

**VILLAGE OF QUESTA  
REGULAR MEETING MINUTES  
TUESDAY, JULY 21, 2015  
VILLAGE OF QUESTA COUNCIL CHAMBERS  
6:00PM**

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**I. CALL TO ORDER BY MAYOR MARK L. GALLEGOS**

Mayor Gallegos called the meeting to order at 6:00pm.

**II. ROLL CALL**

Mayor Gallegos asked Ms. Dina Coleman to take roll.

Those present were:

Councilor Lawrence Ortega  
Councilor Brent Jaramillo  
Councilor Miguel Romero  
Councilor Julian Cisneros

Also present:

Administrator Loretta Trujillo  
Finance Director Karen Shannon  
Receptionist Dina Coleman  
Legal Counsel Vanessa Chavez

**III. PLEDGE OF ALLEGIANCE**

Mr. Lucas Rael led the Pledge of Allegiance.

**IV. APPROVAL OF AGENDA**

Ms. Loretta Trujillo requested items E, D and F under the Finance Department be removed from the agenda. Councilor Cisneros requested that Officer Victor Alvarado be able to speak after Public Comments. Ms. Trujillo stated that Officer Alvarado is welcome to address the Council during Public Comments since he is not on the agenda.

Motion: Councilor Cisneros

Second: Councilor Ortega

In Favor: All

Opposed: None

To approve the agenda as amended. All voted yes. Motion carried.

**V. APPROVAL OF MINUTES -**

**July 01, 2015 -**

Motion: Councilor Romero

Second: Councilor Jaramillo

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49 In Favor: All  
 50 Opposed: None

51  
 52 To approve the July 01, 2015 meeting minutes as presented. All voted yes. Motion carried.

53  
 54 **July 07, 2015 -**

55 Motion: Councilor Jaramillo  
 56 Second: Councilor Ortega

57  
 58 In Favor: All  
 59 Opposed: None

60  
 61 To approve the July 07, 2015 meeting minutes as presented. All voted yes. Motion carried.

62  
 63 VI. **PUBLIC COMMENTS** - *(It is the policy of the Governing Body to accept public comment. Because your*  
 64 *particular issue is not on the agenda the Governing Body cannot respond immediately, but may direct staff to*  
 65 *address issues at a future Council Meeting. Public comments are limited to a maximum of three minutes.)*

66  
 67 *Opened @ 6:04pm...*

68 Mr. Jack Lewis, District Ranger for the Questa Ranger District in the Carson National Forest, introduced himself  
 69 to the Council. He stated that he would like to begin meeting with the Governing Body in the next couple of  
 70 months regarding a couple of items. One is the Carson Forest plan which the assessment is complete in which  
 71 some issues have been identified. He stated that he definitely wants the Village to be a part of that. Also, Eagle  
 72 Rock Lake should be completed in September and they would like to hold some kind of celebration. Also,  
 73 regarding a visitor's center. He stated that he is looking forward to working with the Village. Mayor Gallegos  
 74 would like to see forest plan and possibly look at a community forest area. Councilor Cisneros welcomed Mr.  
 75 Lewis.

76 Mr. Bill Patton, CEO of Health Systems at Holy Cross Hospital, introduced himself to the Council. Mr. Patton  
 77 expressed his interest in having a regular dialogue with the Village Council to keep the Council informed as far  
 78 as the progress we they are making as well as addressing some of the issues that they are facing. In August, the  
 79 Health System Board is going to be developing its strategic plan and he would like to request the opportunity to  
 80 present a summary of that plan once it is complete to the Council. He stated that he looks forward to meeting  
 81 with the Village Council on a regular basis. Mayor Gallegos thanked Mr. Patton for coming to the meeting and  
 82 welcomed him to the area.

