

1 **VILLAGE OF QUESTA**
 2 **REGULAR MEETING MINUTES**
 3 **TUESDAY, JANUARY 09, 2018**
 4 **VILLAGE OF QUESTA COUNCIL CHAMBERS**
 5 **6:00PM**

6
 7 I. **CALL TO ORDER BY MAYOR MARK L. GALLEGOS**

8
 9 Mayor Gallegos called the meeting to order at 6:04 pm.

10
 11 II. **ROLL CALL**

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

14
 15 Present:

16 Councilor Brent Jaramillo
 17 Councilor John Anthony Ortega
 18 Councilor Lawrence Ortega

19
 20 Not Present:

21 Councilor Julian Cisneros

22
 23 Also Present:

24 Administrator Nicholas Maestas
 25 Village Clerk Renee Martinez
 26 Finance Director Karen Shannon

27
 28 III. **PLEDGE OF ALLEGIANCE**

29
 30 Mr. Isaiah Ortega led the Pledge of Allegiance.

31
 32 IV. **APPROVAL OF AGENDA**

33
 34 Councilor Lawrence Ortega asked about the December 19, 2017 meeting minutes. Ms. Martinez stated that
 35 they will be available at the next meeting.

36
 37 Motion: Councilor John Ortega

38 Second: Councilor Lawrence Ortega

39
 40 In Favor: All

41 Opposed: None

42
 43 To approve the agenda as presented. All voted yes. Motion carried.

44
 45 V. **APPROVAL OF MINUTES**

- 46
 47 • Special Meeting, December 07, 2017

48
 49 Motion: Councilor Lawrence Ortega

50 Second: Councilor John Ortega

51 In Favor: All
 52 Opposed: None

53
 54 To approve the Special Meeting minutes of December 07, 2017 as presented. All voted yes. Motion carried.

- 55
 56 • Regular Meeting, December 12, 2017

57
 58 Motion: Councilor Brent Jaramillo
 59 Second: Councilor Lawrence Ortega

60
 61 In Favor: All
 62 Opposed: None

63
 64 To approve the Regular Meeting minutes of December 12, 2017 as presented. All voted yes. Motion carried.

65
 66 VI. **PUBLIC COMMENTS** - *(It is the policy of the Governing Body to accept public comment. Because*
 67 *your particular issue is not on the agenda the Governing Body cannot respond immediately, but may direct*
 68 *staff to address issues at a future Council Meeting. Public comments are limited to a maximum of three minutes.)*

- 69
 70 • Mr. Isaiah Ortega, community member, informed the Governing Body that he works in the technology
 71 field and would like to bring something to the attention of the Governing Body that they may or may
 72 not be aware of. He attended a meeting last night about community events and decided to google
 73 ‘Village of Questa meeting’ to access the agenda. The very first link that appears in the search engine
 74 is ‘Village Council meeting agenda’, as he selected the link, he was forwarded to a SPAM sight
 75 regarding an I-Phone. He tried it on multiple devices and was forwarded to the same sight. He
 76 suggested contacting our IT department to take a look at it. Mayor Gallegos thanked Mr. Ortega for
 77 bringing this to our attention. Mr. Maestas stated that we are aware that our site has been hacked and
 78 they are currently working on cleaning up the site.

79
 80 There were no Public Comments.

81
 82 VII. **FINANCIALS** – Ms. Karen Shannon, Finance Director

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

84
 85 Ms. Shannon informed the Council that Municipal Day will be February 2nd.

86
 87 Ms. Shannon stated that the Vouchers presented are as of January 5, 2018 and stood for questions.

88
 89 Councilor Jaramillo asked why the items that have already been approved keep showing up on the report. He
 90 realizes that it is probably because the check hasn’t been printed and asked why the check hasn’t been cut. Ms.
 91 Shannon stated that for example, the Traveler’s Insurance invoice is for a whole year. Quarterly payments are
 92 made on it so it keeps showing up. The travel vouchers also show up because the returned travel hasn’t been
 93 paid. Councilor Jaramillo stated that he understands that but it gets confusing and just takes up space. Councilor
 94 Jaramillo stated that the quicker we can cut the check the better. Councilor Jaramillo stated for example Questa
 95 Lumber and Car Questa; all the items that were approved last meeting are still on the report and the check could
 96 have been cut after the approval so we aren’t seeing it here again. Mayor Gallegos asked if we have to see
 97 every item that was purchased; it’s a little too much for you to put together. Ms. Shannon stated that these two
 98 vendors have items that were approved prior as well as some invoices you haven’t seen. Ms. Shannon stated
 99 she would have print 2 checks. Councilor Jaramillo stated that is what he is trying to say. A check could have
 100 been cut after last meeting and another after this meeting. Councilor Jaramillo explained to Ms. Shannon that
 .01 he is not questioning her work but trying to understand her thought process. Ms. Shannon stated that usually

102 the second meeting of the month is when she puts as many invoices in as she can and get them paid by the 10th.
103 Sometimes the Council meeting is before that and she goes ahead and cuts the check. In this instance it wasn't.

