

1 **VILLAGE OF QUESTA**
 2 **REGULAR MEETING MINUTES**
 3 **TUESDAY, FEBRUARY 27, 2018**
 4 **VILLAGE OF QUESTA COUNCIL CHAMBERS**
 5 **6:00PM**

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

8
 9 Mayor Gallegos called the meeting to order at 6:01 pm.

10
 11 **II. ROLL CALL**

12
 13 Mayor Gallegos asked Village Clerk Renee Martinez to take roll.

14
 15 Present:

- 16 Councilor John Anthony Ortega
- 17 Councilor Lawrence Ortega
- 18 Councilor Brent Jaramillo

19
 20 Not Present:

- 21 Councilor Julian Cisneros

22
 23 Also Present:

- 24 Administrator Nicholas Maestas
- 25 Village Clerk Renee Martinez
- 26 Finance Director Karen Shannon
- 27 Attorney Lance Hough

28
 29 **III. PLEDGE OF ALLEGIANCE**

30
 31 The Council led the Pledge of Allegiance.

32
 33 **IV. APPROVAL OF AGENDA**

34
 35 Mayor Gallegos asked to remove the Approval of Minutes.

- 36
 37 Motion: Councilor Lawrence Ortega
- 38 Second: Councilor John Ortega

39
 40 Roll Call:

- 41
- 42 Councilor John Ortega YES
- 43 Councilor Lawrence Ortega YES
- 44 Councilor Brent Jaramillo YES

- 45
- 46 In Favor: All
- 47 Opposed: None

48
 49 To approve the agenda as amended. All voted yes. Motion carried.

50
 51 **V. APPROVAL OF MINUTES – Regular Meeting, February 13, 2018**

52 *Removed from agenda.

54 VI. **PUBLIC COMMENTS** - *(It is the policy of the Governing Body to accept public comment. Because*
 55 *your particular issue is not on the agenda the Governing Body cannot respond immediately, but may direct staff*
 56 *to address issues at a future Council Meeting. Public comments are limited to a maximum of three minutes.)*
 57

58 There were no public comments.
 59

60 VII. **DISCUSSION ITEM**

61 A) Questa Creative Council
 62

63 Mr. Maestas stated that the Village has accepted an award from the National Heritage Areas a couple of months
 64 ago for some history trail signage. The Village, along with the Questa Creative Council, NHA and Village
 65 attorney have had some conversation on how and who would best administer the grant in the most efficient way.
 66 The Village currently would keep the award and administer it.
 67

68 The other 2 options on the table are:
 69

- 70 • The award would be transferred over from the Village to the Questa Creative Council which is a non-
 71 profit.
- 72 • MOU for Village to work with QCC to assist them with administering the project.
 73

74 Mr. Maestas recommended the Village retain the award as well as administer it.
 75

76 Ms. Alberts Bouyer stated that the NHA grant was written before the Questa Creative Council was formed. At
 77 the time, the only option was for the Village of Questa to be the fiscal agent. They now have another option to
 78 be the fiscal agent. Things have changed since the grant was written. They have been discussing how to save the
 79 Village staff time.
 80

81 VIII. **ACTION ITEMS**

82 A) Discussion, Consideration & Decision regarding the Addendum to the Agreement between the Village
 83 of Questa and NM Rural Water Association
 84

85 Mr. Maestas stated that a language change was made on the agreement regarding billing from 15 day pay period
 86 after receipt of an invoice to 30 days. Changing the 2 visits per month to 4 visits per month. The amount from
 87 \$1,500.00 per month to 2,500.00 per month.
 88

89 Motion: Councilor Brent Jaramillo

90 Second: Councilor Lawrence Ortega
 91

92 Roll Call:
 93

94 Councilor Lawrence Ortega YES

95 Councilor Brent Jaramillo YES

96 Councilor John Ortega YES
 97

98 To approve the Addendum to the Agreement between the Village of Questa and NM Rural Water Association.
 99 All voted yes. Motion carried.
 100

101 B) Discussion, Consideration & Decision regarding Village Water Customer Request- Edward and Kris
 102 Duran
 103

104 Mr. Maestas stated that the Duran' are requesting water service or permission to drill the well. He stated that
 105 process that the Village would have to go through to get them water would be to cross the river as well as a ditch
 106 to get to their property. The other homes on that side of the river have water wells in place. Councilor Lawrence

107 Ortega asked if George Rael and Lori Ortega have Village water service. Mayor Gallegos stated that he does not
 108 believe so, but is not sure. He then did say that they must have water service from the Village because when we
 109 had the water outage, they came in to get water. Councilor Lawrence Ortega stated that he believes that Cabresto
 .10 Creek is the boundary. Councilor John Ortega asked what the Village Ordinance states regarding how far we
 111 have to take water into the property. Mr. Maestas stated that he believes it is about 10ft into the property.
 112 Councilor John Ortega stated that then it is going to be the customers expense take the line from the stub out and
 113 across the river. Mayor Gallegos stated Councilor Lawrence Ortega asked if this request was made in writing.
 114 Mayor Gallegos Mr. Maestas stated no but he will request it from them as well as more clarification and further
 115 information. He will also get clarification on whether they are in or out of the Village limits. It was recommended
 116 that the Village respond to their request letter.

