

1 **VILLAGE OF QUESTA**
 2 **REGULAR MEETING MINUTES**
 3 **TUESDAY, MAY 09, 2017**
 4 **VILLAGE OF QUESTA COUNCIL CHAMBERS**
 5 **7:00PM**

6
 7 I. **CALL TO ORDER BY MAYOR MARK L. GALLEGOS**
 8

9 Mayor Gallegos called the meeting to order at 7:03pm.
 10

11 II. **ROLL CALL**
 12

13 Mayor Gallegos asked Village Clerk Renee Martinez to take roll.
 14

15 Present:

16 Councilor Lawrence Ortega
 17 Councilor Brent Jaramillo
 18 Councilor John Anthony Ortega
 19

20 Not Present:

21 Councilor Julian Cisneros
 22

23 Also Present:

24 Village Clerk Renee Martinez
 Finance Director Karen Shannon
 25

26
 27 III. **PLEDGE OF ALLEGIANCE**
 28

29 Councilor John Ortega led the Pledge of Allegiance.
 30

31 IV. **APPROVAL OF AGENDA**
 32

33 Mayor Gallegos requested to remove the minutes of April 11, 2017 and April 25, 2017; as well as switching Item
 34 VIII and Item IX.
 35

36 Councilor Lawrence Ortega requested to move Item VIII-E to follow Item VIII-J. Also, requested to move Item
 37 VIII-B (Yielded to Mr. Mario Juarez-Infante per their discussion on the previous day; Mr. Infante agreed to the
 38 removal). The request was also made to add an item to Executive Session regarding staff decisions.
 39

40 For the reason that Mr. Francisco Espinoza was not yet present a recommendation was made to move Item VII A to
 41 Item VII C.
 42

43 Motion: Councilor John Ortega
 44 Second: Councilor Lawrence Ortega
 45

46 In Favor: All
 47 Opposed: None
 48

To approve the agenda as amended. All voted yes. Motion carried
 49

51 V. APPROVAL OF MINUTES –

52 *Regular Meeting, April 11, 2017

54 Removed from agenda.

55

56 *Special Meeting, April 24, 2017

57

58 Councilor Lawrence Ortega asked the Clerk to note that Councilor Julian Cisneros joined the meeting in Executive
59 Session.

60

61 Motion: Councilor Lawrence Ortega

62 Second: Councilor John Ortega

63

64 In Favor: All

65 Opposed: None

66

67 To approve the minutes of April 24, 2017 - Special Meeting as amended. All voted yes. Motion carried.

68

69 *Regular Meeting, April 25, 2017

70 Removed from agenda.

71

72 *Special Meeting, May 01, 2017

73

74 Motion: Councilor John Ortega

75 Second: Councilor Brent Jaramillo

76

In Favor: All

78 Opposed: None

79

80 To approve the minutes of May 01, 2017 - Special Meeting as presented. All voted yes. Motion carried.

81

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

85

- 86 • Alberta Bouyer – Spoke about her accomplishments while serving as Tourism Director and stated that she
87 has 30 years of marketing experience. She expressed her concern regarding our lack of participation in the
88 Enchanted Circle marketing. She is eager to once again work with the Village to bring a welcoming,
89 financially stable Visitor's Center back to Questa.
- 90 • Tim Long – Mr. Long voiced his support for Ms. Alberta Bouyer to be hired as Tourism Coordinator. Ms.
91 Bouyer helped bring exposure to the Rio Grande del Norte National Monument. Her contribution to bring
92 tourism to Questa has been successful in many ways.
- 93 • Roger Harrington – Art Questa Owner - Is present as an advocate for the hiring of Ms. Bouyer as Tourism
94 Coordinator.
- 95 • Peggy Trigg – Ms. Trigg expressed her support for Ms. Bouyer. She worked with Ms. Bouyer on several
96 different projects in the last couple of years. Ms. Bouyer is extremely dedicated, articulate, caring and
97 punctual and she loves this community. She is a very strong asset.
- 98 • Flavio Cisneros – Has worked with Ms. Bouyer and stated that she is an excellent candidate for the Tourism
99 Coordinator.
- Jeannie Masters – Ms. Masters concurred with all who have spoken before her regarding Ms. Bouyer.
- Barry Andrews – Owner of OCHO – Ms. Andrews stated that getting a business off the ground in a town
102 the size of Questa has its challenges. She stated that she was disheartened when Ms. Bouyer had to leave

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the position last July. Ms. Bouyer has developed many valuable contacts across the state in her time serving as Tourism Coordinator.

