



**AGENDA**  
**VILLAGE OF QUESTA**  
**REGULAR COUNCIL MEETING**  
**TUESDAY, JANUARY 12, 2021**  
**VIRTUAL MEETING**  
**6:00 P.M**

**~ NOTICE TO THE PUBLIC ~**

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

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**NOTE** This tele-conference meeting will follow the Attorney General's guidelines and observe the Governor and Secretary of Health's public health orders. This format will allow the Village Council to conduct the meeting without Council members being physically present and in accordance with the NM Open Meetings Act. There will be no live audience present. Members of the public wishing to participate can do so by calling **1-877-309-2073** and entering access code **885-379-525** or from a computer, tablet, or smartphone at <https://global.gotomeeting.com/join/885379525>. Those wishing to comment before or during the meeting may also submit comments or questions to Interim Administrator/CMC Renee Martinez at [rmartinez@villageofquesta.org](mailto:rmartinez@villageofquesta.org)

- I. **CALL TO ORDER BY MAYOR MARK L. GALLEGOS**
- II. **ROLL CALL**
- III. **PLEDGE OF ALLEGIANCE**
- IV. **APPROVAL OF AGENDA**
- V. **APPROVAL OF MINUTES** – A) December 22, 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. **DISCUSSION -**
  - A) Village of Questa 2021 Legislative Priorities
- VIII. **ACTION ITEMS**
  - A) Discussion, Consideration & Decision – Appointment of North Central Regional Transit District Director and Alternate for 2021
  - B) Discussion, Consideration & Decision – Zoning Ordinance Moratorium Extension #2021-147
- IX. **FINANCIAL REPORT** – Ms. Karen Shannon
  - A) Discussion, Consideration & Decision - FY2021 2nd Quarter Local BARs
  - B) Discussion, Consideration & Decision - Resolution No. 2021-01 / FY2021 2nd Quarter State BARs
- X. **MATTERS FROM ATTORNEY** – Mr. Chris DeFillippo, Robles, Rael & Anaya
- XI. **MATTERS FROM ADMINISTRATION** - Renee Martinez, CMC / Interim Administrator
- XII. **MATTERS FROM MAYOR & COUNCIL**
- XIII. **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 COUNCIL MEETING MINUTES  
TUESDAY, DECEMBER 22, 2020  
VILLAGE OF QUESTA COUNCIL CHAMBERS  
6:00PM**

**NOTE** This tele-conference meeting will follow the Attorney General's guidelines and observe the Governor and Secretary of Health's public health orders. This format will allow the Village Council to conduct the meeting without all Council members being physically present and in accordance with the NM Open Meetings Act. There will be no live audience present. Members of the public wishing to participate can do so by call **1-866-899-4679** and entering access code **874-835-069** or from a computer, tablet, or smartphone at <https://global.gotomeeting.com/join/416389165>. Those wishing to comment before or during the meeting may submit comments or questions to Interim Village Administrator Renee Martinez at [rmartinez@villageofquesta.org](mailto:rmartinez@villageofquesta.org)

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

Mayor Gallegos called the meeting to order at 6:03pm

**II. ROLL CALL**

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

Those virtually present were:

Mayor Mark Gallegos  
Councilwoman Louise Gallegos  
Councilman John Anthony Ortega  
Councilman Brent P. Jaramillo  
Councilman Charlie Gonzales  
Renee Martinez, CMC/ Interim Administrator  
Dina Coleman, Deputy Clerk / CPO  
Karen Shannon – VOQ Finance Director  
Lynn Skall – QEDF Director

Not Present were:

N/A

Those Present by Phone:

Jerry Hogrefe- Taos County Sherriff

**III. PLEDGE OF ALLEGIANCE**

Mayor Mark Gallegos led the Pledge of Allegiance.

**IV. APPROVAL OF AGENDA**

A motion was made to approve the agenda as presented.

**Motion:** Councilman Brent Jaramillo

**Second:** Councilman Charlie Gonzales

Roll Call:

Councilman John Anthony Ortega	YES
Councilman Brent P. Jaramillo	YES
Councilman Charlie Gonzales	YES
Councilwoman Louise Gallegos	Not present due to technical difficulties

Regular Council Meeting Minutes  
December 22, 2020

A motion to approve the agenda as presented. Majority voted yes. Motion carried.

