



City of Bayard
CITY COUNCIL REGULAR MEETING
October 10, 2023 at 5:30 PM
Bayard City Hall

AGENDA

WORK SESSION

CALL TO ORDER: Mayor Chon S. Fierro

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF THE AGENDA

PUBLIC INPUT

CONSENT AGENDA

- [1.](#) Approval of Bayard Library Report for September 2023
- [2.](#) Approval of Accounts Payable Reports for the October 10, 2023
3. Approval for the NMRWA's water and wastewater conference for David Palomarez continuing education.
- [4.](#) Approval of training for Clerk and Deputy Clerk to attend Clerks institute in Santa Fe

NEW BUSINESS

- [5.](#) APPROPRIATION From the Department of Finance and Administration #23-ZH5048-6 Law Enforcement Recruitment Fund
- [6.](#) Proclamation to Declare the week of October 9-15, 2023 as Freeport-McMoran
- [7.](#) Proclamation to Declare the week of October 16-22, 2023 as Scott Siville week.
8. Proclamation to Declare the month of October 2023 Domestic Violence Awareness Month, EL REFUJIO
9. Discussion/Approval STANTEC updates and amendment on NM 356 Sidewalk and ADA Improvements, Amendment #3
10. Discussion/Approval of Bleachers moved and borrowed by Santa Clara for the Tamale Fest

- [11.](#) Discussion/Approval of Memorandum of Understanding with the Copper Colaborative. Bayard, Santa Clara and Hurley.

ORDINANCES/RESOLUTIONS

- [12.](#) Discussion/Approval of RESOLUTION NO. 17-2023 Participation In Transportation Project Fund Administered by NM Department of Transportation

ACTION FOR PERSONNEL

- [13.](#) Approval of Completion of Probation for Robert Ruiz from Probationary Status to Full Time Status

MAYOR AND COUNCILORS REPORTS

CLOSED SESSION

- 14. Closed Executive Session, persuant to 10-15-1 (H-2 & H-8)) NMSA 1978 pertaining to limited personnel matters; pending or threatened litigation.

ACTION ITEMS RESULTING FROM CLOSED SESSION

NEXT MEETING DATE:

Regular Meeting - October 23, 2023

ADJOURNMENT

September 2023 Library Report

1. The library received a donation check from L. Herrington in honor of J. Stockert who was a National Park Developer all over the world. Acknowledgments were sent out to both parties.
Mrs. Herrington donated a very large number of books and money to the library over the years and that day. She passed away a week or so later. The library will honor her in the near future.
2. Sonya sent updates and photos of progress to all of her 2022 Birthday donors who contributed at last year's event so they can see their donations at work in the park a year later.
3. Enchanted Touch contract has been signed and delivered to Ron Hartley. He will begin landscaping on the park October, 2023.
4. The library held an author reading, Ria Bonneamie, Friday, September 15th and 22 people attended.
5. NM Works volunteer A. Delgado's last day was September 5. She had conflicts with her second job and could not honor the contract through them.
6. J. Ervin will no longer be volunteering two days at the library due to his new job.
7. Sonya has reached out to the Volunteer Center to see what is needed to get on board to their database for volunteers going forward. This is a new service that was presented at Grant Co. Foundation classes.
8. Jenny and Sonya attended two days of classes at GCF September 21-22, 2023.
9. The interview from Nan at GRMC regarding the mural aired September 18th and 24th.
10. The Library Board met Thursday, September 28th, eight members of the public attended.

ACCOUNTS PAYABLES**10-Oct-23****GENERAL FUND - 10**

Ace Hardware	Running Ticket-City Hall	\$	245.02
Ace Hardware	Running Ticket-PD	\$	22.46
Amazon	Eloy Gonzales Name Plate	\$	9.88
Amazon	Batteries-Police Dept	\$	151.52
Ewing Irrigation Supply	Herbicide-Parks	\$	307.62
Sierra Communications	Test & Repair Radio-PD	\$	53.00
J&S Plumbing & Heating	Sewer Back Up-City Hall	\$	624.23
TOTAL:		\$	1,413.73