83 *Closed @ 6:10pm...*

84  
 85 VII. **PRESENTATIONS –**

86 A) Taos Alive – Ms. Julie Martinez, Substance Abuse Prevention Program Manager  
 87 Re: Alcohol Taxes Saves Lives & Money Resolution

88  
 89 Mr. Chris Weathers and Mr. Adonis Trujillo presented on behalf of Ms. Julie Martinez. He stated that they are  
 90 present this evening to represent Taos Alive Coalition. He stated that their coalition is federally funded to reduce  
 91 substance abuse in Taos County and more specifically in Taos County youth. They have targeted the areas of  
 92 prescription drug abuse and alcohol abuse. Mr. Weathers shared a sample of the Resolution that they are  
 93 requesting be passed. They are looking at a .25 cent per drink tax. They would like to have the same resolution  
 94 passed at the state level. He stated that they are looking at the .25 cent tax for the reason that 16.4% of deaths  
 95 in New Mexico are alcohol related. A power point was presented containing studies and projections.

Councilor Jaramillo inquired if the support is there at the legislative level. Mayor Gallegos stated that it would be great opportunity for the State to support this effort. Mr. Weathers stated they are requesting a Resolution in support of this measure.

B) Petroglyphs on the Rio Grande – Mr. Elmer Salazar  
Mayor Gallegos requested this item be tabled in Mr. Salazar's absence.

C) Grant Writer Update - Mr. Amalio Madueño, Community Development Consulting Associates  
Mr. Madueño presented an activity report for the month of May. He stated that he has been meeting with various funding sources and representatives.

#### VIII. PUBLIC HEARING –

##### A) 2017-2021 Infrastructure Capital Improvement Plan (ICIP)

Ms. Trujillo stated that one of the requirements for the ICIP is to hold a public hearing for public input on what projects residents would like to see in Questa.

Mayor Gallegos opened the Public Hearing at 6:46pm.

Ms. Valerie Trujillo, Questa Independent Schools Superintendent suggested we start to integrate business partnerships in order to increase activities for the youth. Sports is the only activity they have right now. Councilor Ortega commented that we have the Youth Center addition prioritized at #10 and stated that he would like to see that moved up on the list. Mayor Gallegos stated that in the next calendar year we are hoping to make those improvements. Mr. Jim Vaughn also stated that there is nothing in the Village for the youth and would like to see something done.

Councilor Jaramillo suggested adding animal control equipment for the reason that if we go out for animal control grants this is on the priority list.

Being that there were no further public comments, Mayor Gallegos closed the public hearing at 6:45pm.

#### IX. ACTION ITEMS - (Discussion, Consideration and Action)

##### A) 2017-2021 Infrastructure Capital Improvement Plan (ICIP)

A discussion was held regarding the priorities.

It was decided the priorities would be as follows:

1. Economic Development Projects
2. Water Rights Purchase
3. Water System Improvements
4. Sewer Line Extension
5. Youth Center – Additions
6. Road Improvements & Repairs
7. New Community Center
8. Animal Control Equipment
9. Molycorp Memorial Field Improvements
10. Business Park Road Improvements



A motion to approve the 2017-2021 Infrastructure Capital Improvement Plan (ICIP) as discussed above by Councilor Cisneros, seconded by Councilor Ortega.

In Favor: All  
Opposed: None

To approve the 2017-2021 Infrastructure Capital Improvement Plan (ICIP). All voted yes. Motion carried.

B) Resolution 2015-23 – 2017-2021 ICIP

Motion: Councilor Cisneros  
Second: Councilor Romero

Roll Call:

Councilor Brent Jaramillo	YES
Councilor Miguel Romero	YES
Councilor Lawrence Ortega	YES
Councilor Julian Cisneros	YES

To approve Resolution 2015-23. All voted yes. Motion carried

C) Keltner Construction, Inc. Invoice

Ms. Trujillo stated that he has done some work for the Village of Questa in 2011 at the time we had the mold issue in the Administration building. He is asking that we pay him the difference that is owed.

Councilor Ortega asked how many Purchase Orders were issued. Ms. Trujillo stated that no PO's were issued from the Village. He stated that the advice from our attorney was to pay only the \$5,000.00.

Ms. Trujillo stated he is requesting \$2543.59.

At this time, for the reason that this may be a possible litigation item, a motion was made by Councilor Cisneros to take this item into Executive Session. The motion was then seconded by Councilor Jaramillo.

