

**CITY OF TUCUMCARI
CITY COMMISSION MEETING MINUTES
February 23, 2012**

The Tucumcari City Commission met in a regular meeting on Thursday, February 23, 2012, at 6:00 p.m. in the City Commission Chambers. Members present constituting a quorum were; Robert Lumpkin, Jimmy Sandoval, and Jim Witcher.

City staff members present were Doug Powers, Interim City Manager; Christine Dougherty, City Clerk/Purchasing Agent; Dennis Dysart, Finance Manager; Yvette Fazekas, Interim Community Development Director; Janet Garcia, Laboratory Director; Vicki Strand, Human Resources Director; Jason Braziel, Chief of Police; Scot Jaynes, Emergency Manager; Brenda Rivale, Ambulance Director; and Jessica Elebario, Senior Programs and Convention Center Director.

Mr. Scot Jaynes gave the invocation and Mr. Witcher led the group in the Pledge of Allegiance.

Consideration of Changes or Deletions to the Agenda

Mayor Witcher asked that Item 9, B 2011 Emergency Management Performance Grant be deleted from the agenda. Commissioner Lumpkin made a motion to approve the agenda as amended and Commissioner Sandoval seconded the motion. Roll Call:

Witcher	Lumpkin	Sandoval
Yes	Yes	Yes

Items from Commissioners

Commissioner Sandoval said that his comments were for the young people in the audience. He said he attended a meeting last week and was told that there are a lot of youth in poverty. Commissioner Sandoval encouraged the youth to vote on the things that will be happening. He also said that the youth can have a powerful voice and they should talk to their friends about voting.

Commissioner Lumpkin thanked those in attendance for coming to the meeting. He also congratulated Fire Chief, Mike Cherry for be appointed by the Governor to the State Fire Protection Grant Council. Mr. Lumpkin also congratulated Tucumcari High School student Augustine Sandoval for winning the state wrestling championship in the 145 pound weight class. Mr. Lumpkin said the THS team was fourth overall.

Mayor Witcher reminded everyone about the Municipal Election March 6 and that absentee and early voting is open until March 2.

Approval of Minutes

A motion was made by Commissioner Lumpkin to approve the minutes of the February 9, 2012 Regular Commission meeting and the motion was seconded by Commissioner Sandoval. Roll Call:

Witcher	Lumpkin	Sandoval
Yes	Yes	Yes

Approval of Vouchers

A motion was made by Commissioner Lumpkin and seconded by Commissioner Sandoval to approve the City vouchers for payment. Roll Call:

Lumpkin	Sandoval	Witcher
Yes	Yes	Yes

Items from Citizens

Mayor Witcher asked if there were any citizens present wishing to address the Commission.

Ms. Betty Coslett approached the podium and stated that normally she speaks at the meetings to complain but tonight she wants to compliment the Commission for their above and beyond efforts to keep water in Ute Lake. Ms. Coslett stated that this is very important and takes lots of work. Ms. Coslett thanked Commissioner Lumpkin for his work in this effort and stated she appreciates all he does.

Ms. Coslett stated that Commissioner Sandoval has been attending lots of meetings recently and he cares about the City. Ms. Coslett added that Commissioner Sandoval listens to individuals concerns regarding City issues. She also stated that Mr. Sandoval has strong opinions and is not afraid to express them.

Ms. Coslett also commended Mr. Powers for his tremendous job in improving the City. She stated that she is so happy to see the surplus cars cleaned up. Ms. Coslett said that Mr. Powers visits the departments to see what is going on and talks to the citizens.

Ms. Coslett commented that Commissioner Apodaca has 18 years of service as a Commissioner and his historical knowledge is an asset to the City. She added that Mr. Apodaca is dedicated and committed.

Ms. Coslett said that she and Mr. Witcher agree to disagree. She said he always listens and tries to understand problems.

Ms. Coslett stated that it takes study, hard work and depth of thought to be a good City Commissioner. She said she feels the current City Commissioners give a lot of their time and

thought and she hopes that the new commissioners realize the time, commitment and work they will have to dedicate themselves to if and when elected.

Mr. Witcher thanked Ms. Coslett for talking and giving her opinions.

