Quarts	Amount	Maintenance Section
1	71368	71455	87	9.24	\$26.79			04 General Supplies 05 Interior Maintenance 06 Lubrication 07 Miscellaneous 09 Tire Purchase 10 Tire Repair 11 Wash and Wax (Attach Copy of Invoices)
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12	71455	71477	22	10.4	\$30.31			Invoice# _____ Amt\$ _____
13								
14								Invoice No# _____ Amt\$ _____
15								Date _____
16								Invoice No# _____ Amt\$ _____
17								Code: _____ Date: _____
18	71477							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								Code: _____ Date: _____
30								Invoice# _____ Amt\$ _____
31								
Totals	71477	71477	109	19.64	\$57.10			

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

Signature:  #63

Title: Deputy FRAERE 03



## **JUDGE'S REPORT DECEMBER 2020**

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

### **Cases heard in December 2020**

#### **Speeding – 45 mph/30 mph zone - Telephonic Arraingment**

Defendant plead not guilty – Trial will be set for January 25, 2021

**Total: \$0.00**

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


Defendant plead not contest – Judge ordered \$54 fine plus \$29 court cost

**Total: \$83.00**

**TOTAL: \$83.00**

Respectfully Submitted,

Simon Armijo  
Magdalena Municipal Judge

  
Carleen Gomez, CMC  
Deputy Clerk/Court Clerk

## Librarian's Report DECEMBER 2020

	DECEMBER 2020	DECEMBER 2019
Days Open	0	19 days (110 hours) – 308 visitors
Days Closed (other than norm)	23 (2 holiday)	2 (holidays)
New Patrons/Library Cards	3 (signed up via curbside)	10
# of Volunteers + hours	3 people (2 hours each) to decorate library for Christmas	2 people – 10 hours

### Services Offered While Closed

Phone Calls:	61 reference questions answered by phone call
Curbside Circulation:	27 curbside requests (20 circulation or ILL, 4 printing, 2 donations)

### No Events during December 2020 due to closure

### Circulation

	DECEMBER 2020	DECEMBER 2019
# of Books	19 (1 Youth) – via curbside	139 (4 J • 3 Y • 1 YA)
# of DVDs	47 – via curbside	115
# of Books on CD	1 – via curbside	15
Total Books/DVDs/Audio	67	269
# of eBooks	69	115
# of Online Audio	42	31
Total eBooks/Online Audio	111	146
Total Circulation	178	415
ILL Processed	6 books + 1 DVD = 7	15

### Computers/Wi-Fi

	DECEMBER 2020	DECEMBER 2019
# Computer Sign ins	0	
Total Unique Wi-Fi Uses*	123	--
Avg. # Wi-Fi Users per day	16	--
Avg. Usage per User	3.66 GB	--

\*Total Unique Wi-Fi Uses = How many distinct devices used the Wi-Fi– each device only counted once, regardless of days used.



## **Other:**

The library remained closed for December 2020 at my request, due to concerns regarding COVID-19. I hope to open the second week in January.

While closed, I still offered curbside services: checking out/returning items, Inter Library Loan requests, printing/copying, and both phone and email reference assistance.

Projects I worked on while closed in December:

- Created holiday flyers for Village Hall
- Reclassified books + new spine labels, new barcodes when needed
- Created a Village Utility Work Order for
- Assisted with marketing the Chamber of Commerce holiday decorating contest
- Bookshelf project in the front room
- State Grants in Aid paperwork
- Library website update:
  - new colors, fonts, images all around
  - re-did History of Magdalena page with info from Historical Society and added pictures
  - updated the Resources page with more resources for children and adults.
- Wonder on Wheels virtual event – premiering the video of their documentary “!Musica Buena!” on Facebook live.
- Book Giveaway + Santa Claus Reading on Facebook live event + Village Secret Santa
  - Thanks to the Friends of the Library and Kiwanis club who donated books, we gave about 60 kids two books each! All books were wrapped and given to the kids participating in the Village’s Secret Santa Program.
- Library Budget Assessment – I’ve been keeping track of my spending and my budget this year. My records were a little off from the Village Hall records, but I found the discrepancy and fixed it.
- Zoom meetings with other Librarians across the state 3 days a week, 1 hour each
- Shelving + dusting
- Curbside services, ILL requests, printing, phone calls, a billion emails

Thank you to the Village Board, Mayor, and Clerk for letting me continue to work even while the library is closed. I have been keeping busy in the library and am excited to open when it is safe to do so.

