

**VILLAGE OF QUESTA
REGULAR MEETING MINUTES
TUESDAY, FEBRUARY 23, 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 6:04pm

II. ROLL CALL

Mayor Gallegos asked Village Clerk Renee Martinez to take roll.

Those present were:

Councilor Brent Jaramillo
Councilor Lawrence Ortega
Councilor Julian Cisneros

Councilor Miguel Romero was not present.

Also present:

Administrator Loretta Trujillo
Village Clerk Renee Martinez
Municipal Judge Michael Rael

III. PLEDGE OF ALLEGIANCE

Municipal Judge Michael Rael led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

Motion: Councilor Cisneros
Second: Councilor Jaramillo

In Favor: All
Opposed: None

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

V. APPROVAL OF MINUTES – February 09, 2016

Motion: Councilor Ortega
Second: Councilor Cisneros

In Favor: All
Opposed: None

To approve the February 09, 2016 minutes as presented. All voted yes. Motion carried

VI. PRESENTATIONS –

A. Ms. Peggy Trigg – Studio Tour

Ms. Peggy Trigg informed the Council regarding the Questa Art Studio Tour that will be showcasing the strength of our artistic traditions and developing an economic benefit for our local artists and craftspeople. The event will take place August 6 and 7, 2016. A website has already been developed and will be linked online to Questa Tourism, Enchanted Circle, NM True and NM Studio Tours. Possible funding sources include artist fees and grants from Questa Economic Development Fund board, Chevron and Taos Lodgers Tax.

Councilor Jaramillo asked Ms. Trigg if she has asked the previous members about what worked and did not work for them. Ms. Trigg stated that she has. Councilor Ortega asked that local artists be contacted and included.

B. Ms. Claire Cote – Report on LEAP 2015 Events & Update on Proposed 2016 Events

Ms. Claire Cote gave a brief report on last year's events. The Luz Es Vida series was a great success. This year's series will be geared towards Pollination. The 2016 Questa Summer Event Series and Educational Programming will begin March 26th with the local food and gardening night, banner painting and art workshops, rotating youth art exhibitions, earth day trash collection day, earth day celebration, Northern Taos county growers and makers market, Art show and Neo Rio at Wild Rivers. Ms. Cote went over the budget and stated that 13.5% of the total budget will be requested from the Questa Economic Development Board with the approval of the Village Council. Councilor Jaramillo stated that he did attend the Earth Day event and it was a great success. Also, he introduced Mr. Chino to Ms. Cote and Ms. Trigg and encouraged them to sit down and discuss these events.

Mayor Gallegos stated that they are speaking with Mr. Joey Perovich regarding leasing the property in town to hold some of these events.

VII. 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.)*

Mr. Phillipe Chino, Executive Director of the Questa Economic Development Fund asked if he could give a brief update on the Visitor's Center to the Council at this time.

Councilor Ortega requested that Mr. Chino be placed as a regular agenda item from now on for his updates.

Mr. Chino informed the Council that they have hired Lighthouse Creative to create a book which will be used for fundraising purposes but more importantly be used for tourism. What they did was come up with four subjects that they want us to look at in order to advertise our area. They are the background and history, agriculture, Questa present and future and mining. They came up with a draft for each section. They spoke with people in the community to come up with the final draft. A sketch of the building was also drafted. Aside from it being a visitor's center it will also be a community center. It is in the very preliminary stage. We would like to invite the lead consultant to do a complete presentation for the Council to get your approval and ideas. We would like to do this at the meeting of March 8th.

There were no other Public Comments.

VIII. PUBLIC HEARING –

A. Village of Questa Ordinance 2016-146 – Municipal Judge Salary Increase

Ms. Trujillo informed the Council that at the last meeting this ordinance was introduced. This ordinance must be approved prior to an election. If it approved this evening it will take effect March 1st.

