

1 **VILLAGE OF QUESTA**
 2 **REGULAR MEETING MINUTES**
 3 **TUESDAY, JULY 25, 2017**
 4 **VILLAGE OF QUESTA COUNCIL CHAMBERS**
 5 **7:00PM**

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

8
 9 Mayor Gallegos called the meeting to order at 7:03pm.

10
 11 II. **ROLL CALL**

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

14
 15 Present:

16 Councilor John Ortega
 17 Councilor Julian Cisneros
 18 Councilor Brent Jaramillo

19
 20 Not Present:

21 Councilor Lawrence Ortega

22
 23 Also Present:

24 Village Clerk Renee Martinez
 25 Finance Director Karen Shannon
 26 Admin Assistant/CPO Dina Coleman
 27 Attorney Randy Autio

28
 29 III. **PLEDGE OF ALLEGIANCE**

30 Attorney Randy Autio led the Pledge of Allegiance.

31
 32 IV. **APPROVAL OF AGENDA**

33
 34 Mayor Gallegos requested the removal of Items VIII D & F. Also, Item VIII L be moved up to VIII A.

35
 36 Motion: Councilor Brent Jaramillo

37 Second: Councilor John Ortega

38
 39 In Favor: All

40 Opposed: None

41
 42 To approve the agenda as amended. All voted yes. Motion carried.

43
 44 V. **APPROVAL OF MINUTES**

45 * June 27, 2017 – Regular Meeting

46
 47 Motion: Councilor Julian Cisneros

48 Second: Councilor Brent Jaramillo

49
 50 In Favor: All

51 Opposed: None

52 To approve the June 27, 2017 – Regular Meeting minutes as presented. All voted yes. Motion carried.

54

55 * July 11, 2017 – Regular Meeting

56

57 Councilor John Ortega stated that on page 6, line 298 – specify which Councilor Ortega.

58

59 Motion: Councilor John Ortega

60 Second: Councilor Brent Jaramillo

61

62 In Favor: All

63 Opposed: None

64

65 To approve the agenda as corrected. All voted yes. Motion carried.

66

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

70

71 There were no public comments.

72

73 VII. **PRESENTATIONS / UPDATES / DISCUSSION**

74 A. Questa Visitor's Center Update – Ms. Alberta Bouyer

75

76 Ms. Bouyer updated the Governing Body on the Visitor's Center numbers and marketing information.

78 B. New Mexico Gas Company - Update regarding the Taos Mainline reroute project

79

80 Mr. Tim Corte, Manager of Communications for NM Gas Company and Ms. Lauren Rodriguez, Communications
 81 Specialist presented information regarding the Taos mainline re-route project. It is a 6.2 mile stretch on State
 82 Highway 68 South of Taos between the Villages of Pilar and Rinconada. The project starts on Tuesday, August
 83 1, 2017. The reason for the project is to move the pipeline that feeds Taos County from the West side of the Rio
 84 Grande to the East side. The project will take four full months to complete, hopefully be Thanksgiving weekend.
 85 All information can be found on their website at NMGCO.com.

86

87 VIII. **ACTION ITEMS**

88

89 L. Approval of Police Officer Hire, Chief Nick Lamendola

90

91 Chief Nicholas Lamendola informed the Governing Body that Officer Jacob Montez resigned his position; we
 92 did advertise for a full time certified Police Officer and received one applicant. Councilor John Ortega asked if
 93 the department currently has enough units. Chief Lamendola stated yes.

94

95 Ms. Jani Davis stated she is a hard worker and looks forward to working with the Village.

96

97 Motion: Councilor Brent Jaramillo

98 Second: Councilor John Ortega

99

100 Roll Call:

102 Councilor John Anthony Ortega YES

103 Councilor Julian Cisneros YES
 104 Councilor Brent Jaramillo YES

106 To approve the hire of Police Officer Jani Davis. All voted yes. Motion carried.

107
 108 A. Consideration of Final Adjusting Change Order for Village Of Questa Waste Water Collection System
 109 Improvements

110
 111 Mr. Joe Moore of Wilson & Co. stated that they had submitted a change order to the Governing Body along with
 112 a lengthy memo with their recommendations. After meeting with the contractor and measuring quantities in the
 113 field etc., the recommendation is shown on page three. Mr. Moore stated that their recommendation is approval
 114 of Change Order No.2, which includes the base contract amount of \$375,031.00, non-taxable allowance of
 115 \$14,500.00 which an increase \$28,972.00 due to adjusted quantities. Change Order No. 3 of \$6,055.00 plus
 116 NMGRT of \$34,342.36 for a total of \$458,900.37. Also a recommendation of an increase of contract time of 55
 117 calendar days. The revised contract substantial completion date then becomes July 7th.

