



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, JUNE 12, 2023, AT 5:00 PM
VILLAGE HALL 108 N. MAIN STREET

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 – MAY 22, 2023**
 6. **APPROVAL OF CASH BALANCE REPORT**
 7. **APPROVAL OF BILLS**
 8. **MAYOR'S REPORT**
 - a. **DISCUSSION & POSSIBLE DECISION REGARDING SIGNING OF PFAS COST RECOVERY AGREEMENT**
 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 RESOLUTION NO. 2023-10, NOTICE TO THE COUNTY CLERK OF THE 2023 MUNICIPAL ELECTIONS**
 12. **DISCUSSION & POSSIBLE DECISION REGARDING RESOLUTION NO. 2023-11, ADOPTING A TRAVEL POLICY RELATING TO THE REIMBURSEMENT AND TRAVEL FOR PER DIEM AND MILEAGE EXPENSES FOR PUBLIC OFFICERS AND EMPLOYEES OF THE VILLAGE WHILE ON OFFICIAL VILLAGE BUSINESS**
 13. **DISCUSSION & POSSIBLE DECISION REGARDING ACCEPTANCE OF RESIGNATION FROM VILLAGE ATTORNEY KATHY STOUT WITH NANCE, PATO & STOUT, LLC**

14. DISCUSSION & POSSIBLE DECISION REGARDING POSTING AN ADVERTISEMENT FOR A VILLAGE ATTORNEY

15. DISCUSSION & POSSIBLE DECISION REGARDING MAGDALENA MARSHAL'S OFFICE REQUEST FOR LAW ENFORCEMENT RECRUITMENT & RETENTION FUNDS

16. 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. NMSA 10-15-1(H)(2) LIMITED PERSONNEL MATTERS

- i. LIBRARIAN/MUSEUM DIRECTOR**
- ii. SENIOR CENTER SITE MANAGER/COOK**
- iii. SENIOR CENTER COOK/DRIVER**

- 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**

17. DISCUSSION & POSSIBLE DECISION TO HIRE LIBRARIAN/MUSEUM DIRECTOR

18. DISCUSSION & POSSIBLE DECISION TO HIRE MAGDALENA SENIOR CENTER SITE MANAGER/COOK

19. DISCUSSION & POSSIBLE DECISION TO HIRE MAGDALENA SENIOR CENTER COOK/DRIVER

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, JUNE 12, 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, MAY 22, 2023, AT 5:00 PM
VILLAGE HALL - 108 N. MAIN STREET
MAGDALENA, NM 87825**

**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 5:08 p.m.

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

PARTICIPATING VIA ZOOM VIDEO CONFERENCE: Trustee Donna Dawson

ABSENT: None

GUESTS: Collier Nelson - Assistant Clerk, Susan Slagter, Cara Snyder, and Hills Snyder

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

APPROVAL OF AGENDA: Donna Dawson moved to approve the agenda, and Harvan Conrad seconded the motion. The motion carried unanimously.

APPROVAL OF MINUTES

- a. **REGULAR MEETING – MAY 8, 2023:** Donna Dawson moved to approve the minutes, and James Nelson seconded the motion. The motion carried unanimously.
- b. **SPECIAL BUDGET WORK SESSION – MAY 16, 2023:** Harvan Conrad moved to approve the minutes of the Special Budget Work Session, and Donna Dawson seconded the motion. The motion carried unanimously.

APPROVAL OF CASH BALANCE REPORT: Donna Dawson moved to approve of Cash Balance Report, and Harvan Conrad seconded the motion. The motion carried unanimously.

APPROVAL OF BILLS: Donna Dawson moved to approve the Bills with additions, and Clark Brown seconded the motion. The motion carried unanimously.

BILL LIST

Bohannan-Huston Inc.		\$735.396
Central Region Educational		\$202.03
Konica Minolta		\$394.08
MES-ARIZONA		\$106,082.63
O'Reilly Auto Parts		\$19.99
Quick & Easy Tire & Lube		\$548.20

Quill Order		\$1,617.30
RAK's Building Supply		\$288.86
Socorro Electric Coop		\$3,578.10
Tyler Technologies		\$357.95
		Sub-Total: \$113,824.53
	ADDITIONS	
Williams Windmill		\$55.10
Acosta Equipment		\$526.36
Ingram		\$44.19
NM Tractor Sales		\$187.09
MHQ of NM		\$1,194.00
		Sub-Total: \$2,006.74
		TOTAL: \$115,831.27

