

1 **VILLAGE OF QUESTA**
 2 **REGULAR MEETING MINUTES**
 3 **TUESDAY, MAY 22, 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 6:05pm.
 10

11 II. **ROLL CALL**
 12

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

15 Present:
 16

- 17 Councilwoman Louise T. Gallegos
- 18 Councilman Charlie I. Gonzales
- 19 Councilman John Anthony Ortega

20
 21 Not Present:
 22

23 Councilman Brent P. Jaramillo
 24

25 Also Present:
 26

- 27 Administrator Nicholas Maestas
- 28 Village Clerk Renee Martinez
- 29 Finance Director Karen Shannon
- 30 Attorney Lance Hough

31
 32 III. **PLEDGE OF ALLEGIANCE**
 33

34 Mr. Lance Hough led the Pledge of Allegiance.
 35

36 IV. **APPROVAL OF AGENDA**
 37

38 Village Administrator Nicholas Maestas requested an executive session item regarding limited personnel
 39 matters. (XII-B)
 40

41 Motion: Councilwoman Gallegos
 42 Second: Councilman Gonzales
 43

44 In Favor: All
 45 Opposed: None
 46

47 To approve the agenda as amended. All voted yes. Motion carried.
 48

49 V. **PUBLIC COMMENTS** – *(It is the policy of the Governing Body to accept public comment. Because*
 50 *your particular issue is not on the agenda the Governing Body cannot respond immediately, but may direct staff*
 51 *to address issues at a future Council Meeting. Public comments are limited to a maximum of three minutes.)*
 52

- 53 • Ms. Jeannie Masters – Thanked the Governing Body for their support with the Northcentral Food
54 Pantry.
55

56 VI. **PRESENTATIONS** -

57 A) Questa Economic Development Fund Board Update - Mr. Malaquias Rael, Board Chairman
58

59 Ms. Lindsay Mapes, QEDF Management Consultant update the Governing Body on the following:
60

- 61 • Fishing Guide Scholarship Program – There were several applicants, 3 were awarded; they attended a 3
62 day training.
- 63 • Questa Del Rio Colorado newspaper – New edition coming out June 1st. This is the first month that we
64 are fiscally viable. It is growing and may go to 20 pages. It will be distributed in Red River also.
- 65 • Visitor Center – Staffing it this summer with young people who will go through a high school professional
66 development training. More details in June.
- 67 • Development Consultant – Submitted 4 grants; starting a revolving loan fund in late 2018 or beginning
68 2019.
- 69 • Banner Project – collaborating with QCC
- 70 • Gateway signage project – collaborating with QCC
71

72 Inquired if there was anything within the LEDA program to assist with child care.
73

74 Councilman Gonzales suggested the QEDF inquire with the NMDOT signage department regarding the signage.
75

76 Councilwoman thanked the QEDF for everything they are doing.
77

78 Councilman Ortega stated that the banners that were put up recently look very nice. Chairman Rael of QEDF
79 stated that they would like to know how much of the hardware needs to be replaced before they start their banner
80 project.
81

82 B) Questa Creative Council (QCC)
83

84 Ms. Alberta Bouyer informed the Governing Body on the history trail project history and upcoming projects.
85 They are looking to secure more grants for more projects. A representative from the National Parks Service was
86 also present in regards the services they have and will provide to the QCC.
87

88 Councilwoman Gallegos stated that she was overwhelmed with all the activity going on in Questa. It would be
89 great to get more people involved. Ms. Bouyer invited everyone to the come out to the trail June 2nd for input.
90 Councilman Ortega suggested a second run be offered during the fiestas on June 10th. Councilman Ortega also
91 inquired about any liability the Village would be facing in regards to the trail being along a Village road, if
92 someone would get hit. Mr. Hough stated that he would need to know all of the facts. Safety messaging was
93 discussed and will be addressed. Mr. Flavio Cisneros, QCC member stated that the people who join them on the
94 walking trails could sign a release of liability or we could have guards walking with us.
95

96 VII. **DISCUSSION ITEM**

97 A) Enchanted Circle of Governments (IGC), Joint Powers Agreement
98

99 Mr. Maestas stated that this draft is included in the meeting packet and will be included as an action item on the
100 next meeting agenda. The IGC has endorsed this JPA and is also recommending its support so we can continue
101 to move forward.
102

103 Councilman Gonzales stated that he read through this and is recommending that the Resolution include something
104 regarding safety and drug and opioid prevention.