- Gaea McGahee – In support of Ms. Bouyer and looks forward to working with her this summer for the Farmer's Market.

VII. PRESENTATIONS / UPDATES

A. Landfill Board Presentation – Mr. Francisco Espinoza, Town of Taos Director of Public Works

Mr. Espinoza presented a power point presentation regarding the recycling efforts at the Town of Taos. Mr. Espinoza gave a brief history of how the recycling center came about in Taos. With the Town of Taos experiencing a very significant budget shortfall in recycling, there are options that they are exploring to try and offset the deficit such as the members of the landfill board raise their current fees to their customers that would include a recycling fee.

B. Questa Business Park – Mr. Elmer Salazar

Mr. Salazar informed the Governing Body that he is the consultant that has been engaged in driving a few projects here in Questa.

Mr. Salazar updated on the following initiatives:

- Questa Business Park – A priority for the Village of Questa, QEDF and the community. They are re-submitting an application to the Economic Development Administration for about 1.5 million dollars that would go into the infrastructure for the business park. Councilor John Ortega is part of our project team, along with other members. Chevron is assisting in having a cash account outside of the QEDF money. This will assist with matching funds in getting the business park ready to house businesses. He believes that we will be in construction about a year from now.
- Malting Facility – Processing plant for barley. He believes that in Questa we have the land water and skills to grow barley. A business called Proximity is looking to build a large malting facility in Monte Vista. Certain strains of seed are needed. Questa can compete in this industry. We will become unique in the micro niche.
- Farmers – In 2016 the QEDF had local farmers grow barley. In 2018, they would like to do this again and follow it through with a plan. We need a relationship with micro-breweries in place and access to a malting facility. In addition, there is a concept of an equipment coop. Harvesting will be a challenge.
- A request for funding from the USDA has been submitted for the feasibility study for the malting facility.
- A CDBG grant will be submitted on behalf of the Village of Questa that would incrementally fund the overall projects.

Mr. Salazar would like to come back periodically and report to the Council and the community.

C. Youth Center Renovation Project Update - Mr. David Henry, Henry Architects

Mr. Henry informed the Governing Body that that project is going great. A bid opening was held, the notice to proceed was issued shortly thereafter. The low bidder was Taos Sunrise Builders. This is the 3rd week of construction and are 60% complete with the project. Mr. Henry stated that there is some money left over to spend. He suggested we consider replacing the kitchen cabinets. An exterior portal in the front of the building was agreed upon instead. Councilor John Ortega asked Mr. Henry if we can sit comfortably knowing that we will not exceed the \$90,000.00 grant amount with this proposed change order. Mr. Henry stated that he is being very fiscally conservative.

Councilor Brent Jaramillo asked if Taos Sunrise Builders included their state wage rates in their bid. By moving forward with change order number 3, they would go over their threshold. Mr. Henry stated that \$60,000.00 is the threshold with the state of New Mexico. A wage decision is need for a construction project over \$60,000.00. Mr. Henry stated that he would contact the department of workforce solutions first thing in the morning to get the answer. Councilor Jaramillo stated that he is just concerned the penalties would fall on the Village.

155 VIII. ACTION ITEMS –

157 A. Consideration of Proposal #3 - Youth Center Renovation Project, Mr. David Henry, Henry Architects

158
159 Councilor Lawrence Ortega asked if change order #3 was approved as it is presented, the contractor would be
160 committed to doing it at this price. Mr. Henry stated yes. Councilor Brent Jaramillo stated that he is favor of the
161 portal instead of the cabinets; the cabinets are still in decent shape.

