

CITY OF TUCUMCARI
CITY COMMISSION
Work Session Notes
October 13, 2016

The Tucumcari City Commission met in regular meeting on Thursday October 13, 2016 at 5:00 p.m. in the City Commission Chambers. Members present constituting a quorum were: John Mihm, Ruth Ann Litchfield, Robert Lumpkin, and Ralph Moya. Amy Gutierrez was absent,

City Staff members present were: Jared Langenegger, City Manager; Doug Powers, Assistant City Manager; Dennis Dysart, Finance Director; Charlie Sandoval, Water Supervisor; Calvin Henson, Wastewater Supervisor; and Angelica Gray, City Clerk.

Discussion from Citizen Joe Aragon regarding Water Dept. & Water Tap

Joe Aragon stated that he bought property on 8th St. and Evans St.; he bought the lot to develop it. He started to plant trees before putting his house down. When he started developing the property, he at the street and noticed the street was sunken in. He thought it could be a water leak or the ground was not put down right. He started to dig and right around the property line he found one meter. He then called Mr. Sandoval, to request he bring up the meter to ground level. Mr. Sandoval informed Mr. Aragon that we have the canister there but someone will have to pay for the tap. His gripe is that he has to pay for the tap, when he already has two taps on his property.

Mr. Sandoval stated that he explained to Mr. Aragon whenever that road was a dirt road and they built the school it was decided to put in two inch taps that way they could be split up without having to cut the road because it was going to be paved.

Commissioner Mihm stated we took a proactive stance and put taps in as it was getting paved. Mr. Langenegger stated that our policy is that whenever somebody wants a tap, they pay for the tap. He stated that when they were paving the road, Mr. Sandoval put the taps in so that we wouldn't have to cut the road.

Mr. Langenegger stated that we've had other individuals who have since built or utilized those taps that were put in and we have charged them for those taps.

Mr. Langenegger stated he understands Mr. Aragon's concern and he understands his position that there is a tap there and that he shouldn't have to pay for that tap because it is already there. Although the tap was installed, it was never paid for.

Mr. Aragon stated his understanding is if he is going to pay for a new tap it should be put where he needs it not where they are tapped at now. He stated that right now where they are tapped they are not feasible for him to hit either one of them because that is not exactly where his house is going to be.

Mr. Aragon stated the taps are already there and they put there with taxpayers money and one of them for now, is a write off, which is a waste of taxpayer money. He stated they are actually tapped into the water main.

Mr. Aragon stated the road still needs to be fixed. Mr. Sandoval stated that the rain runs along that side of the road and causes decay.

Mr. Aragon stated his point is they are physically there and the canisters are a foot down Mr. Sandoval stated that the meter can be run inside the City right of way or wherever it needs to be.

Mayor Pro Tem Lumpkin stated that the main thing we should elaborate on is the fact that we have done this before and when someone puts a house in that tap was already there but it still had be paid for because it belonged to the City and the labor to put it in also belonged to the City. He stated the protocol is if someone is building a new house the tap needs to be paid for.

Mr. Aragon asked if the tap will be put at his discretion, Mr. Aragon stated the road has been there for fifteen years and he wants it all to be new.

Mr. Aragon stated the cost will be \$831.00 for the tap and a \$200 connection fee. Mr. Aragon asked if the part of the street that is sunk in, if it will be addressed. There are two, then the one that I farthest North towards Evans on the opposite side of the street, it will be the house facing east part of that road is sunk also.

Mr. Aragon also discussed that he lives on Adams St. and Rankin St., a block away from him it looks like they are setting up a salvage yard, it is on Monroe St. and Hines St. they are metal skirts on fence. Commissioners Lumpkin stated he has received a few calls about it. Mr. Langenegger stated that the ordinance, the way it is written, you can have vehicles parked in the backyard if you have a solid fence where they can't be seen, so they have obtained a permit from the City to put up a solid fence. He knows that there is debris that need be cleaned up and they have been addressed in the letters; code enforcement is aware of this. It is a hazard, Thanks commissioners for hearing him out.

Discussion from Chuck Krause/Tucumcari Cheese Factory & Wastewater Dept.

Mr. Krause stated that in 1993, 1994, the City of Tucumcari was advertising for a cheese factory, he decided to come look. Originally he had nine partners but they didn't have money but the only one who had money was him. He found the old Coca-Cola bottling plant. He made a deal with Coca-Cola to lease purchase/buy the building. Although the building was not in good shape it had floor drains and a place to unload milk. He stated it took eight months to rehab the building before he could make cheese. He took it over on April 1, 1995 and he put everything he could put in and everything he could borrow into it; he slept in the building for the first three years. It was difficult to start a cheese factory without customers and they got farther and farther into debt. Eventually, they paid it all back.