118
 119 Councilor John Ortega stated he was curious as to how this affects our budget. Ms. Shannon stated that the budget
 120 for CDBG is \$500,000.00. Year to date expenses paid out is \$23,843.83, which leaves \$476,156.00.

121
 122 Councilor Brent Jaramillo asked that if we approve the August change orders, there will be no liquid damages?
 123 Mr. Moore stated that that is correct, at this point. Mr. Moore stated that the contractor, Mr. Juan Adame is present
 124 at tonight's meeting.

125
 126 A Motion was made by Councilor Brent Jaramillo to approve change orders 2, 3 and 4 per the engineer's
 127 recommendation. A Second was made by Councilor John Ortega for discussion.

128
 129 Councilor John Ortega asked if we can approve the motion made by Councilor Jaramillo and also look at liquidated
 130 damages. Mr. Moore stated that the liquidated damages are separate from Councilor Jaramillo's motion. Councilor
 131 Jaramillo stated that the way he looks at it is that the change orders will get us to July 7th and then we will have the
 132 liquidated damages issue to deal with.

133
 134 Councilor John Ortega then seconded Councilor Jaramillo's motion.

135
 136 Roll Call:

137
 138 Councilor Julian Cisneros YES
 139 Councilor Brent Jaramillo YES
 140 Councilor John Anthony Ortega YES

141
 142 To approve change orders 2, 3 and 4 per the engineer's recommendation. All voted yes. Motion carried.

143
 144 Mr. Juan Adame of Adame Construction stated that at the beginning of the job they had too many problems with
 145 the weather; also, with the existing utility lines (gas, telephone, water) and acequias/irrigation pipes. This is why
 146 they took extra time and had to ask for a 45 day extension after the 75 days. Mr. Moore stated these items are
 147 included in the change orders, the standby time is not included. Mr. Moore told Mr. Adame that he will need to
 148 justify the need for the standby. Mr. Adame stated that he, the previous Administrator Loretta Trujillo went
 149 out to the jobsite with two or three other guys. She stated that we need to stop this job because everything froze.
 150 He stated that Ms. Trujillo stopped him completely for three months because she did not want anyone getting hurt.
 151 She said we will stop and continue after three months. The first month he told her that he could wait because he
 152 had another job. She told him to do whatever he had to do for the next three months. We started three months later
 153 on Cabresto and moved to Abra. Mr. Moore stated that the additional services are included in the change order,
 154 the additional patchwork on Abra Road are also included in the change orders. The engineer did not believe that

the contractor did not meet the standards of the contract regarding traffic control and did not agree with warranting anything additional on the traffic control. Mr. Moore stated that 100% of the traffic control in the contract will be paid, nothing more. Mr. Adame asked if the stand by time will be paid. Mayor Gallegos went over the timeline with Mr. Adame. Mayor Gallegos stated that the Governing Body has denied the water emergency voucher for several months because we wanted to know what work was done the three days. Mr. Adame stated that they opened hydrants to test from one area to another. Mayor Gallegos thanked Mr. Adame for coming to the meeting. Mr. Mario Juarez-Infante stated that for clarification, although there is a letter from Ms. Trujillo stopping the project, there is no date on the letter and the stoppage order can only be done by the engineer of record.

B. Approval of Resolution No. 2017-08 –Waste Management CPI Increase

Attorney Randy Autio stated that this is a required Resolution under our Ordinance and contract. Councilor John Ortega asked what the increase amount will be for the average consumer.

Motion: Councilor Julian Cisneros

Second: Councilor Brent Jaramillo, with discussion.

Councilor John Ortega again asked what the increase amount will be for the average consumer. Ms. Dina Coleman stated it would be about .57 cents more per residential customer/month.

Roll Call:

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

To approve Resolution 2017-08 / Waste Management CPI Increase. All voted yes. Motion carried.

C. Approval of On-Call Engineer – RFP 2017-01

Village of Questa Chief Procurement Officer, Ms. Dina Coleman informed the Governing Body that the scores from the evaluation committee were available to them in their meeting packets, along with a memo explaining how the scores landed. She stated that there was a protest that was received by the Village today. She suggested we table this item for further review. Attorney Autio recommended to table this item also.

Motion: Councilor Julian Cisneros

Second: Councilor John Ortega, with discussion. Councilor John Ortega asked who the committee was comprised of. Ms. Coleman stated that the following were on the committee:

- Councilor Lawrence Ortega – engineering experience
- Karen Shannon – financial background
- Georgianna Rael, Town of Red River Administrator/Clerk – experience with the RFP process and on-call Engineering.

