

VILLAGE OF QUESTA

Candidate Handbook

2022 Municipal Officer Election

OFFICE OF THE MUNICIPAL CLERK
Renee Martinez, CMC

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www.questa-nm.com

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Office of the Municipal Clerk

Dear Candidate:

It is a pleasure to welcome you as a candidate for municipal office.

This handbook has been compiled to guide you through the process of running your campaign and declaring your candidacy.

To familiarize yourself with the Village of Questa government, please visit our website at www.questa-nm.com for information on Village Council meetings, agendas, minutes, and staff contact information. Village council meetings are scheduled every 2nd and 4th Tuesday at 6:00pm.

I trust that this information will answer most of your questions; however, the Village Clerk's Office is always available to provide any additional information you may need.

Please contact me at (575) 586-0694, or email at rmartinez@villageofquesta.org if I can be of assistance.

Best wishes on your campaign!

Sincerely,



Renee Martinez
Certified Municipal Clerk

Declaration of Candidacy Information

The Village of Questa Municipal Officer Election Day is March 1, 2022. As a potential candidate, there are things you need to know in regards to the election process, your responsibilities, and the responsibilities of the Village Clerk.

General Eligibility Requirements for the Municipal Officer Election:

To become a candidate for the Municipal Officer Election, a person must be a registered voter and possess the qualifications specified by law. Pursuant to the Election Code 1-1-7.1, *'any qualified elector for the purpose of determining the residence of a person desiring to be a candidate for the nomination or election to an office under the provision of the Election Code, permanent residence shall be resolved in favor of that place shown on the person's certificate of registration as his permanent residence, provided the person resides on the premises.'*

Felony Convictions: A person who has been convicted of a felony shall not be permitted to hold an office of the public trust for the state, a county, a municipality, or a district, unless the person has presented the governor with a certificate verifying the completion of the sentence and was granted a pardon or a certificate by the governor restoring the person's full rights of citizenship. NMSA 1978, § 31-13-1(E).

Determining Residency:

Residence; rules for determining - Election Code 1-1-7.

For the purpose of determining residence for voting, the place of residence is governed by the following rules:

- A. the residence of a person is that place in which his habitation is fixed, and to which, whenever he is absent, he has the intention to return.
- B. the place where a person's family resides is presumed to be his place of residence, but a person who takes up or continues his abode with the intention of remaining at a place other than where his family resides is a resident where he abides.
- C. a change of residence is made only by the act of removal joined with the intent to remain in another place. There can be only one residence.
- D. a person does not gain or lose residence solely by reason of his presence or absence while employed in the service of the United States or of this state, or while a student at an institution of learning, or while kept in an institution at public expense, or while confined in a public prison or while residing upon an Indian or military reservation.
- E. no member of the armed forces of the United States, his spouse or his dependent is a resident of this state solely by reason of being stationed in this state.
- F. a person does not lose his residence if he leaves his home and goes to another country, state, or place within this state for temporary purposes only and with the intention of returning.
- G. a person does not gain a residence in a place to which he comes for temporary purposes only.
- H. a person loses his residence in this state if he votes in another state in an election requiring residence in that state and has not upon his return regained his residence in this state under the provisions of the constitution of New Mexico.
- I. "residence" is computed by not including the day on which the person's residence commences and by including the day of the election.
- J. a person does not acquire or lose residence by marriage only.

Proclamation by the Secretary of State

Election Code (1-22-4.B)

On December 1, 2021, the Secretary of State by resolution issued a public proclamation in Spanish and English calling for the 2022 Municipal Officer Election to be held on March 1, 2022.

Filing for Candidacy

Election Code 1-22-3.1.E.(3)

Individuals seeking candidacy shall file a declaration of candidacy on January 4, 2022, between the hours of 9:00 AM and 5:00 PM at the office of the Village Clerk at the Village Administration Building, 2500 Old State Road 3, Questa, NM.

From the information provided on the Declaration of Candidacy, the Village Clerk determines if the individual is a qualified elector and if the individual is registered to vote within the village limits. By 5:00 p.m. on January 7, 2022, the Village Clerk shall notify candidates in writing that they are qualified to be a candidate **(§1-22-3.1E.3)**.

The last day to withdraw as a regular candidate is by 5:00 p.m. on January 11, 2022 **(§1-10-6C)**

Filing for Candidacy as a Write-In Candidate

Election Code (1-22-3.1.E.(4))

Write-in candidates for the municipal officer election shall file declaration of intent to be a write-in candidate between 9:00 AM and 5:00 PM on January 11, 2022.