162
163 A motion was made by Council Brent Jaramillo to approve proposal #3 with the contingencies from Workforce
164 Solutions regarding the wage rates. The motion was seconded by Councilor Lawrence Ortega. Councilor John
165 Ortega would like a discussion; He would like to hear the answer from Workforce Solutions tomorrow before voting
166 on this item.

167
168 Motion: Councilor Brent Jaramillo
169 Second: Councilor Lawrence Ortega

170
171 In Favor: Councilor Brent Jaramillo
172 Councilor Lawrence Ortega
173 Opposed: Councilor John Ortega

174
175 To approve Proposal #3. Motion carried.

176
177 B. Approval of Change Order #1 - Village of Questa Wastewater Collection System Improvements
178 (CDBG Project)

179
180 Removed from Agenda.

182 IX. FINANCIALS – Ms. Karen Shannon, Finance Director

183
184 A. Review of February Financials

185
186 Ms. Shannon stated that the Village Attorney has not billed the Village since October of 2016. They have been
187 contacted and have not yet responded with the invoices. Councilor Lawrence Ortega asked if the attorney has
188 indicated why they haven't billed. Ms. Shannon stated no. Councilor Lawrence Ortega asked if we were on the
189 benchmark. Ms. Shannon stated no. Some are on the benchmark, some are not. Some expenses are, some are not.
190 He asked at what point a BAR would be brought to us on those expenses that are not. Ms. Shannon stated that some
191 are in the DFA Bars already.

192
193 Councilor John Ortega welcomed Ms. Shannon back and hopes she is doing well. He asked how much we have
194 outstanding regarding the water emergency invoices. Ms. Shannon stated that we have \$80,055.49 outstanding. She
195 stated that she met with a representative from Homeland Security. We have to send proof of payment to get
196 reimbursed. We need to show we have paid all invoices. It usually takes 6 months to review, but we are on special
197 notice with the Secretary and would try to fast track us through. She is hoping that these invoices will be approved
198 and she can issue the checks to turn them in to Homeland Security. Councilor John Ortega asked, as we sit today,
199 how much money is in the General Fund. Ms. Shannon stated we show a negative but the transfers need to be done.
200 He then asked if the transfers are approved, what will be the balance. Ms. Shannon stated that it looks like the
201 general fund would have \$86,543.00 after the required reserve. Councilor Lawrence Ortega asked of the outstanding
202 \$80,055.49 that is still owed, does not include any of the funds that came from the Village share. Ms. Shannon stated
203 that is correct; it is not reflected in any of this. Councilor John Ortega stated that we will only be reimbursed 75%
204 of about \$320,000.00. Ms. Shannon stated that we are also eligible for Board of Finance Loan that could cover the
205 difference.

206

207 B. Review of Preliminary March Financials

208 Councilor John Ortega asked if the revenues have been coming in as expected. Ms. Shannon stated no. Utilities is
 210 below the benchmark; some of the General Fund is above the benchmark; property tax is higher through the third
 211 quarter, so the transfers to EMS and the Library are higher. The General Fund GRT is below; franchise tax is up.

212
 213 C. Approval of Internal Budget Adjustment Requests

214 These are mostly through the end of March.

215 Motion: Councilor Brent Jaramillo
 216 Second: Councilor Lawrence Ortega

217 In Favor: All
 218 Opposed: None

219
 220 To approve the Internal Budget Adjustment requests as presented. All voted yes. Motion carried.

221
 222
 223 D. Approval of DFA Budget Adjustment Requests – Resolution No. 2017-05

224 Motion: Councilor Brent Jaramillo
 225 Second: Councilor John Anthony Ortega

226 Roll Call:

227 Councilor Brent Jaramillo
 228 Councilor John Anthony Ortega
 229 Councilor Lawrence Ortega

230 To approve Resolution No. 2017-05, DFA Budget Adjustment Requests. All voted yes. Motion carried.

231
 232 E. Approval of Unpaid Vouchers

233 Ms. Shannon stated that these vouchers are as of May 5, 2017.

234 Councilor Lawrence Ortega asked how much of the Century invoice we have paid. Ms. Shannon stated we initially
 235 paid them \$55,249.06 and then \$50,000.00. We still owe them \$50,000.00. Councilor Lawrence Ortega commented
 236 that on page 4 where we have the Adame Construction invoice for the water emergency, we had previously talked
 237 about holding off on this until we talked about their change order for the waste water project. Councilor Lawrence
 238 Ortega stated that if the check is printed and Homeland Security does not reimburse us for it, how is that then handled.
 239 Ms. Shannon stated that this is the issue; she understood that this invoice would be submitted as part of the
 240 emergency. If not, she will pull it.

