VILLAGE OF QUESTA
REGULAR MEETING MINUTES
TUESDAY, JULY 25, 2017
VILLAGE OF QUESTA COUNCIL CHAMBERS
7:00PM

I. CALL TO ORDER BY MAYOR MARK L. GALLEGOS

Mayor Gallegos called the meeting to order at 7:03pm.

II. ROLL CALL

Mayor Gallegos asked Village Clerk Renee Martinez to take roll.

Present:
Councilor John Ortega
Councilor Julian Cisneros
Councilor Brent Jaramillo

Not Present:
Councilor Lawrence Ortega

Also Present:
Village Clerk Renee Martinez
Finance Director Karen Shannon
Admin Assistant/CPO Dina Coleman
Attorney Randy Autio

III. PLEDGE OF ALLEGIANCE

Attorney Randy Autio led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

Mayor Gallegos requested the removal of Items VIII D & F. Also, Item VIII L be moved up to VIII A.

Motion: Councilor Brent Jaramillo
Second: Councilor John Ortega

In Favor: All
Opposed: None

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

V. APPROVAL OF MINUTES

* June 27, 2017 – Regular Meeting

Motion: Councilor Julian Cisneros
Second: Councilor Brent Jaramillo

In Favor: All

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Opposed: None

To approve the June 27, 2017 – Regular Meeting minutes as presented. All voted yes. Motion carried.

* July 11, 2017 – Regular Meeting

Councilor John Ortega stated that on page 6, line 298 – specify which Councilor Ortega.

Motion: Councilor John Ortega
Second: Councilor Brent Jaramillo

In Favor: All
Opposed: None

To approve the agenda as corrected. 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.)

There were no public comments.

VII. PRESENTATIONS / UPDATES /DISCUSSION

A. Questa Visitor’s Center Update – Ms. Alberta Bouyer

Ms. Bouyer updated the Governing Body on the Visitor’s Center numbers and marketing information.

B. New Mexico Gas Company - Update regarding the Taos Mainline reroute project

Mr. Tim Corte, Manager of Communications for NM Gas Company and Ms. Lauren Rodriguez, Communications Specialist presented information regarding the Taos mainline re-route project. It is a 6.2 mile stretch on State Highway 68 South of Taos between the Villages of Pilar and Rinconada. The project starts on Tuesday, August 1, 2017. The reason for the project is to move the pipeline that feeds Taos County from the West side of the Rio Grande to the East side. The project will take four full months to complete, hopefully be Thanksgiving weekend. All information can be found on their website at NMGCO.com.

VIII. ACTION ITEMS

L. Approval of Police Officer Hire, Chief Nick Lamendola

Chief Nicholas Lamendola informed the Governing Body that Officer Jacob Montez resigned his position; we did advertise for a full time certified Police Officer and received one applicant. Councilor John Ortega asked if the department currently has enough units. Chief Lamendola stated yes.

Ms. Jani Davis stated she is a hard worker and looks forward to working with the Village.

Motion: Councilor Brent Jaramillo
Second: Councilor John Ortega

Roll Call:

Councilor John Anthony Ortega YES
To approve the hire of Police Officer Jani Davis. All voted yes. Motion carried.

A. Consideration of Final Adjusting Change Order for Village Of Questa Waste Water Collection System Improvements

Mr. Joe Moore of Wilson & Co. stated that they had submitted a change order to the Governing Body along with a lengthy memo with their recommendations. After meeting with the contractor and measuring quantities in the field etc., the recommendation is shown on page three. Mr. Moore stated that their recommendation is approval of Change Order No. 2, which includes the base contract amount of $375,031.00, non-taxable allowance of $14,500.00 which an increase $28,972.00 due to adjusted quantities. Change Order No. 3 of $6,055.00 plus NMGRT of $34,342.36 for a total of $458,900.37. Also a recommendation of an increase of contract time of 55 calendar days. The revised contract substantial completion date then becomes July 7th.

