VILLAGE OF QUESTA
REGULAR MEETING MINUTES
TUESDAY, FEBRUARY 27, 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 6:01 pm.

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 Nicholas Maestas
Village Clerk Renee Martinez
Finance Director Karen Shannon
Attorney Lance Hough

III. PLEDGE OF ALLEGIANCE
The Council led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA
Mayor Gallegos asked to remove the Approval of Minutes.

Motion: Councilor Lawrence Ortega
Second: Councilor John Ortega

Roll Call:

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

In Favor: All
Opposed: None

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

V. APPROVAL OF MINUTES – Regular Meeting, February 13, 2018
*Removed from agenda.
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. **DISCUSSION ITEM**

A) Questa Creative Council

Mr. Maestas stated that the Village has accepted an award from the National Heritage Areas a couple of months ago for some history trail signage. The Village, along with the Questa Creative Council, NHA and Village attorney have had some conversation on how and who would best administer the grant in the most efficient way. The Village currently would keep the award and administer it.

The other 2 options on the table are:

- The award would be transferred over from the Village to the Questa Creative Council which is a non-profit.
- MOU for Village to work with QCC to assist them with administering the project.

Mr. Maestas recommended the Village retain the award as well as administer it.

Ms. Alberts Bouyer stated that the NHA grant was written before the Questa Creative Council was formed. At the time, the only option was for the Village of Questa to be the fiscal agent. They now have another option to be the fiscal agent. Things have changed since the grant was written. They have been discussing how to save the Village staff time.

VIII. **ACTION ITEMS**

A) Discussion, Consideration & Decision regarding the Addendum to the Agreement between the Village of Questa and NM Rural Water Association

Mr. Maestas stated that a language change was made on the agreement regarding billing from 15 day pay period after receipt of an invoice to 30 days. Changing the 2 visits per month to 4 visits per month. The amount from $1,500.00 per month to 2,500.00 per month.

Motion: Councilor Brent Jaramillo
Second: Councilor Lawrence Ortega

Roll Call:

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

To approve the Addendum to the Agreement between the Village of Questa and NM Rural Water Association.
All voted yes. Motion carried.

B) Discussion, Consideration & Decision regarding Village Water Customer Request- Edward and Kris Duran

Mr. Maestas stated that the Duran' are requesting water service or permission to drill the well. He stated that process that the Village would have to go through to get them water would be to cross the river as well as a ditch to get to their property. The other homes on that side of the river have water wells in place. Councilor Lawrence
Ortega asked if George Rael and Lori Ortega have Village water service. Mayor Gallegos stated that he does not believe so, but is not sure. He then did say that they must have water service from the Village because when we had the water outage, they came in to get water. Councilor Lawrence Ortega stated that he believes that Cabresto Creek is the boundary. Councilor John Ortega asked what the Village Ordinance states regarding how far we have to take water into the property. Mr. Maestas stated that he believes it is about 10ft into the property. Councilor John Ortega stated that then it is going to be the customers expense take the line from the stub out and across the river. Mayor Gallegos stated Councilor Lawrence Ortega asked if this request was made in writing. Mayor Gallegos Mr. Maestas stated no but he will request it from them as well as more clarification and further information. He will also get clarification on whether they are in or out of the Village limits. It was recommended that the Village respond to their request letter.

There was no motion made.

C) Discussion, Consideration & Decision regarding Village Water Tap Request- Gary Sanchez

A letter was submitted by Mr. Sanchez requesting a tap for his property. It is off of the Village 6 inch line.

Motion: Councilor Brent Jaramillo
Second: Councilor John Ortega

In Favor: All
Opposed: None

To move forward with the Village Water Tap Request- Gary Sanchez. All voted yes. Motion carried.

IX. FINANCIALS— Ms. Karen Shannon, Finance Director

A) Discussion, Consideration & Decision regarding the approval of Unpaid Vouchers

Ms. Shannon stated that the Vouchers presented are as of February 22, 2018 and stood for questions.

Councilor Lawrence Ortega inquired about the following vouchers:

- Business Solutions Group— Ms. Shannon stated that this invoice is for the cards that the utility bills are printed on. Councilor John Ortega asked if there has been any discussion regarding moving to an E-billing system. Ms. Shannon stated that we have not looked much into E-billing.
- Tracey Navarro— Ms. Shannon stated that Ms. Navarro works on our phone system and came in to set up our conference call phone that was donated to the Village from Tetra Tech.

Councilor Lawrence Ortega asked if the Cabresto Road project was already being advertised. Mr. Maestas stated yes. He stated it was advertised on February 8th with a pre-bid meeting held last Wednesday. Bids are due on March 13th. One vendor showed up to the pre bid meeting. Councilor Lawrence Ortega asked who it was. Mr. Maestas stated that it was Mr. Perovich from Northern Mountain. Councilor Lawrence Ortega asked Mr. Maestas if he spoke with Wilson & Co. regarding the hill coming up from State Road 38. It was decided to go over this item in the Administrator’s report.

- Double Eagle Electric- Is this the total cost of the street light repair. Ms. Shannon stated that this is only part of it. The total came to a little over $16,000.00. Councilor Lawrence Ortega asked if everything is now working. Mr. Maestas stated yes; that there are a couple of intermittent lights that are turning off and on. Councilor John Ortega inquired about the light that is down across the Police Department; he stated that it should be addressed as soon as possible. Mr. Maestas stated that he understands that it was hit by a vehicle. Councilor Brent Jaramillo stated that there is one off near the supermarket.

