



## AGENDA

VILLAGE OF QUESTA  
REGULAR COUNCIL MEETING  
TUESDAY, OCTOBER 13, 2020  
VILLAGE OF QUESTA COUNCIL  
CHAMBERS  
2500 Old State Road 3 Questa, NM  
**6:00 P.M**

~ NOTICE TO THE PUBLIC ~

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

**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 calling **1-877-309-2073** and entering access code **609-915-197** or from a computer, tablet, or smartphone at <https://global.gotomeeting.com/join/609915197>. Those wishing to comment before or during the meeting may also submit comments or questions to 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** – September 10, 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. **ACTION ITEMS**
  - A) Discussion, Consideration & Decision – Presentation on proposed amendments to Ordinance # 2015-141 / Village of Questa Water and Sewer Ordinance
- VIII. **DISCUSSION ITEM**
  - A) Village of Questa Zoning Map
- IX. **MATTERS FROM ATTORNEY**
- X. **MATTERS FROM ADMINISTRATION** - Renee Martinez, CMC / Interim Administrator
- XI. **MATTERS FROM MAYOR & COUNCIL**
- XII. **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, OCTOBER 13, 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 6:15pm

**II. ROLL CALL**

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

Those present in person were:

Councilwoman Louise Gallegos  
 Councilman Charlie Gonzales  
 Councilman Brent Jaramillo  
 Councilman John Ortega

Staff:

Renee Martinez – CMC / Interim Administrator  
 Dina Coleman – CPO / Deputy Clerk  
 Ms. Nadine Herrera – Utility Billing Clerk

Others present virtually:

Karen Shannon – VOQ Finance Director  
 William Zarr – Attorney – Robles, Rael & Anaya

**III. PLEDGE OF ALLEGIANCE**

CPO/ Deputy Clerk Ms. Dina Coleman led the Pledge of Allegiance.

**IV. APPROVAL OF AGENDA**

Motion: Councilwoman Louise Gallegos  
 Second: Councilman Brent Jaramillo

Councilman Charlie Gonzales requested an addition to the agenda. He asked that item VIII. Discussion Item A) Village of Zoning Map be moved to B) and A) to be an addition with Christian Isley to give a presentation from the Water Board. Christian Isley was not present at the time of this request being made.

Motion: Councilwoman Louise Gallegos  
 Second: Councilman Brent Jaramillo

**Roll Call:**

Councilman John Anthony Ortega      YES  
 Councilman Brent P. Jaramillo      YES

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49 Councilman Charlie Gonzales YES  
 50 Councilwoman Louise Gallegos YES

51  
 52 To approve the agenda as amended. All voted yes. Motion carried.

53  
 54 **V. APPROVAL OF MINUTES – September 10, 2020 – Regular Meeting**

55  
 56 Motion: Councilman Charlie Gonzales  
 57 Second: Councilman Brent Jaramillo

58  
 59 **Roll Call:**

60 Councilman John Anthony Ortega YES  
 61 Councilman Brent P. Jaramillo YES  
 62 Councilman Charlie Gonzales YES  
 63 Councilwoman Louise Gallegos YES

64  
 65 To approve the September 10, 2020 Regular Meeting minutes as presented. 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 issue is not on the agenda the Governing Body cannot respond immediately but may direct staff to address*  
 69 *issues at a future Council Meeting. Public comments are limited to a maximum of three minutes.)*

70  
 71 There were no participants present virtually or in person for public comments. Ms. Martinez stated that no  
 72 emails were received regarding public comments.

73  
 74 **VII. ACTION ITEMS**

75 **A) Discussion, Consideration & Decision – Presentation on proposed amendments to Ordinance #**  
 76 **2015-141 / Village of Questa Water and Sewer Ordinance**

77  
 78 Ms. Martinez presented a recommendation to begin the process of amending the Ordinance to make changes  
 79 that will be a benefit to the Village staff and utility service customers. Ms. Martinez has requested the support  
 80 of the Mayor and Council to adjust four (4) items in the ordinance those four (4) items are as follows:

81 **1. Public Works 48-hour notice**

82 This will allow Public Works to schedule a sufficient response time to address incoming utility  
 83 requests without disrupting the tasks that they are working on at the time of a request.

84  
 85 Ms. Martinez is requesting that this 48 notice be added as a future change to the VOQ Water & Sewer  
 86 Ordinance.