In Favor: All

Opposed: None

To approve the tabling of this item until possibly the next Regular meeting. All voted yes. Motion carried.

D. Approval of Joint Powers Agreement (JPA) - Taos County / Village of Questa – Regarding E911

**Removed from Agenda

207 **E. Approval of MOU between Taos County and the Village of Questa – Emergency Medical Services (EMS)**

208 Ms. Martinez stated that the MOU was approved by the Taos County Commission and no changes were made.
 209 Councilor John Ortega asked if the dollar amount was approved. Ms. Martinez stated that it was approved at the
 210 same amount of \$100,000.00.
 211

212 Motion: Councilor Julian Cisneros
 213 Second: Councilor John Ortega

214 In Favor: All
 215 Opposed: None

216 To approve MOU between Taos County and the Village of Questa for Emergency Medical Services (EMS). All
 217 voted yes. Motion carried.
 218

219 **F. Approval of Lease Agreement between Village of Questa & Taos County Senior Program**
 220 ** Removed from Agenda

221 **G. Approval of Amendment Three to Universal Professional Services, Lobbying Contract**

222 Ms. Martinez stated that this amendment is for another year. No changes.

223 Motion: Councilor Brent Jaramillo
 224 Second: Councilor Julian Cisneros

225 In Favor: All
 226 Opposed: None

227 To approve Amendment Three to Universal Professional Services, Lobbying Contract. All voted yes. Motion
 228 carried.
 229

230 **H. Approval of Amendment Three to Robles, Rael & Anaya, P.C., Attorney Contract**

231 Ms. Martinez informed the Governing Body that amendment three is to extend the contract for one more year. No
 232 changes.
 233

234 Motion: Councilor John Ortega
 235 Second: Councilor Julian Cisneros

236 In Favor: All
 237 Opposed: None

238 To approve Amendment Three to Robles, Rael & Anaya, P.C., Attorney Contract. All voted yes. Motion carried.
 239

240 **I. Approval of Ambitions Consulting Group, Inc. Contract for FYE 2018 – Re: IT Services**

241 Mr. Lucas Rael was present.

242 Motion: Councilor Julian Cisneros
 243 Second: Councilor Brent Jaramillo

244 In Favor: All

259 Opposed: None

261 To approve Ambitions Consulting Group, Inc. Contract for FYE 2018 – Re: IT Services. All voted yes. Motion
262 carried.

263
264 **J.** Approval of Addendum to ATG Total Care Plus Agreement, Ambitions Consulting Group, Inc. – Re:
265 Library

266
267 Motion: Councilor John Ortega
268 Second: Councilor Julian Cisneros

269
270 In Favor: All
271 Opposed: None

272
273 To approve the Addendum to ATG Total Care Plus Agreement, Ambitions Consulting Group, Inc. – Re: Library.
274 All voted yes. Motion carried.

275
276 **K.** Approval of Voting Delegate NMML Annual Conference

277
278 Ms. Martinez stated that the NMML requires a voting delegate for the business meeting. Ms. Martinez stated that
279 this item is dependent on the travel requests that are up for approval later in the meeting.

280
281 A motion to table this item until after Item IX. E. was made by Councilor John Ortega, second by Councilor Julian
282 Cisneros.

283
284 In Favor: All
285 Opposed: None

286
287 To approve the tabling of this item to follow Item IX. E. All voted yes. Motion carried.

288
289
290 **IX. FINANCIALS** – Ms. Karen Shannon, Finance Director

291 **A.** Approval of Resolution 2017-09 – Final FY 2017 DFA BAR

292
293 Ms. Shannon stated that we did receive partial reimbursement for the youth center improvement and design
294 project and stated that she would like to include it in the 2016-2017 revenue.

295
296 Motion: Councilor Brent Jaramillo
297 Second: Councilor John Ortega

298
299 Roll Call:

300
301 Councilor John Anthony Ortega YES
302 Councilor Julian Cisneros YES
303 Councilor Brent Jaramillo YES

304
305 To approve Resolution 2017-09 – Final FY 2017 DFA BAR. All voted yes. Motion carried.

306
307 **B.** Approval of Resolution 2017-10 – FY 2017 Final Quarter Financial Report

308
309 Ms. Shannon stated that included in the meeting packet was the financial report as of June 30, 2017. It is ready
310 to be filed with DFA upon approval.