Mr. Lumpkin said he had one more item to address. He commended Thomas Garcia of the newspaper for the nice article he wrote regarding the loss of his coworker, Catherine Bugg.

Mr. Gary Montano then approached the podium and stated that he has no political affiliation and does not intend to harm himself any time soon. He added that it is alarming how few people attend the City Commission meetings.

Mr. Montano went on to say that he has an eight month old child. Mr. Montano stated that in his child's doctor visits, he has learned about the vaccination laws. Mr. Montano said there are no state requirements regarding vaccinations. He described a public health publication sent home through the schools which stated doctors recommend flu shots. Mr. Montano described a discrepancy between what the school nurse and the department of health have to say about required immunizations. Mr. Montano said that he and his children have been approached to get flu shots on many occasions. He also described the chemical makeup of the flu shots and how he believes these chemicals to be harmful.

Mayor Witcher asked Mr. Montano what his comments had to do with City business. Mr. Montano speculated that the Homeland Security Grant the City was applying for might have funds included to purchase immunizations. Commissioner Lumpkin asked what Mr. Montano would like the City Commission to do about his concerns. Mr. Montano responded that our children are being destroyed. Mr. Witcher said the City government has no impact on federal laws and that the City Commission cannot vote to or not to vaccinate residents.

Mr. Montano stated that he wants to get this information out and he is telling the Commission and the School Board.

Ordinances and Resolutions

Ms. Fazekas presented Resolution 2012-05, Requesting Participation in the CO-OP Program. Ms. Fazekas explained that this application has three options built into it; the first is Heman Street from Rock Island to Monroe which will tie into the CDBG Daubs Addition project, option two is Sixth Street from Gamble to Nobles, and option three is High Street from Choctaw to Dawson. Ms. Fazekas stated the application is a high estimate at \$90,000 with a 25% match which can be in-kind.

Commissioner Lumpkin made a motion to approve Resolution 2012-05, Requesting Participation in the CO-OP Program and Commissioner Sandoval seconded the motion. Roll Call:

Lumpkin	Sandoval	Witcher
Yes	Yes	Yes

Ms. Fazekas then presented Resolution 2012-06, Requesting Participation in the MAP Program. Ms. Fazekas said our application for this project was denied last year so, we are applying again. The project is for Whitmore Avenue from College to Walter. The request is for \$330,771.01 grant funds and a 25% match of \$132,466.73 which can be in-kind and cash. Ms. Fazekas explained that some of the matching funds will be the payment to an engineer to design the street.

Commissioner Sandoval asked Ms. Fazekas if she has applied for grant funds for the flood areas in his district. Ms. Fazekas said she will look into the Corp. of Engineers.

Commissioner Lumpkin made a motion to approve Resolution 2012-06, Requesting Participation in the MAP Program and Commissioner Sandoval seconded the motion. Roll Call:

Sandoval	Witcher	Lumpkin
Yes	Yes	Yes

Ms. Jessica Elebario then presented Resolution 2012-07, Designating Signatories for Senior Programs Four Year Plan. Ms. Elebario explained that later in the meeting she will be presenting the Four Year Plan and Budget for the Senior Programs and this resolution is required as a part of that plan designating who can sign off on the reporting paperwork for the program.

Commissioner Lumpkin made a motion to approve Resolution 2012-07, Designating Signatories for Senior Programs Four Year Plan and Commissioner Sandoval seconded the motion. Roll Call:

Witcher	Lumpkin	Sandoval
Yes	Yes	Yes

Mr. Dysart then presented Resolution 2012-08, A Budget Amendment Request. Mr. Dysart explained that the budget is a legal document and therefore has to be updated periodically during the year to reflect changes. Mr. Dysart said this is the third BAR for the fiscal year and it is primarily a book keeping matter. He explained that it includes the profits from the sale of the surplus cars, and moving those funds to the appropriate line item to purchase a new truck for the warehouse.

Commissioner Lumpkin made a motion to approve Resolution 2012-08, A Budget Amendment Request and Commissioner Sandoval seconded the motion. Roll Call:

Witcher	Lumpkin	Sandoval
Yes	Yes	Yes

Mr. Dysart then presented Resolution 2012-09, Modifications to the Fixed Asset Inventory. Mr. Dysart explained that the vehicles that were sold need to be removed from the inventory.