**V. APPROVAL OF MINUTES – November 24, 2020**

**Motion:** Councilman Charlie Gonzales

**Second:** Councilman Brent Jaramillo

Roll Call:

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

To approve the November 24, 2020, Regular Meeting 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 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.)*

No one present via phone or virtually for public comments

**VII. PRESENTATIONS/ UPDATE**

Questa Economic Development Fund – Ms. Lynn Skall, Director

Ms. Skall gave updates on the following topics.

- Shop Questa Campaign funded by the LOR Foundation
- QEDF donation to Santa's Angels for Questa Independent School District students
- QBEN meeting update was focused on Self Employment Entrepreneurship turning hobbies into business. QBEN will launch workshops for small businesses to help understand taxes, finding your passion etc. These workshops will begin in January 2021.
- QEDF is working with Vida del Norte Mentorship Program focusing on recreation in areas. Trout Unlimited will also be involved in the project.
- QEDF approved their 2021-2022 budget. Ms. Skall will be working with the Village regarding the forms and steps to be taken on requesting funding for the upcoming year.
- Ms. Skall will be of assistance in helping with a State of the Union to be given by the Mayor per Renee's request.
- LOR meeting up dates to the Village Mayor and Council

Councilman Gonzales asked if the QEDF has requested money from the Cares Act? Ms. Skall stated that the QEDF is not eligible for funding, however, QEDF has dispersed information to small businesses and is willing to help small business apply for available funding.

**VIII. ACTION ITEM**

Discussion, Consideration & Decision – Resolution No. 2020-20 – A Resolution designating the 2021 Village of Questa Employee Holiday Closing Schedule

Regular Council Meeting Minutes  
December 22, 2020

Ms. Martinez requested approval of the 2021-year holiday schedule.

Councilman Gonzales asked if the Indigenous People Day and Martin Luther King Jr. are honored? Ms. Martinez stated that Martin Luther King Jr. Day is acknowledged, and Indigenous Peoples Day is currently observed under the title of Fall Day. Councilman Gonzales asked for it to be acknowledged as Indigenous Peoples Day, Ms. Martinez agreed to make the change to the calendar.

**Motion:** Councilman John Ortega

**Second:** Councilwoman Louise Gallegos

**Roll Call:**

Councilman John Anthony Ortega YES

Councilman Brent P. Jaramillo YES

Councilman Charlie Gonzales YES

Councilwoman Louise Gallegos YES

A motion to approve the Resolution No. 2020-20 – A Resolution designating the 2021 Village of Questa Employee Holiday Closing Schedule as amended. All voted yes. Motion carried.

Discussion, Consideration & Decision – Resolution No 2021-21 A Resolution designating the 2021 Open Meetings Schedule

Councilwoman Gallegos had a question for Ms. Martinez about 5 places that the agenda gets posted as stated in the resolution, she wanted to know the 5 posting places. Ms. Martinez responded the 5 postings are the following.

- Questa Post Office
- Village Administrative Office
- Questa Center Supermarket
- El Monte Carlo
- Village of Questa Website
- Northside Pendleton Gas Station

**Motion:** Councilwoman Louise Gallegos

**Second:** Councilman John Anthony Ortega

**Roll Call:**

Councilman John Anthony Ortega YES

Councilman Brent P. Jaramillo YES

Councilman Charlie Gonzales YES

Councilwoman Louise Gallegos YES

A motion to approve the Resolution No 2021-21 A Resolution designating the 2021 Open Meetings Schedule as presented. All voted yes. Motion carried

Discussion, Consideration & Decision – Emergency Management Powers Ordinance # 2020-147

Ms. Martinez requested Attorney Chris DeFillippo and Mayor Gallegos to assist in presenting this Ordinance.

Attorney DeFillippo gave background and information about what the Emergency Management Powers Ordinance is and what the Powers are should the Mayor need to enforce the ordinance.