311
 312 Motion: Councilor Brent Jaramillo
 313 Second: Councilor Julian Cisneros

314
 315 Roll Call:

316
 317 Councilor John Anthony Ortega YES
 318 Councilor Julian Cisneros YES
 319 Councilor Brent Jaramillo YES

320
 321 To approve Resolution 2017-10 / FY 2017 Final Quarter Financial Report. All voted yes. Motion carried.
 322

323 C. Approval of Resolution 2017-11 – FY 2018 Budget Adoption
 324

325 Ms. Shannon stated that included in the packet was the final budget worksheet for FY 2018. Ms. Shannon stated
 326 there was one change; fund 217 Recreation expenditures, parks had a budgeted expenditure of \$2,500.00; however
 327 the transfer in was only going to be \$2,400.00 and \$100.00 was put into Livestock Corral operating expense. She
 328 stated that Councilor Ortega had her compose a letter to the QEDFB to request funds for the corrals that was
 329 designated for the corrals. There is beginning cash in that fund to cover the expenditure. This is the only change
 330 to the budget that was submitted to Council.

331
 332 Motion: Councilor Julian Cisneros
 333 Second: Councilor Brent Jaramillo

334
 335 Roll Call:

336
 337 Councilor Julian Cisneros YES
 338 Councilor John Anthony Ortega NO
 339 Councilor Brent Jaramillo YES

340
 341 Mayor Gallegos asked if there was any discussion. Councilor John Ortega stated no. Councilor Brent Jaramillo
 342 asked Councilor John Ortega if there was something he would like to discuss in Executive Session since the
 343 approval of the budget is very important and so we don't have to schedule another budget meeting. Councilor
 344 John Ortega stated yes, it has to do with the Executive Session item.

345
 346 A motion to table the Approval of Resolution 2017-11 – FY 2018 Budget Adoption until after Executive Session
 347 was made by Councilor Brent Jaramillo. Seconded by Councilor John Ortega.

348
 349 Roll Call:

350
 351 Councilor Julian Cisneros YES
 352 Councilor John Anthony Ortega YES
 353 Councilor Brent Jaramillo YES

354
 355 To approve the tabling of item this item until after Executive Session. All voted yes. Motion carried.
 356

357 D. Approval of Travel Requests
 358

359 Ms. Shannon stated that the 4 travel requests up for approval are for the following individuals to attend the 60th
 360 Annual NMML Conference in Clovis.

- 362
- Mayor Mark Gallegos – Expenses out of Rapid Action Fund

- 363 • Judge Michael Rael – Expenses out of Court Budget
- 364 • Administrator Nicholas Maestas - Expenses out of Rapid Action Fund
- 365 • Clerk Renee Martinez – Expenses out of Administration Budget

366
367 A motion to approve the travel requests as presented was made by Councilor Julian Cisneros.

368
369 Councilor John Ortega asked if we are approving them one by one. Mayor Gallegos stated that it is the will of the
370 Council how they would like to approve them.

371
372 The motion was then seconded by Brent Jaramillo.

373
374 Councilor John Ortega stated that the Council does not have to approve the Judge's travel. Ms. Shannon asked,
375 for clarification, the Judge's travel does not need to come to Council for approval. The Council agreed.

376
377 In Favor: All
378 Opposed: None

379
380 To approve the travel requests for the Mayor, Administrator and Clerk. All voted yes. Motion carried.

381 **E. Approval of Unpaid Vouchers**

382
383 Ms. Shannon stated that the vouchers presented are as of July 21st.

384
385 Councilor John Ortega stated that the voucher from Adame should be tabled since the Mayor told Mr. Adame that
386 we were not going to be paying it. Councilor Brent Jaramillo stated it should just be removed permanently.

387
388 Motion: Councilor John Ortega – Excluding the voucher from Adame Construction.
389 Second: Councilor Brent Jaramillo

390
391 In Favor: All
392 Opposed: None

393
394 To approve the Unpaid Vouchers excluding the voucher from Adame Construction. All voted yes. Motion carried.

395
396 Ms. Shannon informed the Council that she received the final paperwork from Office of Homeland Security; they
397 signed off on it on June 29th which means it didn't get to DFA until that day or sometime after that. Ms. Shannon
398 also presented a list from NM Tax & Revenue of businesses who are paying GRT's to the Village. Councilor John
399 Ortega asked if there was a way to track the amount paid. Ms. Shannon stated that the amounts are not listed on
400 the reports that are sent to us.

401
402 **K. Approval of Voting Delegate NMML Annual Conference – *Tabled earlier in the meeting.***

403
404 Mayor Gallegos asked the Council to consider Mr. Maestas.

