

MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY
REGULAR COUNCIL MEETING
Grant County Administration Center, 1400 Hwy 180, Silver City, NM
October 27, 2009 – 7:00 P.M.

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

Also Present: Robert L. Scavron, Town Attorney
Yolanda C. Holguin, Acting Town Clerk
Peter Russell, Community Development Director
Terry Fortenberry, Police Captain
Robert Esqueda, Utilities Director

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE – Mayor Marshall called the meeting to order at 7:01 p.m.

2. CEREMONIES – None.

3. PROCLAMATIONS – None.

4. PUBLIC INPUT – None.

5. COUNCIL COMMENTS – The Council commented on the following: enforcement of the Uniform Traffic Safety Code due to illegal parking when cars straddled sidewalks and blocked driveways; the utility work on Leslie Street that was moved up one day due to the forecast of inclement weather and how residents were not notified of the schedule change; police patrols and the number of citations issued on Market Street; an update on Penny Park; a complaint from the MainStreet people regarding noise from motorcycles and their request for enforcement; consideration of Town employees to serve on Town boards and committees; the Gila Regional Medical Center's new exhibit at the Silver City Museum; citizens were encouraged to attend the meetings on the revision of the Land Use Code and to voice their concerns; concerns of the Land Use Code on variances, appeals, and the issue of grandfathering; the list of the Town's board and committee vacancies; an employee's resignation letter that complimented the Police Department on their professionalism; and a letter commending the Community Development Department on a citizen's concern.

6. CHANGES TO THE AGENDA – None.

7. APPROVAL OF THE MINUTES – Regular Meeting – October 13, 2009: Councilor Bettison made a motion to approve the minutes with changes to the Reports section. Councilor May seconded the motion and recommended several other changes to the Reports section. Mayor Marshall stated the recommended changes would depend on the words actually used by Manager Brown when he made the report; he recommended that they approve the minutes, but to go back to make sure it was a quote which was noted by the Acting Town Clerk. All were in favor, motion passed.

8. REPORTS – A. Balleau Groundwater Recharge Analysis presented by Dave Romero, Vice-President of Balleau Groundwater Incorporated: Peter Russell, Community Development Director, introduced Mr. Romero and briefly discussed the history of the projects. Mr. Romero presented the groundwater recharge analysis and estimate of recharge option costs in reference to the San Vicente Arroyo and the Frank's Well Field. Mr. Romero addressed questions and concerns that the Council had on the two projects.

B. Mosquito Management Summary for 2009 reported by Bud Melaney, Assistant to Engineering/Floodplain Administrator: Mr. Melaney discussed the 2009 Mosquito Management Summary and compared it with the past several years. He talked about the poor turnaround of lab processing; the unavailability of dry ice that was required for their trapping events; how the area had only one known event of the West Nile in 2004 or 2005; how manpower and resources were being wasted with one aspect of the program since they were not getting meaningful results from the process of trapping mosquitoes; and the Town's no spray policy. There was further discussion and Mr.

Melaney addressed questions from the Council. Mayor Marshall stated they would look back into what was causing the actions to be taken, and any necessary actions would be brought back to the Council.

9. PUBLIC HEARINGS – None.

10. UNFINISHED BUSINESS – None.

11. NEW BUSINESS – None.

12. ADJOURNMENT – Councilor Nupp made a motion to adjourn at 8:27 p.m. The motion died for lack of a second. Councilor Wheaton-Smith made a motion to go into Executive Session pursuant to NMSA 1978 Section 10-5-1(H) (2) limited personnel matters for the consideration of complaints against any individual public employee. Councilor May seconded the motion. A roll call vote was taken with the following results: Councilor Bettison – aye, Councilor Nupp – aye, Councilor Wheaton-Smith – aye, and Councilor May – aye. The motion carried and the Council went into Executive Session at 8:29 p.m. The matters discussed in the closed meeting were limited only to those specified in the motion for closure. Councilor Wheaton-Smith made a motion to adjourn at 9:11 p.m. Councilor Bettison seconded the motion. All were in favor, motion passed.

/s/

James R. Marshall, Mayor

Attest:

/s/

Ann L. Mackie, Town Clerk