241 A motion to approve the unpaid vouchers with the exception of Adame Construction was made by Councilor John
 242 Ortega. Seconded by Councilor Brent Jaramillo.

243 In Favor: Councilor Brent Jaramillo
 244 Councilor John Ortega
 245 Opposed: Councilor Lawrence Ortega

246 To approve the unpaid Vouchers with the exception of Adame Construction. Motion carried.

258 C. Formal Approval of NMDOT MAP-7655(907) Cabresto Road Engineering Design proposal – Task
 259 Order No. 032117 – Wilson & Company, Inc., Engineers & Architects (*Approved at 04/25/2017 Meeting*)

261 Mr. Juarez-Infante stated that we had discussion on this item as well as the following item at the last Council
 262 meeting. These items were placed on the agenda for formal approval.

263
 264 Motion: Councilor Lawrence Ortega
 265 Second: Councilor John Anthony Ortega

266
 267 In Favor: All
 268 Opposed: None

269
 270 To approve the NMDOT MAP-7655(907) Cabresto Road Engineering Design proposal – Task Order No. 032117 –
 271 Wilson & Company, Inc., Engineers & Architects. All voted yes. Motion carried.

272
 273 D. Formal Approval of NMDOT COOP SP-5-16(195) CN: L500192 FY2017 Engineering Design
 274 proposal – Wilson & Company, Inc., Engineers & Architects (*Approved at 04/25/2017 Meeting*)

275
 276 Motion: Councilor Brent Jaramillo
 277 Second: Councilor John Anthony Ortega

278
 279 In Favor: All
 280 Opposed: None

281
 282 To approve NMDOT COOP SP-5-16(195) CN: L500192 FY2017 Engineering Design proposal – Wilson &
 283 Company, Inc., Engineers & Architects. All voted yes. Motion carried.

284
 285 ** At this time a motion was made to take a 5-minute break by Councilor Lawrence Ortega, seconded by
 286 Councilor John Ortega. All were in favor. A five minute break was taken at 9:47pm.

287 **A motion was made to reconvene from the break by Councilor Lawrence Ortega, seconded by Councilor John
 288 Ortega. All were in favor. The meeting re-convened at 9:55pm.

289
 290 F. Approval of Maintenance Contract for Ambulance / Ms. Raynelle Cordova, EMS Director

291
 292 Ms. Raynelle Cordova informed the Governing Body that she is proposing this contract with Mr. Vialpando at
 293 Northern NM Diesel for maintenance on the ambulances. She called around Taos County and Colorado for quotes
 294 and received one from Santa Fe and one from Alamosa. She stated that the Village Attorney has reviewed it.

295
 296 Councilor Lawrence Ortega asked if it was for a one year term. Ms. Cordova stated yes. Councilor John Ortega
 297 confirmed with Ms. Shannon that we have a maintenance budget within the EMS Department. Ms. Shannon stated
 298 there is plenty of money in the EMS for this contract.

299
 300 Motion: Councilor Lawrence Ortega
 301 Second: Councilor John Anthony Ortega

302
 303 In Favor: All
 304 Opposed: None

305
 306 To approve the Maintenance Contract for Ambulance with Northern NM Diesel. All voted yes. Motion carried.
 307

308 Councilor John Ortega asked Ms. Cordova when the contract was up with our current EMS billing company. Ms.
309 Cordova stated that contract can be terminated with a 60 day notice. Councilor John Ortega stated that he was glad
310 that she was going to Florida for the billing training.

311 G. Appointment of a voting designee for the Kit Carson Electric Cooperative Board elections.

312 Ms. Martinez informed the Governing Body that Kit Carson Electric will hold their board election here at the Village
313 of Questa on Thursday. A business meeting will be held before the election begins so we will need to appoint a
314 voting designee to vote on behalf of the Village.