If the candidate is qualified, the Village Clerk shall notify each candidate in writing that they are qualified to be declared a *write-in* candidate by 5:00pm on January 14, 2022. **(1-22-3.1.E.(4))**

January 18, 2022 is the last day to withdraw as a write-in candidate. **(§1-10-6C)**.

*Note: The write-in candidates shall be considered a candidate for all purposes and provisions relating to candidates, with the exception the write-in candidate's name shall not be pre-printed on the ballot, nor displayed or otherwise provided in any polling place by any election official or member of an election board. **(Election Code 1-10-13.B.)***

Forms and Requirements

All candidates filing must complete and submit the following forms to the Village Clerk on the designated filing date:

1. Declaration of Candidacy form (included at the end of this packet)
2. Written Authorization for Designation (only if someone is filling on behalf of the candidate)
3. Declaration of Intent to be a Write-in Candidate
4. A copy of the candidate's current voter registration on file with the County Clerk shows that the person is both a qualified elector of the state and was registered to vote in the area to be elected to represent on the date of the proclamation calling for the municipal officer election for all municipalities conducting the election of their officers. Candidate must be registered to vote with the Taos County Clerk's Office on or before December 1, 2021 (the date of the Secretary of State's Election Proclamation)
5. Affidavit of Withdrawal of Candidacy (if applicable)

The forms provided with this information packet must be used for filing. In addition, these forms are also available on the Secretary of State website. Please read through all the forms enclosed

and understand the requirements of the information you need to provide. Your signature is required to be notarized. There will be a notary available to notarize your signature in the Village Clerk's Office. **(IMPORTANT: Please ensure that your name and resident address on the Declaration of Candidacy/Declaration of Intent to be a Write-in Candidate are IDENTICAL to your name and resident address as shown on your voter registration).** The voter registration must show the address as a street address, not a post office box.

If you are unable to personally appear to submit your Declaration of Candidacy, a Written Authorization for Designation (*included in this packet*) is also available. This allows the designation of an individual to act solely on your behalf for the purpose of filing your Declaration of Candidacy and any other documents required. **(1-22-7.D.)**

Please note... The Village Clerk *will not* accept a declaration of candidacy for more than one municipal elected office per candidate. Each candidate shall declare only one municipal elected office **(§1-22-7.B)**. A declaration of candidacy shall not be amended after it has been filed with the Village Clerk **(§1- 22-7.C.)**. Whoever knowingly makes a false statement in a declaration of candidacy is guilty of a fourth-degree felony **(§1-22-7.E)**.

****When the declaration of candidacy is filed with the Village Clerk, it becomes a public record.**

CERTIFIED CANDIDATE INFORMATION

1. The Village Clerk will order ballots no later than January 18, 2022. **The candidate's name will appear on the ballot exactly as shown on the voter's registration.** The order of candidates for the same office shall follow the randomization method established by the rule by the Secretary of State **(§1-22-3.1E.6)**.
2. The Village Council will appoint the election board members at their regularly scheduled Council Meeting on January 11, 2022. **(§1-2-6.A)** The list of election workers will be posted. No relatives of any candidate can serve on the election board **(§1-2-7.C)**
3. ON ELECTION DAY there is no campaigning within 100 feet of the building where the polling is located (Village Hall). In addition, there will be no campaign literature allowed within 100 feet of the building. **(§1-20-16A)**

Forms and Requirements

Included at the end of this packet are forms to file for candidacy.

Additional Information

Listed below are additional resources that may help you.

- Village of Questa Website
- Election Handbook of the State of New Mexico
- New Mexico Secretary of State Website

You may request Village of Questa public records such as minutes, resolutions and ordinances, budgets, and audits by calling the Village of Questa at 586-0694.

The Village Clerk's office is ready and available to assist you. Please do not hesitate to contact me at martinez@villageofquesta.org or (575) 586-0694. .