MAYOR'S REPORT: Mayor Richard Rumpf stated that he had a meeting with Triple Aging in Belen, NM concerning the Senior Center, there they discussed the budget, and found out that it was over by \$27,000.00. During the meeting, Mayor Rumpf reminded them that this is a new center, he stated that there is a new grant that we will be able to buy Farmer's Market fruits and vegetables from. He stated that this was a positive and productive meeting. He also got to talk with Socorro County Commissioner Ray Martinez and shared ideas about fundraisers for the Senior Center. As far as the center goes, the Village's utility workers have been painting and striping and waxing floors. Realistically, we are planning to open the center on July 1st with employees and getting everything moving forward. Rose Wilburn will help us get started. The Mayor stated that on Thursday he will be attending a meeting in Williamsburg, NM with the NMDOT to represent Magdalena for the TPF Road Grants for Kelly Road and Tenth Street. Also, an ATV side-by-side is going to be donated for the Airport, 100% funded by the Department of Transportation. Lastly, applications for the new Librarian and Senior Center positions are starting to come in and are being reviewed and interviews are being scheduled.

CLERK'S REPORT: No report was given.

DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF FISCAL YEAR 2024 INTERIM BUDGET: Michael Steinger stated that all changes were made to the budget that were discussed at the work session but it does not include the new senior center budget information. That information can be rolled into the final budget. The Mayor stated that the county has pledged \$6,000.00 and the Village of Magdalena, \$6000.00 as well. The Village Board thanked Michael Steinger for all the hard work he has put into the budget.

Donna Dawson moved to approve the Fiscal Year 2024 Interim Budget, and Clark Brown seconded the motion. Mayor Rumpf requested a Roll Call Vote:

- James Nelson: Aye
- Harvan Conrad: Aye
- Donna Dawson: Aye
- Clark Brown: Aye

The motion carried unanimously.

DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL TO APPLY FOR ENABLE LOCAL GOVERNMENT PLANNING FUND FOR WASTEWATER SYSTEM IMPROVEMENTS: Mayor Rumpf stated that there is money to survey all the sewer clay pipes with no charge to the Village, and money can be applied for, for the engineering costs. Trustee James Nelson moved to approve the request to apply for the Enable Local Government Planning Fund for Wastewater System Improvements, and Harvan Conrad seconded the motion. The motion carried unanimously.

DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL TO APPLY FOR NMFA LOAN FOR 2023 FORD F-150 POLICE RESPONDER 4WD: Mayor Rumpf stated that this will be paid with the Law Enforcement Protection Funds (LEPF). He stated that we would like to put about \$50K down to lower payments and the life of the loan. He stated that the Marshal's Department is looking to retire the old gray Ford Expedition.

Donna Dawson moved to approve the applying for an NMFA Loan for a 2023 Ford F-150 Police Responder 4WD, and Clark Brown seconded the motion.

Mayor Rumpf requested a Roll Call Vote:

James Nelson: Aye
Harvan Conrad: Aye
Donna Dawson: Aye
Clark Brown: Aye

The motion carried unanimously.

DISCUSSION & POSSIBLE DECISION REGARDING APPROVAL OF RESOLUTION NO. 2023-09, AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED APPLICATION FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO THE NEW MEXICO FINANCE AUTHORITY: Donna Dawson moved to approve Resolution No. 2023-09, authoring and approving submission of a completed application for financial assistant and project approval to the New Mexico Finance Authority, and James Nelson seconded the motion.

Mayor Rumpf requested a Roll Call Vote:

James Nelson: Aye
Harvan Conrad: Aye
Donna Dawson: Aye
Clark Brown: Aye

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:

Donna Dawson moved to go into Executive Session at 5:27 p.m., and Harvan Conrad seconded the motion.

Mayor Rumpf requested a Roll Call Vote:

James Nelson: Aye
Harvan Conrad: Aye
Donna Dawson: Aye
Clark Brown: Aye

The motion carried unanimously.

a. **CLERK/TREASURER**

• **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 moved to return to Regular Session at 5:35 p.m., and Harvan Conrad seconded the motion. Mayor Rumpf requested a Roll Call Vote:

James Nelson: Aye
Harvan Conrad: Aye
Donna Dawson: Aye
Clark Brown: Aye

The motion carried unanimously.

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, MAY 22, 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

Mr. Hills Synder voiced his concerns about the proposed communications tower and asked why we need another tower if we already have one. Mayor Richard Rumpf stated that this is T- Mobile expanding their network. He stated that the Village is against building another tower because Magdalena is a historic district. The public can write a letter to the FCC and the Village can provide information if needed. This opposition letter states that the project will be an eye sore, this is bad for the view of the mountains and will affect tourism aspects of the Village. Mr. Hills Snyder thanked the Mayor and Board of Trustees for protesting the issue.

