



MICHAEL NEALEIGH
Mayor

ROBERT WILSON
Mayor Pro-Tem.

VILLAGE OF JEMEZ SPRINGS

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JUDY BOYD
Trustee

JAMES MCCUE
Trustee

MANOLITO SANCHEZ
Trustee

**MINUTES FOR THE REGULARLY SCHEDULED VILLAGE COUNCIL MEETING:
TUESDAY, SEPTEMBER 17, 2024, AT 6:00 P.M.
IN THE GOVERNING BODY CONFERENCE ROOM**

1. Call to Order

Mayor Nealeigh called the meeting to order at 6:00 p.m.

- **Members Present:** Mayor Mike Nealeigh, Trustee James McCue, Trustee Manolito Sanchez, Trustee Robert Wilson, Interim Clerk Heather Gutierrez
- Members Absent:** Trustee Judy Boyd
- i. **Others:** Finance Director Jim Cox, Wastewater Manager Rose Fenton, Planning & Zoning Commission Chair Betsy Daub, Librarian Janet Phillips, Police Chief Joe Moreno, Greg Mertz, Ariel Perraglio, Rachel Chapman

2. Pledge of Allegiance

The mayor led the Pledge of Allegiance.

3. Approval of Agenda

- **Motion:** Trustee McCue moved to approve the agenda
- **Second:** Trustee Wilson seconded the motion.
- **Discussion:** No discussion
- **Vote:** Motion passed unanimously

4. Approval of Minutes

- **Discussion:** Council members pointed out several corrections and spelling errors in the minutes and reviewed the minutes to confirm that the motion to table the sewer refund request had resulted in a vote, which failed.
- **Motion:** Trustee Sanchez moved to approve the minutes from the August 20, 2024, meeting as corrected.
- **Second:** Trustee McCue seconded the motion.
- **Vote:** Motion passed unanimously

5. Public Input

- There was no public input

6. Court Report

A written report was submitted summarizing recent court activity, including 17 speeding citations. The council confirmed this report is for informational purposes only and does not require approval or action.

7. Mayor's Report

The mayor presented his report, which included updates on the following:

- a. **Code Enforcement:** The mayor reported that there had been no code enforcement actions taken since the last meeting of the Council.
- b. **Administration**
 - i. **OMA Claim:** The mayor reported that there has been no recent activity on the Open Meetings Act (OMA) claim.
 - ii. **IPRA Claim:** The Mayor reported that there has been no recent activity on the Inspection of Public Records Act (IPRA) claim. The mayor explained that the Village is still waiting for final determination by the Justice Department and the Attorney General's office on these complaints.
 - iii. **Project Updates**
 - 1. **River Trail:** The mayor stated that he is working on the Trails+ grant that may fund the building of the stone circle at the River Trail. The deadline for grant submittal is September 30, 2024.
 - 2. **New Building at Civic Center Park:** The Mayor is continuing to prepare specifications for water and sewer connections and for ADA accessible entry decks. Once these are prepared, he will advertise for bids.

3. **Dark Sky:** The mayor is meeting with the lighting fixture vendor on September 27 to discuss the status of the project. He hopes to re-connect with the New Mexico Department of Transportation on this matter soon, as well.
4. **Vault Toilets at Community Park:** The Mayor reported that he submitted a grant application to the Parks Improvement Fund for the vault toilets project. The deadline for this was August 31, 2024. He anticipates a response by the end of September.
5. **Communication and Customer Service Initiative:** The Mayor stated the initiative is being rolled out slowly to ensure all components are functioning properly. He also announced that the initiative will be detailed in the next issue of "After the Thunder." The mayor will also be conducting a public meeting on September 30, 2024, to secure feedback.
6. **Capital Outlay:** The mayor attended an online orientation session on the FY25 Capital Outlay process. He reported that the submission site opens on October 17, 2024, and the deadline for submissions is December 13, 2024. He stated that the selection of projects for which the Village may request funding has already begun with the approval last month of the Infrastructure Capital Improvement Plan and will continue with a special meeting in October. Possible projects may be on the October Village Council agenda.

c. Personnel Matters: The mayor noted that the volunteer position of Street Superintendent has been advertised. He is looking for a candidate with the energy of an 18-year-old and the wisdom of age who has a strong love for the community. He pointed out that candidates need not be residents of the Village.

d. Community Relations: The mayor reported that he sent a letter to the Chief Administrator of the Pueblo of Jemez Springs seeking to meet and discuss a possible Memorandum of Understanding. He is awaiting a response. Also, he reported that he was contacted by AJ Pacheco, Jr., Constituent Services Representative for Congresswoman Teresa Leger Fernandez, seeking information about the amount of federal land within the village limits.

e. Boards & Commissions

- iv. **Library Board:** The Library Board submitted approved minutes of their May 16, 2024, and June 11, 2024, meetings. There were no questions from the Trustees.
- v. **Lodger's Tax Board:** Trustee McCue, chair of the Lodger's Tax Board, stated that the board had not met since the last meeting of the Council.
- vi. **Planning & Zoning Commission:** The draft minutes of the August meeting of the Commission was submitted. The Commission Chair, Betsy Daub, reported that the Commission continues to review the current zoning code and is currently working on a building permit request. The Trustees had no questions.

