



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 9, 2023
VILLAGE HALL 108 N. MAIN STREET 5:00 PM**

PLEASE SILENCE ALL ELECTRONIC DEVICES

MEMBERS OF THE PUBLIC WHO WISH TO ATTEND AND LISTEN TO THE MEETING VIA ZOOM MAY DO SO AT THE FOLLOWING LINK:

<https://us02web.zoom.us/j/4861155997?pwd=V0V6SERBNVdGNDNPaE1ZdWp1N004UT09>

Meeting ID: 486 115 5997

Passcode: MAGDALENA

-
1. CALL TO ORDER
 2. ROLL CALL
 3. PLEDGE OF ALLEGIANCE
 4. APPROVAL OF AGENDA
 5. APPROVAL OF MINUTES
 - a. REGULAR MEETING - DECEMBER 12, 2022
 - b. SPECIAL MEETING – DECEMBER 30, 2022
 6. APPROVAL OF CASH BALANCE REPORTS
 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. APPROVAL OF APPOINTMENT OF MARSHAL
 12. APPROVAL OF APPOINTMENT OF FIRE CHIEF
 13. DISCUSSION & POSSIBLE DECISION CONCERNING APPROVAL OF RESOLUTION NO. 2023-01, OPEN MEETINGS
 14. DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF RESOLUTION NO. 2023-02, AUTHORIZING LEGISLATIVE APPROPRIATION FUNDING FOR HIRING OF NEW DEPUTY MARSHALS, PROVIDING FOR RECRUITMENT & RETENTION STIPENDS AND REFERRAL FEES

15. DISCUSSION & POSSIBLE DECISION TO PUT OUT A 1997 FORD EXPEDITION 4X4 FOR BID WITH MINIMUM BID SET AS \$800
16. DISCUSSION & POSSIBLE DECISION TO PUT OUT A 1997 CHEVY TAHOE 4X4 FOR BID WITH MINIMUM BID SET AS \$800
17. 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 MATTERS WILL BE DISCUSSED IN CLOSED SESSION:
- a. CLERK/TREASURER
 - b. 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 STATE STATUTES SECTION 10-15-1
18. DISCUSSION & POSSIBLE DECISION TO HIRE VILLAGE CLERK/TREASURER
19. DISCUSSION & POSSIBLE DECISION TO HIRE JOINT UTILITY WORKER
20. PUBLIC INPUT – 1 TOPIC PER PERSON - 3 MINUTE LIMIT
- PUBLIC COMMENT MAY BE MADE IN PERSON OR VIA EMAIL (IF LESS THAN 3 MINUTES). EMAIL COMMENTS MAY BE MADE BY EMAILING COMMENTS TO: clerk@villageofmagdalena.com and/or mayor@villageofmagdalena.com THE DEADLINE FOR WRITTEN PUBLIC COMMENTS TO BE RECEIVED IS MONDAY, JANUARY 9, 2023 AT 12:00 PM. EMAILED PUBLIC COMMENT MUST CONTAIN THE AUTHOR'S NAME AND PHYSICAL ADDRESS AND WILL BE ENTERED AND/OR READ INTO THE MEETING MINUTES.
21. 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 12, 2022, AT 5:00 PM

**MEMBERS OF THE PUBLIC WHO WISH TO ATTEND AND LISTEN TO THE MEETING VIA ZOOM MAY DO SO
AT THE FOLLOWING LINK:**

<https://us02web.zoom.us/j/4861155997?pwd=VOV6SERBNVdGNDNPaE1ZdWp1N004UT09>

Meeting ID: 486 115 5997

Passcode: MAGDALENA

CALL TO ORDER: Mayor Rumpf called the meeting to order at 5:00 p.m.

PRESENT: Mayor Richard Rumpf, Trustee James Nelson, Trustee Clark Brown, Trustee Harvan Conrad, Carleen Gomez–Deputy Clerk, Attorney Kathy Stout

PARTICIPATING VIA ZOOM VIDEO CONFERENCE: Trustee Donna Dawson

ABSENT: None

GUESTS: Collier Nelson - Assistant Clerk, Sandy Julian, Tom McCracken, Diane Tafoya, Manuel Peralta, Bryan Baca, Larry Clark, Michael Zamora, Carol Brackman, Colleen Grayson

Mayor Richard Rumpf led the gallery in reciting the Pledge of Allegiance.

APPROVAL OF AGENDA: Harvan Conrad moved to approve the agenda, as presented. James Nelson seconded the motion. The motion passed unanimously.

