PUBLIC UTILITY ADVISORY BOARD
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
Monday, December 20, 2010

REGULAR MEETING
Minutes

TIME & PLACE: The Public Utility Advisory Board of the City of Truth or Consequences, New Mexico, met in Regular Session in full conformity with the Law and Ordinances of said Board, at the Commission Chambers of said City, on Monday the 20th day of December, 2010 at 5:30 P.M.

PRESIDING OFFICER: The meeting was called to order by Bill Jacka, Chairman and Angela A. Torres acted as Secretary.

ATTENDANCE: Upon calling the roll the following members were reported present:

Bill Jacka, Chairman
Alvin W. Siffring, Member
Millie McLeod, Member
James Hunt, Member

Absent Was/Were:
Mike Potia, Vice Chairman

Also Present:
Dave Weiser, City Manager
Bernadine Garcia, Utility Office Manager
Leonard Carrillo, Sanitation Director
Andy Alvarez, Collection 2
Angela A. Torres, Deputy City Clerk

QUORUM: There being a quorum present the Board proceeded with the business at hand.

APPROVAL OF AGENDA: Bill Jacka, Chairman called for approval of the Agenda.

"Alvin Siffring moved approval of the Agenda as submitted."

Seconded by Millie McLeod
Motion carried unanimously.

APPROVAL OF MINUTES: Bill Jacka, Chairman called for review and approval of minutes of the Regular meeting held Monday, November 15, 2010.

"Millie McLeod moved approval of the minutes of the Regular meeting held Monday, November 15, 2010 as submitted."

Seconded by Alvin Siffring
Motion carried unanimously.

COMMENTS FROM THE PUBLIC: There were no comments from the public.
Bill Jacka, Chairman asked City Manager Dave Weiser “About how often does the City change out street lights.”

City Manager Weiser stated that the City changes out maybe five or ten lights a year.

City Manager Weiser stated the reason he brought the Night Sky Friendly Lighting to the board’s attention is the state has a similar law regarding the Night sky lighting, and the City wanted the Public Utility Boards input on the subject, and then maybe take it to the Planning & Zoning commission for their input, and from there have it go to the City Commission for their input as well.

City Manager stated there are several ways to go about this. It can be a requirement for any new development that comes into town so if this is the direction the city is headed in he believes that would be the best way to go instead of having to replace all of the lights at once.

James Hunt had concerns that if current businesses that don’t conform to the new type of lighting is the City going to grandfather that in.

City Manager Weiser stated maybe that can be part of the board’s recommendation. He gave a few examples on how they can handle that situation. For instance maybe they can give the businesses two, five, or ten years to comply, maybe they can be grandfathered in, or require that as they replace their lights they have to comply.

City Manager Weiser stated mostly businesses would be affected.

The Public Utility Board, and City staff had discussion on whether or not the Night Sky Lighting project would cause a safety issue.

Bill Jacka, Chairman stated you can still light up as much area with the lighting the night sky friendly lighting manual is requesting if the lighting is done correctly.

Millie McLeod had questions on what the cost would be to have shields put on the lights.

Bernadine Garcia Utility Office Manager stated that the reason why they are changing over to the new lights is they don’t have the ability to shade the old lights anymore, and they are only replacing what is needed. With the old lights they were able to spray them, and now the black paint they were using on the lenses is what the issue is.

City Manager Weiser stated he would look into getting more accurate information for the board as far as the number that they are changing, and what the cost may be, and put it on the agenda for the next meeting in January.

James Hunt wanted to know the wattage on the street lights. He said he believes they were 80 watts, and anything fewer than 150 watts is exempted by law.

Mr. Weiser stated he would get the wattage, an approximate number of lights they change each year, and the cost of changing the lights per pole.

Bill Jacka, Chairman stated he knows a gentleman from Las Cruces that owns a lighting company who would be willing to come down, and talk to them about alternative bulbs and low energy consumption.

