



**AGENDA**  
**VILLAGE OF QUESTA**  
**REGULAR COUNCIL MEETING**  
**TUESDAY, FEBRUARY 25, 2020**  
**VILLAGE OF QUESTA COUNCIL CHAMBERS**  
**2500 Old State Road 3**  
**Questa, NM**  
**6:00 P.M**

~ NOTICE TO THE PUBLIC ~

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Mayor Mark L. Gallegos  
Mayor Pro-Tem Charlie I. Gonzales  
Councilmember Brent P. Jaramillo | Councilmember John A. Ortega | Councilmember Louise T. Gallegos

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- I. **CALL TO ORDER BY MAYOR MARK L. GALLEGOS**
- II. **ROLL CALL**
- III. **PLEDGE OF ALLEGIANCE**
- IV. **APPROVAL OF AGENDA**
- V. **APPROVAL OF MINUTES** – 1) February 11, 2020 – Regular Meeting
- 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.)*
- VII. **PRESENTATION** – Questa Economic Development Fund Update, Ms. Lynn Skall, Director
- VIII. **ACTION ITEMS**
  - A) Discussion, Consideration & Decision – Variance Request, Mr. Erik Cisneros
  - B) Discussion, Consideration & Decision – Variance Request, Mr. Al Cunningham
  - C) Discussion, Consideration & Decision – Project proposal for FY 2021 NMDOT Municipal Arterial Program (MAP)
  - D) Discussion, Consideration & Decision – Resolution 2020-03 – Request for extension for MAP Project Number L500260 Expiring 6/30/2020
  - E) Discussion, Consideration & Decision – Resolution 2020-04 – Request for extension for MAP Project Number L500303 Expiring 6/30/2020
- IX. **FINANCIALS** – Ms. Karen Shannon, Finance Director
  - A) Review of January 2020 Financial Reports
- X. **FY 2019 AUDIT PRESENTATION** – Ms. DeAnn Willoughby, Willoughby & Willoughby CPA's, PC
- XI. **ACTION ITEM**
  - A) Discussion, Consideration & Decision – Resolution 2020-05 – Acceptance & Approval of FY 2019 Audit
- XII. **MATTERS FROM ATTORNEY**
- XIII. **ADMINISTRATIVE REPORT**
- XIV. **MATTERS FROM MAYOR & COUNCIL**
- XV. **ADJOURNMENT**

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid of service to attend or participate in the hearing or meeting, please contact the Village Clerk at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Village Clerk at 575-586-0694 if a summary or other type of accessible format is needed.

**VILLAGE OF QUESTA  
REGULAR MEETING MINUTES  
TUESDAY, FEBRUARY 25, 2020  
VILLAGE OF QUESTA COUNCIL CHAMBERS  
6:00PM**

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

Mayor Gallegos called the meeting to order at 6:05pm

**II. ROLL CALL**

Village Clerk Renee Martinez called roll where a quorum was present.

Those present were:

Councilman Brent P. Jaramillo  
Councilman Charlie I. Gonzales  
Councilwoman Louise T. Gallegos  
Councilman John Anthony Ortega

**III. PLEDGE OF ALLEGIANCE**

Councilman Charlie I. Gonzales led the Pledge of Allegiance.

Councilman Gonzales requested a moment of silence for Mr. Bill Fulginti, NMML Director who passed away this week; as well as other friends and family who may need prayers.

**IV. APPROVAL OF AGENDA**

Motion: Councilman Gonzales  
Second: Councilman Ortega

Roll Call:

Councilman John Anthony Ortega	YES
Councilman Brent P. Jaramillo	YES
Councilwoman Louise T. Gallegos	YES
Councilman Charlie Gonzales	YES

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

**V. APPROVAL OF MINUTES –**

1) February 11, 2020 – Regular Meeting

Councilwoman Gallegos stated there was a spelling error on page 3.

Motion: Councilwoman Gallegos  
Second: Councilman Gonzales

Roll Call:

Councilman Brent P. Jaramillo	YES
Councilwoman Louise T. Gallegos	YES

Regular Meeting Minutes  
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Councilman John Anthony Ortega YES

Councilman Charlie Gonzales YES

To approve the minutes as amended . 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.)*

There were no comments from the public

VII. **PRESENTATION** – Questa Economic Development Fund Update, Ms. Lynn Skall, Director

Ms. Lynn Skall updated the Council on the following:

- Hometown makeover application was submitted.
- In conversation with Global Data Research regarding the Business Park
- Working to revive the Questa Business Entrepreneur Network (QBEN)
- Working with NM Tourism Department / NM True on a grant.
- Lindsay Mapes is doing a great job on the housing
- A wood carved sign; one of 3-4, is getting painted and ready to be put up welcoming people to Questa.
- A space has been added in the paper to put Village events and happenings.