105 **B) Questa Municipal Airport Update**

106

107 Mr. Maestas informed the Governing Body regarding the status of the Questa Municipal Airport. He stated that
 108 the Village has been working diligently to get the airport in compliance with FAA guidelines. He stated that the
 109 last beacon had fallen over and has been down for a while now. Through FAA funding it has been repaired. Many
 110 complaints from residents in the El Rito/Cerro/ Sunshine area have come to the Village regarding it. He has
 111 reached out personally to the FAA and the NMDOT Aviation Division to ask them if this is something that can
 112 be resolved in a matter that does not interfere with compliance issues. He has received feedback from other
 113 airports to set the beacon 10 degrees above horizontal to try to avoid the light shining in homes. A shield can also
 114 be fabricated that will have an angle to prevent the light in homes.

115

116 Councilman Gonzales asked how long the beacon has been down. Mr. Maestas stated that he does not know how
 117 long it has been down. Mayor Gallegos stated that the Village has been trying to get back into compliance. The
 118 beacon is one item that is necessary. We need to get back into the basic compliance before we can move onto
 119 more sophisticated and advanced technologies. All we can do right now is adjust it the 10 degrees and hope it
 120 alleviates some of the issue until we can fabricate the shield.

121

122 Mayor Gallegos opened the floor up to the residents that were present to state their concerns.

123

- 124 • Ms. Cami Thompson, El Rito – The light is really obnoxious and affects the dark sky. A lot of us moved
 125 here for the dark sky. The dark skies are disappearing; this is one of the few places left in the country
 126 that has a dark sky and is being ruined by the light. Tourists will be going to Wild Rivers to see the stars
 127 and camp and it will be ruined. Airplane fuel is the worst kind of air pollution.
- 128 • Mr. John Reiser - Why did this start a couple of weeks ago, go off and come on again. Mr. Maestas stated
 129 that the pilots can turn on the runway lights when they are flying in. The pilot cannot turn the beacon on
 130 or off.
- 131 • Representative from the Latir Fire Department – Presented signatures from members of their department
 132 with their concerns. She inquired about a possible Taos County Dark Skies Ordinance.
- 133 • Lou McCall, El Rito – Was not aware of the beacon existing until it was replaced. It is very annoying
 134 and it took them a while to figure out it was coming from the airport.
- 135 • Carl, El Rito – Has been here for 22 years. Expressed his gratitude to those who are originally from here.
 136 Happy to be a part of it. We can go hunting and fishing in our back yard and we have the Rio Grande in
 137 our front yard. He thanked the Council and Mayor for listening to his concerns.

138

139 Village employee Mr. Donald Casaus stated that he came to the meeting to hear fist hand the concerns and we
 140 will try to get them resolved as soon as possible.

141

142 Councilman Ortega stated that he grew up a few yards from here and remembers when they first built the airport
 143 and remembers seeing the light from here. He has not seen it yet but will go out to see their concerns.

144

145 Councilwoman Gallegos thanked Mr. Maestas for calling all the people personally who had complaints to inform
 146 them of this meeting.

147

148 **C) Youth Center Volunteer Agreement**

149

150 Mr. Maestas stated that he and Mr. Hough have been working on an MOU for volunteers to open the Youth Center
 151 outside of the regular hours.

152

153 Councilman Gonzales would like this agreement to come before the council for approval.

154

155 **VIII. ACTION ITEMS**

156 **A) Discussion, Consideration & Decision / Utility Billing Adjustments**

157 Mayor Gallegos stated that in the meeting packet there is a list of outstanding accounts that the staff is asking to
 158 be written off to get them off the books.

159

160 Motion: Councilman Gonzales – to approve these accounts be taken off the books.

161 Second: Councilman Gallegos

162

163 In Favor: All

164 Opposed: None

165

166 To approve the removal of the presented utility billing accounts from the books. All voted yes. Motion carried.

167

168 **B) Discussion, Consideration & Decision regarding Community Against Violence request**

169

170 Mayor Gallegos stated that the Village has made this contribution to CAV annually. Ms. Shannon state that this
 171 was not in the budget last year, this year or the next fiscal year. Mayor Gallegos stated we can notify CAV that
 172 we can support them by making payments to them beginning the new fiscal year.

173

174 Councilman Ortega stated that this is a great program but is there another other way we can support them. He
 175 does not like to spend money we don't currently have and not know if we are ever going to get it.

176

177 Councilwoman Gallegos stated that she completely understands but when she was on the board in the past it was
 178 in the budget. It is important that we support it because you have no idea how many Questa residents use it. She
 179 stated that she has helped them in many ways because she has sought out their services in the past. She agrees
 180 with Mayor Gallegos in that we make the commitment and she knows that they will take payments.

181

182 Councilman Ortega stated that he is fine with the contribution to them but wants to know how we are going to
 183 pay it.

