

**VILLAGE OF QUESTA
REGULAR MEETING MINUTES
TUESDAY, JANUARY 26, 2016
VILLAGE OF QUESTA COUNCIL CHAMBERS
6:00PM**

I. CALL TO ORDER BY MAYOR MARK L. GALLEGOS

Mayor Gallegos called the meeting to order at 6:01pm.

II. ROLL CALL

Mayor Gallegos asked Village Clerk Renee Martinez to take roll.

Those present were:

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

Also present:

Administrator Loretta Trujillo
Village Clerk Renee Martinez
Finance Director Karen Shannon
Village Attorney Vanessa Chavez

III. PLEDGE OF ALLEGIANCE

Councilor Julian Cisneros led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

Councilor Cisneros requested that Item VIII E) be moved to Discussion Items (Item IX). A request was made that an Executive Session be added to the agenda to discuss Action Item (F) regarding Water Rights.

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 –

• **January 7, 2016 Special Meeting –**

Motion: Councilor Jaramillo

Second: Councilor Ortega

Village of Questa Regular Meeting
January 26, 2016

In Favor: All
Opposed: None

To approve the January 7, 2016 minutes as presented. All voted yes. Motion carried

• **January 12, 2016 Regular Meeting –**

Motion: Councilor Ortega
Second: Councilor Jaramillo

In Favor: All
Opposed: None

To approve the January 12, 2016 minutes as presented. All voted yes. Motion carried

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

There were no Public Comments...

VII. **PUBLIC HEARING**

A) Village of Questa Water & Sewer Ordinance No. 2015 -141

Mayor Gallegos opened the public hearing at 6:07pm.

Ms. Nadine Varela stated that her mother Roxanne Varela is paying sewer on a vacant property and would like to verify that if the property is sold, the sewer tap would remain and the new owner would not have to pay a new tap fee. Mayor Gallegos stated that because Ms. Varela has been paying the monthly sewer fee there would be no tap fee.

Mayor Gallegos closed the public hearing at 6:10pm.

VIII. **ACTION ITEMS - (Discussion, Consideration and Action)**

A) Village of Questa Water & Sewer Ordinance No. 2015 -141

Councilor Cisneros motioned that we table and revisit this Ordinance at another time. Ms. Trujillo stated that if this Ordinance is tabled she will be forced to shut off water meters for the reason that DFA, as well as the auditors have informed us that we are in violation of our own Ordinance. The motion died due to lack of a second.

Councilor Ortega requested the possibility of considering a seasonal sewer rate.

A lengthy discussion was held regarding the Service Classifications for Commercial Class II and III. It was suggested by Ms. Chavez that we remove 'with up to 20 units' and 'with up to 20 hook-ups' on Commercial Class II. Also remove 'hotels/motels with over 20 units, recreational vehicle (RV) Parks with over 20 hook-ups' on Commercial Class III.

Motion: Councilor Ortega

Village of Questa Regular Meeting
January 26, 2016

98 Second: Councilor Romero

100 Roll Call:

101 Councilor Julian Cisneros YES

102 Councilor Brent Jaramillo YES

103 Councilor Miguel Romero YES

104 Councilor Lawrence Ortega YES

105

106 To approve Ordinance No. 2015-141 with the above changes. All voted yes. Motion carried.

107

108 B) Approval of Resolution No. 2016-03 – New Bank Account

109

110 Ms. Trujillo stated that this account will be utilized as a 'clearing account' for all expenditures transacted through
111 the Caselle software.

112

113 Motion: Councilor Jaramillo

114 Second: Councilor Cisneros

115

116 Roll Call:

117 Councilor Julian Cisneros YES

118 Councilor Brent Jaramillo YES

119 Councilor Miguel Romero YES

120 Councilor Lawrence Ortega YES

121

122 To approve Resolution No. 2016-03. All voted yes. Motion carried.

123

124 C) Approval of Resolution No. 2016-04 – Tax Information Disclosure

125

126 **Removed from Agenda

127

128 D) Ratification of Petroglyph's on the Rio Grande Economic Development Plan

129

130 Motion: Councilor Cisneros

131 Second: Councilor Jaramillo

132

133 In Favor: All

134 Opposed: None

135

136 To approve the ratification of Petroglyph's on the Rio Grande Economic Development Plan. All voted yes. Motion
137 carried.

138

139 E) Approval to proceed with Village of Questa Ordinance 2016-146 – Municipal Judge Salary Increase

140 **Moved to Item IX. Discussion Items.

141

142 F) Approval to enter into contract with Ms. Karen Cortez - Water Rights

143

144 **Moved to Executive Session

145

146

G) Approval of Contract with Mr. Anthony Martinez – Regarding Wastewater Treatment Plant

Ms. Trujillo stated that Mr. Martinez possesses all certifications needed to operate our WWTP.

