

**VILLAGE OF QUESTA
REGULAR MEETING MINUTES
TUESDAY, NOVEMBER 22, 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 Lawrence Ortega
Councilor Brent Jaramillo
Councilor Julian Cisneros
Councilor John Anthony Ortega @ 6:02pm

Also Present:

Administrator Loretta Trujillo
Village Clerk Renee Martinez
Finance Director Karen Shannon
Airport Manager / WWTP Operator Jamie Archuleta

III. PLEDGE OF ALLEGIANCE

Village Clerk Renee Martinez led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

Motion: Councilor Julian Cisneros
Second: Councilor Brent Jaramillo

In Favor: All
Opposed: None

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

V. APPROVAL OF MINUTES –

- Regular Meeting November 08, 2016

Motion: Councilor Lawrence Ortega
Second: Councilor Julian Cisneros

In Favor: All
Opposed: None

Village of Questa Regular Meeting
NOVEMBER 22, 2016

To approve the November 08, 2016 minutes as presented. 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.)*

- Ms. Jeannie Masters thanked the Governing Body and also commended the staff for their help during the time early voting was held.

VII. **PRESENTATIONS/UPDATES**

A. Questa Municipal Airport Update – Mr. Jamie Archuleta, Airport Manager / WWTP Operator

Mr. Archuleta thanked the Governing Body for entrusting him to manage the Airport. Mr. Archuleta provided letters from the NM Department of Transportation/Aviation Division and Armstrong Consultants. Mr. Archuleta also thanked the Public Works Department and Questa Fire Department for their assistance. Mr. Archuleta reviewed the projects he is working on and has worked on. Mr. Archuleta stated that the airport is being used.

Councilor Brent Jaramillo commended Mr. Archuleta on his work at the airport and stated that he has seen a major improvement. Councilor Lawrence Ortega thanked Mr. Archuleta for his report and inquired if we are in line with the airport improvement plan. Mr. Archuleta stated that the grant for wildlife fencing will be rolled over to 2017 for the reason that we did not have sufficient funding to complete it this year. He is working with another entity on the beacon system.

Councilor John Anthony Ortega and Councilor Julian Cisneros thanked Mr. Archuleta for his work.

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

A. Resolution 2016-31–Authorization, Execution and Delivery of Local Government Planning Grant Agreement

Ms. Trujillo stated that this Resolution is a requirement of the NMFA for the \$50,000.00 for the Asset Management Plan.

A discussion was held

Motion: Councilor Julian Cisneros

Second: Councilor Brent Jaramillo

Roll Call:

Councilor John Anthony Ortega YES

Councilor Julian Cisneros YES

Councilor Lawrence Ortega YES

Councilor Brent Jaramillo YES

To approve Resolution 2016-31–Authorization, Execution and Delivery of Local Government Planning Grant Agreement. All voted yes. Motion carried.

B. Amendment One to Universal Professional Services Special Projects Consultant / CDBG

Ms. Trujillo stated that along with the amendment a copy of the original contract was attached. The contract expired in September and needs to be renewed to finalize the project. The environmental study has been completed and we are waiting on the 15 day period in order to move forward and get it finalized by the February 15, 2017 deadline.

Councilor Lawrence Ortega asked if the amendment was just a time extension. Ms. Trujillo stated yes.

Motion: Councilor Julian Cisneros

Second: Councilor Lawrence Ortega

Roll Call:

Councilor John Anthony Ortega YES

Councilor Lawrence Ortega YES

Councilor Julian Cisneros YES

Councilor Brent Jaramillo YES

To approve Amendment One to Universal Professional Services Special Projects Consultant / CDBG with the expiration date of February 28, 2017. All voted yes. Motion carried

C. Invitation to Bid #2017-03 – Grazing on Old Airport/ Corral / Mud Bog Properties

Mayor Gallegos stated that this ITB is for winter grazing for a period from December 19, 2016 through March 18, 2017. Mayor Gallegos asked the Council if they had any questions regarding the Invitation to Bid. Councilor Lawrence Ortega stated that he believes that we need to put more thought into this and discuss it further. Councilor Julian Cisneros asked what the animals would be grazing on since it is winter. Mayor Gallegos stated that they would graze on the crescent wheat and native grass that is out there. Mayor Gallegos stated that this can be used as a pilot project for future endeavors if the Village acquires any further properties from Chevron Mining. It will generate a small amount of revenue that will be used to maintain the property. Councilor John Anthony Ortega expressed his concerns regarding liability issues before we move any further. Councilor Jaramillo suggested the Council get their questions to Ms. Trujillo and holding a work study session on December 13th. He stated that there are people who have been waiting a year or longer for this. Councilor Ortega stated that he was not aware of that. Councilor Jaramillo stated that we put it out to bid last year.