405
406 The Council voted on the following voting delegates:

407
408 Primary Voting Delegate: Mr. Nicholas Maestas
409 Alternate Voting Delegate: Ms. Renee Martinez

410
411 Motion: Councilor John Ortega
412 Second: Councilor Julian Cisneros

413
414 In Favor: All

415 Opposed: None

416
417 To approve Mr. Nicholas Maestas as the voting delegate and Ms. Renee Martinez as the alternate voting delegate
418 for the NMML Annual Conference. All voted yes. Motion carried.

419
420 X. MATTERS FROM MAYOR AND COUNCIL

421
422 Councilor Julian Cisneros inquired about the paving of Abra Road. Mayor Gallegos stated that a letter was sent
423 per Council approval to Chevron for financial assistance to fix Abra Road. Currently, we have received verbal
424 commitment that they will assist the Village in the paving of the road. There is no paving currently. The contractor
425 will move forward with some of the patchwork as best they can to get some of this done. With the 2017 COOP
426 funds we are hoping to complete it. Councilor Julian Cisneros stated that he would like to give his constituents
427 some information because they have been inquiring if we are going to pave it now that we put in the sewer line.
428 Mayor Gallegos stated that it should just be a matter of getting a contractor up there to do it.

429
430 XI. MATTERS FROM ATTORNEY

431 A. Discussion of Draft Resolution No. 2017-07 – Re: Village of Questa OHV Ordinance No. 2016-147

432
433 Attorney Randy Autio thanked the Mayor and Council for continuing to allow Robles, Rael & Anaya to continue
434 to work for the Village.

435
436 Mr. Autio informed the Governing Body that this Resolution is in regards to getting North Kiowa Road designated
437 for OHV's. We did finally receive confirmation from the state that the exchange of roads (Cabresto and North
438 Kiowa) was done back in 1997. It is not currently listed as a highway. Other restrictions may be placed. Once
439 the Resolution is passed, there will be a meeting with the NMDOT Board in which we will go present the reasons
440 why we believe this is important for Questa.

441
442 Councilor John Ortega stated that there are a lot of people who don't have access through a state highway for their
443 OHV's; is there a way we can look into added SR 38 and part of SR 522 to this, like Red River has done with
444 theirs. Mr. Autio stated that we can request it, we need to come up with some kind of plan to identify the areas.
445 He asked the Council to let Ms. Martinez the mile marker to mile marker that needs to be included in the request.

446
447 XII. EXECUTIVE SESSION – *(The Governing Body may convene into Executive Session at this time*
448 *pursuant to the NM Open Meetings Act NMSA 1978 10-15-1)*

449
450 A. Limited Personnel Matters (Section 10-15-1(H) (2)) – MVD Department

451
452 A motion to enter into Executive Session was made by Councilor John Ortega, seconded by Councilor Brent
453 Jaramillo.

454
455 Roll Call:

456
457 Councilor John Anthony Ortega YES
458 Councilor Brent Jaramillo YES

459
460 Mayor Gallegos stated that the Governing Body will go into Executive Session to discuss only the items listed.
461 The Governing Body entered into Executive Session at 8:57pm.

462
463 A motion was made to reconvene from Executive Session at 9:16pm by Councilor John Anthony Ortega, seconded
464 by Councilor Julian Cisneros.

465
466 Roll Call:

467
 468 Councilor Julian Cisneros YES
 469 Councilor Brent Jaramillo YES
 470 Councilor John Anthony Ortega YES

471
 472 Mayor Gallegos stated that only the item listed were discussed during closed session. There was no action taken.
 473

474 C. Approval of Resolution 2017-11 – FY 2018 Budget Adoption (*Tabled earlier in the meeting*).
 475

476 Councilor Julian Cisneros made a motion for approval based on the changes discussed in Executive Session.
 477 Councilor Julian Cisneros asked if the changes could be restated. Mr. Autio stated that for the record there was an
 478 adjustment made on a particular salary. The motion was seconded by Councilor John Ortega.
 479

480 Roll Call:

481
 482 Councilor Julian Cisneros YES
 483 Councilor Brent Jaramillo YES
 484 Councilor John Anthony Ortega YES

485 To approve Resolution 2017-11 – FY 2018 Budget Adoption based on the adjustment made on a particular salary.
 486 All voted yes. Motion carried.
 487

488 XIII. ADJOURNMENT

489
 490 Motion: Councilor Julian Cisneros
 491 Second: Councilor John Ortega

492
 493 In Favor: All
 494 Opposed: None
 495

496 There being no further business to discuss, the meeting was adjourned at 9:18pm.
 497

498
 499 ATTEST:

500
 501
 502
 503

 Renee Martinez, CMC


APPROVED:


 Mark Gallegos, Mayor