Motion: Councilor Cisneros

Second: Councilor Jaramillo

In Favor: All

Opposed: None

To approve the Contract with Mr. Anthony Martinez. All voted yes. Motion carried

H) Approval of Contract with Ms. Alberta Bouyer – Regarding Marketing & Tourism Coordinator

Motion: Councilor Jaramillo

Second: Councilor Ortega

In Favor: All

Opposed: None

To approve the Contract with Ms. Alberta Bouyer. All voted yes. Motion carried

IX. **DISCUSSION ITEMS** –

A) Mr. Amalio Madueño, (CDCA) – Grant Update

Mr. Madueno updated the Council on all ongoing grants.

B) Proposed Date for Work Study Session regarding Village of Questa Projects

It was decided to hold a Work Study Session on Saturday, February 6, 2016 at 9:00am.

C) Approval to proceed with Village of Questa Ordinance 2016-146 – Municipal Judge Salary Increase

After a brief discussion it was decided to move forward with the advertisement of the ordinance for approval at a future meeting.

X. **FINANCIALS** – Ms. Karen Shannon

A) Presentation of November Financial Report

B) Presentation of December Financial Report

C) Approval of 2nd Quarter DFA Report –

Motion: Councilor Ortega

Second: Councilor Jaramillo

In Favor: All

Opposed: None

196 To approve the 2nd Quarter Report. All voted yes. Motion carried

198 XI. **MATTERS FROM ATTORNEY –**

199 There were no matters.

200

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

203

204 A) Real Property and Water Rights (Section 10-15-1(H) (8)) –

205 Discussion of possible acquisition of Water Rights - Consideration to Lease from Ms. Karen Cortez

206

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

208

209 Roll Call:

210

211 Councilor Julian Cisneros YES

212 Councilor Miguel Romero YES

213 Councilor Lawrence Ortega YES

214 Councilor Brent Jaramillo YES

215

216 Mayor Gallegos stated that the Governing Body will go into Executive Session to discuss only the item listed. The
217 Governing Body entered into Executive Session at 7:26pm.

218

219 A motion was made to reconvene from Executive Session at 7:49pm by Councilor Ortega, seconded by Councilor
220 Romero.

221

222 Roll Call:

223

224 Councilor Lawrence Ortega YES

225 Councilor Brent Jaramillo YES

226 Councilor Julian Cisneros YES

227 Councilor Miguel Romero YES

228

229 Mayor Gallegos stated that only item discussed during closed session was the possible water rights acquisition
230 with Ms. Karen Cortez. No action was taken.

231

232 XII. **MATTERS FROM ADMINISTRATOR –** Ms. Loretta Trujillo

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234 Ms. Trujillo updated the Council on the following:

235

- 236 • Librarian Sharon Nicholson will be featured in the Taos News "Know Your Neighbor" section.
- 237 • Included draft MOU between Taos County and Village regarding economic development for review and
- 238 will come before Council at next meeting. Councilor Ortega stated he has a concern with item 4.
- 239 Councilor Ortega inquired if we were making Taos County party to our Economic Development efforts
- 240 and do they have jurisdiction. Ms. Chavez stated that the intent is that when either entity is applying for
- 241 funds you are not competing. Councilor Jaramillo stated that he believes there is a different draft. Ms.
- 242 Trujillo stated she will get the correct draft and forward it to Council.
- 243 • Department of Transportation MAP and Local Government Road Fund project applications are due in
- 244 March. Project areas need to be identified. This will be brought to Council at next meeting. Councilor

Ortega inquired if the Village would be responsible for the 25%. Ms. Trujillo stated she would find out. Councilor Jaramillo suggested the MAP be used for Cabresto Road.

- Water Rights Update – Ms. Trujillo is waiting on OSE to process Mr. Eliu Romero’s application. It is estimated to be completed sometime in May or June. Ms. Trujillo stated that Mr. Romero is not up to date on his dues. Ms. Trujillo also met with Kerrie at OSE regarding Estate of Lino Trujillo Water Rights – told that we need confirmation from Llano ditch that dues are being paid. Ms. Jeannie Masters confirmed that dues have been paid. Karen Cortez water rights lease- All paperwork is in order at OSE, Ms. Cortez has 14.93 acre feet of water (6,463 consumptive use). Councilor Ortega asked if this needed to be published in the newspaper. Ms. Trujillo stated no; a water rights lease does not have to be.
- Andamo Sanchez Well – Mr. Sanchez is aware that he must get an appraisal.
- Leroy Romero Well - We are waiting on Mr. Romero to turn in paperwork.
- Street Lights – Received an estimate from Bixby Electric – who has the State Contract price agreement for this service. Waiting on a PO to get this done. Councilor Cisneros asked what this was going to cost. Ms. Trujillo stated it will cost a little over \$6,000.00 for 23 lights. Councilor Ortega stated that we don’t have to go with Bixby, correct? Ms. Trujillo stated that she decided to go with Bixby for the reason that she has been so busy that she has not had the time to get other quotes but if the Council wishes her to do this she can. Councilor Ortega stated that maybe there are some local contractors that can do this. Ms. Trujillo stated that they will need to have the proper equipment, proper bonding and approval from the DOT.
- Corral Property Contract – Spoke with Mr. Cisneros regarding the contract and he has some questions. He will inform Ms. Trujillo by the 29th if he is going to move forward with the contract or withdraw it. The DFA agreement for the \$90,000.00 for the Youth Center has been received and signed. Ms. Trujillo will deliver it to DFA on Friday. A fiscal agent will be needed for this project so Ms. Trujillo will respectfully ask Taos County.
- Amalio Madueno Contract will expire in March.

