

**VILLAGE OF QUESTA
CDBG PUBLIC HEARING (1)**

**TUESDAY, FEBRUARY 17, 2015
VILLAGE OF QUESTA MUNICIPAL COUNCIL CHAMBERS
**5:30 P.M.
MINUTES****

I. CALL TO ORDER

The Public Hearing was called to order by Administrator Loretta Trujillo 5:32pm. She stated that a quorum of the Governing Body is not necessary.

Present at the Public Hearing were:

Martha Shepp
Drew Tulchin
David Kistin
Dale Cisneros
Gaea McGahee
Arwin Vasquez
Councilor Lawrence Ortega
Councilor Miguel Romero

II. PUBLIC HEARING – 2015 Community Development Block Grant (CDBG)

Ms. Trujillo informed the public that the Community Development Block Grant (CDBG) Program is administered by the Department of Housing and Urban Development (HUD) and is authorized by Title I of the Housing and Community Development Act of 1974, as amended. The purpose of the CDBG Program is to enhance and maintain viable urban communities through the provision of decent housing and a suitable living environment and the expansion of economic opportunities, principally for low-and moderate- income persons. HUD's national objective was met by determining that 58% of residents within the Village's boundaries meet the low-to-moderate income criteria. Based on this information, the CDBG Grant process opens up to a community-wide project which means that the selected project must benefit the entire community.

The CDBG Projects include roads, wastewater, senior centers, water wells, etc. The maximum grant amount is \$500,000.00.

One of the criteria for applying for this funding is to hold a public hearing that will allow residents the opportunity to submit project ideas.

Ms. Trujillo informed the public that this is their opportunity to provide input to the Village Council on what projects the public would like to see accomplished within the Village of Questa municipal boundaries.

At this time Ms. Trujillo opened it up to public comment.

Ms. Gaea McGahee of El Rito inquired about past CDBG projects. Councilor Ortega stated that a water improvement project by the San Antonio Church and Cabresto Road was recently completed and now we are eligible to apply again. The more residents it serves the better.

Ms. McGahee suggested a commercial kitchen in Questa similar to the facility in Taos for local people to produce their products to sell and supply to local stores to sell. She stated that it would help people create their own economic base. She stated the facility in Taos is very successful.

Ms. Trujillo stated that any suggestions made will be taken into consideration.

Mr. Drew Tulchin stated that he was working with Mr. Elmer Salazar and Petroglyphs of the Rio Grande on the Economic Development Plan and inquired about the deadline and other information for the application and that he would like to assist if he could. Councilor Ortega stated that the maximum amount we can apply for is \$500,000.00 and the Village of Questa has been very successful in getting close to this amount every time we apply.

Martha Shepp of Llano Road stated that there are a lot of buildings in the heart of Questa and would like to know if there is a way to get the owners to sell or rent them to people who want to open a business. Also, the beauty of our Village is compromised by uncared properties. She stated that she is not sure this falls into this scope but would like to see the façade of buildings be improved.

III. ADJOURNMENT

There being no other comments or suggestions Ms. Trujillo closed the Public Hearing at 5:44pm. She stated that another public hearing will be held on March 3 at 6:00pm.

Mark Gallezo
Mayor

**VILLAGE OF QUESTA
REGULAR COUNCIL MEETING
TUESDAY, FEBRUARY 17, 2015
VILLAGE OF QUESTA COUNCIL CHAMBERS
6:00 P.M.
MINUTES**

CALL TO ORDER BY MAYOR MARK L. GALLEGOS

Mayor Gallegos called the meeting to order at 6:15pm.

I. ROLL CALL

Mayor Gallegos asked Village Clerk Renee Martinez to take roll.

Those present were:

Councilor Miguel Romero
Councilor Lawrence Ortega
Councilor Julian Cisneros

Councilor Brent Jaramillo arrived at 6:43pm.

Also present were:

Administrator Loretta Trujillo
Village Attorney Vanessa Chavez
Public Works Director Arwin Vasquez
Finance Director Karen Shannon
Officer Victor Alvarado
Village Clerk Renee Martinez

II. PLEDGE OF ALLEGIANCE

Village of Questa Police Officer Victor Alvarado led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Village Administrator Loretta Trujillo informed the Council that Mr. Elmer Salazar could not be present at tonight's meeting and the Mr. Drew Tulchin would be presenting on behalf of Petroglyphs on the Rio Grande.