87  
 88 **2. Tampering Fee**

89 The VOQ Water & Sewer Ordinance addresses tampering under Section 13 B. as follows.

90 B.) Use or tampering of the meter shut off by any person other than a Village Employee, including  
 91 the customer or customer's agent, is prohibited. Any person who uses or tampers with a meter shutoff  
 92 valve shall be fined not less than \$250.00, and the use of tampering shall be cause for the Village to  
 93 discontinue service to the customer or account. In the event a meter needs to be opened or shut off,  
 94 the property owner or customer must contact the Village Utilities Department to make proper  
 95 arrangements for the Village employee to open or shut off the meter. To reconnect service after being  
 96 shut off, the customer must pay in full the water or sewer tap reconnection fee.  
 97

Ms. Martinez is requesting that the language be clear and direct and that the tampering fee be increased to \$500.00.

### **3. Utility Service Connection**

The VOQ Water & Sewer Ordinance addresses Utility Service Connection under Section 4 E. as follows:

E.) Every property located within the Village's municipal limits and for which service is available shall connect to the Village water and sewer systems within six (6) months of either the date of construction on new facilities is completed, or the date of purchase, lease or other acquisition, whichever occurs last. Any property located within the Village municipal limits and for which service is available that has not been connected to the Village water and sewer systems after this time shall be deemed in violation of this ordinance, and a fine shall be assessed against the property. This provision shall not apply to any property for which a complete application to establish a connection has been submitted prior to the expiration of the time period set forth herein.

Ms. Martinez is requesting support to enforce this portion of the ordinance, which may include a penalty fee for non-compliance. Ms. Martinez also would like support allowing her to look into options that will assist customers with hooking up to the Village system if this should be deemed a financial burden to the customer.

### **4. Billing and Payment Connection / Pass Due**

The VOQ Water & Sewer Ordinance addresses Pass Due Accounts under Section 12 F as follows; F.) Accounts 60 and 90 Days Past Due service shall be discontinued for all accounts which are more than sixty (60) days past due, unless satisfactory payment arrangements have been made with the Village. Service shall be discontinued for all accounts which are more than ninety (90) days past due unless satisfactory payment has been received by the Village on the outstanding balance, regardless of whether payment arrangements have been made. Once service is discontinued, service shall not be reinstated either on the subject property or any subsequent account which may be opened by the customer until all charges, fees, penalties, cost or other arrears have been paid in full as provided for by NMSA (1978), § 3-23-1. A fifteen dollar (\$15.00) disconnect fee will be imposed at the time of service disconnection.

Ms. Martinez is requesting support in making a deletion to the Ordinance of the 90 days past due policy. Ms. Martinez believes it is beneficial to both the Village and customer to give a maximum of 60 days past due before water disconnection is an option.

After much discussion that included some options and concerns regarding the benefits and importance of making these changes to the Water & Sewer Ordinance, Mayor and Council are in support of Ms. Martinez's recommendations of the 4 items presented. Ms. Martinez will begin a plan of action to move forward with process for changes to ordinance.

Motion: Councilwoman Louise Gallegos

Second: Councilman John Anthony Ortega

### **Roll Call:**

Councilman Charlie Gonzales YES

Councilman John Anthony Ortega YES

Councilman Brent P. Jaramillo YES

Councilwoman Louise Gallegos YES

To allow the Administrator to move forward with the advertisement for a public hearing to possibly amend Ordinance 2015-141. All voted yes. Motion Carried.

**VIII. DISCUSSION ITEMS**

**A) Questa Land and Water Update Presented by Christian Isley, Representative of Chevron / Observer**

Mr. Isley was not present at this time.

Councilor Gonzales and Councilwoman Gallegos spoke regarding the opportunity to purchase land and water available. Per conversations with Christian Isley these lands and waters will be available for purchase via auction sales method. Mayor Gallegos has an interest to purchase land & water that would be of economic benefit to the Village of Questa.

**B) Village of Questa Zoning Map**

Ms. Martinez presented the Zoning Map to request guidance and recommendations regarding zone changes to the map. This map is a foundation to the Zoning Ordinance and would need to be updated prior to making any further changes to the Ordinance. Mayor Gallegos opened the floor for discussion allowing questions and suggestion.