117
 118 There was no motion made.

119
 120 C) Discussion, Consideration & Decision regarding Village Water Tap Request- Gary Sanchez

121
 122 A letter was submitted by Mr. Sanchez requesting a tap for his property. It is off of the Village 6 inch line.

123
 124 Motion: Councilor Brent Jaramillo

125 Second: Councilor John Ortega

126
 127 In Favor: All
 128 Opposed: None

129
 130 To move forward with the Village Water Tap Request- Gary Sanchez. All voted yes. Motion carried.

131
 132 IX. **FINANCIALS** – Ms. Karen Shannon, Finance Director

133 A) Discussion, Consideration & Decision regarding the approval of Unpaid Vouchers

34
 135 Ms. Shannon stated that the Vouchers presented are as of February 22, 2018 and stood for questions.

136
 137 Councilor Lawrence Ortega inquired about the following vouchers:

- 138
- 139 • Business Solutions Group – Ms. Shannon stated that this invoice is for the cards that the utility bills are
 140 printed on. Councilor John Ortega asked if there has been any discussion regarding moving to an E-
 141 billing system. Ms. Shannon stated that we have not looked much into E-billing.
 - 142 • Tracey Navarro – Ms. Shannon stated that Ms. Navarro works on our phone system and came in to set
 143 up our conference call phone that was donated to the Village from Tetra Tech.

144
 145 Councilor Lawrence Ortega asked if the Cabresto Road project was already being advertised. Mr. Maestas stated
 146 yes. He stated it was advertised on February 8th with a pre-bid meeting held last Wednesday. Bids are due on
 147 March 13th. One vendor showed up to the pre bid meeting. Councilor Lawrence Ortega asked who it was. Mr.
 148 Maestas stated that it was Mr. Perovich from Northern Mountain. Councilor Lawrence Ortega asked Mr. Maestas
 149 if he spoke with Wilson & Co. regarding the hill coming up from State Road 38. It was decided to go over this
 150 item in the Administrator's report.

- 151
- 152 • Double Eagle Electric- Is this the total cost of the street light repair. Ms. Shannon stated that this is only
 153 part of it. The total came to a little over \$16,000.00. Councilor Lawrence Ortega asked if everything is
 154 now working. Mr. Maestas stated yes; that there are a couple of intermittent lights that are turning off
 155 and on. Councilor John Ortega inquired about the light that is down across the Police Department; he
 156 stated that it should be addressed as soon as possible. Mr. Maestas stated that he understands that it was
 157 hit by a vehicle. Councilor Brent Jaramillo stated that there is one off near the supermarket.

58
 159 Councilor Brent Jaramillo inquired about the following vouchers:

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161
162
163
164
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167
- Smart Procure – Mr. Maestas stated that it is a procurement software. It is \$3,000.00 for one year, and renewable every year for up to 3 years. Councilor John Ortega asked with the amount of procurement we do here is the price justified. Mr. Maestas stated that he is hopeful that it will be. Councilor John Ortega stated for the record that this amount could be used elsewhere. Mayor Gallegos agreed, stating that we now have two procurement officers. Councilor Brent Jaramillo suggested a presentation on the software to see its capabilities.

168 Motion: Councilor John Ortega – excluding the Smart Procure voucher until more information is
169 provided.

170
171 Second: Councilor Lawrence Ortega
172

173 In Favor: All
174 Opposed: None
175

176 To approve the vouchers excluding the Smart Procure. All voted yes. Motion carried.
177

178 **B) Review of January 2018 Financial Reports**
179

180 Ms. Shannon stated that the financials presented are as of January 31, 2018. The benchmark is at 58.33%.
181

182 John Ortega – Fire Protection Fund – Ms. Shannon stated that the Village has received 2 payments; the loans have
183 been paid. We will receive another payment sometime before the end of the year. She stated that the way the
184 payments have come in has worked for us.
185

186 Councilor Brent Jaramillo = When can we cash in the payroll CD. Ms. Shannon stated that according to the bank
87 we cannot cash it in until we receive a clean audit. She can present the current audit to them to see if they will
188 accept it.
189

190 X. **MATTERS FROM ATTORNEY** – Mr. Lance Hough

191 A) Use of the C.A. Cisneros Youth & Family Center
192

193 Mr. Lance Hough stated that he has put together a memorandum for the Governing Body. If the facility is made
194 available to a group for a couple of hours, one time, what is the value of using that property? In-kind services
195 can be used. A combination of in-kind services and a fee can be used.
196

197 Councilor John Ortega asked, for example, if the Little League would like to use it for a meeting, and they are a
198 youth organization, they can't use it for free? Mr. Hough stated that there is flexibility when coming up with the
199 value. It cannot be for free because it would be considered a donation. Keep in mind that if the facility is open
200 for access to everyone, and it is noticed and people know they can go there, it can be used for free. The Village
201 can get some volunteers to have the facility open for the public, for specific times. The community knows it is
202 available. The anti-donation becomes an issue when the facility is opening for use by one single entity. It is a
203 good idea to start with a flat rate and move forward with the in-kind services.
204

205 Mayor Gallegos asked the attorney to put together some sample agreements with in-kind and fees and forward
206 them to Mr. Maestas.
207

208 XI. **MATTERS FROM ADMINISTRATOR** – Mr. Nicholas Maestas
209

210 Mr. Maestas included a report in the packet and updated the Council on the following additional items:
211

- 12
213
- EPA meeting scheduled for March 16th here at the Village at 10:00am.
 - Questa to Red River Trail meeting – March 5th at the Questa Ranger District Office.