APPROVAL OF MINUTES: Jim Nelson moved to approve the minutes of the regular meeting of November 28, 2022, as amended, Harvan Conrad seconded the motion. The motion passed unanimously.

APPROVAL OF CASH BALANCE REPORT: James Nelson moved to approve the cash balance report and Harvan Conrad seconded the motion. The motion carried unanimously.

APPROVAL OF BILLS: Deputy Clerk, Carleen Gomez stated that there were three additional bills. James Nelson moved to approve the bill list with the additions and Harvan Conrad seconded the motion. The motion passed unanimously.

Bill List –

Amin Office of the Courts		\$138.00
Advance Communications		\$1285.88
Beasly, Mitchell & Co.		\$3400.33
City of Socorro		\$894.60
GALL's		\$1350.93
Hall Environmental		\$56.03
Jacob Finch		\$1074.38
Med-Tech Resources		\$160.23

Merchants Automotive group		372.80
Nance, Pato & Stout LLC		\$638.25
National Pen Co., LLC		\$315.39
NM Judicial Education Center		\$69.00
Verizon Wireless		\$890.54
WEX Bank		\$3201.67
Winston's Auto Service		\$163.70
WNM Communication		\$729.62
		SUB TOTAL: \$14,741.35
	ADDITIONAL BILLS	
A-1 Quality Redi Mix		\$1624.95
Public Safety Center		\$125.24
Quill Order		\$205.51
		SUB TOTAL: \$1,955.70
		TOTAL: \$16,697.05

MAYOR'S REPORT: Mayor Rumpf stated that there was nothing to report currently.

CLERK'S REPORT: Deputy Clerk, Carleen Gomez stated that there is an Audit Exit Conference on Dec. 13, 2022, at 3:00pm for the FY2021 Audit.

DEPARTMENT REPORTS:

- a. **EMS:** James Nelson reported five EMS calls for November 2022.
- b. **FIRE:** James Nelson reported one fire call for November 2022.
- c. **MARSHAL:** Submitted a report for council to review and approve.
- d. **JUDGE:** Submitted a report for council to review and approve.
- e. **PUBLIC WORKS:** Submitted a report for council to review and approve.
- f. **LIBRARY:** Submitted a report for council to review and approve.

PUBLIC HEARING – DISCUSSION REGARDING APPROVAL OF ORDINANCE NO. 2022-03, AN ORDINANCE AUTHORIZING THE OPERATION OF RECREATIONAL OFF-HIGHWAY VEHICLES AND ALL-TERRAIN VEHICLES ON PAVED STREETS OWNED AND CONTROLLED BY THE VILLAGE OF MAGDALENA: Bryan Baca stated the only thing he has a problem with is the 10 mph maximum speed on the main streets, he stated that it should be 30 mph like the village speed limits and penalties. State statutes have a stage set up for penalties. Marshal Michael Zamora gave State Statute number 66-3-10.10 3A7 which stated that 10 mph within the Village Limits is what is deemed safe by the State. Mayor stated he is trying to find a happy medium so that everyone can abide by the set rules. Mr. Baca's last remarks were to follow the State Statute, James also strongly agreed with that.

- **MOTION AND ROLL CALL VOTE TO RECESS FROM THE REGULAR MEETING AND TO GO INTO PUBLIC HEARING:** Harvan Conrad moved to adjourn regular session and go into Public Hearing at 5:05 pm. James Nelson seconded the motion. Mayor Rumpf requested a roll call vote:
Clark Brown: Aye
Donna Dawson: Aye

Harvan Conrad: Aye

James Nelson: Aye

The motion carried unanimously.

- **MOTION AND ROLL CALL VOTE TO GO BACK INTO REGULAR SESSION:** Harvan Conrad moved to go back into regular session at 5:24 pm, seconded by James Nelson.

Mayor Rumpf requested a roll call vote:

Clark Brown: Aye

Donna Dawson: Aye

Harvan Conrad: Aye

James Nelson: Aye

The motion carried unanimously.

FINAL CONSIDERATION – DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF ORDINANCE NO. 2022-03, AN ORDINANCE AUTHORIZING THE OPERATION OF RECREATIONAL OFF-HIGHWAY VEHICLES AND ALL-TERRAIN VEHICLES ON PAVED STREETS OWNED AND CONTROLLED BY THE VILLAGE OF MAGDALENA:

Donna moved to postpone the approval of the Ordinance No. 2022-03. The motion died for the lack of a second. Attorney Kathy Stout stated that this can pass with no changes in subject matter. The Trustees decided to wait until changes were made.