A motion was made by Councilor Julian Cisneros to postpone this item and place it as a discussion item at a later date. Mr. Juan Cisneros stated that the bid was put out about 10 months ago, for the second time. He stated that the corral property is in very bad shape. He stated that he is present to see what is going to be done to the property since there are a lot of people who make a living by using the property. Councilor Ortega stated that a short meeting was held last night with the corral users and the priority was to see how we can get the corral facility fixed. The grazing is tied in but it is a separate issue. Mayor Gallegos stated yes, the grazing is completely separate from the corral use and agrees that the corral is a liability issue. Mr. Cisneros asked that if someone out of the membership gets the bid, are they automatically going to become member. Mayor Gallegos stated that one of the things that he is having trouble with that the Governing Body needs to address, is getting proper by-laws and a contract with the cattle users association. This has always been on an honor system. This needs to be cleaned up. Councilor Lawrence Ortega inquired about the funding from the QEDF for the corral improvements. Mayor Gallegos stated that we will be reviewing the QEDF budget and we will see the numbers for that. Mr. Daryl Ortega asked if the well at the corrals was working. Councilor Lawrence Ortega stated that there is no water. Mr. Ortega expressed his concern about the well at the corrals and the current water situation in town.

Councilor John Anthony Ortega stated that he does not see the urgency in this. He believes we should concentrate on the other water issues.

The original motion was seconded by Councilor Brent Jaramillo.

In Favor: All
 Opposed: None

To table this item for a future meeting. All voted yes. Motion carried.

D. Approval of North Central Food Pantry Agreement

Ms. Trujillo stated that she is proposing that the renewal be from 11/23/2016 thru 06/30/2017 for the reason that we would like to get all contracts due at the end of the fiscal year.

Motion: Councilor Lawrence Ortega
 Second: Councilor Julian Cisneros

In Favor: All
 Opposed: None

To approve the North Central Food Pantry Agreement. All voted yes. Motion carried.

Ms. Jeannie Masters, chairperson of the group, stated that since January they have fed close to 5,000 people and thanked the Governing Body for their support and invited them up to visit the pantry.

IX. DISCUSSION ITEMS –

A. Holiday Schedule Resolution -

Ms. Trujillo stated that this item is for discussion and will be up for approval at the December 13, 2016 meeting. The only change to the draft will be the date for Columbus Day is December 22, not December 28. Councilor John Anthony Ortega asked what Spring Day was. Ms. Trujillo stated it was the Friday before Easter.

B. Open Meetings Resolution -

Ms. Trujillo stated that the Resolution presented is last year's Open Meetings Resolution. Ms. Trujillo asked if there were any changes that the Council would like to make.

Councilor Lawrence Ortega suggested that during the summer months we could have the meetings at 7:00pm. Councilor Brent Jaramillo suggested a Consent Agenda when needed. Mayor Gallegos stated that we have discussion items and then approve these items on the consent agenda the following meeting. Councilor Brent Jaramillo stated that it would be a good idea to have the Financials after Public Comments in order for the public to be present.

Mayor Gallegos inquired about the way the minutes are done and if the Council was fine with the format. Councilor Lawrence Ortega stated that he liked the way they are being done.