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Mayor Gallegos opened the Public Hearing at 6:45pm and asked if there were any comments from the public. There were no Public comments regarding the ordinance. Mayor Gallegos closed the Public Hearing at 6:46pm.

B. Request for Zoning Variance – Ms. Marsha Romero, Property at 33 Sagebrush Road

Ms. Trujillo stated that Ms. Romero came before the council in November 2014. Ms. Romero is requesting a mobile home be placed on her property which is a half acre lot. The current structures on the property cover 16% of the property. According to our zoning ordinance, this location is zoned as residential which allows for one residential unit on the property which is the reason for Ms. Romero to request the variance.

Mayor Gallegos opened the Public Hearing at 6:47pm.

Ms. Romero stated that the mobile home will be placed behind her existing home. Ms. Trujillo stated that the mobile home will require its own water meter and sewer tap. Ms. Romero stated that she is requesting this variance for the reason that her daughter needs a place of her own and she would like to help her out. Ms. Trujillo stated that all the structures will take up to 27% of the property. Councilor Jaramillo requested that the action item state up to 47% to give them the flexibility in case they would like to add a porch or other structure and she won't have to come back again for the request. Councilor Ortega stated that he was fine with this as long as they get the required building permits. Mayor Gallegos stated that he believes that we should specify what we will be allowing such as front porch or back porch so instead of giving out a certain percentage, we know exactly what we are approving. Ms. Trujillo stated that within Taos County's permit application there is a section the Village needs to sign off on saying the improvements meet the Village of Questa zoning requirements. Councilor Ortega asked if there was any property transfer. Ms. Romero stated that there is not.

There were no other public comments. Mayor Gallegos closed the Public Hearing at 6:56pm.

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

A. Approval of Village of Questa Ordinance 2016-146 – Municipal Judge Salary Increase

Councilor Ortega asked that since there is no Alternate Judge, if it is possible that Judge Rael schedule his meetings and conferences on the days when court is not scheduled. Judge Rael stated that he does try to schedule around court dates. Mayor Gallegos thanked Judge Rael for all the years he has put in. He also stated that he would like to see this pay structured for the reason that a new judge who is elected might not have as much experience as Judge Rael but will automatically get this salary.

Motion: Councilor Cisneros

Second: Councilor Jaramillo

Roll Call:

Councilor Brent Jaramillo YES

Councilor Julian Cisneros YES

Councilor Lawrence Ortega YES

To approve Village of Questa Ordinance 2016-146 – Municipal Judge Salary Increase. All voted yes. Motion carried.

B. Approval of Zoning Variance – Ms. Marsha Romero, Property at 33 Sagebrush Road

Motion: Councilor Cisneros

Second: Councilor Ortega

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Councilor Jaramillo requested a discussion. Mayor Gallegos allowed for the discussion.

Councilor Jaramillo asked Councilor Cisneros if his motion included the possible construction of a porch.

Councilor Cisneros stated that his motion includes the construction of a porch or shed not to exceed the maximum 45% allowed by the Village ordinance. Councilor Ortega seconded the amended motion.

Roll Call:

Councilor Brent Jaramillo YES

Councilor Julian Cisneros YES

Councilor Lawrence Ortega YES

To approve the requested zoning variance regarding Ms. Marsha Romero at Property located at 33 Sagebrush Road. All voted yes. Motion carried.

C. Approval of Resolution 2016-06 - Procurement Policy Update (CDBG Requirement)

Ms. Trujillo informed the Council that this Resolution and the others following are all requirements of CDBG. These are Resolutions that are adopted on an annual basis.

Ms. Trujillo stated that she has a couple of changes to request.

The first request is to delete the send 'Whereas' paragraph on page 1. This is covered under General Provisions, Item A., 1.

The second is on page 3, C., 1. Small Purchases; increase the \$50,000.00 to \$60,000.00. \$60,000.00 is the language on state procurement.

