VILLAGE OF QUESTA
REGULAR MEETING MINUTES
TUESDAY, JANUARY 09, 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 6:04 pm.

II. ROLL CALL

Mayor Gallegos asked Village Clerk Renee Martinez to take roll.

Present:
Councilor Brent Jaramillo
Councilor John Anthony Ortega
Councilor Lawrence Ortega

Not Present:
Councilor Julian Cisneros

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

III. PLEDGE OF ALLEGIANCE

Mr. Isaiah Ortega led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

Councilor Lawrence Ortega asked about the December 19, 2017 meeting minutes. Ms. Martinez stated that they will be available at the next meeting.

Motion: Councilor John Ortega
Second: Councilor Lawrence Ortega
In Favor: All
Opposed: None

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

V. APPROVAL OF MINUTES

- Special Meeting, December 07, 2017

Motion: Councilor Lawrence Ortega
Second: Councilor John Ortega
In Favor: All
Opposed: None

To approve the Special Meeting minutes of December 07, 2017 as presented. All voted yes. Motion carried.

- Regular Meeting, December 12, 2017

Motion: Councillor Brent Jaramillo
Second: Councillor Lawrence Ortega

In Favor: All
Opposed: None

To approve the Regular Meeting minutes of December 12, 2017 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. Isaiah Ortega, community member, informed the Governing Body that he works in the technology field and would like to bring something to the attention of the Governing Body that they may or may not be aware of. He attended a meeting last night about community events and decided to google ‘Village of Questa meeting’ to access the agenda. The very first link that appears in the search engine is ‘Village Council meeting agenda’, as he selected the link, he was forwarded to a SPAM sight regarding an I-Phone. He tried it on multiple devices and was forwarded to the same sight. He suggested contacting our IT department to take a look at it. Mayor Gallegos thanked Mr. Ortega for bringing this to our attention. Mr. Maestas stated that we are aware that our site has been hacked and they are currently working on cleaning up the site.

There were no Public Comments.

VII. FINANCIALS – Ms. Karen Shannon, Finance Director
A) Discussion, Consideration & Decision regarding the approval of Unpaid Vouchers

Ms. Shannon informed the Council that Municipal Day will be February 2nd.

Ms. Shannon stated that the Vouchers presented are as of January 5, 2018 and stood for questions.

Councillor Jaramillo asked why the items that have already been approved keep showing up on the report. He realizes that it is probably because the check hasn’t been printed and asked why the check hasn’t been cut. Ms. Shannon stated that for example, the Traveler’s Insurance invoice is for a whole year. Quarterly payments are made on it so it keeps showing up. The travel vouchers also show up because the returned travel hasn’t been paid. Councillor Jaramillo stated that he understands that but it gets confusing and just takes up space. Councillor Jaramillo stated that the quicker we can cut the check the better. Councillor Jaramillo stated for example Questa Lumber and Car Questa; all the items that were approved last meeting are still on the report and the check could have been cut after the approval so we aren’t seeing it here again. Mayor Gallegos asked if we have to see every item that was purchased; it’s a little too much for you to put together. Ms. Shannon stated that these two vendors have items that were approved prior as well as some invoices you haven’t seen. Ms. Shannon stated she would have print 2 checks. Councillor Jaramillo stated that is what he is trying to say. A check could have been cut after last meeting and another after this meeting. Councillor Jaramillo explained to Ms. Shannon that he is not questioning her work but trying to understand her thought process. Ms. Shannon stated that usually
the second meeting of the month is when she puts as many invoices in as she can and get them paid by the 10th. Sometimes the Council meeting is before that and she goes ahead and cuts the check. In this instance it wasn’t.

Councilor Lawrence Ortega –

- Inquired about Page 2, Item 158- Hotel/Motel; Ms. Shannon stated that Judge Rael attended the National League of Cities Conference- the room was booked and paid through the website and the hotel charged us as well. We were credited that amount.
- Inquired about Page 5, last item – Web Design Incorporated; is this an annual fee. Ms. Shannon stated yes. Councilor Lawrence Ortega asked if it was budgeted. Ms. Shannon stated yes and it is reimbursed by QEDF as part of the marketing.
- Inquired about Page 6, James, Cooke & Hobson – Was a report given of their recommendations regarding our PRV’s and water/sewer facilities. Mr. Maestas state that when they came on that day they spent most of their day working at the Waste Water treatment plant where they looked at some of the pumps, working with our team to show them how to maintenance them and keep the integrity of the pumps. We are in the process working with the Public Works department to identify the PRV’s that are in need of maintenance and the ones that may need to be replaced. Councilor Lawrence Ortega asked if they provided some ONM manuals. Mr. Maestas stated not that he is aware of but will follow up with them to see if they can provide some.

Councilor John Ortega –

- Asked what we have budgeted for the Alumbra event. Ms. Shannon stated that the budget is under ‘events’. Ms. Shannon stated that there was a $1,498.24 carryover from last year plus the revenue for this year; they are well within their budget.