104

105 Councilor Lawrence Ortega –

106

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

121

122 Councilor John Ortega –

123

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

127

128 Motion: Councilor John Ortega
 129 Second: Councilor Lawrence Ortega

130

131 In Favor: All
 132 Opposed: None

133

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

135

136 **B) Review of October 2017 Financials**

137

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

139

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

146

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

149

150 Councilor Lawrence Ortega asked if there were any red flags on the budget worksheet. Ms. Shannon stated
151 that she is concerned about the negative cash balance in the waste water department. There were a lot of
152 expenditures in the first quarter and the second quarter as well. The deficit is getting caught up and hopefully
153 by the end of December it will balance out. A temporary transfer may be needed.

154 There were no further questions.

155

56 VIII. **DISCUSSION ITEMS**

157 A) 2018 Legislative Priorities

158

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

161

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

170

171 • \$1.2 million from EDA

172 • \$500,000.00 from Chevron

173 • \$500,000.00 CDBG

174 • \$100,000.00 NMED Grant for sewer lines at business park

175

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

182

183 Mr. Cisneros stated that we should meet after we know how much we are going to get and decide how it is
184 going to be disbursed. Ms. Raynelle Sanchez stated that the EMS needs a new equipped ambulance for about
185 \$200,000.00 to \$500,000.00. Councilor John Ortega stated that we do need a new ambulance. Our service is
186 running great now and I would hate to have it fail because of equipment failure. It needs to be a priority. We
187 also need police units. A discussion was held regarding the LEPF.

188

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

192

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

194

195 The priorities are as follows:

196

197 • \$100,000.00 match for EDA

198 • \$200,000.00 match for MAP project

199 • Reauthorize water rights project remaining monies

200 Possibly-

201 • Police Vehicle \$70,000.00

202 • EMS \$200,000.00

203

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

207
 208 **B) Commercial Utility Rates Compliance**

209
 210 Mr. Maestas stated that letters were sent out to our commercial class customers prior to this month's bill going
 211 out. It was brought to his attention that the commercial rates were not updated in the system after the passing
 212 of the Water & Sewer ordinance. He has been working with our utilities clerk to make sure this was done and
 213 entered into the system and classified correctly. With these classifications, some customers will see a significant
 214 increase in their bills. Some bills came out even. Mr. Maestas took it upon himself to draft some letters to
 215 these customers informing them of the changes as we become compliant with our ordinance.

216
 217 Councilor Lawrence Ortega stated that we have 4 letters in front of us; are these the only commercial customers
 218 that were affected. Mr. Maestas stated that a general letter went out to all the customers and these letters went
 219 to the customers that were affected mostly by the classification change; some were delivered personally. Some
 220 meetings have been set up with some business owners to go over the increase. Councilor Lawrence Ortega
 221 asked if there has been any feedback. Mr. Maestas stated that there have been some customers who have come
 222 in to request a copy of the ordinance.

223
 224 Councilor John Ortega asked why it took so long to implement it. Mr. Maestas stated that it is his understanding
 225 that the former administrator had given the direction to the utilities clerk to hold on to it until there was time to
 226 sit down together and go through each commercial class customer to classify them. Mr. Maestas stated that he
 227 gave direction in December to the utilities clerk to start going over the commercial accounts and classify them
 228 and we could discuss them as questions arise. We sat down and discussed several different accounts in which
 229 have been tracked in the software system noting the rationale as to how and why they were classified. Councilor
 230 John Ortega expressed his concern with these letters going out without having a discussion in a meeting about
 231 it. He stated that he does not like being asked by a constituent about a change and having to say he does not
 232 know; it makes it look like he is not doing his job here. This should have been discussed in December before
 233 the letter went out. Mr. Maestas stated that he will work on doing a better job updating the Council on issues
 234 such as these.

235
 236 Councilor Lawrence Ortega stated that we need to take a look at all of our ordinances and make sure we are in
 237 compliance with them and/or if they need to be updated.

