

**VILLAGE OF QUESTA  
SPECIAL MEETING MINUTES  
MONDAY, OCTOBER 24, 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 6:05pm.

**II. ROLL CALL**

Mayor Gallegos asked Village Clerk Renee Martinez to take roll.

Present:

Councilor John Anthony Ortega  
Councilor Lawrence Ortega  
Councilor Brent Jaramillo

Not Present:

Councilor Julian Cisneros

Also Present:

Administrator Loretta Trujillo  
Village Clerk Renee Martinez  
Finance Director Karen Shannon  
WWTP Operator Anthony Martinez  
Public Works Foreman Nick Trujillo  
Fire Chief Mark Ortega

**III. PLEDGE OF ALLEGIANCE**

Councilor Brent Jaramillo led the Pledge of Allegiance

**IV. APPROVAL OF AGENDA**

A request by Councilor John Anthony Ortega to move up Discussion Item A-Water Well Issue, before the Financials.

Motion: Councilor Lawrence Ortega  
Second: Councilor Brent Jaramillo

In Favor: All  
Opposed: None

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

V. **APPROVAL OF MINUTES –**

- Regular Meeting October 11, 2016

Motion: Councilor John Anthony Ortega

Second: Councilor Lawrence Ortega

In Favor: All

Opposed: None

To approve the October 11, 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. **PRESENTATIONS**

A. Mr. Gabriel Cisneros, Universal Professional Services – CDBG Update

Mr. Gabriel Cisneros informed the Governing Body that he received an email that more information was needed on the environmental study. He stated that HUD's requirements have changed and they are now requesting summaries. He stated that he would be submitting this information very soon in order to get the Notice to Proceed.

Councilor Lawrence Ortega inquired about the situation regarding the sewer line on Embargo Road. Mr. Cisneros stated that the few meetings that we had with the engineers, Embargo Road was in the scope of the project. Cabresto, Abra and Embargo Roads were included. He stated that it is the engineer's call if there is enough money for the project; they engineered it. He stated that they should have told us that there was not going to be enough funding for Embargo Road. Councilor Lawrence Ortega stated that there should be some money remaining from the project so we can do a portion of Embargo Road. Ms. Trujillo stated that from what she understands, Embargo Road was not part of the bid because there was not enough money. Councilor Lawrence Ortega stated that he understands that we cannot do it if we don't have the money but if they engineered the line on Embargo and it was not included in the bid that is not right. Mayor Gallegos stated that Mr. Joe Moore needs to give us a letter explaining why this did not happen. Mr. Cisneros stated that somewhere along the way, someone made the decision to leave it out and did not inform him. Ms. Trujillo stated that she would call the engineer tomorrow to inquire or Mr. Cisneros as the administrator of this project can call. Mr. Cisneros suggested Ms. Trujillo call.

Mr. Cisneros updated the Governing Body regarding the Ruhber, Inc., company that wants to open business in Questa. He stated that they have their financials ready for Governing Body review to see if it is something the Village wants to proceed with. He informed them that the Village will want to go with the NMFA. He stated that a special meeting can be set up for discussion. Mayor Gallegos stated that he would like the information, business plan and projections in advance so the Governing Body can review it beforehand.

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

A. Approval of Bid for Architectural Services – Living Designs Group

Re: Youth Center Improvements / Design

Ms. Trujillo stated that she reached out to five architect companies to see if they were interested in providing a cost estimate to look at the Youth Center and determine what repairs need to be done, along with an estimate on an addition. Out of the five that were contacted, two were only licensed for residential. One did not respond. Two were interested and provided cost estimates. Both companies came out to look at the Youth Center. Because this is architectural services, we do not necessarily have to go with the lowest bid it is based on the work performance



they can provide for us. She stated that Living Designs is the lower bid; however she does feel that Henry Architects was more detailed in submitting their fee structure and letting us know exactly what will be done. Ms. Trujillo opened it up for any questions the Governing Body may have.

Councilor John Anthony Ortega asked how much more Henry Architects would cost than Living Designs. Ms. Trujillo stated that it is a little over \$4,000.00. Ms. Trujillo stated that she believes that both companies are able to do the job.

