



AGENDA
VILLAGE OF QUESTA
REGULAR COUNCIL MEETING
TUESDAY, DECEMBER 14, 2021

6:00 P.M

VILLAGE OF QUESTA COUNCIL CHAMBERS
2500 OLD STATE ROAD 3
NOTICE TO THE PUBLIC

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

- 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) Regular Meeting November 09, 2021
- 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**
 - A) Questa Economic Development Fund Update, Ms. Lynn Skall | Director
 - B) Proposed Cannabis Production Facility, Mr. Michael Nezi
- VIII. **ACTION ITEMS**
 - A) Discussion, Consideration and Decision – Request for Variance – La Casa Cannabis
Re: Cannabis grow facility
 - B) Discussion, Consideration and Decision - Change Order #6 - Cabresto Waterline Replacement Project | Mr. Arvind Patel, NV5
 - C) Discussion, Consideration and Decision - Change Order #7 - Cabresto Waterline Replacement Project | Mr. Arvind Patel, NV5
 - D) Discussion, Consideration and Decision - Change Order #8 - Cabresto Waterline Replacement Project | Mr. Arvind Patel, NV5
 - E) Discussion, Consideration and Decision - Resolution 2021-32 / 2022 Employee Holiday Schedule
- IX. **DISCUSSION ITEMS**
 - A) Upcoming 2022 Legislative Session – Mr. Gabe Cisneros, UPS
 - B) Establishing per diem rates based on the State of New Mexico
 - C) Water Rights Purchase
 - D) Cannabis Requirements
- X. **MATTERS FROM ATTORNEY** – Mr. Chris DeFillippo, Robles, Rael & Anaya
- XI. **MATTERS FROM ADMINISTRATION**
- XII. **MAYOR AND COUNCILMEMBERS**
 - A) Concerns and/or Announcements
 - B) New Business to be considered at future Council Meetings.
- 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 14, 2021
VILLAGE OF QUESTA COUNCIL CHAMBERS
6:00PM**

I. CALL TO ORDER BY MAYOR MARK L. GALLEGOS

Mayor Gallegos called the meeting to order at 6:04 pm

II. ROLL CALL

A quorum was present.

Those present were:

Mayor Mark Gallegos
Councilwoman Louise Gallegos
Councilman John Anthony Ortega
Councilman Charlie Gonzales arrived at
Councilman Brent Jaramillo
Chris DeFillippo, Robles, Rael & Anaya
Renee Martinez, CMC/ Interim Administrator
Dina Coleman, Deputy Clerk / CPO
Karen Shannon, VOQ Finance Director
Michael Nezi, Proposed Cannabis Production Presentation
Mr. Gabe Cisneros, UPS

Others Present were:

Dylan Crabb, Questa Del Rio Newspaper Reporter
Paul Sanchez
Larry Sanchez
Carolyn Garcia
Richard Garcia
Virgil Martinez
Jeffery Rodriguez
Sapphire Miller
Dominic Rodriguez
Jose Martinez

III. PLEDGE OF ALLEGIANCE

Ms. Renee Martinez led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

Mayor Gallegos made a request that Discussion Item IX. C- Water Rights Purchase, be moved to an Executive Session and

Councilman Jaramillo made a request to amend the agenda and remove Action Item A- Request for Variance by La Casa Cannabis.

Motion: Councilwoman Louise Gallegos

Second: Councilman John A. Ortega

Roll Call:

Councilman John Anthony Ortega YES
 Councilman Brent Jaramillo YES
 Councilman Charlie Gonzales NOT PRESENT
 Councilwoman Louise Gallegos YES

To approve the agenda as amended. Majority voted yes. Motion carried.

V. APPROVAL OF MINUTES – A) Regular Meeting November 9, 2021

Motion: Councilwoman Louise Gallegos

Second: Councilman John Anthony Ortega

Roll Call:

Councilman John Anthony Ortega YES
 Councilman Brent Jaramillo YES
 Councilman Charlie Gonzales NOT PRESENT
 Councilwoman Louise Gallegos YES

To approve the minutes of November 9, 2021, as presented. Majority 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.)