In Favor: All  
Opposed: None

To table this item into Executive Session. All voted yes. Motion carried.

D) Ms. Sophie Cisneros – Temporary Closure of portion of Embargo Road

Ms. Trujillo informed that Governing Body that Ms. Cisneros approached Mayor Gallegos about the possibility of closing a portion of Embargo Road for a family reunion. Ms. Cisneros is concerned about the safety of the children because of the close proximity of the road to her property.

Ms. Trujillo stated that she consulted with our legal counsel to see if this was legally possible as well as had Ms. Cisneros contact her neighbors and get their approval. There was only one person who would be affected by

194 this closure and they have stated that they are fine with it. The traffic would be diverted up through Upper  
195 Embargo Road.

196  
197 Councilor Jaramillo stated that all the residents who use that road should have been contacted also. He stated  
198 that he is sure they won't be opposed to it but out of courtesy they should be informed.

199 A discussion was held.

200  
201 It was decided that the request would be approved with the stipulation that Ms. Cisneros must notify all  
202 residents who live on Embargo Road before the event.

203  
204 Motion: Councilor Cisneros

205 Second: Councilor Ortega

206  
207 In Favor: All

208 Opposed: None

209  
210 To approve the request for the temporary closure of a portion of Embargo Road for a family reunion event in  
211 the month of August, with the stipulation that Ms. Cisneros inform all residents of Embargo Road about the  
212 closure before the event. All voted yes. Motion carried.

#### 213 E) 2015 NM Municipal League Annual Conference Voting Delegates

214  
215 Ms. Trujillo stated that the NMML Annual Conference is coming up in September and it is time to assign a voting  
216 delegate and alternate to vote on behalf of the Village of Questa in the annual business meeting.  
217 It was decided to assign Mayor Gallegos as the voting delegate and Councilor Romero as the alternate.

218  
219 Motion: Councilor Ortega

220 Second: Councilor Jaramillo

221  
222 In Favor: All

223 Opposed: None

224  
225 To approve the 2015 Municipal League Annual Conference voting delegates for the Village of Questa as stated  
226 above. All voted yes. Motion carried.

#### 227 F) North Central Food Pantry Agreement

228  
229 Ms. Trujillo stated that the North Central Food Pantry has received their 501C3 status and are ready to move up  
230 to the Village building next to the head start and senior center. This agreement is a standard lease agreement  
231 drafted by legal counsel. The group has offered to pay for the electric and gas if the water is provided. We are  
232 working on the interior walls and fill the holes outside. Councilor Ortega asked who is responsible for any  
233 needed maintenance in the building while they are occupying it. Ms. Trujillo stated that the user will be.  
234 Councilor Jaramillo stated that he believes that DFA needs to approve leases such as these. Ms. Trujillo stated  
235 she will follow up on this first thing in the morning.

236  
237 Motion: Councilor Ortega – With condition Ms. Trujillo checks with DFA regarding if their approval is needed.

238 Second: Councilor Romero

239  
240 In Favor: All

241  
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243 Opposed: None

245 To approve the North Central Food Pantry Agreement. All voted yes. Motion carried.

246

247 G) Resolution 2015-24 – NM Department of Transportation 2015-2016 LGRF Program

248

249 Ms. Trujillo informed the Governing Body that this resolution is a requirement from the NMDOT for the 2015-  
250 2016 funding year.

251

252 Motion: Councilor Ortega

253 Second: Councilor Romero

254

255 Roll Call:

256

257 Councilor Brent Jaramillo YES

258 Councilor Miguel Romero YES

259 Councilor Lawrence Ortega YES

260 Councilor Julian Cisneros YES

261

262 To approve Resolution 2015-24. All voted yes. Motion carried

263

264 H) State Agency and Legislative Representational Services Agreement - Universal Professional Services

265

266 Ms. Trujillo stated that this contract went out for RFP last year with the option to renew annually for up to four  
years. This is amendment one. Councilor Ortega asked if all terms and conditions from the original contract will  
268 remain the same. Ms. Trujillo stated yes.

