

1 **VILLAGE OF QUESTA**
 2 **REGULAR MEETING MINUTES**
 3 **TUESDAY, APRIL 10, 2018**
 4 **VILLAGE OF QUESTA COUNCIL CHAMBERS**
 5 **6:00PM**

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

8
 9 Mayor Gallegos called the meeting to order at 6:05pm.

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 11 II. **ROLL CALL**

12
 13 Mayor Gallegos asked Village Clerk Renee Martinez to take roll.

14
 15 Present:

- 16
 17 Councilwoman Louise T. Gallegos
 18 Councilman Charlie I. Gonzales
 19 Councilman John Anthony Ortega
 20 Councilman Brent P. Jaramillo

21
 22 Also Present:

- 23
 24 Administrator Nicholas Maestas
 25 Village Clerk Renee Martinez
 26 Finance Director Karen Shannon
 27 Attorney Lance Hough

28
 29 III. **PLEDGE OF ALLEGIANCE**

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 31 Ms. Kimberly Santistevan led the Pledge of Allegiance.

32
 33 IV. **APPROVAL OF AGENDA**

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 35 Motion: Councilman Gonzales
 36 Second: Councilwoman Gallegos

37
 38 In Favor: All
 39 Opposed: None

40
 41 To approve the agenda as presented. All voted yes. Motion carried.

42
 43 V. **APPROVAL OF MINUTES**

- 44 • Regular Meeting, March 27, 2018

45
 46 Motion: Councilman Gallegos
 47 Second: Councilman Gonzales

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 49 In Favor: All
 50 Opposed: None

51 To approve the March 27, 2018 meeting minutes as presented. All voted yes. Motion carried.
52

53 VI. **PUBLIC COMMENTS** - *(It is the policy of the Governing Body to accept public comment. Because*
54 *your particular issue is not on the agenda the Governing Body cannot respond immediately, but may direct staff*
55 *to address issues at a future Council Meeting. Public comments are limited to a maximum of three minutes.)*
56

57 • Mr. Christian Isely, Economic Development Advisor, congratulated the Village of Questa on the funding
58 for the business park. He thanked Attorney Lance Hough, Village Clerk Renee Martinez and
59 Administrator Nicholas Maestas for the work that was put in. Mr. Isely also thanked Mayor Gallegos
60 for his leadership. He looks forward to a successful project moving forward. Mr. Isely also informed
61 the Governing Body regarding the workshop which will be held the week of April 16th on Tuesday and
62 Wednesday evening. He would like a head count if possible. The first evening we will discuss the
63 business park and also the relationship between the QEDF and the Village of Questa which was a request
64 by the Mayor. Day two will be a discussion regarding lodger's tax, signage, beautification and the
65 Resolana. Mr. Isely looks forward to everyone's participation.
66

67 • Ms. Kimberly Santistevan, Questa Little League President, requested assistance with the electricity,
68 water and a home plate for the field at Molycorp Memorial Park. They are planning a clean-up day and
69 are requesting a dumpster. Councilman Jaramillo asked if an electrician is needed. Councilwoman
70 Gallegos asked when the season begins. Ms. Santistevan stated that it starts the beginning of May.
71 Councilwoman Gallegos asked if the league has applied for a grant with Chevron; they do give
72 community grants to non-profits. Councilwoman Gallegos stated that she will assist Ms. Santistevan
73 with submitting the grant application. Councilman Ortega stated that he spoke with Mr. Olguin, the
74 foreman at Entact and he stated that they are more than willing to help the Village, especially when it
75 pertains to the youth. Mr. Isely suggested they forward a request to Mr. Tommy Lyles. Mayor Gallegos
76 asked Ms. Santistevan to submit a letter of request to Mr. Maestas, follow up with Councilwoman
77 Gallegos and with a letter to Entact through Mr. Lyles.
78

79 VII. **ACTION ITEMS**

80 A) Discussion, Consideration & Decision regarding Water Well Customer Request- Raymond Gallegos
81

82 Mr. Raymond Gallegos informed the Governing Body that he is concerned about the boundaries to the North.
83 He has always understood that he is outside of the Village limits until he found out through the Taos County
84 Assessor's Office that he was placed in the Village sometime between 2009 and 2010. Councilman Gonzales
85 stated that the strange thing is that the county has his property as 1 out and his trailer is 9 in. Mr. Gallegos would
86 like to know why it was changed without his knowledge or consent. Now that he is requesting to drill a well, the
87 Office of the State Engineer is requesting he get permission from the Village to drill it. He needs water. Mayor
88 Gallegos stated that he has never known Mr. Gallegos property to be in the Village limits. Councilman Gonzales
89 stated that Mr. Gallegos has been without water and it has been a major inconvenience for him. Mayor Gallegos
90 asked that we move forward with Mr. Gallegos to move forward with his well.
91