ADJOURNMENT: Donna Dawson moved to adjourn the meeting at 5:46 p.m., and Clark Brown seconded. The motion carried unanimously.

Respectfully Submitted,

Carleen Gomez, CMC
Deputy Clerk

Richard Rumpf
Mayor

Minutes taken by:

Collier Nelson
Assistant Clerk

From: Bill Conner <Bill@nmrwa.org>

Sent: Tuesday, May 30, 2023 4:50 PM

To: Richard Rumpf <mayor@villageofmagdalena.com>

Subject: Urgent: Legal Action Required in Response to Kidde Fenwal Bankruptcy



NEW MEXICO RURAL WATER ASSOCIATION

Dear Rural Water Member,

I hope this email finds you well amidst the challenges we are all facing in these unprecedented times.

I am writing to you with a critical update that requires immediate attention and action. The company, Kidde Fenwal, a well-known manufacturer of fire protection and suppression systems, has recently filed for bankruptcy.

Kidde Fenwal has been associated with the use and disposal of per- and polyfluoroalkyl substances (PFAS), resulting in significant contamination to water supplies across the U.S. The water system's potential liability and cost to clean up PFAS contamination will be substantial. Many water systems may have a legitimate claim against Kidde Fenwal for contributing to this situation.

Due to the bankruptcy filing, the process and timeline for lodging claims against Kidde Fenwal will approach quickly. Bankruptcy proceedings often involve establishing a deadline by which all claims against the bankrupt entity must be filed. Once this "bar date" is established, no late claims will be entertained. **We recommend you register with the NRWA firm Napoli Shkolnik at this link: <https://www.napolilaw.com/nrwa-pfa>**

By signing up, your water systems will be eligible to recover current and future costs associated with the multidistrict litigation, not just the Kidde Fenwal bankruptcy.

It is important that your water system secures legal representation to protect your system's interests. This representation will ensure that your water system's potential claims are recognized, accounted for, and not discharged or diminished due to the bankruptcy proceedings.

This situation is complex and the legal ramifications can be challenging to navigate, but by acting promptly, your system can ensure the best possible

outcome for your customers and the communities they serve.

Thank you for your immediate attention to this matter. If you have any questions or require further clarification, please don't hesitate to get in touch.

To view more information about PFAS and the NRWA Cost Recovery Program [click here](#).

Our mailing address is:

New Mexico Rural Water Association
6808 Academy Pkwy East NE, Unit C1
Albuquerque, NM 87109

[Add us to your address book](#)

Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#).

Carleen Gomez

From: James Nelson <jcnelson@gilanet.com>
Sent: Monday, June 5, 2023 4:23 PM
To: Carleen Gomez
Subject: Re: Department Reports Due

Four EMS calls in May.

Magdalena Marshal's Office

Monthly Report	Month: May	Year: 2023
Marshal Zamora	ID#:Mag-1	
Total Miles Driven:		
<u>GENERAL CALLS:</u>	<u>AMOUNT</u>	<u>REVENUE</u>
TRAFFIC CITATIONS: Village Ordinances	1	54
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		
NM STATE POLICE	1	
SHERIFF'S OFFICE	2	
NM FISH & GAME		
US BORDER PATROL		
US FOREST SERVICE		
<u>OTHER:</u>		
ALARM CALLS		
FINGERPRINTING		
Driving Tests		
Misc. Cases	10	
<u>TOTALS:</u>	18	54

MAGDALENA MARSHAL DEPARTMENT
MONTHLY VEHICLE EXPENDITURE REPORT
 For the month of : **MAY** Year: **2023**

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	6566	6806	240	19.4	81			01 Chassis Maintenance
2								02 Electrical Maintenance
3								03 Engine Maintenance
4								04 General Supplies
5								05 Interior Maintenance
6								06 Lubrication
7	6806	6939	133	10.2	36	Training		07 Miscellaneous
8								09 Tire Purchase
9								10 Tire Repair 15
10								11 Wash and Wax
11	6939	7201	262	19.7	78.9	Training		(Attach Copy of Invoices)
12								Invoice No.: _____ Amt.\$
13								10
14								Invoice No.: _____ Amt.\$
15								Date
16								Invoice No.: _____ Amt.\$
17								Code:____ Date:_____
18								Invoice No.: _____ Amt.\$
19								Code:____ Date:_____
20								Invoice No.: _____ Amt.\$
21								Code:____ Date:_____
22								Invoice No.: _____ Amt.\$
23								Code:____ Date:_____
24	7201	7423	222	18	68.45			Invoice No.: _____ Amt.\$
25								Code:____ Date:_____
26								Invoice No.: _____ Amt.\$
27								Code:____ Date:_____
28								Invoice No.: _____ Amt.\$
28								Code:____ Date:_____
30								Invoice No.: _____ Amt.\$
31								
Totals			857	67.3	264.35			