Mr. Krause stated that because of the sewage treatment plant he knows he has given the City trouble for a long time. He knows why is the problem. He thanked the city for putting up with him for this long and he thanks them for financing the new sewage pipe in the tank and pumps to get him to the point where he is now.

Four years ago he started on this expansion. He wanted longevity; a 40 year plan. He stated many wanted to finance the equipment but nobody wanted to finance the building except AG New Mexico. He signed a \$3,000,000 note besides the \$1,000,000 he spent on the equipment,

plus installation, besides the equity on the business that we built in the business over the years. He stated that he is 100% in.

He stated that everyone told him not to do it in Tucumcari. This is where he started, this is where he will finish he's got a good crew and he's in the right location and he services the southwest. He stated they haven't changed how they make cheese.

In 2014, the City got an audit by the EPA, Barbara Cooley and he received an audit at the same time. He stated they were the problem for the City. He stated her report stated that they need to be monitored closely and controls put on. It's at that point the City came to him and told him to put the monitors up. Most cheese factories are so big they have their own sewage and treatment plants.

He stated that now they are in violation. The holding tank is supposed to work a certain way, and it took a long time He stated he has, a 20,000 gallon milk tank, which is the only thing that was not bought in Tucumcari.

He stated they just got the PH meter hooked up now with a recording chart, with two pumps hooked up to the silo and then we let it go to the City sewer. He was told that they are supposed to hold the volume all night long, and they would get it 24 hours a day. Last Wednesday he let it back up and the problem became worse, not better for PH, because the starter has to culture and what happened is that it dropped the PH in the water. He has a meter and it plugged up and has had nothing but trouble with this, because they are doing things the old way, they do not have new equipment in yet.

He stated three or four weeks ago Mr. Langenegger came over with an application for this deal, criticizing how I did everything. Mr. Langenegger stated to Mr. Krause that if he would have used the city engineers this would be right. Mr. Krause then stated that he tried to call the city engineers, for six months but his calls were not returned and that he hired his own engineer, out of Albuquerque to do the drawings. Mr. Langenegger then told him the City could shut his water off, and that alarmed Mr. Krause, his board of directors and his bank. The silo is full of milk, and he has 30 employees and now too many customers, forcing him to be open 7 days a week all summer long. He stated that Mr. Langenegger came back a second time and he told Mr. Krause he was supposed to keep the tank full. He stated they are monitoring the PH right now; they did have a recording chart. After reading this, Mr. Langenegger stated again, the City would shut the water off again; Mr. Krause stated to Mr. Langenegger that the City would be looking for a lawsuit if he threatens to shut the water off. Mr. Krause said he did not want to hire a lawyer and does not want a lawsuit. It alarmed Mr. Krause's board of directors, his partner, and he's had a knot in his stomach for two weeks.

Mr. Mr. Langenegger then brought back the application because it was not filled out properly and informed Mr. Krause that he could get the water analyzed COD, and total suspended solids at the City. Mr. Krause took a sample last Thursday and, they said they couldn't accept the sample until Wednesday; they then called Mr. Krause and informed him they could not accept

the sample until the October 20, 2016. Mr. Krause stated that he cannot finish filling out the application until, he gets his water results back, and he has all the other information.

Mr. Krause started going through his numbers and what he is paying and analyzing it from every angle. He stated right now his average water bill is \$6,000.00 a month, which is half for water and half is for sewer. He stated that right now they are just under \$50,000.00 what they paid to the city this year.

He stated that he wastes water on purpose to dilute his effluent. Right now he's at 20,000 gallons a day and he should be at 12,000 gallons a day, 15,000 gallons a day at the most. He is not doing the expansion to run the same amount of milk, he is doing the expansion to triple the amount of milk, so he could theoretically be looking at , 60,000 gallons of water a day and 60,00 gallons of effluent a day, so that takes his water bill up to \$18,000 a month. After the second time of being told the water would be shut off, he began to look for land,

Mr. Krause stated that he received a fine for \$1,000.00 because he ran water down the street three times. Mr. Krause was asked why he did not just hire someone to watch it. , He stated he would not hire someone to just stand there all day.