Mayor Rumpf called for a roll call vote:

Clark Brown: Aye

Donna Dawson: Nay

Harvan Conrad: Aye

James Nelson: Aye

The motion passed by majority vote.

DISCUSSION & POSSIBLE DECISION REGARDING VALUE OF AMBULANCE BEING AT OR BELOW \$2500 AND METHOD OF DISPOSITION: Mayor Rumpf stated that the ambulance needs the rear end fixed. Harvan Conrad moved to approve the \$2500 value and preferred bid. James Nelson seconded the motion

Mayor Rumpf called for a roll call vote:

Clark Brown: Aye

Donna Dawson: Aye

Harvan Conrad: Aye

James Nelson: Aye

The motion carried unanimously.

DISCUSSION & POSSIBLE DECISION REGARDING WHETHER TO SELL FREIGHTLINER TRASH TRUCK AND METHOD OF DISPOSITION: Harvan Conrad moved to approve to sell the freightliner trash truck. James Nelson seconded the motion.

Mayor Rumpf called for a roll call vote:

Clark Brown: Aye

Donna Dawson: Aye

Harvan Conrad: Aye

James Nelson: Aye

The motion carried unanimously.

DISCUSSION & POSSIBLE DECISION REGARDING THE TRANSFER OF A 1997 FORD EXPEDITION FROM THE MAGDALENA VOLUNTEER FIRE DEPARTMENT TO THE VILLAGE OF MAGDALENA UTILITY DEPARTMENT:

Harvan Conrad moved to postpone the item until the next meeting. James Nelson seconded the motion. The motion carried unanimously.

DISCUSSION & POSSIBLE DECISION TO CANCEL OR RESCHEDULE DECEMBER 26, 2022, REGULAR COUNCIL MEETING: Donna Dawson requested the meeting to be rescheduled to Dec. 26. The motion failed for the lack of a second. James Nelson moved to approve to cancel the meeting, and Clark Brown seconded the motion.

Mayor Rumpf called for a roll call vote:

Clark Brown: Aye

Donna Dawson: Nay

Harvan Conrad: Aye

James Nelson: Aye

The motion passed by majority vote.

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 MATTERS WILL BE DISCUSSED IN CLOSED SESSION:

a. **JOINT UTILITY WORKER**

b. **ASSISTANT CLERK**

- **MOTION & ROLL CALL VOTE TO RETURN TO REGULAR SESSION:** James Nelson moved to go into Executive Session at 5:43 pm. Harvan Conrad seconded the motion.

Mayor Rumpf requested a roll call vote:

Clark Brown: Aye

Donna Dawson: Aye

Harvan Conrad: Aye

James Nelson: Aye

The motion carried unanimously.

- **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 STATE STATUTES SECTION 10-15-1:** Donna Dawson moved to enter back into regular session at 5:55 pm and certified that the only items discussed were the items on the agenda and no decisions were made. Harvan Conrad seconded the motion.

DISCUSSION & POSSIBLE DECISION TO POST JOINT UTILITY WORKER POSITION: Harvan Conrad moved to post the Joint Utility Worker position. James Nelson seconded the motion. The motion passed unanimously.

DISCUSSION & POSSIBLE DECISION TO GIVE ASSISTANT CLERK A PAY INCREASE: Donna Dawson moved to approve a pay increase of \$1.00 per hour for the Assistant Clerk. Harvan Conrad seconded the motion.

Mayor Rumpf requested a roll call vote:

Clark Brown: Aye

Donna Dawson: Aye

Harvan Conrad: Aye

James Nelson: Aye

The motion carried unanimously.

PUBLIC INPUT – 1 TOPIC PER PERSON - 3 MINUTE LIMIT OF PUBLIC COMMENT MAY BE MADE IN PERSON OR VIA EMAIL (IF LESS THAN 3 MINUTES). EMAIL COMMENTS MAY BE MADE BY EMAILING COMMENTS TO: clerk@villageofmagdalena.com and/or mayor@villageofmagdalena.com THE DEADLINE FOR WRITTEN PUBLIC COMMENTS TO BE RECEIVED IS MONDAY, DECEMBER 12, 2022 AT 12:00 PM. EMAILED PUBLIC COMMENT MUST CONTAIN THE AUTHOR’S NAME AND PHYSICAL ADDRESS AND WILL BE ENTERED AND/OR READ INTO THE MEETING MINUTES. No public input was given.

ADJOURNMENT: Clark Brown moved to adjourn the meeting at 5:57 pm. Donna Dawson seconded the motion. The motion passed unanimously.

