

**CITY COMMISSION MEETING MINUTES  
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO  
CITY COMMISSION CHAMBERS, 405 W. 3<sup>RD</sup> St.  
WEDNESDAY, JANUARY 12, 2022**

**A. CALL TO ORDER:**

The meeting was called to order by Mayor Pro-Tem Amanda Forrister at 9:00 a.m., who presided and Angela A. Torres, City Clerk-Treasurer, acted as Secretary of the meeting.

**B. INTRODUCTION:**

**1. ROLL CALL:**

Upon calling the roll, the following Commissioners were reported present.

Hon. Amanda Forrister, Mayor Pro-Tem  
Hon. Destiny Mitchell, Commissioner  
Hon. Merry Jo Fahl, Commissioner  
Hon. Rolf Hechler, Commissioner  
Hon. Shelly Harrelson, Commissioner

Also Present: Bruce Swingle, City Manager  
Angela A. Torres, City Clerk-Treasurer

There being a quorum present, the Commission proceeded with the business at hand.

**2. SILENT MEDITATION:**

Mayor Pro-Tem Forrister called for fifteen seconds of silent meditation.

**3. PLEDGE OF ALLEGIANCE:**

Mayor Pro-Tem Forrister called for Commissioner Hechler to lead the Pledge of Allegiance.

**4. APPROVAL OF AGENDA:**

Mayor Pro-Tem Forrister asked that item G2 be removed from the agenda and tabled until the February 9, 2022 meeting.

**Commissioner Hechler moved to approve the agenda with the exception as noted. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**5. DISCUSSION/ACTION/RE-ORGANIZATION: SELECTION OF A MAYOR & MAYOR PRO-TEM:**

**Commissioner Fahl made a motion to select Mayor Pro-Tem Forrister as Mayor. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**Mayor Forrister made a motion to select Commissioner Hechler as Mayor Pro-Tem. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**C. PRESENTATIONS:**

**1. Presentation: Presentation of Retirement Plaque to Kenneth (Kenny) Moran:**

Bo Easley, Electric Department Director presented a Retirement Plaque to Kenny Moran for his service, and dedication to the City of Truth or Consequences from 1996 to 2021. Kenny was a great asset to the city, and he will truly be missed.

**2. Presentation: Update on the Geronimo Trails Scenic Byways and Visitor's Center.**

LaRena Miller, Geronimo Trail Scenic Byway gave an update on the Geronimo Trails Scenic Byways and Visitor's Center. (Complete copy attached hereto, and made a part hereof).

**D. PUBLIC COMMENT (3 Minute Rule Applies)**

Mick Montgomery addressed the Commission with comments related to:

- (1) He congratulated the Mayor and Mayor Pro-Tem on their appointments.
- (2) He gave a big thank you to Bo and Kenny in the Electric Department. Kenny is outstanding, and has helped them out immensely with the First Baptist Church. When you get somebody great like that in your department you hate to lose them.
- (3) He is in support of the adoption of the new Animal Control Ordinance.

Carole Wheeler addressed the Commission with comments related to:

- (1) She congratulated the Mayor and Mayor Pro-Tem on their appointments.
- (2) She is in support of the new Animal Control Ordinance. It is well written, and it is directed to the animal owners.

Dianne Lombardo addressed the Commission with comments related to:

- (1) She is in support of the new Animal Control Ordinance. She started the Companion Animal Action Team (CAAT), along with former Animal Control

**Commission report 1-12-22**

**Mayor, Commissioners, Mr. Swingle,**

**I am LaRena Miller, executive director of Geronimo Trail National Scenic Byway and director of the Geronimo Trail Visitors Center. With me is Joey Perry, our board secretary and statistician. We keep a detailed account of where our visitors come from by City in New Mexico, State outside of New Mexico, and Foreign Countries.**

**We have an ongoing contract with the City of Truth or Consequences to provide visitor information services. We receive subrecipient funds from the City's portion of Lodgers Tax for operating expenses. This contract has been renewed annually since 2013 so that we could also greet visitors to Spaceport America's visitors center in the same building. We promote Truth or Consequences, Sierra County, and have information from all over the State of New Mexico. We are all volunteers putting in 42 hours per week. At the volunteer rate of \$17.00 per hour, this is a donation to the City in excess of \$36,700 per year.**

**We closed March 16, 2020 for Covid. We reopened for a small part of September, October and November before we closed again due to a resurgence of Covid. Therefore our 2020 numbers have little bearing on our overall visitation statistics. For historical accuracy, 2020 numbers will be inserted at a later time. During these three months we shortened our hours of operation.**

**We did not reopen in 2021 until the last weekend of January. During 2021 we had 33% less visitation than we had in 2019. We did have 5,911 sign-ins during 2021, which with the continuation of Covid**

restrictions was a significant number. Since some of our volunteers were unable or unwilling to come back in 2021, we have kept the shortened hours but are still open 7 days a week. Monday through Thursday we are open from 10am to 3pm, Friday and Saturday 9am – 4:30 pm and Sunday 9am to 2:30pm. When there is a Spaceport America tour bus going out on Saturday we open at 8am. Whoever is on duty that day stays until after the bus gets back in, sometimes 5:30 or 6:00 pm.

We require masks and have extras to give out, use antiseptic wipes and antiseptic spray to keep things disinfected and follow covid-safe practices.

In 2021, we answered 470 telephone calls asking for information, sometimes phone number, inquiry if something was open, questions about Spaceport America and questions we could refer to the proper authority. We replied to 1,799 email requests for information. We sent out 117 visitor information packets, 2 relocation packets and either shipped or delivered 6 cases to visitors centers in other towns. We have several visitors coming in who are either thinking of moving here, or just moved here, and provide them with relocation information. We do not count them separate from just visitors who sign in.

Since the Spaceport Visitors Center is not staffed, we voluntarily open and close that room, turn the electronics on and off, and answer questions about them. We provide information on Spaceport America, and as the tours go out from their visitors center we open extra early on tour days so people can come inside while they wait for the bus.

