

**VILLAGE OF QUESTA
REGULAR MEETING MINUTES
TUESDAY, AUGUST 09, 2016
VILLAGE OF QUESTA COUNCIL CHAMBERS
6:00PM**

I. CALL TO ORDER BY MAYOR MARK L. GALLEGOS

Mayor Gallegos called the meeting to order at 6:01pm.

II. ROLL CALL

Mayor Gallegos asked Village Clerk Renee Martinez to take roll.

Present:

Councilor Julian Cisneros
Councilor John Anthony Ortega
Councilor Lawrence Ortega

Councilor Brent Jaramillo arrived at 6:09.

Also Present:

Administrator Loretta Trujillo
Village Clerk Renee Martinez
Finance Director Karen Shannon

III. PLEDGE OF ALLEGIANCE

Mr. Kyle Hawari led the Pledge of Allegiance

IV. APPROVAL OF AGENDA

Motion: Councilor Lawrence 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 –

- Regular Meeting July 26, 2016

Councilor Lawrence Ortega: Page 2, line 90 - the word *net* should be *not*. Page 9, line 459 – *Councilor Ortega* should be *Councilor Jaramillo*.

Motion: Councilor Julian Cisneros

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Second: Councilor John Anthony Ortega

In Favor: All

Opposed: None

To approve the July 26, 2016 minutes as corrected. 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. Manuel Medina expressed his concern with the letter he received from Village Attorney Randy Autio regarding the partial closure of Cabresto Road. He did not agree with the comments that were made. Mr. Autio was not present at the meeting; he will be present at the August 23, 2016 meeting. Mayor Gallegos informed Mr. Medina that we will get this information to our attorney for the August 23rd meeting.

VII. **PRESENTATIONS / UPDATES**

A. Mr. Kyle Hawari, CEO/Co-Founder of Taos Mountain Energy Bars - Update

Mr. Kyle Hawari updated the Governing Body on the following:

- Kitchen Space – All contracting work has been finished. There is a small balance still due to the contractor. We are waiting on a piece of forming equipment which is the most important piece of our production line. It is custom built coming from Michigan. This machine will flatten and chop the product. After the machine is received within the next 3-4 weeks it will be a matter of getting the contractors in to tie in the equipment. He stated that they are setting a target date of somewhere near the end of October and the beginning of November.

Councilor Lawrence Ortega asked how this fits in with the original schedule the Council was given. Mr. Kyle Hawari stated that the schedule has changed quite a bit. He believes that the original date was set for July; unfortunately there were some setbacks including the slab line. Mr. Hawari stated that it is unfortunate but they would really like to make sure that this machine is going to work properly.

B. Mr. Phillipe Chino, Questa Economic Development Director – QEDFB Update

Mr. Chino updated the Governing Body on the following:

- July 27th was a scheduled QEDF Board meeting; there was no quorum. This is why the June financials are not available. Next scheduled meeting is August 24th where the June and July financials will be approved. They will be available to the Council then.
- Red River Restoration proposal sent to Village Attorney. Next step is to send a letter to property owners who live along the river requesting permission to possibly access their property during this project. An MOU between the QEDF and the Village of Questa will be drafted which will state what the QEDFB role will be as project manager. Councilor Lawrence Ortega asked if the letters going out to the property owners will be an agreement between them and the Village of Questa. Mr. Chino stated yes, he was told it would be the best way to handle it.
- The malt/barley pilot test in the Questa region is moving forward. There are two tracts, one located in Cerro and one in Costilla. These tracts are monitored weekly by VISTA volunteer, Erin and Duncan Sill of NCNMED. As of this morning, the property in Cerro is outperforming the others. Some tests will be done at the end of August to see what the protein levels are at. Councilor John Anthony Ortega asked if individual land owners are growing the barley or is it QEDF. Mr. Chino stated that they are individual land owners. Councilor Lawrence Ortega asked if there is an agreement between the land owner and QEDF. Mr. Chino

stated no. He stated that the way it was done was that the project came for the NCNMED who paid for the purchase of the seeds. Mr. Sill along with the QEDF worked with the land owners. There was no contract or stipulation for compensation. It was more about the testing. Councilor John Anthony Ortega asked if the landowners were recruited or was there some kind of application process and how were they chosen. Mr. Chino stated that QEDF met with several potential farmers and explained to them what they wanted to do and if they were interested they would be placed in front of Mr. Sill and the NCNMED, who had the responsibility of screening and choosing them.