Motion: Councilor John Ortega
Second: Councilor Lawrence Ortega

In Favor: All
Opposed: None

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

B) Review of October 2017 Financials

Ms. Shannon stated that the BARS and transfers will be brought for approval at the next meeting.

Councilor Lawrence Ortega asked if we are waiting for any significant revenue from anywhere. There are some grants we need to submit reimbursements for such as the Coop grants. The MAP project has been received and paid out. Mr. Maestas stated that he and Ms. Shannon are working on how to BAR them in. Councilor Lawrence Ortega asked about the revenues from QEDF and Chevron to pay our consultants etc. Ms. Shannon stated that most of them have already come in; they are invoiced monthly. Ms. Shannon stated that the GRT’s are coming in lower than projected.

Councilor John Ortega asked if there has been an increase in the revenue with the citations. Ms. Shannon stated that the budgeted revenue for fines is $2,040.00 for the entire year. By the end of November we had $13,232.00.

Councilor Lawrence Ortega asked if there were any red flags on the budget worksheet. Ms. Shannon stated that she is concerned about the negative cash balance in the waste water department. There were a lot of expenditures in the first quarter and the second quarter as well. The deficit is getting caught up and hopefully by the end of December it will balance out. A temporary transfer may be needed.
There were no further questions.

VIII. DISCUSSION ITEMS

A) 2018 Legislative Priorities

Mr. Maestas stated that he has gone over the ICIP and has had conversations with Mr. Gabe Cisneros regarding the priorities. Our EMS Coordinator is also present to advocate on her department's behalf.

Mr. Gabe Cisneros stated that he has had numerous meetings with the Senator and Representative and it is going to be a good year. He stated that the Governor is very supportive of water projects. Councilor Lawrence Ortega asked if we have all the funding in place for the Cabresto MAP project. Mayor Gallegos stated that we need the 25% match of about $250,000.00. Mr. Cisneros asked how much money we need for matches. Mayor Gallegos stated that we are about $100,000.00 short of the 4.2 million for the EDA. Mr. Maestas stated that we have an NMED grant for $100,000.00 for the sewer lines at the business park. Councilor Lawrence Ortega asked the amount we have for the Business Park. Mayor Gallegos stated that we have $2.3 million from the following:

- $1.2 million from EDA
- $500,000.00 from Chevron
- $500,000.00 CDBG
- $100,000.00 NMED Grant for sewer lines at business park

We lack $100,000.00 match. Mr. Gabe Cisneros stated that we can try to be a little innovative with this. Mr. Cisneros asked what project we need done for CDBG. Councilor John Ortega stated that we really need to pave Embargo Road, it is really bad. Mayor Gallegos stated it should be for water system improvements, whether it be a third well or re-introduce that green well. Councilor Lawrence Ortega asked if the NRDA will take care of our water system improvements. Mayor Gallegos stated that it will take care of some. Councilor Jaramillo stated that we should sit down after the legislature and see what we get and what we lack.

Mr. Cisneros stated that we should meet after we know how much we are going to get and decide how it is going to be disbursed. Ms. Raynelle Sanchez stated that the EMS needs a new equipped ambulance for about $200,000.00 to $500,000.00. Councilor John Ortega stated that we do need a new ambulance. Our service is running great now and I would hate to have it fail because of equipment failure. It needs to be a priority. We also need police units. A discussion was held regarding the LEPF.

Councilor Jaramillo asked if we should re-authorize the water rights project that expires in June of this year. Councilor Lawrence Ortega inquired about the agreement and the amount that was being sold. We need to know so we can re-authorize the remaining balance.

It was suggested that the Water and waste water improvements be combined as priority 1.

The priorities are as follows:

- $100,000.00 match for EDA
- $200,000.00 match for MAP project
- Reauthorize water rights project remaining monies

Possibly:
- Police Vehicle $70,000.00
- EMS $200,000.00

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Councilor Lawrence Ortega asked Mr. Maestas to check and make sure about the amounts regarding the water rights project. Councilor Lawrence Ortega wants to make sure we don’t get denied because we aren’t following our ICIP plan. Mr. Cisneros stated not to worry about that, he will take care of that.

B) Commercial Utility Rates Compliance

Mr. Maestas stated that letters were sent out to our commercial class customers prior to this month’s bill going out. It was brought to his attention that the commercial rates were not updated in the system after the passing of the Water & Sewer ordinance. He has been working with our utilities clerk to make sure this was done and entered into the system and classified correctly. With these classifications, some customers will see a significant increase in their bills. Some bills came out even. Mr. Maestas took it upon himself to draft some letters to these customers informing them of the changes as we become compliant with our ordinance.

Councilor Lawrence Ortega stated that we have 4 letters in front of us; are these the only commercial customers that were affected. Mr. Maestas stated that a general letter went out to all the customers and these letters went to the customers that were affected mostly by the classification change; some were delivered personally. Some meetings have been set up with some business owners to go over the increase. Councilor Lawrence Ortega asked if there has been any feedback. Mr. Maestas stated that there have been some customers who have come in to request a copy of the ordinance.