Mr. Krause stated that yesterday, he spoke to Barbara Cooley, whom the City reports too, he explained his situation to her and that the PH is killing him. He doesn't know what to do he is diluting it, he let it run all night long he had it perfect for inspection for two days. As soon as the water stops the PH is dropping at 2 or 3 a.m. there is nothing going on. Ms. Cooley was very understanding and supportive. He proceeded to tell Ms. Cooley what Mr. Langenegger told him on Thursday about dropping off the water sample, Mr. Henson stated that the wastewater plant is running at 50^

Mayor Ruth Ann Litchfield then asks, why couldn't the samples been taken before the 20th. Mr. Henson stated that Janet has a schedule with all the samples she gets, she has a schedule of who brings what and when.

Mr. Langenegger proceeds with she doesn't just take samples, she takes Santa Rosa and surrounding areas as well.

Mr. Krause then explains his conversation with Barbara Cooley; the thing is if he tries to hold the water all night that makes the PH worse, now he has 20,000 gallons of low PH water that's what they don't want. It runs out the middle of the night, and in the morning they start filling again, he thought he was not supposed to flood with water, monitor the PH and adjust the ph. Ms. Cooley stated to Mr. Krause in their conversation that she does not believe that he has any problems if he gets the two sodium hydroxide pumps. He said Mr. Henson told him last Thursday, he could handle that much water if the PH was right. He ordered the sodium hydroxide pumps which will adjust that. He has a recording chart, he has a legal document and

he can go back in two weeks and see that he's out of spec and we are going to shut your water off.

Mr. Krause begins to ask that a recording chart is a legal document. Mr. Henson answers with yes it is a legal document.

Mr. Krause continues with his discussion with Ms. Cooley. He asked her if her if this is a mandate from the federal government, the water can get shut off.

He stated he has a huge investment and Ms. Cooley replied by saying that the mandate is not the state but rather the City not the ordinance, that the water can be shut off. Shutting the water off ruins the value of the company, it ruins the resale value of the company, he can't allow an unelected city official to come and shut his water off when it suits him, because he's out of spec. He has to haul the water off and buy property and spend a quarter of a million bucks, whatever, but Mr. Henson told him as long as his PH is in line, you can handle up to 60,000 gallons a day

He is asking the commission to take the nuclear option off the table by rewriting that ordinance without that option. He has way too much money to have that thrown in his face, way too much money invested, even after everyone told him to leave this town and he stuck with it.

Commissioner Moya asked Mr. Langenegger how they could help him; he understands Mr. Krause has a lot invested. How can we accommodate him; he has about 32 employees.

Mr. Krause stated he does not get any help, other than a \$200,00 grant money that the City gave him for the silo, he does not get anything from the state; that all fell through, he is funding it on his own. Commissioner Mihm asked if the ordinance is written for his operation. Mr. Langenegger stated that the ordinance is the industrial wastewater ordinance. The reason the option of turning the water off is in there, is if we have an industry that is continually releasing wastewater that is beyond specifications we cannot shut someone's wastewater off.

Mayor Pro Tem Lumpkin stated that from what he has heard and this nuclear option, as it's deemed, he does not think it would be difficult to write that part of the ordinance out so they work with Mr. Krause.

Commissioner Moya asked why they can't just give a temporary a waiver until he gets everything in order.

Mr. Langenegger states that he visited with Mr. Krause and his partner and he understands they hired an environmental consultant to help them to correct the situation. He visited with Art he and asked if there was a day where they could all sit down, bring his environmental folks there get Mr. Henson there, and figure out a solution.

Mr. Krause stated if they can just change that part of the ordinance, he will get it in line, and if he can't get it in line, he will haul the water off, he states that Ms. Cooley says that's not her

department that is the environment department. He agrees with her, but he cannot jeopardize his investment.

Ruth Ann Litchfield asked how many other industries are affected by this ordinance. Mr. Langenegger answered that right now it is only the cheese factory. Mr. Langenegger stated that it would apply to any other industry coming to town would be effected as well. The reason he recommends to not take the option out of the ordinance is because, it is written in there for someone who continually violates.

Mayor Pro Tem Lumpkin stated that he feels this is probably called a mandated sentencing; it is like the sentence is written, in the ordinance. He believes it should be up to someone other than the commissioners, to be the judge, the prosecutor, and the hangmen.

Commissioner Mihm thinks that if they talk to the same person that's EPA that is causing a regulatory issue and say how they want the ordinance written, because they want to be business friendly, maybe they have some suggestions.

Mr. Krause states that Ms. Cooley was astounded that language was in there.