- We have not heard anything regarding the USDA grant.
- Had a very good meeting with the director of the Los Alamos Community Partnership Office. We are now in their database and will be working with them with community programs. Mayor Gallegos inquired if this group would consider a housing development in this area. Mr. Chino stated that he will bring this item up to them the next time they meet.
- A representative from Congressman Lujan's office will be here tomorrow at 10:00am for a tour of the Business Park, a meeting with QEDFB, tour the church and also Eagle Rock Lake area. They will have lunch at Tia's and then visit the Rio Grande del Norte National Monument.
- Mr. Christian Isely, Chevron Economic Development Advisor, informed the Governing Body that a workshop/retreat for QEDFB and the Village has been scheduled for August 31st and September 1st from 12:00pm-4:00pm and will be facilitated by Chevron and be held at the Chevron Mining Administration building. Ms. Trujillo stated that these dates will not work for the Governing Body for the reason that the NM Municipal League Annual Conference is at that time. Mayor Gallegos stated that some of the Council have 9-5 jobs and requested the retreat be late afternoon or Saturday so that everyone can participate. He stated that he will work with Ms. Trujillo on the scheduling.

Councilor John Anthony Ortega asked if there are people going in to the QEDF building looking for the Visitor's Center. Mr. Chino stated no. He stated that there is no signage and he believes this is what brought people in. The few people who do stop by we send here to the Village office.

VIII. PUBLIC HEARING - 2018-2022 Infrastructure Capital Improvement Plan (ICIP)

Mayor Gallegos opened the Public Hearing at 6:56pm. There were no Public Comments regarding the ICIP Plan. Ms. Yolanda Acosta inquired if the Village was considering hiring someone to run the Visitor's Center or is it not going to happen this year. Mayor Gallegos stated that it may be discussed in Matters from Administrator or Matters from Mayor and Council later in the meeting. This Public Hearing is for the ICIP which is our list of prioritized projects that we will be requesting in the upcoming Legislative Session.

Councilor Brent Jaramillo stated that in light of the possible approval of Resolution 2016-23, the number one priority should be the cash match for the MAP Project. It was decided that this be the #1 request be for \$225,000.00 for the Cabresto Road Improvements. Mayor Gallegos asked if the Council would consider #4 be Administrative Office addition and/or improvements. Councilor John Anthony Ortega stated that he takes issue with this priority being that there are other Village building that are in need of improvements. Ms. Trujillo stated that it is not about the improvements. We could utilize other employees as well. Also, the security issue of the MVD Clerk is a concern. There are days when the MVD Clerk is not very busy and could be utilized here at the main office. In addition, the Council Chambers is very small to hold other meeting in and we would like an additional meeting room. Councilor John Anthony Ortega stated that he can agree with it being necessary but not a priority. He stated that there are walls collapsing and roofs leaking in other buildings. A discussion was held regarding the Fire Department building needs. Councilor John Anthony Ortega stated that he is not only pushing for the repairs at the Fire Department. If the Administration building needs some improvements we need to fix it. All of our buildings need improvements.

Councilor Lawrence Ortega asked if we should use the money we have currently for Water Rights before we ask for more. Ms. Trujillo stated that she agrees that we should use what we have. Councilor Brent Jaramillo asked if we have the matching money for the 2016/2017 Local Government Road Fund Project. Ms. Trujillo stated that we

could come up with the money if we had to, depending on the Small Cities Assistance we receive. Councilor Lawrence Ortega asked if this is how we usually come up with the match for these projects. Ms. Trujillo stated yes. Councilor Brent Jaramillo asked if we have this match currently. It was decided to leave the amount at \$225,000.00. Mayor Gallegos asked if water system improvements and sewer line extension could be listed as a combined priority as #2 or #3. Councilor Brent Jaramillo stated yes. Mayor Gallegos reminded the Council that in our NRDA request, water system improvements for a new well was requested so we wouldn't need the one on the ICIP. Councilor Julian Cisneros suggested that one of the priorities be Road Improvements and Repair. Council inquired about the Resolution that they asked to be placed on this agenda regarding Chevron Mining funding for Abra and Embargo Roads. Ms. Trujillo stated that she did ask the attorney to produce that Resolution; he will have it available for the next meeting.

