

1 **REGULAR MEETING MINUTES**
2 **TUESDAY, DECEMBER 27, 2016**
3 **VILLAGE OF QUESTA COUNCIL CHAMBERS**
4 **6:00PM**

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6 I. **CALL TO ORDER BY MAYOR MARK L. GALLEGOS**

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8 Mayor Gallegos called the meeting to order at 6:00pm
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10 II. **ROLL CALL**

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12 Mayor Gallegos asked Village Clerk Renee Martinez to take roll.
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14 Present:

15 Councilor Lawrence Ortega

16 Councilor Brent Jaramillo

17 Councilor John Anthony Ortega
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19 Not Present:

20 Councilor Julian Cisneros
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22 Also Present:

23 Administrator Loretta Trujillo

24 Village Clerk Renee Martinez

25 Finance Director Karen Shannon

26 Cabinet Secretary
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28 III. **PLEDGE OF ALLEGIANCE**

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30 Mayor Gallegos lead the Pledge of Allegiance.
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32 IV. **APPROVAL OF AGENDA**

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34 Mayor Gallegos asked that Approval of Minutes be stricken from the agenda. Councilor John Anthony Ortega
35 requested items VI and VII be switched. Mayor Gallegos asked that Executive Session/Personnel Matters – Utilities
36 Department Supervisor be added to the agenda as Item XI.
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38 Motion: Councilor Lawrence Ortega

39 Second: Councilor John Anthony Ortega
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41 In Favor: All

42 Opposed: None
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44 To approve the agenda as amended. All voted yes. Motion carried.
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46 V. **APPROVAL OF MINUTES**

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48 Removed from Agenda.
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50 VII. **UPDATES/DISCUSSION**

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Village of Questa Regular Meeting
DECEMBER 27, 2016

A. La Cienega Property

Ms. Trujillo informed the Governing Body that the NM Board of Finance approved the transfer of the La Cienega School property to the Village of Questa.

B. Municipal Water Supply Update

Mayor Gallegos gave a brief update.

Mr. M. Jay Mitchell, Cabinet Secretary for the NM Department of Homeland Security and Emergency Management informed the public about the procedure for the declaration of an emergency. He informed them that the Village of Questa is currently under an emergency executive order. Notifications are required within 72 hours; the Village of Questa notified our office within the first 4 hours. It was confirmed by the Taos County Office of Emergency Management who sent someone up immediately. This allowed us to contact different agencies without having to wait for authorizations, to begin mobilizing. This all happened within the first 24 hours. Since then, daily updates have been going to the Governor's Office. His team is working at the Cabinet level with NMED and the Office of the State Engineer to get permitting done immediately. The water tests are needed for health and safety requirements. These tests went through fairly rapidly. Fire Department tenders from Taos County and Colfax County were put on emergency response orders in case of a fire. His department has been monitoring the cost of the emergency with daily updates sent by the Village. They are determining the allowable and non-allowable costs. The Executive Order was in place on the Tuesday that the emergency started. Secretary Mitchell stood for questions.

- Former Mayor Bobby Ortega thanked Secretary Mitchell for being here. He stated that this is week 3 with no water. Mr. Ortega stated that we need help now. We need experts and we need resources. He inquired about the resources that his office has to offer in order to resolve this issue. Secretary Mitchell stated that this is an internal failure inside the system and problems with the historical aspects of the system and understanding how it operates. Secretary Mitchell state that they are looking into several contractors across the state. Mr. Justin King of King Enterprises, who has assisted with water issues throughout the state is already in conversations with the Mayor. If they can't isolate the problem with your public works foreman who has history of the system by tomorrow, the next step is to get outside help from a contractor. The state does not run a public works department, none of our agencies have these services or expertise readily available; if we had them they would be here. They rely exclusively on contractors. Mr. Ortega stated that we need help; bring the resources that are necessary. Questa is a small community with a limited budget. Mr. Ortega hopes that this message is communicated to the governor.
- Mr. Ben Herrera stated that he used to be the public works superintendent here and ran this system for a long time. The bottom line here is that we need another well; three wells.
- Ms. Phyllis Zimmerman stated that if the water is shut off to everyone, even the ones who currently have water, we are going to have a bigger mess with frozen meters and busted waterlines. Ms. Zimmerman stated that this is the 3rd meeting she has attending regarding this issue and nothing is being resolved, we are chasing our tails. We all want to know what is going to be done. When is this problem going to be fixed?
- Ms. Louise Gallegos stated that she asked specifically asked Mayor Gallegos at the last meeting if the Governor's Office has been contacted and the answer was no. Now we are being told that they were contacted 4 hours into the emergency. Ms. Gallegos stated that we should have been told last week that the Village was going through the process of what was needed to do; instead you said no. She stated that the Mayor is losing credibility and she does not want to see that. We need to solve this problem, regardless of whenever it started.
- Former Mayor Malaquias Rael stated that we need boots on the ground to look for leaks.
- Former Mayor Charlie Gonzales stated that Mr. Leroy Romero has a well that he wants to sell. It just needs to be tested and in this type of situation the Governing Body needs to look at what it takes to activate this well.
- Former Mayor Esther Garcia asked why we didn't dig the new well deeper. Whose suggestion was it to dig 500 feet? Are you sure the aquifer is not going down. She wished the well driller would have been here tonight so that we could have asked him some questions. Ms. Garcia asked why we would drill a new well right next to the one that dried up. She wants answers.