Respectfully Submitted,

Carleen Gomez, CMC
Deputy Clerk

Richard Rumpf
Mayor

Minutes taken by:

Collier Nelson
Assistant Clerk

DRAFT

NOTICE OF SPECIAL MEETING OF THE VILLAGE OF MAGDALENA BOARD OF TRUSTEES

FRIDAY, DECEMBER 30, 2022

**MEMBERS OF THE PUBLIC WHO WISH TO ATTEND AND LISTEN TO THE MEETING VIA ZOOM MAY DO SO
AT THE FOLLOWING LINK:**

<https://us02web.zoom.us/j/4861155997?pwd=V0V6SERBNVdGNDNPaE1ZdWp1N004UT09>

Meeting ID: 486 115 5997

Passcode: MAGDALENA

CALL TO ORDER: Mayor Rumpf called the meeting to order at 5:00 p.m.

PRESENT: Mayor Richard Rumpf, Trustee James Nelson, Trustee Clark Brown, Trustee Harvan Conrad, Carleen Gomez—Deputy Clerk.

PARTICIPATING VIA ZOOM VIDEO CONFERENCE: Trustee Donna Dawson, Attorney Kathy Stout and John Larson

ABSENT: Collier Nelson - Assistant Clerk

GUESTS: Lieutenant Brian Waterman, Deputy Pauletta Monte, and Marshal Michael Zamora

Lieutenant Brian Waterman led the gallery in reciting the Pledge of Allegiance.

APPROVAL OF AGENDA: Harvan Conrad moved to approve the agenda, as presented. James Nelson seconded the motion. The motion passed unanimously.

DISCUSSION & POSSIBLE DECISION REGARDING ACCEPTANCE OF LAW ENFORCEMENT GRANT FROM THE NEW MEXICO DEPARTMENT OF FINANCE & ADMINISTRATION – APPROPRIATION NUMBER 22-ZG1016-42:

Harvan Conrad moved to accept the Law Enforcement Grant from the NM Department of Finance & Administration. Donna Dawson seconded the motion.

Mayor Rumpf requested a roll call vote:

Clark Brown: Aye

Donna Dawson: Aye

Harvan Conrad: Aye

James Nelson: Aye

The motion carried unanimously.

The Mayor stated that we will be receiving a three year Law Enforcement Grant for salaries, bonuses, retention and moving expenses of \$281,250.00. Marshal Zamora stated that his department is willing to sign contracts.

DISCUSSION & POSSIBLE DECISION REGARDING THE TRANSFER OF A 2016 CHEVROLET SILVERADO FROM THE MAGDALENA MARSHAL'S DEPARTMENT TO THE MAGDALENA VOLUNTEER FIRE DEPARTMENT:

Donna Dawson moved to transfer the 2016 Chevrolet Silverado from the Marshal's Department to the Fire Department. Harvan Conrad seconded the motion. Mayor Rumpf stated that \$15k was offered by the Fire Department and he apologizes because there is still value in that vehicle with some depreciation. The Fire Department is willing to reimburse the Law Enforcement fund.

Mayor Rumpf requested a roll call vote:
Clark Brown: Aye
Donna Dawson: Aye
Harvan Conrad: Aye
James Nelson: Aye
The motion carried unanimously.

DISCUSSION & POSSIBLE DECISION REGARDING THE PURCHASE OF TWO NEW VEHICLES FOR THE JOINT UTILITY DEPARTMENT USING AMERICAN RESCUE FUND ACT (ARPA) FUNDING: Harvan Conrad moved to purchase the two new vehicles for the Joint Utility Department with ARPA Funding. Clark Brown seconded the motion.

Mayor Rumpf requested a roll call vote:
Clark Brown: Aye
Donna Dawson: Aye
Harvan Conrad: Aye
James Nelson: Aye
The motion carried unanimously.

Mayor Rumpf stated that the ARPA Fund Balance is \$128,628.26. Mayor Rumpf stated that the current trucks need extensive work. Mayor also stated that they will look at buying out the current 2017 Ford 250 lease.

DISCUSSION & POSSIBLE DECISION TO PLACE OLD JOINT UTILITY VEHICLES OUT FOR BIDS: James Nelson moved to place the joint utility vehicles out for bid. Clark Brown seconded the motion. Mayor Rumpf stated that he would recommend the minimum bid for the next meeting. Donna Dawson stated to do two now and two later. Mayor Rumpf stated that the white Chevy should be at \$500.00, the Gray Ford at \$500.00, the Expedition at \$800.00 and the Tahoe at \$800.00. Mayor Rumpf also stated that the new Ford vehicles will be here on Wednesday, January 4, 2023. James Nelson was wanting to know if these bids were advertised on MagEBoard and Mayor Rumpf stated that they will be.