92 Motion: Councilman Ortega

93 Second: Councilman Jaramillo
94

95 Roll Call:

96 Councilwoman Louise Gallegos YES

97 Councilman Charlie Gonzales YES

98 Councilman Brent Jaramillo YES

99 Councilman John Ortega YES
100

101 To approve the request for the water well for Mr. Raymond Gallegos. All voted yes. Motion carried.
102

103 **VIII. DISCUSSION ITEM**

104 **A) Certified Public Works Operator Position – Water/Waste Water**

105 .05

106 Mr. Maestas stated that currently, the Village is contracted with NM Rural Water to provide the needed
 107 certifications for our water/wastewater as well as oversee the wastewater treatment plant. We have received
 108 interest from one of our operators to come back to the Village. Councilman Ortega asked if we are talking about
 109 Mr. Anthony Martinez. Mayor Gallegos stated yes. Mr. Martinez has inquired if the position is still open.
 110 Mayor Gallegos asked Mr. Martinez if he would consider being an employee of the Village. Mayor Gallegos
 111 wanted to get a consensus of the Council to see if we should move forward with the conversation with Mr.
 112 Martinez or if we should continue asking NM Rural Water to fill in. Mr. Maestas stated we had a couple of
 113 individuals apply for the Public Works Director position but they were not certified.

114

115 Councilman Ortega stated that to him, it depends on the budget. What is the dollar amount Mr. Martinez is
 116 requesting? Mayor Gallegos stated that currently we are paying NM Rural Water about \$2,500.00 per month.
 117 Mr. Martinez is requesting \$2,000.00 per month. It is within our budget and still gives us some room. Councilman
 118 Gonzales asked how much it would cost to get someone trained. Mayor Gallegos stated that each employee has
 119 had the opportunity to go get the required training. An employee is required to work in that capacity for at least
 120 one year before they can qualify for training. It takes 3 years or more to get the certifications we are required to
 121 have for our water and wastewater. Councilman Gonzales stated that he is interested in how much time Mr.
 122 Martinez will be able to give us; but ultimately it is up to Mr. Maestas to work that out. Mayor Gallegos stated
 123 that what we are focusing on right now is the required certifications. Councilwoman Gallegos stated that she is
 124 presuming that it is ok for Mr. Martinez's current employer for him to take on this extra job but also are we
 125 going to have him sign a contract for a certain amount of time; or is this not necessary. Attorney Lance Hough
 126 stated that he will check with his colleague Ms. Christina Anaya regarding this. Councilman Ortega stated
 127 expressed his concern regarding the possible benefits we would have to pay that would add to the \$2,500.00 and
 128 how it would affect the budget. Councilman Ortega stated that he feels confident in Mr. Martinez's ability; he
 29 is a very competent individual and wished we could hire him on as the Public Works Director. Councilman
 130 Gonzales stated that it would be beneficial to the Village if we could bring Mr. Martinez in - in some capacity.

131

132 Mayor Gallegos informed Mr. Maestas to contact Mr. Martinez and have a conversation with him regarding the
 133 specifics.

134

135 **IX. MATTERS FROM ATTORNEY – Mr. Lance Hough**

136

137 Mr. Hough briefed the Council on the following:

138

- 139 • River Stewardship Restoration Project – The contract for engineering, construction and oversight
 140 services will be presented to the Council at the next Council Meeting.
- 141 • Antonio Cintas vs. Village of Questa – The assigned Counsel has filed the Village's response to the
 142 complaint on April 9th, he reviewed it and it looks good. They will shortly be going into discovery.
- 143 • Meeting Minutes – It is a good idea to keep the minutes at a minimal. He would like some more time
 144 in coming up with a recommendation for a schedule of retention for the audio of the minutes.
- 145 • Wastewater pump fail – Working with Mr. Maestas regarding the warranty and a letter to the
 146 manufacturer.

147

148 **X. MATTERS FROM ADMINISTRATOR – Mr. Nicholas Maestas**

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150 Mr. Maestas submitted a written report via email with the following additions:

151

- 152 • Received an email from Mario Juarez-Infante of Wilson & Co., regarding a funding waiver request for
 153 the match for the Cabresto Road project. A letter was composed and will be sent out to the NMDOT
 154 tomorrow requesting a meeting. Councilman Ortega stated that our approach should be to be looking

155 for the match; possibly getting Mr. Gabriel Cisneros in here to discuss some ideas next meeting.
 156 Councilman Gonzales suggested Mr. Maestas have the letter reviewed by the Attorney prior to mailing
 .57 it.