- Mr. Larry Sanchez voiced his concern regarding the intersection located in the area of Highway 522 and Embargo Road. There is a concern with the road that goes to the Food Pantry, Headstart and Senior Center. He is requesting that the Village seek funding and collaborate with the NM DOT to find a way to slow the traffic and better identifiers in that area to avoid any possible accidents and /or fatalities.
- Mr. Jason Gonzales voiced his concern and questioned the validity to tabling Action Item A, Request for Variance by La Casa Cannabis. He also has concerns regarding the semi-trucks traveling too fast along highway 38 approaching highway 522.
- Mr. Virgil Martinez brought forth a concern with the intersection on highway 522 and Sagebrush Road (the high school road) he stated that there is speeding and recommends that a flashing school zone be there in that area before and accident happens. Mr. Martinez shares that he attended the NFR (National Final Rodeo), and Clay Johnson was able to represent Questa and would like the Village and/or Questa Del Rio Newspaper to highlight Clay in honor and appreciation of his representation. He is very supportive of having a local corrals and activities as Clay shows that the past efforts have paid off. He would also see some job creation happen and has entertained the idea of bringing in a meat processing plant in the area.
- Mr. Jose Martinez was present on behalf of Living Word Ministries. Living Word Ministries has a concern with the proposed Cannabis facility variance request, this request is pertaining to a property next to the church. As a representative of the church, they would like to sit with the Council and discuss the Cannabis related issue. Mr. Martinez brought up several reasons for concern regarding the issue of cannabis in the community, these concerns arise from his familiarity and experiences as a former law enforcement officer, and he also has concerns as a residents and water usage.

VII. PRESENTATION

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98 A) Questa Economic Development Fund Update, Ms. Lynn Skall | Director
 99 Ms. Skall was not present for the meeting.

100 B) Proposed Cannabis Production Facility, Mr. Michael Nezi

101 Mr. Nezi gave a very informative presentation proposing his request to place his Cannabis Production
 102 Facility (8K Cannabis) within the Questa Business Park.

103 Mr. Nezi was available for questions and his presentation is available upon request.

104 There were several questions, as follows:

- 105 • Councilwoman Gallegos had a question regarding what type of job creation, benefits and pay rate
 106 would Mr. Nezi's business provide. Mr. Nezi answered that he would like to pay a minimum wage of
 107 \$15.00 per hour, He would also like to have a benefits program and also create a profit-sharing program
- 108 • He intends on having 2 people per production room and several other jobs that will be needed as the
 109 business produces. There is a possibility of outsourcing several jobs.
- 110 • Councilman Ortega had a question regarding the future funding availability for the business park if
 111 Cannabis businesses are on the business park property. He also expressed his concern with Cannabis in
 112 the community.
- 113 • Councilman Jaramillo asked Mr. Nezi why he was interested in the Questa Business Park area? Mr.
 114 Nezi was able to respond to his question. There was further discussion between the two. Mr. Nezi is very
 115 interested in Questa and prefers to stay here rather than move the business to Taos.
- 116 • Councilman Gonzales would like the Village Attorney to look into the allowances of the type of
 117 businesses the Village can have at the business park.

118 There was much conversation regarding this proposal

119

120 VIII. ACTION ITEMS

121 A) Discussion, Consideration and Decision – Request for Variance – La Casa Cannabis Re: Cannabis grow
 122 facility

123 This action item has been tabled per Councilman Jaramillo's request

124

125 **Motion:** Councilwoman Louise Gallegos

126 **Second:** Councilman John Anthony Ortega

127 **Roll Call:**

128 Councilman John Anthony Ortega YES

129 Councilman Brent Jaramillo YES

130 Councilman Charlie Gonzales YES

131 Councilwoman Louise Gallegos YES

132

133 To approve the tabling of the Request for Variance – La Casa Cannabis Re: Cannabis grow facility Majority
 134 voted yes. Motion carried.