315 Councilor John Anthony Ortega made a motion to appoint Council Lawrence Ortega to serve as the designee. The
316 motion was then seconded by Councilor Brent Jaramillo.

317
318 In Favor: All
319 Opposed: None

320 To appoint Councilor Lawrence Ortega as the voting designee for the Kit Carson Electric Cooperative Board
321 elections. All voted yes. Motion carried.

322 H. Consideration of imposing a travel ban - to include all employees, Council and Mayor until new
323 Administrator is hired and budget is resolved

324 Councilor John Ortega stated that he believes that we need to watch our travel by imposing a travel freeze in light of
325 our current financial situation and until we get an Administrator on board. Mayor Gallegos asked Ms. Shannon if
326 these funds for training and travel are coming out of the Rapid Action fund as opposed to the general fund. Ms.
327 Shannon stated that there was budget authority in different funds for travel and training. During her absence it was
328 brought to her attention that the fund could be used not only for the Mayor and Council, but for all employees. She
329 has been charging some of the travel and training to the Rapid Action fund. Councilor Lawrence Ortega commented
330 that the decision that was made to charge it to specific departments was made by the Administrator and the Finance
331 Office several months ago, so why was the decision to charge it to the Rapid Action fund made. Ms. Shannon stated
332 that she was told recently that this fund could be used for other employees also. Councilor Lawrence Ortega stated
333 that this is not what the Administrator had decided to do and is wondering why it was reverted to doing it this way.
334 Mayor Gallegos stated that he believes it was done because of a lack of funds for travel and training in each
335 department that was needed to get staff to their trainings. Ms. Shannon stated that there was very little training
336 money in some of the departments. Councilor Lawrence Ortega stated that there was money budgeted in all
337 departments in the budget for training. Ms. Shannon stated that if there was ample money in the department's budget
338 for training it was paid out of the department, if there was not she paid it out of the Rapid Action fund.

339 Councilor John Ortega made a motion to impose a travel freeze to include all employees Mayor and Council until
340 an Administrator is hired and our Fiscal year 2017-2018 budget is resolved unless approved by the Council. The
341 motion was then seconded by Councilor Lawrence Ortega.

342 In Favor: All
343 Opposed: None

344 To approve imposing a travel freeze - to include all employees, Council and Mayor until new Administrator is hired
345 and budget is resolved; unless approved by the Council. All voted yes. Motion carried.

346 I. Consideration of imposing a hiring freeze until a new Administrator is hired.

347 Councilor John Ortega motioned to impose a hiring freeze until an Administrator is hired. The motion was then
348 seconded by Councilor Lawrence Ortega.

360 In Favor: Councilor Lawrence Ortega and Councilor John Ortega
 361 Opposed: Councilor Brent Jaramillo

363 To approve imposing a hiring freeze until a new Administrator is hired. Motion carried.

364

365 J. Discussion and action on hiring policy for all Village employees

366

367 Ms. Martinez informed the Governing Body that we do currently have a hiring policy. Ms. Martinez asked the
 368 Governing Body for their recommendation and direction.

369

370 Councilor John Ortega stated that his concern is are people being hired without being brought to the Council's
 371 attention; he knows that in the past anyone that was hired was brought to the Council for approval. Is this part of the
 372 policy and maybe something we got away from? Ms. Martinez stated that according to our current hiring policy new
 373 hires are not required to be brought to Council for approval. Ms. Martinez stated that she has seen it happen both
 374 ways and believes it has been dependent upon the Administrator at the time and what the Council has asked.

375

376 Councilor Brent Jaramillo stated that we should begin reviewing the entire personnel policies. The hiring policy is
 377 part of it. Councilor John Ortega agreed.

378

379 A motion to take action to direct staff to start reviewing the Personnel Policies was made by Councilor John Ortega,
 380 seconded by Councilor Lawrence Ortega.