IMPORTANT DATES TO REMEMBER

December 1, 2022		Secretary of State will issue a proclamation to call the election.
Beginning January 1, 2022		Ballot applications can be issued; however, ballots will only be mailed out from Tuesday, February 1, 2022, through Friday, February 25, 2022.
January 4, 2022	9:00 AM - 5:00 PM	CANDIDATE FILING DAY: Appear in Village Clerk's office to file Declaration of Candidacy.
No later than January 7, 2022		Village Clerk certifies declarations of candidacy. The Village Clerk will notify in writing that the filer is a qualified candidate.
January 11, 2022	by 5:00 PM	Deadline for candidate to withdraw candidacy.
January 11, 2022	9:00 AM – 5:00 PM	Write-In Candidate Filing Day.
January 18, 2022	by 5:00 PM	Deadline for Write-In Candidates to withdraw candidacy.
February 1, 2022		First day absentee ballots can be issued/mailed to voter
February 1, 2022		Early Voting begins at Village of Questa Council Chambers.
February 1, 2022		Last day for a qualified elector to register to vote or update voter registration (excludes same day voter registration at early voting location).
February 25, 2022 (Friday)		Last day to mail absentee ballot.
February 26, 2022 (Saturday)		Last day for early voting. Hours are from 10:00 a.m. – 6:00 p.m.
MARCH 1, 2022	7:00 AM - 7:00 PM	ELECTION DAY (Village of Questa Council Chambers)
Between March 7, 2022 – March 11, 2022		Village Clerk and Taos County Commission meet to certify the canvass and declares the results.
By March 22, 2022		Certificate of Election will be issued to the successful candidates from the Secretary of
By April 1, 2022		Candidate presents Certificate of Election to the Village Clerk and takes Oath of Office.
April 1, 2022		Term of office begins. Note: The oath of office shall be issued on or before April 1, 2022.

2022
MUNICIPAL OFFICER
ELECTION
RESOLUTIONS



RESOLUTION 2021-20

A RESOLUTION DESIGNATING THE LOCATION OF AN ELECTION POLLING PLACE FOR THE MUNICIPAL OFFICER ELECTION DAY TO BE CONDUCTED IN 2022

WHEREAS, the New Mexico Local Election Act allows the Governing Body of a municipality to act in relation to the duties of the Board of County Commissioners set forth in Section 1-3-2 NMSA 1978 in setting polling places and consolidating precincts for the municipal officer election pursuant to New Mexico Statutes Annotated 1978, Section 1-22-3.1(D)(8);

WHEREAS, pursuant New Mexico Statutes Annotated 1978, Section 1-3-2 in June or July of each odd-numbered year, the Governing Body of a municipality shall by resolution designate the polling place of each precinct that shall provide individuals with physical mobility limitations an unobstructed access to at least one voting machine; and

WHEREAS, when the Local Election Act or the Election Code references a process or procedure to be conducted by the County Clerk in the administration of a regular local election, the process or procedure shall instead be fulfilled and administered by the Municipal Clerk pursuant to New Mexico Statutes Annotated 1978, Section 1-22-3.1(D)(2); and

WHEREAS, the Governing Body of the Village of Questa concurs consolidating precincts will make voting more convenient and accessible to voters of the consolidated precinct and will not result in delays for voters in the voting process, that the consolidated precinct voting location will be centrally located within the consolidated precinct and the consolidation of precincts in the Village of Questa meets the requirements of New Mexico Statutes Annotated 1978, Section 1-3-4, Subsection B and C.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. All precincts and portions of precincts that are within the municipal boundaries of the Village of Questa shall be combined into one consolidated precinct.
2. The Governing Body of the Village of Questa designates the Election Day polling place for the Municipal Officer Election Day to be conducted on Tuesday, March 1, 2022, in the Village of Questa Council Chambers located at the Village of Questa Administrative Building located at 2500 Old State Road 3, Questa, New Mexico.
3. Early Voting will also be conducted at in the Village of Questa Council Chambers located at the Village of Questa Administrative Building located at 2500 Old State Road 3, Questa, New Mexico.

4. Village of Questa Council Chambers located at the Village of Questa Administrative Building located at 2500 Old State Road 3, Questa, New Mexico, is accessible and compliant with the requirements of the federal Americans with Disabilities Act of 1990 and meets the requirements of state statute.

PASSED, APPROVED, and ADOPTED this 13th day of July 2021, at the Regular Meeting of the Village of Questa Council by the following vote:

Councilmember Brent Jaramillo	<u>Y</u>
Councilmember John Ortega	<u>Y</u>
Councilmember Louise Gallegos	<u>Y</u>
Councilmember Charlie Gonzales	<u>Y</u>

VILLAGE OF QUESTA

Louise T. Gallegos - Mayor Pro-tem
Mark Gallegos, Mayor

ATTEST:

APPROVED AS TO FORM

Renee Martinez
Renee Martinez, Village Clerk

[Signature]
Village Attorney





VILLAGE OF QUESTA
2022 MUNICIPAL OFFICER ELECTION RESOLUTION
Resolution No. 2021-28

Be it resolved by the governing body of the Village of Questa, New Mexico, that:

- A. The Municipal Officer Election shall be held on March 1, 2022. Polls will open at 7:00 A.M. and close at 7:00 P.M.
- B. At the Municipal Officer Election, persons shall be elected to fill the following elective offices:
 - 1. ONE Mayor for a four-year term commencing April 1, 2022
 - 2. ONE Councilor for a four-year term commencing April 1, 2022
 - 3. ONE Councilor for a four-year term commencing April 1, 2022
- C. Declaration of Candidacy shall be filed with the Municipal Clerk on January 4, 2022 between the hours of 9:00 a.m. and 5:00 p.m.
- D. Write-in candidates shall file declaration of candidacy between the hours of 9:00 a.m. and 5:00 p.m. on January 11, 2022.