Mr. Lumpkin thanked Mr. Powers and the staff for their efforts in selling the surplus vehicles.

Commissioner Lumpkin made a motion to approve Resolution 2012-09, Modifications to the Fixed Asset Inventory and Commissioner Sandoval seconded the motion. Roll Call:

Lumpkin	Sandoval	Witcher
Yes	Yes	Yes

City Manager's Report

Mr. Powers reported attending two water meetings with Commissioner Lumpkin. He also attended the North Eastern Regional Planning Organization meeting in Raton.

Mr. Powers also met with Ms. Margaret Hayes who is the engineer working on the Highway 54/Interstate 40 Interchange lighting project. Ms. Hayes proposes to set up four high mast lights to rectify the lighting issues on the ramps and bridge. Mr. Powers stated that there may be enough funding left over to do the wiring project for the lights at First Street.

Mr. Powers reported sending a memo to Departments directing them to call the police in the instance of an unruly person in the parks.

Mr. Powers informed the Commission that he submitted a work order to have Xcel Energy install a light to rectify the lighting deficiency at the Mountain View Apartments. He cautioned that this may be expensive.

Mr. Powers also informed everyone that the application for a new water tank and radio read water meters is ranked number one in the state. The total project is \$1,975,000 which will be 20% loan and 80% grant funded. The loan will be at 2% interest. Mr. Powers stated that a work session may be needed in conjunction with this project.

Commissioner Lumpkin complimented Mr. Powers on all the work he has done. Commissioner Sandoval and Mayor Witcher both thanked Mr. Powers.

Mr. Dysart then gave a financial report. Mr. Dysart stated that the financial report is in the Commissioners packets. He said included is a budget summary which details the changes as a result of the BAR's, a finance summary, a fund summary, and a list of risk items. Mr. Dysart explained that at the end of January, ideally each line item should be at 50% with half the year over.

Mayor Witcher cautioned that we need to be careful since GRT is down.

Mr. Gary Montano interrupted the meeting at this time stating he wants the updated breakdown of the Executive department salaries. Mayor Witcher informed him he can come to City Hall during regular business hours and fill out a public records request for those documents.

Mr. Powers asked Mr. Dysart when the audit is expected back. Mr. Dysart said that the auditor reported continued work on the audit. Due to the health issues Mr. Dysart experienced, the state granted an extension on the submission of the audit.

Mr. Powers also stated that it is time to begin the budget process with the Department Heads.

Mayor Witcher thanked Mr. Dysart for his work.

Bids and Contracts

Ms. Brenda Rivale presented the contract with EMS Billing Services to process ambulance bills. Ms. Rivale stated that she recommends a change in billing services at this time as many changes to Medicare have been recently implemented and our current billing service is not prepared to accommodate the changes. Ms. Rivale added that EMS Billing Services is a national company with a proven track record of high collection rates. Ms. Rivale stated that the current billing service charges the City 7% of what is collected and the new contractor will charge 10% of what is collected, but the new company has a higher collection rate historically. Ms. Rivale stated that when Logan switched to the company they realized a big increase in ambulance revenues.

Commissioner Sandoval made a motion to approve the ambulance billing contract with EMS Billing Services and Commissioner Lumpkin seconded the motion. Roll Call:

Lumpkin	Sandoval	Witcher
Yes	Yes	Yes

Mr. Jaynes then presented the 2011 State Homeland Security Grant. Mr. Jaynes explained that this is a sub-grant agreement for \$70,474 that is fully funded with no match. Mr. Jaynes stated that some of the projects in this grant are to purchase 15-20 computers for local law enforcement personnel within the County, funds for software maintenance, funds for mandatory exercises, to purchase equipment for response and recovery, to purchase police and fire radios, and to conduct public awareness campaigns on emergency preparedness.

Commissioner Sandoval stated that he would like to see funds used to provide advanced training for Ambulance personnel. He also would like to see the emergency notification siren repaired. Mr. Jaynes explained that the siren tower has electrical problems and they have not been able to find someone qualified to work on the tower. Mr. Jaynes explained that a web based emergency notification system is now in place. Commissioner Lumpkin asked if we can find out the cost to fix the siren. Mayor Witcher asked if a new siren can be purchased.