Councilor Jaramillo asked Ms. Trujillo if both companies received the same scope of work. Ms. Trujillo stated that she did walk the property with both of them and let them know what we were looking for.

Councilor Lawrence Ortega asked if they looked at the ceiling / roof. Ms. Trujillo stated that they did and that they would include it in their final bid. Councilor Lawrence Ortega stated that we will still need to review and approve the contract after the bid is approved. He stated that his concern is that when we do execute a contract agreement that it will include everything that is going to be done so that there is no question as to what needs to be done.

Councilor Jaramillo stated that his concern is that the scope is not apples to apples on paper. Ms. Trujillo stated that on paper it is not, but she did give them the same information.

Ms. Trujillo stated that she has a bit of an issue with Living Designs Group regarding the work that was done at the business park.

Councilor John Anthony Ortega asked Ms. Trujillo who she recommends. Ms. Trujillo stated that originally her recommendation was Living Designs Group and has since changed her recommendation to Henry Architects.

Motion: Councilor Lawrence Ortega – Upon the recommendation from the Administrator

Second: Councilor Brent Jaramillo - Contingent upon the approval by legal counsel regarding how it is stated on the Agenda for approval.

Roll Call:

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

To approve the bid from Henry Architects for Architectural Services regarding Youth Center Improvements / Design, upon the contingency of approval from legal counsel. All voted yes. Motion carried.

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

Ms. Trujillo informed the Governing Body that this MOU was brought before them at the previous meeting. Ms. Trujillo stated that she did check with QISD regarding the timing of the messages and they informed her that this is possible.

Motion: Councilor John Anthony Ortega

Second: Councilor Lawrence Ortega

The Clerk called Roll:

Councilor Brent Jaramillo YES  
Councilor Lawrence Ortega YES

Village of Questa Special Meeting  
OCTOBER 25, 2016

155 Councilor John Anthony Ortega YES

157 To approve the Memorandum of Understanding between the Village of Questa and the Questa Independent School  
158 District, regarding the Public Information Marquee. All voted yes. Motion carried.

159  
160 C. Resolution No. 2016-29 – Disposal of Obsolete Miscellaneous Equipment

161  
162 Ms. Trujillo informed the Governing Body that this Resolution will authorize staff to dispose of obsolete office  
163 equipment. The computers will be placed in the surplus auction site and if they cannot be auctioned off they will  
164 be disposed of. All computers have been cleaned out by Ambitions Consulting Group.

165  
166 Motion: Councilor Brent Jaramillo  
167 Second: Councilor John Anthony Ortega

168  
169 Roll Call:

170  
171 Councilor John Anthony Ortega YES  
172 Councilor Lawrence Ortega YES  
173 Councilor Brent Jaramillo YES

174  
175 To approve Resolution 2016-29 – Authorizing the Disposal of Obsolete Miscellaneous Equipment. All voted yes.  
176 Motion carried.

177  
178 D. Approval of State Contract for NMDOT Projects – Old Red River Road Project Phase I & II

179  
180 Ms. Trujillo stated that Cutler Paving, who submitted a proposal are not on State Contract. Northern Mountain  
181 Constructors are on state contract, and have submitted a proposal. They are able to work on the project beginning  
182 October 31<sup>st</sup>. The traffic control has been eliminated from their proposal; the Village will take care of this.  
183 Councilor Lawrence Ortega asked if the adjustment of manholes and valves will be done by the contractor also.  
184 Ms. Trujillo stated no but Mr. Joe Moore is looking into some companies that can do that portion of the work for  
185 us.

186  
187 Mayor Gallegos asked is there is some clean-up or prep-work on the road that needs to be done before the project  
188 starts. Ms. Trujillo stated that she will get with Mr. Moore and ask him.

189  
190 Councilor John Anthony Ortega asked if they will be working on the pothole repair also. Ms. Trujillo stated that  
191 they are not on the State Contract for pothole repair so we will have to move forward with that separately. Councilor  
192 Lawrence Ortega asked if there was anyone local licensed to cut the areas that are bad and repair them. Ms. Trujillo  
193 stated she would look into it.