Mr. Langenegger stated that the ordinance does not state that they have to shut the water off, but that it is an option, they have to have some way to stop it.

Mr. Langenegger stated that they have no way to stop somebody if they take it this language out of the ordinance.

Commissioner Mihm stated that at that point the EPA would trump the City anyway if they get to that point.

Commissioner Moya stated that Mr. Krause is asking how can the city work with him, and he thinks he needs to stay on that, they need to see how they can work with this gentlemen he is a good employer and excellent economic here. At the same time he can see the City's side also, and it has nothing to do with him but in the future if they do have another industry that violates , they have no way, if they do not pay the fine then they are out. The bottom line is he has a problem and the City needs to work with him on solving the problem, whether they can give him a waiver for whatever time he needs. Mr. Krause stated he does not want that as an option ever; just haul it.

Mayor Pro Tem Lumpkin stated that Commissioner Mihm brought up a really good point on notices and fines. If they leave that option in there it will not be business friendly. Now Mr. Moya brought up the point what if we have other businesses, if other businesses see that option on the business they are coming to town with, they may not come to town, it is not business friendly.

Mayor Litchfield asked if Mr. Krause could give them a chance to hash it out.

Mr. Krause thanked the commissioners and Mayor Litchfield

Mr. Henson stated that he knows Barbara Cooley told him that the City had to have some way to enforce it, but they also needed a way to stop him from discharging to the plant because if the plant goes out of compliance the City is in trouble.

Mayor Litchfield asks if they could get Barbara Cooley here to talk to them.

Mr. Henson stated that he tried to get her to write him a letter for this but she was behind and everything she does is a public document.

Mr. Henson stated that Mr. Krause does not understand that when he first started they only had to flow 600,00 to 800,00 gallons a day, now they are between 350,000 gallons and 500,000 gallons we do not have the dilution. He is trying to get him to understand that they have to hit it at the right time and slowly.

Commissioner Moya asked with the land that the city is going to buy, why can they not use the water that Mr. Krause would be dumping? Mr. Henson stated that when they do this, the City would then fall under another permit, a groundwork permit, and a groundwork permit is stricter than EPA.

Commissioner Mihm stated that it is a difficult situation but he thinks the EPA needs to be involved with us.

Mr. Langenegger stated we need to get his environmental specialist and visit with us. Commissioner Moya stated that the City cannot be paying \$10,000.00 fine for noncompliance. The citizens are not going to tolerate paying a \$10,000.00 a day fine; it will come out of their pocket all services will be shut down.

Mayor Litchfield stated the City does not want to lose his business.

Commissioner Moya stated the City has to have leverage. If we do not have leverage we might as well forget about any kind of law.

Mr. Langenegger stated in the last twenty years the environmental laws have changed. We have much more stringent restrictions on our wastewater throughout those twenty years but have to adapt to it.

Mayor Litchfield asks to adjourn the work session and reconvene after the meeting so they can finish the last two items.

Commission convened this work session at 5:52 p.m.

Commission reconvened into this work session at 6:34 p.m.

Commissioner Moya asked the commission if we could give him a waiver. Mr. Langenegger stated he has visited with Mr. Krause and told him to sit down and work through it and put together his plan so the City knows what's going on. Once we have a plan then we can work with him. However, Mr. Krause he jumps to an instant conclusion.

Mr. Langenegger stated he visited with his partner, Art Scop, and he was very calm and we visited for a while. He talked about the environmental specialist that they've hired. The only we really need to have is a plan and that's all the EPA requires is if we violate something we must have a plan as far they are not going to violate it again and prevent it in the future. He has asked Mr. Krause three times for a plan as far as how we are not going to let this happen again and we have not been able to work something out. He is hoping that with Mr. Scop and his environmental specialist that we can sit down and get a plan so that we can show the EPA that yes we are enforcing, they gave us this plan and the options.

Commissioner Mihm asked if it would be advantageous to get Mr. Vanderpool involved with helping him with a plan. Mr. Langenegger is not sure this is Mr. Vanderpool has the expertise to go through that.

Mayor Pro Tem Lumpkin stated that his opinion differs slightly. The objective is to not have that wastewater doing damage to our wastewater treatment plant and out on the streets of Tucumcari. The penalty is written in the ordinance. He thinks the penalty could be used to correct the infraction without it being written in the ordinance. In other words, we could waive the penalty possibly from shutting off the water; that's the problem everyone has is that shutting off the water is hanging over them. If we shut off the water on that industry that will cost the owners a lot of money and the people that come to town might recognize that the penalty is attached to the property they are wanting to buy to open a business and he is trying to make it where we can reach the objective with a more flexible penalty.