184

185 Judge Michael Rael stated that he sometimes send people from his court to CAV. They have are one of the best
 186 programs for helping men, women and children. He stated that they would be ok with the Village saying if there
 187 is money in our budget, we will help. Also, this can be done through the radio-thon.

188

189 Mayor Gallegos strongly suggested we pay this down the road. We need to support them.

190

191 Motion: Councilwoman Gallegos

192 Second: Councilman Gonzales

193

194 Discussion –

195

196 Councilman Ortega asked if we are approving the invoice for last year. Mayor Gallegos stated yes. Councilman
 197 Ortega asked if we are approving money from last year to pay an invoice. Ms. Shannon stated it will have to
 198 come out of this year's budget. Councilwoman Gallegos stated that we will let CAV know that we can't pay this
 199 one but we can pay one for next fiscal year. Councilman Ortega asked if CAV will be expecting an invoice paid
 200 for the 2017-2018 year; an invoice was sent to us – was there a promise made to CAV last year that we need to
 201 approve this invoice? This is not a request for next fiscal year, it is an invoice for this year.

202

203 Mayor Gallegos stated that a motion and a second was made. Councilwoman Gallegos stated that we need
 204 clarification. Councilwoman Gallegos withdrew her motion.

205

206 Ms. Shannon stated that if the Council chooses to pay this invoice, we can take it out of the cash balance; this will
 207 decrease the cash balance that is carried over into next fiscal year.

208 Councilwoman Gallegos stated that she spoke with the Director of CAV and she is willing to come up and give
 209 a presentation; she was not aware of the date on the invoice.

210

211 Motion: Councilman Ortega – To table until the next meeting.

212 Second: No Second

213

214 Mayor Gallegos informed the Council that the motion dies due to lack of a second.

215

216 Motion: Councilman Gonzales – To pay the invoice this fiscal year, out of the cash balance.

217 Second: Councilwoman Louise Gallegos

218

219 In Favor: Councilman Gonzales, Councilwoman Louise Gallegos

220 Opposed: Councilman Ortega

221

222 To approve the payment of the Community Against Violence Invoice for the current fiscal year - out of the cash
 223 balance. With a 2 to 1 vote. Motion carried.

224

225 IX. **FINANCIALS** – Ms. Karen Shannon, Finance Director

226 A) Review & Approval of Fiscal Year 2019 Interim Budget

227

228 Ms. Shannon stated that the adjustments that were requested at the last Council Meeting are included. There were
 229 a couple more which she has highlighted in green. A large franchise fee payment was received for this fiscal year
 230 as well as a large property tax payment which have been included. Judge Rael has given the General Fund another
 231 \$7,000.00 from the corrections fund. Judge Rael stated that he will also give the \$2,000.00 for the CAV invoice.

232

233 Ms. Shannon requested we put the janitorial position back in the budget at 8 hours per week. Ms. Shannon also
 234 made the request for travel for a procurement training for Ms. Coleman and Mr. Maestas in Taos.

235

236 Councilman Ortega stated that he is a little disappointed with the budget this year. If we experience the same
 237 revenues next year, the \$50,000.00 CD we used to balance the budget is going to have to come out of somewhere.
 238 He stated that next time we need to do a better job sitting down for possibly a full say and discuss budget. We are
 239 elected and we need to make those tough decisions; we cannot base our budget on what we hope it's going to be
 240 we have to budget off of what it actually is. It was not good this year. It's disappointing that we had to move
 241 that \$50,000.00 out of savings; we may need it. Mayor Gallegos stated that the staff has asked numerous times,
 242 since March, to come in at start discussing the budget; weekends or evenings. It did not happen. The staff put this
 243 budget together on their own with little participation from the Governing Body. We put this budget together and
 244 we will have to work harder on it next year. Councilman Ortega stated that he is not blaming this on the staff.
 245 Councilman Ortega requested a list of loans and all debt the Village currently has. Councilman Ortega stated that
 246 he is fine with adding in the requested travel and training but does not think we should add in the janitorial position
 247 yet.

248

249 Motion: Councilman Ortega – To approve the presented budget with the addition of the requested travel and
 250 training.

251

252 Discussion –

253

254 Councilman Gonzales believes we should keep the janitorial position. Councilwoman Gallegos stated that having
 255 the staff clean the offices is a lot of work and believes it will takes away from the daily duties; she believes the
 256 janitorial position is very important to have; if we can bring it back into the budget we need to. Ms. Shannon
 257 stated that we can put it back into the budget and it will come out of the cash balance.

258

259 Mayor Gallegos asked for a second to the motion. There was none. Mayor Gallegos stated the motion dies due
 260 to lack of a second.

261
 262 Motion: Councilman Charlie Gonzales – To approve the presented budget to include the proposed travel and
 263 training in July and to include the janitorial position.