381

382 In Favor: All
 383 Opposed: None

384

385 To approve the direction of staff to start reviewing the Personnel Policies. All voted yes. Motion carried.

387 E. Discussion and Approval of hire of Tourism Coordinator

388

389 Ms. Martinez stated that the job description for this position was approved by the Council at a prior meeting. It was
 390 also approved by Council to advertise for the position, which was done. Two applications were received. One of
 391 the applicants was Ms. Alberta Bouyer. The other applicant had no prior experience in tourism, marketing or
 392 anything related to this field. Ms. Martinez stated that we were in the process of moving forward with the hiring of
 393 Ms. Bouyer as a temp employee from May to October in order to open the Visitor's Center. Ms. Martinez asked the
 394 Governing Body how they would like to proceed. Councilor Brent Jaramillo stated that he will motion but believes
 395 that the previous action negates this one.

396

397 Ms. Bouyer stated that the paperwork was done in good faith as per the current hiring policies.

398

399 A motion was made by Councilor Brent Jaramillo to hire Ms. Alberta Bouyer as Tourism Director as a temporary
 400 employee. The motion dies due to lack of a second.

401

402 Councilor John Ortega asked that we have some discussion on this in Executive Session.

403

404 A motion was made by Councilor Brent Jaramillo to table the discussion and approval until after Executive Session.
 405 The motion was seconded by Lawrence Ortega.

406

407 In Favor: All
 408 Opposed: None

409

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

411

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

414 A. Limited Personnel Matters (Section 10-15-1(H) (2)) – Village Administrator Position & Staff
 415 Decisions

416
 417 A motion to enter into Executive Session was made by Councilor Brent Jaramillo, seconded by Councilor Lawrence
 418 Ortega.

419
 420 Roll Call:

421
 422 Councilor John Anthony Ortega YES

423 Councilor Lawrence Ortega YES

424 Councilor Brent Jaramillo YES

425
 426 Mayor Gallegos stated that the Governing Body will go into Executive Session to discuss only the item listed. The
 427 Governing Body entered into Executive Session at 10:18pm.

428
 429 A motion was made to reconvene from Executive Session at 11:02 pm by Councilor John Anthony Ortega, seconded
 430 by Councilor Lawrence Ortega.

431
 432 Roll Call:

433
 434 Councilor Lawrence Ortega YES

435 Councilor Brent Jaramillo YES

436 Councilor John Anthony Ortega YES

437
 438
 439 Mayor Gallegos stated that only the items listed were discussed during closed session. There was no action taken.

440 E. Discussion and Approval of hire of Tourism Coordinator – (Tabled until after Executive Session)

441
 442 A motion to hire Ms. Alberta Bouyer as Tourism Coordinator was made by Councilor Brent Jaramillo.

443
 444 Councilor John Ortega motioned to table this item until our May 18th meeting. The motion was seconded by
 445 Councilor Brent Jaramillo.

446
 447 XI. **ACTION ITEM** – Village Administrator Selection

448
 449 A. Approval / Disapproval of Mayor's Recommendation for Village Administrator Position

450
 451 Mayor Gallegos stated that he has no recommendation at this time.

452
 453 XII. **MATTERS FROM MAYOR AND COUNCIL**

454
 455 Councilor Lawrence Ortega inquired about the status if the Beautification Project. Ms. Martinez stated that it is still
 456 underway and is not sure when the completion date is but believes that it will be another couple of weeks. Councilor
 457 Lawrence Ortega asked Ms. Martinez if she believes the deadline for the paperwork to get the emergency loan
 458 converted to a grant will be met. Ms. Martinez stated that she is working with Attorney Randy Autio on getting this
 459 done. Councilor Lawrence Ortega stated that we should make every effort to convert the loan to a grant and the rate
 460 study is part of it. Ms. Martinez stated yes.

461
 462 XIII. **ADJOURNMENT**

463
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464 Motion: Councilor John Ortega
Second: Councilor Lawrence Ortega

467 In Favor: All
468 Opposed: None


469
470 There being no further business to discuss, the meeting was adjourned at 11:17pm.

471
472
473 **ATTEST:**

474 
475 _____
476 Renee Martinez, CMC
477



APPROVED:



Mark Gallegos, Mayor