



AGENDA

**VILLAGE OF QUESTA
REGULAR COUNCIL MEETING
TUESDAY, OCTOBER 23, 2018
VILLAGE OF QUESTA COUNCIL CHAMBERS
2500 OLD STATE ROAD 3
6:00 P.M.**

Mayor Mark L. Gallegos
Mayor Pro-Tem John A. Ortega
Councilmember Brent P. Jaramillo | Councilmember Louise T. Gallegos | Councilmember Charlie I. Gonzales

- I. **CALL TO ORDER BY MAYOR MARK L. GALLEGOS**
- II. **ROLL CALL**
- III. **PLEDGE OF ALLEGIANCE**
- IV. **APPROVAL OF AGENDA**
- V. **APPROVAL OF MINUTES** – 1) Regular Meeting, October 09, 2018
- 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.)*
- VII. **PRESENTATIONS**
 - A) Questa Economic Development Fund Board Update - Mr. Malaquias Rael, Board Chairman
 - B) Universal Professional Services – Mr. Gabe Cisneros
- VIII. **ACTION ITEMS**
 - A) Discussion, Consideration & Decision – Approval of Sergeant Job Description
 - B) Discussion, Consideration & Decision – Resolution 2018-27 / Adoption of Municipal Records Retention Schedule & Email retention Guidelines
- IX. **FINANCIALS** – Ms. Karen Shannon, Finance Director
 - A) Discussion, Consideration & Decision - FY2019 1st Quarter Internal BARs
 - B) Discussion, Consideration & Decision – Amendment of DFA BAR Resolution 2018-20
 - C) Discussion, Consideration & Decision – Amendment of DFA BAR Resolution 2018-21
 - D) Discussion, Consideration & Decision - Resolution 2018-28 / FY2019 1st Quarter DFA BARS
 - E) September Financial Report
- X. **MATTERS FROM ATTORNEY**
- XI. **MATTERS FROM ADMINISTRATOR, MAYOR AND COUNCIL**
- 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) **Acquisition of Real Estate or Water Rights** - (§ 10-15-1(H) (8))
- XIII. **ADJOURNMENT**

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid of service to attend or participate in the hearing or meeting, please contact the Village Clerk at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Village Clerk at 575-586-0694 if a summary or other type of accessible format is needed.

**VILLAGE OF QUESTA
REGULAR MEETING MINUTES
TUESDAY, OCTOBER 23, 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 6:04 pm.

II. ROLL CALL

Mayor Gallegos asked the Village Clerk Renee Martinez to take roll:

Present:

Councilman Charlie I. Gonzales
Councilman John Anthony Ortega
Councilman Brent P. Jaramillo

Not Present:

Councilwoman Louise T. Gallegos

Also Present:

Administrator Nicholas Maestas
Village Clerk Renee Martinez
Finance Director Karen Shannon
Village Attorney Marcus Rael
Village Attorney Chris DeFillippo

III. PLEDGE OF ALLEGIANCE

Mr. Nicholas Maestas let the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

Mayor Gallegos requested item XII be moved up to Item VIII.

Motion: Councilman Ortega

Second: Councilman Gonzales

In Favor: All

Opposed: None

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

V. APPROVAL OF MINUTES – 1) Regular Meeting, October 09, 2018

A Motion to table this item until the next regular meeting was made by Councilman Ortega. Seconded by Councilman Gonzales.

In Favor: All

Opposed: None

To table the October 9, 2018 meeting minutes until the next regular meeting. 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.)

There were no public comments.

VII. **PRESENTATIONS**

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

Mr. Rael was not present at this time. A motion to table this item until after Executive Session was made by Councilman Ortega. Seconded by Councilman Gonzales.

In Favor: All
Opposed: None

To table Item VII A until after Executive Session. All voted yes. Motion carried.

B) Universal Professional Services – Mr. Gabe Cisneros

Mr. Cisneros was not present. Mayor Gallegos stated that a written update will be provided to the Governing Body via email or hard copy.

VIII. **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) Acquisition of Real Estate or Water Rights - (§ 10-15-1(H) (8))

A motion to enter into Executive Session was made by Councilman Ortega. Seconded by Councilman Jaramillo.