**We “tell people where to go”, sending them to places in Sierra County and asking where they are going next, so we can refer them to the old highways that are more scenic, and give them information on other destinations. We have information on destinations throughout the State that we hand out.**

**We have some souvenir items for sale, both for Truth or Consequences and for Spaceport America. We buy them wholesale for retail, and do pay gross receipts taxes on items that we sell. Our bookkeeping system is compliant with accounting practices, even though we operate on a small budget and are underfunded for what all we do. We are an all-volunteer staff and many of our necessary operating expenses are partially funded by donations from our board members. As we are a 501c4 non-profit, we are required to pay grt on sales. Donations made to us, while not taxable income, cannot be used as a tax deduction by the donator.**

**Ruanna Waldrum is our webmaster and has upgraded our website recently using City Lodgers Tax funding. The address is [www.geronimotrail.com](http://www.geronimotrail.com).**

**I would like to invite the commissioners to come and visit to see what we have. I put my working hours on the back of my business cards, and if those hours are not convenient for you, my home phone number is on the card so call me and set up an appointment. I would love to visit with each of you on an individual basis and answer any questions you might have about our operations.**

**I would like to thank Mr. Swingle and the previous commission for all their assistance to us, and look forward to working with this new commission for further tourism in Sierra County.**

**Thank you for your time and this opportunity to talk to you.**

**Questions?**

# GERONIMO TRAIL VISITORS CENTER

## TIONS by MONTH and PERCENT CHANGE from PRECEDING

### 2015 - CURRENT

	2015	% Change Year-to- Year	2016	% Change Year-to- Year	2017	% Change Year-to- Year	2018	% Change Year-to- Year	2019	% Change Year-to- Year	2020	% Change Year-to- Year	2021	% Change Year-to- Year	2022	% Change Year-to- Year
JAN	318	19%	433	36%	561	30%	656	17%	632	-4%	671	6%	13	-98%		
FEB	416	24%	587	41%	573	-2%	699	22%	731	5%	847	16%	117	-86%		
MAR	506	-19%	786	55%	858	9%	1,030	20%	1,035	0%	487	-53%	533	9%		
APR	397	5%	671	69%	689	3%	694	1%	877	26%	0	-100%	504	100%		
MAY	334	8%	595	78%	665	12%	822	24%	757	-8%	0	-100%	532	100%		
JUN	296	40%	493	67%	463	-6%	529	14%	599	13%	0	-100%	452	100%		
JUL	453	86%	459	1%	480	5%	564	18%	596	6%	0	-100%	556	100%		
AUG	365	45%	371	2%	414	12%	442	7%	565	28%	0	-100%	529	100%		
SEP	421	73%	492	17%	514	4%	544	6%	586	8%	80	-86%	477	94%		
OCT	535	12%	749	40%	754	1%	801	6%	906	13%	120	-87%	875	98%		
NOV	461	69%	552	20%	699	27%	661	-5%	787	19%	14	-98%	653	98%		
DEC	394	41%	488	24%	670	37%	675	1%	743	10%	0	-100%	670	100%		
TOTALS	4,896	26%	6,676	36%	7,340	10%	8,117	11%	8,814	9%	2,219	-75%	5,911	166%	0	-100%

# GERONIMO TRAIL SCENIC BYWAY VISITOR STATISTICS: NEW MEXICO

GTSB Visitor Statistics: New Mexico															
	2021	2021	2021	2021	2021	2021	2021	2021	2021	2021	2021	2021	2021	2021	2019
	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD		TOTALS
<b>SIERRA COUNTY</b>	5	13	31	39	61	36	50	46	21	50	30	37	419		643
Abiqui			2										2		0
Alamogordo					5				7	3	3	7	25		47
Albuquerque		14	48	49	64	55	66	52	58	86	65	83	640		966
Alto													0		0
Angel Fire													0		0
Animas													0		0
Anthony				2						2			4		0
Aragon													0		0
Artesia													0		4
Aztec													0		0
Bayard													0		0
Belen									1	5	4	2	12		76
Bernalillo							1						1		15
Bingham													0		0
Bloomfield													0		0
Blanco													0		0
Blue Water													0		0
Bosque Farms								1					1		4
Capitan										2			2		0
Carlsbad									1				1		10
Carrizozo													0		2
Cedar Crest													0		0
Cerrillos													0		0
Chama			2						1				3		2
Chamberino													0		0
Chaparral													0		2
Chillili													0		0
Clayton													0		0
Cliff													0		1
Cloudcroft			2			1				3			6		13
Clovis												2	2		7
Cochiti													0		0
Columbus													0		0
Corona				1									1		0
Corrales												2	4		12
Crownpoint													0		0
Cuba													0		0
Datil													0		0
Deming				2		4	2		1	4		1	14		27
Dexter													0		0
Dona Ana			2										2		4
Eagle Nest													0		5
Edgewood				2	2					3			7		18
Espanola					2				1				3		2
Estancia			2										2		2
Eunice													0		0
Fair Acres													0		0
Farmington			2		2					2	2		8		18
Ft Stanton													0		0
Ft Sumner													0		0
Garfield													0		0
Gallup		2										4	6		7
Glenwood													0		0
Grants					4		4			4			12		5
Hatch										4			4		2
Hagerman				2									2		0
High Rolls													0		0
Hobbs													0		8
Hondo													0		2
Horse Springs													0		0
Hurley					1							1	2		1
Jemez								3					3		2
Kirtland													0		0
La Cueva													0		0
La Joya													0		0
La Luz													0		2
La Mesa													0		0
La Plata													0		0
La Union													0		0
Las Cruces	2	7	24	18	17	21	17	18	12	21	22	28	207		364
Las Vegas													0		15
Lamy													0		0



# GERONIMO TRAIL SCENIC BYWAY VISITOR STATISTICS: NEW MEXICO

	2021	2021	2021	2021	2021	2021	2021	2021	2021	2021	2021	2021	2021	2019
	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD	TOTALS
Lincoln												2	2	2
Lordsburg									3				3	3
Los Alamos					2			2				6	10	37
Los Lunas				4	2		2	1	2	4			15	44
Lovington			2										2	2
Luna													0	0
Madrid										1			1	2
Magdalena							3				2		5	5
Mayhill													0	0
McIntosh													0	0
McDonald													0	0
Mescalero					1								1	5
Mesilla													0	3
Mesquite													0	0
Mimbres													0	4
Moriarty				1						2			3	0
Navajo Dam													0	0
Mountainaire			2		2			3		2			9	5
Pecos													0	0
Pie Town												2	2	0
Pine Hill													0	0
Pinos Altos													0	0
Peralta							1						1	0
Placitas				8					2		2		12	8
Portales													0	0
Puertocito													0	0
Quemado											2		2	0
Questa													2	0
Radium Springs			2										2	0
Ramah													0	0
Raton													0	2
Reserve													0	0
Rincon													0	0
Rio Rancho					2	5	2	8	3		8	4	32	77
Rodeo													0	0
Roswell							4		2		2	2	10	32
Roy													0	0
Ruidoso		3	1	2	3			2	5	6			22	22
Sabinal													0	0
Salem													0	0
San Antonio					2								2	4
Sandia Park			2		2								4	6
Santa Ana Pueblo													0	2
Santa Cruz													0	0
Santo Domingo Pueblo													0	0
Santa Fe		14	28	15	32	15	12	10	20	25	18	20	209	341
Santa Rita													0	0
Santa Rosa										1			1	0
Santa Theresa													0	3
Shiprock													0	0
Silver City			3	2	8		6	5	1	2	6	7	40	54
Socorro		2		1	5	7	2		2	3			22	37
Springer						2				3			5	2
Stanley													0	0
Sunland Park		2											2	3
Taos		1	2	6			4	1	2	13	5	4	38	46
Tesuque													0	0
Thoreau													0	0
Tijeras					2		1						3	5
Tome													0	0
Tularosa		1											1	1
Tucumcari													0	2
Veguita													0	0
Weed													0	0
White Sands													0	0
White Oaks													0	0
Zuni							1						1	6
Not Elsewhere Listed	2	2	20	14	16	2	9	8	8	18	8	5	112	345
New Mexico Totals	9	61	179	173	230	149	189	158	152	271	185	215	1,971	3,400