Councilor Brent Jaramillo also stated that the ICIP can also be used for other funding agencies when requesting money from them. It is not just for the Legislature. Ms. Trujillo suggested we place Phase II of the MAP project on the list at a later year. It was decided to place it on the 2018 year at \$225,000.00.

Mayor Gallegos closed the Public Hearing at 7:45pm.

IX. DISCUSSION

A. 2018-2022 Infrastructure Capital Improvement Plan (ICIP)

The top priorities agreed upon are as follows:

1) Cabresto Road Improvements	\$ 225,000.00
2) Water and Sewer Line Extensions	\$
3) Economic Development	\$ 1.5 million
4) Road Improvements and Repairs(highway, streets and bridges)	\$ 200,000.00
5) Building Improvements	\$ 500,000.00
6) Municipal Park Improvements (Municipal and MolyCorp)	\$ 100,000.00
7) Business Park Infrastructure Improvements	\$ 300,000.00
8) New Fire Department Building	
9) Administrative Building Improvements	
10) Water Rights	

It was decided to leave the remainder of the priorities as is with the exception of the following:

- Remove the Paving Bailon/Car Wash/ Ortega Roads
- Place \$225,000.00 for Phase II of the MAP Project (Llano Road) in 2018

At his time Mr. Gabe Cisneros arrived and inquired if any of our priorities were for well improvements. Councilor Lawrence Ortega stated that a new well was a priority on the NRDA request.

Mayor Gallegos asked the Council to consider a friendly amendment to the Agenda to have Mr. Gabe Cisneros of UPS to inform the Council on a possible business opportunity coming to the Village.

Motion: Councilor Julian Cisneros

Second: Councilor Brent Jaramillo

All in Favor: All

Opposed: None

Motion carried.

Mr. Gabe Cisneros informed the Governing Body that the Ruhber Company is interested in opening business here in Questa at the Business Park. Ruhber is a tire company that would like to lease a portion of the Business Park property for their administration office and lease a piece of property for a warehouse to store their tires and for manufacturing. They have met with the NMED. They have submitted a letter of interest. Mayor Gallegos stated that they will need a 2000-2500 square foot building. They would like the admin office located here in order to for Questa to get the GRT's. They are looking to employ 20-25 employees. A discussion was held. It was decided that they come to the next Council Meeting to present their business plan to the Council.

Ms. Trujillo inquired about the environmental for the CDBG. Mr. Cisneros stated it was complete. He stated we have done all the paperwork all we have to do is advertise.

X. ACTION ITEMS - (Consideration and Action)

A. Discussion and Approval of Waterline Project on Mr. Lino Garcia Property

Ms. Trujillo stated that the Council directed her last meeting to get a cost together on how much this project would cost the Village to run a water line along Mr. Garcia's fence line. She stated that the cost of materials would be \$264.00, 4 days of labor and fuel.

Motion: Councilor Julian Cisneros
Second: Councilor Lawrence Ortega

In Favor: All
Opposed: None

To approve the Waterline Project on Mr. Lino Garcia Property. All voted yes. Motion carried.

B. Approval of Resolution 2016-22 – 2016/2017 Local Government Road Fund Project

Ms. Trujillo informed the Governing Body that this resolution is a requirement from the NMDOT for Phase II of the Old Red River Road Project.

Motion: Councilor Julian Cisneros
Second: Councilor Lawrence Ortega

Roll Call:

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

To approve Resolution 2016-22 – 2016/2017 Local Government Road Fund Project. All voted yes. Motion carried.