194  
195 Motion: Councilor Lawrence Ortega  
196 Second: Councilor John Anthony Ortega

197  
198 Roll Call:

199  
200 Councilor Brent Jaramillo YES  
201 Councilor Lawrence Ortega YES  
202 Councilor John Anthony Ortega YES

203  
204 To approve Northern Mountain Constructors as the contractors for the Old Red River Road Project Phase I & II.  
205 All voted yes. Motion carried.

206



## DISCUSSION ITEMS –

### A. Water Well Issue

Ms. Trujillo stated that she has asked Staff to be present for any questions the Governing Body may have. She stated that once the issue was addressed the staff worked very well together. Ms. Trujillo stated that a couple of Friday's ago she was made aware that our water tank only contained 10% water storage. She then asked Mr. Nick Trujillo, Public Works Foreman to come up and address the Governing Body.

Mr. Trujillo asked the Council if they were aware of the issues we are having with the wells. He stated that he cannot say at this point that it is the well. It could be a leak. We have tried numerous things to rectify this problem. We are getting feedback from the NM Rural Water personnel that it may be either the suction line or the pump. It is not generating enough pressure. It could also be that the water level is low. We are thankful that we are getting feedback from Rural Water as well as other people who have the expertise in this. He stated that if there is a leak out there, they are not able to find it. They have done numerous things to find the leak. He is hoping that replacing the pump will resolve this issue. He stated that we are doing okay with what we started off with on Friday. He stated that they have fixed about 6 leaks and it did not restore any water in the tank, he is not understanding why.

Councilor Lawrence Ortega asked if the flow meter shows a good amount of water coming out of the well, into the system. Mr. Trujillo stated that their flow meters are showing that there is a substantial amount of water coming through, but we are not sure if it's partly air along with the water. Mr. Trujillo stated that the lines were pinched and we still didn't get water into the tanks, so where is the water going? These are the issues we are experiencing right now and we can't explain them. NM Rural water was here for about a week and they couldn't explain it. Councilor Lawrence Ortega asked what flow rate is going through the meters. Mr. Trujillo stated that he could not say right off hand what it is. Councilor Lawrence Ortega asked if the telemetry system is operating. Mr. Trujillo stated no. Mr. Anthony Martinez, WWTP Operator stated that it has been inoperable for numerous years. The wells are manual. He stated that this is one of the things we are working on to get it operational. He stated that everything Mr. Trujillo has done has been on the up and up. Everything he has done is what I would have done. Nothing has been missed. Mr. Martinez stated that we cannot locate the documentation on the starting point of the well. We are pulling enough amps to pump water but there is a slight hesitation in it.

Councilor Lawrence Ortega asked if we have contacted the Office of the State Engineer for the well information. Ms. Trujillo stated that it will take 15 days to get them to respond to the request. She stated that she is stopping at the OSA tomorrow to see if she can find the information. A discussion was held regarding the well.

Ms. Trujillo stated that the pump was ordered and will be in on Friday. We are hoping to replace it on Monday or Tuesday.

Mayor Gallegos stated that we appreciate what you are doing to solve the issue. He stated that a structure went down, we've had less than 50% water in the tank for over a month, possibly two. There is a time and a place where staff should've realized that there was a problem. If we would have known about this a month or two ago, we could have updated each other during the course of this time. He stated that he is frustrated that we are trying to do all of these things now with 10% water in the tank. When does the panic light go on? Councilor Lawrence Ortega stated that we found out 2 Fridays ago after 5pm that there was a problem. He was getting calls and we need to know what is going on so we can give them the information. Mayor Gallegos stated that his concern is that we did not know there was a problem until it turned in into an emergency. We need to address issues as soon as possible so we can deal with them right away. Mayor Gallegos asked when staff realized that there was a problem. Mr. Trujillo stated that he will take the blame on this because he should have known. He apologized for no bringing it to their attention. He is not going to get into the he said she said thing. He stated that it wasn't the way that it has been perceived. It happened gradually, and he was on it. He did try and is still trying to rectify it. He stated that the well is a learning experience for him. He stated that he did bring this issue to the office. Ms. Trujillo stated that Mr. Trujillo did bring it to her attention, she did not know the level was that low. Mayor Gallegos asked when we are supposed to panic. Mr. Trujillo stated that he should have said more, earlier. He believes this issue should have been handled in a different manner. Mayor Gallegos stated that the break up in the procedure and notification