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

## Librarian's Report 2020 Year in Review

	2020	2019
Days Open	178 (1,038 hours)	240 (1,388 hours)
Days Closed (other than norm)	84 (74 Covid + 7 holidays + 2 snow days + 1 personal)	22
Visitors	2,496 + 35 curbside	5,206
Museum Visits	57	293
New Patrons/Library Cards	48	65
Volunteer Hours	174	362

### Events:

	2020	2019
Number of Events	26	92
# Kid's Events	17 (292 attending)	50
# Other Events	7 (40 attending)	42

### Circulation

	2020	2019
# of Books	1,690 (J 466 • Y 176 • YA 44)	1,620 (J 255 • Y 138 • YA 25)
# of DVDs	1,288	2,073
# of Books on CD	60	75
Total Books/DVDs/Audio	3,038	3,768
# of eBooks	985	1,183
# of Online Audio	420	466
Total eBooks/Online Audio	1,405	1,649
Total Circulation	4,443	5,417
ILL Processed	48 items	50 items

Circulation 2019 = 30% online items & 70% physical items.

Circulation 2020 = 32% online items & 68% physical items.

### Computers/Wi-Fi

	2020	2019
# Computer Sign ins	282	813
Total Unique Wi-Fi Uses*	1,491	141
Avg. # Wi-Fi Users per day	209	10
Avg. Usage per User	3.66	5.05 GB
Total Data Usage	6,094.57 GB	711.58 GB

\*Total Unique Wi-Fi Uses = How many distinct devices used the Wi-Fi– each device only counted once, regardless of days used.

## **Notes:**

### Code Club:

Ran from January – March, & September – November. Stopped meeting due to COVID-19 concerns. While reopened in the fall, we had about 9 kids participating, split into groups of 4 at most, for safety precautions. We also required everyone to wear masks and use hand sanitizer. At the beginning of the year, we taught the kids how to program the robots we have (1 at the library, 3 from Kid's Science Café). In the fall we went back to basics with coding theory and stages, courtesy of lesson plans from Scratch.

### Events:

Besides Code Club or meetings (Friends of the Library, Library Board, Democratic Party Meeting, etc.), the only official event at the library was Valentine's Day movie night in February. That event was a success with 6 adults, 14 teenagers, and 2 kids attending (the most teens we've had at an event in a long time).

While closed in the spring, I performed 30 live story time and craft videos over 24 days, weekdays (Monday-Friday) from April 13<sup>th</sup> – May 15<sup>th</sup>. Each video had, on average, between 3-10 people watching live (while I was performing). Videos stayed on our Facebook page, still available to view, even when the broadcast was finished.

Halloween events were canceled this year. Instead, the library gave out 40 Halloween Grab Bags, with candy, snacks, small Halloween themed toys, bookmarks, pencils, and a free book, courtesy of the Friends of the Library's donation. I received excellent feedback from everyone who received a bag.

Santa at the Library was also canceled this year. Instead, the library partnered with the Village to give free books to all of the Secret Santa kids. The Kiwanis Club of Socorro County donated 70 free books, and the Friends of the Library donated 50 free books. Thanks to their kind contributions, we were able to give 60 children 2 free books each this Christmas. Santa did a live video reading of "The Night Before Christmas," (unfortunately, that video had to be taken down after broadcasting) which was viewed live by at least 12 families. The Friends of the Library also helped decorate the exterior for Christmas, and we won 3<sup>rd</sup> place in the business category of the Chamber of Commerce's holiday decoration contest.

### Summer Reading:

This year's Summer Reading at Home theme was Imagine Your Story. A total of 24 children from 12 families signed up to participate: 3 participated remotely and 21 received grab bags each week. Grab bags were themed and included at least one printed story based on age, worksheets and coloring pages, and 2-3 major crafts with instructions and supplies. They also included small toys and a free book every other week. The program lasted for 9 weeks in the summer. 151 total craft bags were given out, and 93 free books were given out. The children were between 4 and 16 years old: 8 Pre-Ks, 9 Elementary, 2 Middle Schoolers, and 5 teenagers. Eleven of the participating kids turned in weekly reading logs. Together, they read 19,437

minutes, or 323.95 hours! Awards and prizes were given out for visiting the library, participating in the crafts and other handouts, and for best readers.