PUBLIC INPUT – 1 TOPIC PER PERSON - 3 MINUTE LIMIT OF PUBLIC COMMENT MAY BE MADE IN PERSON OR VIA EMAIL (IF LESS THAN 3 MINUTES). EMAIL COMMENTS MAY BE MADE BY EMAILING COMMENTS TO: clerk@villageofmagdalena.com and/or mayor@villageofmagdalena.com THE DEADLINE FOR WRITTEN PUBLIC COMMENTS TO BE RECEIVED IS FRIDAY, DECEMBER 30, 2022 AT 12:00 PM. EMAILED PUBLIC COMMENT MUST CONTAIN THE AUTHOR'S NAME AND PHYSICAL ADDRESS AND WILL BE ENTERED AND/OR READ INTO THE MEETING MINUTES. No public input was given.

ADJOURNMENT: Donna Dawson moved to adjourn the meeting at 5:18 pm. Clark Brown seconded the motion. The motion passed unanimously.

Respectfully Submitted,

Carleen Gomez, CMC
Deputy Clerk

Richard Rumpf
Mayor

Minutes taken by:
Collier Nelson, Assistant Clerk

Carleen Gomez

From: James Nelson
Sent: Wednesday, January 4, 2023 11:27 AM
To: Carleen Gomez
Subject: RE: Department Reports Due

16 EMS calls in December.

From: Carleen Gomez <cgomez@villageofmagdalena.com>
Sent: Wednesday, January 04, 2023 8:49 AM
To: Ezekiel Gomez <egomez@villageofmagdalena.com>; Michael Zamora <marshal@villageofmagdalena.com>; Ivy Stover <library@villageofmagdalena.com>; MVFD Chief <magvfdchief@gmail.com>; James Nelson <jcnelson@villageofmagdalena.com>
Cc: Richard Rumpf <mayor@villageofmagdalena.com>
Subject: Department Reports Due

This is a reminder that Department Reports are due by this Friday, January 6, 2023, preferably by Noon. Please let me know if you have any questions.

Thank You,

Carleen Gomez, CMC

Deputy Clerk/Court Clerk
Village of Magdalena
Ph (575)854-2261
www.villageofmagdalena.com



CONFIDENTIALITY NOTICE: The contents of this **email** message and any attachments are intended solely for the addressee(s) and may contain **confidential** and/or privileged information and may be legally protected from disclosure.

MAGDALENA MARSHAL DEPARTMENT
MONTHLY VEHICLE EXPENDITURE REPORT
 For the month of : DEC Year: 2022

License Number: _____
 Make and Model: FORD E XP 2021

Report due in NO LATER THAN THE 10th OF THE MONTH								
Date	Beginning Mileage	Ending Mileage	Miles Traveled	Fuel Gallons	Amount	Motor Oil Quarts	Amount	Maintenance Section
1								01 Chassis Maintenance
2								02 Electrical Maintenance
3								03 Engine Maintenance
4								04 General Supplies
5	4058	4167	109	8.3	27.4			05 Interior Maintenance
6								06 Lubrication
7								07 Miscellaneous
8								09 Tire Purchase
9								10 Tire Repair 15
10								11 Wash and Wax
11								(Attach Copy of Invoices)
12								Invoice No.: _____ Amt.\$ _____
13								10
14	4167	4448	281	19.4	64.15			Invoice No.: _____ Amt.\$ _____
15								Date _____
16								Invoice No.: _____ Amt.\$ _____
17								Code: _____ Date: _____
18								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	4448	4619	171	18.3	58.85			
Totals			561	46	150.4			

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

Signature:  Title: MARSHAL

Magdalena Marshal's Office

Monthly Report	<u>Month: Dec</u>	<u>Year: 2022</u>
Marshal Zamora	ID#:Mag-1	
Total Miles Driven:		
<u>GENERAL CALLS:</u>	<u>AMOUNT</u>	<u>REVENUE</u>
TRAFFIC CITATIONS: Village Ordinances	6	424
TRAFFIC CITATIONS: State Statutes		
CRIMINAL CITATIONS		
ANIMAL CONTROL CITATIONS		
TRAFFIC ACCIDENTS		
D.W.I. ARRESTS		
FELONY ARRESTS		
MISDEMEANOR ARRESTS		
12 HOUR HOLD ARREST		
CRIMINAL INVESTIGATIONS	5	
JUVENILE CASES		
DOMESTIC CASES		
CRIMINAL DAMAGE / PROPERTY		
<u>ASSISTANCE CALLS:</u>		
AMBULANCE/FIRE		
PUBLIC SERVICE	10	
NM STATE POLICE		
SHERIFF'S OFFICE		
NM FISH & GAME		
US BORDER PATROL		
US FOREST SERVICE		
<u>OTHER:</u>		
ALARM CALLS		
FINGERPRINTING		
Driving Tests		
Misc. Cases	10	
<u>TOTALS:</u>	31	424