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

Magdalena Marshal's Office

Monthly Report	Month: MAY	Year: 2023
	ID# Mag 2	
Total Miles Driven:	434	
GENERAL CALLS:	AMOUNT	REVENUE
TRAFFIC CITATIONS: Village Ordinances	36	\$1,944
TRAFFIC CITATIONS: State Statutes	0	
CRIMINAL CITATIONS	0	
ANIMAL CONTROL CITATIONS	0	
TRAFFIC ACCIDENTS	0	
D.W.I. ARRESTS	0	
FELONY ARRESTS	0	
MISDEMEANOR ARRESTS	2	
12 HOUR HOLD ARREST	0	
CRIMINAL INVESTIGATIONS	1	
JUVENILE CASES	0	
DOMESTIC CASES	0	
CRIMINAL DAMAGE / PROPERTY	0	
ASSISTANCE CALLS:		
AMBULANCE/FIRE	1	
PUBLIC SERVICE	3	
NM STATE POLICE	0	
SHERIFF'S OFFICE	1	
NM GAME & FISH	1	
NM LIVESTOCK BOARD	0	
US BORDER PATROL	0	
US FOREST SERVICE	0	
OTHER:		
ALARM CALLS	0	
FINGERPRINTING	0	
Driving Tests	0	
Misc. Cases	0	0
TOTALS:	36	\$1,944

MAGDALENA MARSHAL DEPARTMENT

MONTHLY VEHICLE EXPENDITURE REPORT

For the month of : **MAY** Year: **2023**

License Number: 16631G
 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								02 Electrical Maintenance
3								03 Engine Maintenance
4								04 General Supplies
5	3463	3550	87	14.39	60			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	3550	3631	81	16.25	65			Invoice No.: _____ Amt.\$ _____
13								10
14								Invoice No.: _____ Amt.\$ _____
15								Date _____
16								Invoice No.: _____ Amt.\$ _____
17								Code: _____ Date: _____
18	3631	3743	112	14.74	56			Invoice No.: _____ Amt.\$ _____
19								Code: _____ Date: _____
20								Invoice No.: _____ Amt.\$ _____
21	3743	3822	79	15.79	60			Code: _____ Date: _____
22								Invoice No.: _____ Amt.\$ _____
23								Code: _____ Date: _____
24								Invoice No.: _____ Amt.\$ _____
25								Code: _____ Date: _____
26								Invoice No.: _____ Amt.\$ _____
27								Code: _____ Date: _____
28	3822	3897	75	15.38	60			Invoice No.: _____ Amt.\$ _____
29								Code: _____ Date: _____
30								Invoice No.: _____ Amt.\$ _____
31								
Totals			434	76.55	301			

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

Signature: 

Title: LT

Magdalena Marshal's Office

Monthly Report	<u>Month:</u>	<u>Year: 2023</u>
	ID# Mag 3	
Total Miles Driven:		
<u>GENERAL CALLS:</u>	<u>AMOUNT</u>	<u>REVENUE</u>
TRAFFIC CITATIONS: Village Ordinances	10	\$120
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		
JUVENILE CASES		
DOMESTIC CASES	1	
CRIMINAL DAMAGE / PROPERTY		
<u>ASSISTANCE CALLS:</u>		
AMBULANCE/FIRE		
PUBLIC SERVICE		
NM STATE POLICE		
SHERIFF'S OFFICE	1	
NM GAME & FISH		
NM LIVESTOCK BOARD		
US BORDER PATROL		
US FOREST SERVICE		
<u>OTHER:</u>		
ALARM CALLS		
FINGERPRINTING		
Driving Tests		
Misc. Cases		
<u>TOTALS:</u>	12	\$120

Paulina Monto

MAGDALENA MARSHAL DEPARTMENT
MONTHLY VEHICLE EXPENDITURE REPORT
 For the month of : **MAY** Year: **2023**

License Number: G97490
 Make and Model: Chev Silverado 2016

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	1637	1654	17	19.7	\$82.15			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	1654	1874	220	18.37	\$73.50			10
14								Invoice No.: _____ Amt.\$ _____
15								Date _____
16	1874	2131	257	19.2	\$72.95			Invoice No.: _____ Amt.\$ _____
17								Code: _____ Date: _____
18								Invoice No.: _____ Amt.\$ _____
19								Code: _____ Date: _____
20								Invoice No.: _____ Amt.\$ _____
21	2131	2332	201	17.39	\$66.10			Code: _____ Date: _____
22								Invoice No.: _____ Amt.\$ _____
23								Code: _____ Date: _____
24								Invoice No.: _____ Amt.\$ _____
25								Code: _____ Date: _____
26								Invoice No.: _____ Amt.\$ _____
27								Code: _____ Date: _____
28	2332	2542	210	18.07	\$70.45			Invoice No.: _____ Amt.\$ _____
29								Code: _____ Date: _____
30								Invoice No.: _____ Amt.\$ _____
31								
Totals	9628	7225	905	53.33	200.85			