process is where we are having the issue. Ms. Trujillo stated that she has discussed this with staff and decided that we need to get through this issue first and then meet and discuss how we can do better next time. We will work on getting SOP's in order. Mr. Trujillo discussed began to discuss his position and the work he does and Ms. Trujillo stated at this time this discussion is getting into personnel issues that we should probably not get into in open session. We are here to discuss the water issue. She informed Mr. Trujillo that if he needs to, we can meet at a different time.

Councilor Lawrence Ortega stated that we had discussed a couple of months ago on getting the telemetry working. Mr. Anthony Martinez stated that he is working on getting some quotes. Councilor Ortega stated that it is necessary and we need to make it happen. A discussion was held.

Fire Chief Mark Ortega updated the Governing Body regarding the house fire on Sagebrush Road on October 24<sup>th</sup>. He stated that once he received the notice regarding the water situation he contact central dispatch and informed them. The house fire started in the garage and went straight up to the ceiling. Councilor Lawrence Ortega asked Ms. Trujillo if we are allowing contractors to take water from the hydrants. Ms. Trujillo stated no. Councilor John Anthony Ortega stated that when the hydrant tests were done last year we could tell where the drop is. Ms. Trujillo asked Chief Ortega for that information. He stated that there is a noticeable drop in the Herrera Road area.

Councilor John Anthony Ortega stated that he wishes that they were updated a little better with this water issue so we know what's going on. Councilor Brent Jaramillo stated that he believes we are failing in notifying the residents, businesses, senior citizens and others who are dependent on having water.

Councilor Lawrence Ortega stated that the Council needs to be informed because they get the calls from residents wanting to know what's going on. We need to know what to tell them.

Ms. Trujillo stated that the staff called residents. Mayor Gallegos stated that he does not believe we have a handle on the situation right now.

Mayor Gallegos stated that if we were notified when the tank was at 40% or 50% instead of at 10% we would have been better prepared. He stated that we are doing our best in getting the notifications out. We were trying to figure out the problem. Part of the problem is there is no communication.

It was discussed to gather employees and volunteers to walk the water lines to look for a possible leak.

Former Mayor Charlie Gonzales stated that Kit Carson Electric can assist with the emergency call out to residents. He also suggested the Village declare an emergency. Also, he stated that the tank was designed to hold at least 5 days of water. He suggested the Village get a well driller to come in and pull the pump out and start with getting the well operating correctly. Getting a protocol in place is important. He stated that people need water and the Village needs to do whatever they need to in order to get this done. He stated he is always available if needed.

It was decided that Ms. Trujillo will delegate authority to someone to post and notify Council and other agencies. Councilor Jaramillo stated that the Council should get a text, email or call about the issue and continual notifications even if there are no changes.

#### B. Procedures for Notification

Discussed above.

### IX. FINANCIALS – Ms. Karen Shannon, Finance Director

#### A. Approval of Unpaid Vouchers

Motion: Councilor John Anthony Ortega

Second: Councilor Lawrence Ortega

In Favor: All  
 Opposed: None  
 To approve the Unpaid Vouchers as presented. All voted yes. Motion carried

**B. Review of September 2016 Monthly Budget Performance**

Ms. Shannon stated that the budget performance report is as of September 30, 2016 with a benchmark of 25%. All bank accounts have been reconciled. Some items are very high and some are very low. Within each fund we are okay. Revenues in the wastewater fund are low and the expenditures are high. The fund was thrown out of balance because a vendor was paid to construct the sewer service at the subdivision. Councilor Lawrence Ortega asked how we are going to fix that. Ms. Trujillo stated that we are going to have to watch our expenditures for a period of time. We may have to take money from the general fund at the end of the year.