Magdalena Marshal's Office

Monthly Report	<u>Month: December</u>	<u>Year: 2022</u>
	ID# Mag 2	Dodge Ram
Total Miles Driven:		
<u>GENERAL CALLS:</u>	<u>AMOUNT</u>	<u>REVENUE</u>
TRAFFIC CITATIONS: Village Ordinances	70	\$3,780
TRAFFIC CITATIONS: State Statutes	3	0
CRIMINAL CITATIONS	3	0
ANIMAL CONTROL CITATIONS	0	
TRAFFIC ACCIDENTS	0	
D.W.I. ARRESTS	0	
FELONY ARRESTS	0	
MISDEMEANOR ARRESTS	3	
12 HOUR HOLD ARREST	0	
CRIMINAL INVESTIGATIONS	0	
JUVENILE CASES	0	
DOMESTIC CASES	0	
CRIMINAL DAMAGE / PROPERTY	0	
<u>ASSISTANCE CALLS:</u>		
AMBULANCE/FIRE	4	
PUBLIC SERVICE	3	
NM STATE POLICE	2	
SHERIFF'S OFFICE	0	
NM GAME & FISH	0	
NM LIVESTOCK BOARD	0	
US BORDER PATROL	0	
US FOREST SERVICE	0	
<u>OTHER:</u>	0	
ALARM CALLS	0	
FINGERPRINTING	0	
Driving Tests	0	
Misc. Cases	0	
TOTALS:	79	\$3,780

MAGDALENA MARSHAL DEPARTMENT
MONTHLY VEHICLE EXPENDITURE REPORT
 For the month of : December Year: 2022

License Number: 11d, 31 G
 Make and Model: DODGE RAM

Report due in NO LATER THAN THE 10th OF THE MONTH								
Date	Beginning Mileage	Ending Mileage	Miles Traveled	Fuel Gallons	Amount	Motor Oil Quarts	Amount	Maintenance Section
1								01 Chassis Maintenance
2	825			17.58	58			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		920	95	17.59	58.04			10
14								Invoice No.: _____ Amt.\$ _____
15								Date _____
16	1043		123	18.18	60			Invoice No.: _____ Amt.\$ _____
17								Code: _____ Date: _____
18								Invoice No.: _____ Amt.\$ _____
19								Code: _____ Date: _____
20								Invoice No.: _____ Amt.\$ _____
21								Code: _____ Date: _____
22								Invoice No.: _____ Amt.\$ _____
23		1147	104	20.09	60.25			Code: _____ Date: _____
24								Invoice No.: _____ Amt.\$ _____
25								Code: _____ Date: _____
26								Invoice No.: _____ Amt.\$ _____
27								Code: _____ Date: _____
28								Invoice No.: _____ Amt.\$ _____
29	1224		77	17	\$54.38			Code: _____ Date: _____
30								Invoice No.: _____ Amt.\$ _____
31		1299	75	15.94	51			
Totals	3092	3366	474	106.38	290.67			

I certify that the above is correct to the best of my knowledge.
Signature: _____ **Title:** _____



December 2022 Utilities Report

- 1) Daily well rounds and screen cleaning
- 2) Doing our best with the washouts and potholes on side streets.
- 3) Worked on Trujillo well cleaning it out and power washing the outside to get ready for painting and fixed the walls that had been breaking down over the years and chipped out old flooring to patch the floors and paint.
- 4) Fixed water line at Judy Holcomb's place.
- 5) Fixed main waterline break on highway 60 by ax propane.
- 6) Fixed road to Trujillo well
- 7) Did water samples and monitor wells.
- 8) Did food and toy give out
- 9) Worked on calls for leaks and broken water lines
- 10) Fixed broken pipe on chlorine line injectors installed new fitting's and ball valve.