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

Signature: Paulina Mont Title: OPI



May. 2023 Utilities Report

- 1) Daily well rounds and screen cleaning.
- 2) Doing our best with the washouts and potholes on side streets.
- 3) Picked up cardboard and was taking to Socorro recycle.
- 4) Fixed water leak on chestnut and 5th street.
- 5) Did spot checks for 811 tickets.
- 6) Replaced broken meters and lines.
- 7) Removed old cement from rodeo grounds and asphalt pile.
- 8) Fixed potholes on Kelly rd.
- 9) Mowed around four way stops and alleys.
- 10) Did new water accounts and water shut offs.
- 11) Put ac units on library and cleaned of sidewalks and deck
- 12) Worked at senior center .
- 13) . Did water samples and where good.

Librarian's Report May 2023

Days Open	22 (110 hours)	# of Volunteers	5
Days Closed	0	Volunteer Hours	33
Total Visitors	209		
Museum Visitors	29	New Library Cards	1

Events:

Number of Events:	6	Attendance:	68
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Date:		# of People:
5/5/2023	Code Club	9 kids + 1 adult
5/18/2023	PreK visit	6 kids + 1 adult
5/19/2023	Treasure Hunt	7 kids and 2 adults
5/19/2023	Code Club	6 kids and 1 adult
5/25/2023	Book club	6 adults
5/27/2023	Ivy's party	25 and 4 kids

Circulation

PHYSICAL		DIGITAL	
# of Books	144	# of eBooks	45
# of Books on CD	5	# of Online Audio	141
# of DVDs	62		
Total Physical	144 (11 kids)	Total Digital	186 (25 kids)
Total Circulation	330		
ILL Processed	ILL temporarily paused by State Library		

Computers/Wi-Fi

# Computer Sign ins	24 + 15 Code Club = 39
Total Unique Wi-Fi Devices	142
Avg. # Wi-Fi Devices per day	25
Avg. Data Usage per Device	1.17 GB

Other:

Ivy's last day was the 27th of May. I started on Thursday the 25th and I am very grateful that Ivy left such clear and concise paperwork so that everything can proceed as expected.

Respectfully Submitted, Yvonne Magener, Library Director



RESOLUTION #2023-10

NOTICE TO THE COUNTY CLERK OF THE 2023 MUNICIPAL ELECTIONS

WHEREAS, the Board of Trustees for the Village of Magdalena met at a duly noticed meeting on June 12, 2023 at 5:00 P.M. at Village Hall, 108 N. Main Street, Magdalena New Mexico; and,

WHEREAS, the Governing Body of the Village of Magdalena, New Mexico has opted into the Local Election Act, Article 1, Section 1-22-3.1 of the NMSA 1978; and

WHEREAS, the Governing Body of the Village of Magdalena wished to convey the correct and complete election information to the Socorro County Clerk as required by 1-22-4 (A)

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees for the Village of Magdalena that the Socorro County Clerk is hereby notified that the following positions are to be filled at large.

- A. A regular local election is to be held on November 7, 2023; and
- B. At the regular local election, persons shall be elected to fill the following at large municipal elective offices:
 1. ONE Trustee (4 year term); Position 1
 2. ONE Trustee (4 year term); Position 2
 3. ONE Judge (4 year term)
- C. All positions require Candidates to reside within the Village Limits of the Village of Magdalena.
- D. All Declarations of Candidacy shall be filled in the Office of the Socorro County Clerk on Tuesday, August 29, 2023, between the hours of 9:00 a.m. and 5:00 p.m.

- E. All Declarations of Candidacy for write-in candidates shall be filed in the Office of the Socorro County Clerk on September 5, 2023, between the hours of 9:00 a.m. and 5:00 p.m.

PASSED, APPROVED and ADOPTED, this 12th day of June, 2023.