Each week, I performed a Storytime and craft live video via Facebook, where I read a story or two and showed how to make at least one of that week's crafts. Live videos got, on average, about 5 concurrent viewers. Overall, response from the parents and kids was positive and the program was well received. Thank you to the Friends of the Library for donating books and prizes, and for providing funds for the craft supplies.

#### COVID-19:

Due to COVID-19 concerns and precautions, the library was closed for 9 weeks in the spring and 7 weeks in the fall, or for a total of 74 days (not including Thanksgiving or Christmas holidays). Per Governor's orders, from March 24<sup>th</sup> – April 4<sup>th</sup>, the library was restricted to a maximum of 5 people inside at a time, for a maximum of 30 minutes each. From June 9<sup>th</sup> – November 14<sup>th</sup>, the library was open on a shorter schedule to allow time for cleaning before opening and after closing. Per governor's orders, only 9 people (25% of maximum occupancy) were allowed inside at a time, for a maximum of 1 hour each. The restrooms were closed for public use, hand sanitizer was available, masks were required to enter, and social distancing was enforced.

Curbside services were offered the last 3 weeks of closure in the Spring, and the entire time while closed in the fall. Curbside services included printing, copying, circulation (checking in or out items), and Interlibrary Loans. Patrons could visit our online catalog and then call or email to reserve an item and schedule curbside pickup. During both closures, I still worked inside the library answering reference (patron) questions over phone and email. I also worked on several projects inside the library:

- Inventory: DVDs, Books on CD, Hispanic Authors, Large Print, Southwest, Native American, and Local Authors
- Evaluation and weeding: Juvenile, Youth, and Young Adult nonfiction and biography
- Reclassifying and re-cataloging: fixed age ranges for books in the children's and young adult sections, moving them between categories as needed; moved Classic Literature; corrected spine labels
- Moving the Young Adult and Youth nonfiction sections
- Created two new sections in the children's section: Graphic Novels and Illustrated Chapter books.
- Storytime and Craft videos & other online programming/resources
- Cleaning & dusting
- Emails, phone calls, daily Zoom meetings with the State Library, reports, and other clerical work
- Curbside services & Interlibrary Loans

**Final Thoughts:**

Covid-19 definitely slowed us down this year and caused most of our numbers to drop. But even with that, we did pretty well, considering the circumstances. Patrons still checked out books and movies when they could, even while closed. More families with children moved into town, so more kids participated in Summer Reading than last year, and more children's books were checked out. Outside internet use went way up in the summer and early fall (when the weather was warm), and several students and adults came to the library to do school or work. Thanks to the new fiber optic internet equipment we received and installed in October 2019, we were able to accommodate the heavy load and still offer great speeds—which is crucial for the online learning environment. eBooks and Digital Audiobooks remained popular and even spiked in the spring. Even though in person events had to be canceled, online and remote programs, such as Spring Storytime, Summer Reading, Halloween bags, and Christmas books were all well received. Interlibrary loan requests dramatically increased, meaning more people were looking for new information and material. Even during all of the chaos and struggle of Covid-19, the library still did well, and made a positive difference for the community.

Thank you to the Mayor, the Village Board of Trustees, the Friends of the Library group, and the entire community for the support you've given me and the library.

**Respectfully Submitted,**

**Ivy Stover,**

**Library Director**



## **RESOLUTION №. 2021-01**

### **OPEN MEETINGS**

**WHEREAS**, the Village of Magdalena Board of Trustees met upon notice of a duly published meeting at 6:00 P.M. on January 11, 2021 at Village Hall, 108 N. Main Street, Magdalena, New Mexico as required by law; and,

**WHEREAS**, Section 10-15-1 (B) of the Open Meetings Act (NMSA 1978, Section 10-15-1 to - 4) states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission or their policy-making body of any state or local public agency held for the purpose of formulating public policy, or for the purpose of taking any action within the authority of such body, are declared to be public meetings open to the public at all times; and,

**WHEREAS**, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and,

**WHEREAS**, Section 10-15-1 (D) of the Open Meetings Act requires the Village of Magdalena Board of Trustees to determine at least annually what constitutes reasonable notice of its public meetings; and,

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Trustees that:

1. All meetings shall be held at Village Hall, 108 N. Main Street, Magdalena, New Mexico 87825 as detailed below or as indicated on the meeting notice.
2. Unless otherwise specified, regular meetings shall be held twice a month, on the second and fourth Mondays of the month at 5:00 p.m. The agenda will be available to the public at least seventy-two (72) hours prior to the meeting as specified in Paragraph 5 below.
3. Special meetings may be called by the Mayor or a majority of the members upon seventy-two (72) hours notice. The agenda shall be available to the public at least seventy-two (72) hours prior to any special meeting as specified in Paragraph 5 below.
4. Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect the health, safety and property of the citizens or to protect the public body from substantial financial loss. The Board of Trustees will avoid emergency meetings whenever possible. Emergency meetings may be called by the Mayor or a

majority of the members upon twenty-four hours notice, unless protecting the Village of Magdalena from substantial financial loss or a threat to the health, safety and property of the residents of the Village requires less notice. The notice for all emergency meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda. Within ten (10) days of taking action on an emergency matter, the Mayor on behalf of the Board shall report to the New Mexico Attorney General's office the action taken and the circumstance creating the emergency unless the made pursuant to a declaration of state or national emergency.

5. For the purposes of regular meetings and special meetings described in paragraphs 2 and 3 of this resolution, notice requirements are met if the notice of the date, time, place and a copy of the agenda is posted at Village Hall, 108 N. Main St., Magdalena, New Mexico 87825 and the Village's web site [www.villageofmagdalena.com](http://www.villageofmagdalena.com). Copies of the written notice shall also be mailed, faxed or emailed to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.
6. For the purposes of emergency meetings described in paragraph 4 of this resolution, notice requirements are met if notice of the date, time, place and copy of agenda is posted at Village Hall, 108 N. Main St., Magdalena, New Mexico 87825 and the Village's web site [www.villageofmagdalena.com](http://www.villageofmagdalena.com). Notice shall also be given by telephone, facsimile or email to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.
7. In addition to the information specified above, all notices shall include the following language:

*"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 hearing or meeting please contact the Village Clerk/Treasurer, [clerk@villageofmagdalena.com](mailto:clerk@villageofmagdalena.com), phone (575) 854-2261 at least one (1) week prior to the meeting or as soon as possible. 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."*

8. The Board of Trustees may close a meeting to the public only if the subject matter of such discussion or action is exempted from the Open Meeting requirement under Section 10-15-1 (H) (1 through 10) of the Open Meetings Act.
  - A. If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Board of Trustees taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.
  - B. If a closed meeting is conducted when the Board of Trustees is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting

and the subjects to be discussed with reasonable specificity is given to the members of the general public.

- C. Following completing of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.
  - D. Except as proved in Section 10-15-1(H) of the Open Meetings Act, any action taken as a result of discussions in a close meeting shall be made by vote of the Board of Trustees in an open public meeting.
9. A member of the Board of Trustees or any of its Boards may participate in a meeting by means of a conference telephone, internet or other similar communications equipment when necessary as a COVID Safe Practice or when it is difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time, and members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting.
10. During the pendency of the COVID-19 declared emergency, when mass gatherings are prohibited by the New Mexico Public Health Order, meetings 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 link published on the agenda. 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: [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 12:00 pm on the Monday of to the meeting. Emailed public comment must contain the author's name and physical address.

**APPROVED, ADOPTED, AND PASSED** on this 11<sup>th</sup> day of January, 2021.

---

Richard Rumpf  
Mayor

Attest:

---

Francesca Gutierrez  
Village Clerk/Treasurer





**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 remain in the same construction manner as originally installed thereto and 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 install or contract for the installation of fire alarms, police wires, fiber optic or internet cables, and other necessary equipment to the poles belonging to the Grantee which are located within the Village limits. The Village shall be responsible for the engineering analysis assessment fee and any make-ready cost resulting from the assessment. 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 ten (10) 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:

\_\_\_\_\_  
Richard Rumpf, Mayor

\_\_\_\_\_  
Katherine Stout, General Counsel as to  
legal sufficiency

Attested:

Francesca Gutierrez, Clerk/Treasurer

# FY 2020 Assistance to Firefighters Grant (AFG) Program

---

The AFG Program will make \$319.5 million directly available to eligible applicants to enhance their response capabilities to, and more effectively protect the health and safety of the public and emergency response personnel from, fire and other related hazards.