Bill Jacka, stated he will leave the topic open for further discussion at the next meeting.
DISCUSSION/
ACTION-
PROPOSED RATES/
PERTAINING TO
SOLID WASTE
COLLECTION FEES:

Dave Weiser, City Manager approached the board, and stated they had discussed this ordinance in front of the City Commission about five months ago. The Commission had questions regarding the wood chipping. They asked the City to re-write part of it, and explain what they wanted to accomplish.

Page 1 section 11-10(b) It’s talking about the cost per cubic yard. These are the fees we are emulating with the County charges now. The County has to close their landfill on December 31, 2010. The county will have roll on roll off large containers at their landfill where they will take residential trash. They will charge their customers $3.00 per cubic yard, and then they will haul that trash over to our landfill and they will charge the county $3.00 per cubic yard for them to dump in our landfill. Leonard Carrillo, Sanitation Director has changed his hours of operations to Tuesday through Saturday at the landfill, so if there are special call outs on Sunday or Monday there will be an additional $25.00 charge to come out on those off days.

Leonard Carrillo Sanitation Director stated the landfill will only be closed on Sundays.

The City Manager, and the City Attorney discussed the legality of charging different rates for those people who live within the City, and those who live outside of the City. The people who live in the City is already paying $20.00 per month to the City, and those that live in Williamsburg or Elephant Butte are paying about the same, but those who live in the County are only paying $3.00 per cubic yard. That’s why the City felt there needed to be a difference in fees between City residents, and County residents. On page two of the ordinance it shows those fees are the same to dump at the City landfill. (Complete copy attached to and made part a hereof).

Dave Weiser City Manager, stated section (b) of the ordinance talks about construction debris, and they have to put this in because they haven’t taken construction debris. There is a different charge for larger amounts of debris. Section (b) covers mainly small amounts of construction debris. Section (c) covers the larger amount of construction debris. Section (b) is for construction debris that comes from outside of the County. We’ve had a number of contractors that come from outside Sierra County to dump in the City landfill because the cost was cheaper. The City is trying to eliminate that from happening. They need to preserve as much space as possible so the landfill can last until the end of 2012 or close to that.

The City and the County have been discussing what they are going to do when the City landfill closes. It looks like the cheapest way to handle it is to build a transfer station then haul the trash to Socorro or to Las Cruces. It is a little bit cheaper per cubic yard to take it to Las Cruces, but Las Cruces is further than Socorro so the mileage difference might even that out.

If they can get a permit to build another landfill they are talking a minimum of six years to build it, and several hundred thousand dollars just in the permitting process alone. Since they have to be out of our landfill in 2012 for not a lot more money than that permitting process they can build a transfer station.

Even if down the road they do have a landfill in Sierra County it’s going to be further out than what our landfills are now, and a transfer station would work. They could bring all the garbage to one area, and have one to two trucks a day going out instead of several trucks everyday going out there.
The City has applied for federal money for a transfer station, and the County will be talking to our legislators about State money, and with the financial condition the State is in, funds may not be available until next year.

Bill Jacka, Chairman asked if anyone has talked to Deming about their transfer station, and how it works for them.

Dave Weiser replied he has not talked to Deming, but he did talk with the people in Las Cruces several times, and it works pretty well for them.

Dave Weiser City Manager stated that garbage rates will go up, but they are going to try to make them as minimal as possible.

Dave Weiser City Manager stated on page 3 of the ordinance it talks about disposal of dead animals, and penalties for dumping the dead animals as well.

Section 11-10(c) talks about wood chipping...The City Commission had the most concerns with this. The City does do wood chipping for the public if they put the yard waste out by the dumpster. They've had a couple of instances where people have had close to a one acre lot full of trees, and brush with no house on it. They are not paying City garbage fees, but then they clear the lot, and want the City to chip it for them at no charge. He stated it is a lot of work for the sanitation department to do, and they feel they need to be compensated in some way for the work. This is mainly why the chiping fees were added into the ordinance.

Bill Jacka, Chairman had question on how the City would know who dumps the yard waste.

Leonard Carrillo, Sanitation Director responded by saying "that is little nick's they are going to have to work out, and hopefully the residents in the area will help out in that matter by reporting it."