Mr. Langenegger stated that the objective is not to have them overflow on the street but rather to be in compliance with environmental regulations. If he opens his flow wide open and flushes it down to the sewer plant, he would not have it on the street but we would still have an issue because whenever they do that it's a shock load to the plant and it kills our plant.

Commissioner Moya stated if there isn't a penalty they won't care.

Mr. Langenegger stated the ordinance is not written just for the cheese factory but rather for industrial wastewater users. If we were to write the ordinance for one individual the next one that comes into town we will have issues with enforcing.

Mayor Pro Tem Lumpkin stated he is not asking Mr. Langenegger to do that but rather to make the penalty more flexible. Mr. Langenegger stated that the penalty is flexible it does not say we shall shut off the water it says we reserve the right to shut off the water.

Mayor Litchfield stated that as long as he is paying the fines and complying with everything we will not shut off his water

Commissioner Mihm stated that once Mr. Krause has a clear plan and he knows its working he doesn't think it will be an issue. We can do it in writing and state that this is for gross

negligence, for our protection, we cannot remove it from our ordinance but in his case because he is diligent about getting this problem resolved this should never be an issue.

Mayor Litchfield stated we need some kind of reassurance to him that we are not going in there one day and shut off his water.

Mr. Langenegger stated that he will draft something for the Mayor's review and deliver it and visit with Mr. Krause and his partner.

Discussion regarding Tukumcari Museum Advisory Board

Mayor Litchfield read a letter from Sue Tillman where she resigned from the THRI board.

Mayor Litchfield stated her concern with the Museum Advisory Board is that she thinks the City should dissolve their Museum board because they have two THRI boards.

Commissioner Moya stated that most of the people on the THRI board are really not city residence. But if we are going to be funding the museum and providing employees the City has to have either a board that is community and not on the other board or just turn the entire building, employees and everything else to THRI. We cannot have double standards for non-profits.

Mr. Langenegger stated that if the City turned the Museum over it will cease to exist. He does not think that they have the resources or the finances to maintain the facility and keep the Museum open.

Commissioner Moya suggested the City give them a contribution every year.

Mr. Langenegger stated that there are ways we can work around not having a board and still having employees and having a say in what goes on there. He does not think the agreement states anything about the board; it says it's a joint partnership between the City and THRI. He does not think we need to have a City board in order to have a joint partnership.

Commissioner Moya stated that if we are going to dissolve the board we also need to dissolve the contract. Mr. Langenegger stated we could look at restructuring the contract. His concern is if we choose to turn over the museum grounds to THRI he thinks there would be a lot public outcry because it is a tourist attraction and he is 90% certain they would not survive without City involvement.

Mr. Langenegger stated the City currently contributes under \$70,000. If the City turns it over it would have to be less than \$70,000 because part of that goes to chargebacks which fund other city departments.

Mr. Langenegger stated he would have to visit with Mr. Knudson to see how we can draft something. He thinks we would have to do a contract for museum operation services and solicit bids for organizations to operate the museum, take bids.

Mr. Langenegger he understands the commission wants him to review the contract for an exit, find out what we have to do to provide a donation every year for operation. He will also visit

with the THRI board to see if this something they will consider. He does not want them to feel we are backing out.

Mayor Litchfield asked Commissioner Mihm if he would like to be off the library board. Commissioner Mihm stated he does not want to resign. They are basically asking him to be a board member not a liaison. He is helpful when he is engaged. He does not think its fair for them to have that option. He has not done anything to them. What they addressed in the letter. Mayor Litchfield stated they want him to resign because he's not promoting the library. They want someone younger, with children like Commissioner Gutierrez because she has children and grandchildren and she would be more invested in the library more than any of the rest of the commission.

Commission Moya said if he's been appointed to that board we need to back him up and that should be the end of the conversation.

Discussion regarding Ute Lake Water

Mayor Pro Tem Lumpkin stated that TQCWRA was organized about nine years ago. There are two members from the commission, Mr. Langenegger and himself.

The objective is to try to maintain the water level for Tukumcari.

Mayor Litchfield stated that she feels that Tukumcari is fighting for Logan.

Mayor Pro Tem Lumpkin stated he does not think it has ever been determined exactly how much of the economy in Tukumcari depends on that reservoir.