Roll Call:

Councilman John Ortega	YES
Councilman Charlie Gonzales	YES
Councilman Brent Jaramillo	YES

Mayor Gallegos stated that the Governing Body will go into Executive Session to discuss only the item listed. The Governing Body entered into Executive Session at 6:11pm.

A motion was made to reconvene from Executive Session at 6:57pm by Councilman Jaramillo, seconded by Councilman Ortega.

Roll Call:

Councilman Brent Jaramillo	YES
Councilman Charlie Gonzales	YES
Councilman John Ortega	YES

Mayor Gallegos stated that only the Executive Session Items regarding Acquisition of Land or Water Rights Purchase (§ 10-15-1(H) (8)) were discussed.

VII. **PRESENTATIONS** (Tabled earlier – Line 66)

B) Questa Economic Development Fund Board Update - Mr. Malaquias Rael, Board Chairman

Mr. Rael updated the Governing Body on the following:

- Great attendance at the Cambalache on October 6th. It was a great success.
- The Pick your Poison Run had about 50 entries this year compared to last year's 40.
- Lodging Project – We are working with the Rio Colorado Preservation Group to write and receive grants through them.
- The QEDF Board is looking at their budget and it is going to be a lean year; there is not many funds to carry over. He asked the Village council to submit their requests and we will look to see if we can fill them.
- The Visitors Center is closed for the year as well as the Farmer's Market.
- The Village is probably looking at about a \$100,000.00 shortfall for the EDA match for the Business Park. The QEDF was looking into a Bridge Loan for small businesses but will more than likely not go through with it for the reason that they were requiring a \$100,000.00 in collateral. A discussion was held regarding Opportunity Zone funding. They will set up a meeting with Amalio Madueno regarding this.
- Banner Project – The graphic design has started. There are 16 different banners and 4 different retablos. They will also feature the artists name and St. Anthony's Church. Councilman Ortega inquired about how the 'Find What's Real' slogan. Mr. Rael stated that throughout the years and through some discussions, the opinion has been that regarding other towns, such as Santa Fe, that they are too 'touristy' and Questa is still authentic and real. They have this slogan on the coffee cups and t-shirts and have found it to be successful. There will be 3 different projects – the 1st project is the Retablos, the 2nd project will be some historic photos and the 3rd project will be artwork from local artists.
- The deadline for the public to submit an idea for the signage project is October 31st.
- The QEDF will be rescheduling their monthly meetings to coincide with the Village Council meetings and will be held at 4:00pm.
- They are hoping to get the welding program started up at the high school in January of 2019. Councilman Gonzales stated that he is happy to see this program coming along.

IX. ACTION ITEMS

A) Discussion, Consideration & Decision – Approval of Sergeant Job Description

Mayor Gallegos stated that Chief Nicolas Lamendola asked that we place this job description on the agenda for approval.

Councilman Gonzales asked if we had a pay grade tied to this position. Mr. Maestas stated that we do not have one for this position or any other position but we are working on getting a pay scale in place. Councilman Gonzales stated that a pay scale is important. Councilman Jaramillo stated that it will cost about \$20,000.00 to have one done from an outside agency. Councilman Gonzales asked if the police officers have village cell phones and if the administrative staff have some. It was stated that only Mr. Maestas has a village issued phone as well as the police officers, EMS department and public works department. Councilman Ortega stated that he would be more comfortable if the staff had village issued cell phones.

Councilman Ortega asked why this position is needed. There are 3 officers in that department and one is the Chief. Mr. Maestas stated that he was hoping the Chief would have been here to explain more about this.

A motion to approve the job description was made by Councilman Gonzales. There was no second. Motion dies due to lack of a second.

A motion to table the item until next meeting was made by Councilman Ortega, seconded by Councilman Jaramillo.

In Favor: Councilman Ortega and Councilman Jaramillo
 Opposed: Councilman Gonzales

To table this item until next meeting, with a 2 to 1 vote. Motion carried.

B) Discussion, Consideration & Decision – Resolution 2018-27 / Adoption of Municipal Records Retention Schedule & Email retention Guidelines

Ms. Martinez stated that in 2015, the NM State Archives repealed the records retention schedule. The Municipal League put together a committee to create one that is tailored to Municipalities. This will make the records retention much easier to follow and to understand.

