



MICHAEL NEALEIGH  
Mayor

ROBERT WILSON  
Mayor Pro-Tem.

VILLAGE OF JEMEZ SPRINGS

*Municipal Office*

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JUDY BOYD  
Trustee

JAMES MCCUE  
Trustee

MANOLITO SANCHEZ  
Trustee

**MINUTES FOR THE REGULARLY SCHEDULED VILLAGE COUNCIL MEETING:**  
**TUESDAY, OCTOBER 15, 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 Judy Boyd, Trustee James McCue, Trustee Manolito Sanchez, Trustee Robert Wilson, Interim Clerk Heather Gutierrez
- **Members Absent:** None
- **Others:** Finance Director Jim Cox, Wastewater Manager Rose Fenton, Librarian Janet Phillips, Fred Simmank IT and Planning & Zoning Commissioner, Fire Chief Craig Francois, Greg Mertz

**2. Pledge of Allegiance**

The mayor led the Pledge of Allegiance.

**3. Approval of Agenda**

- **Motion:** Trustee Boyd moved to approve the agenda
- **Second:** Trustee Wilson seconded the motion.
- **Vote:** Motion passed unanimously

**4. Approval of Minutes**

- **Discussion:** Council members pointed out several corrections and omissions in the Minutes.
- **Motion:** Trustee Wilson moved to approve the minutes from the September 17, 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. There were no questions from the Council. 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/IPRA Claim:** The mayor reported that there has been no recent activity on the Open Meetings Act (OMA) or the Inspection of Public Records Act (IIPRA) claim.
  - ii. Project Updates**
    - 1. River Trail:** The mayor stated that he was not able to gather the necessary data to file the application before the deadline for the Trails+ grant and apologized. He pointed out that the stone circle was originally estimated at \$35,000 and that the project is on the Village's Infrastructure Capital Improvement Plan should the trustees wish to make that project a priority.
    - 2. New Building at Community Park:** The mayor reported that he is currently seeking bids for water and sewer connections and for ADA accessible decks for the new building at the park. He has one bid for the decks and three more promised, and two bids for the water and sewer hookups and three more promised. The mayor also reported that he had recently flipped all the breakers in the building and discovered that not everything is working. He

said that he would secure an electrician to make sure everything is functional and safe. He indicated this should be a nominal cost and likely covered by the existing budget.

3. **Dark Sky:** The mayor announced that he has prepared a document outlining the work done so far on the Dark Sky project, the work remaining, and an explanation of procurement rules that must be met. He reported that he had recently spoken with Kyle Slim of the New Mexico Department of Transportation (NMDOT). Mr. Slim informed him that sole source procurement is an option due to the unique nature of the Dark Sky fixtures, but that he needed to check with Santa Fe. After checking with Santa Fe, Mr. Slim confirmed that sole sourcing was permitted. The mayor indicated he would be testing likely vendors with the project specifications to see if they could meet the requirements. He stated that if they are not able to find a qualified vendor through this process, the sole source process could be employed.
4. **Vault Toilets at Community Park:** The mayor reported that there is no update on the grant that was submitted at the end of August for the vault toilets and that he continues to monitor the website for an official announcement.
5. **Communication and Customer Service Initiative:** The mayor stated the opt-in and alert phases of the communication plan are underway. As of the meeting, 32 individuals had opted in. The initiative was detailed in the last issue of "After the Thunder," posted on the Village website and social media, and shared through other local media. He stated there are three phases to the project and that the third phase will enable people to text questions to a designated number, which would allow them to connect directly to web publications or to chat with Village staff about issues or concerns.
6. **Capital Outlay:** The mayor reported that the submission date for Capital Outlay requests will open on October 17<sup>th</sup> and that the deadline for submissions is December 13. He stated that projects submitted for consideration had to be on the Village's Infrastructure Capital Improvement Plan, and that the Village Council has had a special meeting at 5 pm this evening to discuss those projects. The final list of projects for which Capital Outlay funds may be sought will likely be considered at the November Village Council meeting. He also acquired consensus on the possibility of calling a second Special Meeting in early November to discuss these projects.

- iii. The mayor announced that he is starting a regular series in After the Thunder answering questions that people ask.

**c. Personnel Matters:** The mayor stated that he would be recommending Mr. Scott Johnson for the volunteer position of Street Superintendent under new business.