JNT W/S O&M FUND - 150

Ace Hardware	Running Ticket	\$	164.40
Baker Utility Supply	Repair Clamps	\$	1,511.76
Morning Star	Pants and Shirts-embroidery	\$	755.00
Bank of America	Crow Foot Wash	\$	7.44
Bank of America	Bleach for Boosters	\$	342.00
Bank of America	Hammer Drill	\$	169.92
TOTAL:		\$	2,950.52

JNT WASTEWATER FUND - 170

Ace Hardware	Running Ticket	\$	115.17
Northern Safety	Safe Grip Gloves	\$	998.02
Bank of America	Rubber Boots	\$	97.29
TOTAL:		\$	1,210.48

COMMUNITY CENTER FUND - 200

Ace Hardware	Running Ticket	\$	241.01
TOTAL:		\$	241.01

LIBRARY FUND - 210

Ace Hardware	Running Ticket	\$	41.03
Amazon	Epson Printer Paper	\$	28.78
TOTAL:		\$	69.81

MUNICIPAL STREET FUND - 240

Ace Hardware	Running Ticket	\$	232.81
Werner Tire	Dump Truck Tire Repair	\$	513.02
TOTAL:		\$	745.83

Beautification Committee - 430 Fund

Bank of America	Ebay-Bingo Cards	\$	355.15
TOTAL:		\$	355.15

FIRE FUND- 30

Amazon	Boots and Belt	\$	130.99
Bank of America	Jackets	\$	642.26
Bank of America	Halloween Candy/Toys	\$	990.96
Bank of America	Red Line Rubber Ducks	\$	171.10
TOTAL:		\$	1,935.31

LAW ENFORCEMENT FUND - 60

The Line	Shirts	\$	41.65
Bank of America	Tasers	\$	908.90
TOTAL:		\$	950.55

TOTAL:		\$	9,872.39
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ACCOUNTS PAID**10-Oct-23****GENERAL FUND - 10**

Xfinity	Internet for Fire Dept	\$ 10.23
PNM	Monthly Electric Services-PD	\$ 135.51
PNM	Monthly Electric Services-City Hall	\$ 722.97
PNM	Monthly Electric Services-Parks	\$ 309.96
Ricoh	Monthly Printer Services-City Hall	\$ 88.58
Ricoh	Monthly Printer Services-PD	\$ 69.65
Abila	Monthly Software Service-City Hall	\$ 123.74
Abila	Monthly Software Service-PD	\$ 123.74
Stone, McGee & Co.	Audit for FY- 2022-City Hall	\$ 5,786.40
AT&T Mobility	Monthly Cell Phone Services-City Hall	\$ 131.48
AT&T Mobility	Monthly Cell Phone Services-PD	\$ 431.11
Spectrum Technologies	Monthly IT Services-City Hall	\$ 4,404.96
Spectrum Technologies	Monthly IT Services-PD	\$ 1,391.04
TOTAL:		\$ 13,729.37

JNT W/S O&M FUND - 150

Badger Meter	Beacon Services	\$290.91
PNM	Monthly Electric Services	\$3,117.32
Abila	Monthly Software Services	\$123.74
Stone, McGee & Co.	Audit for FY- 2022	\$5,786.40
AT&T Mobility	Monthly Cell Phone Services	\$ 91.44
Spectrum Technologies	Monthly IT Services	\$ 772.80
TOTAL:		\$10,182.61

Sewer Operations FUND- 155

Abila	Monthly Software Services	\$123.74
TOTAL:		\$123.74

JNT WASTEWATER FUND - 170

American Linen	Laundry Services	\$ 145.41
HughesNet	Monthly Internet Service	\$ 138.35
Hall Envir Analysis Lab	Plants Testing	\$ 716.25
PNM	Monthly Electric Services	\$72.74
Abila	Monthly Software Services	\$123.74
Stone, McGee & Co.	Audit for FY-2022	\$ 5,786.40
AT&T Mobility	Monthly Cell Phone Services	\$ 52.56
Spectrum Technologies	Monthly IT Services	\$ 386.40
TOTAL:		\$ 7,421.85

COMMUNITY CENTER FUND - 200

PNM	Monthly Electric Services	\$ 440.20
TOTAL:		\$ 440.20

LIBRARY FUND - 210

Ricoh	Monthly Printer Services	\$ 40.22
AT&T Mobility	Monthly Cell Phone Services	\$ 45.72
TOTAL:		\$ 85.94