Librarian's Report December 2022

Days Open	18 (122 hours)	# of Volunteers	5
Days Closed	5 (see below)	Volunteer Hours	38
Total Visitors	218		
Museum Visitors	9	New Library Cards	2

Events:

Number of Events:	8	Attendance:	81
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Date:		# of People:
12/1/2022	FOL Meeting	4 adults
12/2/2022	Code Club	5 kids + 1 adult
12/3/2022	Arts & Crafts Show	26 craft kits given out
12/9/2022	Code Club	9 kids + 1 adult
12/15/2022	PreK Visit	5 kids + 2 adults
12/16/2022	Code Club	9 kids + 1 adult
12/17/2022	Santa Claus at the Library	6 kids + 11 adults
12/29/2022	Kwanzaa Celebration	3 adults

Circulation

PHYSICAL		DIGITAL	
# of Books	92	# of eBooks	45
# of Books on CD	13	# of Online Audio	33
# of DVDs	43		
Total Physical	148 (21 kids)	Total Digital	78 (3 kids)
Total Circulation	226		
ILL Processed	5 Requested, 1 Received, 3 Returned		

Computers/Wi-Fi

# Computer Sign ins	7 + 26 Code Club = 33
Total Unique Wi-Fi Devices	109
Avg. # Wi-Fi Devices per day	20
Avg. Data Usage per Device	2.74 GB

Other:

The library closed 12/3/22 so I could have a table at the Arts & Crafts Show that day. I had free craft kits to make or take home and gave out all 26. I also considered it an outreach opportunity, because I gave out information about the library.

Holiday Closures: 12/23 & 12/24 for Christmas Eve and Christmas Day; 12/31 for New Year's Eve.

The library closed 12/30/22 and 1/3/2022 because I was out sick.

Ongoing programs such as Code Club and PreK are continuing and going well.

GO Bond Purchases:

I purchased more materials for the Cricut machine. I'm intending on having an event in January about how to use the Cricut and to promote its availability. I also purchased a letter sized laminator and laminate pouches for patron use. Lastly, I purchased a receipt printer and receipt paper for circulation. Now when someone checks out materials, I can give them the receipt with everything they have checked out on it. It also adds up how much they saved by using the library instead of buying the items themselves.

Normally, to request reimbursement for GO Bond purchases, I include a copy of the checks, but since all the items were purchased with the card, I had to wait for the credit card statement from Wells Fargo instead. I just got that 1/4/22, and will be submitting it for reimbursement shortly. I expect to have the reimbursement by the end of the month; first meeting in February at the latest.

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



RESOLUTION № 2023-01

OPEN MEETINGS

WHEREAS, the Village of Magdalena Board of Trustees met upon notice of a duly published meeting at 5:00 P.M. on January 9, 2023 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. 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. 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, 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 closed meeting shall be made by vote of the Board of Trustees in an open public meeting.
9. A member of the Board of County Commissioners 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. Effort will be made to provide virtual access to meetings via Zoom. 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 5 minutes) by emailing comments to: clerk@villageofmagdalena.com. The deadline for written public comments to be received is 5:00 pm the Friday prior to the meeting. Emailed public comment must contain the author's name and physical address.

APPROVED, ADOPTED, AND PASSED on this 9th day of January 2023.

Mayor Richard Rumpf

Attest:

Carleen Gomez
Deputy Clerk



RESOLUTION 2023-02

AUTHORIZING LEGISLATIVE APPROPRIATION FUNDING FOR HIRING OF NEW DEPUTY MARSHALS, PROVIDING FOR RECRUITMENT & RETENTION STIPENDS AND REFERRAL FEES

WHEREAS, the Board of Trustees for the Village of Magdalena met upon notice of a duly published regular business meeting January 9, 2023, at 5:00 P.M. at Village Hall, 108 N. Main Street, Magdalena, New Mexico 87825, and,

WHEREAS, NMSA 1978, Section 3-18-1 (1972) provides that municipalities have the power to “protect generally the property of its municipality and its inhabitants” and to “preserve peace and order”; and,

WHEREAS, NMSA 1978, Section 3-17-1 *et seq.* (1990) provides that municipalities may adopt laws not inconsistent with the laws of New Mexico for the purpose of providing for the safety, preserving the health, promoting the prosperity and improving the morals, order, comfort and convenience of the municipality and its inhabitants; and,

WHEREAS, Michael Zamora is the duly appointed Marshal of the Village of Magdalena with the authority to appoint and direct deputies pursuant to NMSA 1978, Section 4-41-5 (1975) to perform the duties of said office; and,

WHEREAS, NMSA 1978 Section 3-12-3 (A)(8) provides that municipal governing bodies prescribe the compensation and fees to be paid municipal officers and employees; and,

WHEREAS, NMSA 1978, Section 3-13-4 provides that any municipality may establish by ordinance a merit system for the hiring, promotion, discharge and general regulation of municipal employees; and,