**GERONIMO TRAIL SCENIC BYWAY VISITOR STATISTICS: UNITED STATES**

GTSB Visitor Statistics: United States															
	2021	2021	2021	2021	2021	2021	2021	2021	2021	2021	2021	2021	2021	2019	
	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD	TOTAL	
Alabama			4	1	2	7	2	2	5	2		2	27	26	
Alaska		3		4				2		6	2	3	20	29	
Arizona		6	24	22	22	26	43	64	36	55	35	37	370	358	
Arkansas			2		2			2	2		2		10	22	
California	1	9	32	25	32	9	50	28	37	70	62	32	387	435	
Colorado		8	83	43	15	14	18	17	19	38	41	45	341	422	
Connecticut			2			1				1			4	38	
Delaware							5						5	3	
Florida		1	3	13	9	14	13	12	5	25	10	15	120	138	
Georgia			5	7	3	6	5	2	5	2	9		44	26	
Hawaii			2		1		3			1	3		10	22	
Idaho			2	2	6							4	14	33	
Illinois		5	7	8	7		11	6	18	12	2	20	96	127	
Indiana			8	1	6		4		2	8	5	3	37	63	
Iowa	1		4	3	8	7	1	6	9	7	12	2	60	67	
Kansas				2	6	7	3	5		6	2	2	33	60	
Kentucky					2	8		5	4	6	1		26	30	
Louisiana				2	4		1				2	4	13	36	
Maine				10	2				1		1	2	16	20	
Maryland			2	1	3	4	2		5	6	6	3	32	52	
Massachusetts			2	1	2	6	7	6	4	5	10	3	46	58	
Michigan		2	7	12	2	3		7	7	11	21	10	82	137	
Minnesota	2	4	8	10	6	6	3	2	2	14	12	18	87	225	
Mississippi			2	2			4	3	5		2		18	14	
Missouri			3		4	6	10	3	2	12	5	8	53	85	
Montana			3		2	10	7	5		6	4	3	40	47	
Nebraska			3		3	6	4		6	1	6	6	35	52	
Nevada			10	1	3	2		6	7	10	3	8	50	39	
New Hampshire				2						4	2	2	10	13	
New Jersey			2	2	3	3		3	1	2	4	10	30	60	
New York		4	2	12	5	5	10	15	11	16	5	5	90	141	
No. Carolina				2	9	6		2		4	5	5	33	65	
No. Dakota		2	2		3	2				6			15	7	
Ohio				4	8		3	9	2	11		2	39	79	
Oklahoma			9	6	3	2	6	5	1	4	6	7	49	36	
Oregon			2	8	12	2	6	4	3	9	9	3	58	80	
Pennsylvania			4	5	5	7	1	9	7	8	2	4	52	76	
Rhode Island							5			2			7	3	
So. Carolina			2	2	3					8		1	16	25	
So. Dakota			4	2	4	3		8		1	7	2	31	49	
Tennessee			2	6	7	8		10	5	9		8	55	20	
Texas		10	74	64	52	98	108	98	77	119	97	80	877	918	
Utah			3	2	6	14	1	3	5	7	6	7	54	18	
Vermont				6			1		1	1	5	1	15	25	
Virginia			2		2		8	2	6	7	5		32	61	
Washington		1	6	13	20	3	10	9	7	30	19	35	163	173	
West Virginia				6	1	2	2			5			16	9	
Wisconsin			16	13	2	2	2	4	4	23	9	16	91	171	
Wyoming			1	2					2	2	4	1	12	32	
Washington D.C.			2			1	4		2	8	2	4	23	33	
TOTAL	4	55	351	327	297	300	363	364	315	590	445	423	3,834	4,746	

# GERONIMO TRAIL SCENIC TRAIL VISITOR STATISTICS: INTERNATIONAL

GTSB Visitor Statistics: International															2019
	2021	2021	2021	2021	2021	2021	2021	2021	2021	2021	2021	2021	2021		TOTALS
	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD		
Africa						1							1		3
Argentina										1			1		0
Australia			2	2									4		50
Austria												2	2		11
Belgium													0		3
Brazil										2			2		0
Burma													0		0
Canada					2			4	5	3	13	11	38		251
Chile										3			3		0
China										2	1		3		1
Columbia							2						2		4
Costa Rica													0		0
Croatia													0		0
Denmark											2		2		6
England		1							2	1			4		63
Finland													0		4
France												2	2		31
Germany							1		1	2	2	2	8		62
Guatemala													0		0
Greece													0		0
Hungary													0		4
India													0		0
Indonesia													0		0
Iraq													0		0
Ireland										2			2		1
Israel					1								1		2
Italy													0		25
Japan													0		15
Korea													0		0
Lithuania													0		0
Mexico											1		3		54
Netherlands				2								3	5		10
New Zealand													3		10
Norway													0		6
Panama					2								2		0
Philippines													0		0
Poland													0		2
Puerto Rico													0		1
Romania													0		0
Russia								2					2		0
Saudi Arabia													0		0
Scotland													0		5
S. Africa													0		0
Singapore												2	2		3
Spain													0		7
Sweden												2	2		1
Switzerland												2	3		4
Taiwan													0		0
Thailand													0		0
Turkey													0		0
Wales													0		4
US Virgin Islands													0		0
Vanuatu													0		0
Unlisted/Other			1			2		1				3	7		25
Total International	0	1	3	4	5	3	3	7	10	15	23	32	106	-	668

