

City of Eunice, New Mexico

Council Meeting

May 10, 2011

TIME & PLACE A meeting of the City of Eunice, New Mexico was held in City Hall at 5:30 p.m. on May 10, 2011.

OFFICERS The meeting was called to order by Mayor Matt White and Joyce Tolsma acted as secretary of the meeting.

COUNCIL ATTENDANCE The following council members were present: Wardell Allen, Billy Hobbs, Jerry Corral, CW Motes, Mary Lou Vinson, Gailand Overton, Nina Lynch and Terry Bettis.

GUESTS Caleb Moore, Kyle Wilkison, Scotty Holloman, Tammy Kerr, Kevin Gutierrez, Bob Lyle, Justin Robertson, Evelina Berumen, Connie Whitmire, Clayton Frank, Kim Yarbrough, Berta Tivis, Roxie Luster, Richard Cummins, Kevin Burnam, Justin Robertson, Clayton TenEyck, Kevin Eades, and Lynn and Tanya White of Eunice News.

PLEDGE INVOCATION Mayor Matt White led pledge.
Councilwoman Mary Lou Vinson led invocation.

CONSENT CALENDAR & BILLS Councilwoman Nina Lynch made a motion, seconded by Councilman Terry Bettis to approve minutes of April 22, 2011, as amended and all bills.

ROLL CALL:

Terry Bettis	Yes
Nina Lynch	Yes
CW Motes	Yes
Gailand Overton	Abstain
Mary Lou Vinson	Yes
Jerry Corral	Yes
Wardell Allen	Yes

MOTION: Carried

MANAGER COMMENTS City Manager Marty Moore reports that his 15 year old daughter, Amanda has been having fainting spells and is undergoing testing. Moore stated they received good news that her blood work, cardio, and EKG came back normal, so an EEG was done and those results will be known at her appointment this Friday, May 13, 2011.

BUDGET

City Manager Marty Moore explained the process of the budget and stated final numbers for the budget is still being worked and will be brought for a final vote. A couple different things have been added causing adjustments, one being the waterline project with it being paid out of the water department. Moore would also like to have consideration of adding thirty thousand dollars (\$30,000) for merit bonuses and cost of living. This will be for employees that are actually performing their job. Also, three new vehicles are budgeted.

**MOU/FIRE DEPT
PAY INCREASE**

Fire Chief Richard Cummins approached Council with the proposal to to raise volunteer base pay from \$7 and \$9 to \$10 across the board and stand-by, meetings, and training from \$5 to \$10 each.

Councilman Gailand Overton made a motion, seconded by Councilman Wardell Allen to approve the pay increase for volunteer firefighters and EMT's.

ROLL CALL:

Wardell Allen	Yes
Terry Bettis	Yes
Billy Hobbs	Yes
Nina Lynch	Yes
Jerry Corral	Yes
Mary Lou Vinson	Yes
CW Motes	Yes
Gailand Overton	Yes

MOTION: Carried

**FIRE DEPT RFP FOR
WHALEN CELL
SIRENS**

Councilman Billy Hobbs made a motion, seconded by Councilwoman Nina Lynch to approve publishing an RFP #02-2011 for bids on Whalen Cell Siren's.

ROLL CALL:

Wardell Allen	Yes
Jerry Corral	Yes
Mary Lou Vinson	Yes
CW Motes	Yes
Terry Bettis	Yes

Nina Lynch	Yes
Gailand Overton	Yes
Wardell Allen	Yes

MOTION: Carried

**AMENDMENT TO
MOLZEN-CORBIN
CONTRACT**

Councilman Billy Hobbs made a motion, seconded by Councilwoman Nina Lynch to approve the contract of Molzen-Corbin, as amended.

Clayton TenEyck carefully went over the Molzen contract and amendments explaining the changes and why.

ROLL CALL:

Terry Bettis	Yes
Nina Lynch	Yes
CW Motes	Yes
Gailand Overton	Yes
Mary Lou Vinson	Yes
Jerry Corral	Yes
Billy Hobbs	Yes
Wardell Allen	Yes

MOTION: Carried

**AWARD OF WATER-
LINE RFP TO
SMITHCO**

Councilman Billy Hobbs made a motion, seconded by Councilwoman Nina Lynch to approve awarding the waterline project to Smithco Construction, low bidder of three million, four hundred eight-three thousand, nine hundred thirty-five dollars (\$3,483,935), contingent on NMED approval.

ROLL CALL:

Billy Hobbs	Yes
Jerry Corral	Yes
Mary Lou Vinson	Yes
CW Motes	Yes
Terry Bettis	Yes
Nina Lynch	Yes
Gailand Overton	Yes
Wardell Allen	Yes

MOTION: Carried

**WASTE MGMT
FUEL INCREASE**

Councilman Gailand Overton made a motion, seconded by Councilman CW Motes to table any vote on Waste Management's fuel rates increase of 2.59%.

Council requested that City Manager Marty Moore request a meeting with Ms. Feuer, manager of Waste Management, to try re-negotiating the increase proposal to something more reasonable.