Motion: Councilman Ortega
 Second: Councilwoman Gonzales

Roll Call:

Councilman Brent Jaramillo	YES
Councilman Charlie Gonzales	YES
Councilman John Ortega	YES

To approve Resolution 2018-27 / Adoption of Municipal Records Retention Schedule & Email retention Guidelines. All voted yes. Motion carried.

IX. FINANCIALS – Ms. Karen Shannon, Finance Director

A) Discussion, Consideration & Decision - FY2019 1st Quarter Internal BARs

Motion: Councilman Jaramillo
 Second: Councilwoman Ortega

In Favor: All
 Opposed: None

To approve FY2019 1st Quarter Internal BARs. All voted yes. Motion carried.

B) Discussion, Consideration & Decision – Amendment of DFA BAR Resolution 2018-20

Motion: Councilman Gonzales
 Second: Councilman Jaramillo

Roll Call:

Councilman Brent Jaramillo	YES
Councilman Charlie Gonzales	YES
Councilman John Ortega	YES

To approve Amendment of DFA BAR Resolution 2018-20. All voted yes. Motion carried.

C) Discussion, Consideration & Decision – Amendment of DFA BAR Resolution 2018-21

Motion: Councilman Ortega
 Second: Councilman Gonzales

Roll Call:

218 Councilman Brent Jaramillo YES
 219 Councilman Charlie Gonzales YES
 220 Councilman John Ortega YES

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 222 To approve Amendment of DFA BAR Resolution 2018-21. All voted yes. Motion carried.
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224 **D) Discussion, Consideration & Decision - Resolution 2018-28 / FY2019 1st Quarter DFA BARS**
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226 Motion: Councilman Ortega
 227 Second: Councilman Jaramillo
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229 Roll Call:
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231 Councilman Brent Jaramillo YES
 232 Councilman Charlie Gonzales YES
 233 Councilman John Ortega YES
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235 To approve Resolution 2018-28/ FY2019 1st Quarter DFA BARS. All voted yes. Motion carried.
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237 **E) September Financial Report**
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239 Mayor Gallegos asked Ms. Shannon if there was anything she would like to go over. Ms. Shannon stated
 240 that she will be talking to the department heads about the decreases in the ending and beginning cash
 241 balances. They need to spread out their expenditures throughout the year. She stated that we are in good
 242 shape, all funds are positive at the end of the quarter; we just need to watch our spending.
 243

244 Mayor Gallegos stated that he would like to keep the temporary employee in the Public Works department,
 245 so if we can find money in the budget to keep him through the winter season, that would be great. Mr.
 246 Maestas stated that the public works supervisor feels comfortable with moving around money in his budget
 247 to accommodate this individual at least through December at which time we can look at the budget and see
 248 where we are. We can keep a temporary employee on for a period of 9 months. Councilman Jaramillo asked
 249 how long he has been employed. Mr. Maestas stated 3 months. Councilman Gonzales does not have a
 250 problem with this as long as we can find the money.
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252 **X. MATTERS FROM ATTORNEY**
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254 There were no matters.
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256 **XI. MATTERS FROM ADMINISTRATOR, MAYOR AND COUNCIL**
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258 Mayor Gallegos stated that Mr. Maestas submitted a detailed report and asked if the Council had any
 259 questions or comments for him.
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261 Councilman Ortega inquired about the water line for Mr. Lawrence Ortega and if we are anticipating on
 262 getting it done this year. Mr. Maestas stated that he put in his report that he, as well as the mayor have had
 263 a conversation with Mr. Jimmy Ortega and sent him some information today regarding how that line would
 264 be able to be moved and the easement necessary to take the line into his property to hook up to the meters.
 265 Mr. Maestas is waiting to hear his feedback. Mr. Jimmy Ortega has made a couple requests of the Village;
 266 one being that we are going to maintain the water line all the way to the meters, which would be our
 267 responsibility and the second request to maintain that road since we will be digging it up. Mr. Maestas has
 268 asked the Village attorney what the process is; is it a formal adoption of that road or not. Mr. Maestas stated
 269 that right now he is pursuing these steps with Mr. Jimmy Ortega so that he is comfortable with what he is
 270 asking of the Village and bringing it back to the Council to see if they are comfortable with it. Councilman
 271 Ortega stated that his understanding from Mr. Lawrence Ortega is that he just does not want the line running
 272 through the middle of his property; he is fine with it running along the fence line. He stated that it seems

