



**City of Rio Communities Council Regular Business Meeting**  
**City Council Chambers - 360 Rio Communities Blvd**  
**Rio Communities, NM 87002**  
**Monday, March 14, 2022 6:00 PM**  
**Minutes**

*Please silence all electronic devices.*

**Call to Order**

- Mayor Joshua Ramsell called to order the Regular Business Meeting at 6:00 pm.

**Pledge of Allegiance**

- Councilor Gordon led the Pledge of Allegiance.

**Roll Call**

- PRESENT: Mayor Joshua Ramsell, Mayor Pro tem Peggy Gutjahr, Councilor Arthur Apodaca, Councilor Lawrence Gordon, and Councilor Jim Winters.  
Present: City Manager Dr. Martin Moore, Municipal Clerk Elizabeth Adair, Finance Officer Stephanie Finch, Accounting Specialist Angela Valadez, Judge Noelle Chavez, and Valencia News-Bulletin Editor Clara Garcia.

**Approval of Agenda**

- Motion made by Councilor Winters to approve the agenda as written. Seconded by Councilor Gordon. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the agenda for the regular business meeting was approved as presented.

**Approval of Minutes for the City Council Workshop & Regular Business Meeting (2/28/2022)**

- Motion made by Mayor Pro tem Gutjahr to approve the Council workshop and regular business meeting minutes of February 29<sup>th</sup>, 2022. Seconded by Councilor Apodaca. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the minutes for the workshop and regular business meeting of February 28, 2022 were approved as written.

**Swearing in of Melanie Good (Planning and Zoning Commissioner)**

- Melodie Good took the Oath of Office to be a member of the Planning and Zoning Commission. the oath was administered by Judge Noelle Chavez.

**Public Comments**

- Mr. Dick Irvin expressed his comments about HWY 304 and Western Dr. there's a lot of speeding and the clean up on, 605 Western Dr. which is a vacant lot which is next to his house, also he has been noticing people riding up and down the roads looking at houses.

**Manager Report**

**Update on NM 47/Rio Communities Blvd streetlights**

- Manager Dr. Moore started off by saying the HWY 47 lights are still in progress and that he has gotten the aluminum wiring for the light poles, they got several contractors to start moving things along.

**Update on City Cleanup**

- Manager Dr. Moore said we are continuing to move forward with trash day, and it is this Saturday at 8am but people start lining up as early as 7-7:30 am.
- Manager Dr. Moore then said he the County is asking all municipalities to buy into and approve the multi-hazard emergency litigation plan and we will be getting a copy to give to Council either on the 21<sup>st</sup> or 28<sup>th</sup>.

#### **Municipal Court Department**

- Court Clerk Adair said for the month of February: 8 violations were filed. The amounts collected were \$20 Court fines, \$6 automation, \$3 Judicial Education \$36 fee giving a total collected of \$65.

