

**VILLAGE OF QUESTA
SPECIAL MEETING MINUTES
TUESDAY, OCTOBER 11, 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 6:02pm.

II. ROLL CALL

Mayor Gallegos asked Village Clerk Renee Martinez to take roll.

Present:

Councilor John Anthony Ortega
Councilor Lawrence Ortega
Councilor Brent Jaramillo arrived at 6:03pm.

Not Present:

Councilor Julian Cisneros

Also Present:

Administrator Loretta Trujillo
Village Clerk Renee Martinez
Village Attorney Randy Autio

III. PLEDGE OF ALLEGIANCE

Councilor Brent Jaramillo led the Pledge of Allegiance

IV. APPROVAL OF AGENDA

Motion: Councilor Lawrence Ortega
Second: Councilor John Anthony Ortega

In Favor: All
Opposed: None

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

V. APPROVAL OF MINUTES - Special Meeting October 04, 2016

- Special Meeting October 04, 2016

Councilor Lawrence Ortega stated that on that on line 258, the word 'of' should be 'if'.

Motion: Councilor John Anthony Ortega

Village of Questa Regular Council Meeting
OCTOBER 11, 2016

Second: Councilor Lawrence Ortega

In Favor: All

Opposed: None

To approve the October 04, 2016 minutes as corrected. 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.)*

- Mr. Andamo Sanchez stated that he was here a couple of months ago in reference to Eagle Rock Trailer Court well to see if the Village was interested in purchasing it from him. He stated that Mr. George Scott of Wilson & Co., went by and looked at it and gave him an estimate of \$16,479.00 for the water quality test. He stated that this is about 1/3 of what he is asking for the well. Mr. Sanchez inquired if the Village was interested in purchasing it and if not, he would like to turn over the people he has on his well over to the Village. Mr. Sanchez stated that he will give them through winter to figure it out. He does not want them drilling a well or the Village try to hook them up during the winter months. He stated that he is asking \$109,900.00 for the 3.44 acre of water rights including the well and whatever is attached to the well house. Mayor Gallegos stated that the Administrator would be in touch with him. Councilor Lawrence Ortega suggested that once it is decided on the Village send Mr. Sanchez a letter regarding the decision.

- Mr. Manuel Medina was present to respond to some questions from the letter sent to him by Village Attorney Randy Autio regarding the closing of Cabresto Road. He stated that there is a misconception that he wants to close the road completely. Mr. Medina stated that he does not; he would like a sign that read 'No Thru Traffic.' Because this is public comment, and not an agenda item, Mayor Gallegos stated that the Governing Body would be happy to listen to his responses to the letter but will not be responding to them immediately. Mayor Gallegos asked the Mr. Medina provide a copy of the responses to the Governing Body for consideration.

- Mr. Malaquias Rael stated that there are about 4 decorative street lights that are out in town. Also, there is a street light in front of the Fire Department that was knocked down a few months ago and is still on the ground. He stated that the light was great security for his shop and that he has been having to leave his lights on. Councilor Lawrence Ortega inquired when the street light by the Fire Department was knocked down. Mr. Rael stated that he believes it was in May or June.

There were no further Public Comments. Mayor Gallegos closed Public Comments at 6:19 pm.

VII. **PRESENTATIONS**

A. Questa Economic Development Fund Board Update - Mr. Phillipe Chino, Questa Economic Dev. Director

- Mr. Phillipe Chino informed the Governing Body that the farmers will be harvesting their sights. We should have a pretty good idea then where we stand. He stated that Mr. Domingo Gallegos field looks very good. We are hoping for good results.

- The sight visit to Lake Havasu was complete. He stated that he came home with 5 or 6 ideas they would like to implement.

- The QEDF is going to assist the Village to the designing a concept of the Business Park. They are speaking with Mr. Moore of Wilson & Co., regarding the plans and restrictions.

Councilor John Anthony Ortega asked Mr. Chino if the farmers are getting paid for the barley or if they have to wait until it is sold. Mr. Chino stated that the seed was provided to the farmers and the farmers are working on a leap of faith and realize that maybe down the road there will be some results. Councilor John Anthony Ortega stated that he

would hate to see them put in all of that labor and not get paid. Mr. Chino stated that we would like to see if we could involve the Dept. of Agriculture. We would like to make it a state project in order to have all their resources involved.

Councilor John Anthony Ortega also asked Mr. Chino how the meeting went regarding the local business owners that was held at the Monte Carlo. Mr. Chino stated that he believes it went well. He stated that they will probably be held at night from now on.

