



City of Bayard
CITY COUNCIL REGULAR
MEETING- TO FOLLOW PUBLIC
HEARING

August 19, 2026 at 4:30 PM

Bayard City Hall

MINUTES

CALL TO ORDER AND CANCELLATION The regular meeting to follow Public Hearing of the City Council of City of Bayard was scheduled to be called to order on Wednesday, August 19, 2026, at 4:30 p.m. in the Council Chambers at City Hall.

Due to a citywide power outage affecting the facility, the meeting could not proceed as scheduled. In accordance with, New Mexico Open Meetings Act (NMSA 1978, § 10-15-1(E)) the meeting was adjourned at 4:50 p.m. to reconvene to follow Public Hearing on Thursday, August 20, 2026, at 4:30 p.m. at the same location.

The council allowed Mr. Ernie Beyers from Universal Waste to present agenda item #16 due to his travel from Albuquerque for the meeting.

RECONVENED REGULAR MEETING AUGUST 20, 2026

CALL TO ORDER The adjourned regular meeting of the City Council of Bayard was called to order by Mayor John L. Ojinaga on Thursday, August 20, 2026, at 4:30 p.m. in the Council Chambers at City Hall.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Mayor John L. Ojinaga
Councilor Eloy Medina
Councilor Eloy Gonzales
Councilor Gilbert Ortiz
Councilor Chuck Gray

Others in attendance were Steven Estrada, Gabe Gonzales, Ty Warhank, Cordell Jones, Andy Gomez Jr., Gary Arellano, John Saenz, Brush Ashburn, Hector Carrillo, Yvonne Gonzales, Martha Salas, and Tanya Ortiz.

APPROVAL OF THE AGENDA

Motion made by Councilor Gray, Seconded by Councilor Medina.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Ortiz, Councilor Gray

PUBLIC INPUT

John Saenz asked when will the Conex building at the little league field be removed.

1. We welcome your input. Public comments are limited to 3 minutes and are not a Q&A session. For in-depth discussions, please request to be placed on a future agenda; forms are available at City Hall.

CONSENT AGENDA

Motion made by Councilor Medina, Seconded by Councilor Gonzales.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Ortiz, Councilor Gray

2. Approval of Regular Meeting Minutes July 15, 2026
3. Approval of Work Session Minutes August 12, 2026
4. Approval of Accounts Payable
5. Approval of Police Department Reports
6. Approval of Maintenance Report
7. Approval of Wastewater Report
8. Approval of Fire Department Report
9. Approval of Municipal Court Report
10. Approval of Library Report
11. Approval for Employees to Attend the New Mexico Water and Wastewater School on September 14-17, 2026 in Albuquerque, NM
12. Approval for Police Chief to attend FBI- Law Enforcement Executive Development Association- Supervisor's Leadership Institute on August 31- September 3, 2026 in Las Angeles, CA
13. Approval for Volunteer Firefighters to Attend the 27th Annual New Mexico Fire Service Conference on September 23-27, 2026 in Ruidoso, NM

NEW BUSINESS

14. Discussion/Action- Dispenser Liquor License for the Food Basket #101/Snappy Liquor- 1101 Tom Foy Blvd, Bayard- Change of Ownership

Motion made by Councilor Gonzales, Seconded by Councilor Medina.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Ortiz, Councilor Gray

15. Discussion/Action- Presentation by Better Cities on Foy Vision Plan

Jason Godfrey with Better Cities when over the vision plan for the Foy property. Mayor and Councilors discussed and asked question on the vision plan.

Motion made by Councilor Medina, Seconded by Councilor Gonzales.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Ortiz, Councilor Gray

16. Discussion/Action- Presentation by Universal Waste Systems Regarding Rate Increases at Landfill

Item number 16 was discussed before going in to recess.