f. Department Reports

- vii. **Bath House:** The Bath House report for August 2024 was presented, providing an overview of the month's operations. There were no questions from the Council.
- viii. **Fire Department:** Trustee Sanchez presented the minutes of the August and September meeting of the department and a report of recent activities. Trustee Wilson asked that the full names of the volunteers be included in future rosters.
- ix. **Information Technology:** The IT report for August was submitted. The council discussed the possibility of moving to Star Link internet service.
- x. **Library:** Librarian Janet Phillips presented a written report and emphasized several upcoming programs, including a Paint Party, Writers' Workshop, and two events sponsored by Friends of the Library: Tom Swetnam's presentation on Smoky Bear and Mike Elliott's talk on the archaeology of the Pueblo Revolt. She also noted the success of the Summer Reading Program.
- xi. **Police Department:** Chief Moreno presented a written report and emphasized two recent incidents involving burglaries that occurred the weekend of August 20. He also discussed the recent sale of the police vehicle and stated that the check for the sale should be received by the 20th of September.
- xii. **Public Works:** A written report of August activity was presented.
- xiii. **Wastewater:** Operations Manager, Rose Fenton presented a written report. The mayor also reported on outstanding payments and current efforts to collect on those payments.

8. Trustee's Report

- Trustee Boyd was not present.
- Trustee McCue, Trustee Sanchez and Trustee Wilson had nothing to report.

9. Finance Board

- **Motion:** Trustee Wilson moved to convene the Finance Board
- **Second:** Trustee McCue seconded the motion
- **Discussion:** No Discussion
- **Vote:** The motion passed unanimously, and the meeting began at 6:40 p.m.

a. Interim Clerk's Report: The Interim Clerk provided a written report.

b. Finance Director Report

- ii. **Prior Fiscal Year(s) –2022 & 2023:** The Finance Director reported that the audits for the prior fiscal years are nearing completion. He is working to finalize the sewer and bathhouse audits. He also explained that the audit for the municipal side of the budget is still in process.
- iii. **Just Completed Fiscal Year –2024:** The Finance Director provided a summary of the just completed fiscal year, noting that \$181,520 of outstanding payables carried over into the current fiscal year.
- iv. **Current Fiscal Year –2025:** The Finance Director discussed the status of the budget, noting that it is relatively unchanged from the last report. He also discussed the status of the budget reporting process and the higher than budgeted gross receipts tax collections for August. He reminded the Council that the plan to eliminate the \$181,520 of outstanding payables from previous years by using a combination of GRO Funds and other receivables is still in place.
 1. **Resolution 2024-026 – Providing for Adjustments in the Village Operating Budget:** The Finance Director presented Resolution 2024-026, a budget adjustment made necessary by the addition of \$9,650 to the budget from a grant from the Sandoval County for the *Communications & Customer Service Initiative*.
 - **Motion:** Trustee Wilson moved to adopt the resolution.
 - **Second:** Trustee Sanchez seconded the motion.
 - **Discussion:** No discussion.
 - **Vote:** Motion passed unanimously
 2. **Approval of Intergovernmental Agreement between MRCOG and the Village of Jemez Springs regarding GRO Fund grant of \$320,000**
 - **Motion:** Trustee Sanchez moved to approve the Intergovernmental Agreement between MRCOG and the Village of Jemez Springs.
 - **Second:** Trustee McCue seconded the motion.
 - **Discussion:** The Council discussed the terms of the intergovernmental agreement. The Finance Director explained that \$160,000 of the funding would be used for the Village general operations and \$160,000 will be used to fund wellness services in the greater Jemez Valley.
 - **Vote:** Motion passed unanimously.
- **Motion:** Trustee Sanchez Moved to adjourn the Finance Board
- **Second:** Trustee McCue seconded the motion
- **Vote:** The motion passed unanimously.
- The regular meeting reconvened at 6:53 p.m.

10. Old Business - Consideration of sewer bill refund request by Steven Anderson

- The mayor introduced a request by Steven Anderson to postpone consideration of a sewer bill refund until the October meeting of the Council.
- **Motion:** Trustee Sanchez moved to postpone consideration of Mr. Anderson’s request for a sewer bill refund until the October meeting of the Council.
- **Second:** Trustee McCue seconded the motion.
- **Discussion:** The mayor stated that efforts to find additional documentation for twenty years of automatic payments by Mr. Anderson have not produced any new information. He also emphasized the policy that requests for changes to sewer accounts were the responsibility of the account holder. The Village is obligated to make valid changes when requested to do so but, in his opinion, making a change retroactive to before the request was made is not warranted.
- **Vote:** The vote was unanimous in favor of granting the postponement.

11. New Business - Ordinance #201 – Adopting a Municipal Gross Receipts Tax

- **Motion:** Trustee Wilson moved to adopt Ordinance 201.
- **Second:** Trustee McCue seconded the motion.
- **Discussion:** The Council discussed the current gross receipts tax rate of 7.1875% and that the ordinance would raise it by 0.2375% for a total rate of 7.425%. The council also discussed the fact that the village is authorized by statute to implement a gross receipts tax rate up to 2.5% without a public referendum and an additional 0.45% with a public referendum.
- **Vote:** The vote was unanimous in favor of the ordinance.

12. Adjourn

- **Motion:** Trustee Wilson moved to adjourn.
- **Second:** Trustee McCue seconded the motion.
- **Discussion:** No discussion.
- **Vote:** Motion passed unanimously.

The meeting adjourned at 7:08 PM