- Mr. Leslie Trujillo stated that he attended a meeting at the firehouse sometime in 2011 where Mr. Danny Garcia expressed his concern about where our water is going. It has been an ongoing problem.
- Ms. Kelsey Zimmerman asked Secretary Mitchell if the state engineer's office has found any issues. Is the pump big enough, is there enough water in the aquifer and/or is it a leak? Do we have an engineer on hand right now? Councilor Lawrence Ortega stated that this Governing Body will be making this decision today or tomorrow.

Councilor John Anthony Ortega stated that he is hearing two different stories. One is 15% of the community is out of water and Secretary Mitchell stated that it is 20%. He asked for clarity on this. Mayor Gallegos stated that by the phone calls we are getting into the office and the ones we are making we are gaging this. The staff is doing all they can to get this information. Mayor stated that there needs to be some collaborative effort between this Governing Body and the staff to help us out. He stated that there have not been councilmembers here helping out. Councilor John Anthony Ortega stated that he does not agree, he has been here; he has been out of work for 3 weeks and has exhausted pretty much all of his vacation. Councilor Lawrence Ortega stated that this Council has not had a meeting in order to make decisions. Mayor Gallegos stated he is self-employed, that is neither here nor there. He apologized and stated that it does not matter who's been here or not.

- Ms. Krystle Cisneros stated that our lives still go on without water. Our kids have not gone to school and that is upsetting. She stated that the Mayor and the Council are accountable for this. Somebody needs to be held accountable for this.
- Ms. Andie Ortega stated that she has never received a phone call. Yesterday was 3 weeks with no water at all. Last week it was said that we may have water for Christmas and we did not. It was very hard.

Mayor Gallegos stated that we do need professionals to come in and help us. Ms. Andie Ortega stated that this should have happened from the beginning. Mayor Gallegos stated that she is right, he is not going to hide behind anything. He stated that we are working it the best we can with the information we have. There is no owner's manual; just raw experience that has been passed on from employee to employee. This is the way it has been for ten or fifteen years, if not longer. This is the fault of a lot of mayor's and council that have sat up here. We are the Governing Body now that has to bear this burden. We are trying to get a grasp on the system so that we can have a steady flow of water running through the system.

- Ms. Judith Cuddihy asked if we have a physical map of the system. Mayor stated that we do. Ms. Cuddihy asked that Mayor Gallegos confirm to the public tonight that he will get an engineer in here tomorrow. Mayor Gallegos stated yes.
- Former Mayor Malaquias Rael addressed Mayor Gallegos about his comments as well as the comments from the public regarding that this is a problem that has been passed on. He stated that the Mayor knows as well as anybody, and also Councilor Lawrence Ortega, former engineer for the Village and also Councilor Jaramillo that the amount of resources that have been put into this water system have been substantial. There has always been improvements to the system. He stated that he thinks that the best thing for this administration to do is not waste your breath and any time on trying to scapegoat the previous administration's efforts or lack of efforts on the lack of improvements or improvements done to the system and focus on the problem at hand continuously. This is all we can do.
- Former Fire Chief Max Ortega stated that the Mayor and Council need to get the staff some help. He hears every day that people don't know what is happening. People need to be informed at least once a day. We need the community to step up and help. The youth are helping every day.
- Mr. Lloyd Varela asked if Chevron Mining has offered to assist with the expenses that have been incurred. Mayor Gallegos stated no.

Councilor Brent Jaramillo stated that we have hired Wilson & Co., an engineering firm to write the report for the production of the new well.