Richard Rumpf, Mayor

ATTEST:

Carleen Gomez, CMC – Deputy Clerk



RESOLUTION #2023-11

A RESOLUTION

ADOPTING A TRAVEL POLICY RELATING TO THE REIMBURSEMENT AND TRAVEL FOR PER DIEM AND MILEAGE EXPENSES FOR PUBLIC OFFICERS AND EMPLOYEES OF THE VILLAGE WHILE ON OFFICIAL VILLAGE BUSINESS

WHEREAS, the Village of Magdalena Board of Trustees met upon notice of a duly published meeting at 5:00 P.M. on June 12, 2023 at Village Hall, 108 N. Main Street, Magdalena, New Mexico as required by law; and,

WHEREAS, the state Per Diem and Mileage Act (§§10-8-1 to 10-8-8 NMSA 1978) and the state Administrative Code (2.42.2 NMAC) governs the reimbursement for travel of all public officers and employees of local public bodies; and

WHEREAS, that Act was amended effective April 6, 2021.

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees adopts this policy for public officers and employees for mileage and per diem reimbursement, such as travel expenses, attending meetings, or travel advance.

Section 1. PURPOSE.

The purpose of this policy is to establish guidelines and set allowable rates for compensation of travel expenses and to provide guidance when traveling for the purpose of conducting official Village business.

Section 2. DEFINITIONS.

- A. **Attend** means the act of being present, either physically or through a virtual platform that is approved by the entity responsible for determining attendance.

- B. **Designated Post of Duty** means the address of a public officer or employee's assignment as determined by the Village.

C. **Employee** means any person who is in the employment of the Village whose salary is paid either completely or partially from public money but does not include jurors or jury commissioners.

C. **Home** means 1) for per diem purposes, the area within a 35-mile radius of the place of legal residence as defined in Section 1-1-7 NMSA 1978, and 2) for mileage purposes, the place of legal residence as defined in Section 1-1-7 NMSA 1978.

D. **Out of State** means beyond the exterior boundaries of the state of New Mexico.

E. **Official Village Business** means business directly associated with Village government and duties directly related to primary functions of Village government and responsibilities.

F. **Public officer** means every elected or appointed officer of the Village, including but not limited to all board, advisory board, committee and commission members elected or appointed to a special or advisory board, committee or commission specifically authorized by law or Village ordinance, resolution or approved action of the Board of Trustees (hereinafter "Board"). "Special" boards, committees or commissions are those adopted by Village ordinance, while "advisory" boards, committees or commissions are those adopted by resolution or motion of the Board and typically are temporary or ad hoc in nature.

H. **Travel** means, for per diem purposes, being on official business away from home as defined in "Home" above and at least 35 miles from the designated post of duty of the public officer or employee.

Section 3. REQUESTS FOR TRAVEL.

A. Requests for in state travel, except as otherwise noted, by an officer or employee shall be approved by the Mayor. The Clerk or the Mayor shall review all travel requests for budgetary sufficiency. The officer or employee shall make the request for travel prior to the anticipated dates of travel for all travel, except in a case deemed to be an emergency as determined by the Mayor. In such case, the Mayor shall determine if the travel is to be approved or await approval of the Board, if applicable. All travel requests that require Board approval must be submitted with an "Agenda Request Form" in sufficient time for the Board to consider the request at the next regularly scheduled Board meeting. Submitting a travel request late for timely Board action will not constitute an emergency.

B. The request for travel (Travel Request and Voucher form will be promulgated by the Village Clerk) shall include all necessary information, such as the traveler's name, the purpose of the requested travel, the dates and destination of travel and appropriate brochures or other information detailing the travel. The form shall be filled out to show the anticipated cost for travel, registration fees, cost of mode of transportation and other relevant information.

Section 4. ALLOWABLE MILEAGE COMPENSATION.

A. Village vehicles shall be utilized whenever possible to conduct official business. If, due to special circumstances, a Village vehicle is not available for use in conducting Village business, the Mayor may approve the use of a personal vehicle. Necessary information

regarding the personal vehicle is to be filled in on the SC Travel Request and Voucher form where indicated on the form. Actual mileage traveled will be reimbursed pursuant to the Traveler certifying the beginning and ending odometer reading as true and correct.

- B. Travel by Village or personal vehicle shall be made via the shortest and safest route possible. If mileage submitted for reimbursement appears excessive, for in state travel -- a mileage chart of the official state map published by the NM Department of Transportation or internet mileage calculator shall be used as estimated mileage reimbursement and for out of state travel the most recent edition of the Rand-McNally road atlas or internet mileage calculator shall be used as estimated mileage reimbursement. Gasoline receipts are not a reimbursable item and under no circumstances shall an officer or employee fuel a personal vehicle with Village fuel in lieu of mileage compensation.
- C. If a public officer or employee chooses to drive his/her personal vehicle, if authorized by the Mayor, when a Village vehicle is available or other means of travel is authorized, it is considered personal preference and reimbursement is limited to \$18.5 cents per mile. Otherwise, one public officer or employee per personal vehicle shall receive up to the Internal Revenue Service (IRS) standard mileage rate set January 1 of the previous year for each mile traveled.
- D. If a public officer or employee is authorized to travel in a privately owned airplane and that travel is necessary to the discharge of the officer or employee's official duties, then eighty-eight (\$.88) a mile is authorized for one public officer or employee per airplane.