Councilor John Ortega stated he was curious as to how this affects our budget. Ms. Shannon stated that the budget for CDBG is $500,000.00. Year to date expenses paid out is $23,843.83, which leaves $476,156.00.

Councilor Brent Jaramillo asked that if we approve the August change orders, there will be no liquid damages? Mr. Moore stated that that is correct, at this point. Mr. Moore stated that the contractor, Mr. Juan Adame is present at tonight’s meeting.

A Motion was made by Councilor Brent Jaramillo to approve change orders 2, 3 and 4 per the engineer’s recommendation. A Second was made by Councilor John Ortega for discussion.

Councilor John Ortega asked if we can approve the motion made by Councilor Jaramillo and also look at liquidated damages. Mr. Moore stated that the liquidated damages are separate from Councilor Jaramillo’s motion. Councilor Jaramillo stated that the way he looks at it is that the change orders will get us to July 7th and then we will have the liquidated damages issue to deal with.

Councilor John Ortega then seconded Councilor Jaramillo’s motion.

Roll Call:

Councilor Julian Cisneros YES
Councilor Brent Jaramillo YES
Councilor John Anthony Ortega YES

To approve change orders 2, 3 and 4 per the engineer’s recommendation. All voted yes. Motion carried.

Mr. Juan Adame of Adame Construction stated that at the beginning of the job they had too many problems with the weather; also, with the existing utility lines (gas, telephone, water) and acequias/irrigation pipes. This is why they took extra time and had to ask for a 45 day extension after the 75 days. Mr. Moore stated these items are included in the change orders, the standby time is not included. Mr. Moore told Mr. Adame that he will need to justify the need for the standby. Mr. Adame stated that the he, the previous Administrator Loretta Trujillo went out to the jobsite with two or three other guys. She stated that we need to stop this job because everything froze. He stated that Ms. Trujillo stopped him completely for three months because she did not want anyone getting hurt. She said we will stop and continue after three months. The first month she told her that he could wait because he had another job. She told him to do whatever he had to do for the next three months. We started three months later on Cabresto and moved to Abra. Mr. Moore stated that the additional services are included in the change order, the additional patchwork on Abra Road are also included in the change orders. The engineer did not believe that

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the contractor did not meet the standards of the contract regarding traffic control and did not agree with anything additional on the traffic control. Mr. Moore stated that 100% of the traffic control in the contract will be paid, nothing more. Mr. Adame asked if the stand by time will be paid. Mayor Gallegos went over the timeline with Mr. Adame. Mayor Gallegos stated that the Governing Body has denied the water emergency voucher for several months because we wanted to know what work was done the three days. Mr. Adame stated that they opened hydrants to test from one area to another. Mayor Gallegos thanked Mr. Adame for coming to the meeting. Mr. Mario Juarez-Infante stated that for clarification, although there is a letter from Ms. Trujillo stopping the project, there is no date on the letter and the stoppage order can only be done by the engineer of record.

B. Approval of Resolution No. 2017-08 – Waste Management CPI Increase

Attorney Randy Autio stated that this is a required Resolution under our Ordinance and contract. Councilor John Ortega asked what the increase amount will be for the average consumer.

Motion: Councilor Julian Cisneros
Second: Councilor Brent Jaramillo, with discussion.

Councilor John Ortega again asked what the increase amount will be for the average consumer. Ms. Dina Coleman stated it would be about .57 cents more per residential customer/month.

Roll Call:

Councilor John Anthony Ortega YES
Councilor Julian Cisneros YES
Councilor Brent Jaramillo YES

To approve Resolution 2017-08 / Waste Management CPI Increase. All voted yes. Motion carried.

C. Approval of On-Call Engineer – RFP 2017-01

Village of Questa Chief Procurement Officer, Ms. Dina Coleman informed the Governing Body that the scores from the evaluation committee were available to them in their meeting packets, along with a memo explaining how the scores landed. She stated that there was a protest that was received by the Village today. She suggested we table this item for further review. Attorney Autio recommended to table this item also.