that we are jumping through a lot of hoops to satisfy Mr. Jimmy Ortega. Councilman Jaramillo stated that he agrees with Councilman Ortega, he doesn't believe we needed to consult that much with Mr. Jimmy Ortega, he doesn't think Mr. Jimmy Ortega should hold us up on this; we should have had this done a month ago. Mayor Gallegos stated that one of the things we wanted to do, is we have had numerous meters that we have adopted lineal footage off our main line, to residential areas all the way up to their front porch, that by our Ordinance we are responsible for. The lines in question in which we had a leak years back, to Ernie's, we fixed that line all the way back to the porch. The conversation we had with Mr. Jimmy Ortega is that if we moved the line down and put it along the fence line, and tap down about 200ft from their driveway, by the corner of Anna LaCome's property lines are, we would not carry the responsibility anymore for the existing lines towards Ida Ortega's and Jimmy Ortega's. Mr. Jimmy Ortega was concerned about this being on the way of possible future development on his property. Mayor Gallegos stated that the conversation was to move it down along the roadway so it doesn't interfere with our maintenance, so if we have to maintain it in the future we are not messing with people's fences or anything like that. We got it running on down the roadway, we can connect to the existing meters that are there, the looped meter that does what it does. He stated that we are doing this as a courtesy to Mr. Lawrence Ortega and the other Ortega family. This water line can stay where it's at, it is a village line that has already been grandfathered in and has easements somewhere. We are trying to do a service for both property owners. If it is going to take another 4 or 5 months to get done then let's get it done and do it right. Mayor Gallegos apologized if he has made this confusing but he is trying to get the least amount of liability on the Village.

Mr. Maestas informed the Governing Body regarding a water leak earlier today on Old Red River road. The area was isolated and some homes were out of water for a couple of hours. The water was turned back on about 7:00pm this evening. Also, Mr. Leroy Romero is a contractor who is purchasing about 36 to 48 cubic yards of dirt from the business park.

Councilman Gonzales stated that he has spoken with Ms. Shannon regarding the matches for some of the projects we have. We really need to start thinking about where we are going to get the money for these matches. Mayor Gallegos stated that when we have the joint meeting with the Village, QEDF and QLW, the Village would be submitting a recommended amount to the QEDF to match all of our grants. He will be making the request from QEDF to pay these matches; we have done this in the past. If we continue to chase legislative money for these matches we are losing out of other project monies we could be chasing down. It is very important that we meet on November 19th to get these things accomplished. Councilman Gonzales asked where we are on the purchase of the new ambulance. Mr. Maestas stated we got the executed contract agreement back from DFA so we are ready to move forward. Councilman Gonzales asked if we have receives a visit from the state fire marshal; he understand that he is visiting all the fire departments. Mr. Maestas stated that he was not aware.

Councilman Jaramillo asked for an update on the audit. Ms. Shannon stated that we have been uploading the requested data to the auditors through their secure portal. We are ready for their site visit the week of November 5th. It is due to the state auditor by December 15th.

Councilman Ortega stated that they had a Vida Del Norte Coalition meeting and they are very thankful for the Village's participation and support at the Cambalache at their dunk booth. Councilman Ortega stated that they are going to be moving forward and doing a lot of things and he would is requesting continued support for the efforts of this group in our community.

Mayor Gallegos asked that the Governing Body enter into some kind of contract agreement for some kind of dollar amount.

XII. ADJOURNMENT

Motion: Councilman Ortega
Second: Councilman Gonzales

In Favor: All

328 Opposed: None

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330 There being no further business to discuss, the meeting was adjourned at 7:57pm.

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332 **ATTEST:**

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Renee Martinez, CMC



APPROVED:


Mark Gallegos, Mayor