Councilor Lawrence Ortega inquired about the QEDF budget and if it is going to be presented to the Council. Mr. Chino stated yes and a meeting with the Council and QEDF will be planned.

Mr. Chino inquired about who should set the meeting up with Mr. Moore regarding the infrastructure. Mayor Gallegos stated that since the QEDF has already initiated the conversation they should probably follow up and set a date.

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

A. Approval of Contract for NMDOT Projects

Ms. Trujillo stated that at the last meeting she informed the Council that the Village may have another avenue to move forward with these projects. Mr. Moore asked Cutler Paving to provide the Village with an estimate to complete Old Red River Phases I and II as well as an estimate for the pot hole repair. Cutler does not do pot hole repair. Ms. Trujillo is requesting permission to negotiate the costs with Cutler regarding the mobilization costs. She stated that it looks like we have sufficient monies for the project aside from the remaining money we owe the engineer. Ms. Trujillo stated that between the two projects we have \$152,003.00. If we are able to negotiate to eliminate one of the mobilizations with Cutler, that will save us 17,500.00. Councilor Jaramillo stated that the way he is reading it is that the projects are already summarized in Phase I and II which shows the mobilization cost once. He also stated that the Village could do their own traffic control and save another \$5,500.00. Ms. Trujillo stated that this does not cover the manhole adjustments that will be needed or the raising of the water valves. Councilor Brent Jaramillo asked if there is money in the sewer budget to hire a contractor to complete the manhole adjustments. She stated that they would probably have to move money around. Mayor Gallegos asked if we could use the money from the pothole repair to do this. Councilor John Anthony Ortega stated that we need to fix the pot holes but he would consider this. Councilor Lawrence Ortega stated that he would highly encourage Mr. Moore be part of the cost negotiations with Cutler.

A motion was made by Councilor Lawrence Ortega to approve the contract, with the contingency that Mr. Moore and the Administrator negotiate with Cutler to see if we can get a better price. The motion was then seconded by Councilor Brent Jaramillo.

Roll Call:

Councilor Brent Jaramillo YES
Councilor Lawrence Ortega YES
Councilor John Anthony Ortega YES

To approve the contract with Cutler Paving contingent upon further price negotiations by Mr. Moore and Ms. Trujillo. All voted yes. Motion carried

B. Approval of request from Mr. Art Gonzales

Ms. Trujillo informed the Governing Body that Mr. Art Gonzales along with his wife Ms. Rosie Gonzales came to Ms. Trujillo several months ago with high water usage that they felt was not any fault of their own. Ms. Trujillo did send the water crew out to check the meter and lines in the area and they did not find any issues. A breakdown of usage from January – April is provided. There was a leak in in January which was taken care of by Mr. Gonzales and

the bill associated with the leak has been taken care of. The meter was replaced in April. The months of May, June and July have been normal reads. The Gonzales's are asking for consideration to adjust their water bill for those 2 months in the amount of \$1,195.74. A letter from the Gonzales's is included in the packet. Ms. Trujillo stated that the reason she has brought this before Council is that the Ordinance does not give her the authority to make adjustments to water bills. Councilor John Anthony Ortega asked if there is a process to test water meters. Ms. Trujillo stated that she does not know if there is a process to test the actual meter. Councilor John Anthony Ortega stated there should be a way to do this. A discussion was held.

Mayor Gallegos asked for a motion to adjust the water bill for Mr. Art Gonzales.

No Motion was made. Motion and/or any action dies at this time.

Mayor Gallegos asked Ms. Trujillo to make the proper arrangements with the Gonzales's. Council requested the meter be tested. Ms. Trujillo stated she would look into this. Councilor John Anthony Ortega stated that he would not mind revisiting this issue again if we have some numbers to work with.

IX. DISCUSSION ITEMS

A. Memorandum of Understanding – Village of Questa and Questa Independent School District Re: Public Information Marquee

Ms. Trujillo stated that no changes were made to the last agreement and this is a discussion item at this time.

Councilor John Anthony Ortega inquired if the Village has any problems placing information on the marquee. Ms. Trujillo stated no. Mayor Gallegos asked if there is a way to time certain messages be able to read them. Ms. Trujillo stated we would ask Ms. Susie Martinez if this is possible. The MOU will be up for approval at the next meeting.

X. FINANCIALS – Ms. Karen Shannon, Finance Director

A. Approval of Unpaid Vouchers

Ms. Trujillo stated that Ms. Shannon was attending the Caselle Conference the week and she would be presenting for her.

Councilor John Anthony Ortega inquired about the DVD's and if they were for the Library. Ms. Trujillo stated yes, and they are reimbursable items.