135

136 To approval of a 5-minute break. All voted yes. Motion carried.

137

138 B) Discussion, Consideration and Decision - Change Order #6 - Cabresto Waterline Replacement Project |

139 Mr. Arvind Patel, NV5.

140

141 Mr. Patel provided background information regarding the change order request #6.

142
 143 **Motion:** Councilman Charlie Gonzales
 144 **Second:** Councilman Brent Jaramillo
 145
 146 **Roll Call:**
 147 Councilman John Anthony Ortega YES
 148 Councilman Brent Jaramillo YES
 149 Councilman Charlie Gonzales YES
 150 Councilwoman Louise Gallegos YES
 151
 152 To approve Change Order #6 - Cabresto Waterline Replacement Project. All voted yes. Motion carried.
 153
 154 **C) Discussion, Consideration and Decision - Change Order #7 - Cabresto Waterline Replacement Project |**
 155 **Mr. Arvind Patel, NV5**
 156
 157 Mr. Patel provided background information regarding the change order request #7.
 158
 159 **Motion:** Councilwoman Louise Gallegos
 160 **Second:** Councilman Brent Jaramillo
 161 **Roll Call:**
 162 Councilman John Anthony Ortega YES
 163 Councilman Brent Jaramillo YES
 164 Councilman Charlie Gonzales YES
 165 Councilwoman Louise Gallegos YES
 166
 167 To approve Change Order #7 - Cabresto Waterline Replacement Project. All voted yes. Motion carried.
 168
 169 **D) Discussion, Consideration and Decision - Change Order #8 - Cabresto Waterline Replacement Project |**
 170 **Mr. Arvind Patel, NV5**
 171
 172 Mr. Patel provided background information regarding the change order request #8.
 173
 174 **Motion:** Councilwoman Brent Jaramillo
 175 **Second:** Councilman Charlie Gonzales
 176 **Roll Call:**
 177 Councilman John Anthony Ortega YES
 178 Councilman Brent Jaramillo YES
 179 Councilman Charlie Gonzales YES
 180 Councilwoman Louise Gallegos YES
 181
 182 To approve Change Order #8 - Cabresto Waterline Replacement Project. All voted yes. Motion carried.
 183
 184 **E) Discussion, Consideration and Decision - Resolution 2021-32 / 2022 Employee Holiday Schedule**
 185 Ms. Martinez presented the employee schedule. She did request the removal of the New Year's Eve Holiday
 186 and stated that there was an additional Federal holiday added to the schedule.
 187 There was discussion regarding the schedule and other options of holidays observed.
 188
 189 **Motion:** Councilwoman Louise Gallegos
 190 **Second:** Councilman Brent Jaramillo
 191
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191 **Roll Call:**

192 Councilman John Anthony Ortega NO
 193 Councilman Brent Jaramillo NO
 194 Councilman Charlie Gonzales YES
 195 Councilwoman Louise Gallegos YES

196

197 To approve the Resolution 2021-32 / 2022 Employee Holiday Schedule as presented. Majority voted yes.
 198 Motion carried.

199 There was discussion regarding the schedule and other options of holidays observed. Councilman Ortega
 200 made a motion to approve Resolution 2021-23/2022. The changes would remove New Year's Eve, 31 2022
 201 and adding on December 23, 2022, in observance of Christmas Eve.

202 **Motion:** Councilman John Anthony Ortega

203 **Second:** Councilman Brent Jaramillo

204

205 **Roll Call:**

206 Councilman John Anthony Ortega YES
 207 Councilman Brent Jaramillo YES
 208 Councilman Charlie Gonzales NO
 209 Councilwoman Louise Gallegos NO
 210 Mayor Gallegos YES

211

212 To approve the Resolution 2021-32 / 2022 Employee Holiday Schedule as amended. Majority voted yes.
 213 Motion carried.