C. Travel and Per Diem Policy -

Ms. Trujillo stated that currently we are currently paying .45 cents per mile. We should be paying 80% of IRS mileage which would be at .42 cents, unless we develop our own policy. The auditors have stated that we develop our own policy by January 2017 or follow the IRS policy. Legal Counsel has reviewed the policy and have made a couple of minor suggestions. The areas highlighted in yellow are the items subject to change. Councilor Brent Jaramillo stated that it is actually .46 cents. Ms. Trujillo stated that at this time she is proposing .37 cents. This policy is modeled to the State policy almost word for word. A discussion was held regarding mileage and per diem for 40 miles or less (one way) such as to the Taos area will not be eligible. Village employees are always encouraged to take Village vehicles.

X. FINANCIALS – Ms. Karen Shannon, Finance Director

A. Approval of Unpaid Vouchers

Ms. Shannon stated that these vouchers are as of November 18, 2016. Ms. Trujillo stated that there a couple of vouchers we need to add to the list. 1) TD Pump, \$3,388.32 for galvanized pump used at the well. 2) Northern Mountain Constructors, \$114,571.64, for the paving on Old Red River Road. Councilor Lawrence Ortega asked if we should wait on the voucher for Northern Mountain so that Mr. Moore can do an inspection. Ms. Trujillo asked that it be approved contingent upon a final inspection.

Motion: Councilor Lawrence Ortega – To include the two vouchers added and with the contingency on Mr. Moore completing the final inspection.

Second: Councilor John Anthony Ortega

In Favor: All
Opposed: None

To approve the presented vouchers. All voted yes. Motion carried.

B. Review of October Financials

Ms. Shannon presented the October financials. Councilor Lawrence Ortega asked if there were any red flags. Ms. Shannon stated that she needs to do a lot of internal BARS. Councilor Lawrence Ortega asked if this will include the water expense. Ms. Shannon stated yes.

XI. MATTERS FROM ADMINISTRATOR, MAYOR AND COUNCIL

Mayor Gallegos stated that he had the opportunity to sit down with Mr. Roberto Vigil and other individuals regarding their concerns and ideas regarding the EPA meeting that was held in November here in Questa. They have come here collectively to propose a committee, an organization that they would lead and report to the Village Governing Body of historical findings, issues that have been brought forward through the cleanup of the Red River. Mayor Gallegos requested from the Council the approval of this committee being spearheaded by the community and having Mr. Vigil come and report to the Governing Body. He would be the lead contact person.

Mr. Roberto Vigil spoke to the Governing Body about his concern about Eagle Rock Lake and the problem of it being full of heavy metals. Councilor Julian Cisneros asked what kind of testing has been done to back this up. Mr. Vigil stated that the EPA, in their own findings have reported this. Councilor Julian Cisneros asked if this was being brought up because of the mine or could it be happening as part of a natural process. Ms. Vigil stated that questions like these need to be clarified. He has proposed that the Governing Body approve an advisory committee to ask these questions and get answers. Councilor Julian Cisneros stated that he did not want to approve the forming of a committee on here say. He would like to see some legitimate backup. Mr. Daryl Ortega stated that his concern is that we have water lines in Questa that are still embedded in tailings. Mayor Gallegos stated that these lines have been identified and we are working on getting them replaced.

Mayor Gallegos stated that there will be 10 things that this citizen advisory board will be responsible for. Mr. Vigil provided a copy of the proposal. Each one of the Councilmembers would nominate 2 people (volunteers) to the committee, one member and one alternate. Mr. Vigil stated that the mission would be to get answers for the Governing Body. Councilor Lawrence Ortega stated that we would have to enter into a brief MOU with the committee to make sure their mission and duties are clear to all involved. Councilor John Anthony Ortega thanked the group for coming in and stated that he was at the EPA meeting and saw the concern. It is a step in the right direction and agrees with Councilor Lawrence Ortega. Councilor Brent Jaramillo stated that he was also at the EPA meeting and this is one of the first times that he sees people backing each other up. This is the time to hold Chevron and the EPA accountable. Mr. Daryl Ortega stated that this contamination is Chevron's not the Village's; we need to put pressure on them to remove the contamination. Mr. Daryl Ortega stated that he understands that if there is a mandatory cleanup and a superfund site they should have an office in the Village so people can go in and talk to them. Mayor Gallegos stated that former Mayor Garcia stood up and said this and they promised that they were going to have an office here. Mayor

Gallegos proposed a work study session with former mayors and councilmembers to brainstorm the promises that were made by EPA and Chevron so we are on the same page. Mr. Jose Cisneros stated that this is the time to move with this.