The third is on page 3, Item 2, Obtaining Quotes; the 1 is missing on the \$1,000.00.

The fourth item is on page 4, Professional Services; increase the \$50,000.00 to \$60,000.00. This is also language on state procurement. Councilor Ortega asked if there is an accurate definition of what professional services are defined as. Ms. Trujillo stated that here is and it is very limited.

Motion: Councilor Ortega

Second: Councilor Jaramillo

Roll Call:

Councilor Brent Jaramillo YES

Councilor Julian Cisneros YES

Councilor Lawrence Ortega YES

To approve Resolution No. 2016-06. All voted yes. Motion carried.

D. Approval of Resolution 2016-07 – Residential, Anti-Displacement & Relocation (CDBG Requirement)

Motion: Councilor Ortega

Second: Councilor Cisneros

207 Roll Call:
 208 Councilor Brent Jaramillo YES
 209 Councilor Julian Cisneros YES
 210 Councilor Lawrence Ortega YES

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 212 To approve Resolution No. 2016-07. All voted yes. Motion carried.

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 214 E. Approval of Resolution 2016-08 - Citizen Participation Plan (CDBG Requirement)

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 216 Councilor Ortega inquired if we advertise at the post office as required by this resolution. Ms. Trujillo stated yes.

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 218 Motion: Councilor Cisneros
 219 Second: Councilor Ortega

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 221 Roll Call:
 222 Councilor Brent Jaramillo YES
 223 Councilor Julian Cisneros YES
 224 Councilor Lawrence Ortega YES

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 226 To approve Resolution No. 2016-08. All voted yes. Motion carried.

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 228 F. Approval of Resolution 2016-09 - Section 3 Plan (CDBG Requirement)

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 230 Motion: Councilor Cisneros
 231 Second: Councilor Jaramillo

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 233 Roll Call:
 234 Councilor Brent Jaramillo YES
 235 Councilor Julian Cisneros YES
 236 Councilor Lawrence Ortega YES

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 238 To approve Resolution No. 2016-09. All voted yes. Motion carried.

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 240 G. Approval of Resolution 2016-10 - Fair Housing (CDBG Requirement)

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 242 Motion: Councilor Ortega
 243 Second: Councilor Jaramillo

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 245 Roll Call:
 246 Councilor Brent Jaramillo YES
 247 Councilor Julian Cisneros YES
 248 Councilor Lawrence Ortega YES

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 250 To approve Resolution No. 2016-10. All voted yes. Motion carried.

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 252 X. **FINANCIALS** – Ms. Karen Shannon
 253 A Approval of Unpaid Vouchers

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 255 Ms. Trujillo informed the Council that Ms. Shannon was not able to attend the meeting this evening. Ms. Trujillo
 256 stood for questions.

Councilor Cisneros asked if the Northern NM Friends of Animals was part of the funding we give them annually. Ms. Trujillo stated that this is the second half.

Motion: Councilor Ortega
Second: Councilor Cisneros

In Favor: All
Opposed: None

To approve the unpaid vouchers as presented. All voted yes. Motion carried.

XI. MATTERS FROM ATTORNEY –

Ms. Vanessa Chavez was not able to attend the meeting.

XII. MATTERS FROM ADMINISTRATOR – Ms. Loretta Trujillo

Ms. Trujillo updated the Council on the following:

- Asset Management Plan – WH Pacific has received the signed contract and has scheduled a meeting with Village staff in order to get the plan started. Councilor Ortega asked if the contract had a completion date. Ms. Trujillo stated that completion date is 100 days from the initial meeting on March 3.
- ITB for Business Park Road – Received 4 bids and will have an update at next Council meeting.
- Mr. Eliu Romero Water Rights – Still pending. Ms. Kerrie Roybal will be leaving the OSE and we will now be working with Ms. Mary Young. Will be meeting with Ms. Young in Santa Fe on Thursday.
- Estate of Lino Trujillo Water Rights – Waiting on family.
- Karen Cortez Water Rights – Ms. Cortez no longer wants to lease them. Further discussion will be in Executive Session.
- Street Lights – Bixby Electric is scheduled to come out sometime this week to change out the bulbs.
- Fiscal Agent agreements – Will have them to the Town of Taos by Friday.
- Corrals – Councilor Ortega will hold a meeting on March 3 for the users.
- Blue Sky Builders – They are getting a proposal together for the sky lights.

