

1 **VILLAGE OF QUESTA**
2 **REGULAR MEETING MINUTES**
3 **TUESDAY, NOVEMBER 14, 2017**
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 6:03 pm.

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 Councilor Julian Cisneros

20
21 **Also Present:**

22 Administrator Nicholas Maestas
23 Village Clerk Renee Martinez
24 Finance Director Karen Shannon
25 Village Attorney Lance Hough

26
27 III. **PLEDGE OF ALLEGIANCE**

28
29 Attorney Lance Hough led the Pledge of Allegiance.

30
31 IV. **APPROVAL OF AGENDA**

32
33 Motion: Councilor John Ortega
34 Second: Councilor Julian Cisneros

35
36 In Favor: All
37 Opposed: None

38
39 To approve the agenda as presented. All voted yes. Motion carried.

40
41 V. **APPROVAL OF MINUTES**

- 42
43 • October 10, 2017 – Regular Meeting

44
45 Motion: Councilor Brent Jaramillo
46 Second: Councilor Julian Cisneros

47
48 In Favor: All
49 Opposed: None

50
51 To approve the October 10, 2017 meeting minutes as presented. All voted yes. Motion carried.

- 52 • October 24, 2017 – Regular Meeting

53 Motion: Councilor Lawrence Ortega
 54 Second: Councilor John Ortega

55
 56 In Favor: All
 57 Opposed: None

58
 59 To approve the October 24, 2017 meeting minutes as presented. All voted yes. Motion carried.

60
 61 • October 31, 2017 – Special Meeting

62
 63 Motion: Councilor Brent Jaramillo
 64 Second: Councilor Julian Cisneros

65
 66 In Favor: All
 67 Opposed: None

68
 69 To approve the October 31, 2017 meeting minutes as presented. All voted yes. Motion carried.

70
 71 • November 6, 2017 – Special Meeting

72
 73 Motion: Councilor Brent Jaramillo
 74 Second: Councilor Lawrence Ortega

75
 76 In Favor: All
 77 Opposed: None

78
 79 To approve the November 6, 2017 meeting minutes as presented. All voted yes. Motion carried.

80
 81 VI. **PUBLIC COMMENTS** - *(It is the policy of the Governing Body to accept public comment. Because your particular*
 82 *issue is not on the agenda the Governing Body cannot respond immediately, but may direct staff to address issues at a future*
 83 *Council Meeting. Public comments are limited to a maximum of three minutes.)*

84
 85 Ms. Christy Arguello, Vista del Norte – Requested an action item for next meeting that would give the direction
 86 for a member of the council or administration to represent the local government sector of this Vista del Norte
 87 coalition, as well as local law enforcement sector, and EMS which currently is "other agency with experience."
 88 Other in-kind services were requested such as use of Village space for meetings, etc.

89
 90 VII. **ACTION ITEMS**

91 A. Discussion, Consideration & Decision – Fiscal Agent MOU between the Village of Questa and Taos
 92 County - Re: SAP Grant No. 17-B4122-STB – Questa Wells & Water System

93
 94 Mr. Maestas stated that the Taos County Commission, at their November 7th meeting approved this MOU to agree
 95 to be our fiscal agent for the above named NMED grant.

96
 97 Motion: Councilor Julian Cisneros
 98 Second: Councilor John Ortega, with discussion – Inquired if this grant will be used for the well house building.
 99 Mr. Maestas stated yes as well as other water system construction needs if possible. Also, inquired about how
 100 much longer will we need a fiscal agent to administer our grants. Mr. Maestas stated that he hopes that we will
 101 receive the ok after this current audit. Mayor Gallegos stated that this grant date fell under this requirement but
 102 believes that we no longer need a fiscal agent. Councilor Lawrence Ortega asked if we will be able to get the
 103 building up before the weather prohibits it. Mr. Maestas stated yes. Councilor Lawrence Ortega stated that we

104 need to have a scope of work and cost estimate before a contract is signed. Mr. Maestas stated hopefully we can
 105 get the Council the information for next meeting.