C. Approval of Resolution 2016-23 – Fiscal Year 2017 Municipal Arterial Project No. 7655(907)

Ms. Trujillo informed the Governing Body that this resolution also is a requirement from the NMDOT for Phase I of tying in Cabresto Road and Llano Road to the state highways.

Motion: Councilor Julian Cisneros
Second: Councilor John Anthony Ortega

Roll Call:

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

To approve Resolution 2016-23 – Fiscal Year 2017 Municipal Arterial Project No. 7655(907). All voted yes.
Motion carried.

D. Approval of Resolution 2016-24 – La Cienega Property

Ms. Trujillo stated that this is the same Resolution that came before Council at the July 12th meeting. No changes have been made.

Motion: Councilor Julian Cisneros
Second: Councilor Brent Jaramillo

Roll Call:

Councilor John Anthony Ortega NO
Councilor Lawrence Ortega NO
Councilor Brent Jaramillo YES
Councilor Julian Cisneros YES

Due to a tie vote, Mayor Gallegos voted in order to break the tie:

Mayor Mark Gallegos YES

Councilor Lawrence Ortega asked for a discussion. He stated that he believes that a majority of the Council (3) was needed to pass a Resolution. Village Clerk Renee Martinez stated that yes, a majority of the Council is needed to pass a Resolution but in a tie vote, the Mayor gets a vote. Councilor Julian Cisneros stated that this needs to be clarified, but believes this is one of the few times that the Mayor has a vote. Councilor Brent Jaramillo suggested we call Attorney Marcus Rael for clarification since it has been practiced both ways. Mayor Gallegos made the phone call from his phone to Attorney Rael. There was no answer. Councilor Lawrence Ortega suggested that we let it stand the way it was voted tonight and if it is not proper or correct we will bring it back at correct it. Councilor Lawrence Ortega stated that he wants to make sure we are doing this properly.

To approve Resolution 2016-24 – La Cienega Property. With a vote of 3 to 2. Motion carried.

E. Approval of Real Estate Transfer Agreement - La Cienega Property

Motion: Councilor Julian Cisneros
Second: Councilor Brent Jaramillo

All in Favor: Councilor Julian Cisneros
Councilor Brent Jaramillo

Opposed: Councilor Lawrence Ortega
Councilor John Anthony Ortega

Mayor Gallegos asked for a Roll Call Vote:

309 Roll Call:

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311 Councilor Brent Jaramillo YES

312 Councilor Lawrence Ortega NO

313 Councilor John Anthony Ortega NO

314 Councilor Julian Cisneros YES

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316 Due to a tie vote, Mayor Gallegos voted in order to break the tie:

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318 Mayor Mark Gallegos YES

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320 To approve of Real Estate Transfer Agreement - La Cienega Property. With a vote of 3 to 2. Motion carried.

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322 Mayor Gallegos stated that we will get clarification on these two items first thing tomorrow from legal counsel.

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324 XI. **FINANCIALS** – Ms. Karen Shannon, Finance Director

325 A. Approval of Unpaid Vouchers

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327 Ms. Shannon stated that these vouchers are as of August 4, 2016 and stood for any questions.

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329 Councilor Lawrence Ortega inquired about HUB International Insurance. Ms. Shannon stated that they take care
330 of all our insurances. This is their fee for doing this.

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332 Motion: Councilor Julian Cisneros

333 Second: Councilor John Anthony Ortega

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335 In Favor: All

336 Opposed: None

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

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340 XII. **MATTERS FROM ATTORNEY**

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342 Not Present.

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344 XIII. **MATTERS FROM ADMINISTRATOR**