ROLL CALL:

Wardell Allen	Yes
Terry Bettis	Yes
Billy Hobbs	Yes
Nina Lynch	Yes
Jerry Corral	Yes
Mary Lou Vinson	Yes
CW Motes	Yes
Gailand Overton	Yes

MOTION: Carried

**ORDINANCE NO
431, LOCAL FOOD
AND COMMUNITY
SELF-GOV**

Councilman Terry Bettis made a motion, seconded by Councilman Jerry Corral to table Ordinance No. 431, local food and community self-governance.

After carefully going over this ordinance, Mayor White and Councilman Bettis discovered there could be a problem with the wording of said ordinance.

Attorney Scotty Holloman will go over the ordinance and try to get it back by next Council meet.

ROLL CALL:

Wardell Allen	Yes
Billy Hobbs	Yes
Jerry Corral	Yes
CW Motes	Yes
Mary Lou Vinson	Yes
Gailand Overton	Yes

Nina Lynch	Yes
Terry Bettis	Yes

MOTOIN: Carried

**AUDIT RFP
#01-2011**

City Manager Marty Moore stated he is presently uncomfortable in recommending the apparent low bidder out of San Diego, California for our audit. Moore stated that he would like to confirm with the state that the low bidder is capable of a New Mexico audit.

Councilman CW Motes made a motion, seconded by Councilwoman Nina Lynch to table awarding Audit RFP #01-2011.

ROLL CALL:

Billy Hobbs	Yes
Jerry Corral	Yes
Mary Lou Vinson	Yes
CW Motes	Yes
Terry Bettis	Yes
Nina Lynch	Yes
Gailand Overton	Yes
Wardell Allen	Yes

MOTION: Carried

**DEPARTMENT
REPORTS**

Councilman Billy Hobbs made a motion, seconded by Councilwoman Nina Lynch to approve department reports.

(Chief Kevin Burnam gave a lengthy oral report stating his department did not get a written report turned in timely).

ROLL CALL:

Terry Bettis	Yes
Nina Lynch	Yes
CW Motes	Yes
Gailand Overton	Yes
Mary Lou Vinson	Yes
Jerry Corral	Yes
Billy Hobbs	Yes

Wardell Allen Yes

MOTION: Carried

PUBLIC COMMENT Officer Kevin Gutierrez approached Council stating that he has dealt with law enforcement all over the state and with different departments and feels that Chief Kevin Burnam has the highest level of character and is extremely good hearted. Gutierrez stated Burnam is one of the best supervisors he has ever worked with and thanks Burnam for giving him a chance with his job opportunity with the City.

Robert Lyle stated that although he is a city employee, he is attending as a citizen. Lyle stated he implores that all Council members be present in taking action on decisions of such magnitude as a contract. Lyle stated that Chief Burnam has brought the police department from the dark ages to the present, improving the entire department.

Tammy Kerr approached Council stating Chief Burnam gave her a chance to prove herself as an officer in 2002 and thanked him for the opportunity and further stated Burnam is of good character and takes care of his officers.

Wilberta Tivis began by stating she was director of the Chamber of Commerce before retirement and always knew she could depend on Chief Burnam when assistance was needed. Tivis gave personal thanks to Burnam for all that he has done.

CLOSED SESSION Councilman Wardell Allen made a motion to move to closed session at 6:52 p.m. to discuss personnel issues in accordance with State Statute open meetings act N.M. 1978, Section 10-15-1 at 6:52 p.m., seconded by Councilwoman Nina Lynch.

ROLL CALL:

Wardell Allen	Yes
Terry Bettis	Yes
Billy Hobbs	Yes
Nina Lynch	Yes
Jerry Corral	Yes
Mary Lou Vinson	Yes

CW Motes	Yes
Gailand Overton	Yes

MOTION: Carried

**MOTION FOR
PUBLIC MEETING
ING**

Councilman Wardell Allen made a motion to reconvene the meeting to the public at 7:25 p.m., and let the record show that matters discussed in closed session were limited only to those specified in the motion for closure, seconded by Councilwoman Nina Lynch.

ROLL CALL:

Wardell Allen	Yes
Billy Hobbs	Yes
Jerry Corral	Yes
CW Motes	Yes
Mary Lou Vinson	Yes
Gailand Overton	Yes
Nina Lynch	Yes
Terry Bettis	Yes

MOTION: Carried

**MAYOR AND
COUNCIL
COMMENTS**

Mayor White reported that Sundance had lost water pressure at the 8" to 3" poly line and gave some detail how it is being corrected.

Councilwoman Nina Lynch stated she is very happy with the progress on the trailer cleanup.

Councilman Billy Hobbs reminded everyone to tune into the ballgame at 2:00 p.m. on 95.7 or 13.98.

ADJOURN

Councilman Wardell Allen made a motion, seconded by Councilman CW Motes to adjourn the meeting at 7:41 p.m.

ROLL CALL:

Terry Bettis	Yes
Nina Lynch	Yes
CW Motes	Yes
Gailand Overton	Yes

Mary Lou Vinson	Yes
Jerry Corral	Yes
Billy Hobbs	Yes
Wardell Allen	Yes

MOTION: Carried

Matt White, Mayor

ATTEST:

Joyce Tolsma, CMC