Millie McLeod had a question for Leonard Carrillo, regarding whether, or not the City is going to be composting dead animals.

Leonard Carrillo, Sanitation Director stated he is looking into the process of doing that, but as far as the composting he will talk to City Manager Weiser about seeing if they can get an area to open up a large composting on the transfer trailers to eliminate the weight from some of the trailers which is mostly green waste, and if they do a composting facility that will help a lot of the cost at our waste water treatment plant as well.

Dave Weiser City Manager stated that on page 5 of the ordinance it talks about recycling tires and the cost for that. They are working with County as far as their bailer to work something out with them to also get rid of the bails because they don't have a finite amount of space, and they don't want to get inundated.

Leonard Carrillo, Sanitation Director stated he found a company out of Denver, Colorado that will take tires, and stated no one in our area takes them.

Dave Weiser City Manager stated that on page 5 it goes on to talk about recycling appliances, batteries, and E-waste.

He stated the City is currently collecting refrigerators, and freezers.
Leonard Carrillo, Sanitation Director stated he is in the process of getting a contract for the appliances to be taken away as soon as they are done with them, and he is also working on a contract where they can get paid for the metals, and that before they had a contractor come and take them from them, and now this way they can accommodate some of the money back into the budget.

The Board and City staff discussed fees and whether or not they should have someone come in to have the Freon removed from the appliances.

James Hunt had a question for City staff regarding any delinquent payments after 90 days that will resolve in a late fee charge and what the charges may be.

Bernadine Garcia, Utility Manager replied that the penalty is 1 1/2%.

James Hunt also had questions regarding page 3 where it says: It shall be prohibited for any person or business to place or dispose of dead animals in alleys, open fields, rivers, arroyos, or roadways. He stated he would like to know what the penalty may be if they do this, and he would like for that to be in writing as to what the consequences may be.

Dave Weiser City Manager stated he will look in the City code book to see if there is anything that might say what the charge might be, and if not they will put something in there.

Dave Weiser City Manager asked the Board if they were okay with the ordinance. He stated they will spell check it, and they will put consequences in on page 3, and stated if they get their approval they would like to take it to the City Commission as soon as they can, and start the process.

Alvin Siffring stated that on page 1 where it says: $3.00 per cubic yard plus Gross Receipts Tax. Any unloading on off days will need to be set ahead of schedule, and an additional $25.00 plus tax shall be added to each load. He would suggest it be changed to say “$3.00 per cubic yard plus Gross Receipts Tax, and any unloading on off days will need to be scheduled prior, and an additional $25.00 plus tax shall be added to each load.” He also mentioned that wherever the word shingles shows up in the ordinance it is spelled singles so he recommends that be changed also.

Bill Jacka, Chairman stated he would like to move this along to the City Commission with the amendment of page 3 the disposal of penalty for dead animals.

Dave Weiser City Manager asked the Board if he doesn’t find a penalty in the code what do they think it should be.

The Board had discussion regarding the penalty fee for disposal of dead animals. The Board and City staff agreed the penalty fee should be 3x the cost to dump it, or the cost of removal, and clean up whichever is higher.

“Millie McLeod moved to recommend this proposed ordinance to the City Commission with the amendment of page 3 the disposal of penalty for dead animals, with the correction of the spelling of singles.”

Seconded by Alvin Siffring
Motion carried unanimously.
CONSERVATION STUDY: Bill Jacka, Chairman stated item #4 on the agenda (Night Sky Friendly Lighting) may be our next topic on the conservation study if they move in that direction, and possibly more eco friendly lighting. The board agreed they would like to further discuss the Night Sky Friendly Lighting at the next meeting.


Discussion ensued with no action taken.

ADJOURNMENT: There being no further business to come before the Board Chairman Bill Jacka declared the meeting adjourned.

APPROVAL: PASSED AND APPROVED this 18th day of January, 2011, on motion duly made by James Hunt, seconded by Alan Suffring, and carried.

Bill Jacka, Chairman
Public Utility Advisory Board