- Ms. Phyllis Zimmerman stated that his has also been a financial burden on people having to drive to Taos or Red River to shower or to the laundromat. She was also concerned about checking on the elderly and the homebound. Ms. Rosie Cisneros stated that she checks on the people that she delivers meals to.
- Mr. Jake Lafore asked for an update regarding the permanent hook up for the well. Mayor Gallegos stated that he spoke with Mr. Vigil today and he is going to come in and start digging the line and prepare for the tie in. Mr. Lafore asked if a shutdown of the system will happen. Mayor Gallegos stated no, we will leave well #1 running. Mr. Vigil believes he can do this is one day.
- Mr. Dennis Michem asked if showers could be brought in by the National Guard so people don't have to commute. Mr. Michem asked that Council to consider this.

Councilor John Anthony Ortega stated that we had an incident command system set in place and it got pushed aside, he is not sure why it did but with that system in place, we were able to have Mr. Tommy Lyles here to put information out.

- Mr. Danny Garcia stated that after reviewing some of the maps and going to the PRV's and valves, a lot of them are under the dirt or pavement and we don't know exactly where they are at. There was a system improvement in 2005, in Lower Embargo an 8 inch pipe was placed for over 6 miles. That is over 100,000 gallons of water; half of the water is just going to fill that line.
- Mr. Jason Gonzalez stated that he will be here tomorrow to help with boots on the ground and volunteer his time.
- Former Mayor Bobby Ortega stated that it is up to the Governing Body to make the decisions. What should we expect? Councilor Lawrence Ortega stated that he is committed to get the professionals that we need here to assess the situation and find the problem and go from there. We can't spend another week or two looking for a leak. Councilor John Anthony Ortega stated that he agrees with what Councilor Lawrence Ortega said. He stated that the emergency isn't over because the well was drilled. We are still committed to finding leaks and fixing PRV's and valves. He stated that he believes we should stay in emergency mode until everything runs correctly and everyone has good water.
- Former Mayor Lawrence Gallegos stated that the employees and Mayor have been here every day since this has started. He believes they should be thanked instead of criticized. Former Mayor Bobby Ortega stated that he did thank them earlier and he knows they have been working hard. He also stated that this is not a personal issue, it is a community problem that we need to work together on to get solved. Councilor Lawrence Ortega stated that he spent the day with the Mayor and the crew telling them how the system works and what they should do.
- Ms. Gloria Gonzales stated that she believes that pointing of fingers and the blame has to stop here and now. The Village is doing a wonderful job. They check on me and my daughter every day, and so does the Mayor. What has to be done is we have to uplift our Mayor and the staff so they get motivated. We need to embrace the Mayor and the Council. God is the main source. We need to listen and work together.

C. Possible Funding Sources for Water Emergency

Ms. Trujillo stated that she reached out to the Los Alamos Foundation to seek assistance in paying Mr. Amalio Madueno to help apply for grants to assist the Village. They did approve the request. Mr. Madueno has filled out an application to the NM Board of Finance; the Resolution is on this meeting's agenda for approval. He is also in contact with the USDA. The Village Attorneys have also reached out to the NRDA to see if we can get these monies for this emergency.

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 at this time.

VIII. **ACTION ITEMS - (Consideration and Action)**

Village of Questa Regular Meeting

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A. Decision to Cap and Plug Old Well #2

Ms. Trujillo stated that when the Village applied for a temporary well permit with the Office of the State Engineer, we were told that if we were going to drill the well close to the existing well, we would have to cap and plug the current well. Ms. Trujillo followed up with the OSA today and was informed that because we transferred the water rights from the well, we have to abandon it. There are no more water rights tied to that well. The NMED agreed and also recommended it be capped.

Motion: Councilor Brent Jaramillo

Second: Councilor John Anthony Ortega, with discussion.

Councilor John Anthony Ortega asked if there was a way to keep the well as an exploratory well. Ms. Trujillo stated no.

In Favor: All

Opposed: None

To approve the capping and plugging of old well #2. All voted yes. Motion carried.

B. Resolution 2016-33 - NM Board of Finance

Ms. Trujillo stated that this resolution that is required from the NM Board of Finance requires for the Village to apply for grant money. The Village will go before the NM Board of Finance in January to make the request. A discussion was held.

Motion: Councilor Brent Jaramillo

Second: Councilor Lawrence Ortega

Roll Call:

Councilor John Anthony Ortega YES

Councilor Lawrence Ortega YES

Councilor Brent Jaramillo YES

To approve Resolution 2016-33–NM Board of Finance. All voted yes. Motion carried.

C. Resolution 2016-34 - Open Meetings 2017

Ms. Trujillo stated that the only two changes are highlighted in yellow. One is adding the Consent Agenda and the other is changing the meeting times to 7:00pm during the summer months.