Nancy Stephens, County Commissioner for District 3 and the Chair of the Southwest Solid Waste Authority Board, stated the rate increases are necessary because there has not been planning for contingency and the authority is needing a 1/12th reserve of debt capacity required by the State. Laurence Maldonado from Solid Waste in Albuquerque presented an independent review and budget analysis and with this increase being doubled from last fiscal year it is minimally adequate to meet the needs of the landfill. On July 20th the Authority sent letters to each municipality, including City of Bayard which the increase will be \$22,500 per month. The Authority Board did vote unanimously on the increases. Ms. Stephens will be back at the meeting the next day for any questions anyone may have.

Ernie Beyers, Vice President of Universal Waste, spoke about the Solid Waste Authority. There has not been a rate increase in over 20 years. The Authority is upside down because of this. Mr. Beyers had to get equipment fixed and employees an increase to make an honest living. The landfill is out of room and had to increase the space. Rates will include an annual CPI increase. Mr. Beyers is starting to get back up equipment, if one would break now the landfill would have to shut down. There will be a grant opening next month. The new part of the landfill will be named after a gentle man that was from Bayard and worked for the landfill and passed away. They were very proud to have Eric Sanchez and he will be missed.

Councilor Gray asked if the employees of the landfill received a cost of living increase. He also asked how much will it cost if a resident went over the 500 lb. limit?

Mr. Beyers stated, "yes each employee did get an increase and it will be \$80 a ton".

Councilor Medina asked what if the landfill were to close what would happen?

Mr. Beyers stated, "the landfill would have to build transfer stations and it would be hauled to Deming. That would be anywhere from \$10 to \$200 a ton".

City Clerk/Treasurer Martha Salas stated the city is in the process of amending the City's ordinance. Currently the city ordinance does not allow for the city to charge the fee being implemented by the landfill on September 1st. Salas is not sure how that will work out for the City.

Mr. Beyers stated we all need to figure out together but the authority needs the money. He will keep in communication with Salas.

Motion made by Councilor Medina to adjourn, Seconded by Councilor Gonzales.
Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Ortiz, Councilor Gray

August 19, 2026- 4:50 p.m. (Due to power outage)

17. Discussion/Action- Solicit/Accept Proposals for a Livestock Grazing Lease on the New Foy Property

Clerk/Treasurer Salas stated there was a work session on this item and she is needing an approval to put together a proposal, get it advertised in the newspaper, and accept sealed proposals. Clerk Salas stated there would be a committee to decide what proposal would be recommended to the council.

Motion made by Councilor Gonzales, Seconded by Councilor Medina.
Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Ortiz, Councilor Gray

18. Discussion/Action- Yearly Maintenance Quote on New HVAC System at Community Center

PC Automated option #2 is agreement of \$5,675.09 for twice a year maintenance of the HVAC System at the Community Center.

Motion made by Councilor Medina, Seconded by Councilor Gonzales.
Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Ortiz, Councilor Gray

19. Discussion/Action- Authorization to Proceed with Land Exchange Agreement with Freeport

Clerk/Treasurer Salas stated Freeport offered a land exchange. Salas is asking if she can move forward in getting the land surveyed to insure the exchange is good.

Motion made by Councilor Medina, Seconded by Councilor Gonzales.
Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Ortiz, Councilor Gray

20. Discussion/Action- Authorization to Proceed with Negotiations and Due Diligence for the City Acquisition of Cobre Golf Course

Superintendent of Cobre Schools stated the district is not fiscally able to support or maintain the golf course and is offering to lease to the City.

Motion made by Councilor Gonzales, Seconded by Councilor Medina.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Ortiz, Councilor Gray

21. Discussion/Action- Stantec Task Order #7 Asset Management Plan

Motion made by Councilor Medina, Seconded by Councilor Gonzales.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Ortiz, Councilor Gray

22. Discussion/Action- EMS Medical Director Agreement

Fire Chief Gabe Gonzales stated he updated the agreement. Hurley pays half and the City of Bayard pays half. \$1,000 each. Cost did not change.