Councilman Jaramillo stated that he does not see an enforcement mechanism in the ordinance that allows the Sheriff's Department to enforce this ordinance. Mr. DeFillippo states that language would need to be added stating it would be a misdemeanor if the ordinance is not followed. This language would be added under Section 6 - Failure to Obey and it would basically state that there would be a violation that would be the same as a misdemeanor anywhere else in Village ordinances that describes how and what one misdemeanor means under the ordinance. Mr. DeFillippo states that a line of language can be added in and that is a simple fix.

Councilman Jaramillo also inquired if these citations would be sent into Municipal Court or would they be sent to Magistrate Court per the Supreme Court order that allows the Magistrate court to see cases that have been cited in violation of the pandemic. Mr. DeFillippo was not clear on the Supreme Court order, if there is a directive for these citations to be sent to Magistrate, he will need to add that language in as well.

Sheriff Hogrefe was available by phone and was asked if he had any information to share regarding the Emergency Management Powers Ordinance. He stated that he aware of a directive from the Supreme Court that anything cited and relating to the pandemic would need to be sent to the Magistrate Court. He says this includes all Taos county areas.

Councilman Gonzales asked Mr. De Fillippo if there is a dollar amount that specifies where these infractions would be cited to? Mr. DeFillippo stated the ordinance states that citations would be counted as a misdemeanor and as a misdemeanor there are no specific fines to violations on this ordinance. Councilman Gonzales clarified that the violation and fine amount would be addressed in the courts by a judge. Mr. DeFillippo stated that, that is correct.

Councilman Ortega stated that he should believes that this should be tabled until Legal Council could add the appropriate language. He made a motion to table.

Councilman Jaramillo had a question about the publishing of the ordinance and asked if this should be tabled or postponed? Mr. DeFillippo stated that due to the nature of this ordinance under NMSA 1978 Section 4-37 -7 which allows for emergency ordinances to be put into place without publication, so it would become effective after it was approved so there was no need for publication for this ordinance to the emergency aspect of it.

Councilor Gonzales does not believe it is a good idea to postpone the ordinance. Mayor Gallegos agrees and has a concern with the increase in the COVID 19 positive results and would like to try to find a way to control the rise in the 87556 zipcode.

Councilwoman Gallegos had a comment and stated that most of those individuals that have had a positive result most likely caught the virus during daytime hours not evening hours and she is not sure how a curfew would help aid in decreasing the rising number.

There was much discussion regarding the curfew time, how the curfew would affect local business and the language in the ordinance.

**Motion:** Councilman John Anthony Ortega

**Second:** Councilman Brent Jaramillo

**Roll Call:**

Councilman John Anthony Ortega YES

Councilman Brent P. Jaramillo YES

203 Councilman Charlie Gonzales NO  
 204 Councilwoman Louise Gallegos YES

205  
 206 A motion to table the Emergency Management Powers Ordinance # 2020-147 as presented. Motion carried.  
 207

## 208 **IX. PROCLAMATION**

209 Proclamation by Mayor Gallegos regarding declaration of civil emergency and issuance of a public curfew  
 210

211 No need for proclamation per the tabling of Emergency Management Powers Ordinance # 2020-147.  
 212

## 213 **X. FINANCIAL REPORT** – Ms. Karen Shannon

214  
 215 Ms. Shannon stated that currently GRT's are down from last year at this time, however, we are in a good  
 216 place right now but just need to be careful on spending. Councilman Jaramillo understood and agreed that  
 217 the Village should watch the spending. Ms. Martinez stated that the Village is on track.

218 Councilman Ortega had a question for Ms. Shannon and asked if the Village is collecting GRTs from the  
 219 vendors that are currently working on the Village projects. Ms. Shannon stated that GRT's are being  
 220 collected. He also asked if Ms. Shannon budgeted our own projects into the construction budget and Ms.  
 221 Shannon stated that the state provides the construction numbers that are used for the budget. Ms. Shannon  
 222 stated that per DFA's recommendation she started the budget with the same numbers and projections as last  
 223 FY budget.  
 224

225 Councilwoman Gallegos was complimentary of Ms. Shannon providing the report. She had a question  
 226 regarding a line G and the budgeted amount in that line. She wanted to know if that amount is for the year to  
 227 date or for the year or couple of months. Ms. Shannon clarified that is only for July and August.  
 228