Mayor Gallegos informed the Council that last week we had high winds and the canopy that is on the temporary water treatment plants blew over and did some damage to these temporary treatment facilities. The treated water had to be discharged (he will get this verified) into the river. Our legal counsel is working on getting more information. Chevron is proposing to EPA to take the fines and recharge the tailings lines so they can discharge water. We are asking to see when those lines were last checked because when they decommissioned them they stopped servicing them. We want to make sure there is no contamination or breaks in the lines. Mayor Gallegos stated that this is how much he knows so far.

Ms. Trujillo updated the Governing Body on the following:

- A follow up to the EPA meeting has been scheduled with legal counsel and Dr. Miller for December 15 in Albuquerque at 10:00am. Ms. Trujillo stated that since we will be there for this meeting legal counsel has requested that we meet that afternoon regarding the land/water trust.
- Bixby Electric were supposed to be here this week to change out the streetlights. If they do not show by tomorrow and ITB will be sent out to other contractors. A discussion was held regarding liability issues.
- Old Red River Road Phase I and II was completed on Saturday. Ms. Trujillo stated we need to get someone to do the manhole covers and valve boxes.
- Ms. Trujillo stated that the Mr. Anthony Martinez and Mr. Jamie Archuleta were out walking the lines looking for Leaks. They detected something at the Questa Lodge in their pond. A lengthy discussion was held.

Councilor John Anthony Ortega inquired about pot holes. He has been on the Council now for 8 months and the two things I have been concerned about and been asking about are the pot holes and the water. He stated we need to be more aggressive on this issue. When he was running for Council, this was what people were most frustrated about. Their concerns still have not been addressed. Ms. Trujillo stated that we will have to go out for RFP for engineering services for the potholes. Councilor Lawrence Ortega stated that Mr. Moore has already done a design for the pothole repair. Ms. Trujillo stated that yes, he has. She was mistaken, she has them in her office. She stated we will move forward with this.

Mayor Gallegos stated that there has been an ongoing discussion on Mr. Lupe Young's use of Chevron's and the Village's property. Mr. Young stated that until he received a cease and desist letter he would keep using the property. The letter was sent last year. Another formal letter has been sent. It has been addressed but he has not abided by the letter. Councilor Lawrence Ortega stated it has been two years since the first letter was sent out. Ms. Trujillo stated that is was in June of 2015. She stated that according to Mr. Young they gave him one year. Councilor Jaramillo stated it is our land. Ms. Trujillo stated that legal counsel is sending him a letter.

Taos Mountain Energy will be in full operation in December.

Councilor Brent Jaramillo stated that we have \$25,000.00 in the Street Fund under other contractual services and we can pay a contractor for the pothole repair.

A discussion was held regarding the QEDF budget. Mayor Gallegos stated that we should be unified with by December 15th to what we want to do with this fund. Councilor Jaramillo stated that the MOU reads that we have to vote on something after December 15th. Mayor Gallegos stated that they provide a draft budget, the Council reviews it and makes their changes, have a work study and hash it out. We have the right in the work study per the MOU to say what we don't like. It was decided that any comments from the Council should be brought to Ms. Trujillo for compilation by December 13th.

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. Limited Personnel Matters (Section 10-15-1(H) (2)) –
(1) EMS Department - EMS Coordinator Position

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
Councilor Julian Cisneros	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 8:59pm.

A motion was made to reconvene from Executive Session at 9:11pm by Councilor John Anthony Ortega, seconded by Councilor Lawrence Ortega.

Roll Call:

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

Mayor Gallegos stated that only item discussed during closed session was the discussion regarding EMS Department - EMS Coordinator Position Limited Personnel Matters (Section 10-15-1(H) (2)).

No action was taken.

XIII. **ADJOURNMENT**

Motion: Councilor Lawrence Ortega

Second: Councilor John Anthony Ortega

In Favor: All

Opposed: None

There being no further business to discuss, the meeting was adjourned at 9:12pm.

ATTEST:

Renee Martinez, CMC

APPROVED:

Mark Gallegos, Mayor