269

270 Motion: Councilor Jaramillo

271 Second: Councilor Cisneros

272

273 In Favor: All

274 Opposed: None

275

276 To approve the State Agency and Legislative Representational Services Agreement with Universal Professional  
277 Services. All voted yes. Motion carried.

278

279 I) Professional Service Agreement – Miller Geotechnical Consultants, Inc.

280

281 Ms. Trujillo stated that this is amendment three of a four year contract and all terms and conditions will remain  
282 the same.

283

284 Motion: Councilor Ortega

285 Second: Councilor Jaramillo

286

287 In Favor: All

288 Opposed: None

289

290 To approve the Professional Service Agreement with Miller Geotechnical Consultants, Inc., for another year. All  
291 voted yes. Motion carried.



J) Position Description – Questa Economic Development Fund Executive Director

Mayor Gallegos stated that any changes made will be passed on to the QEDFB for their consideration.

Councilor Cisneros stated that he still has an issue with this position and the pay. He stated he has an issue with this and this money should be used for the community. He stated that we need to ask ourselves if we really want to support this and if we want to take the money from the community and pay this individual. Mayor Gallegos stated that the operating money we receive from Chevron will not be used to pay this individual's salary. The planning money will be used. Mayor stated that he believes that this planning money should be used for planning future economic growth in the Village of Questa. He stated that he needs clear direction from the Council regarding this job description. Councilor Cisneros was concerned that if we discuss this job description and submit it to the QEDFB it will look like we are in support of it. He stated that he is not against the QEDFB but does not agree with this. Councilor Ortega stated he still has a problem with the last sentence of the way the first paragraph reads. He would like some language in there regarding the individual also report to the Village of Questa. Councilor Jaramillo stated that he respects Councilor Cisneros's opinion. He stated that these are not public funds. He stated that he is also not in favor of the proposed high salary.

A motion was made at this time by Councilor Cisneros to table this item so that a work study session can be scheduled with QEDFB with the Village of Questa Governing Body specifically be placed on this agenda to discuss this item. The motion was then seconded by Councilor Ortega.

In Favor: All  
Opposed: None

To approve this item be tabled until after the proposed work study session with QEDFB. All voted yes. Motion carried.

X. DISCUSSION –

A) La Cienega Property

Mayor Gallegos thanked Ms. Valerie Trujillo, QISD Superintendent, for being present at the meeting this evening.

Ms. Vanessa Chavez stated that she has been in contact with the attorney that is currently working on this. He is in the process of gathering all the requested information. She is hoping to get this information from him sometime this week. She stated that once she receives this information she will bring it back to the Governing Body for review. Ms. Valerie Trujillo stated that they have been unable to locate some of the requested documents. Mayor Gallegos asked if the school board has outlined their specific requests the Village would have to abide by if the property was given to the Village. Ms. Trujillo stated that some of those requests were that if the asbestos was not properly removed, the school district would not be liable, if years from now the Village does not want the property that the school district is considered first to take it back, and the building not be used to house a charter school for the reason that our student enrollment does not decrease which will reduce our funding. Mayor Gallegos asked if their attorney can draft a letter stating these stipulations and sent to our attorney. Ms. Trujillo stated that before the school considers the transfer of this property a letter of proposal would be needed from the Village. She needs some documentation stating that the Village is interested in the property and it has been voted on in a meeting. Mayor Gallegos stated that once we receive the letter with the conditions we can review them and either vote to move forward with the acquisition of the property or not. Councilor Ortega expressed his concern with the health issues and asbestos and wants to

make sure the Village is held harmless during the transition. He stated that his concern is that if we draft the proposal letter we will be held liable. Ms. Chavez stated that the Village will not be liable for anything until the property is officially transferred over and the Village has legal rights over it. Councilor Ortega asked Ms. Chavez if following the steps requested by Ms. Trujillo is appropriate. Ms. Chavez stated that there is no liability in writing the letter of intent. Ms. Chavez and the Administrator will work on drafting the letter of intent.

\*\*At this time Mayor Gallegos allowed Officer Victor Alvarado to address the Council.

