VILLAGE OF QUESTA
REGULAR MEETING MINUTES
TUESDAY, MAY 22, 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 6:05pm.

II. ROLL CALL

Mayor Gallegos asked Village Clerk Renee Martinez to take roll.

Present:
Councilwoman Louise T. Gallegos
Councilman Charlie I. Gonzales
Councilman John Anthony Ortega

Not Present:
Councilman Brent P. Jaramillo

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

III. PLEDGE OF ALLEGIANCE

Mr. Lance Hough led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

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

Motion: Councilwoman Gallegos
Second: Councilman Gonzales

In Favor: All
Opposed: None

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

V. 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.)
VI. PRESENTATIONS -
A) Questa Economic Development Fund Board Update - Mr. Malaquias Rael, Board Chairman

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

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

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

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

Councilwoman thanked the QEDF for everything they are doing.

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

B) Questa Creative Council (QCC)

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

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

VII. DISCUSSION ITEM
A) Enchanted Circle of Governments (IGC), Joint Powers Agreement

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

Councilman Gonzales stated that he read through this and is recommending that the Resolution include something regarding safety and drug and opioid prevention.
B) Questa Municipal Airport Update

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

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

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

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

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

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

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

C) Youth Center Volunteer Agreement

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

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

VIII. ACTION ITEMS

A) Discussion, Consideration & Decision / Utility Billing Adjustments
Mayor Gallegos stated that in the meeting packet there is a list of outstanding accounts that the staff is asking to be written off to get them off the books.

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

In Favor: All
Opposed: None

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

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

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

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

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

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

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

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

Motion: Councilwoman Gallegos
Second: Councilman Gonzales

Discussion –

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

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

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

Village of Questa Regular Meeting
May 22, 2018
Councilwoman Gallegos stated that she spoke with the Director of CAV and she is willing to come up and give a presentation; she was not aware of the date on the invoice.

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

Second: No Second

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

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

Second: Councilwoman Louise Gallegos

In Favor: Councilman Gonzales, Councilwoman Louise Gallegos

Opposed: Councilman Ortega

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

IX. FINANCIALS – Ms. Karen Shannon, Finance Director

A) Review & Approval of Fiscal Year 2019 Interim Budget

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

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

Councilman Ortega stated that he is a little disappointed with the budget this year. If we experience the same revenues next year, the $50,000.00 CD we used to balance the budget is going to have to come out of somewhere. He stated that next time we need to do a better job sitting down for possibly a full say and discuss budget. We are elected and we need to make those tough decisions; we cannot base our budget on what we hope it’s going to be we have to budget off of what it actually is. It was not good this year. It’s disappointing that we had to move that $50,000.00 out of savings; we may need it. Mayor Gallegos stated that the staff has asked numerous times, since March, to come in at start discussing the budget; weekends or evenings. It did not happen. The staff put this budget together on their own with little participation from the Governing Body. We put this budget together and we will have to work harder on it next year. Councilman Ortega stated that he is not blaming this on the staff.

Councilman Ortega requested a list of loans and all debt the Village currently has. Councilman Ortega stated that he is fine with adding in the requested travel and training but does not think we should add in the janitorial position yet.

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

Discussion –

Councilman Gonzales believes we should keep the janitorial position. Councilwoman Gallegos stated that having the staff clean the offices is a lot of work and believes it will take away from the daily duties; she believes the janitorial position is very important to have; if we can bring it back into the budget we need to. Ms. Shannon stated that we can put it back into the budget and it will come out of the cash balance.
Mayor Gallegos asked for a second to the motion. There was none. Mayor Gallegos stated the motion dies due to lack of a second.

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

Second: Councilwoman Louise Gallegos

In Favor: Councilman Gonzales, Councilwoman Louise Gallegos

Opposed: Councilman Ortega

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

X. MATTTERS FROM ATTORNEY – Lance Hough

Mr. Hough briefed the Council on the following:

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

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

XI. MATTTERS FROM ADMINISTRATOR, MAYOR AND COUNCIL – Mr. Nicholas Maestas

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

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

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

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

Roll Call:

Councilman John Ortega  YES
Councilwoman Louise Gallegos  YES
Councilman Charlie Gonzales  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 8:55pm.

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

Roll Call:

Councilwoman Louise Gallegos     YES
Councilman Charlie Gonzales        YES
Councilman John Ortega             YES

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

XIII. OPEN SESSION ACTION ITEM – Action on Potential Litigation

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

The motion was then seconded by Councilwoman Louise Gallegos.

In Favor: All
Opposed: None

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

XIV. ADJOURNMENT

Motion: Councilman Gonzales
Second: Councilman Ortega

In Favor: All
Opposed: None

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

ATTEST:

Renee Martinez, CMC

APPROVED:

Mark Gallegos, Mayor

Village of Questa Regular Meeting
May 22, 2018