Councilor Jaramillo asked for a consideration to be made towards any land that would need to be protected. This could be tradition agricultural land and anything that would hold or need a special designation. Mayor Gallegos agreed and is in support. Councilor Ortega also suggests that the Village also consider designating the tailings dam as business with the possibility of being changed in the future. Councilor Gonzales would like the map to be more specific and for it to identify properties. Councilor Ortega mentioned the Village boundaries need to be brought current on the map. Mayor Gallegos recommended that Ms. Martinez reach out to Taos County to obtain better map.

With further discussion and questions regarding definitions of some of the zone's allowances.

**IX. MATTERS FROM ATTORNEY**

Mr. Zarr had no matters to present but he did have a follow up to the zoning map conversation. He has recommended that we consider also looking into amending the Village of Questa Comprehensive Plan to support the future improvements to the Zoning Map and Ordinance.

**X. MATTERS FROM ADMINISTRATION**

Ms. Martinez gave an update on the following:

- Early Voting will begin on Saturday October 16, 2020 – October 31, 2020 Tuesday through Saturday from 10 am – 6pm.
- The bid opening for the CDBG Cabresto Waterline Project was held on October 13, 2020 at 11 am. There were 3 bids submitted and where under review for accuracy of bid totals.
- Library Construction is under way.
- Sarah White is working in the office for a few hours a week to assist with the Small Business Cares Act funding.
- Questa Business Park Project is approximately 80% complete and WHPacific will be attending a Council Meeting in the near future to provide a presentation update.
- GRT report available for review. GRT rate has been maintained.
- In response to Councilwoman Gallegos's question regarding the MVD schedule. Ms. Martinez stated is open full-time by appointment only.
- Councilman Gonzales asked if the Sherriff's Department has used that Police building and Ms. Martinez stated that the Sherriff's Department have not due to the current negotiating process of the

MOU. Councilman Gonzales also asked when the Conex in front of the police department will be moved and Mayor Gallegos assured him that it would be taken care of soon.

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

- Councilman Ortega mention he has received complaints from constituents about illegal use of the dumpsters. He has also experienced this at a dumpster across from his home. Ms. Martinez did agree that is an issue throughout the Village. Councilor Ortega also asked about the roll off dumpster availability and fees to use.
- Councilman Ortega also asked the status of the MOU with the Sheriff's department, Ms. Martinez stated that she has been in communication with the Village attorney and there are still items of concern to be addressed. Ms. Martinez will continue to follow up.
- Councilman Jaramillo asked about the status of LEPF. Can the Village still receive LEPF funding considering the status of or non-operating police department. Ms. Shannon stated that when the Village applied for LEPF last year there was on operating police department with two (2) certified officers at the time of application the Village did receive the funding through this year in the amount \$21,000.00. If the Village does not have certified officers this January 2021, there will be no need to apply for LEPF funding.
- Councilman Ortega gave an update regarding Vida del Norte's Town Hall meeting where a presentation was given by Maria Gonzales about alcohol abuse by teens in our area and the increase in use since 2019. He would like Maria to be on the agenda to present the information to the Council. He also mentioned that Vida del Norte provided a Law Enforcement Appreciation luncheon that went well. He also asked if LEPF funding can be used for any Alcohol prevention advertising or merchandise.
- Mayor Gallegos requested support from the Council to be able to reach out to Questa Independent School District regarding modular buildings that may become available. Mayor Gallegos feels that the Village can use the building in many aspects to benefit the Village. There were several suggested uses for these building from the Council. They all support the idea of Mayor reaching out to the school requesting consideration.

# **XII. ADJOURNMENT**

Motion: Councilman John Anthony Ortega  
Second: Councilman Charlie Gonzales

## **Roll Call:**

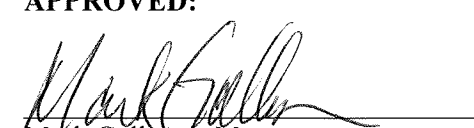
Councilman John Anthony Ortega	YES
Councilman Brent P. Jaramillo	YES
Councilman Charlie Gonzales	YES
Councilwoman Louise Gallegos	YES

There being no further business to discuss, the meeting was adjourned at 7:56 pm.

## **ATTEST:**

  
Dina Coleman, Deputy Clerk

## **APPROVED:**

  
Mark Gallegos, Mayor