**d. Community Relations:** The mayor reported that he met with the governor, lieutenant governor, and chief administrator of the Pueblo of Jemez Springs on the tenth of the month. He stated he relayed the findings and concerns of constituents regarding a variety of issues and that he had been granted authority to negotiate a Memorandum of Understanding (MOU) with them, should they be interested, regarding the Village's appeal to their fee-to-trust application with the Bureau of Indian Affairs. He said they were receptive to his presentation and stated that they would discuss the MOU with Tribal administration. The mayor felt positive that negotiations would begin shortly. He also reported that he was recently contacted by A.J. Pacheco of Congresswoman Teresa Leger Fernandez's office who inquired about the amount of federally owned property within the Village limits.

#### **e. Boards & Commissions**

- i. **Library Board:** The mayor apologized that the Library Board minutes were not included in the packet. The Library Board submitted approved minutes.
- ii. **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 but had scheduled a meeting for October 28<sup>th</sup>.
- iii. **Planning & Zoning Commission:** The draft minutes of the September meeting of the Commission was submitted. The Commissioner Simmank 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**

- i. **Bath House:** The Bath House report for September was presented, providing an overview of the month's operations. The mayor pointed out future reports will include data instead of just ranking by place. There were no further questions from the Council.
- ii. **Fire Department:** Chief Francois presented the minutes of the August and September meeting of the department and a report on recent activities. He also noted that Rescue 2-6 truck was out of commission. Trustee Wilson again requested that the full names of the volunteers be included in future rosters. The Chief said he would make sure they were included in the future. Dr. Greg Mertz reported that BLS/AED training would be held at the fire station at 9:30 a.m. on November 2. He stated that the meeting would start with Stop the Bleed training from 10:00 a.m. to 10:30 a.m., followed by BLS training for approximately two hours. He further noted that this is two-person BLS/AED training and encourages all staff to attend. BLS/AED training certifications are good for two years. The last training was held in March of 2023, so anyone

who was in that training must be retrained by March of 2025. The mayor requested clarification about what BLS/AED stands for, so Dr. Mertz explained it was Basic Life Support/Automated External Defibrillator.

- iii. **Information Technology:** The IT report for September was submitted. There were no questions from the Council.
- iv. **Library:** Librarian Janet Phillips presented a written report and highlighted several upcoming programs, including warnings about scams targeting seniors and an online safety program. She also mentioned several programs to be held at the library. She stated that the outdoor drop box is once again open and holds can be placed on books, a service that had not been available for over a year.
- v. **Police Department:** Chief Moreno was absent. A written report on recent activities was presented.
- vi. **Public Works:** A written report on September activity was presented. The mayor noted that there was a leak at the frost-free spigot by the library, and that it was taken care of by Chad Bell, Public Works Director.
- vii. **Wastewater:** Operations Manager, Rose Fenton presented a written report. She noted that she was still working on two EPA task lists, which she hopes to have completed by December 1, the extended deadline. She is waiting for Daniel B. Stephens to submit a proposal for the rehabilitation of the sewer lines. She explained that she is also going through the steps to identify which tasks could be covered under ARPA. She noted that she was still working on two EPA task lists, which she hopes to have completed by December 1, the extended deadline. She is waiting for Daniel B. Stephens to submit a proposal for the rehabilitation of the sewer lines. She explained that she is also going through the steps to identify which tasks could be covered under ARPA funding. In passing, Ms. Fenton mentioned that she had been notified by Sandoval County personnel that some furniture left over from an office remodeling project is available. She said that the furniture was almost brand new and suggested that if the library or Village offices need any furnishings, the Council should schedule a time to view the furniture.

Interim Clerk Gutierrez noted that the current onboarding process for wastewater billing should be completed in approximately seven weeks and explained onboarding as the process of moving all of the old information from the previous wastewater billing system to the new system, which will then allow for a third-party online payment option. The mayor then discussed a program he is researching that will assist those on a fixed income who may have difficulty paying the proposed increase in water rates. He mentioned a program like a property tax exemption or cap for those over 65 and under a certain income, and requested comment from the trustees.