Officer Alvarado expressed his concerns regarding him being the only officer and inquired about where we were in hiring other officers. Ms. Trujillo stated that she has already addressed this with Officer Alvarado earlier today and it is a personnel matter. She stated that two applications have been received for officer and will be interviewing soon to fill the vacancies. We have also received an application for Chief of Police and will be moving forward with that also. Councilor Cisneros asked how much Officer Alvarado is getting paid currently. He stated that being that he is our only officer, and assuming he is acting Chief. Ms. Trujillo stated that he has not acting Chief. Councilor Cisneros inquired why he is not. Ms. Trujillo stated that it is a personnel matter that she would not like to discuss in open session. Councilor Cisneros asked if we could discuss this in Executive Session. Ms. Chavez stated not at this meeting. Councilor Cisneros requested this item be placed in executive session at the next council meeting.

XI. **FINANCE DEPARTMENT - Ms. Karen Shannon**

A) Approval of Internal BARS

Ms. Trujillo informed the Council that Mr. Steinenger is here this week from DFA and will make a presentation to the Council later in the meeting.

Ms. Shannon presented the Internal BARS spreadsheet to the Council.

Motion: Councilor Ortega  
Second: Councilor Romero

In Favor: All  
Opposed: None  
To approve the Internal BARS. All voted yes. Motion carried.

B) Final Budget Adjustment Resolution 2015-25

Ms. Shannon presented the final budget resolution.

Motion: Councilor Cisneros  
Second: Councilor Romero

Roll Call:

Councilor Brent Jaramillo	YES
Councilor Miguel Romero	YES
Councilor Lawrence Ortega	YES
Councilor Julian Cisneros	YES

To approve Resolution 2015-25. All voted yes. Motion carried.



C) 4<sup>th</sup> Quarter Resolution 2015-26 – DFA Final Report

Ms. Shannon stated that Mr. Steinenger found some errors in some of the line items. A revision was provided.

Motion: Councilor Ortega  
Second: Councilor Jaramillo

Roll Call:

Councilor Brent Jaramillo	YES
Councilor Miguel Romero	YES
Councilor Lawrence Ortega	YES
Councilor Julian Cisneros	YES

To approve the 4<sup>th</sup> Quarter Resolution 2015-26. All voted yes. Motion carried.

D) Fiscal Year 2015-2016 Budget Adoption Resolution 2015-27

*\* Removed from Agenda*

E) Paid Vouchers

*\* Removed from Agenda*

F) Unpaid Vouchers

*\* Removed from Agenda*

Mr. Steinenger at this time addressed the Council. He stated that he has looked at the audit, quarterly report and proposed budget. Mr. Steinenger pointed out some common errors that were found. He stated that differences are to be expected. Mr. Steinenger informed the Council on investments and the discussed the 2014-2015 audit and findings. He is concerned that in the last seven years the Village's actual cash reserve balances have not exceeded \$20,000.00. With a minimal reserve of this amount the Village is very susceptible to any unforeseen financial events. It is something we need to consider in future budgets. He also stated that 87.7% of the total receivables are outstanding. He stated that when he was asked to review the proposed 2015-2016 budget he was concerned with the water fund cash balance at \$17,000.00. There is only one police officer currently, now would be the time to consider entering into a joint powers agreement with Taos County to provide law enforcement. This is not a recommendation, it is an alternative. Also, considering a JPA to provide ambulance service. Currently 100% of the ambulance budget is slated for salary and benefits with one person making up 43% of that amount. The Village would save \$22,000.00 in the general fund that is supplemented if it was outsourced. On a positive note he believes that the budget has been developed very conservatively but the Village will need to address depleting operating cash. Two gross receipts increases can be enacted without voter approval. Mills are available for enactment. He asked the Village to consider adoption of a lodger's tax to absorb the visitors and marketing costs. The Council thanked Mr. Steinenger for the information provided.

XII. MATTERS FROM ADMINISTRATOR

Ms. Trujillo updated the Council on the following:

- Requested a Special Meeting next week to approve the budget.
- Work study Session on July 29 for the Water Sewer Ordinance.