Motion: Councilor Lawrence Ortega

Second: Councilor John Anthony Ortega

In Favor: All

Opposed: None

To approve the Unpaid Vouchers as presented. All voted yes. Motion carried.

B. Review of July 2016 Monthly Budget Performance

Ms. Trujillo stated that this report is not available due to issues with the software. It is currently being worked on.

XI. MATTERS FROM ADMINISTRATOR, MAYOR AND COUNCIL

Ms. Trujillo informed the Governing Body that she does not have a written report. She updated on the following:

- Mr. Tommy Lyles of has reviewed the letter sent to Chevron regarding the assistance with the paving of Abra Road. He has forwarded it to the main office with his recommendation to assist the Village.

- She has not been able to get a hold of Bixby Electric regarding the street lights. Councilor Jaramillo suggested calling APEX; they also have a state price agreement. Mayor suggested going solar with the lights. Councilor Lawrence Ortega inquired if the DOT has the authority to tell Bixby to get it done or does the state purchasing agent? He suggested that they be told that they are unresponsive. A strongly worded letter from our Attorney was suggested by Councilor Jaramillo regarding the liability to the Village. Councilor Jaramillo stated that the streetlight is still lying out there and it should not still be out there. Ms. Trujillo stated that she believed it had been removed and will take care of it.

Councilor Jaramillo reminded the Council about the CAV Radio-thon on Thursday. Councilor John Anthony Ortega asked how the roll-off is working out. Ms. Trujillo stated that we will monitor it the next couple of months to see how we are doing. Councilor John Anthony Ortega wanted to make sure the public is aware of it. Ms. Trujillo stated that we have advertised it. He suggested we have it accessible one Saturday per month for the people who can't make it during the week. Councilor Lawrence Ortega asked about the letter from the EPA to Attorney Marcus Rael and if it has come in. Mayor Gallegos stated that he is hoping it comes in tomorrow; it is due by the 14th. Councilor John Anthony Ortega asked what the next step is regarding the pot holes. Mayor Gallegos stated that part of the conversation between him and Ms. Trujillo is that we reach out to some smaller companies and find out what they charge per square yard and compare it to our major pot holes and see if we can get them out there. Councilor Lawrence Ortega stated that we need to bid out these projects in the spring and not in the fall. Ms. Trujillo stated that she agrees. The local DOT office will now be able to assist the Village with back pile for the pot holes. Their crew would be happy to show the Village crew how to put it down. We just need to mail a letter of request out to the NMDOT.

Mayor Gallegos informed the Council regarding the infrastructure at the business park. He stated that a meeting was held with Mr. Reyes regarding how much infrastructure Kit Carson Electric would be willing to put in the business park. Mr. Reyes stated that they would be able to put about 500 linear feet. We need to talk to NM Gas about lines. The Village would be responsible for the water and sewer lines.

Mayor Gallegos stated that the Lake Havasu trip was very informative regarding the responsibilities of an Economic Development Director. He believes it was an eye opener for Mr. Chino.

Mayor Gallegos asked the Council if we could direct Ms. Trujillo to get prices on graveling some of the dirt roads before winter. A discussion of roads was held.

Councilor Jaramillo inquired about the dumping of trash behind the Habitat homes. Ms. Trujillo stated that it was private property but that she would look into it.

XII. 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. Limited Personnel Matters (Section 10-15-1(H) (2)) – EMS Department

B. Limited Personnel Matters (Section 10-15-1(H) (2)) – FLSA Exempt Employees Wage Requirements

A motion to enter into Executive Session was made by Councilor John Anthony Ortega, seconded by Councilor Lawrence Ortega.

Roll Call:

Councilor John Anthony Ortega 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 item listed. The Governing Body entered into Executive Session at 7:43pm.

259 A motion to reconvene from Executive Session at 8:46pm was made by Councilor John Anthony Ortega, seconded
 260 by Councilor Lawrence Ortega.

262 Roll Call:

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264 Councilor Lawrence Ortega YES

265 Councilor Brent Jaramillo YES

266 Councilor John Anthony Ortega YES

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268 Mayor Gallegos asked Attorney Autio to give a report of what was discussed in Executive Session.

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270 Attorney Autio stated that only Personnel Matters regarding FLSA and EMS Services was discussed. No action was
 271 taken.

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273 XIII. **ADJOURNMENT**

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275 Motion: Councilor Brent Jaramillo

276 Second: Councilor Lawrence Ortega

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278 In Favor: All

279 Opposed: None

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281 There being no further business to discuss, the meeting was adjourned at 87:47pm.

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ATTEST:



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APPROVED:

Signature of Mark Gallegos, Mayor