Mayor Gallegos asked if Ms. Mapes could give the Village a list of rentals and air B&B's in the Questa area.

Mr. Christian Isely spoke about the Questa to Red River Trail. He stated he met with Mr. Carl Colonius to get an update. A preliminary design is available on the website. The next step is to get money for design work and environmental work. Ms. Martinez stated that Mr. Colonius will be presenting at the March 10<sup>th</sup> Council meeting.

VIII. **ACTION ITEMS**

A) Discussion, Consideration & Decision – Variance Request, Mr. Erik Cisneros

Ms. Martinez stated that this variance was unofficially approved at a previous meeting and Mr. Cisneros is here to make an official request. Mr. Cisneros stated that he would like to place a 18 x 76 mobile home on his property. Councilman Gonzales asked if there were water rights on the property and if they have contacted the ditch association. Mayor Gallegos asked if the existing trailer on the property will remain. Mr. Cisneros stated they are trying to remove it.

Motion: Councilman Ortega

Second: Councilman Jaramillo

Roll Call:

Councilman Brent P. Jaramillo YES

Councilwoman Louise T. Gallegos YES

Councilman Charlie Gonzales YES

Councilman John Anthony Ortega YES

To approve the Variance request by Mr. Erik Cisneros. All voted yes. Motion carried.

**B) Discussion, Consideration & Decision – Variance Request, Mr. Al Cunningham**

Ms. Martinez stated that Ms. Mary Emery of Century 21 was present on behalf of Mr. Al Cunningham.

Ms. Emery stated that Ms. Laura Powers was the current owner of the property on Golden Q Road which was previously a business. The building is gone with only a foundation left on the property. Mr. Cunningham is interested in purchasing the property and moving to Questa. We would like clarification if the owner would be allowed to place a residential dwelling and, in the future, a possible business. A discussion was held. Village Attorney Chris DeFilippo suggested that the best way to do this is to request a variance in the future for a possible business; we do not have enough information regarding what type of business it would be. It was decided to allow a single-family residence only at this time with proper permitting required by the state and Taos County.

A motion was made by Councilman Ortega to allow Mr. Cunningham a variance to construct a single-family residence on said property. The motion was seconded by Councilman Gonzales.

Roll Call:

Councilman Brent P. Jaramillo	YES
Councilwoman Louise T. Gallegos	YES
Councilman Charlie Gonzales	YES
Councilman John Anthony Ortega	YES

To approve the variance request to allow Mr. Cunningham to construct a single-family residence on said property All voted yes. Motion carried.

**C) Discussion, Consideration & Decision – Project proposal for FY 2021 NMDOT Municipal Arterial Program (MAP)**

Ms. Martinez stated that the MAP proposals are due in March and we need to pick an area. Councilman Gonzales suggested we use it to finish Cabresto Road. Mayor Gallegos stated we have to replace the waterline first. Councilman Jaramillo suggested Lower Embargo to include the bridge. A discussion was held regarding Cabresto Road.

It was decided that Lower Embargo Road from SR 522 to the bridge would be the proposed project.

Motion: Councilman Jaramillo

Second: Councilwoman Gallegos

Roll Call:

Councilman Brent P. Jaramillo	YES
Councilwoman Louise T. Gallegos	YES
Councilman Charlie Gonzales	YES
Councilman John Anthony Ortega	YES

To approve the Project proposal for FY 2021 NMDOT Municipal Arterial Program (MAP) submitted for Lower Embargo Road to the bridge. All voted yes. Motion carried.

Councilman Gonzales stated that we need Chevron to help fix these roads. Councilman Ortega stated that he would like to see a priority list of the roads that need work as well as a plan of attack.

**D) Discussion, Consideration & Decision – Resolution 2020-03 – Request for extension for MAP Project Number L500260 Expiring 6/30/2020**

Ms. Martinez stated that this Resolution as well as the following Resolution are required for requesting an extension on the two projects.

Motion: Councilman Gonzales

Second: Councilwoman Jaramillo

Roll Call:

Councilman Brent P. Jaramillo YES

Councilwoman Louise T. Gallegos YES

Councilman Charlie Gonzales YES

Councilman John Anthony Ortega YES

To approve Resolution 2020-03 – Request for extension for MAP Project Number L500260 Expiring 6/30/2020. All voted yes. Motion carried.

**E) Discussion, Consideration & Decision – Resolution 2020-04 – Request for extension for MAP Project Number L500303 Expiring 6/30/2020.**

Motion: Councilman Ortega

Second: Councilwoman Gallegos

Roll Call:

Councilman Brent P. Jaramillo YES

Councilwoman Louise T. Gallegos YES

Councilman Charlie Gonzales YES

Councilman John Anthony Ortega YES

To approve Resolution 2020-04 – Request for extension for MAP Project Number L500303 Expiring 6/30/2020. All voted yes. Motion carried.

