

MINUTES
BALMORHEA CITY COUNCIL
REGULAR MEETING
SEPTEMBER 9, 2024

MEMBERS PRESENT: MAYOR JOHN L. DAVIS, IKE WARD, DANNY VASQUEZ III,
ROSA DOMINGUEZ, JOY LEWIS, JOSUE MENDOZA

MEMBERS ABSENT: NONE

STAFF PRESENT: SANDRA NAVARRETE, GREG PERRIN, RUSSELL MORRIS-ABSENT, ROD PONTON

VISTORS: ARNULFO VASQUEZ, ESEQUIEL DUTCHOVER

1. The meeting was called to order by Mayor Davis at 7:01 pm.
2. Mayor John L. Davis led the Pledge of Allegiance.
3. A. Ike Ward made a motion, seconded by Rosa Dominguez to adopt the proposed tax rate for the new fiscal year 2024-2025. Motion Carried 5-0.
B. Joy Lewis asked why did the hotel/motel budget increase from \$35,000 to \$50,000. Mayor Davis responded because this year the city will host the TML quarterly meeting. Josue Mendoza made a motion, seconded by Danny Vasquez to adopt the proposed budget for the fiscal year 2024-2025. Motion Carried 5-0.
4. Ike Ward made a motion, seconded by Rosa Dominguez to approve minutes for August 19, 2024. Motion Carried 5-0.
5. Josue Mendoza made a motion, seconded by Rosa Dominguez to approve bills and adjustments as presented 5-0.
6. Reports
 - A. ESD1 &2 report was not submitted.
 - B. City Clerk had nothing to report. No questions were addressed.
 - C. No water department report was presented.
 - D. Rosa Dominguez with BEDC reported that the board had not met due to the holiday but we are scheduled to meet next month. Josue Mendoza asked who was on the BEDC board. Mrs. Dominguez responded that Harry Barron III, Louann Hernandez, Rogelio Miranda, Ricky Gray and Rosa Dominguez. Rogelio Miranda will be appointed at the next council meeting.
 - E. Rosa Dominguez presented the council with a detailed report on expenses and vendor fees for the Labor Day Festival. Mayor Davis explained that the Balmorhea Event Committee had started out with 23 vendors and then ended up with 12, because Reeves

County Health Inspector required all vendors interested in participating to fill out an application online for a health permit before participating in the event. Mrs. Dominguez stated that the actual application was composed of 5 pages long, but the inspector managed to break it down to a 2-page application. Mayor Davis added that the committee needs to start looking from the outside for a better band for these events. Rosa Dominguez added she is reaching out to the Michael Salgado promotion team. Mrs. Dominguez presented Mayor Davis with a check in the amount of \$625 in vendor fees. Mrs. Dominguez added that she did not appreciate Josue Mendoza's behavior at the Labor Day Festival. Josue Mendoza responded that he would let Mrs. Dominguez speak but she might like what he had to say. Mrs. Dominguez stated that the behavior that followed when 2 individuals approached her about setting up their corn hole game. Mr. Mendoza stated that there were minors that were drinking alcoholic beverages at this event. Mrs. Dominguez responded; she does not have any control over parents allowing minors to drink alcoholic beverages. Deputies were on site, including the Highway Patrol, they could have done something about it. Mr. Mendoza added why did you block a gentleman in on Saturday morning that was trying to get ready to participate in the parade. This individual did move the devices to get out, but he also put them back. Why did you have to call law enforcement on him. Mrs. Dominguez responded because he drove the wrong way against the vending booths and pedestrians. Mr. Mendoza added since you were already mad at the dad for driving the wrong direction is that why you did not let them set up the corn hole game. Mrs. Dominguez responded, no. The individuals stated that they had a phone that advised them that there would be a corn hole tournament. When addressed who made the phone call, they stated it was someone from the washer tournament. After asking Chato Dutchover who was responsible for the washer tournament, he stated he did not know anything about it. Mayor Davis stated that everyone needs to communicate with each other. If you want to participate in the event you need to get with whoever oversees it and make sure we are all on the same page. Mr. Mendoza added that people were trying to enjoy the fiesta and find something to do but they weren't doing anything wrong. Mrs. Dominguez responded that it would be great if Mr. Mendoza would consult properly with her. Danny Vasquez asked what the vendor fee is to set up a booth. Mayor Davis responded \$425 is the setup fee. Mr. Vasquez added maybe it needs to be considered lowering the vendor fee to get more participation. Mr. Mendoza stated that surrounding towns charge around \$270. Joy Lewis added that the only way the city will make money is through the sales tax. That is the reason we must ensure that they have a tax certificate. Mr. Vasquez stated that he feels that we are scaring vendors away with those kinds of fees. Some vendors are not guaranteed to make the buy in, it could be a waste of money. Mrs. Dominguez explained that out of the \$425 vendor fee the breakdown is \$75 goes to City of Balmorhea for electrical usage and \$50 is a cleaning deposit. If your spot is clean, you will get deposit back. This leaves \$300 to the Balmorhea Event Committee to pay trash pickup, music and any other expenses. Mayor Davis recommended that research begin on what surrounding towns are charging for vendor fees.