Motion: Councilor Julian Cisneros
Second: Councilor John Ortega, with discussion. Councilor John Ortega asked who the committee was comprised of. Ms. Coleman stated that the following were on the committee:

- Councilor Lawrence Ortega – engineering experience
- Karen Shannon – financial background
- Georgianna Rael, Town of Red River Administrator/Clerk – experience with the RFP process and on-call Engineering.

In Favor: All
Opposed: None

To approve the tabling of this item until possibly the next Regular meeting. All voted yes. Motion carried.

D. Approval of Joint Powers Agreement (JPA) - Taos County / Village of Questa – Regarding E911

**Removed from Agenda

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E. Approval of MOU between Taos County and the Village of Questa – Emergency Medical Services (EMS)

Ms. Martinez stated that the MOU was approved by the Taos County Commission and no changes were made. Councilor John Ortega asked if the dollar amount was approved. Ms. Martinez stated that it was approved at the same amount of $100,000.00.

Motion: Councilor Julian Cisneros
Second: Councilor John Ortega

In Favor: All
Opposed: None

To approve MOU between Taos County and the Village of Questa for Emergency Medical Services (EMS). All voted yes. Motion carried.

F. Approval of Lease Agreement between Village of Questa & Taos County Senior Program

** Removed from Agenda

G. Approval of Amendment Three to Universal Professional Services, Lobbying Contract

Ms. Martinez stated that this amendment is for another year. No changes.

Motion: Councilor Brent Jaramillo
Second: Councilor Julian Cisneros

In Favor: All
Opposed: None

To approve Amendment Three to Universal Professional Services, Lobbying Contract. All voted yes. Motion carried.

H. Approval of Amendment Three to Robles, Rael & Anaya, P.C., Attorney Contract

Ms. Martinez informed the Governing Body that amendment three is to extend the contract for one more year. No changes.

Motion: Councilor John Ortega
Second: Councilor Julian Cisneros

In Favor: All
Opposed: None

To approve Amendment Three to Robles, Rael & Anaya, P.C., Attorney Contract. All voted yes. Motion carried.

I. Approval of Ambitions Consulting Group, Inc. Contract for FYE 2018 – Re: IT Services

Mr. Lucas Rael was present.

Motion: Councilor Julian Cisneros
Second: Councilor Brent Jaramillo

In Favor: All

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Opposed: None

To approve Ambitions Consulting Group, Inc. Contract for FYE 2018 – Re: IT Services. All voted yes. Motion carried.

J. Approval of Addendum to ATG Total Care Plus Agreement, Ambitions Consulting Group, Inc. – Re: Library

Motion: Councillor John Ortega
Second: Councillor Julian Cisneros

In Favor: All
Opposed: None

To approve the Addendum to ATG Total Care Plus Agreement, Ambitions Consulting Group, Inc. – Re: Library. All voted yes. Motion carried.

K. Approval of Voting Delegate NMML Annual Conference

Ms. Martinez stated that the NMML requires a voting delegate for the business meeting. Ms. Martinez stated that this item is dependent on the travel requests that are up for approval later in the meeting.

A motion to table this item until after Item IX. E. was made by Councillor John Ortega, second by Councillor Julian Cisneros.

In Favor: All
Opposed: None

To approve the tabling of this item to follow Item IX. E. All voted yes. Motion carried.

IX. FINANCIALS – Ms. Karen Shannon, Finance Director

A. Approval of Resolution 2017-09 – Final FY 2017 DFA BAR

Ms. Shannon stated that we did receive partial reimbursement for the youth center improvement and design project and stated that she would like to include it in the 2016-2017 revenue.

Motion: Councillor Brent Jaramillo
Second: Councillor John Ortega

Roll Call:

Councilor John Anthony Ortega YES
Councilor Julian Cisneros YES
Councilor Brent Jaramillo YES

To approve Resolution 2017-09 – Final FY 2017 DFA BAR. All voted yes. Motion carried.