264
 265 Second: Councilwoman Louise Gallegos

266
 267 In Favor: Councilman Gonzales, Councilwoman Louise Gallegos
 268 Opposed: Councilman Ortega

269
 270 To approve the Fiscal Year 2019 Interim Budget to include the above requests. With a 2 to 1 vote. Motion
 271 carried.

272
 273 X. **MATTERS FROM ATTORNEY** – Lance Hough

274
 275 Mr. Hough briefed the Council on the following:

- 276
 277 • The Office of the Natural Resources Trustee released the final version of the restoration plan /
 278 environmental assessment for the NRDA funds. Councilman Ortega asked for the dollar amounts of each
 279 project. Mr. Hough stated that he will get the dollar amounts. Councilman Gonzales suggested we have
 280 a meeting once Mr. Hough gets all the information so we can discuss as how we are going to move
 281 forward with all the projects.

282
 283 Councilman Ortega inquired if the \$2,500.00 approval for CAV that was approved earlier, in any way, is anti-
 284 donation. Mr. Hough stated that it is not a violation, as long as CAV provides services to the community.

285
 286 XI. **MATTERS FROM ADMINISTRATOR, MAYOR AND COUNCIL** – Mr. Nicholas Maestas

287
 288 Councilwoman Gallegos inquired about how get information on the marquee in town. The fire restrictions as well
 289 as the Healing Field information should be on there. Councilwoman Gallegos also stated that some constituents
 290 inquired about why they have to pay for sewer if their water is off. Mr. Maestas stated that because the Village
 291 received a sewer bond for the sewer infrastructure, it was agreed that all sewer connections would pay the monthly
 292 fee until the sewer bond is paid. Councilwoman Gallegos stated that she thought that bond had already matured.
 293 Mr. Maestas stated that the bond should mature in about 2-3 years.

294
 295 Mr. Maestas stated he is working with Mr. Hough on the sewer motor issue. He also gave an update on the
 296 Healing Field.

297
 298 XII. **EXECUTIVE SESSION** - *(The Governing Body may convene into Executive Session at this time*
 299 *pursuant to the NM Open Meetings Act NMSA 1978 10-15-1)*

300 A) **Pending or Threatening Litigation - (§ 10-15-1(H) (7))** – Adame Construction

301
 302 A motion to enter into Executive Session was made by Councilwoman Ortega, seconded by Councilman
 303 Gonzales.

304
 305 Roll Call:

306
 307 Councilman John Ortega YES
 308 Councilwoman Louise Gallegos YES
 309 Councilman Charlie Gonzales YES

310

311 Mayor Gallegos stated that the Governing Body will go into Executive Session to discuss only the items listed.
312 The Governing Body entered into Executive Session at 8:55pm.

313
314 A motion was made to reconvene from Executive Session at 9:11pm by Councilwoman Gallegos, seconded by
315 Councilman Ortega.

316
317 Roll Call:

- 318
- 319 Councilwoman Louise Gallegos YES
- 320 Councilman Charlie Gonzales YES
- 321 Councilman John Ortega YES

322
323 Mayor Gallegos stated for the record that only the item listed was discussed during closed session. There was no
324 action taken.

325
326 **XIII. OPEN SESSION ACTION ITEM** – Action on Potential Litigation

327
328 Councilman John Ortega made a motion to authorize the attorney to continue negotiations as well as work on
329 getting a resolution to this matter.

330
331 The motion was then seconded by Councilwoman Louise Gallegos.

332
333 In Favor: All
334 Opposed: None

335
336 To approve the authorization of the attorney to continue negotiations as well as work on getting a resolution to
337 this matter. All voted yes. Motion carried.

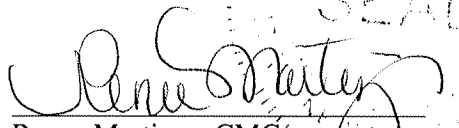
338
339 **XIV. ADJOURNMENT**

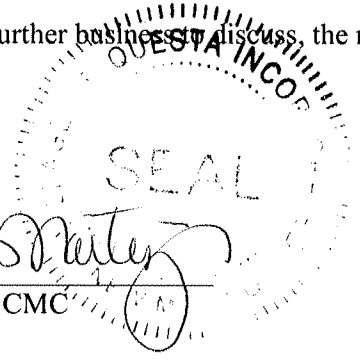
340
341 Motion: Councilman Gonzales
342 Second: Councilman Ortega

343
344 In Favor: All
345 Opposed: None


346
347 There being no further business to discuss, the meeting was adjourned at 9:13pm.

348
349
350 **ATTEST:**

351
352
353 
354
355 Renee Martinez, CMC



APPROVED:


Mark Gallegos, Mayor