- 158 • The Governing Body retreat is set for Saturday here at the Village at 9:00am. Topics were discussed.
- 159 • Community Clean-up day is scheduled for April 21st. Public Works department will help man the roll-
 160 off bins. He is hoping that on April 28th the public works department can burn the branches we have
 161 accumulated in the yard. He spoke with Chief Ortega and he informed Mr. Maestas that a Saturday
 162 would work better than a week day for the fire department to be present. Mr. Maestas inquired with
 163 Chief Ortega about a burn permit from the County and asked if there were any other agencies we need
 164 to contact for this burn. Councilman Jaramillo stated that years ago the Village got reported to the State
 165 for a similar burn and faced a fine because they stated that we had violated the air quality. Mayor
 166 Gallegos stated that we need to put a plan together first. Councilwoman Gallegos stated that if we do
 167 burn we may want to contact the residents who live nearby to let them know. Councilman Ortega stated
 168 that the 28th will not be a good day for the Fire Department because the Firefighter I class is still going
 169 on; including other departments. Councilman Ortega stated we should wait until after the monsoon
 170 season to burn. A discussion was held regarding the chipper and getting it repaired. Councilwoman
 171 Gallegos asked if the clean-up day is for households or roadways. Mayor Gallegos suggested we do
 172 household first. It was decided that Mr. Maestas send out an email to the council with the details.
 173

174 XI. MATTERS FROM MAYOR AND COUNCIL

175
 176 Councilman John Ortega:

- 177
- 178 • Inquired about the unpaid vouchers and why we haven't seen any in the last couple of meeting packets.
 179 We have talked about this in the past; he appreciates seeing the vouchers to see where the money is
 180 being spent and wants to see them on the agenda in the future. Mr. Maestas stated that we are looking
 .81 into a couple of different reports and ways on how to get the information to the Council. There are certain
 182 items in the financials that are required to be approved by the council and some that are not. The BAR's
 183 will be on the next agenda for approval. We are looking at these requirements to move forward. If there
 184 are Councilmembers who would like to see a more detailed financial reports, Ms. Shannon has made
 185 herself available for the Council to come in and review them. Councilman Ortega stated again that he
 186 would like to see the vouchers and that it is very important that we see these kinds of things. He stated
 187 that he is not saying that he does not feel confident in where the money is being spent, he just would like
 188 to be able to see vouchers.
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200 XII. EXECUTIVE SESSION - *(The Governing Body may convene into Executive Session at this time* 201 *pursuant to the NM Open Meetings Act NMSA 1978 10-15-1)*

202 A) Pending or Threatening Litigation - (§ 10-15-1(H) (7)) – Adame Construction

203
 204 A motion to enter into Executive Session was made by Councilwoman Gallegos, seconded by Councilman
 .05 Ortega.
 206

207 Roll Call:

208

209 Councilman Brent Jaramillo YES

210 Councilman John Ortega YES

211 Councilwoman Louise Gallegos YES

212 Councilman Charlie Gonzales YES

213

214 Mayor Gallegos stated that the Governing Body will go into Executive Session to discuss only the items listed.
215 The Governing Body entered into Executive Session at 7:16pm.

216

217 A motion was made to reconvene from Executive Session at 7:37pm by Councilman Ortega, seconded by
218 Councilman Gonzales.

219

220 Roll Call:

221

222 Councilwoman Louise Gallegos YES

223 Councilman Charlie Gonzales YES

224 Councilman John Ortega YES

225 Councilman Brent Jaramillo YES

226

227 Mayor Gallegos stated for the record that only the item listed was discussed during closed session. There was no
228 action taken.

229

230 **XIII. ACTION ITEM**

231 **A) Discussion, Consideration & Decision regarding Adame Construction**

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233 Motion: Councilman Ortega – Motion to have our Attorney continue negotiations with Adame Construction.

234 Second: Councilwoman Gallegos

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236 Roll Call:

237

238 Councilwoman Louise Gallegos YES

239 Councilman Charlie Gonzales YES

240 Councilman Brent Jaramillo YES

241 Councilman John Ortega YES

242

243 To approve the Attorney to continue negotiations with Mr. Adame of Adame Construction. All voted yes.
244 Motion carried.

245

246 **XIV. ADJOURNMENT**

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248 Motion: Councilman Gonzales

249 Second: Councilman Ortega

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251 In Favor: All

252 Opposed: None

253 There being no further business to discuss, the meeting was adjourned at 7:38pm.

254

255 **ATTEST:**

256

257 *Renee Martinez*
258 Renee Martinez, CMO

APPROVED:

Mark Gallegos
Mark Gallegos, Mayor