## Geronimo Trail Scenic Byway Inc

## Balance Sheet

As of December 31, 2021

	Dec 31, 21
<b>ASSETS</b>	
<b>Current Assets</b>	
Checking/Savings	
GTSB Checking	68.72
Petty cash	25.00
Special Projects Account	208.89
<b>Total Checking/Savings</b>	<b>302.61</b>
<b>Other Current Assets</b>	
Inventory	2,803.41
Prepaid Expenses	564.51
<b>Total Other Current Assets</b>	<b>3,367.92</b>
<b>Total Current Assets</b>	<b>3,670.53</b>
<b>Fixed Assets</b>	
Furniture/Fixtures	540.89
<b>Total Fixed Assets</b>	<b>540.89</b>
<b>TOTAL ASSETS</b>	<b>4,211.42</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
Accounts Payable	
*Accounts Payable	416.66
Accts payable	211.68
<b>Total Accounts Payable</b>	<b>628.34</b>
<b>Total Current Liabilities</b>	<b>628.34</b>
<b>Total Liabilities</b>	<b>628.34</b>
<b>Equity</b>	
Opening Balance Equity	3,883.61
Net Income	-300.53
<b>Total Equity</b>	<b>3,583.08</b>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>4,211.42</b>

1:32 PM

01/06/22

Accrual Basis

## Geronimo Trail Scenic Byway Inc

## Profit &amp; Loss

January through December 2021

	Jan - Dec 21
<b>Income</b>	
City funding	5,000.00
Donations brochures delivery	201.00
Donations Unrestricted	1,728.89
Taxable income	2,948.68
<b>Total Income</b>	9,878.57
<b>Cost of Goods Sold</b>	
Cost of Goods Sold	1,889.67
<b>Total COGS</b>	1,889.67
<b>Gross Profit</b>	7,988.90
<b>Expense</b>	
Advertising GTNSB	20.93
Advertising visitors center	570.00
Brochure delivery	300.00
Dues/fees	543.38
Gross Receipts tax on sales	89.73
Postage unrestricted	77.40
Postage visitors center	376.20
Renters Insurance	853.77
Supplies unrestricted	23.65
Supplies visitors center	2,993.59
Telephone visitors center	2,344.35
Uncategorized Expenses	96.43
<b>Total Expense</b>	8,289.43
<b>Net Income</b>	<b>-300.53</b>

1:31 PM

01/06/22

Accrual Basis

**Geronimo Trail Scenic Byway Inc**  
**Profit & Loss**  
**December 2021**

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	<b>Dec 21</b>
<b>Income</b>	
City funding	418.66
Donations Unrestricted	42.00
Taxable income	431.00
<b>Total Income</b>	891.66
<b>Cost of Goods Sold</b>	
Cost of Goods Sold	417.45
<b>Total COGS</b>	417.45
<b>Gross Profit</b>	474.21
<b>Expense</b>	
Dues/fees	45.78
Postage visitors center	18.32
Renters Insurance	63.83
Supplies unrestricted	2.05
Supplies visitors center	898.96
Telephone visitors center	197.55
<b>Total Expense</b>	1,226.49
<b>Net Income</b>	<b>-752.28</b>

## CITY COMMISSION JANUARY 12, 2022 REGULAR MEETING MINUTES

Officer Deb Peters, 10 years ago. They have assisted with over 3,000 animals. She is happy to see that the town is following Deb Peter's example of having Humane Officers, and not just Animal Control Officers because that is very important. The town has come a long way.

Kim Visser addressed the Commission with comments related to:

- (1) She has a lot of Ferrell cats in her neighborhood at 8<sup>th</sup> and Silver, and she hopes there is something that can be done about that.
- (2) She is in support of the new Animal Control Ordinance, and she appreciates all of the work that went into it.

Bruce Cox addressed the Commission with comments related to:

- (1) He congratulated the Commission.
- (2) He is in support of the new Animal Control Ordinance, and he hopes it comes with some teeth in the enforcement aspect of it.

Keith Collette addressed the Commission with comments related to:

- (1) He would like to see something added to the Animal Control Ordinance in regards to trapping cats, because he is having an issue with his neighbor trapping domestic cats.

Betty Harper addressed the Commission with various comments. (Complete copy attached hereto, and made a part hereof).

Ron Fenn addressed the Commission with comments related to:

- (1) He spent several years in the military and received an honorable discharge. The Commission are honorable as of this morning, and he is hoping they remain that way throughout their service to the public.
- (2) He noticed that there are a number of legal issues on the agenda this morning. At least three of the Commissioners have no connection with any of the issues, yet you will be charged with trying to find solutions to them. Most of the solutions in this town can be handled through discussion and communication with the public. He feels that 3 minutes is not enough time for the public to express their concerns, and give their input. He feels that the city should develop a board of objective people who will listen to the concerns of the community, and report their findings to the Commission.

### **E. REPORTS:**

**City Manager Swingle reported the following:**

- He congratulated the Mayor and Mayor Pro-Tem on their appointments.
- He thanked city staff. The newly elected officials are inheriting a very good staff that works very hard. At the last meeting he reviewed some of the accomplishments from our city departments so that the outgoing Commission could see some of the accomplishments that were achieved over a given period of time.

## T or C Public Comment

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**From:** Betty Harper <bettysuesilver@gmail.com>  
**Sent:** Thursday, January 06, 2022 8:22 PM  
**To:** T or C Public Comment  
**Subject:** Impossible electric/water bill causes utilities disconnect for disabled individual at 1305 Lead st in T or C

James Harper had a water leak during the month of March 2021. His February bill was a little high but his payee, the Ability Center in Las Cruces who is appointed by the SSA to help James budget his disability checks, paid the entire bill just as they always have each month. Imagine what a shock the next months utility bill was at over \$6,000 most of which was water usage! Wow that had to have been a hell of a water leak!...Enough to fill several swimming pools and float an arc to Hillsboro! The leak was fixed that month and the April bill was back to normal

.I would like to ask the city commission to place on the agenda for its meeting next week time for discussion about the unrealistic and impossible bill he received and how the city plans to correct what has to be an error in billing. James utilities have been disconnected as of today. No water, electricity, trash can, nada and this is the fourth letter that has been sent on James behalf

The letter he received today was dated Nov 19, 2031 and postmarked Jan 4, 2022 from Bruce Swingle regarding this Matter. Please acknowledge receipt of this agenda request to the email [bettysuesilver@gmail.com](mailto:bettysuesilver@gmail.com). Also please restore James utility services. A copy of this will be sent to the Office of the Attorney General for the State of New Mexico Thank you, Betty Harper. ADVOCATE for James. (no familial relationship)