#### **Presentation: by the SJT Group FY 2021 Financial Audit**

- Mr. Jeramiah Armijo gave the audit report and began his presentation.
- Mr. Armijo explained what the manager and auditor are responsible for such as, the manager is responsible for Accounting Policies, Internal Controls, Accounting Systems, Significant Estimates, Management Representation Letter and the auditor was responsible for, providing an opinion about whether the financial statements are materially correct, Reasonable, but not absolute, assurance that the financial statements are materially correct, Understanding of internal controls sufficient to plan the audit; evaluation of control design; and verification of implementation of key controls.
- Mr. Armijo went over the compliance findings such as, perform tests of compliance related to various State Statutes and requirements including: Procurement code (chapter 13 NMSA 1978), Travel and per diem (chapter 10-8 NMSA 1978), State Audit Rule (2.2.2 NMAC).
- Mr. Armijo said we have an unmodified (clean) opinion on the financial statements which is the best opinion we can receive and states the numbers are financially correct. He went on and stated there are no internal controls: such as no material weaknesses identified, and no significant deficiencies reported.
- Mr. Armijo went further into the presentation and stated the financial performance of the City from last year and everything that had resolved such as: Travel and Per Diem Act-City Manager travel RESOLVED, Fringe Benefits-use of city vehicle RESOLVED, Procurement-Several purchases did not comply with City's policies and procedures for procurement RESOLVED, Anti-Donation Clause- Purchase from eBay from fencing in the amount of \$537 never received from vendor RESOLVED, and Lack of Supporting Documentation- Several credit card expenditures did not have supporting invoices or receipts RESOLVED.
- Mr. Armijo went over the next position which was focused on capital assets. He went on by stating it had increased to \$8.7 million since last years \$8.1 million but its due to the investment in capital outlay and was mainly due to the purchases of the vehicles for the city.
- Mr. Armijo explained the current revenue such as Operating Grants and Contributions, Capital Grants and Contributions, Gross Receipt Tax, Property Tax, Franchise Tax, State Shared Tax, and Other.
- Mr. Armijo went over the expenditures as in: General Government, Public Safety, Public Works, and Interest.
- Mr. Armijo said he was ready for questions or comments.
- Councilor Apodaca said it was very interesting and very good news.
- Councilor Gutjahr said thank you to Mr. Armijo and told him he has a great way of explaining things and she went on to thank the staff for everything and she knows it takes a lot of time and effort and leadership from Dr. Moore but thank you.

- Councilor Gordon also thanked Mr. Armijo and told him he showed the confidence they have in the financial staff is well deserved.
- Councilor Winters said he would like to thank Mr. Armijo as well and he finds it interesting how the financial situation being where it is means we can do things for the public and we appreciate it.
- Mayor Ramsell said thank you Mr. Armijo we appreciate all the work your team has done and with past audits and staff turned things around so thank you very very much finance department this speaks volumes on what you guys do from day in and day out.
- Finance Officer Finch said its not just the finance department it's all the staff from the clerk's office to public works and to the city manager.
- Manager Dr. Moore said he needs to compliment all staff, but also needs to say thank you to City Council for giving us trust for doing these jobs.

#### **Acceptance of the FY 2021 Financial Audit**

- Motion made by Mayor Pro tem Gutjahr to accept and approve the Financial Audit for 2021. Seconded by Councilor Apodaca. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the Financial Audit for the Fiscal year 2021.

#### **Approval of Accounts Payable**

- Councilor Gutjahr said there was no comments and she thought she had everything answered at the workshop.
- Councilor Winters said the gas bill is about where it was last month which is a good thing.
- Councilor Apodaca said maybe because of the price increase that we went down this month.
- Mayor Ramsell said he was only going to mention the fuel cost of the fire department, but as we have all seen the prices haven't gone down.
- Motion made by Councilor Winters to approve the accounts payable as published. Seconded by Councilor Gordon. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote the accounts payable was approved for payment.

#### **Resolution 2022 - NMDOT Cooperative Agreement/application**

- Manager Dr. Moore explained we are looking at Don Diego Road to do co-op work with this particular grant due to how bad the road is. He then said with this grant we can either replace the whole road or patch it but due to the amount of cracks replacement is what we are shooting for.
- Mayor Ramsell said the work specifics will be from Guapo Rd. to Dulcinea Ln.
- Councilor Winters said there is very little speeding on that section of road.
- Motion made by Mayor Pro tem Gutjahr to approve Resolution 2022-04 NMDOT Cooperative Agreement/application as described. Seconded by Councilor Winters. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Resolution 2022-04 NMDOT Cooperative Agreement/application was passed, approved, adopted, and signed.