106

107 Roll Call:

108

109 Councilor John Ortega YES

110 Councilor Lawrence Ortega YES

111 Councilor Brent Jaramillo YES

112 Councilor Julian Cisneros YES

113

114 To approve the Fiscal Agent MOU between the Village of Questa and Taos County - Re: SAP Grant No. 17-
 115 B4122-STB – Questa Wells & Water System. All voted yes. Motion carried.

116

117 **B. Discussion, Consideration & Decision regarding the approval of Resolution 2017-22**

118 Re: SAP Grant No. 17-B4122-STB – Questa Wells & Water System

119

120 Mr. Maestas stated that this Resolution is a requirement from the state for the grant.

121

122 Motion: Councilor John Ortega

123 Second: Councilor Lawrence Ortega

124

125 Roll Call:

126

127 Councilor John Ortega YES

128 Councilor Julian Cisneros YES

129 Councilor Lawrence Ortega YES

130 Councilor Brent Jaramillo YES

131

132 To approve Resolution 2017-22, Re: SAP Grant No. 17-B4122-STB – Questa Wells & Water System. All voted
 133 yes. Motion carried.

134

135 **C. Discussion, Consideration & Decision regarding the approval of Letter of Support for NM State Game**
 136 Commission/ New Mexico Dept. of Game and Fish

137

138 Mr. Maestas stated there was some question regarding the wording in original letter. The NM State Game
 139 commission meeting is tomorrow.

140

141 Councilor John Ortega expressed his concerns regarding his opposition to this letter of support and does not see
 142 how these changes will help us with our fishing destination. He suggests a letter of opposition instead.

143

144 Councilor Lawrence Ortega asked if we can amend the letter to read that we are not in favor of the daily bag limit.

145 Mr. Maestas stated that it can be changed how the Council sees fit.

146

147 Councilor Brent Jaramillo thinks the Gaming Commission wants to attract anglers and they don't really care about
 148 the locals, they are trying to attract others to come fish the Red River. He stated that they are probably going to
 149 do it no matter what.

150

151 A discussion was held and it was decided for Attorney Lance Hough to draft a letter stating that the Village of
 152 Questa has interest in the game and fish community but also want to represent the Questa community and in result
 153 we will remaining neutral on the proposal but request that there is an increased stocking schedule.

154

155 Motion: Councilor John Ortega, amending the original letter to the wording stated above by Attorney
 156 Lance Hough.
 157 Second: Councilor Brent Jaramillo
 158

159 Roll Call:
 160

161 Councilor John Ortega YES
 162 Councilor Julian Cisneros YES
 163 Councilor Lawrence Ortega YES
 164 Councilor Brent Jaramillo YES
 165

166 To approve the amendment of the Letter of Support for NM State Game Commission/ New Mexico Dept. of Game
 167 and Fish. All voted yes. Motion carried.
 168

169 **VIII. DISCUSSION ITEMS**

170 **A. Discussion regarding Questa Land & Water Trust**
 171

172 Attorney Lance Hough stated that at the retreat, Marcus Rael went over the structure of the trust. PV Navigator
 173 was brought up as a potential proposal of what a project might look like if the QLW is established. He presented
 174 the Articles of Incorporation and By-Laws of the trust.
 175

176 Councilor John Ortega stated that Marcus Rael informed them that the 3 members of the public of the QWL board
 177 would be selected by the Village Council. He spoke with Marcus Rael after the retreat and was assured by him
 178 that this was still the case. Come to find out, that board is already in place. Attorney Lance Hough stated that the
 179 QEDF member recommendation was Ms. Louise Gallegos. There is still a Council position as well as 2 at large
 180 positions. He stated that Marcus Rael recommends an attorney be on the board since we are dealing with land and
 181 water transactions. Mr. Christian Isely stated that Chevron agrees with having an attorney on the board. Councilor
 182 Lawrence Ortega stated that at the October 24th meeting, we were told that the 3 at large members were to be
 183 selected by the Council; he has no problem with the names mentioned, it's just that if that changes, it puts this
 184 Council in an awkward position. Someone has already been spoken to and tentatively selected and if it doesn't go
 185 that way, we will be the bad guys. Councilor Brent Jaramillo agreed. Councilor John Ortega stated that they were
 186 told that there has to be a benefit to the Village. The land is not located in the Village limits, there is no benefit.
 187 Mr. Isely stated that there are ways it can be structured to receive the GRT's. A discussion was held regarding
 188 GRT's. Councilor John Ortega stated that he would like to see regarding the board, is a term limit. Also, additional
 189 language that specifies an ability to add additional properties and water under the QLW. A timeline was discussed.
 190

