VILLAGE OF QUESTA
REGULAR MEETING MINUTES
TUESDAY, NOVEMBER 14, 2017
VILLAGE OF QUESTA COUNCIL CHAMBERS
6:00PM

I. CALL TO ORDER BY MAYOR MARK L. GALLEGOS

Mayor Gallegos called the meeting to order at 6:03 pm.

II. ROLL CALL

Mayor Gallegos asked Village Clerk Renee Martinez to take roll.

Present:
Councilor Lawrence Ortega
Councilor Brent Jaramillo
Councilor John Anthony Ortega
Councilor Julian Cisneros

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

III. PLEDGE OF ALLEGIANCE

Attorney Lance Hough led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

Motion: Councilor John Ortega
Second: Councilor Julian Cisneros

In Favor: All
Opposed: None

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

V. APPROVAL OF MINUTES

- October 10, 2017 – Regular Meeting

Motion: Councilor Brent Jaramillo
Second: Councilor Julian Cisneros

In Favor: All
Opposed: None

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

- October 24, 2017 – Regular Meeting
Motion: Councilor Lawrence Ortega
Second: Councilor John Ortega

In Favor: All
Opposed: None

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

- October 31, 2017 – Special Meeting

Motion: Councilor Brent Jaramillo
Second: Councilor Julian Cisneros

In Favor: All
Opposed: None

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

- November 6, 2017 – Special Meeting

Motion: Councilor Brent Jaramillo
Second: Councilor Lawrence Ortega

In Favor: All
Opposed: None

To approve the November 6, 2017 meeting minutes as presented. 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.)

Ms. Christy Arguello, Vista del Norte – Requested an action item for next meeting that would give the direction for a member of the council or administration to represent the local government sector of this Vista del Norte coalition, as well as local law enforcement sector, and EMS which currently is "other agency with experience."

Other in-kind services were requested such as use of Village space for meetings, etc.

VII. ACTION ITEMS

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

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

Motion: Councilor Julian Cisneros
Second: Councilor John Ortega, with discussion – Inquired if this grant will be used for the well house building. Mr. Maestas stated yes as well as other water system construction needs if possible. Also, inquired about how much longer will we need a fiscal agent to administer our grants. Mr. Maestas stated that he hopes that we will receive the ok after this current audit. Mayor Gallegos stated that this grant date fell under this requirement but believes that we no longer need a fiscal agent. Councilor Lawrence Ortega asked if we will be able to get the building up before the weather prohibits it. Mr. Maestas stated yes. Councilor Lawrence Ortega stated that we
need to have a scope of work and cost estimate before a contract is signed. Mr. Maestas stated hopefully we can get the Council the information for next meeting.

Roll Call:

Councillor John Ortega    YES
Councillor Lawrence Ortega  YES
Councillor Brent Jaramillo  YES
Councillor Julian Cisneros    YES

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

B. Discussion, Consideration & Decision regarding the approval of Resolution 2017-22
Re: SAP Grant No. 17-B4122-STB – Questa Wells & Water System

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

Motion:     Councillor John Ortega
Second:     Councillor Lawrence Ortega

Roll Call:

Councillor John Ortega    YES
Councillor Julian Cisneros    YES
Councillor Lawrence Ortega    YES
Councillor Brent Jaramillo  YES

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

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

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

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

Councillor Lawrence Ortega asked if we can amend the letter to read that we are not in favor of the daily bag limit. Mr. Maestas stated that it can be changed how the Council sees fit.

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

A discussion was held and it was decided for Attorney Lance Hough to draft a letter stating that the Village of Questa has interest in the game and fish community but also want to represent the Questa community and in result we will remaining neutral on the proposal but request that there is an increased stocking schedule.
Motion: Councilor John Ortega, amending the original letter to the wording stated above by Attorney Lance Hough.

Second: Councilor Brent Jaramillo

Roll Call:

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

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

VIII. DISCUSSION ITEMS

A. Discussion regarding Questa Land & Water Trust

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

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

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

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

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

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

Village of Questa Regular Meeting
November 14, 2017
It was decided to check into the following: Reach out to Red River and see if they would be able to assist us, change Police officer job description to include enforcement and reach out to Taos County. It will be revisited in the next couple of months.

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

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

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

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

IX. FINANCIALS – Ms. Karen Shannon, Finance Director

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

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

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

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

In Favor: All
Opposed: None

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

X. MATTERS FROM ADMINISTRATOR – Mr. Nicholas Maestas

Village of Questa Regular Meeting
November 14, 2017
Mr. Maestas updated the Governing Body on the following:

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

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

XI  MATTERS FROM ATTORNEY

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

XII. MATTERS FROM MAYOR AND COUNCIL

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

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

XIII. ADJOURNMENT

Motion: Councilor John Ortega
Second: Councilor Lawrence Ortega

In Favor: All
Opposed: None

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

ATTEST:

Mark Gallegos, Mayor

Renee Martinez, Chair

Village of Questa Regular Meeting
November 14, 2017