Motion: Councilor Cisneros
Second: Councilor Ortega

In Favor: All
Opposed: None

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

IV. APPROVAL OF MINUTES

Village of Questa Regular Meeting
February 03, 2015

- Regular Meeting, February 03, 2015

Motion: Councilor Ortega
 Second: Councilor Cisneros

In Favor: All
 Opposed: None

To approve the Meeting Minutes of February 03, 2015 as presented. 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.)*

There were no Public Comments.

VI. PRESENTATIONS –

A) Petroglyphs on the Rio Grande – Mr. Elmer Salazar

Mr. Drew Tulchin updated the Governing Body regarding the Economic Development Plan.

Councilor Ortega inquired about the advisory group meeting and if they will be having more meetings for public input. Mr. Tulchin stated that they will be having a series of focus groups with the public and business owners. He stated that he was invited by the Questa Schools to meet with them. Councilor Ortega inquired about if he believed that the Questa Schools are involved. Mr. Tulchin stated that Ms. Trujillo has been very receptive.

They would like to also like to start an E-Newsletter and assist the Village with the Website. They would also like to start internships for the youth.

Mr. Tulchin stated that if anyone wants to get involved or has any ideas they can call him at any time. Also, with miner's benefits coming to an end, the state has a lot of assistance programs to help them.

VII. ACTION ITEMS -

A) Discussion, Consideration & Action – Approval of Resolution 2015-08
 Re: Village of Questa Purchasing Policy

Ms. Trujillo stated that since the Town of Taos will be acting as our fiscal agent, it is easier to match our policy to the Town of Taos policy to make it easier for them to follow procurement while they are doing work for us. She also requested that the limit for professional services be increased from the current \$50,000.00 to \$60,000.00 which is what the State limit. Councilor Ortega asked Ms. Trujillo if this is the only significant change from the last policy that was adopted in 2011. Ms. Trujillo stated yes. Councilor Jaramillo inquired if the cross reference on the last page is needed. Ms. Trujillo stated that it is not needed. Mayor Gallegos asked if the extremely small purchases process still requires three quotes. Ms. Trujillo stated that this policy does not eliminate this process for the reason that the Village must still acquire the best obtainable price. Councilor Cisneros inquired about who ultimately signs off of the purchases. Ms. Trujillo stated that she approves the purchases and Ms. Shannon also signs in the capacity of the Finance Director. A discussion regarding an RFP for vehicle maintenance was held. Councilor Ortega stated that in the last policy we had a section that stated that contracts over \$20,000.00 required Governing Body approval. He inquired if this was included in this new policy. He stated it was on the top of page 5 of the old policy. He stated that this is good practice and should be included.

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Councilor Jaramillo agreed. Mayor Gallegos stated that this also allows Ms. Trujillo to move forward with small contracts under \$20,000.00. Ms. Trujillo also stated that on page 14 under Approval and Signature Authority, it states that 'the Mayor has the authority to sign contract documents for any purchase of \$60,000.00 or less.' It was decided that this contradicts with the Governing Body approving anything over \$20,000.00 and should be changed to \$20,000.00. Mayor stated that any change order that comes to him will be brought to the Council for approval.

Councilor Cisneros stated that with so many requested changes, he would like to make a motion to table this item until the next meeting. This motion was seconded by Councilor Ortega.

Roll Call:

Councilor Julian Cisneros	YES
Councilor Miguel Romero	YES
Councilor Lawrence Ortega	YES
Councilor Brent Jaramillo	YES

To approve tabling this item until the next regular meeting. All voted yes. Motion carried.

B) Discussion, Consideration & Action – Approval of Resolution 2015-09
Re: Grant Agreement with NMED / Special Appropriations

Ms. Trujillo stated that this grant agreement is for the Special Appropriation Project for the Wastewater System Improvements for \$50,000.00. Along with the grant agreement a Resolution is necessary. Ms. Trujillo also stated that the Governing Body also has to identify a project for the use of this money. Mayor Gallegos requested that the Council approve the Resolution first and then discuss the project.

Motion: Councilor Cisneros
Second: Councilor Jaramillo

Roll Call:

Councilor Julian Cisneros	YES
Councilor Miguel Romero	YES
Councilor Lawrence Ortega	YES
Councilor Brent Jaramillo	YES

To approve Resolution 2015-09. All voted yes. Motion carried.

A discussion regarding possible projects was held at this time.

Councilor Jaramillo asked if a Preliminary Engineering Report is needed. Councilor Ortega inquired about if there is other state appropriation money for wastewater. Mayor Gallegos stated that there was money appropriated through an agreement with Chevron Mining and Natural Resources for 2.4 million dollars. They want to see a project done this year. He suggested that we could use this \$50,000.00 for engineering services and get it 'shovel ready.' Councilor Jaramillo agreed that it would be good to at least procure an engineer. Councilor Ortega stated that the previous administrator supplied them with a list of capital improvement projects and stated that he believed there were two funding years available for wastewater. Ms. Trujillo stated she will look into it.