Clerk Salas asked for council to postpone this agenda item due to the agreement not being received back from the Town of Hurley.

Motion made by Councilor Gonzales, Seconded by Councilor Medina.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Ortiz, Councilor Gray

ORDINANCES/RESOLUTIONS

23. Discussion/Action- Resolution 22-2026 Declaring a Surplus of Vehicles and Equipment Not Essential for Municipal Purposes Authorizing and Directing the Sale or Disposal of said Property

Resolution 22-2026

A resolution declaring a surplus of vehicles and equipment in the Maintenance Department which are not essential for municipal purposes and authorizing and directing the sale or disposal of said property in accordance with statutory requirements.

This will be a seal bid process.

Maintenance Department Surplus:

1. 1992 GMC C6000 TOPKICK DUMP TRUCK 1GDG6H1P1NJ524259
2. 1986 SULLIVAN COMPRESSOR D175 SERIAL NUMBER
204036
3. SRECO JETTER MODEL:LS6 4231-600Z SERIAL NUMBER 06120
4. PORTABLE LINCOLN ARC WELDER on TRAILER SERIAL NUMBER
A1126361

- | | |
|---|-------------------|
| 5. 2008 F250 UTILITY TRUCK | 1FDND21508ED69820 |
| 6. CASE 580 SUPER E BACKHOE
17045778 | SERIAL NUMBER |
| 7. DRESSER 515B LOADER
37029 | SERIAL NUMBER |
| 8. 2016 FORD TAURUS | 1FAHPZMK1GG105644 |

WHEREAS, 3-54-1, NMSA 1978 General Statutes authorizes the City of Bayard to dispose of surplus property; and

WHEREAS, the City of Bayard desires of the surplus vehicles and equipment listed for the Maintenance Department and one vehicle in the Police Department;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the City of Bayard that the 1992 GMC C6000 TOPKICK DUMP TRUCK, 1986 SULLIVAN COMPRESSOR D175, SRECO JETTER MODEL:LS6 4231-600Z, PORTABLE LINCOLN ARC WELDER on TRAILER, 2008 F250 UTILITY TRUCK, CASE 580 SUPER E BACKHOE, DRESSER 515B LOADER, 2016 FORD TAURUS are hereby declared surplus and subject for disposal or sale;

BE IT FURTHER RESOLVED, that the office of the City Clerk of the City of Bayard shall be and is hereby authorized to dispose of this surplus personal property in accordance with statutory requirement and following terms.

PASSED, APPROVED, and ADOPTED in a regular meeting on August 19, 2026.

John L. Ojinaga, Mayor

Eloy Gonzales, Mayor Pro Tem

Eloy Medina, Councilor

Chuck Gray, Councilor

Gilbert Ortiz, Councilor

Attest:

Martha Salas, City Clerk Treasurer

Motion made by Councilor Medina, Seconded by Councilor Gray.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Ortiz, Councilor Gray

24. Discussion/Action- Resolution 23-2026 Authorizing Application to the New Mexico Interstate Stream Commission and Water Trust Board to Construct Water System Improvements

RESOLUTION 23-2026

RESOLUTION AUTHORIZING APPLICATION TO THE NEW MEXICO INTERSTATE
STREAM COMMISSION AND WATER TRUST BOARD

The undersigned, being the governing board of the City of Bayard ("Entity"), after public notice and meeting held in accordance with the Open Meetings Act, and adopts the following resolution as of the date of the meeting in which a motion was duly made, seconded and voted upon.