Section 5. ALLOWABLE PER DIEM COMPENSATION.

A. Applicability. Per diem rates shall be paid to public officers and employees only in accordance with the provisions of this section. Per diem rates shall be paid without regard to whether expenses are actually incurred. Where lodging and/or meals are provided or paid for by the Village or another entity, the public officer or employee is entitled to reimbursement only for actual expenses (2.42.2.9 NMAC).

B. Non-salaried Public Officers

- 1. Every non-salaried public officer shall receive reimbursement, with prior written approval of the Mayor:
 - a. reimbursement for actual expenses for lodging; and,
 - b. reimbursement for actual expenses for meals and incidentals not to exceed the maximum amounts for in-state and out-of-state travel established by the Department of Finance and Administration (DFA) for the fiscal year in which the travel occurs, provided that the DFA establishes maximum rates for the reimbursement of actual expenses for meals and incidentals; or,
 - c. In the following amounts for a board or committee meeting attended (provided that per diem expenses are not to be received for more than one board or

committee meeting that occurs on the same day), or for each day spent in discharge of official duties for travel within the state but away from the officer's home:

- i. Forty-five dollars (\$45.00) if the officer physically attends the board or committee meeting for less than four hours or the officer attends a virtual meeting of any duration during a single calendar day; or,
 - ii. Ninety-five dollars (\$95.00) if the officer physically attends the board or committee meeting for four hours or more during a single calendar day.
2. **Members serving in dual capacities:** Non-salaried public officers who also serve as public officers or employees of state agencies or local public bodies may receive mileage or per diem rates from only one public entity for any travel or meeting attended. Furthermore, non-salaried public officers who are also public officers or employees may not receive per diem rates for attending meetings held in the place of their home or at their designated posts of duty unless they are on leave from their positions as public officers or employees.
3. Any person who is not an employee, appointee or elected official of the Village and who is reimbursed under the provisions of the Per Diem and Mileage Act and this Resolution in an amount that singly or in the aggregate exceeds one thousand five hundred dollars (\$1,500) in any one year shall not be entitled to further reimbursement until that person furnishes in writing to the Mayor or Board an itemized statement on each separate instance of travel covered within the reimbursement, the place to which traveled and the public purpose served by the travel.

C. Salaried Public Officers

1. Every salaried public officer or employee who is traveling **within the state** but away from home and designated post of duty on official business, with prior approval of the Mayor, shall receive:
 - a. reimbursement for actual expenses for lodging; and,
 - b. reimbursement for actual expenses for meals and incidentals not to exceed the maximum amounts for in-state travel established by the Department of Finance and Administration (DFA) for the fiscal year in which the travel occurs, provided that the DFA establishes maximum rates for the reimbursement of actual expenses for meals and incidentals; or,
 - c. for each day spent in the discharge of official duties, the amount established by DFA for the fiscal year in which the travel occurs.
2. Every salaried public officer or employee who is traveling **outside the state** on official business, with prior approval of the Village, shall receive:
 - a. reimbursement for actual expenses for lodging; and,

- b. reimbursement for actual expenses for meals and incidentals not to exceed the maximum amounts for out-of-state travel established by the Department of Finance and Administration (DFA) for the fiscal year in which the travel occurs, provided that the DFA establishes maximum rates for the reimbursement of actual expenses for meals and incidentals; or,
- c. for each day spent in the discharge of official duties, the amount established by DFA for the fiscal year in which the travel occurs.
- d. Expenses shall be substantiated in accordance with rules promulgated by the Secretary of DFA, and the secretary may promulgate rules defining what constitutes out-of-state travel.

D. Elected Public Officers

- 1. No reimbursement for out-of-state travel shall be paid to any elected public officer if after the last day to do so that officer has not filed a declaration of candidacy for reelection to the public officer's currently held office or has been defeated for reelection to the public officer's currently held office in a primary election or any general election.
 - a. This provision does not apply to any elected public officer who is ineligible to serve another term after serving the public officer's term in office.
- E. Per Diem for both unsalaried public officers for travel on official business or in the discharge of their official duties, other than attending a board or committee meeting, and per diem received by public officers and employees for travel on official business shall be prorated in accordance with rules of the DFA.
- F. The per diem and mileage or per diem and cost of tickets for common carriers paid to salaried public officers or employees is in lieu of actual expenses for transportation, lodging and subsistence.