MUNICIPAL STREET FUND - 240

PNM	Monthly Electric Services	\$ 2,836.90
Abila	Monthly Software Services	\$122.45
TOTAL:		\$ 2,959.35

MUNICIPAL COURT FUND - 20

PNM	Monthly Electric Services	\$ 120.99
Abila	Monthly Software Services	\$ 123.74
Stone McGee & Co.	Audit for FY-2022	\$ 482.20
AT&T Mobility	Monthly Cell Phone Services	\$ 45.72
Spectrum Technologies	Monthly IT Services	\$ 327.12
TOTAL:		\$ 1,099.77

FIRE FUND- 30

PNM	Monthly Electric Services	\$227.46
Abila	Monthly Software Services	\$123.74
Stone McGee & Co.	Audit for FY-2022	\$482.20
AT&T Mobility	Monthly Cell Phone Services	\$45.72
Spectrum Technologies	Monthly IT Services	\$463.68
TOTAL:		\$1,342.80

LAW ENFORCEMENT FUND - 60

SW Training Consultants	FTO for Jensen & Macias	\$ 400.00
TOTAL:		\$400.00

Solid Waste -160

Tri-City Landfill	Landfill Services	\$4,408.00
Abila	Monthly Software Services	\$ 123.74
Stone, McGee & Co.	Audit for FY-2022	\$ 5,786.40
TOTAL:		\$ 10,318.14

GRAND TOTAL: **\$ 48,103.77**



TO: **MUNICIPAL CLERKS, CLERK-TREASURERS & DEPUTY CLERKS**
 FROM: Rebecca Martinez, CMC – President, NMCFOA
 SUBJECT: **CLERKS CERTIFICATION INSTITUTE - YEAR 1, SERIES 14**
 DATE: September 19, 2023

We are pleased to announce Year 2, Series 14 of the New Mexico Municipal Clerks Certification Program. This year’s Institute will be in person at the Embassy Suites and will also offer virtual Clerks 101 if you need a refresher.

The **In-Person Institute is scheduled for October 16-19, 2023**, at the Drury Plaza Hotel in Santa Fe, 828 Paseo de Peralta. As you know, this is a three-year course of study designed to enhance the duties of Municipal Clerks. The Institute will be conducted jointly by the University of New Mexico and the New Mexico Municipal League.

ATTENTION NEW CLERKS/DEPUTY CLERKS: If you are interested in becoming a Certified Municipal Clerk, you must attend the Clerks Certification Institute first before you enter the Master Municipal Clerk Academy which is the advanced certification program. **If you are not interested in becoming certified, then you are welcome to attend the Academy program only.** The Institute is only open to clerks/deputy clerks pursuing certification.

GENERAL INFORMATION

Institute Purpose

The New Mexico Municipal Clerks Certification Institute is an intensive program of continuing professional education for municipal clerks and deputy clerks. The purpose is to assist clerks in developing and maintaining the high level of administrative expertise needed for the successful operation of increasingly complex municipal governments. Population changes increased municipal responsibilities, and extensive social and legislative change have increased both the difficulty and the importance of the clerk’s function. With increased responsibility comes a need for professional education to aid the municipal clerk in acquiring necessary new skills and knowledge, while developing and strengthening those already in use.

What is IIMC Certification?

A CMC (Certified Municipal Clerk) certification is a distinction granted by the International Institute of Municipal Clerks (IIMC) to Clerks who have completed three years of full attendance at a recognized institute and fulfilled other educational or non-educational requirements. CMC means that a Clerk has had 120 hours of continuing professional education in public administration. The Institute must provide instruction in public administration and personal development to be recognized by IIMC. Attendance is required at the Institute if you wish to apply for your CMC. You must be an active member of IIMC for two years.