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- Los Alamos County donated two police vehicles to the Village which we are looking to retrofit them
- Mr. Breen inquired about where we are with the residential development project. Ms. Loretta asked for direction. The Council asked Ms. Trujillo to move forward with talks with Mr. Breen.
- Regarding the citizen letter requesting to lease corral property in exchange for making improvements to the property. If the Council would like to entertain this request we will have to open it up to the procurement process. Councilor Ortega stated a meeting was held for the Livestock Corral users last week, a majority was present and of all the members present all were in favor of the proposal. Councilor Ortega stated that the only item to be clarified is if a non- member wants to submit a proposal they will have to become a member. He stated the fencing along 522 needs to be addressed by the NMDOT. A discussion was held regarding the scope. Ms. Trujillo stated she will get with Ms. Chavez to discuss the legalities.
- Asked for approval to purchase water rights from Ms. Angel Chamberlain. The money is there to purchase additional water rights. Councilor Ortega asked if this could be discussed in Executive Session. Ms. Chavez stated yes.

XIII. **MATTERS FROM MAYOR AND COUNCIL**

Councilor Jaramillo asked for a status on Caselle software. Ms. Shannon stated that by October the General Ledger will be implemented. They have requested a sample chart of accounts. They proposed to upload all of our data. She suggested to begin with July 2015 numbers. Ms. Trujillo stated she had to make several calls to get this going. Also, inquired if we could work together on SR 522 if we can partner with local DOT office and get the trees along the road trimmed. Also, the branches on Old Red River Road. Mayor Gallegos inquired about hiring two temporary employees to get caught up on these issues. Councilor Jaramillo asked where we would get the money. Ms. Trujillo stated from the General Fund.

Councilor Ortega asked where we are with the RFP on the design for the sewer line on Cabresto Road. Ms. Trujillo stated she has an RFP for engineering services ready to go out but is waiting to see about the CES program. Also regarding the Eagle Rock Lake project and is a meeting has been scheduled. Ms. Trujillo stated that she will follow up on it.

XIV. **MATTERS FROM ATTORNEY** – Ms. Vanessa Chavez

Ms. Chavez stated that regarding Mr. Keltner's invoice she will speak with Mr. Rael and bring this back to the Council with a recommendation.

XV. **EXECUTIVE SESSION** - *(The Governing Body may convene into Executive Session at this time pursuant to the NM Open Meetings Act NMSA 1978 10-15-1)*

- A) Real Property and Water Rights (Section 10-15-1(H) (8)) –Water Rights
- B) Litigation – (Section 10-15-1 (H) (7)) – Business Park

A motion to enter into Executive Session was made by Councilor Ortega, seconded by Councilor Romero.

Roll Call:

Councilor Julian Cisneros	YES
Councilor Miguel Romero	YES
Councilor Lawrence Ortega	YES
Councilor Brent Jaramillo	YES

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488 Mayor Gallegos stated that the Governing Body will go into Executive Session to discuss the items listed. The  
489 Governing Body entered into Executive Session at 9:11pm.

490  
491 A motion to reconvene from Executive Session was made by Councilor Jaramillo, seconded by Councilor  
492 Cisneros.

493  
494 Roll Call:

495  
496 Councilor Julian Cisneros YES  
497 Councilor Lawrence Ortega YES  
498 Councilor Brent Jaramillo YES  
499 Councilor Miguel Romero YES

500  
501 Ms. Chavez stated that she recommends that the Council certify that the only items discussed during closed  
502 session were the Real Property and Water Rights and Pending or Threatening Litigation regarding the Business  
503 Park.

504  
505 Motion: Councilor Jaramillo  
506 Second: Councilor Ortega

507  
508 In Favor: All  
509 Opposed: None

510  
511 To approve the response from Ms. Chavez regarding Executive Session. All voted yes. Motion carried.

513 XVI. ADJOURNMENT

514  
515 Motion: Councilor Cisneros  
516 Second: Councilor Jaramillo

517  
518 In Favor: All  
519 Opposed: None

520  
521 There being no further business to discuss, the meeting was adjourned at 9:31pm.

522  
523  
524 ATTEST:

525  
526   
527  
528 Renee Martinez, Village Clerk

APPROVED:

  
Mark Gallegos, Mayor