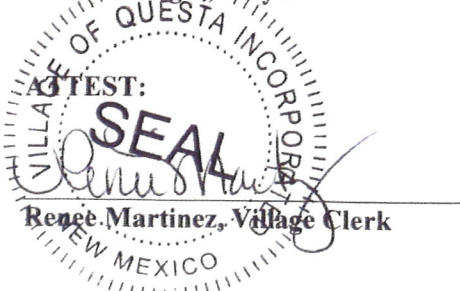
PASSED, APPROVED and ADOPTED, this 19th day of October, 2021, at the Regular Meeting of the Village Council by the following vote:

Mayor Pro Tem Charlie Gonzales
Councilmember Brent Jaramillo
Councilmember John Ortega
Councilmember Louise Gallegos

Yes
Absent
Yes
Yes

VILLAGE OF QUESTA;


Mark Gallegos, Mayor



Renee Martinez, Village Clerk

APPROVED AS TO FORM:


Chris DeFillippo, Village Attorney

Duties and Compensation of Elected Officials

- **MAYOR** –

The monthly compensation of the Mayor taking office on April 1, 2022, per Ordinance # 2021-151 - (\$1,500.00)

§3-11-4. Mayor; chief executive officer; powers.

The mayor is the chief executive officer and shall:

- A. cause the ordinances and regulations of the municipality to be obeyed;
- B. exercise, within the municipality, powers conferred upon sheriffs of counties to suppress disorders and keep the peace; and
- C. perform other duties, compatible with his office, which the governing body may require.

§3-11-3. Mayor; presiding officer of governing body; limitation on vote.

The mayor of a municipality is the presiding officer of the governing body. In all municipalities the mayor shall vote only when there is a tie vote.

§3-11-5. Mayor; appointment of officers after election.

A. At the organizational meeting of the governing body, which shall be scheduled pursuant to Section 3-8-33 NMSA 1978 of the Municipal Election Code, the mayor shall submit, for confirmation by the governing body, the names of persons who shall fill the appointive offices of the municipality and the names of persons who shall be employed by the municipality. If the governing body fails to confirm any person as an appointive official or employee of the municipality, the mayor at the next regular meeting of the governing body shall submit the name of another person to fill the appointed office or to be employed by the municipality.

B. Any person holding an appointed office at the time of the municipal election shall continue in that office until his successor has been appointed and is qualified.

- **COUNCIL** -

The monthly compensation of members of the Village Council taking office on April 1, 2022, per Ordinance # 2021-151 – (\$600.00)

§3-12-3. Governing body; powers and duties.

- A. The governing body of a municipality having a mayor-council form of government shall:

- (1) elect one of its members to act as mayor pro-tem in the absence of the mayor;
- (2) possess all powers granted by law, and other municipal powers not conferred by law or ordinance on another officer of the municipality;
- (3) manage and control the finances and all property, real and personal, belonging to the municipality;
- (4) determine the time and place of holding its meetings, which shall be open to the public;
- (5) determine the rules of its own proceedings;
- (6) keep minutes of its proceedings, which shall be open to examination by any citizen;
- (7) adopt rules and regulations necessary to effect the powers granted municipalities;
- (8) prescribe the compensation and fees to be paid municipal officers and employees; and
- (9) prescribe the powers and duties of those officers whose terms of office or powers and duties are not defined by law, and impose additional powers and duties upon those officers whose powers and duties are prescribed by law.

B. The governing body of a municipality having a mayor-council form of government may remit the fine of any person convicted of a violation of a municipal ordinance.

C. The governing body may compel the attendance of absent members in such manner and under such penalties it deems desirable.

D. The mayor or a majority of the members of the governing body may call special meetings by notice to each member of the governing body, personally served or left at his usual place of residence.