XIII. MATTERS FROM MAYOR AND COUNCIL

Councilor Jaramillo suggested that we take advantage of the projector screen and put items up for members of the public to see what we are talking about. He suggested between she and Ms. Shannon it could be done. Also, he suggests that now with Caselle Ms. Shannon should present the financials in a manner that informs the Council on how the financials are doing, and with concerns, if any. Ms. Trujillo stated that she agrees and that as soon as Caselle is fully implemented they will work on that.

Councilor Ortega asked if we have hired a Public Works Superintendent yet. Ms. Trujillo stated that she chose not to bring in an interim director for the reason that she wants to see how Mr. Nick Trujillo handles it. For the next few months that Mr. Martinez is running the WWTP she wants to work with Mr. Trujillo to see how it will work out. Councilor Ortega asked if Ms. Trujillo if she has let him know that she is looking at him to do that. Ms. Trujillo stated that Mr. Trujillo does not want the position but she has asked him to consider it. She stated that she would like to try and separate the Water and Sewer departments. If they are separated we then won’t have the funds to hire a director. She stated that this is a trial basis for now. She stated that one of his concerns is that he would have to go on salary. Councilor Ortega stated that his concern is accountability. Ms. Trujillo stated that right now it is Mr. Trujillo and he is aware of it. Councilor Ortega also inquired about the Library report and the list of things that need to be done and who will be doing them. Mayor Gallegos stated that public works can do some of the work and we may have to go out for bid on some of the items. Mayor Gallegos stated that he will be working on the parking lot. Councilor Ortega informed Ms. Martinez about a couple of typos on page 4, line 188 of the minutes.

Councilor Cisneros again requested some police presence or vehicle at the Council Meetings for the safety of everyone here.

Councilor Romero asked if we checked into the IPAD's and why they are not downloading the meeting packets correctly. He stated that it did not download until he got here. Ms. Trujillo stated that we are looking into it. Councilor Romero also inquired about Abra Road and when the potholes would be repaired. Ms. Trujillo stated that we have been getting complaints about Abra Road and a work order was put in today for the public works to fill in the potholes. She also informed constituents that this is one of the roads that is identified to be repaired this year. Councilor Jaramillo stated that Abra Road would be his recommendation for the next round of DOT funding. Mayor Gallegos stated that there is no drainage on these roads so we will have to get some engineering work done on them.

Councilor Ortega stated that he noticed in the financial reports that we haven't spent money on cold mix. Ms. Trujillo stated that she is very surprised at this. She stated that she will get with Karen on this because she believes that we have purchased some.

Mayor Gallegos stated that regarding the few citations that we are getting into the court, he stated that he would take a safe, quiet town any day before issuing out 100 citations. He stated that there is police presence out there and crime is going down. Councilor Romero agreed stating that in law enforcement if you respect the citizens they will respect you back.

Mayor Gallegos also informed the Council that the \$90,000.00 for river restoration has been located.

XIV. ADJOURNMENT

Motion: Councilor Cisneros

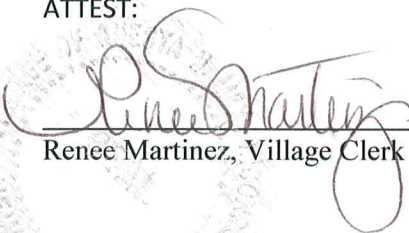
Second: Councilor Ortega

In Favor: All

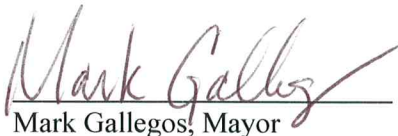
Opposed: None

There being no further business to discuss, the meeting was adjourned at 8:27pm.

ATTEST:


Renee Martinez, Village Clerk

APPROVED:


Mark Gallegos, Mayor