The New Mexico Municipal Clerks Certification Institute offers a total of 120 hours of study over a three-year period in the categories listed below:

- | | |
|---|------|
| 1. Public Administration & Organization | 50 % |
| 2. Social & Interpersonal Issues | 30 % |
| 3. Electives | 20 % |

REIMBURSING AGENCY: Department of Finance and Administration

Business Unit: 341

RECIPIENT:

City of Bayard

<u>APPROPRIATION NUMBER:</u>	<u>TOTAL ALLOCATION AMOUNT:</u>	<u>REVERSION DATE:</u>
23-ZH5048-6	\$393,750.00	June 30, 2024

ALLOCATION PURPOSE

Three Hundred and Ninety Three Thousand Seven Hundred and Fifty Dollars and Zero Cents over three years to hire law enforcement/support positions. The first allocations will be disbursed at 100% within 5 business days of acceptance of this agreement to include approval of the local governing body.

ALLOCATION DISBURSEMENT

The allocated funds will be disbursed 100% up to \$225,000 the first year, 50% up to \$112,500 the second year, and 25% up to \$56,250 the third year. The Allocation Recipient will submit to the Department of Finance & Administration this signed document and evidence of approval of the local governing body. Disbursements of funds will be made within 5 business days of receipt of the signed agreement and evidence of approval of the local governing body.

Funds for the first disbursement must be expended from July 1, 2023, through June 30, 2024; the second 50% disbursement will be made in August 2024 to be expended by June 30, 2025; and the last disbursement of 25% will be made in August 2025 to be expended by June 30, 2026. Any amount not expended in each of the three years will be returned to the State of New Mexico, Department of Finance and Administration in the year that it is scheduled for reversion. All expenditures must occur prior to the reversion date.

The Allocation Recipient agrees to submit quarterly reports using Exhibit A, Law Enforcement Recruitment Report, providing updates on the hiring of law enforcement/support positions.

CERTIFICATION

I hereby certify that the **City of Bayard**

1. Will only use the allocated funds to carry out and/or perform activities described in allocation language.
2. Will follow the procedure described in "Allocation Reporting" of allocated funds.

_____	_____
Local Law Enforcement Agency	Date

_____	_____
Authorized Local Governing Body Authority	Date

APPROVAL

In accordance with the authority conferred on the Department of Finance & Administration by the statute appropriating these funds, I hereby approve this certification for appropriation number **23-ZH5048-6** in the amount of **\$393,750.00**.

_____	_____
Wesley Billingsley Director, Local Government Division	Date

REIMBURSING AGENCY: Department of Finance and Administration

Business Unit: 341

STATE OF NEW MEXICO
Law Enforcement Recruitment Fund
Quarterly Report Form
Exhibit A

Allocation Recipient:	
Appropriation Number:	

Provide names of individuals hired and their hire date:	Title of Position	Vacant Position Salary:	New Position Salary:
Total Amount of Appropriation Funds Expended this Quarter:		Total: \$	Total: \$

Add extra lines as applicable.

Narrative: (Provide description of next steps to fill any remaining vacant positions. Examples: hiring event or outreach using social media.)

PROCLAMATION

WHEREAS, the City of Bayard Owns and operates the Sewage Treatment Plant South of Hurley and maintains multiple buildings throughout the city and provides services to the Mining District; and

WHEREAS, the City of Bayard strives to maintain and provide safe operable buildings for the citizens within Bayard and the surrounding areas, and

WHEREAS, The City is a small municipality with limited resources to maintain and operate the sewage plant and multiple buildings within the municipality, and

WHEREAS, the City of Bayard is thankful for the Donation and Grant provided by Freeport McMoran to the City of Bayard, and

WHEREAS, Freeport McMoran has donated time money and energy toward the cleanup day being held on October 28th together with the Copper Collaborative: and

WHEREAS, Freeport McMoran provides employment to Bayard and area residence, and

WHEREAS, Freeport McMoran has donated \$1,000,000.00 for matching funds for maintenance of our Sewage Treatment plant in order to maintain rates for the area residents, and

WHEREAS, Freeport McMoran has granted the City of Bayard \$143,000.00 to rehab the Bayard Community center.

NOW, THEREFORE, I, Chon Fierro, Mayor and the City Council of the City of Bayard do hereby Proclaim the week of October 9-15, 2023

“Freeport McMoran Week”

and call upon our citizens to honor and thank Freeport McMoran as they have given generously to our community and will help the council Make Bayard a better place for all the residents of Bayard and the surrounding area.