Councilor Ortega stated that upper Cabresto Road residents submitted a petition a seven years ago requesting sewer in that area. He stated that he estimates that 25-30 possible connections are possible if the sewer line was put through there. Mayor Gallegos asked Councilor Ortega if in his expertise he thinks that \$50,000.00 is sufficient for engineering services for the design in that area. Councilor Ortega stated yes. A discussion was held.

Ms. Trujillo stated that looking at the special appropriations for Questa, there is a total of \$100,000.00 for wastewater.

Councilor Cisneros stated that he would like a preliminary engineering study done to see if there are other areas that are more in need. Councilor Romero agreed with Councilor Cisneros and stated we need to move forward. Councilor Jaramillo suggested maybe the CDBG could fund the construction.

It was decided to come back with this item on March 3rd with options and some input from our Public Works Department.

C) Discussion, Consideration & Action - Approval of Audit Report
Re: Fiscal Year 2013-2014

Councilor Ortega:

- Page 98, result of last year's findings and other than a couple of them most are repeated findings. He asked if all of these can be eliminated this next audit. Ms. Trujillo stated that some will be repeated but we will be able to show considerable improvement and progress. Ms. Shannon stated that the capital asset and depreciation schedule will more than likely not be done.
- Procurement Policy/Code – We need to make sure we adhere to this. Ms. Trujillo stated that they have been very diligent in making sure that everyone is following procurement. Asked that all department heads have a copy of the policy.
- Page 90, Management's response regarding asset inventory database. Ms. Trujillo stated it is available but we need to expand on it. Councilor Ortega asked if this is something that needs to be done by the end of this fiscal year. Ms. Trujillo stated yes, but more than likely we will not be able to get to it. It is going to take a lot of time and work.
- Control over receipts and deposits regarding policies and procedures. Have these been developed? Ms. Trujillo stated that they have implemented internal policies and segregation of duties.

Councilor Romero:

- Inquired if all the departments go through Ms. Trujillo for purchases. Ms. Trujillo stated that they are still having some struggles but once the new policy is approved, they will.
- Asked if it is allowable for the Police Department to have their own checking account. Ms. Trujillo stated no. Inquired if the Fire Department can have their own checking account? Ms. Trujillo stated that the fire department is a volunteer fire department so it is not part of the Village. The building belongs to the Village so we are responsible for the maintenance. The Village does not have control over their donations.

Motion: Councilor Cisneros

Second: Councilor Romero

Roll Call:

Councilor Julian Cisneros	YES
Councilor Miguel Romero	YES
Councilor Brent Jaramillo	YES

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Councilor Ortega asked if we are approving the report or accepting the report. Ms. Trujillo stated we will be accepting the report. Councilor Ortega stated that his vote is yes if we are accepting the report.

Councilor Lawrence Ortega YES

To **accept** the Audit Report for Fiscal Year 2013-2014. All voted yes. Motion carried.

VIII. FINANCE DEPARTMENT - Ms. Karen Shannon

A) Approval of Paid Vouchers

Ms. Shannon presented the paid vouchers.

Motion: Councilor Romero
Second: Councilor Cisneros

In Favor: All
Opposed: None

To approve the Paid Vouchers as presented. All voted yes. Motion carried.

B) Approval of Unpaid Vouchers

Councilor Ortega:

- LN Curtis & Sons voucher for Firefighting Jackets and Pants – Ms. Shannon stated that this is a grant that we will get reimbursed for. Councilor Romero asked how many volunteers there are? Ms. Shannon stated that she is not sure but 21 sets were ordered. A discussion was held regarding the justification of the membership. Ms. Trujillo asked if they were paid firefighters we could question them. Mayor Gallegos stated that it is important that we know these things. He stated that there has to be some justification. Ms. Trujillo stated that they completed the grant and it didn't come through here. Councilor Romero stated that it is not right. Councilor Cisneros agreed and stated that we are fronting the money for them until we get reimbursed so we should know what they are doing. Councilor Jaramillo stated that this grant is very specific. Mayor stated that we should always know how many volunteers we have. Councilor Romero asked that Chief Ortega be present at the next meeting to answer some of these questions.
- Page 2, Leadership New Mexico - Councilor Jaramillo will be attending this workshop.