B. Approval of Resolution 2017-10 – FY 2017 Final Quarter Financial Report:

Ms. Shannon stated that included in the meeting packet was the financial report as of June 30, 2017. It is ready to be filed with DFA upon approval.

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Motion: Councilor Brent Jaramillo
Second: Councilor Julian Cisneros

Roll Call:

Councilor John Anthony Ortega  YES
Councilor Julian Cisneros  YES
Councilor Brent Jaramillo  YES

To approve Resolution 2017-10 / FY 2017 Final Quarter Financial Report. All voted yes. Motion carried.

C. Approval of Resolution 2017-11 – FY 2018 Budget Adoption

Ms. Shannon stated that included in the packet was the final budget worksheet for FY 2018. Ms. Shannon stated there was one change; fund 217 Recreation expenditures, parks had a budgeted expenditure of $2,500.00; however the transfer in was only going to be $2,400.00 and $100.00 was put into Livestock Corral operating expense. She stated that Councilor Ortega had her compose a letter to the QEDFB to request funds for the corrals that was designated for the corrals. There is beginning cash in that fund to cover the expenditure. This is the only change to the budget that was submitted to Council.

Motion: Councilor Julian Cisneros
Second: Councilor Brent Jaramillo

Roll Call:

Councilor Julian Cisneros  YES
Councilor John Anthony Ortega  NO
Councilor Brent Jaramillo  YES

Mayor Gallegos asked if there was any discussion. Councilor John Ortega stated no. Councilor Brent Jaramillo asked Councilor John Ortega if there was something he would like to discuss in Executive Session since the approval of the budget is very important and so we don’t have to schedule another budget meeting. Councilor John Ortega stated yes, it has to do with the Executive Session item.

A motion to table the Approval of Resolution 2017-11 – FY 2018 Budget Adoption until after Executive Session was made by Councilor Brent Jaramillo. Seconded by Councilor John Ortega.

Roll Call:

Councilor Julian Cisneros  YES
Councilor John Anthony Ortega  YES
Councilor Brent Jaramillo  YES

To approve the tabling of item this item until after Executive Session. All voted yes. Motion carried.

D. Approval of Travel Requests

Ms. Shannon stated that the 4 travel requests up for approval are for the following individuals to attend the 60th Annual NMML Conference in Clovis.

- Mayor Mark Gallegos – Expenses out of Rapid Action Fund
• Judge Michael Rael – Expenses out of Court Budget
• Administrator Nicholas Maestas - Expenses out of Rapid Action Fund
• Clerk Renee Martinez – Expenses out of Administration Budget

A motion to approve the travel requests as presented was made by Councilor Julian Cisneros.

Councilor John Ortega asked if we are approving them one by one. Mayor Gallegos stated that it is the will of the Council how they would like to approve them.

The motion was then seconded by Brent Jaramillo.

Councilor John Ortega stated that the Council does not have to approve the Judge’s travel. Ms. Shannon asked, for clarification, the Judge’s travel does not need to come to Council for approval. The Council agreed.

In Favor: All
Opposed: None

To approve the travel requests for the Mayor, Administrator and Clerk. All voted yes. Motion carried.

E. Approval of Unpaid Vouchers

Ms. Shannon stated that the vouchers presented are as of July 21st.

Councilor John Ortega stated that the voucher from Adame should be tabled since the Mayor told Mr. Adame that we were not going to be paying it. Councilor Brent Jaramillo stated it should just be removed permanently.

Motion: Councilor John Ortega – Excluding the voucher from Adame Construction.
Second: Councilor Brent Jaramillo

In Favor: All
Opposed: None

To approve the Unpaid Vouchers excluding the voucher from Adame Construction. All voted yes. Motion carried.