IN WITNESS WHEREOF, I have here unto set my hand and cause the seal of the City of Bayard to be affixed this 10th day of October 2023.

Chon Fierro, Mayor

Eloy Medina, Mayor Pro-Tem

Jose Diaz, Council member

Frances Gonzales, Council member

Eloy Gonzales, Councilor member

Gabriel Ramos, Clerk/Treasurer

PROCLAMATION

WHEREAS, the City Council of the city of Bayard, appreciate the efforts of the citizens of Bayard for the betterment of our community; and

WHEREAS, the Bayard City Council hereby recognizes Mr. Scott Siville for his outstanding and continued service to Bayard, and

WHEREAS, Mr. Scott Siville has provided his time and energy toward the wellbeing of Man’s and Women’s best friend by going above and beyond to protect and service The City of Bayard’s animals, and

NOW, THEREFORE, I, Chon Fierro, Mayor and the City Council of the City of Bayard do hereby proclaim the week of October 16-22, 2023

“Mr. Scott Siville Week”

and call upon our citizens to honor and thank Mr. Scott Siville as he has given his time and energy caring and volunteering at the City of Bayard dog and animal premises.

IN WITNESS WHEREOF, I have here unto set my hand and cause the seal of the City of Bayard to be affixed this 10th day of October 2023.

Chon Fierro, Mayor

Eloy Medina, Mayor Pro-Tem

Jose Diaz, Council member

Frances Gonzales, Council member

Eloy Gonzales, Councilor member

Gabriel Ramos, Clerk/Treasurer

CITY OF BAYARD PROCLAMATION

WHEREAS, the crime of domestic violence violates an individual's privacy, dignity, security, and humanity due to the systematic use of physical, emotional, sexual, psychological, and economic control. Domestic violence and intimate partner violence can have life-long consequences that harm the core of the human spirit and jeopardize the future wellbeing of our communities; and

WHEREAS, in The City of Bayard, adults and children continue to be victims of domestic violence each year. El Refugio served a total of 447 women, men, and children's victims for the period of July 1, 2022, to June 30, 2023. 126 offenders were ordered into the Domestic Violence Offender Treatment Program. 3563 emergency shelter nights were provided, 10,230 meals were served, and 41 individuals transitioned into permanent housing. On average, 20 people per minute are victims of physical violence by an intimate partner in the United States. This equates to more than 10 million women, men, and children for one year; and

WHEREAS, although progress has been made toward preventing domestic violence and providing support to survivors and their families, important work remains to be done, and Domestic Violence Awareness Month provides an opportunity for citizens to learn about how one can come together to make a difference in a victim's life by being supportive, being a strong voice against domestic violence and sending a "**no tolerance**" message to the community and most importantly, educating our legislators.; and

WHEREAS, Domestic Violence Awareness Month marks a time to mourn those who have lost their lives at the hands of someone they loved, a time to celebrate those who have survived, and a time to connect and form strong partnerships with El Refugio, Inc., and other community leaders; and

WHEREAS, The City of Bayard has a moral obligation to help prevent domestic violence, address its brutal and destructive effects by making domestic violence a local priority, and

WHEREAS, Domestic Violence Awareness Month marks a time to mourn those who have lost their lives at the hands of someone they loved, a time to celebrate those who have survived, and a time to connect and form strong partnerships with El Refugio, Inc., and other community leaders; and

NOW, THEREFORE, we hereby proclaim the month of October 2023 to be "**Domestic Violence Awareness Month**" in the City of Bayard, New Mexico. We call upon all citizens, law enforcement, community organizations, health officials, schools, and our legal system to speak out against domestic violence and actively support local efforts in The City of Bayard to assist survivors to be safe and live their lives free from violence, to hold abusers and systems accountable, and return our community to ways of respect, honor, love, and compassion.

"Domestic Violence Awareness Month"

The Bayard City Council urges all Bayard residents to become involved in efforts to prevent and respond to domestic violence and recognize the impact of domestic violence in our community.

IN WITNESS WHEREOF, we have hereunto set our hands and seal of The City of Bayard to be affixed in Bayard, New Mexico this 10th day of October 2023.