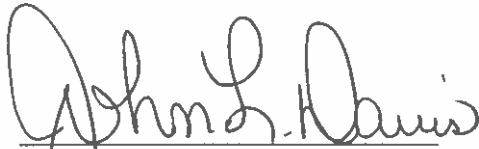
- F. 1. City Attorney Rod Ponton stated that the judgement has been submitted to the Reeves County District Court regarding the Estate of Abdon Fuentes. We will follow up with the order setting, hearing and signature of the judgement. Joy Lewis asked how long this process takes because we have been working on this for quite some time, about 2 years. Mr. Ponton responded; it is a process to foreclose on a property. Most cities just put a lien on the property and wait for someone to sell the property and then get your money back. The foreclosure process involves extra steps, but the outcome is to take possession of the property.
2. City Attorney Rod Ponton presented the council with a lease agreement between the Balmorhea Public Library and the Balmorhea Economic Development Corporation. This lease is a 6-month lease with renewal availability. The landlord is the Balmorhea Library and tenant the Balmorhea Economic Development Corporation. If the BEDC moves to another building, then the lease will terminate. Rosa Dominguez stated that the address on the lease was incorrect, the post office box should be P.O. Box 355. Joy Lewis asked if the library board does not agree with this agreement, can they cancel it. Danny Vasquez asked who was on the library board. Rosa Dominguez asked Mayor Davis if she needed to answer the question. Mayor responded yes. Mrs. Dominguez stated it was Ike Ward, Tivi Ramirez, Danny Dominguez, Louann Hernandez and Sharon Oates. Mr. Vasquez asked if the board owned the building. Mrs. Dominguez responded it is privately owned but the board has full control of the building and property. Mr. Vasquez asked who funds the library. Mrs. Dominguez responded that Reeves County funds the library. Mr. Vasquez asked how much it would cost the City of Balmorhea to fund it. Mrs. Domiguez added that the library was once under the City of Balmorhea but was taken away from the City of Balmorhea and Library board would like to keep it that way. The City Clerk added that she has not recalled the Balmorhea Library ever being under the City of Balmorhea but at one time the City of Balmorhea did service the Balmorhea Library with water at no charge. Arnulfo Vasquez asked if there was an existing deed at Reeves County Court house for Balmorhea Library that reflects actual ownership. Mrs. Dominguez added that the people that serve on the board are responsible for the library. There is a deed but again it belongs to the Balmorhea Library Board. Mr. Vasquez asked if the City of Balmorhea could lease the building. Mayor Davis explained that the reason for the lease agreement to come about was because a question came up during the preparation of the new budget. The cost of renting the building for BEDC was in question. To avoid any concerns, it was thought to move the meeting location to city properties. This lease agreement will be presented to the Balmorhea Library board for approval and will be returned to the City of Balmorhea at the next city council meeting. Mr. Vasquez asked if the board agrees will the city take over. Mayor Davis responded, this document is for paper trail purposes only for the budget justification.

EXECUTIVE SESSION:(7:55pm) Ike made a motion, seconded by Josue Mendoza to go into executive session. Motion Carried 5-0.

7. After some discussion Mayor Davis stated that the applicants that were presented the one chosen was Guadalupe Mendoza. The council was going to vote on this decision but because the council could not decide. He would make the decision. Mr. Mendoza was the best candidate for the position. Joy Lewis stated that she appreciated that Mayor Davis brought this decision to the entire council. Back when her son did some work for the City of Balmorhea the whole council pounced on her for nepotism. Mayor Davis added that the council's concern is nepotism that is why the council is hesitant about voting, but nepotism would only apply if Josue Mendoza his son would be doing the hiring or giving orders to the employee. Josue Mendoza stated that the way the Balmorhea Public Library is being conducted with a council member running it would be nepotism. Rosa Dominguez clarified that she is employed at the Balmorhea Public Library, and she does not get paid by the City of Balmorhea. The Balmorhea Public Library has nothing to do with the City of Balmorhea government. City Clerk added that this was an example of why there needed to be a legal agreement between Balmorhea Public Library and the Balmorhea Economic Development Corporation to use the building being that Mrs. Dominguez is employed by the Balmorhea Public Library. Danny Vasquez made a motion, seconded by Ike Ward to allow the Mayor Davis to hire Guadalupe Mendoza for the maintenance position at \$16 per hour. Motion Carried 3-0. Rosa Dominguez- Abstain, Josue Mendoza-Abstain.

8. Ike Ward made a motion, seconded by Danny Vasquez to adjourn the meeting at 8:18 pm. Motion Carried 5-0.

PASSED AND APPROVED THIS 15 **DAY OF** October, 2024.



JOHN L. DAVIS, MAYOR



SANDRA NAVARRETE, CITY CLERK