191 **B. Discussion regarding Village of Questa Ordinance No. 2015-144 Animal Welfare Ordinance**
 192

193 Mayor Gallegos stated that we have had some dog attacks. Our staff does not have the means to enforce this
 194 ordinance. Councilor John Ortega stated that there was conversation about bringing Mr. Jim Vaughn back.
 195 Councilor Lawrence Ortega asked if a citation can be issued. Mayor Gallegos stated that most of the dogs are
 196 unclaimed.
 197

198 Councilor Julian Cisneros stated that we don't have the capability to hold these animals. There is no way to enforce
 199 it.
 200

201 Councilor Brent Jaramillo asked the attorney that if the Council repeals this ordinance, is there a greater liability
 202 to the Village as opposed to keeping it and not enforcing it. The attorney stated that he does not know the specific
 203 answer but believes that if there is a repeal of the ordinance, without an agreement or understanding in place, there
 204 could be some potential for liability because it shows negligence on behalf of the municipality. He will look into
 205 this more and maybe find an ordinance that fits better within the Village's resources.
 206

207 It was decided to check into the following: Reach out to Red River and see if they would be able to assist us,
208 change Police officer job description to include enforcement and reach out to Taos County. It will be revisited in
209 the next couple of months.

210

211 C. Discussion regarding Village of Questa Ordinance No. 1972-36 Mayor / Council Attendance

212

213 Mayor Gallegos asked if the Council would possibly consider taking action on increasing the pay and pay per
214 meeting attendance. He would like to see the Governing Body operate as a whole. A decision would have to be
215 made before the election.

216

217 Councilor Julian Cisneros stated that he would be on board with this if the incentive would not go over what we
218 currently get right now. Councilor Lawrence Ortega stated we also have special meetings. Mayor Gallegos stated
219 that it would pertain to the regular meetings.

220

221 Mayor Gallegos proposed that we start the new 2018 election year with the Council getting \$200.00 per regular
222 meeting they attend, the Mayor receiving \$500.00 per regular meeting. Councilor Cisneros stated that the Council
223 will only get a quarter or a third of the Mayor's pay? Mayor Gallegos stated that he believes the Mayor should get
224 at least what the Judge gets paid. The judge has responsibilities of his own; the Mayor represents the community
225 as a whole and has a lot of other duties as well. The Mayor stated that the Council can put in whatever amount it
226 sees fit, he is just proposing this as a discussion; if the Council wishes to leave it as is, that is fine too. Councilor
227 Lawrence Ortega stated for the record that we all represent the Village as a whole. Mayor Gallegos stated that this
228 is the time that the Governing Body has the opportunity to make changes; whomever sits in this seat as Mayor
229 should get paid more than \$500.00 a month. Councilor Lawrence Ortega suggested the Council have time to digest
230 this and bring it up at the next meeting; he is in favor of revisiting it. Councilor Brent Jaramillo agreed. Councilor
231 John Ortega stated that he is not in favor of the raises at this point being that the employees had not received a
232 raise in eight years. Councilor Julian Cisneros agreed.

233

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

235

236 A. Discussion, Consideration & Decision regarding the approval of Unpaid Vouchers

237

238 Ms. Shannon stated that the Vouchers presented are as of November 07, 2017.

239

240 Councilor John Ortega inquired about the Berkadia invoice. Ms. Shannon stated that it is the company that we pay
241 our sewer bond loan to. Also, the invoice to Taos Pro Speed – is there a reason why we are taking our vehicles to
242 Taos for service instead of keeping the business local. We are sending more money making the trip to Taos to get
243 the oil change than we would have if we had it done local. Ms. Shannon stated that the CPO is working on a
244 maintenance plan. Mayor Gallegos stated if we are getting three quotes, of course the lowest one will be in Taos.
245 A discussion was held regarding travel and mileage.