Councilor Brent Jaramillo inquired about the following vouchers:
• Smart Procure – Mr. Maestas stated that it is a procurement software. It is $3,000.00 for one year, and renewable every year for up to 3 years. Councilor John Ortega asked with the amount of procurement we do here is the price justified. Mr. Maestas stated that he is hopeful that it will be. Councilor John Ortega stated for the record that this amount could be used elsewhere. Mayor Gallegos agreed, stating that we now have two procurement officers. Councilor Brent Jaramillo suggested a presentation on the software to see its capabilities.

Motion: Councilor John Ortega – excluding the Smart Procure voucher until more information is provided.

Second: Councilor Lawrence Ortega

In Favor: All

Opposed: None

To approve the vouchers excluding the Smart Procure. All voted yes. Motion carried.

B) Review of January 2018 Financial Reports

Ms. Shannon stated that the financials presented are as of January 31, 2018. The benchmark is at 58.33%.

John Ortega – Fire Protection Fund – Ms. Shannon stated that the Village has received 2 payments; the loans have been paid. We will receive another payment sometime before the end of the year. She stated that the way the payments have come in has worked for us.

Councilor Brent Jaramillo = When can we cash in the payroll CD. Ms. Shannon stated that according to the bank we cannot cash it in until we receive a clean audit. She can present the current audit to them to see if they will accept it.

X. MATTERS FROM ATTORNEY – Mr. Lance Hough

A) Use of the C.A. Cisneros Youth & Family Center

Mr. Lance Hough stated that he has put together a memorandum for the Governing Body. If the facility is made available to a group for a couple of hours, one time, what is the value of using that property? In-kind services can be used. A combination of in-kind services and a fee can be used.

Councilor John Ortega asked, for example, if the Little League would like to use it for a meeting, and they are a youth organization, they can’t use it for free? Mr. Hough stated that there is flexibility when coming up with the value. It cannot be for free because it would be considered a donation. Keep in mind that if the facility is open for access to everyone, and it is noticed and people know they can go there, it can be used for free. The Village can get some volunteers to have the facility open for the public, for specific times. The community knows it is available. The anti-donation becomes an issue when the facility is opening for use by one single entity. It is a good idea to start with a flat rate and move forward with the in-kind services.

Mayor Gallegos asked the attorney to put together some sample agreements with in-kind and fees and forward them to Mr. Maestas.

XI. MATTERS FROM ADMINISTRATOR – Mr. Nicholas Maestas

Mr. Maestas included a report in the packet and updated the Council on the following additional items:

- EPA meeting scheduled for March 16th here at the Village at 10:00am.
- Questa to Red River Trail meeting – March 5th at the Questa Ranger District Office.
• NMFA Planning Grant documents have been submitted.

Councilor Brent Jaramillo asked Mr. Maestas if we had the close-out letter from Steve Lacey. Mr. Maestas stated no but will look into it. Councilor Jaramillo asked if Mr. Lacey thought we made threshold. Mr. Maestas stated that he thought everything went fine.

Councilor Lawrence Ortega asked if the projects listed in Mr. Maestas report are the items we got awarded. Mr. Maestas stated that the Governor has not signed off on them yet. Councilor Lawrence Ortega asked if these were the items submitted on the Village’s behalf. Mr. Maestas stated yes. Councilor Lawrence Ortega stated for the record that these 5 items were no the items that we approved at our January 9th meeting. Mayor Gallegos stated that at the January meeting, we asked Mr. Cisneros that if he could acquire additional funding, we would like to have an ambulance as well as police vehicles. He stated that he understands the ICIP requests were set, but we also talked about if these requests would not be available he would seek monies for these additional monies. Councilor Lawrence Ortega stated that we established priorities for funding and those priorities were not funded. Mayor Gallegos stated that he is assuming that Mr. Cisneros was out there lobbying for every priority that we had and however the funding fell, that’s where it was plugged in. Councilor John Ortega stated that the ambulance and police vehicles were in the top 5 of our priorities. He stated that for the record, he is not complaining about the money we received but was caught off guard with some of the funded items. He is glad we got an ambulance, police units and the money for the veterans.

XII. MATTERS FROM MAYOR AND COUNCIL

Councilor Brent Jaramillo asked if the Village has identified the areas that we can assist the Little League with at Molycorp Field. Mr. Maestas stated that he spoke with Ms. Kim Santistevan about a couple of items as well as the Public Works supervisor. He will have an update at the next meeting.

Councilor Lawrence Ortega asked about the progress with the rate study. Mr. Maestas stated that it has taken some time. He stated that he was informed yesterday about who will be running this study for us. We have already compiled all of the information that we needed to and we just need to get it submitted.

Councilor John Ortega stated that he knows there is some interest in leasing the land out by the livestock corrals again this year. Mr. Juan Cisneros is interested in possibly doing a lease to get some events going. Also, the gate at La Cienega School is open.

XIII. 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 (Exemption §10-15-1(H) (7)) -
   1.) Complaint for Tort – Antonio Cintas vs. Police Chief Nicholas Lamendola and Village of Questa
   2.) Regarding CDBG Project No. 15-C-RS-I-01-G-09
B) Limited Personnel Matters – (Exemption §10-15-1(H) (2) –
   1.) Village Administrator Performance Evaluation

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

Roll Call:
Councilor John 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 items listed. The Governing Body entered into Executive Session at 7:41 pm.
A motion was made to reconvene from Executive Session at 10:01pm by Councilor John Ortega, seconded by Councilor Lawrence Ortega.

Roll Call:

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

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

XIV.  ADJOURNMENT

Motion:  Councilor John Ortega
Second:  Councilor Lawrence Ortega

In Favor:  All
Opposed:  None

There being no further business to discuss, the meeting was adjourned at 10:02pm.

ATTEST:

Renee Martinez, CMO

APPROVED:

Mark Gallegos, Mayor