## Overview

The AFG Program is one of three grant programs that constitute the Department of Homeland Security (DHS) Federal Emergency Management Agency's (FEMA) focus on enhancing the safety of the public and firefighters with respect to fire and related hazards. Since fiscal year (FY) 2001, the AFG Program has awarded approximately \$7.7 billion in grants to provide critically needed resources that equip and train emergency personnel to recognized standards, enhance operational efficiencies, foster interoperability, and support community resilience. The total amount appropriated for the FY 2020 AFG Program initiative is \$355 million. From this appropriation amount:

- The FY 2020 AFG Program will award \$319.5 million to an estimated 2,000 eligible first-responder organizations that need support to improve their capability to respond to fires and emergencies of all types, and
- The FY 2020 Fire Prevention & Safety (FP&S) Grant Program will award \$35.5 million to fire departments and non-profit organizations to support fire prevention and firefighter health and safety research and development (note that the FP&S Grant Program is a separate grant program and will have its own Notice of Funding Opportunity [NOFO] and application period).

## Purpose

The purpose of the AFG Program is to award grants directly to fire departments, nonaffiliated EMS organizations, and SFTAs to enhance their ability to protect the health and safety of the public, as well as that of first-responder personnel. Using a competitive process that is informed by fire service subject matter experts, grants are awarded to eligible applicants whose applications best address the priorities of the AFG Program.

## Funding

In FY 2020, the DHS Appropriations Act, 2020 (Pub. L. No. 116-93) appropriated a total of \$355 million to support the AFG Program. Under the AFG Program's authorizing statute, the Fire prevention and Control Act of 1974 (15 U.S.C. § 2229), no less than 10 percent of the appropriated funds must support fire prevention and safety activities, which include assisting fire prevention programs and supporting firefighter health and safety research and



**FEMA**

development. Therefore, no less than \$35.5 million of the appropriation must be awarded for fire prevention and safety activities under the FP&S Program. The remaining \$319.5 million will be awarded in competitive grants to fire departments, non-affiliated EMS organizations, and SFTAs. Further, under the Fire prevention and Control Act, funding for vehicles is limited to 25 percent of the total FY 2020 AFG Program appropriation. Finally, no less than 3.5 percent of available grant funds shall fund emergency medical services provided by fire departments and nonaffiliated EMS organizations, and no more than 3 percent of available grant funds shall be collectively awarded to all SFTA recipients. **Please refer to the FY 2020 AFG Program NOFO for additional information and guidance on these requirements.**

## Eligibility

Eligible applicants for the FY 2020 AFG Program include fire departments, nonaffiliated EMS organizations, and SFTAs operating in any of the 50 states, as well as fire departments in the District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico<sup>1</sup>, or any federally recognized Indian tribe or tribal organization. The definitions of eligible applicants are below.

## Definitions

- A *fire department* is an agency or organization that has a formally recognized arrangement with a state, territory, or local government (city, county, parish, fire district, township, town, village, or other governing body) to provide fire suppression on a first-due basis to a fixed geographical area.
- A *nonaffiliated EMS organization* is an agency or organization that is a public or private nonprofit emergency medical service entity providing medical transport that is not affiliated with a hospital and does not serve a geographic area in which emergency medical services are adequately provided by a fire department.

FEMA considers the following as hospitals under the AFG Program:

- Clinics
- Medical centers
- Medical college or university
- Infirmary
- Surgery centers
- Any other institution, association, or foundation providing medical, surgical, or psychiatric care and/or treatment for the sick or injured

---

<sup>1</sup> The District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of Puerto Rico are all defined as "States" in the Federal Fire Prevention and Control Act of 1974.

- SFTAs operate in any of the 50 states, as well as the District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of Puerto Rico. Applicants must be designated either by legislation or by a Governor's declaration as the sole fire service training agency within a state, territory, or the District of Columbia. The designated SFTA shall be the only agency/bureau/division, or entity within that state, territory, or the District of Columbia, eligible to apply.

## Program Highlights

Under the FY 2020 AFG Program, eligible organizations may apply for grants under the following activities:

### Operations and Safety

- Grant projects funded include professional training, wellness and fitness programs and equipment, personal protective equipment, modifications to facilities, and supplies that support firefighting and non-affiliated EMS operations and safety.