## CITY COMMISSION JANUARY 12, 2022 REGULAR MEETING MINUTES

- We had the plaque presentation to Kenny Moran today, and it is pretty anticlimactic when you think about somebody who dedicates most of their adult life to an employer, or an organization such as the city. It is hard to describe the impact Kenny has had on the city, the Electric Department, and on the community. It is a huge loss to us. Kenny has tried to retire in the past, and we kept bringing him back. We tried it again this time, but it did not work at this point. He has done his job, and it has been a job well done.
- We closed the pool for the winter. We had been asked by the Recreation Board to keep the pool open as long as we could. That was the intent by everybody, but unfortunately we did not have the attendance we needed at the pool. We were averaging 8 people a day. It costs us a little over \$800 a day to run the pool, and it was not fiscally feasible to keep the pool running throughout the winter. We received some criticism about the dome. They said that we paid a lot of money for it, so we need to use the dome for the winter. However, the dome is old and antiquated, and it does not work. There are some electrical and safety issues with it, so that was not a viable option. The company who installed the pool acknowledged that the pool was never intended to be a year round pool. It was intended to be a summer pool, and we need to use it more with that mindset when we have attendance and participation.
- The Airport Advisory Board requested that the advisory board minutes be read verbatim at every Commission Meeting. He explained to the board that the idea was not feasible. The Commissioners receive the minutes in the packet, and they read the minutes. We have 8 or 10 advisory boards out there, and if you read the minutes of every advisory board at every Commission Meeting, you will be doing nothing but reading the minutes. He suggests that the Commission continue to do the current practice of having them in the packet and reviewing them, and if you have any questions you'll bring it up at the Commission Meeting.
- Wilson & Company will be here at the next meeting to give a presentation on the Water System Study that they have done. It is a very robust document that is over 400 pages long. We want to make sure that we make this available in advance to the public so it will be posted today on our website. The Commission will also have access to it in advance, and they will have the opportunity to look at it before the next meeting.
- We have had a number of individuals within the organization who have tested positive for COVID. Ironically very few of them are job related. Most of the cases are contracted off of the job through family and personal life endeavors. However, it does impact us and our operations. We've been very slim in several departments, including the Administrative Office at times due to COVID. The Supreme Court heard arguments on Monday regarding the President's mandate to require employers of 100 or more employees to mandate vaccinations. We don't have a decision at this point, but he imagines that we are going to get one very shortly from the Supreme Court. This will be a real issue for the city because we have a number of employees who are not vaccinated, and do not want to be vaccinated. There is an out that we can do that will require mandatory testing of employees. The problem with that is the cost and availability of the testing kits. We struggle as is to get enough kits to do our testing so that we can keep our

employees working. We use the kits almost daily to test employees who may have been exposed. However, we are in the process of developing a COVID policy, and it will be based on the opinion from the Supreme Court.

- The Substation South Transformer has been taken offline for some much needed maintenance. Bo has been trying to do the maintenance on this Transformer for close to a year. He hadn't been able to do that because of the issues we had with the North Transformer. Everything so far is going well, and we do have contingency plans should we have an issue with the North Transformer during the maintenance of the South Transformer.
- We have two city projects on the New Mexico Tourism recommendation list for the FY 2023 Capital Outlay funding. The projects include \$300,000 for Phase 2 of the Ralph Edwards Park, and \$300,000 for landscaping for the NMDOT Roundabout Project. We are only on the list at this time, but that is better than not being on the list. We won't know anything until we get into the session, but those are two projects that look promising for us.
- The Police Department found a large amount of cash several years ago in the amount of \$47,000. We've had it in safe keeping for a number of years, and when Chief Rodriguez came on board, he was looking at all of his evidence and found the money. We advertised in the paper (*per state statute*) that we had the money, but we didn't disclose the amount or the location. Anyone who wanted to file a claim to it had until January 3<sup>rd</sup> or January 7<sup>th</sup> to make that claim. That did not happen, so the City Attorney is going to be moving forward to have that money reverted to the city through the court system which is consistent with state statute.
- We had a dialog with the City of Elephant Butte last week concerning animal control, and the Animal Shelter fees that we charge. Their contract is terming out, and it is time for us to re-negotiate the contract. Currently, Elephant Butte pays \$50 per call for animal control to go to Elephant Butte, and they pay \$1,100 a month for the cost of the shelter. When you look at it, it seems like a reasonable amount of money. However, when we looked at the numbers for Elephant Butte, they had a total of 47 animals from July 1<sup>st</sup> through December 31<sup>st</sup>. 47 animals does not seem like a lot of animals. However, those animals stayed in our shelter for the entire six month period. We kind of have the same situation with the Sierra County right now where they basically get to wash their hands of animal control services and shelter services. The city takes on that responsibility for a very small amount of money. In looking at it and talking with staff, we have come up with a number that is more equivalent to what our actual costs are for retaining the animals. That cost would be around \$1,600 per month. That amount is still a very conservative number, but it is more realistic. This is for housing of the animals, feeding, care, vet services, transportation costs, and the disposition of the animal. Unfortunately, there is still the reality of euthanasia of the animals, and the disposal of the carcass at some point as well. We are providing a service for another entity, so we shouldn't be paying city dollars to provide that service to them.
- The Governor is having an Infrastructure webinar on Friday. You can access from the New Mexico Municipal League website.

**City Attorney Rubin reported the following:**

- He congratulated the Mayor and Mayor Pro-Tem on their appointments.
- He assured the Commission that he is here to help them.
- There are a number of legal requirements associated with the position as a City Commissioner. He is here to assist the Commission so they will be able to fulfill those requirements. There are a few things the newly elected officials may want to look at. The first being the Open Meetings Act. It is a state statute which is section 10-15-(h) 1. It basically states that everything we are doing has to be done openly. When we put together an agenda, we do that several days in advance to formulate a plan to go over whatever we want to discuss, and any discussion by the form of the Commissioners with any action taken has to be done in an open meeting. As far as quorums go, we have 5 Commissioners so a quorum would be 3 Commissioners. There are however sections under Executive Session where the legislature allows us to have an Executive Session to discuss certain things. Another thing to review would be the Rules of Procedure for the City Commission. That is an internal document that the Commission adopted to govern the rules and the conduct of these meetings. It covers a wide variety of topics. He reviewed the Consent Calendar stating that this portion of the agenda is for routine items that we don't really need to have discussion on, but the Commission does have the option to move it off of the Consent Calendar should they wish to discuss that particular item.

**City Commission Reports:**

**Commissioner Mitchell had no reports.**

**Commissioner Harrelson had no reports.**

**Commissioner Fahl reported the following:**

- She said that she is excited to be here today, and to learn new things. She appreciates staff trying to educate them so that they don't make mistakes.

**Mayor Pro-Tem Hechler reported the following:**

- It is 2022, and we need to manage COVID this year instead of it managing us. Many of us have already done everything we were asked to do i.e. vaccines, masks, and social distancing. It seems like the rules change every other week. We need to be respectful of others, and their needs, but it is time to move forward with some sense of normalcy, and have the best, and most productive year possible.
- He thinks that we should have a Fiesta celebration this year. He thanked Jim Brannon and the others who served on the Fiesta Board in the past. They did a tremendous job. It was a signature event for this community, and it is important to this community. However, we need to establish a new committee. He knows that we can't do everything that we did in the past, but we can try and do everything that we can. He wants to call it Fiesta light, because he wants to have all of the events that we used to have, but unfortunately we cannot have all of them. We

## CITY COMMISSION JANUARY 12, 2022 REGULAR MEETING MINUTES

can have a parade. We can have street vendors, and entertainment. We can have competitions, whether it be bean toss, a golf tournament, softball or volleyball. He has talked to others, and we should have the event downtown to complement our businesses. He will volunteer his time to get things started, and the new Fiesta committee can decide on the particulars after we get that done.