- 214 • NMFA Planning Grant documents have been submitted.
215

216 Councilor Brent Jaramillo asked Mr. Maestas if we had the close-out letter from Steve Lacey. Mr. Maestas stated
217 no but will look into it. Councilor Jaramillo asked if Mr. Lacey thought we made threshold. Mr. Maestas stated
218 that he thought everything went fine.
219

220 Councilor Lawrence Ortega asked if the projects listed in Mr. Maestas report are the items we got awarded. Mr.
221 Maestas stated that the Governor has not signed off on them yet. Councilor Lawrence Ortega asked if these were
222 the items submitted on the Village's behalf. Mr. Maestas stated yes. Councilor Lawrence Ortega stated for the
223 record that these 5 items were no the items that we approved at our January 9th meeting. Mayor Gallegos stated
224 that at the January meeting, we asked Mr. Cisneros that if he could acquire additional funding, we would like to
225 have an ambulance as well as police vehicles. He stated that he understands the ICIP requests were set, but we
226 also talked about if these requests would not be available he would seek monies for these additional monies.
227 Councilor Lawrence Ortega stated that we established priorities for funding and those priorities were not funded.
228 Mayor Gallegos stated that he is assuming that Mr. Cisneros was out there lobbying for every priority that we had
229 and however the funding fell, that's where it was plugged in. Councilor John Ortega stated that the ambulance
230 and police vehicles were in the top 5 of our priorities. He stated that for the record, he is not complaining about
231 the money we received but was caught off guard with some of the funded items. He is glad we got an ambulance,
232 police units and the money for the veterans.
233

234 **XII. MATTERS FROM MAYOR AND COUNCIL**
235

236 Councilor Brent Jaramillo asked if the Village has identified the areas that we can assist the Little League with at
237 Molycorp Field. Mr. Maestas stated that he spoke with Ms. Kim Santistevan about a couple of items as well as
238 the Public Works supervisor. He will have an update at the next meeting.
239

240 Councilor Lawrence Ortega asked about the progress with the rate study. Mr. Maestas stated that it has taken
41 some time. He stated that he was informed yesterday about who will be running this study for us. We have
242 already compiled all of the information that we needed to and we just need to get it submitted.
243

244 Councilor John Ortega stated that he knows there is some interest in leasing the land out by the livestock corrals
245 again this year. Mr. Juan Cisneros is interested in possibly doing a lease to get some events going. Also, the
246 gate at La Cienega School is open.
247

248 **XIII. EXECUTIVE SESSION - (The Governing Body may convene into Executive Session at this time**
249 **pursuant to the NM Open Meetings Act NMSA 1978 10-15-1)**
250

- 251 **A) Pending or Threatening Litigation (Exemption §10-15-1(H) (7)) -**
252 **1.) Complaint for Tort – Antonio Cintas vs. Police Chief Nicholas Lamendola and Village of Questa**
253 **2.) Regarding CDBG Project No. 15-C-RS-I-01-G-09**
254 **B) Limited Personnel Matters – (Exemption §10-15-1(H) (2)) –**
255 **1.) Village Administrator Performance Evaluation**
256

257 A motion to enter into Executive Session was made by Councilor John Ortega, seconded by Councilor Lawrence
258 Ortega.
259

260 Roll Call:

261 Councilor John Ortega YES
262 Councilor Lawrence Ortega YES
263 Councilor Brent Jaramillo YES
264

265 Mayor Gallegos stated that the Governing Body will go into Executive Session to discuss only the items listed.
266 The Governing Body entered into Executive Session at 7:41pm.

267
268 A motion was made to reconvene from Executive Session at 10:01pm by Councilor John Ortega, seconded by
269 Councilor Lawrence Ortega.

.70
271 Roll Call:

272
273 Councilor Lawrence Ortega YES
274 Councilor Brent Jaramillo YES
275 Councilor John Ortega YES

276
277 Mayor Gallegos stated that only the item listed were discussed during closed session. There was no action taken.


278
279 **XIV. ADJOURNMENT**

280
281 Motion: Councilor John Ortega
282 Second: Councilor Lawrence Ortega

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284 In Favor: All
285 Opposed: None

286
287 There being no further business to discuss, the meeting was adjourned at 10:02pm.

288
289 **ATTEST:**

290
291 
292 Renee Martinez, CM

APPROVED:


Mark Gallegos, Mayor

