AGENDA
VILLAGE OF QUESTA
REGULAR COUNCIL MEETING
TUESDAY, MARCH 26, 2019
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, March 12, 2019

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. PRESENTATION - Questa Economic Development Fund Board Update

VII. DISCUSSION
A) Presentation by Dr. Deb Miller, Miller Geotechnical Consultants
   Re: Environmental Clean-Up as associated with the Chevron Mine.

VIII. MATTERS FROM ATTORNEY

IX. MATTERS FROM ADMINISTRATOR, MAYOR AND COUNCIL

X. 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))

XI. 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, MARCH 26, 2019
VILLAGE OF QUESTA COUNCIL CHAMBERS
6:00PM

I. CALL TO ORDER BY MAYOR MARK L. GALLEGOS
Mayor Gallegos called the meeting to order at 6:05 pm.

II. ROLL CALL
Village Clerk Renee Martinez called roll where a quorum was present.

Those present were:
Councilwoman Louise T. Gallegos
Councilman Charlie I. Gonzales
Councilman Brent P. Jaramillo
Councilman John Anthony Ortega was not present.

III. PLEDGE OF ALLEGIANCE
Ms. Lindsey Mapes led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA
Mayor Gallegos asked that and Limited Personnel Matters be added to Executive Session as X. B). Also, to extend Public Comments longer than the 3 minutes allotted for a short presentation from Chevron Mining.

Motion: Councilwoman Gallegos
Second: Councilman Gonzales

Roll Call:

Councilwoman Louise Gallegos        YES
Councilman Charlie Gonzales        YES
Councilman Brent Jaramillo        YES

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

V. APPROVAL OF MINUTES – 1) Regular Meeting, March 12, 2019
Councilwoman Gallegos stated that she has submitted her corrections to the Clerk.

Motion: Councilwoman Gallegos
Second: Councilman Gonzales

In Favor:    All
Opposed:     None

To approve the March 12, 2019 meeting minutes with corrections. 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.)

Mr. Tommy Lyles, Chevron Mining Public Affairs Manager – Mr. Lyles updated the Governing Body regarding the upcoming tailings facility project mobilization and kickoff. Project Manager Mark Burley stated that they will conduct a cover demonstration project on approximately 275 acres of the tailing facility.

The objectives for the project are:

- To determine whether a two foot thick cover can be successfully designed, constructed and maintained so that there is adequate protection of soil and groundwater, can successfully revegetate and can be maintained over time.
- To support an inquiry into whether the CERCLA remedy should be modified accordingly.

The road that was built up north will be used exclusively for this project. There will be no vehicles going through Don Martinez Road or Abra Road unless there is an emergency.

Councilman Jaramillo asked Mr. Lyles how they would be communicating the community phone line to the public. Mr. Lyles stated that cards would be printed and distributed at the library, schools and visitor’s center and other public places.

Councilman Gonzales inquired about the number of employees. Mr. Lyles stated that at the peak of the project, RECON which is the contracting company, are expected to employ over 60 employees. Councilman Gonzales asked what percentage would be local. Mr. Lyles stated that 8 are local hires and hope to hold a job fair in mid-April. Notifications will be sent out. Councilman Gonzales asked what will happen to the solar array located out by the project area. Mr. Lyles stated that it will not be impacted in any way.

Councilman Gonzales asked about the type of equipment that will be brought in. Mr. Burley stated that it will be low impact equipment-trucks, excavators, dozers and various maintenance equipment. Councilman Gonzales asked if any local contractors will be used. Mr. Burley stated he is not sure if they have decided on any subcontractors. Mr. Burley stated that they have been encouraged to do so. Councilman Gonzales asked is they will be setting up an office in the Village. Mr. Lyles stated that the office will be located at the previous RUST offices. Councilman Gonzales asked how long the project is expected to last. Mr. Burley states that they are scheduled for completion of the earth work and cover in late November/early December, protect surface the winter, and come back in the spring to seed and re-vegetate. Councilman Gonzales asked that they make sure to communicate with Dr. Miller. Mr. Lyles stated that there will be a five year monitoring period of this project. Councilman Gonzales stated that what is important to him is that the ROD asked for a 3 foot cover and somehow we ended up with a 2 foot cover. It is important to our community that we have a good monitoring system.