246

247 Councilor Lawrence Ortega moved to approve the vouchers and table the Llano Community Irrigation Ditch
248 invoice until someone from the association comes before the Council to explain to us what is going on; he has a
249 lot of questions. We need to see the deeds that show water rights are tied to them. This motion was seconded by
250 Councilor John Ortega.

251

252 In Favor: All

253 Opposed: None

254

255 To approve the vouchers as presented with the exception of the Llano Community Irrigation Ditch invoice. All
256 voted yes. Motion carried.

257

258 X. MATTERS FROM ADMINISTRATOR – Mr. Nicholas Maestas

259 Mr. Maestas updated the Governing Body on the following:
260

- 261 • CDBG Sewer Project – All requests for reimbursements have been submitted. Councilor Lawrence
- 262 Ortega asked if the funding we had was sufficient. Mr. Maestas stated that we did.
- 263 • Abra Road - Northern Mountain Construction paved Abra Road on November 6. The risers need to be
- 264 put in and he is looking at a couple of contractors to do this. Councilor John Ortega stated that he thought
- 265 that the potholes on Abra and Cabresto had to be done also. Mr. Maestas stated that they do and he is
- 266 working on getting this work done in the next couple of weeks.
- 267 • The Trade Adjustment Assistance Program was approved for the displaced miners. We are looking at the
- 268 implementation process. He is working with the Department Workforce solutions and with Mr. Tommy
- 269 Lyles in getting in touch with all of the miners who are eligible.
- 270 • The Veteran’s Day ceremony at the Veteran’s Memorial Park was a success.
- 271 • Business Park – The funding of \$100,000.00 that the Village has available can be used for the EDA match.
- 272 • Auditors were here completing their fieldwork for the FY 2017 audit. The deadline is December 15th. The
- 273 exit conference will be scheduled soon.

274 Councilor Lawrence Ortega asked if we could again please start receiving our meeting packets on Fridays. Mr.
275 Maestas stated that with the auditors being here that week it was a struggle to get the packet out on time. We are
276 hoping to have the agenda finalized by Wednesday or Thursday to get the packet out on time. Councilor Brent
277 Jaramillo requested that the items that are carried on to the following meeting be included in the next packet.
278

279 XI MATTERS FROM ATTORNEY
280

281 Attorney Lance Hough updated the Council on the EDA funds and stated there is a good team administering it.
282 On the environmental side, Dr. Deb Miller was here at the mine site; as part of her geotechnical oversight. A
283 report will be put together and will be available to the Mayor and Council. Mayor Gallegos stated that he feels it
284 is important that Dr. Miller come to Questa and update the Council as well as an introduction to the new Governing
285 Body in March.
286

287 XII. MATTERS FROM MAYOR AND COUNCIL
288

289 Councilor John Ortega asked Mr. Maestas if he followed up with Mr. Joe Rael regarding the issue with his sister’s
290 property on Lower Embargo and SR 522. Mr. Maestas stated the he has not but will contact him this week.
291 Councilor John Ortega asked if it is possible to have a Christmas party for the employees this year. Mr. Maestas
292 stated he would look into it.
293

294 Councilor Lawrence Ortega asked if there is a warranty stipulation on the beautification project. Mr. Maestas
295 asked Councilor Ortega if he can come in and they can go out to do a walk through. Councilor Ortega stated that
296 he will come by.
297

298 XIII. ADJOURNMENT
299

300 Motion: Councilor John Ortega
301 Second: Councilor Lawrence Ortega
302


303 In Favor: All
304 Opposed: None
305

306 There being no further business to discuss, the meeting was adjourned at 8:35pm.
307

308 ATTEST:

309 
310 Renee Martinez, CMC

APPROVED:


Mark Gallegos, Mayor