Councilor John Ortega asked why it took so long to implement it. Mr. Maestas stated that it is his understanding that the former administrator had given the direction to the utilities clerk to hold on to it until there was time to sit down together and go through each commercial class customer to classify them. Mr. Maestas stated that he gave direction in December to the utilities clerk to start going over the commercial accounts and classify them and we could discuss them as questions arise. We sat down and discussed several different accounts in which have been tracked in the software system noting the rationale as to how and why they were classified. Councilor John Ortega expressed his concern with these letters going out without having a discussion in a meeting about it. He stated that he does not like being asked by a constituent about a change and having to say he does not know; it makes it look like he is not doing his job here. This should have been discussed in December before the letter went out. Mr. Maestas stated that he will work on doing a better job updating the Council on issues such as these.

Councilor Lawrence Ortega stated that we need to take a look at all of our ordinances and make sure we are in compliance with them and/or if they need to be updated.

Councilor Jaramillo stated that we probably should have caught this when we were working on last year’s budget. He isn’t blaming anyone but would like to see where the ball dropped.

Mayor Gallegos stated that he had no idea this was going to be rolled out this month. He stated that there are ripple effects. Councilor Lawrence Ortega stated that of course we don’t have to approve Mr. Maestas implementing the ordinance but we would like to know what is going on; transparency is important in this organization. The public has a right to know what is going on.

C) Village of Questa Open Meetings Resolution

Mr. Maestas stated that the 2018 Open Meetings Resolution will be up for approval at the next meeting and asked if the Governing Body would like to make any changes.

It was decided that the only change would be to add some language regarding if a meeting date falls on a holiday the meeting can be re-scheduled to a later date.

D) Discussion regarding Village of Questa Ordinance No. 2002-117 Compensation for Mayor and Council

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Mayor Gallegos asked if this is something that the Council would like to consider. He stated that our roles have changed in the Village since 2002 when the last increase was passed. Councilor Lawrence Ortega asked when we would have to pass this for it to take effect. Ms. Martinez stated that we would have to get it passed before the March 6, 2018 election for it to take effect. Councilor Lawrence Ortega would like the increases to be based on a percentage basis. Councilor Brent Jaramillo suggested maybe we follow the CPI rate. Councilor Lawrence Ortega stated he would like some backup documentation regarding the CPI from 2002 and Councilor John Ortega asked about the salaries that other elected officials are receiving in other municipalities. Councilor Brent Jaramillo stated that one meeting the staff is telling us we’re broke; we can’t tell the public there’s no money and then turn around and give ourselves a raise. Councilor John Ortega agreed.

It was agreed to move forward.

IX. 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)) - Liquidated Damages - 2015 CDBG Project

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 8:03pm.

A motion was made to reconvene from Executive Session at 8:35pm by Councilor Brent Jaramillo, 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. Direction was given to the Administrator to schedule a work study session or meeting with Wilson & Co.

X. MATTERS FROM ADMINISTRATOR – Mr. Nicholas Maestas

Mr. Maestas updated the Council on the following:

- Updated Calendar for January, February and March.
- Questa Billboard – QEDF will not reimburse the Village to renew this contract.
- Streetlights - Double Eagle Electric have been working on assessing issues. Daily updates are being received.
- School Board has requested a meeting with the Village / no date has been set - regarding the well on school property. He is not sure what the details are as of yet. If anyone would like to attend the meeting please let him know

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XI. MATTERS FROM MAYOR AND COUNCIL

Councilor Lawrence Ortega inquired about the status of the QLW. Mayor Gallegos stated that nothing has changed. Councilor Lawrence Ortega stated that Attorney Marcus Rael was supposed to get back to the Council the following day; we need to hear from him.

Councilor Lawrence Ortega requested that we perform a 6 month evaluation on our Administrator sometime in February. It was decided to schedule it for the second meeting in February.

Mayor Gallegos stated that the public works department has been doing a good job. Mr. Maestas stated that they have been very proactive and have been able to follow through with the work orders. Mayor Gallegos stated that there has been a lot of public bashing of our Police Department and it is taking a toll on the officers. Chief Lamendola is working on getting the lapel cameras and getting the officers certified. Councilor John Ortega stated that he fully supports our Police Officers and inquired about when we can send them to get their certification. Mr. Maestas stated that the two officers who are uncertified are working currently under Chief Lamendola’s certification. They have a year to get certified and there are a couple of dates scheduled for the academy this year. We are looking at the budget to see what we can do. Councilor John Ortega stated he would like to see them get their training before their year is up instead of having to lay them off.

XII. ADJOURNMENT

Motion: Councilor John Ortega
Second: Councilor Brent Jaramillo

In Favor: All
Opposed: None

There being no further business to discuss, the meeting was adjourned at 9:04 pm.

ATTEST:

APPROVED:

Renee Martinez, CMC

Mark Gallegos, Mayor

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