### Vehicle Acquisition: Fire Departments and Non-Affiliated EMS Organizations

- Eligible apparatuses include, but are not limited to, pumpers, aerials, quints, brush trucks, tankers/tenders, rescue vehicles, and ambulances.

### Regional Grants

- Regional projects in which multiple organizations (fire and/or non-affiliated EMS organizations) serving more than one local jurisdiction would benefit directly from the activities requested with grant funds.

### SFTAs

- SFTAs are eligible to apply for critically needed resources to protect the public, train emergency personnel, and foster interoperability and support community resilience.

## Application Process and Evaluation Criteria

AFG Program applications are reviewed through a multi-phase process. All complete and eligible applications are electronically pre-scored and ranked based on the substance of the application, relative to the established funding priorities as published in the NOFO. Applications most consistent with the established AFG Program funding priorities score the highest and are determined to be in the "competitive range" and will undergo further evaluation by a peer review panel, comprised of representatives from the fire service and non-affiliated EMS organizations.

A minimum of three peer review panelists evaluate the applications using the Narrative Statement, answers to general questions, and answers to activity-specific questions. Under the AFG program, peer review panels consist of members of the nation's fire service. Peer review panels do not include federal government employees. Each application is judged on its own merits against established criteria and is not compared to other applications.

The funding priorities differ for fire departments, non-affiliated EMS organizations, and SFTAs. The funding priorities and evaluation criteria are developed from recommendations provided by a criteria development panel, composed of fire service professionals representing the major fire service organizations.

Applications most consistent with the established AFG Program funding priorities that score the highest will undergo a Technical Review by the FEMA Program Office to assess the request with respect to costs, quantities, feasibility, eligibility, and recipient responsibility.

## Program Coordination

The following entities were involved in developing the FY 2020 AFG Program guidance:

### DHS

- FEMA
- U.S. Fire Administration

### Major Fire Service Organizations

- International Association of Fire Chiefs
- International Association of Fire Fighters
- National Volunteer Fire Council
- National Fire Protection Association
- National Association of State Fire Marshals
- International Association of Arson Investigators
- International Society of Fire Service Instructors
- North American Fire Training Directors
- Congressional Fire Services Institute

## AFG Program Resources

For additional information on the FY 2020 AFG Program, please visit our web site at:

<https://www.fema.gov/grants/preparedness/firefighters/assistance-grants>.

You may also contact the AFG Program Help Desk at (866) 274-0960 or by e-mail at [firegrants@fema.dhs.gov](mailto:firegrants@fema.dhs.gov). The AFG Program Help Desk is open Monday through Friday, 8:00 a.m. – 4:30 p.m. ET.





## NEW MEXICO MINIMUM WAGE ACT EMPLOYEE RIGHTS

# MINIMUM WAGE IN NEW MEXICO

## **\$10.50** *per hour*

<b>OVERTIME PAY</b>	At least 1½ times your regular hourly rate of pay for all hours worked over 40 in a workweek.
<b>TIPPED WORKERS</b>	Employers must pay tipped employees an hourly rate of at least \$2.55 per hour. If the tips plus the hourly rate do not equal at least \$10.50 per hour, the employer must make up the difference. Tipped employees have a right to keep all of their tips.
<b>DAMAGES</b>	Employers who violate the minimum wage or overtime requirements are required to pay impacted employees the full amount of their underpaid wages plus interest, plus an additional amount equal to twice the underpaid wages.
<b>RETALIATION PROHIBITED</b>	It is unlawful to retaliate against an employee for asserting a wage claim or for informing other employees of their rights.
<b>ENFORCEMENT</b>	The Labor Relations Division of the Department of Workforce Solutions investigates claims and recovers back wages for employees who have been underpaid in violation of law, regardless of the dollar value of the claim, going back at least three years, or longer if there was a continuing course of conduct. Violations may result in civil or criminal action.
<b>LOCAL MINIMUM WAGES</b>	There are higher minimum wages in the City of Albuquerque, Bernalillo County, the City of Las Cruces, the City of Santa Fe, and Santa Fe County.
<b>ADDITIONAL INFORMATION</b>	Certain jobs or employers are exempt from the minimum wage or overtime pay provisions.
<b>Employers must display this poster where employees can easily see it.</b>	

For more information or to file a wage claim, contact the Labor Relations Division at 505-841-4400, or online at [www.dws.state.nm.us](http://www.dws.state.nm.us)