- He would like for us to have a city-wide cleanup. We should have a cleanup for the month of April. Not just for a single day. We can administer this by having one free dump per city address anytime that month as determined by presenting a utility bill with a city address on it, and we can have an employee keep track of that. We can also have Code Enforcement work extra hard in the month of March to identify problems, and notify the violators of the free trash dump opportunity in April. We will hit hard in March, but we will give the folks a way out. He would even go as far as if there is a citation issued, and there is a satisfactory cleanup, we can dismiss the citation after it is done. The idea is to get the city cleaned up, and he thinks that early in the year would be the time to do it.
- He would like for the Planning & Zoning Board to identify downtown businesses where people are living in their businesses, and how they fairly administered this opportunity. We need to have hours of operations for store fronts so people can't just live in a commercial area, and not ever open up their business. We need to deal with vacant properties with absentee owners, we need to continue with the downtown revitalization in supporting our hot springs district. He looks forward to seeing those on the agendas in the next few months.
- He feels that our Commission should have a planning retreat so they can discuss these issues and others. It will give our new Commissioners the opportunity to give their input so we can decide which direction to go.

### **Mayor Forrister reported the following:**

- She is looking forward to working with her new fellow Commissioners. She thanked them for selecting her as their fearless leader.
- She agreed with Mayor Pro-Tem Hechler's idea to have Fiesta this year.
- She asked Assistant City Manager Alvarez if there was going to be a tax implemented on vacant properties.

Assistant City Manager Alvarez stated that she is reviewing a vacant building ordinance.

### **F. CONSENT CALENDAR:**

1. **City Commission Regular Minutes, December 15, 2021**
2. **Acknowledge Regular Planning & Zoning Commission Minutes, December 2, 2021**
3. **Acknowledge Regular Public Utility Advisory Board Minutes, November 15, 2021**
4. **Accounts Payable, December 2021**

**Commissioner Mitchell moved to approve the Consent Calendar as submitted. Commission Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**G. PUBLIC HEARINGS:**

- 1. Discussion/Action: Final Adoption of Ordinance No. 723 authorizing the execution and delivery of loan No. PPRF-5652, between the City of Truth or Consequences and the New Mexico Finance Authority for the purpose of purchasing a new electrical transformer:**

City Manager Swingle explained that we posted this ordinance as required by state statute. We are asking for approval to approve the loan for \$1,320,907 for the North Transformer Substation that is failing. It shut down earlier this year, so it has to be replaced. Both of our transformers are very dated, and antiquated, and we need to replace both of them over time. The Electric Department has a very small loan out right now that they are paying on, so they have a lot of debt capacity within the Electric Department. It is staff's recommendation for the Commission to approve this loan.

Mayor Forrister opened the public hearing.

**Opponents:**

There were no opponents.

**Proponents:**

There were no proponents.

Mayor Forrister closed the public hearing.

Commissioner Fahl asked if the city is obligated to put money down up front.

City Manager Swingle responded no. We are borrowing \$1.3 million dollars over a 10 year period, and it is through the New Mexico Finance Authority.

Mayor Pro-Tem Hechler stated that he has been following this ordinance for the last several meetings, and it is very necessary for our community.

**Mayor Pro-Tem Hechler moved to approve adoption of Ordinance No. 723 authorizing the execution and delivery of loan No. PPRF-5652, between the City of Truth or Consequences and the New Mexico Finance Authority for the purpose of purchasing a new electrical transformer. Mayor Forrister seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

- 2. Discussion/Action: Final Adoption of Ordinance No. 724 authorizing the execution and delivery of a promissory note and commercial security agreement by and between the City of Truth or Consequences, New Mexico and the Bank of the Southwest:**

Item was tabled until the February 9, 2022 meeting.

#### **H. ORDINANCES/RESOLUTIONS/ZONING:**

- 1. Discussion/Action: Resolution No. 40 21/22 Budget Adjustment Resolution:**

Carol Kirkpatrick, Finance Director reviewed the Budget Adjustments provided in the packet.

**Commissioner Hechler moved to approve Resolution No. 40 21/22 Budget Adjustment Resolution. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

- 2. Discussion/Action: Resolution No. 41 21/22 for the Sale of Surplus Property to be sold at the February 5, 2022 Auction through Willard Hall Auctions:**

City Clerk Torres explained, at our last meeting we approved a resolution to sell surplus property through JJ Kane Auctions. Unfortunately, JJ Kane Auctions only sells vehicles and heavy equipment, so we were not able to sell these items in that auction. Willard Hall reached out to her, and said that he is having an Auction on February 5, 2022. Therefore, we are going through the process of approval of the resolution, and publication in order to sell these items in the February 5<sup>th</sup> Willard Hall Auction.

**Commissioner Mitchell moved to approve Resolution No. 41 21/22 for the Sale of Surplus Property to be sold at the February 5, 2022 Auction through Willard Hall Auctions. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

- 3. Discussion/Action: Publication of Ordinance No. 725 amending Chapter 3 of the Municipal Code of Ordinances pertaining to animals:**

Victor Rodriguez, Chief of Police explained that we have been working hard to try to amend our Animal Control Ordinance. We are bringing this back for publication because we've had some significant changes to a few sections of the ordinance since it was last presented to the Commission. Most of the changes had to do with the portion of the ordinance that covered how many animals you can keep. That portion was not really addressed in the previous ordinance, so we divided that portion into what we would call a multi-animal site, and a kennel permit. That portion will differ from individuals who

want to have multiple animals, and those who have a business. The limit for individuals who want to have multiple animals at their home will be a limit of 7 animals, which is consistent with other areas like Las Cruces. That will allow individuals who have multiple animals for residential purposes to apply for a multi-animal site permit, and those who have animals for breeding or boarding purposes will apply for a kennel permit, and will be required to have a business license. With that being said, due to the said amendments, we wanted to publish this ordinance again, and give the community the opportunity to go over that section.