Motion: Councilor Brent Jaramillo

Second: Councilor Lawrence Ortega

Roll Call:

Councilor John Anthony Ortega YES

Councilor Lawrence Ortega YES

Councilor Brent Jaramillo YES

To approve Resolution 2016-34–Open Meetings 2017. All voted yes. Motion carried.

D. Resolution 2016-35 - Employee Holiday Schedule 2017

Ms. Trujillo stated that this Resolution was presented at last meeting. No changes were made.

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Motion: Councilor John Anthony Ortega
Second: Councilor Brent Jaramillo

Roll Call:

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

To approve Resolution 2016-35– 2017 Employee Holiday Schedule. All voted yes. Motion carried.

E. Resolution 2016-36 - Travel and Per Diem Policy

Councilor John Anthony Ortega stated that he has requested some items from Ms. Shannon and believes he cannot make a decision on this item until he reviews the requested information. Councilor Brent Jaramillo stated that he would like to table this item until he is able to review it thoroughly. He has a couple of concerns.

A motion to table this item was made by Councilor John Anthony Ortega. Seconded by Brent Jaramillo.

Roll Call:

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

To table Resolution 2016-36–Travel and Per Diem Policy. All voted yes. Motion carried.

F. Resolution 2016-37 – ICIP Priority

Ms. Trujillo stated that the 2018-2022 ICIP Plan was approved in August of 2016. Ms. Trujillo is requesting to change the #1 priority to well and water system improvements. She has spoken with the NM Department of Finance and they have allowed this change to our ICIP.

Motion: Councilor John Anthony Ortega
Second: Councilor Lawrence Ortega

Roll Call:

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

To approve Resolution 2016-37–ICIP Priority. All voted yes. Motion carried.

IX. FINANCIALS – Ms. Karen Shannon, Finance Director

A. Approval of Unpaid Vouchers

Ms. Shannon stated that these vouchers are as of December 23, 2016.

Councilor Lawrence Ortega asked why we are going to Taos to take our vehicles for repair. Ms. Trujillo stated that we did request 3 quotes and even with the transport of the vehicle, Daryl's Auto was the lowest bid. Councilor Lawrence Ortega asked if the tow cost was included. Ms. Trujillo stated yes.

Motion: Councilor Brent Jaramillo

Second: Councilor John Anthony Ortega

In Favor: Councilor Brent Jaramillo, Councilor John Anthony Ortega

Opposed: Councilor Lawrence Ortega

To approve the presented vouchers. Motion carried.

X. **MATTERS FROM ADMINISTRATOR, MAYOR AND COUNCIL**

Ms. Trujillo updated the Governing on the following:

- Old Red River Road Phase II – The project is complete. She stated that we do need to address the additional expense of the raising of the water valves and manholes.
- Street Lights – Bixby Electric was here at the end of November and changed out over 20 lights. They need to come back to change out one by the fire station, one by the Police department and the decorative ones in town.

Councilor John Anthony Ortega stated that the distance between speed bumps on Old Red River Road is pretty far; there should be at least one more speed bump added to that road. Ms. Trujillo stated that they replaced the same number that was there before. Ms. Trujillo stated that she would look into how we could do this.

XI. **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. Limited Personnel Matters (Section 10-15-1(H) (2)) – (1.) – Utilities Department Supervisor

A motion to enter into Executive Session was made by Councilor John Anthony Ortega, seconded by Councilor Lawrence Ortega.

Roll Call:

Councilor John Anthony Ortega YES

Councilor Lawrence Ortega YES

Councilor 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 7:45pm.

A motion to reconvene from Executive Session at 9:23pm was made by Councilor Lawrence Ortega, seconded by Councilor Brent Jaramillo.

Roll Call:

Councilor Lawrence Ortega YES

Councilor Brent Jaramillo YES

Councilor John Anthony Ortega YES

Mayor Gallegos stated that only item discussed during executive session was Limited Personnel Matters regarding the Utilities Department Supervisor. There was no action taken.

XII. **ADJOURNMENT**

Motion: Councilor John Anthony Ortega

Second: Councilor Lawrence Ortega

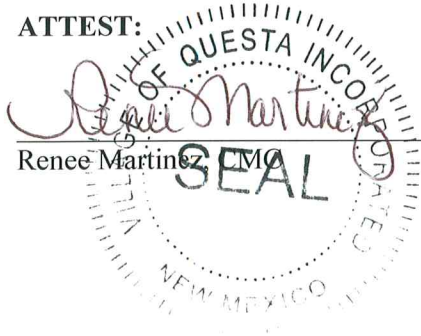
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In Favor: All
Opposed: None

There being no further business to discuss, the meeting was adjourned at 9:24pm.

ATTEST:



APPROVED:


Mark Gallegos, Mayor