*****In addition to the above salaries, travel allowances are allowed under the per diem and mileage act, as are afforded to other Village employees and as may be provided by law, ordinance, or Village policy.***



VILLAGE OF QUESTA LEADERSHIP TEAM

Interim Administrator/Clerk

Renee Martinez, CMC

Finance Director

Karen Shannon

Chief Procurement Officer / Deputy Clerk

Dina Coleman

Lead Utility Worker

John Rael

Water/Sewer Operator

Anthony Martinez

EMS Coordinator

Raynelle Sanchez-Cordova

Library Director

Ms. Sharon Nicholson

FORMS FOR FILING



STATE OF NEW MEXICO

MAGGIE TOULOUSE OLIVER

SECRETARY OF STATE

2022 MUNICIPAL OFFICER ELECTION

DECLARATION OF CANDIDACY – STATEMENT OF INTENT

I, _____, being first duly sworn, say that
(candidate's name on certificate of registration)

I am a voter of the county of _____, State of New Mexico. I reside at
_____, and was registered to vote at that place on the
(physical address)

date of the proclamation calling this election;

I reside within and am registered to vote in the area to be elected to represent;

I desire to become a candidate for the office of _____ at the
municipal officer election to be held in March of the year this declaration is filed;

I will be eligible and legally qualified to hold this office at the beginning of its term; and

I make the foregoing affidavit under oath, knowing that any false statement herein
constitutes a felony punishable under the criminal laws of New Mexico.

Signature of Declarant

Mailing Address

Residence Address

Email Address

Phone Number

State of: _____

County of: _____

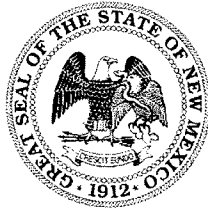
Signed and sworn (or affirmed) before me on the _____ day of _____, 2022,

by _____.

Signature of notarial officer

Title and Rank

My Commission Expires: _____



STATE OF NEW MEXICO

MAGGIE TOULOUSE OLIVER

SECRETARY OF STATE

**2022 MUNICIPAL OFFICER ELECTION
WRITTEN AUTHORIZATION FOR DESIGNATION**

I desire to become a candidate for the office of _____ in the
municipal officer election to be held on **Tuesday, March 1st, 2022.**

I certify that I am not able to personally deliver my Declaration of Candidacy and all other
associated documents to my local municipal clerk's office, as applicable, for filing purposes.

Pursuant to NMSA 1978, § 1-22-7(D), I designate the following individual to act solely on
my behalf for the purpose of filing my Declaration of Candidacy and any other associated
documents required:

Name of Designee (printed)

Address of Designee

Signed and authorized by:

Candidate Signature

Candidate Name

Mailing Address

Residence Address



STATE OF NEW MEXICO

MAGGIE TOULOUSE OLIVER

SECRETARY OF STATE

2022 MUNICIPAL OFFICER ELECTION

DECLARATION OF INTENT TO BE A WRITE-IN CANDIDATE

I, _____, being first duly
(Candidate's name on certificate of registration)

sworn, say that I am a voter of the county of _____, State of New Mexico.

I reside at _____, and was registered to
vote at that place on the date of the proclamation calling this election;

I reside within and am registered to vote in the area to be represented;

I desire to become a candidate for the office of _____ at the
municipal officer election to be held on the date set by law;

I will be eligible and legally qualified to hold this office at the beginning of its term; and

I make the foregoing affidavit under oath, knowing that any false statement herein constitutes a
felony punishable under the criminal laws of New Mexico.

Signature of Declarant

Mailing Address

Residence Address

Email Address

Phone Number

State of: _____

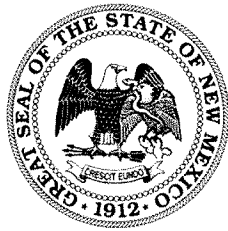
County of: _____

Signed and sworn (or affirmed) before me on the _____ day of _____, 2022,
by _____.

Signature of notarial officer

Title and Rank

My Commission Expires: _____



STATE OF NEW MEXICO

MAGGIE TOULOUSE OLIVER

SECRETARY OF STATE

2022 MUNICIPAL OFFICER ELECTION

AFFIDAVIT OF WITHDRAWAL OF CANDIDACY

I, _____, being first duly sworn upon my oath do hereby state for my affidavit that:

I withdraw as a candidate for the office of _____, in the election scheduled for March 1st, 2022; and that I hereby permanently revoke my Declaration of Candidacy filed with my proper filing officer on _____, 2022.

Signature of Candidate

State of: _____

County of: _____

Signed and sworn (or affirmed) before me on the _____ day of _____, 2022, by
_____.

Signature of notarial officer

Title and Rank

My Commission Expires: _____

Received in the office of the Municipal Clerk at _____ A.M./P.M. on the _____ day
of _____ 2022.

Proper Filing Officer