**Commissioner Mitchell moved to approve Publication of Ordinance No. 725 amending Chapter 3 of the Municipal Code of Ordinances pertaining to animals. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**I. NEW BUSINESS:**

**1. Discussion/Action: Request for a Summary Plat Amendment and Variance Request at 212 Silver Street, Truth or Consequences, NM, pursuant to Chapter 15, Sec. 15-17:**

City Manager Swingle explained that this is a request for a Summary Plat Amendment and Variance Request at 212 Silver Street. The applicant submitted the application, supplied all supporting documentation, and paid all applicable fees. The applicant is requesting to split a lot at 212 Silver into two separate parcels. Both lots have unobstructed legal access to existing city water and wastewater lines. The applicant has met with the Water and Wastewater Department to establish water and sewer taps for the second parcel. Both lots will have direct legal unobstructed access to the existing city maintained and paved streets. The variance request is for the curb cut and sidewalk. Utilities have been verified, and are part of the packet. This was presented to the Planning & Zoning Board, and they recommended approval of splitting the lots into two. The applicant also requested that the second lot at 214 Silver Street be directed to Turtle View Street instead of Silver Street, and the Planning & Zoning Board supported the request.

**Mayor Pro-Tem Hechler moved to approve the request for a Summary Plat Amendment and Variance Request at 212 Silver Street, Truth or Consequences, NM, pursuant to Chapter 15, Sec. 15-17 and to also accommodate the request from the applicant, and allow staff to change the address from 214 Silver Street to Turtle View. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**2. Discussion/Action: Aging & Long-Term Services Department Junior Bill Appropriations Agreement (ALTSD):**

City Manager Swingle explained that the next series of items we are going to cover are appropriations for the Senior Joint Office on Aging (SJOA). We don't know what those appropriations are. We are just a fiscal agent to funnel the money through, to make sure that the projects get completed and funded. This first item is a junior bill appropriation for \$35,000. He does not know what the purpose of it is, but it is more than likely for a vehicle for the Senior Joint Office on Aging (SJOA). These are not items that the Commission approves in advance. Typically you approve whether or not we are going to be the fiscal agent, and the city has always made an exception for the SJOA because they don't even know if they are going to get this money. The state has a certain amount of dollars available that they appropriate to senior programs. This is a common practice that we follow, and it is staff's recommendation that you approve the Junior Bill Appropriations Agreement (ALTSD).

Mayor Pro-Tem Hechler asked what the normal payback period is for reimbursement from the Senior Joint Office on Aging (SJOA).

City Manager Swingle responded that it is normally very timely, and within a 30-day time period.

**Mayor Forrister moved to approve the Aging & Long-Term Services Department Junior Bill Appropriations Agreement (ALTSD). Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**3. Discussion/Action: State of New Mexico Aging & Long-Term Services Department Fund 89200 Capital Appropriation Project Grant Agreement A21F2057:**

City Manager Swingle explained that this is an appropriation of \$47,000 for the purchase of a home delivery meal vehicle for the Senior Joint Office on Aging (SJOA).

**Mayor Forrister moved to approve the State of New Mexico Aging & Long-Term Services Department Fund 89200 Capital Appropriation Project Grant Agreement A21F2057. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**



**4. Discussion/Action: State of New Mexico Aging & Long-Term Services Department Fund 89200 Capital Appropriation Project Grant Agreement A21F2058:**

City Manager Swingle explained that this is an appropriation of \$76,000 for renovations at the Ken James Senior Center. It has an expiration date of June 2025, so they have 4 years to make improvements to the facility.

**Commissioner Mitchell moved to approve the State of New Mexico Aging & Long-Term Services Department Fund 89200 Capital Appropriation Project Grant Agreement A21F2058. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**5. Discussion/Action: State of New Mexico Aging & Long-Term Services Department Fund 89200 Capital Appropriation Project Grant Agreement A21F2059:**

City Manager Swingle explained that this is an appropriation of \$58,413 to purchase vehicles for the Senior Joint Office on Aging (SJOA). It has an expiration date of June 2023.

**Mayor Forrister moved to approve the State of New Mexico Aging & Long-Term Services Department Fund 89200 Capital Appropriation Project Grant Agreement A21F2059. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**6. Discussion/Action: State of New Mexico Aging & Long-Term Services Department Fund 89200 Capital Appropriation Project Grant Agreement A21F2060:**

City Manager Swingle explained that this is an appropriation of \$76,000 to plan, design, construct, purchase, replace, equip, and to install heating, ventilation, and air-conditioning units at the Senior Joint Office on Aging (SJOA). It has an expiration date of 2025.

**Commissioner Mitchell moved to approve the State of New Mexico Aging & Long-Term Services Department Fund 89200 Capital Appropriation Project Grant Agreement A21F2060. Mayor Forrister seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**7. Discussion/Action: Approval of Purchase Requisitions over \$20,000:**

Carol Kirkpatrick, Finance Director reviewed the Purchase Requisitions over \$20,000 that were provided in the packet.

**Commissioner Fahl moved to approve Purchase Requisitions over \$20,000. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**8. Discussion/Action: Approval of Contract with Bixby Electric:**

Carol Kirkpatrick, Finance Director explained that this is for a contract with Bixby Electric. We went out for a request for proposals and they were awarded the contract. It is for a pole replacement, and the total is \$513,378.60 with gross receipts tax.

**Commissioner Mitchell moved to approve the contract with Bixby Electric. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**9. Discussion/Action: Extension on Contract with Tech 45 Enterprises:**

Carol Kirkpatrick, Finance Director explained that this is contract extension from February 1, 2022 to June 30, 2022. We have brought several contract extensions to you, and we tried to go out for a request for proposal for management services at the Airport, but we did not get a very good response. We are planning other actions and requests for information so we can follow up with a request for a proposal. This extension is to keep the contract that we currently have with Tech 45 Enterprises to manage the Airport.

**Commissioner Mitchell moved to approve the extension on Contract with Tech 45 Enterprises. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**10. Discussion/Action: Approval of Contract with South Central Solid Waste Authority (SCSWA):**

Carol Kirkpatrick, Finance Director explained that is a renewal of contract that was started in January 12, 2016 with an option to renew for 8 years. This contract is for transfer and disposal services at our sanitation facility. The total cost is \$478,401.00. We already approved a purchase order, as this contract was started earlier in the year.

**Commissioner Mitchell moved to approve the Approval of Contract with South Central Solid Waste Authority (SCSWA). Mayor Forrister seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**11. Discussion/Action: Approval of Contract with Public Sector Personnel Consultants, Inc.:**

Carol Kirkpatrick, Finance Director explained that this is a contract with Public Sector Personnel Consultants, Inc. to do a consultation study, update salary schedules, and possibly job descriptions. The total cost with gross receipts is \$21,700, which falls into the small purchase of professional services.