WHEREAS, the Board has adopted a merit system ordinance, the Village of Magdalena Personnel Policy; and,

WHEREAS, Article IV, Section 27; [n]o law shall be enacted giving any extra compensation to any public officer, servant, agent or contractor after services are rendered or contract made; nor shall the compensation of any officer be increased or diminished during his term of office, except otherwise provided in this constitution; and,

WHEREAS, the NM Attorney General's Opinion dated June 4, 2004, explains that while retroactive "bonuses" are unconstitutional, the constitution does not preclude a public employer from considering its employees' past performance and years of service when deciding how to compensate them, as long as the employees are paid in return for future services; and,

WHEREAS, according to a 2020 survey by the National Police Foundation, 86% of departments reported a staffing shortage and the Magdalena Marshal's Office has experienced this shortage; and,

WHEREAS, the 52nd Legislature during the 2022 Regular Session passed HB 68, signed into law by the Governor, establishes the "law enforcement training and recruiting fund" and states that "the department of finance and administration shall establish a program to distribute funds for local law enforcement agencies to provide recruitment and retention stipends to law enforcement officers;" and,

WHEREAS, HB 68 provides that "[t]he program shall also establish appropriate guidelines on the use of those funds, including recruitment and retention stipends that may be distributed to:

- A. a person who is not certified as a law enforcement officer pursuant to the Law Enforcement Training Act upon employment with a law enforcement agency; provided that the recipient successfully obtains such certification;
- B. a person who is certified as a law enforcement officer pursuant to the Law Enforcement Training Act upon employment with a law enforcement agency; provided that the recipient remains employed with that agency for three months; and
- C. a person who is certified as a law enforcement officer pursuant to the Law Enforcement Training Act currently employed by a law enforcement agency; provided that the law enforcement officer remains employed with that law enforcement officer's current agency for one additional year;" and,

WHEREAS, the Village of Magdalena received Appropriation #22-ZG1016-42 in the amount of \$281,250.00 of which \$112,500 must be spent by June 30, 2023; and,

WHEREAS, Magdalena is a wonderful place to live, work and raise a family, and in recognition of that the Marshal and Board of Trustees believe a hiring providing a hiring incentive pay program will attract new employees to be members of the community and serve the public; and

WHEREAS, this resolution is adopted to establish a program for the use of the HB 68 Funding.

NOW THEREFORE, be it resolved by the Board of Trustees that the following is the Village of Magdalena's Law Enforcement Recruitment & Retaining Program subject to compliance with Department of Finance Regulations:

I. RETENTION BONUS

\$15,000 may be used for retention bonuses.

II. NEW HIRE BONUS

- A. \$2,000 for a person who is not certified as a law enforcement officer pursuant to the Law Enforcement Training Act upon employment with the Marshal's Office provided that the recipient successfully obtains such certification and remains employed with the Marshal's Office for one year.
- B. \$4,000 for a person who is certified as a law enforcement officer pursuant to the Law Enforcement Training Act upon employment with the Marshal's Office provided that the recipient remains employed with the Marshal's Office for one year.
- C. Each employee hired and that received a hiring bonus pursuant to House Bill 68 is required to return the funds in the event he or she does not complete one year of employment with the Marshal's Office.

III. REFERRAL STIPEND

Each law enforcement officer who refers an individual to the Marshal's Office who is hired will receive up to \$2,000 for a referral bonus.

IV. PAY RAISE

Up to \$5.00 an hour to existing wages not to exceed \$31,200.00 is authorized.

V. RECRUITMENT

\$42,000 may be used to market vacant positions, attendance at hiring fairs, and other personnel expenses including housing and moving expenses as may be allowed by Department of Finance and Administration regulations.

VI. RETENTION STIPEND.

Any funds not expended pursuant to the above sections by May 30, 2023, shall be authorized for retention stipends as follows.

- A. An amount, to be determined by the Marshal and this Board, will be authorized for each deputy who is certified as a law enforcement officer pursuant to the Law

Enforcement Training Act currently employed by the Marshal's Office, provided that the deputy remains employed with that the Marshal's Office for one additional year.

- B. Each employee hired and receiving a hiring bonus pursuant to House Bill 68 is required to return the funds in the event he or she does not complete one year of employment with the Marshal's Office.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Board of County Commissioners that sections I, II, III, V and VI of this program will end on June 30th, 2023.

PASSED, APPROVED AND RESOLVED THIS 9th DAY OF JANUARY 2023.

Richard Rumpf, Mayor

Attested:

Carleen Gomez, Deputy Clerk