XIII. MATTERS FROM MAYOR AND COUNCIL

A. Potential Projects for Beautification & Rocky Mountain Youth Coop – Mayor Mark Gallegos

- Mayor would like to consider RMYC find a project to work in collaboration with the Village. Mayor asked the Council if they have any ideas for a location. Mayor suggested the Municipal Park. Councilor Ortega suggested Molycorp Field.
- We are going to continue to work on the Beautification Projects. The area across the Parish Center will be the next proposed site. We will have Mr. John Braley come in and give a presentation to the Council.

Councilor Ortega asked if we are getting the \$150,000.00. Mayor Gallegos stated that Village Counsel will be getting involved in this and we will move forward.

Mayor Gallegos also stated that this is a new format for the Matters from Mayor and Council. He would like to see the Council list what they would like to bring up in the Council Meeting for discussion in order to be pro-active. Councilor Jaramillo agreed. Councilor Cisneros stated he would like to bring up at least one matter. Mayor Gallegos stated that of course the Council can bring up any matter they would like.

Councilor Cisneros again asked that a police officer be present at the council meetings. Ms. Trujillo stated that she has made that request. She will again make the request.

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XIV. **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. Acquisition of Water Rights (Section 10-15-1(H) (8)) – Discussion of possible acquisition of Water Rights - Consideration to Purchase from Ms. Karen Cortez

B. Acquisition of Real Property (Section 10-15-1(H) (8)) – Discussion of possible acquisition of La Cienega Property

A motion to enter into Executive Session was made by Councilor Cisneros, seconded by Councilor Jaramillo.

Roll Call:

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

Mayor Gallegos stated that the Governing Body will go into Executive Session to discuss only the items listed. The Governing Body entered into Executive Session at 7:32pm.

A motion was made to reconvene from Executive Session at 7:58pm by Councilor Ortega, seconded by Councilor Cisneros.

Roll Call:

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

Mayor Gallegos stated that only item discussed during closed session was the possible water rights acquisition with Ms. Karen Cortez and possible acquisition of La Cienega Property. No action was taken.

XV. **ACTION ITEM-**

A. Approval of Purchase of Water Rights from Ms. Karen Cortez

Mayor Gallegos directed Ms. Trujillo that in moving forward with Ms. Cortez's water rights purchase we will take the same steps we have taken with previous applications and only if Ms. Cortez meets the required criteria.

Motion: Councilor Cisneros
Second: Councilor Jaramillo

Roll Call:

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

To approve the purchase of water rights from Ms. Karen Cortez. All voted yes. Motion carried.

B. Approval of Purchase Agreement for the La Cienega Property

362 A motion was made by Councilor Jaramillo that we give direction to our legal counsel to make modifications to
363 proposed lease agreement. Councilor Ortega seconded the motion.

365 Roll Call:

366 Councilor Brent Jaramillo YES

367 Councilor Julian Cisneros YES

368 Councilor Lawrence Ortega YES

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370 To give direction to legal counsel to modify the lease agreement. All voted yes. Motion carried.

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372 XVI. **ADJOURNMENT**

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374 Motion: Councilor Cisneros

375 Second: Councilor Ortega

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377 In Favor: All

378 Opposed: None

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380 There being no further business to discuss, the meeting was adjourned at 8:06pm.

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383 ATTEST:

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Renee Martinez, Village Clerk

APPROVED:


Mark Gallegos, Mayor