Mayor Pro Tem Lumpkin asked if the commission wants him to represent the commission. The commission does not know what direction he's going until he can make the full presentation. He stated there are 24,000 ac. ft. of water allocated from that reservoir to 12 communities. He stated the reservoir itself has been judged and the firm yield study is the only 18,000 – 22,000 out of 2 engineering firms that have given a firm yield study on the reservoir.

He stated the lake is going to give 24,000 ac. ft. of water to the entities, 16,450 ac. ft. of that will go to Curry County and Roosevelt County. They are both, every year uses 364,000 ac. ft. of water for their agriculture industry. The reservoir itself is going to send 16,00 ac. ft. to those counties that are using 370,000. We have a presentation prepared that has talking points and all these things in it. He asked to be allowed to put this together and he give him the opportunity to sell to this commission the reason we are going in the direction that we are. Also he would like to people from the Tukumcari Quay County Regional Water Authority present when we go over this and then the commission can make a decision on what direction they think they should go,

As a commissioner he was elected to do political things and this is one of them. If the commission would tell him they do not want him to go in that direction, the voters have voted him in into this position to go the direction he thinks they should go; he could represent District 4.

Commissioner Moya asked why the County isn't doing this. Mayor Pro Tem Lumpkin stated the County is doing it. They have two members on that same board.

Mayor Pro Tem Lumpkin stated he thinks ISC is flexible if the right people talk to them.

Commissioner Mihm asked if we could have ISC here during this presentation so he can get clarification on what he is supporting or not supporting or otherwise, he is okay with that but that has to happen because you say that's where the buck stops.

Mayor Pro Tem Lumpkin stated he will have TQCRWA present during this presentation. He stated ISC will say they are in charge of that water level. But he's had plenty of people from Tucumcari that will say that Greg Gates and Paul Van Gullock stated they would give us that minimum pool if we turn over 5,000 ac. ft. Mr. Langenegger stated they changed their mind and those people are no longer working there.

Commissioner Moya stated this matter gone to court twice and lost twice. Commissioner Lumpkin stated that the court was not about having that project or not. It was about whether the environmental assessment was the proper assessment to use on a project that large.

Commissioner Moya asked how much money we are spending on this, which is another thing we have to look at.

Mr. Langenegger stated the reason he asked for a discussion is he understands Mayor Pro Tem Lumpkin has worked on this for several years and he understands the arguments he's making. We have made those arguments for several years. His concern is are they the best arguments to make and are we doing what's right for the City of Tucumcari. He understands that Mayor Pro Tem Lumpkin has a lot of experience with this matter and knowledge. When he worked on it with State Parks prior to coming here, he was in agreement that we needed to keep a firm level on the lake but the further we get into this and the more we battle this he's beginning to question whether we are doing the right thing for the City of Tucumcari. He wants the entire commission to make a decision as far as what strategy shall we take and how should we move forward.

Mayor Pro Tem Lumpkin has a presentation he's put together and if he wants to discuss it at another meeting that would be great to hear the plan of action and discuss and decide whether that's what's right for the City. He is not sure whether we should have ISC or TQCRWA.

He stated he works for the City of Tucumcari, the commissioners. His position is to do what is best for the citizens of Tucumcari and to represent the citizens and make the right decisions. He wants to make sure he is doing this and that the commission knows he has reservations about some of the statements Mayor Pro Tem Lumpkin is making and some of the directions that he wants to go with this.

Commissioner Mihm stated his stance is that we have 6,000 ac. ft. that we are paying to keep committed to us and our allotment out of the lake. As a commissioner of Tucumcari that is his only interest in Ute Lake Water; Commissioner Moya agrees with him.

Commissioner Moya stated that what if we sell it to Clovis to keep our water rights.

Commissioner Mihm stated he cannot speculate how many groceries are bought because Ute Lake's there or any other speculations. He is only worried about who is employed and lives in his town. He told Mayor Pro Tem Lumpkin that his battle is a good one but it's more personal.

Mayor Pro Tem Lumpkin stated that 6,000 ac. ft. can be used by building a pipeline, by selling it, and for the people of Tucumcari; we are not giving that up.

Commissioner Moya is concerned on how much money has been spent on this project. Mayor Pro Tem Lumpkin stated there has been a dime that hasn't been spent out of that that was not approved by the commission.

Mayor Pro Tem Lumpkin stated we need them to change the drought management plan that has a low minimal pool that they put in there during the drought and it does not need to be there.

Commission adjourned at 7:32 p.m.

Submitted by:

Angelica M. Gray, City Clerk