Motion: Councilor Cisneros
Second: Councilor Ortega

In Favor: All
Opposed: None

To approve the Unpaid Vouchers as presented. All voted yes. Motion carried.

IX. DISCUSSION ITEM – Village of Questa Water & Sewer Ordinance

Ms. Chavez stated that the items from last meeting were addressed. She stated that she needs input regarding the preference for the utility due date. Councilor Jaramillo stated that he believes it should be up to the staff and see what works for them.

Councilor Cisneros asked about the late fees. Ms. Shannon stated that it is 10% of the outstanding balance. Councilor Cisneros stated it should be a flat rate. A discussion was held. Mayor Gallegos stated that we have the option to wave fees in this new ordinance.

A discussion was held.

The following requests were made:

- Remove paragraph 1 and replace with 'this ordinance repeals the 2006 Ordinance'
- Section 6 – Application for Service – Item C – Remove last sentence regarding the acceptance of water rights in lieu of payment.
- Monthly Water Service Rates – Commercial Class II – from 120,000 gallons to 10,000 gallons. Commercial Class III from 30,000 gallons to 20,000 gallons. Commercial Class IV from 20,000 to 30,000 gallons. Increase Outside Village Limits rates from \$3.42 to \$4.10.
- Section 12 – Item J – add 'with an appeal process to Governing Body'
- Research other municipalities regarding rates and billing

The ordinance will be placed on the agenda for public hearing and approval on March 3.

X. MATTERS FROM ADMINISTRATOR

Ms. Trujillo stated that repairs at the airport are moving forward through a state maintenance grant and federal grant for the runway improvements.

Also, Municipal Day is February 24 and 25 in Santa Fe.

XI. MATTERS FROM MAYOR AND COUNCIL

Councilor Ortega – Requested a written status report from our lobbyist for next meeting. Also, asked if Joe Moore has been in contact. Ms. Trujillo stated that she finally heard from the contractor and told him he needed to contact Mr. Moore. A final inspection needs to be completed. Councilor Ortega inquired about the return flow credit information. Ms. Trujillo stated that she will be in contact with the OSA office.

Councilor Jaramillo – Inquired about the status of the street lights. Ms. Trujillo stated that Kit Carson stated that it was our issue. We then contacted Bixby Electric who had to order the box. We filed a claim to the insurance company and received a check. Kit Carson called us and they were very upset that we moved on something that was their property. She is working on solving this issue.

Mayor Gallegos – Taos Mountain Energy Bar presented to the leadership group and met with Secretary Barela. He asked that Mr. Reyes be here on March 3, to make a presentation. A Meet & Greet is scheduled for March 23rd at the Business Park.

XII. MATTERS FROM ATTORNEY – Ms. Vanessa Chavez

Ms. Chavez stated that she recommends that her report be given in Executive Session.

XIII. 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) Water Rights - Section (10-15-1(H) (7))
- B) Pending and/or Threatening Litigation – Section (10-15-1(H) (8))
 - 1) Business Park Building

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- 2) Kit Carson
- 3) Property located at #99 North Kiowa

A motion to enter into Executive Session was made by Councilor Romero, seconded by Councilor Ortega.

Roll Call:

Councilor Julian Cisneros	YES
Councilor Miguel Romero	YES
Councilor Lawrence Ortega	YES
Councilor Brent Jaramillo	YES

The Governing Body entered into Executive Session at 8:55pm.

A motion to reconvene from Executive Session was made by Councilor Romero, seconded by Councilor Cisneros.

Roll Call:

Councilor Miguel Romero	YES
Councilor Lawrence Ortega	YES
Councilor Julian Cisneros	YES
Councilor Brent Jaramillo	YES

The Governing Body reconvened from Executive Session at 10:29 pm. Mayor Gallegos stated that only items on the agenda were discussed and no action was taken. Direction was given to Ms. Chavez to pursue concerns from the Governing Body and will bring her recommendations back to them at the March meeting.

XIV. ADJOURNMENT

Motion: Councilor Cisneros

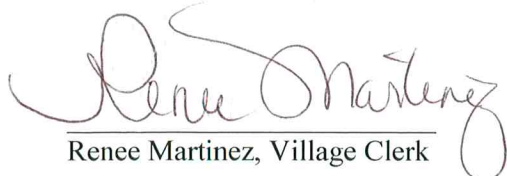
Second: Councilor Ortega

In Favor: All

Opposed: None

There being no further business to discuss, the meeting was adjourned at 10:30pm.

ATTEST:


Renee Martinez, Village Clerk

APPROVED:


Mark Gallegos, Mayor