Section 6. TRAVEL ADVANCES.

Upon written request accompanied by a travel voucher, the Board or Mayor, as appropriate, may approve a public officer's or employee's request to be advanced public funds as authorized by this Resolution. For persons authorized to receive public funds in advance of travel, payment shall be received only upon vouchers submitted with attached authorization for each travel period. For public officers or employees using authorized credit cards, vouchers with required receipts for each month's travel expenses shall be submitted as a condition to receiving authorization to use the credit card for the next month's travel. Travel expenses may also be advanced if the travel is to be performed under provisions of federal or private contracts and the funds used are not derived from taxes or revenues paid to the state or any of its political subdivision.

Section 7. REIMBURSEMENT FOR OTHER EXPENSES.

- A. Actual expenses incurred by public officers and employees for professional fees or dues; tuition and fees for attending educational programs or classes approved by the Mayor; and, registration fees for attending seminars, educational programs or classes are authorized to be paid.
- B. No other reimbursement for additional expenses is authorized.
- C. No reimbursement shall be made for any expense in Subsection A unless receipts for all such expenses are attached to the reimbursement voucher.

Section 8. PENALTIES

- A. In addition to any other penalties prescribed by law for false swearing on an official voucher, it shall be cause for removal or dismissal from office.
- B. Any public officer or employee covered by the Per Diem and Mileage Act who knowingly authorized or who knowingly accepts payment in excess of the amount allowed by the Per Diem and Mileage Act or in excess of the amount authorized by the secretary of DFA is liable to the state in an amount that is twice the excess payment.

Section 9. NEW MEXICO RULES ANNOTATED

NMRA 2.42.2 Regulations Governing the Per Diem and Mileage Act as updated to conform with the statute effective April 6, 2021 or not in conflict with it, shall govern matters not specifically contained within this Resolution and to provide detail and monetary amounts where lacking.

Section 10. AMENDMENTS TO POLICY, CONFLICTS WITH OTHER POLICIES.

- A. All Village Resolutions and/or Policies relating to Travel which are in conflict with the above provisions, by the adoption of this Resolution.
- B. Any changes to this policy shall be made by a duly adopted resolution of the Board.
- C. If or when there are two or more policies conflict regarding travel procedures or dealing with the subject matter contained in this policy, the more stringent policy shall govern.

APPROVED, ADOPTED, AND PASSED on this 12th day of June 2023.

Richard Rumpf, Mayor

Attested:

Adren Robert Nance
David Matthew Pato
Katherine Renee Stout



May 23, 2023

Mayor Richard Rumpf and Village Trustees

Re: Resignation

Dear Mayor and Trustees:

It is with a heavy heart that I inform you all that I will no longer be able to serve as the Village of Magdalena's contract counsel after July 31, 2023. I will be starting a position with the State of New Mexico on August 7th. It has been a productive and exciting twelve years and I have made many friends that I cherish. I wish you all the best.

Sincerely,

NANCE, PATO & STOUT, LLC

By: 

Katherine R. Stout

Tel: (575) 838-0911 ext. 803
Fax: (866) 808-1165

P.O. Box 772
Socorro, NM 87801



The Village of Magdalena, New Mexico is accepting for proposals for contract general legal counsel. A broad range of legal services is required and includes, but is not limited to, attending all regular and special Village Council meetings; reviewing meeting agendas; drafting policies and procedures, ordinances and resolutions; research and writing; reviewing and negotiating contracts; public purchases and property; personnel, open meetings, and inspection of public records. Preferences include: Five (5)+ years' experience as licensed attorney, experience with government agencies, and government compliance. Candidates must be an active member of the State Bar of New Mexico in good standing. Please submit a resume and three (3) references to Mayor Richard Rumpf and copy Deputy Clerk Carleen Gomez at cgomez@villageofmagdalena.com or call (575) 854-2261 with questions. Qualified candidates may be contacted for further discussion and negotiation.



Magdalena Marshal's Office

PO Box 145

Magdalena, New México

03/22/2023

Marshal@villageofmagdalena.com

I, Magdalena Marshal Michael Zamora, am requesting an additional disbursement of the remaining Retention and Recruitment funds in the total of \$12,000. for Lieutenant Waterman and me. Also, we have put in a request for \$1000.00 for deputy Monte as prescribed in the resolution that pertains to these funds for relocation and housing. With all respect!

Marshal Michael Zamora