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- 346 • Ms. Trujillo informed the Council that Roger and Sandra Harrington of Art Questa have offered to display
347 and hand out tourism information. This business will not serve as our visitor's center but will be a location
348 for information. We will have to provide the stands for the brochures and a sign. Councilor Julian Cisneros
349 stated that last meeting he requested that Mayor Gallegos and Councilor Brent Jaramillo request \$10,000.00
350 from the QEDFB for the Visitor's Center and keep Ms. Alberta Bouyer. He understands that there was no
351 QEDFB meeting and would like to know what we need to do to get this back on their agenda. Mayor
352 Gallegos stated that the QEDFB will be meeting on August 24th. Mayor Gallegos stated that Ms. Bouyer
353 has applied for the Tourism Director position at the Town of Red River. He believes we need to look at
354 business location for the Visitor's Center and in the meantime ask businesses to serve as distribution
355 locations. The Blanco family is interested in leasing their building to the Village for a possible location.
356 Councilor Julian Cisneros stated that what irritates him most is that we have put money into the last building
357 and we just abandoned it. Mayor Gallegos stated that he appreciated his concern and asked the Council to
358 approve the \$5,000.00 to move ahead and hire a tourism director and in the meantime have discussion with
359 the QEDFB to move back into their building. Councilor Brent Jaramillo stated that the QEDFB did not ask
360 the Visitor's Center to vacate the building. Councilor Julian Cisneros stated that if we can approve the

\$5,000.00 to have someone in the building we won't have to look for another location. In the meantime maybe we can get the money from the QEDF to fund the position for the future. Councilor Lawrence Ortega inquired about why we are looking for another building? Mayor Gallegos stated that he is just looking ahead. He stated that the environment at the time for those occupying the building was uncomfortable and not working. Councilor Brent Jaramillo stated that he guesses that we should have brought this issue up while Mr. Chino was present. Mayor Gallegos stated that we all had the opportunity to ask him questions. Councilor Julian Cisneros stated that he would expect Mr. Chino to stay for the entire meeting and not leave. A lengthy discussion was held.

It was approved to allow Art Questa to display and distribute tourism information on our behalf.

- Ms. Trujillo received a call from Ms. Joy Garcia from St. Anthony's for permission to close the intersection at Cisneros Road and Cabresto Road for the church dedication on Sunday from 11:00am to 4:00pm. There is an application process and signatures from neighbors need to be collected. Because the request was brought to Ms. Trujillo today, this will not be possible. They have spoken to residents in the Cabresto area that will be affected but not the ones on Cisneros Road. They will have access through SR 522. It was decided to allow the intersection be closed to through traffic as long as there is plenty of signage.
- Ms. Trujillo informed the Governing Body that we are not having any luck attracting EMT's for the positions that were budgeted for because of the wages we are offering and the part time hours. We are short staffed. We did not have coverage the last weekend. She is asking that instead of 4 part time positions we add another full time positions. This would be a on a temporary basis so we can restructure. A discussion was held regarding the EMS budget. Councilor John Anthony Ortega requested placing another job advertisement for a fulltime and a part time position to see if that will engage potential applicants. Ms. Trujillo stated that we will place another ad.

XIV. MATTERS FROM MAYOR AND COUNCIL

Councilor Lawrence Ortega:

- Inquired if any progress has been made with the names on the memorial. Mayor Gallegos stated that the estimate came in at \$600.00. He is looking into using an air compressor from someone locally to cut the cost. He will keep the Council updated.
- Would like the Abra Road Resolution to come before the Council as soon as possible.

Councilor John Anthony Ortega:

- Would like to work on bringing the Fiesta's back to Questa. He spoke with a musician who can help us do this and will come play for free.

Councilor Brent Jaramillo:

- Requested a copy of the budget. Ms. Trujillo stated that it is $\frac{3}{4}$ into Caselle and will get it to him very soon.

Councilor Julian Cisneros:

- No Matters

Mayor Gallegos:

- There will be an EPA dedication ceremony at Eagle Rock Lake sometime in September.
- Will speak with an EPA engineer regarding the Superfund.

- There is enough street lights out to call in Bixby to replace them.
- The St. Anthony's Church dedication on Sunday.
- Employee BBQ was a success.
- We will be locking the gate at the Municipal Park to prevent vandalism.

XV. **ADJOURNMENT**

Motion: Councilor Julian Cisneros

Second: Councilor Lawrence Ortega

In Favor: All

Opposed: None

There being no further business to discuss, the meeting was adjourned at 9:03pm.

ATTEST:



Renee Martinez, CMC

APPROVED:

Mark Gallegos, Mayor