214

215 **IX. DISCUSSION ITEMS**

216 **A) Upcoming 2022 Legislative Session – Mr. Gabe Cisneros, UPS**

217 Mr. Cisneros gave an update and information regarding the Legislative Session both current and upcoming.
 218 He is also looking into funding opportunities for the Village of Questa priorities and future projects.

219

220 **B) Establishing per diem rates based on the State of New Mexico**

221 Ms. Martinez presented the recommendation to change our per diem rates. She will present the new
 222 Resolution in a future meeting.

223

224 **C) Water Rights Purchase – Moved to executive session.**

225 **D) Cannabis Requirements**

226 Mayor Gallegos discussed the issues that the Village is currently challenged with. He is encouraging the
 227 Governing body to provide feedback and their input to the Cannabis Ordinance and Cannabis related decisions
 228 that need to be made.

229 There was conversation had by all regarding Cannabis related concerns. Mr. DeFillippo recommended that the
 230 Mayor and Council review and finalize the proposed Planning a Zoning Ordinance and Map. He believes that
 231 moving forward with the proposed changes to the ordinance would help with the response to some of the
 232 Cannabis related concerns.

233 Mayor Gallegos looks forward to having a work study regarding the Cannabis concerns that have been brought
234 up in this conversation.

235 **X. MATTERS FROM ATTORNEY** – Mr. Chris DeFillippo, Robles, Rael & Anaya
236 Mr. DeFillippo provided an update of the following.

- 237 • The quarterly EPA meeting. He will be sharing the minutes and notes from the meeting to all once
238 completed.

239
240 **XI. MATTERS FROM ADMINISTRATION** - Renee Martinez, CMC / Interim Administrator
241 Ms. Martinez presented the following.

- 242 • The Town of Red River is interested in giving the Village of Questa an opportunity to purchase some
243 skate park equipment that they will be placing up for auction.
- 244 • Sewer Bonds have been paid off.
- 245 • Important Election dates, January 4, 2022, is Candidate Filing Date.
- 246 •

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

249 **A.) Water Rights Purchase**

250 A motion to enter Executive Session was made by Councilwoman Louise Gallegos, seconded by Councilman
251 Charlie Gonzales.

252
253 **Roll Call:**

254 Councilman John Anthony Ortega	YES
255 Councilman Brent Jaramillo	YES
256 Councilman Charlie Gonzales	YES
257 Councilwoman Louise Gallegos	YES

258
259 Mayor Gallegos stated that the Governing Body will go into Executive Session to discuss only the items
260 listed. The Governing Body entered into Executive Session at 9:01pm.

261 A motion was made to reconvene from Executive Session at 9:20pm by Councilwoman Louise Gallegos,
262 seconded by Councilman John Anthony Ortega.

263 **Roll Call:**

264 Councilman John Anthony Ortega	YES
265 Councilman Brent Jaramillo	YES
266 Councilman Charlie Gonzales	YES
267 Councilwoman Louise Gallegos	YES

268 Mayor Gallegos stated that only the Executive Session Items regarding Water Rights Purchases were
269 discussed.

270
271

272 **XIII. MAYOR AND COUNCILMEMBERS**

273 A) Concerns and/or Announcements

274 B) New Business to be considered at future Council Meetings.

275

276 **XIV. ADJOURNMENT**

277

278 **Motion:** Councilwoman Louise Gallegos
279 **Second:** Councilman John Anthony Ortega
280

281 **Roll Call:**

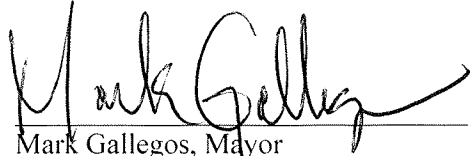
282 Councilman John Anthony Ortega YES
283 Councilman Brent P. Jaramillo YES
284 Councilman Charlie Gonzales YES
285 Councilwoman Louise Gallegos YES
286

287 There being no further business to discuss, the meeting was adjourned at 9:21 pm.
288

289 **ATTEST:**

290
291 
292 _____
293 Dina Coleman, Deputy Clerk
294

APPROVED:



Mark Gallegos, Mayor