### **Resolution 2022 - NMDOT Municipal Arterial Program**

- Manager Dr. Moore went over the MAP (municipal arterial project) this project starts at Horner St. and will go towards Hillandale Ave. and from Hillandale Ave. to Manzano Expy. Step one is a design grant, and we are asking \$370,000 in total project costs. We have gone over the budget, and we have a 25% match with funds in hand.
- Councilor Winters said this puts us in an outstanding position to be able to apply for additional grants from the transportation department.
- Manager Dr. Moore said we are looking into about a mile and a half of road.
- Councilor Gutjahr said as long as she can remember we have been talking about this arterial road, and this is a great entry way for future grants.
- Motion made by Mayor Pro tem Gutjahr to approve Resolution 2022-05 NMDOT Municipal Arterial Program. Seconded by Councilor Gordon. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Resolution 2022 – 05 NMDOT Municipal Arterial Program was passed, approved, adopted, and signed.

### **Expenditure of Bill Brown Memorial Funds**

- Manager Dr. Moore stated our great appreciation to Councilor Brown, he had several areas he cared about the most were public works and the parks, and we are letting Council and the public know that Councilor Brown's wishes are being followed. Then said out of the \$330k we recommend \$150k to go to the public works side for equipment such as a bobcat with attachments and the remainder for parks which he really cared about as well.
- Councilor Gutjahr said there was a conversation on the importance of having something permanent in honor of Bill Brown, with our conversation we were talking about how we have legislator appropriations going towards parks and with the remainder of the money we will have over \$800k.
- Councilor Winters said that is a wise distribution because more than \$800k in parks may not be used wisely.
- Motion made by Councilor Apodaca to move forward with the expenditure of Bill Brown Memorial Funds. Seconded by Councilor Winters. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the expenditure of Bill Brown Memorial Funds as stated by Dr. Moore has been approved.

### **Selling of City equipment**

- Manager Dr. Moore said we have 4 specific pieces of equipment that we would like your approval on such as, an old tanker truck, a Dodge Dakota, a Chevy Tahoe and a Crown Vic that need to be retired. He said we are asking Council for permission to move forward with the proper disposal through auction with the vehicles.
- Motion made by Councilor Gordon to approve the selling of the City vehicles. Seconded by Councilor Winters. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the selling of the Fire department old tanker truck and Dodge Dakota, the public works directors Chevy Tahoe and the code enforcement vehicle Crown Victoria.

## **Authorization to hire an Emergency Medical Service Coordinator for the City of Rio Communities Fire Department**

- Manager Dr. Moore said we have been tracking the data trends and continue to be extremely high as in January 84.4% and February mid-80% of all calls were for emergency medical services. The challenge we are having is responding to the high call volumes. He also stated that he has been looking in the EMT GRT funds and there is enough room to hire an Emergency Medical Service Coordinator. They would report to the fire chief but can come to the city manager as well, we are looking for an individual who is Paramedic trained, also looking for individuals with at least an associates degree on emergency medical training. He then recommended Council on the approval and authorization of the emergency medical service coordinator.
- Councilor Gutjahr said we had a polite conversation and how it will help the public and is a great way to go and needed something like this as well.
- Mayor Ramsell said this is a step in the right direction, having a 3<sup>rd</sup> EMT can help mentor our current EMTs and potentially having some PR's pair up with drivers and have more EMTs which will give us a little more coverage down the road.
- Motion made by Councilor Apodaca to approve authorization to hire an Emergency Medical Service Coordinator for the City of Rio Communities Fire Department. Seconded by Mayor Pro tem Gutjahr. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Authorization to hire an Emergency Medical Service Coordinator for the City of Rio Communities Fire Department.

## **Salary Wage Range & Job Description of the Emergency Medical Service Coordinator**

- Manager Dr. Moore explained we presented a job description for the Emergency Medical Service Coordinator in your packets. This requires them to be a field working person, also they will be helping with grants and dealing with paperwork. We are recommending a wage range of \$18-\$22 per hour. He then stated this is an EMS GRT funded position and not a general funded position.
- Motion made by Councilor Winters to approve the Salary Wage Range and Job Description of the Emergency Medical Service Coordinator. Seconded by Councilor Gordon. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Salary Wage Range and Job Description of the Emergency Medical Service Coordinator has been approved.