229 There was further discussion regarding GRT.  
 230

## 231 **XI. DISCUSSION ITEMS**

232  
 233 Streetlights along NM 522-38

234 Mayor Gallegos explained the current issue with the streetlight poles and the options available with repairing  
 235 and replacing. He then asked Ms. Dina Coleman to share the options and numbers if the Village chose to  
 236 upgrade or change. Ms. Coleman stated that per the NMDOT communications, if we chose to go with a  
 237 shorter pole, we would have to double the number of poles that we currently have. Another option would be  
 238 to replace the current lights with LED lights and ballast it would cost the Village \$98,994.13 for that  
 239 conversion. It would also cost approximately \$5300. to replace the poles that have been knocked down.  
 240

241 Councilman Jaramillo spoke on various options to look into to find money to assist with the light pole  
 242 replacement and repair.  
 243

## 244 **XII. MATTERS FROM ATTORNEY** - Chris DeFillippo, Robles, Rael & Anaya

245  
 246 Mr. DeFillippo provided an update on the Planning and Zoning Ordinance that will be provided to Ms.  
 247 Martinez soon. He also stated that he will be working on the Emergency Management Powers Ordinance.  
 248

249 Councilman Gonzales had a question regarding Golder being sold, can the company that bought them out  
 250 come in and take over with what Golder was doing? Mr. DeFillippo stated that he would follow up with  
 251 Councilman Gonzales to further discuss his question.  
 252

## 253 **XIII. MATTERS FROM ADMINISTRATION**

Ms. Martinez stated she submitted a written report in the packet. She informed the Mayor and Council that there is currently a sewer issue behind the hardware store that the Public Works Department is working on.

Councilwoman Gallegos thanked Ms. Martinez for the report. Councilwoman asked about the Cares Act and who were the 7 awarded businesses that were able to be assisted by the Cares Act funding.

Councilman Jaramillo asked if the funding for the & business was going to be awarded equally? Ms. Martinez stated that the businesses were reimbursed for the money that they spent towards the pandemic and they provided receipts for that money spent. She also stated that the Village was awarded \$47,925 and almost \$31,000. was awarded to business. A balance of approximately \$17, 000 remains and will be moved to the Village Cares Act funding. DFA is allowing this as long as approval is given.

#### **XIV. MATTERS FROM MAYOR & COUNCIL**

Mayor Gallegos gave an update regarding Granite Construction. They are requesting to be able to place their site office at the business park. They will be doing a "walk through" of the business park on January 8 & 9, 2021. Granite will be bringing in local jobs and bring in traffic to the Village. Mayor Gallegos is still working on the business park lease agreements. He let Council know that there may be small leaks around town and asked for patience as the Public Works repairs them.

Councilwoman Gallegos asked if Granite Construction will be bringing in their own buildings into the business park? Mayor Gallegos responded yes, they will be bringing in temporary buildings and will need approximately 3-4 acres. Councilwoman asked where Granite is from and Mayor said they are out of California and Arizona.

Councilman Ortega had a couple questions.

Where are we with the burn ordinance? Can that be worked on? Ms. Martinez will follow up with the Fire Chief and Attorney.

Can the Village re-coup some of the money that the Billing company owes to EMS department ?

Can the Public Works make the Fire Department a priority when plowing after it snows?

Is there a way to set EMS/FIRE as priority in the area of procurement? Can state contract be used to expedite the process? He has a concern with time and money being wasted.

Councilman Gonzales would like to meet with Granite to better understand their priorities and how they can support the Village. Mayor Gallegos agreed. There was a lot of conversation regarding the history and relationship between the Village and Chevron Mine. Concerns need to be addressed and negotiated.

#### **XII. ADJOURNMENT**

**Motion:** Councilman Brent Jaramillo

**Second:** Councilwoman Louise Gallegos

#### **Roll Call:**

Councilman John Anthony Ortega YES

Councilman Brent P. Jaramillo YES

Councilman Charlie Gonzales YES

Councilwoman Louise Gallegos YES

305 There being no further business to discuss, the meeting was adjourned at 7:57

306

307 ATTEST:

308

309

310

311 Dina Coleman  
Dina Coleman, Deputy Clerk

APPROVED:

Mark Gallegos  
Mark Gallegos, Mayor