WHEREAS, pursuant to the 2004 Arizona Water Settlements Act ("AWSA") and NMSA 1978, Section 72-14-45, the New Mexico Interstate Stream Commission ("NMISC" or "Commission") and Water Trust Board ("WTB") established a Pilot Cycle to fund planning, design, or construction components for water utilization projects that meet water supply demands in the southwest water planning region of New Mexico that encompasses Catron, Grant, Hidalgo, and Luna counties ("Pilot Cycle II");

WHEREAS, Entity has identified a project for which it desires to submit an application for funding under the Pilot Cycle II to Construct water system improvements to the Well Field, Pressure Reducing Valve and Water Meter Replacement Improvement Project ("Proposed Project");

WHEREAS, the name of the Proposed Project is City of Bayard Construction of Water system improvements;

WHEREAS, one of the requirements of the WTB and NMISC is that Entity enact a resolution after a public meeting held in accordance with the Open Meetings Act, which Resolution designates and delegates authority to a designated Representative who will submit an application and be the point of contact designated for the Project Entity; and

WHEREAS, the governing board has convened and held a public meeting in accordance with the Open Meetings Act.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

RESOLVED, the form and content of the Proposed Project for which Entity intends to seek funding under the Pilot Cycle II ("Project Application") is hereby ratified and approved. If the Proposed Project is selected for funding, Entity will enter into a funding agreement with the NMISC and implement the Proposed Project.

RESOLVED, Entity's Mayor and City Clerk Treasurer ("Designated Representative") is hereby authorized to submit the Project Application for the Proposed Project to the WTB and Commission.

RESOLVED, the Designated Representatives are hereby designated the point of contacts for the Project Application and is delegated authority to communicate with WTB and NMISC regarding the Project Application.

RESOLVED, the current contact information that may be used by the WTB and NMISC for communications with the Designated Representative related to the Project Application is:

City of Bayard

800 Central Ave.

Bayard, NM 88023

575-537-3327

Mayor - mayor@cityofbayardnm.com

City Clerk – bayardclerk@cityofbayardnm.com

This resolution shall take effect immediately upon its adoption.

PASSES, APPROVED AND ADOPTED by the City on this 19th day of August 2026.

GOVERNING BODY

CITY OF BAYARD

By:

John L. Ojinaga, Mayor

Attest: _____

Martha Salas, City Clerk Treasurer

Motion made by Councilor Medina, Seconded by Councilor Gonzales.

Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Ortiz, Councilor Gray

25. Discussion/Action- Intent to Amend the City of Bayard Municipal Code, Section 40-60 "Landfill Services", to Establish a Solid Waste Sanitation Fee Based on regional Landfill Operational Charges Assessed to Bayard

Motion made by Councilor Medina, Seconded by Councilor Gray.
Voting Yea: Councilor Medina, Councilor Gonzales, Councilor Ortiz, Councilor Gray

DEPARTMENT HEAD REPORTS

Wastewater Director, Steven Estrada stated there were lots of call outs due to the weather. Dement Electric completed the blower repairs.

Fire Chief, Gabe Gonzales stated they have held wild land fire training. Also, EMS training to stop the bleed. Assisted with Summer Fest. They are seeking new radios,

Police Chief, Hector Carrillo stated school is back in session. Officers are conducting walk throughs in each school.

City Clerk/Treasurer, Martha Salas announced the first Movie at the Park at the Bayard Little League. Also on September 19, 2026 is National Cleanup Day, there will be dumpers out next to Public Safety Building. Residents can come and dump anything they need to get rid of. Community Clean-up will start at each mining district municipality in October. Audit will start on September 21, 2026.

MAYOR AND COUNCILORS REPORTS

Mayor Pro-tem Gonzales applauded all the department heads. He is very proud with the way the City of Bayard is being ran right now.

Councilor Gray stated the Beautification Committee is planning a Candy Drop Event on October 31, 2026. The committee is sponsoring a Bingo for the All-American Cheer.

Councilor Gilbert Ortiz thanked the fire department for the fast response with the injured volleyball player at the game on Tuesday night.

NEXT MEETING DATE:

Regular Meeting - September 16, 2026

ADJOURNMENT

August 20, 2026 5:58 p.m. (Reconvened meeting from August 19, 2026)

John L. Ojinaga
Mayor

ATTEST:

Martha Salas
Clerk Treasurer