Chone Fierro, Mayor

Eloy Medina, Mayor Pro-Tem

Jose Diaz, Councilor

Frances Gonzales, Councilor

Eloy Gonzales, Councilor

Gabriel Ramos, Clerk/Treasurer

MEMORANDUM OF UNDERSTANDING
BETWEEN THE TOWN OF HURLEY, CITY OF BAYARD
AND VILLAGE OF SANTA CLARA
KNOWN AS
THE COPPER COLLABORATIVE

THIS AGREEMENT is by and between Town of Hurley, City of Bayard, Village of Santa Clara New in Grant County, New Mexico now known as The Copper Collaborative. It is agreed and understood that the Boards of City Council, Town Council, Village Board of Trustees, shall work collaboratively under The Copper Collaborative to plan and support community and economic development opportunities/projects to include efforts to form public and private partnerships; and

WHEREAS, it is the opinion of The Copper Collaborative Memorandum of Understanding they will support mining district strategies for community and economic opportunities that enhance the quality of life within the above mentioned local governments based on the strategic plan; and

WHEREAS, The Copper Collaborative has worked collaboratively with much success in the areas of water and wastewater, solid waste; and

WHEREAS, The Copper Collaborative would like to expand their efforts in community and economic development for the betterment of the mining district; and

PURPOSE AND SCOPE

THIS AGREEMENT is a result of the combined initiative of the Town of Hurley, City of Bayard, Village of Santa Clara, known as The Copper Collaborative with its primary purpose to work on projects that promote community and economic development in the mining district.

This process will facilitate implementation of strategic plans, seeking funding sources, enhancing public and private partnerships to bring community pride and revitalization to the mining district.

Chon Fierro, City of Bayard Mayor

Date

Ed Stevens, Town of Hurley Mayor

Date

Richard Bauch, Village of Santa Clara Mayor

Date

EXHIBIT B

RESOLUTION NO. 17-2023

PARTICIPATION IN TRANSPORTATION PROJECT FUND ADMINISTERED BY
NEW MEXICO DEPARTMENT OF TRANSPORTATION

WHEREAS, the *City of Bayard* and the New Mexico Department of Transportation have entered into a grant agreement under the Transportation Fund Program for a local road project.

WHEREAS, the total cost of the project will be \$260,900 to be funded in proportional share by the parties hereto as follows:

- a. New Mexico Department of Transportation's share shall be 95% or \$247,855.00.

and

- b. *City of Bayard*'s proportional matching share shall be 5% or \$13,045.00

TOTAL PROJECT COST IS \$260,900.00

The *City of Bayard* shall pay all costs, which exceed the total amount of \$260,900.00.

Now therefore, be it resolved in official session that *City of Bayard* determines, resolves, and orders as follows:

That the project for this Cooperative agreement is adopted and has a priority standing.

The agreement terminates on June 30, 2026 and the *City of Bayard* incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into the written agreement.

Now therefore, be it resolved by the *City of Bayard* to enter into Cooperative Agreement for *Project Control Number LP10051* with the New Mexico Department of Transportation for the TPF Program for year 2024 for Alta Vista Street Construction – Ph 3 Construction and construction management/testing for Alta Vista Street to include new asphalt surfacing, vertical curb and gutter along with drive pads. There will be some rock excavation and concrete slope protection in this phase – within the control of the *City of Bayard* in New Mexico.

RESOLUTION NO. 17-2023

**PARTICIPATION IN TRANSPORTATION PROJECT FUND ADMINISTERED BY
NEW MEXICO DEPARTMENT OF TRANSPORTATION**

APPROVED AND DATED, this 9th day of October, 2023.

Chon S. Fierro, Mayor

Eloy Medina, Mayor Pro-Tem

Eloy Gonzales, Councilor

Jose Diaz, Councilor

Frances Gonzales, Councilor

(Seal)

Attest: _____
Gabriel Ramos, Clerk/Treasurer

October 3, 2023

City of Bayard

Attn: Mayor

800 Central Ave.


Bayard, NM 88023

RE: Probation

Dear Mayor and Council

I Robert Terrazas Supervisor of the Wastewater Treatment Plant would like to remove Robert Ruiz from probationary Status to Full Time Status. And I would like to see him get a 5% raise.

Sincerely,



Robert Terrazas