Councilwoman Gallegos thanked Mr. Lyles and Mr. Burley for being here and giving an update because it is very important that we have the answers for the citizens who come up to us and ask us these questions. Councilwoman Gallegos asked if their workforce will be hiring administrative help. Mr. Lyles stated that he has not discussed with them what positions they will be needing to fill but he can find out.

Councilman Jaramillo asked what kind of seed and vegetation would be planted. Ms. Cynthia Gulde, Chevron EMC Project Manager, stated that they will be using an approved native seed mix, but does not know offhand what it is exactly.

Ms. Gulde stated that as part of the design of the project they did a study regarding wild life usage out at the tailings facility. They monitored the depth that the gophers typically borough. Also, there was also gopher activity at the solar facility which has 3 different cover depths-1, 2 and 3 foot. They were actually able to monitor the activity of the gophers in newly placed cover material. There was, in the 1 foot cover, materials brought to the surface. In the 2 foot, only in one or two places. They will continue to monitor this. The first
parameter they will be looking at is concentration of moly in the cover materials and that will really be the
determining factor on if there is an impact from the gopher activity.

Mr. Frank Medina, Questa citizen, expressed his views on the tailings dam. He read aloud a letter he
prepared that he will be sending out to the EPA. Mayor Gallegos thanked Mr. Medina for his comments.

Mayor Gallegos stated his frustration with the test plots. Lifelong residents will be the ones to be looking
out the window. We want our kids and grandkids to live here years after we are gone.

Ms. Gulde stated that they want this to be successful; there are requirements built in and we will constantly
be monitoring.

Mayor Gallegos stated that the tailings facility is in the Village limits. We are going to be expecting to see
some GRT monies coming in.

Mr. Lyles stated that the tailings pipeline removal project continues. We are starting to get to our more
difficult areas where it may start to impact some of the community. April 5th through the 13th, we will begin
the work on Embargo Road; we may need to block off part of the road and turn it into one lane. We will
then move on to the pipeline which is adjacent to SR 38; April 25th through May 8th, we will be using a pilot
car to get traffic through. As the dates come closer we will be bringing more information. In late June we
will be completely closing Old Red River Road in both directions.

Mr. Frank Medina asked if he could make one last comment. Mr. Medina stated that he worked for the mine
for 25 years. He would like to publicly thank them. He was able to make a living, raise a family and establish
life-long roots in the community. So, anything he says, is not personal; he appreciates everything Molycorp
did for him.

VII. PRESENTATION - Questa Economic Development Fund Board Update

Ms. Lindsay Mapes updated the Governing Body on the following:

- This Friday, March 29th, at 9:00am is the Questa Cut Throat Festival at Wild Rivers.
- July 6th is Christmas in July – to tag onto the Questa Ranger District National Christmas tree project.
- They have received a grant from Chevron to begin 2 promotional videos of Questa. We will be doing
  2- 2 1/2 minute videos, tourism based, aimed at two different markets to try and promote Questa as
  an outdoor tourism destination.

VII. DISCUSSION

A) Presentation by Dr. Deb Miller, Miller Geotechnical Consultants
   Re: Environmental Clean-Up as associated with the Chevron Mine.

Dr. Miller informed the Governing Body that she will not be able to attend the EPA meeting.

She went over the 7 items on the proposed EPA agenda:

1. Contamination of the Red River and any action plan pertaining to it – Dr. Miller stated that from her
understanding there isn’t any data that indicates impacts to the river associated with the mine activities.
There aren’t exceedances of constituents of concern of levels that raise any kind of clean-up or issues that
need taken action on. Mayor Gallegos stated there were some pictures sent of some of the springs that were
of concern. Is it natural? If so, we need it on paper; we need to have those answers for the public on April
11th. We feel like we are asking the questions and we don’t get the right answer. What do we tell our fishing
community who walk up and down that river? We need answers. The group that comes in on April 11th,
from each agency, needs to be people who can make decisions. Dr. Miller stated that one of the theories
that has been going around for quite a while is that as you come down from Red River there are reaches of
the river the water flows from stream channel into the ground, into the groundwater; then there are other reaches where the water and the groundwater upwell into the river; that is where the springs are. Some of the studies that have been done actually indicate that some of the constituents that are observed in the concentrations that are monitored along the Red River are due to that kind of natural upwelling from natural groundwater getting into the river. It is a challenge because the natural environment is very metallic and the constituents are present in the rocks and the soils so it is difficult to determine what is a result from the mining activity and what is just natural constituents in the ground that are coming up in the river in the natural springs. This was documented in the USGS research study. Dr. Miller stated that she does not really have a firm opinion one way or the other but she is anticipating that the Council will hear a version of this at the meeting. A discussion was held regarding the pumps and French drains.

2. Three of the topics that she found lumped together:
   • explanation of tailings facility reclamation
   • action plans for future clean-up projects
   • what will the clean-up look like within Questa

All of these were responded to in the same manner; which was refer to the administrative order on consent. This is the partial consent decree things that were explained in the presentation.

3. Potential for non-compliance/ violations and how they will be addressed - Their answer was that they don’t anticipate non-compliance.

4. Lower Dump Sump – Her understanding is that this will be the very last area dealt with.

Dr. Miller stated that she will look at some of these questions before the meeting and get some bullet points for the Governing Body.

Mayor Gallegos stated that we want target dates/timelines for these projects as well as updates.

VIII. MATTERS FROM ATTORNEY

Mr. DeFillippo had no matters.

IX. MATTERS FROM ADMINISTRATOR, MAYOR AND COUNCIL

Councilwoman Gallegos asked for an update on the Fire Department. Mayor Gallegos stated that he received an email from Chief Ortega. It stated that the inspection went well, there is room for improvement; areas we are doing very well in and others that need improvement. As soon as the report from the Fire Marshal’s Office is received, he will provide a detailed report and plan of action. The things requiring immediate attention are the roof, getting the airport substation operational, and send in copies of driver training and last year’s incident reports. Mayor Gallegos stated that during the meeting they said they do see a lot of departments that are non-compliant, they did say there are forms and templates online. Also, they suggested Vilma Bailon to assist with the follow-ups. Chief Ortega recognizes he has some struggles and is willing to have other volunteers assist him. He was receptive to their criticisms, praises and suggestions. We need to do testing’s on our fire hydrants this year. Mayor Gallegos stated that we need to continue to support the department.

Mayor Gallegos requested putting in solar powered street lights and LED lights.

**At 7:49pm, a motion to take a 5 minute break was made by Councilwoman Gallegos, seconded by Councilman Jaramillo.

In Favor: All
Opposed: None

To approve a 5-minute break. All voted yes. Motion carried.

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A motion to reconvene from the break at 7:56pm was made by Councilwoman Gallegos, seconded by Councilman Jaramillo.

In Favor: All
Opposed: None

To reconvene, all voted yes. Motion carried.

X. **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))
B) Limited Personnel Matters - (§10-15-1(H) (2))

A motion to enter into Executive Session was made by Councilwoman Gallegos. Seconded by Councilman Gonzales.

Roll Call:

Councilwoman Louise Gallegos
Councilman Charlie Gonzales
Councilman Brent Jaramillo

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 7:57pm.

A motion was made to reconvene from Executive Session at 9:26pm by Councilman Gonzales, seconded by Councilman Jaramillo.

Roll Call:

Councilman Brent Jaramillo
Councilman Charlie Gonzales
Councilwoman Louise Gallegos

Mayor Gallegos stated that only the Executive Session Items regarding Pending or Threatening Litigation - (§ 10-15-1(H) (7)) and Limited Personnel Matters - (§10-15-1(H) (2)) were discussed.

XI. **ADJOURNMENT**

Motion: Councilwoman Gallegos
Second: Councilman Gonzales

In Favor: All
Opposed: None

There being no other business to discuss, the meeting was adjourned at 9:28pm.

**ATTEST:**

[Signature]

Renee Martinez, CMC

**APPROVED:**

[Signature]

Mark Gallegos, Mayor

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