238
 239 Councilor Jaramillo stated that we probably should have caught this when we were working on last year's
 240 budget. He isn't blaming anyone but would like to see where the ball dropped.

241
 242 Mayor Gallegos stated that he had no idea this was going to be rolled out this month. He stated that there are
 243 ripple effects. Councilor Lawrence Ortega stated that of course we don't have to approve Mr. Maestas
 244 implementing the ordinance but we would like to know what is going on; transparency is important in this
 245 organization. The public has a right to know what is going on.

246
 247 **C) Village of Questa Open Meetings Resolution**

248
 249 Mr. Maestas stated that the 2018 Open Meetings Resolution will be up for approval at the next meeting and
 250 asked if the Governing Body would like to make any changes.

251
 252 It was decided that the only change would be to add some language regarding if a meeting date falls on a holiday
 253 the meeting can be re-scheduled to a later date.

54
 255 **D) Discussion regarding Village of Questa Ordinance No. 2002-117 Compensation for Mayor and Council**

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

265

266 It was agreed to move forward.

267

268 IX. **EXECUTIVE SESSION** - (*The Governing Body may convene into Executive Session at this time*
 269 *pursuant to the NM Open Meetings Act NMSA 1978 10-15-1*)

270 A) Pending or Threatening Litigation - (§ 10-15-1(H) (7)) - Liquidated Damages - 2015 CDBG Project

271

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

274

275 Roll Call:

276 Councilor John Ortega YES

277 Councilor Lawrence Ortega YES

278 Councilor Brent Jaramillo YES

279

280 Mayor Gallegos stated that the Governing Body will go into Executive Session to discuss only the items listed.
 281 The Governing Body entered into Executive Session at 8:03pm.

82

283

284 A motion was made to reconvene from Executive Session at 8:35pm by Councilor Brent Jaramillo, seconded
 285 by Councilor Lawrence Ortega.

286

287 Roll Call:

288

289 Councilor Lawrence Ortega YES

290 Councilor Brent Jaramillo YES

291 Councilor John Ortega YES

292

293 Mayor Gallegos stated that only the item listed were discussed during closed session. There was no action taken.
 294 Direction was given to the Administrator to schedule a work study session or meeting with Wilson & Co.

295

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

297

298 Mr. Maestas updated the Council on the following:

299

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

307

308

309 XI. MATTERS FROM MAYOR AND COUNCIL

310
311 Councilor Lawrence Ortega inquired about the status of the QLW. Mayor Gallegos stated that nothing has
312 changed. Councilor Lawrence Ortega stated that Attorney Marcus Rael was supposed to get back to the
313 Council the following day; we need to hear from him.

314
315 Councilor Lawrence Ortega requested that we perform a 6 month evaluation on our Administrator sometime
316 in February. It was decided to schedule it for the second meeting in February.

317
318 Mayor Gallegos stated that the public works department has been doing a good job. Mr. Maestas stated that
319 they have been very proactive and have been able to follow through with the work orders. Mayor Gallegos
320 stated that there has been a lot of public bashing of our Police Department and it is taking a toll on the officers.
321 Chief Lamendola is working on getting the lapel cameras and getting the officers certified. Councilor John
322 Ortega stated that he fully supports our Police Officers and inquired about when we can send them to get their
323 certification. Mr. Maestas stated that the two officers who are uncertified are working currently under Chief
324 Lamendola's certification. They have a year to get certified and there are a couple of dates scheduled for the
325 academy this year. We are looking at the budget to see what we can do. Councilor John Ortega stated he would
326 like to see them get their training before their year is up instead of having to lay them off.

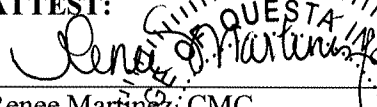
327
328 XII. ADJOURNMENT

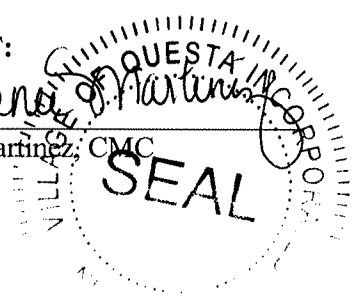
329
330 Motion: Councilor John Ortega
331 Second: Councilor Brent Jaramillo

332
333 In Favor: All
334 Opposed: None

335
336 There being no further business to discuss, the meeting was adjourned at 9:04pm.

337
338 ATTEST:

339 
340 _____
341 Renee Martinez, CMC



APPROVED:



Mark Gallegos, Mayor