City Manager Swingle also explained that staffing salaries are a major concern of his. 16 employees left in 2021 and 2022 for higher paying jobs. We are competing with Walmart and McDonalds right now in salaries. We have several employees in various departments that are waiting to see what the city does with the salary study so they can make the decision whether or not to move out. We have lost 100% of the staff in the Parks Department. 2 of the 3 left because of salary, and 1 left because of a personal, and family business venture. We have 17 vacancies in the organization. We can't get applicants to apply for our positions, and when we do have people apply for our vacancies, one of the first questions asked is what the salary is, and when we tell them, they say thank you but no thank you for the offer. We need to be comparable to the market. We are not asking for something above the market. We are asking for market value of our staff, and the only way for us to get there is to have a salary study done. Typically, the salary study will last 5-7 years before the economics of the community change, and you need to re-visit it. He had two of them done in the 7 years that he was with Sierra County in order to stay competitive. It has taken about 4 months for us to get a company to do a study for us because they are overwhelmed with work nationwide. All employers are having the same problem of attracting potential employees, and retaining the employees that they have because the market is going crazy with COVID. He has mentioned in prior meetings that we have had employees that have been with us 11 years who are making \$13 an hour. We one employee who has been with us 25 years, who will be retiring this year, and they are at \$15 an hour. These are people who are on call, who work days, nights, and weekends, and it has been a great disservice to our employees across the board. When the study comes out we are going to have people where they should be salary wise, and we will have some people who are probably making more than they should be. Then we will have a group who are underfunded in salaries. With this study, we will be able to determine where we are at, and how much money we need to move everybody to the appropriate steps and levels that they are going to be at. We are also going to have every job description evaluated, and modified to contemporary language. The company we want to use will also be doing Sierra County's salary study, so we are kind of getting a reduced rate because they are going to be in the community doing a number of evaluations. This process will take 150 days to complete. It will not be completed in time for the budget, so we will go through the budget process with the existing salaries and rates, and when we get the numbers in, we will come back to the Commission and hopefully modify the budget to address those salaries as soon as we possibly can.

**Commissioner Mitchell moved to approve the contract with Public Sector Personnel Consultants, Inc. Mayor Pro-Tem Hechler seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**12. Discussion/Action: Appointment of Joe McClintock as a Member on the Sierra Joint Office on Aging Board:**

City Manager Swingle explained that we did not know that we had a vacancy on the Sierra Joint Office on Aging Board. The city thought that we had seat at the table for the Sierra Joint Office on Aging Board. They contacted us, and informed us that there was a vacancy that had been vacant for many, many years. When the Sierra Joint Office on Aging Board has a vacancy, they always try to recruit somebody who is very familiar with the Sierra Joint Office on Aging. Joe McClintock is a former Executive Director at the Sierra Joint Office on Aging who he worked with for a number of years, and he is outstanding. This is not a position that we advertise for the vacancy because we didn't know we had one, and this is one of the groups who do the recruitments themselves like the Housing Authority Board.

**Mayor Pro-Tem Hechler made a motion to appoint Joe McClintock to the Sierra Joint Office on Aging Board. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**13. Discussion/Action: Appointment of 3 Board Members and 1 Alternate Member to serve on the Sierra Vista Hospital Joint Powers Commission (JPC):**

**Mayor Forrister made a motion to appoint Mayor Pro-Tem Hechler, Commissioner Mitchell, and Commissioner Harrelson to serve as members on the Sierra Vista Hospital Joint Powers Commission (JPC), and she, Mayor Forrister, will serve as the alternate. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**14. Discussion/Action: Appointment of a Board Member and an Alternate Board Member to serve on the South-Central Council of Governments Board (SCCOG):**

**Mayor Forrister made a motion to appoint herself to serve as a member on the South-Central Council of Governments Board (SCCOG), and Commissioner Mitchell to serve as the alternate. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**15. Discussion/Action: Appointment of a Board Member and an Alternate Board Member to serve on the Regional Planning Organization (RPO):**

Mayor Forrister made a motion to appoint herself to serve as a member on the Regional Planning Organization (RPO), and Commissioner Mitchell to serve as the alternate. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

**16. Discussion/Action: Appointment of a Board Member to serve on the Spaceport America Committee:**

Mayor Pro-Tem Hechler would like to see if the Management of Spaceport is still willing to keep this committee before a member is appointed.

Mayor Forrister made a motion to table this item until further review from Mayor Pro-Tem Hechler. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

**17. Discussion/Action: Appointment of a Board Member to serve on the Sierra County Recreation & Tourism Advisory Board.**

Mayor Forrister made a motion to appoint Commissioner Fahl to serve as a member on the Sierra County Recreation & Tourism Advisory Board. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

**J. EXECUTIVE SESSION:**

1. Threatened & Pending Litigation (City of T or C vs. Hot Springs Land Development) pursuant to 10-15-1(H.7).
2. Threatened & Pending Litigation (Ron Fenn & Ariel Dougherty vs. City of T or C) pursuant to 10-15-1(H.7).
3. Threatened & Pending Litigation (Erica Baker vs. City of T or C) pursuant to 10-15-1(H.7).

Mayor Pro-Tem Hechler made a motion to go into executive session at 11:22 a.m. to discuss Threatened & Pending Litigation (City of T or C vs. Hot Springs Land Development) pursuant to 10-15-1(H.7), Threatened & Pending Litigation (Ron Fenn & Ariel Dougherty vs. City of T or C) pursuant to 10-15-1(H.7), and Threatened & Pending Litigation (Erica Baker vs. City of T or C) pursuant to 10-15-1(H.7). Mayor Forrister seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.

Mayor Forrister reconvened the meeting in open session at 12:34 p.m.

CITY COMMISSION JANUARY 12, 2022 REGULAR MEETING MINUTES

Mayor Pro-Tem Hechler certified that only matters pertaining to Threatened & Pending Litigation (City of T or C vs. Hot Springs Land Development) pursuant to 10-15-1(H.7), Threatened & Pending Litigation (Ron Fenn & Ariel Dougherty vs. City of T or C) pursuant to 10-15-1(H.7), and Threatened & Pending Litigation (Erica Baker vs. City of T or C) pursuant to 10-15-1(H.7) was discussed in Executive Session.

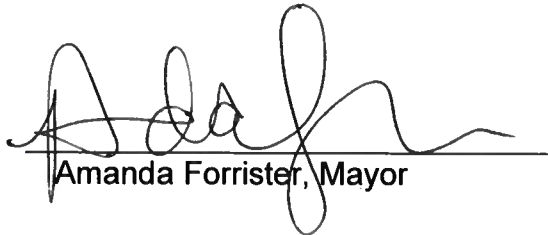
No action was taken.

**K. ADJOURNMENT:**


Commissioner Mitchell moved to adjourn at 12:35 p.m. Commissioner Harrelson seconded the motion. Motion carried unanimously.

Passed and Approved this 26<sup>th</sup> day of January, 2022.



  
Amanda Forrister, Mayor

ATTEST:

  
Angela A. Torres, CMC, City Clerk