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

**A) Review of January 2020 Financial Reports**

Ms. Shannon stood for questions. Councilman Ortega inquired about the GRT's. Ms. Shannon stated that in January we received \$164,197.00; in February it was back down to \$46,825.00. A discussion was held regarding the employee health insurance coverage.

A five-minute recess was suggested.

Motion: Councilman Ortega

Second: Councilwoman Gallegos

In favor: All

Opposed: None

To approve a five-minute recess at 7:19pm. All voted yes. Motion carried.

Motion: Councilman Ortega  
Second: Councilwoman Gallegos

In favor: All  
Opposed: None

To re-convene the meeting at 7:28pm. All voted yes. Motion carried.

X. **FY 2019 AUDIT PRESENTATION** – Ms. DeAnn Willoughby, Willoughby & Willoughby CPA's, PC

Ms. Willoughby was present by telephone. Ms. Willoughby stated that she would be present at one of the April council meetings. Ms. Willoughby went over the five findings:

- Software and Bank Accounts – Software is designed to have only one bank account. Recommended consolidating bank accounts.
- Payroll; Internal controls and Compliance – I-9's, Timesheets must reflect 'true time.'; Overtime Pay; NM Hire Reporting Procedure.
- PERA and RHCA – Internal Controls and Compliance-
- Per Diem
- Late IPA Recommendation and Audit Contract

Ms. Willoughby thanked the Council for their time and looks forward to meeting them next month.

Councilman Jaramillo inquired about the PERA/RHCA? Ms. Shannon stated that two employees get a stipend for working the court and should be contributing to PERA. We have a salary employee and an hourly employee. The hourly employee will need to be paid overtime past the regular 40 hours. There is also a blended rate for the public works employees that needs to be implemented.

A conversation was held regarding work time and when the worktime begins. Councilman Ortega asked about law enforcement traveling from Taos; when does their worktime begin? These and other questions will need to be addressed.

#### XI. **ACTION ITEM**

A) Discussion, Consideration & Decision – Resolution 2020-05 – Acceptance & Approval of FY 2019 Audit

Councilman Ortega asked if there was a deadline to approve the audit. Ms. Shannon stated that she doesn't think there is a deadline, but the Resolution does need to be sent to DFA as soon as the auditor presents it. Councilman Ortega stated he would like to see the auditor here before we approve it. Councilman Jaramillo stated it is already public. A discussion was held.

Motion: Councilwoman Gallegos  
Second: Councilman Jaramillo

Roll Call:

Councilman Brent P. Jaramillo YES

Councilwoman Louise T. Gallegos YES  
 Councilman Charlie Gonzales YES  
 Councilman John Anthony Ortega NO

To approve Resolution 2020-05 – Acceptance & Approval of FY 2019 Audit. With a majority vote, motion carried.

**XII. MATTERS FROM ATTORNEY**

Mr. DeFillippo stood for any questions.

Councilman Gonzales asked if there was any update on Chevron and the clean-up. Mr. DeFillippo stated that there is a meeting scheduled for next week. Hopefully, receiving all documents of everything that has occurred up to this point. Until a portal can be set up to view these documents, we will be receiving photocopies of them. Councilwoman Gallegos asked if a contractor has been hired for the rock pikes. Mr. DeFillippo stated no.

**XIII. ADMINISTRATIVE REPORT**

Ms. Martinez informed the Council that there will be fire=hydrant testing the week of March 9<sup>th</sup>.

**XIV. MATTERS FROM MAYOR & COUNCIL**

Councilman Ortega asked about the marquee in town; there is a lot of old information on it. Ms. Martinez will follow up with the school on this. Also, when will the Christmas tree in town be removed. Ms. Martinez stated that we are working in getting it removed.

Mayor Gallegos stated that he and Councilman Jaramillo will not be present at the March 24<sup>th</sup> meeting. It was decided to cancel that meeting if WH Pacific can come up and present at the March 10<sup>th</sup> meeting.

**XV. ADJOURNMENT**

Motion: Councilman Ortega

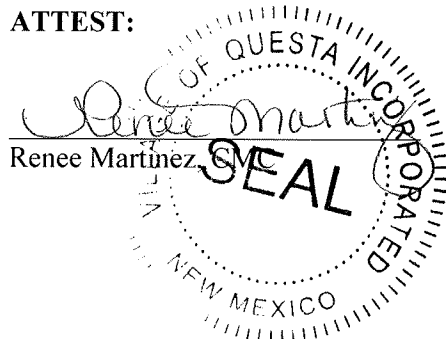
Second: Councilman Jaramillo

In Favor: All


Opposed: None

There being no further business to discuss, the meeting was adjourned at 8:32pm.

**ATTEST:**

  
 Renee Martinez, Clerk

**APPROVED:**

  
 Mark Gallegos, Mayor