VILLAGE OF QUESTA
REGULAR MEETING MINUTES
TUESDAY, APRIL 10, 2018
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:
Councilwoman Louise T. Gallegos
Councilman Charlie I. Gonzales
Councilman John Anthony Ortega
Councilman Brent P. Jaramillo

Also Present:
Administrator Nicholas Maestas
Village Clerk Renee Martinez
Finance Director Karen Shannon
Attorney Lance Hough

III. PLEDGE OF ALLEGIANCE

Ms. Kimberly Santistevan led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

Motion: Councilman Gonzales
Second: Councilwoman Gallegos

In Favor: All
Opposed: None

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

V. APPROVAL OF MINUTES

- Regular Meeting, March 27, 2018

Motion: Councilman Gallegos
Second: Councilman Gonzales

In Favor: All
Opposed: None
To approve the March 27, 2018 meeting 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.)

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

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

VII. ACTION ITEMS

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

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

Motion: Councilman Ortega
Second: Councilman Jaramillo

Roll Call:
- Councilwoman Louise Gallegos - YES
- Councilman Charlie Gonzales - YES
- Councilman Brent Jaramillo - YES
- Councilman John Ortega - YES

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

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VIII. **DISCUSSION ITEM**

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

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

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

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

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

Mr. Hough briefed the Council on the following:

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

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

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

- Received an email form Mario Juarez-Infante of Wilson & Co., regarding a funding waiver request for the match for the Cabresto Road project. A letter was composed and will be sent out to the NMDOT tomorrow requesting a meeting. Councilman Ortega stated that our approach should be to be looking
for the match; possibly getting Mr. Gabriel Cisneros in here to discuss some ideas next meeting. Councilman Gonzales suggested Mr. Maestas have the letter reviewed by the Attorney prior to mailing it.

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

XI. MATTERS FROM MAYOR AND COUNCIL

Councilman John Ortega:

- Inquired about the unpaid vouchers and why we haven’t seen any in the last couple of meeting packets. We have talked about this in the past; he appreciates seeing the vouchers to see where the money is being spent and wants to see them on the agenda in the future. Mr. Maestas stated that we are looking into a couple of different reports and ways on how to get the information to the Council. There are certain items in the financials that are required to be approved by the council and some that are not. The BAR’s will be on the next agenda for approval. We are looking at these requirements to move forward. If there are Councilmembers who would like to see a more detailed financial reports, Ms. Shannon has made herself available for the Council to come in and review them. Councilman Ortega stated again that he would like to see the vouchers and that it is very important that we see these kinds of things. He stated that he is not saying that he does not feel confident in where the money is being spent, he just would like to be able to see vouchers.

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

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

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Roll Call:

Councilman Brent Jaramillo    YES
Councilman John Ortega         YES
Councilwoman Louise Gallegos   YES
Councilman Charlie Gonzales    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 7:16pm.

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

Roll Call:

Councilwoman Louise Gallegos  YES
Councilman Charlie Gonzales   YES
Councilman John Ortega        YES
Councilman Brent Jaramillo    YES

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

XIII. ACTION ITEM

A) Discussion, Consideration & Decision regarding Adame Construction

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

Second: Councilwoman Gallegos

Roll Call:

Councilwoman Louise Gallegos  YES
Councilman Charlie Gonzales   YES
Councilman Brent Jaramillo    YES
Councilman John Ortega        YES

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

XIV. ADJOURNMENT

Motion: Councilman Gonzales
Second: Councilman Ortega

In Favor: All
Opposed: None

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

ATTEST:

Renee Martinez, CMC

APPROVED:

Mark Gallegos, Mayor

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