**C. Approval of DFA Bars - Resolution No. 2016-30**

Ms. Shannon presented the DFA Bars.

Motion: Councilor Brent Jaramillo  
 Second: Councilor Lawrence Ortega

Roll Call:

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

To approve Resolution 2016-30 – Approval of DFA Bars. All voted yes. Motion carried.

**D. Quarterly Report 1<sup>st</sup> Quarter**

Ms. Shannon presented the 1st Quarter Quarterly Report. She stated all amounts have been verified.

Motion: Councilor John Anthony Ortega  
 Second: Councilor Lawrence Ortega

In Favor: All  
 Opposed: None

To approve the Quarterly Report 1<sup>st</sup> Quarter as presented. All voted yes. Motion carried.

**X. MATTERS FROM ADMINISTRATOR, MAYOR AND COUNCIL**

Ms. Trujillo informed the Governing Body on the following:

- NRDA – Representatives from the Natural Resource Trust will be here on 11/02/2016 to view areas associated with the aquatic and groundwater portions of the submitted NRDA proposals.
- Chevron Questa Mine Superfund Site Community Meeting will be Thursday, November 3, 2016 at the Questa VFW from 5:30pm – 7:30pm.
- Auditors will be here on November 7<sup>th</sup> and 8<sup>th</sup>.
- Fair Labors Standard Act Changes will be placed on the November 8th agenda for Council approval. Councilor Lawrence Ortega asked Ms. Trujillo if she will have a recommendation on this issue. Ms.



Trujillo stated that she would like to provide the Council with three different scenarios to consider. She would prefer the Council make the decision.

- A meeting with Mr. Norton of Bixby Electric has been scheduled for Friday, October 28<sup>th</sup> to discuss the street lights. She needs some figures to submit to the insurance company for the light that was damaged. She is hoping to get a set of plans for the lights if we decide to go with another company.
- Ms. Trujillo stated that the meter that was removed belonging to Mr. Art Gonzales was tested and is registering correctly.

Councilor Lawrence Ortega inquired about the Fund Board budget. Mayor Gallegos stated that the Fund Board needs to have a quorum.

Councilor Brent Jaramillo suggested we meet with Wilson & Co. on a day that is not a meeting day.

Mayor Gallegos informed the Council that he will be attending the Infrastructure Conference.

Councilor John Anthony Ortega stated that last meeting we talked about Avenida de Eliz being a Village Road and that it went up to the entrance of Mr. Ernest Martinez's property. He was told that it was graded and they only went up to Mr. Abenancio Cardenas's property. Councilor John Anthony Ortega also inquired about the EMS Coordinator position. Ms. Trujillo stated last day for applications was today. We have received one resume and also requested an application be filled out. Councilor John Anthony Ortega stated that he understands that another individual who wanted to apply was told that the position would only last for 6 months and then would have to be re-evaluated. Ms. Trujillo stated that it did not come from her office. He stated that he wants to make sure that this is not the message we are sending out.

A meeting with the Corral users was recommended.

XI. **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

A motion to enter into Executive Session was made by Councilor Lawrence Ortega, seconded by Councilor John Anthony 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 9:08pm.

A motion was made to reconvene from Executive Session at 9:59pm by Councilor Lawrence Ortega, seconded by Councilor Brent Jaramillo.

Roll Call:

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

Village of Questa Special Meeting  
OCTOBER 25, 2016



414  
415 Mayor Gallegos stated that only item discussed during closed session was the Discussion of possible acquisition  
416 of Water Rights. No action was taken.

417  
418 XII. ADJOURNMENT

419 Motion: Councilor Lawrence Ortega  
420 Second: Councilor Brent Jaramillo

421 In Favor: All  
422 Opposed: None

423  
424 There being no further business to discuss, the meeting was adjourned at 10:00pm.

425  
426  
427  
428  
429 ATTEST:

430   
431  
432  
433 Renee Martinez, CMC



APPROVED:

  
Mark Gallegos, Mayor