Mr. Gary Montano interrupted the meeting at this time asking Mr. Jaynes to define the exercises that will be funded by the grant. He asked if the exercises will infringe on citizens constitutional rights. Mr. Jaynes responded that constitutional rights will not be infringed upon and explained that the exercises will be designed to train staff to properly use equipment purchased with the grant funds. For example, Mr. Jaynes said a "jaws of life" tool will be purchased and rescuers will be trained on proper use of the equipment on a junk car.

Mr. Powers asked if the projects in this grant are done in coordination with the County and if they are split 50/50 with the County. Mr. Jaynes responded that the City has been the bigger benefactor in this program.

Commissioner Lumpkin made a motion to approve the 2011 State Homeland Security Grant Program and Commissioner Sandoval seconded the motion. Roll Call:

Witcher	Lumpkin	Sandoval
Yes	Yes	Yes

Ms. Jessica Elebario then presented the Four Year Plan and Budget for the Senior Programs. Ms. Elebario explained that this plan is for 2012-2016 and is the re-bid document to keep the Senior Programs in the County. Ms. Elebario stated that with better management, there has been growth in the program. Ms. Elebario explained that transportation services have increased and that since July over 7000 rides have been given. So far this program year, Ms. Elebario said that over 25,000 meals have been served at the three sites and over 10,000 homebound meals have been delivered. Ms. Elebario explained with the aging of the baby boomers, her program continues to grow and need for the services increases. Ms. Elebario stated that she has had requests for transportation services to out of town doctor appointments and she is looking into providing this service.

Commissioner Lumpkin made a motion to approve the Four Year Plan and Budget for the Senior Programs and Commissioner Sandoval seconded the motion. Roll Call:

Witcher	Lumpkin	Sandoval
Yes	Yes	Yes

Ms. Janet Garcia presented the contract for alarm service at the Laboratory with Protection One. Ms. Garcia explained that with the new building, a new alarm system and contract have been drafted and she asked for approval of the contract. Ms. Garcia stated that the monthly fee is the same as in the old lab building.

Commissioner Lumpkin made a motion to approve the contract for alarm service at the Laboratory with Protection One and Commissioner Sandoval seconded the motion. Roll Call:

Lumpkin	Sandoval	Witcher
Yes	Yes	Yes

Ms. Yvette Fazekas then presented the Youth Conservation Corps contract. Ms. Fazekas explained that this project is a ten week project at the Rail Depot where six youth ages 15 to 25 will be hired. Additionally a crew leader age 18 to 25 will be hired. The project will be to install walls, sidewalk, benches and irrigation at the Depot. The program is \$39,200.03 in grant funds and there will be an in-kind match of \$22,387.27.

Commissioner Lumpkin made a motion to approve the Youth Conservation Corps contract and Commissioner Sandoval seconded the motion. Roll Call:

Lumpkin	Sandoval	Witcher
Yes	Yes	Yes

Old Business

Mayor Witcher acknowledged reading the January 19, 2012 minutes of the Cemetery Advisory Board.

Mayor Witcher also acknowledged reading the December 16, 2011 and January 20, 2012 minutes of the Library Advisory Board.

Mayor Witcher stated that he would like to see the El Llano Estacado RC&D due issue tabled until the entire Commission has a chance to consider the issue.

Commissioner Lumpkin made a motion to table the El Llano Estacado RC&D due issue and Commissioner Sandoval seconded the motion. Roll Call:

Sandoval	Witcher	Lumpkin
Yes	Yes	Yes

Items From Commissioners

Commissioner Sandoval thanked those in attendance for coming to the meeting.

Commissioner Lumpkin thanked those in attendance for coming to the meeting. Mr. Lumpkin also thanked the members of the Library and Cemetery Advisory Boards for volunteering their time.

Mayor Witcher thanked those in attendance for taking some of their time to attend the meeting.

Adjournment

Commissioner Lumpkin made a motion to adjourn the meeting and Commissioner Sandoval seconded the motion. Time noted: 7:03 p.m. Roll Call:

Witcher	Lumpkin	Sandoval
Yes	Yes	Yes

Amiel Cumutt, Mayor

ATTEST:

Christine Dougherty, City Clerk