## **Appointment/Re-appointment of P&Z member(s)**

- Mayor Ramsell recommends the re-appointment of current chair Mr. Tom Scroggins.
- Motion made by Mayor Pro tem Gutjahr to approve the re-appointment of Tom Scroggins as a member of P&Z. Seconded by Councilor Winters. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved the reappointment of Thomas Scroggins to the Planning and Zoning Commission.

## **Council Discussion**

- Councilor Apodaca had nothing to report.
- Councilor Gutjahr said just as we stated at the workshop, she has been working with Senator Heinrich's office regarding a separate zip code.
- Councilor Gordon had no comments.

- Councilor Winters had no comments.
- Mayor Ramsell said Dr. Moore will be bringing information on a 501c6 type of organization since we are talking about economic development priorities.
- Mr. Irvin asked if we could have a City Market and have an area where we can establish a fee for a booth but I'm not sure if you can do this.

**Executive Session - For the purpose of contract negotiations for the City Manager pursuant to NMSA 10-15-1(H)(2) - Limited Personnel Matters and for the discussion of the purchase, addition or disposal of real property or water rights by the public body pursuant to NMSA 10-15-1(H)(8)**

- **Motion and roll call vote to go into close session**
  - Motion made by Mayor Pro tem Gutjahr with a roll call vote to go into executive session for the purpose of contract negotiations for the City Manager pursuant to NMSA 10-15-1(H)(2) – limited personnel matters and for the discussion of the purchase, addition or disposal of real property or water rights by the public body pursuant to NMSA 10-15-1(H)(8). Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council went into executive session at 7:28 pm.
- **Motion and roll call vote to go back into the regular business meeting session**
  - Motion made by Councilor Gordon with a roll call vote to go back into the regular business meeting session. Seconded by Councilor Winters. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council was back into the regular business meeting session at 8:32 pm.
- **Welcome everyone back and statement by the Mayor**
  - Mayor Ramsell welcomed back the public and then stated: The Governing Body of the City of Rio Communities, New Mexico, hereby states that on March 14, 2022 a Closed Executive Session was held and the matters discussed the contract negotiations for the City Manager and for the discussion of the purchase, addition or disposal of real property or water rights by the public body as posted on the agenda

**Action Items - Consideration & Decision – Mayor recommendation regarding the contract negotiations for the City Manager and for the discussion of the purchase, addition or disposal of real property or water rights by the public body**

- Mayor Ramsell said recommendation on renewing Dr. Moore's contract for a second year and add a \$300 housing cost into his salary and add an additional 6.25% increase in salary.
- Motion made by Councilor Winters to accept the recommendation of the Mayor. Seconded by Mayor Pro tem Gutjahr. Voting Yea: Mayor Pro tem Gutjahr, Councilor Apodaca, Councilor Gordon, Councilor Winters. With a 4-0 vote Council approved a 6.25% increase to the City Manager annual pay and continue the \$300 a month.
- Councilor Gutjahr said to Manager Dr. Moore before we end, I want everyone to know you are doing an outstanding job.
- Councilor Apodaca said it is our Mayor's birthday.
- Council all said happy birthday Mayor Ramsell.

**Adjourn**

- Councilor Apodaca moved to adjourn. The motion was second by Councilor Gutjahr. With a 4-vote the City Council regular business meeting was adjourned at 3:35 pm.

Respectfully submitted,

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Elizabeth F. Adair, Municipal Clerk  
(Transcribed by Cheyenne Sullivan, Assistant Clerk)

Date: \_\_\_\_\_

Approved:

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Joshua Ramsell,  
Mayor

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Margaret R. Gutjahr,  
Mayor Pro-tem/Councilor

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Arthur Apodaca,  
Councilor

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Lawrence R. Gordon,  
Councilor

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Jimmie Winters,  
Councilor