## 8. Trustee's Report

- Trustee Boyd stated that she would investigate State programs to determine how the Village can assist residents with utility bills.
- Trustee McCue and Trustee Wilson had nothing to report.
- Trustee Sanchez reported a dead deer on the side of the road between his house and Forest Service Office. There was discussion on who would be responsible for removing a dead animal, with the mayor suggesting that the Village should contact the Highway Department or Game and Fish. Trustee Wilson noted that the highway department doesn't remove dead animals on the highway. The mayor said that he would research the issue, and that the Village might need to handle it locally.

## 9. Finance Board

- **Motion:** Trustee Sanchez moved to convene the Finance Board.
  - **Second:** Trustee McCue seconded the motion
  - **Discussion:** No Discuss
  - **Vote:** The motion passed unanimously, and the meeting began at 6:50 p.m.
- a. **Interim Clerk's Report:** The Interim Clerk provided a written report. She noted the wastewater billing onboarding process should be completed in about 7 weeks, and that it would be another 6 weeks before online payments are available.
  - b. **Finance Director Report**
    - i. **Prior Fiscal Year(s) –2022, 2023 &, 2024:** The Finance Director reported that the outstanding accounts payables carried over from fiscal years 22, 23 and 24 will be substantially reduced thanks to a \$291,592 claim payment from reinsurers with the New Mexico Self-Insurers Fund. With these funds the Village will be able to pay the \$222,634 outstanding invoice from Sandoval County, and \$30,499 from other vendors for expenses incurred because of the 2023 flood event. The remaining balance will remain in the Wastewater Fund as operating reserve to cover project payments that will be made and reimbursed by various grants.
    - ii. **Current Fiscal Year –2025:** The Finance Director provided a summary of how the GRO Funds, approved at the September meeting of the Council, will be used to pay down the remaining outstanding payables from previous fiscal years.

1. **Resolution 2024-027 – Providing for Adjustments in the Village Operating Budget:** The Finance Director presented Resolution 2024-027, a budget adjustment made necessary by the addition of funds to the budget as follows: \$320,000 grant from the Middle Rio Grande Council of Governments (MRCOG) and \$15,363.84 from a pass-through grant from the Rural Libraries Endowment Grant.

- **Motion:** Trustee Boyd moved to adopt the resolution.
- **Second:** Trustee Sanchez seconded the motion.
- **Discussion:** No discussion.
- **Vote:** Motion passed unanimously
- **Motion:** Trustee Wilson moved to adjourn the Finance Board.
- **Second:** Trustee Boyd seconded the motion
- **Vote:** The motion passed unanimously. The regular meeting was reconvened at 7:02 p.m.

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

- **Motion:** Trustee Wilson moved to authorize the mayor to negotiate with Mr. Anderson about the refund request up to the amount indicated on the sewer billing records, approximately \$2,507.00.
- **Second:** Trustee McCue seconded the motion.
- **Discussion:** The mayor stated that Mr. Anderson is asking for close to \$8,000. Trustee Wilson indicated that if the amount in question was listed as a credit, the money should be refunded. The mayor pointed out that Mr. Anderson had not produced documentation to substantiate his claim of having made automatic payments for 20 years that equal \$8,000. Mr. Cox affirmed that available records show that Mr. Anderson's wastewater account has a credit of approximately \$2,507.00.
- **Vote:** Motion passed unanimously.

#### 11. New Business – Appointment of Street Superintendent

- The mayor introduced Mr. Scott Johnson as his recommendation for Street Superintendent.
- Mr. Johnson introduced himself as a resident of the Jemez Springs area for almost 2.5 years and a resident of Los Alamos for over 25 years. He served on numerous boards in Los Alamos and enjoys volunteering. He mentioned his involvement in petitioning that a worn historic marker located on the north end of the Village be replaced. The council had questions for Mr. Johnson regarding the job description and confirmed that the Street Superintendent's job is to monitor and advise the mayor concerning all things street and street related.
- **Motion:** Trustee Wilson moved to confirm the appointment of Mr. Scott Johnson as Village Street Superintendent.
- **Second:** Trustee McCue seconded the motion.
- **Vote:** Motion passed unanimously.

#### 12. Adjourn

- **Motion:** Trustee Sanchez moved to adjourn.
- **Second:** Trustee Wilson seconded the motion.
- **Vote:** Motion passed unanimously. The meeting adjourned at 7:15 PM