

MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING
GRANT COUNTY ADMINISTRATION CENTER, 1400 HWY. 180 E., SILVER CITY, NM
March 11, 2008 – 7:00 p.m.

Present: James R. Marshall, Mayor
A. Judith Ward, District 1
Thomas A. Nupp, District 2
Simon Wheaton-Smith, District 3
Steve May, District 4

Also Present: Alex C. Brown, Town Manager-Finance Director
Ann L. Mackie, Town Clerk
Robert Scavron, Town Attorney
Ed Reynolds, Chief of Police

CALL TO ORDER / PLEDGE OF ALLEGIANCE – Mayor Marshall called the meeting to order at 7:04 p.m.

CEREMONIES – None.

PROCLAMATIONS – Mayor Marshall proclaimed the week of March 9-15, 2008, as “Girl Scouts Make the World a Better Place Week”.

PUBLIC INPUT – Mr. William Van Dran commented on the problem with rabid foxes in the Boston Hill area. He suggested closing the Boston Hill area in order to set traps and eradicate the problem before it would get out of control. Chief Ed Reynolds advised that the Police Department was working with the New Mexico Game and Fish Department to begin a cooperative effort to resolve the problem. He stated that traps had been set in the Boston Hill area, and any issues would be turned over to the New Mexico Game and Fish Department. He recommended that all household pets and livestock should be vaccinated.

COUNCIL COMMENTS – The Council commented on the following: recently attended events; how the Town Council should make the swimming pool a priority in order to enhance the curb appeal of the pool; the results of the March 4th Municipal Election; future discussions planned with the Chairman of the County Commission regarding the Silver City Public Library; the status of the draft Joint Powers Agreement concerning the Extraterritorial Jurisdiction with the County Commission; and the Air New Mexico Partnership (a subsidized air service) that the Town would not participate in, but would observe according to the Mayor.

CHANGES TO THE AGENDA – None.

APPROVAL OF MINUTES: February 26, 2008 – Councilor Ward made a motion to approve the minutes. Councilor Nupp seconded the motion. All were in favor, motion passed.

REPORTS – Chief Ed Reynolds, Police Department, reported an increase in traffic accidents around the construction areas on U. S. Highway 180. He stated it was due to driver inattention and impatience, and recommended that drivers should slow down. Councilor May requested the placement of additional warning signs further out in the east and west directions on the highway.

PUBLIC HEARINGS – None.

UNFINISHED BUSINESS – None.

NEW BUSINESS –

A. Approval of Assignment and Assumption of Water Agreement transferred from Phelps Dodge Corporation and Pacific Western Land Company to the Tyrone Property Owners Association. Mr. Brown, Town Manager-Finance Director, presented the details and recommended the approval of the assignment and assumption of the water agreement. There was further discussion. Councilor May moved to approve the agreement. Councilor Wheaton-Smith seconded the motion. Councilor May amended the motion to state that it was contingent on the execution of the agreement between the Town of Silver City and the Tyrone Property

Owners Association. Councilor Wheaton-Smith seconded the amendment to the motion. There was no further discussion. All were in favor, motion passed.

B. Approval of Agreement between the Town of Silver City and the Tyrone Property Owners Association for the provision of municipal water to the Tyrone Townsite. Mr. Brown presented the details and stated the agreement sets the boundaries where the Town would deliver the water. Councilor Ward made a motion to approve the agreement with a correction to the spelling of “McMoran” to “McMoRan” in the fifth recital on page 1. Councilor Wheaton-Smith seconded the motion. There was no further discussion. All were in favor, motion passed.

C. Public Celebration Permit Application for New Mexico Wineries, Incorporated’s special event, “Broadway Night at Gallery 400” on April 4, 2008. Mr. Larry McLellan, President of Theater Group N.M., presented the details of the application for a Public Celebration Permit. He provided a letter from the St. Vincent de Paul Catholic Church, Incorporated that stated they had no objection to the wine tasting event to be held at Gallery 400. He requested the Council’s approval of the permit and to grant a waiver of New Mexico Statutes Annotated 60-6B-10 since the event was within 300 feet of a church. There was further discussion. Councilor May made a motion to approve the permit and to grant the waiver. Councilor Wheaton-Smith seconded the motion. All were in favor, motion passed.

D. Resolution No. 2008-11: A Resolution Supporting an Application for New Mexico Department of Transportation Municipal Arterial Program (MAP) Funding. Mr. Brown presented the details of the resolution. There was further discussion. Councilor Ward made a motion to approve the resolution. Councilor Nupp seconded the motion. All were in favor, motion passed.

E. Bid 07/08-6: Wastewater Treatment Plant Septage Capacity Improvements. Mr. Brown presented the details of the bid and recommended that the bid be awarded to the only bidder, Smithco Construction, Incorporated. Councilor Wheaton-Smith made a motion to award the bid to Smithco Construction, Incorporated. Councilor May seconded the motion. There was further discussion. All were in favor, motion passed.

F. Bid 07/08-7: Frank’s Wellfield, #7A Well, Inspection and Repair. Mr. Brown presented the details of the bid and recommended that the bid be awarded to the only bidder, Farwest Pump Company. Councilor Ward made a motion to award the bid to Farwest Pump Company. Councilor Wheaton-Smith seconded the motion. All were in favor, motion passed.

ADJOURNMENT – Councilor Wheaton-Smith made a motion to adjourn the meeting at 7:55 p.m. Councilor Nupp seconded the motion. All were in favor, motion passed.

/s/

James R. Marshall, Mayor

Attest:

/s/

Ann. L. Mackie, Town Clerk