Ms. Shannon informed the Council that she received the final paperwork from Office of Homeland Security; they signed off on it on June 29th which means it didn’t get to DFA until that day or sometime after that. Ms. Shannon also presented a list from NM Tax & Revenue of businesses who are paying GRT’s to the Village. Councilor John Ortega asked if there was a way to track the amount paid. Ms. Shannon stated that the amounts are not listed on the reports that are sent to us.

K. Approval of Voting Delegate NMML Annual Conference – Tabled earlier in the meeting.

Mayor Gallegos asked the Council to consider Mr. Maestas.

The Council voted on the following voting delegates:

Primary Voting Delegate: Mr. Nicholas Maestas
Alternate Voting Delegate: Ms. Renee Martinez

Motion: Councilor John Ortega
Second: Councilor Julian Cisneros

In Favor: All

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Opposed: None

To approve Mr. Nicholas Maetases as the voting delegate and Ms. Renee Martinez as the alternate voting delegate for the NMML Annual Conference. All voted yes. Motion carried.

X. MATTERS FROM MAYOR AND COUNCIL

Councilor Julian Cisneros inquired about the paving of Abra Road. Mayor Gallegos stated that a letter was sent per Council approval to Chevron for financial assistance to fix Abra Road. Currently, we have received verbal commitment that they will assist the Village in the paving of the road. There is no paving currently. The contractor will move forward with some of the patchwork as best they can to get some of this done. With the 2017 COOP funds we are hoping to complete it. Councilor Julian Cisneros stated that he would like to give his constituents some information because they have been inquiring if we are going to pave it now that we put in the sewer line. Mayor Gallegos stated that it should just be a matter of getting a contractor up there to do it.

XI. MATTERS FROM ATTORNEY


Attorney Randy Autio thanked the Mayor and Council for continuing to allow Robles, Rael & Anaya to continue to work for the Village.

Mr. Autio informed the Governing Body that this Resolution is in regards to getting North Kiowa Road designated for OHV's. We did finally receive confirmation from the state that the exchange of roads (Cabrera and North Kiowa) was done back in 1997. It is not currently listed as a highway. Other restrictions may be placed. Once the Resolution is passed, there will be a meeting with the NMDOT Board in which we will go present the reasons why we believe this is important for Questa.

Councilor John Ortega stated that there are a lot of people who don’t have access through a state highway for their OHV’s; is there a way we can look into added SR 38 and part of SR 522 to this, like Red River has done with theirs. Mr. Autio stated that we can request it, we need to come up with some kind of plan to identify the areas. He asked the Council to let Ms. Martinez the mile marker to mile marker that needs to be included in the request.

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. Limited Personnel Matters (Section 10-15-1(H) (2)) – MVD Department

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

Roll Call:

Councilor John Anthony 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 8:57pm.

A motion was made to reconvene from Executive Session at 9:16pm by Councilor John Anthony Ortega, seconded by Councilor Julian Cisneros.

Roll Call:

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

C. Approval of Resolution 2017-11 – FY 2018 Budget Adoption (Tabled earlier in the meeting).

Councilor Julian Cisneros made a motion for approval based on the changes discussed in Executive Session. Councilor Julian Cisneros asked if the changes could be restated. Mr. Atilio stated that for the record there was an adjustment made on a particular salary. The motion was seconded by Councilor John Ortega.

Roll Call:

Councilor Julian Cisneros YES
Councilor Brent Jaramillo YES
Councilor John Anthony Ortega YES

To approve Resolution 2017-11 – FY 2018 Budget Adoption based on the adjustment made on a particular salary. All voted yes. Motion carried.

XIII. ADJOURNMENT

Motion: Councilor Julian Cisneros
Second: Councilor John Ortega

In Favor: All
Opposed: None

There being no further business to discuss, the meeting was adjourned at 9:18pm.

ATTEST:

RENEE MARTINEZ, CMC

APPROVED:

MARK GALLEGOS, MAYOR

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