



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, NOVEMBER 19, 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.

a) **Members Present:** Mayor Mike Nealeigh, Trustee Judy Boyd, Trustee James McCue, Trustee Manolito Sanchez, Trustee Robert Wilson, Interim Clerk Heather Gutierrez

**Members Absent:** None

b) **Others:** Finance Director Jim Cox, Wastewater Manager Rose Fenton, Librarian Janet Phillips, Fred Simmank IT Consultant, Betsy Daub Planning & Zoning Commissioner, Greg Mertz, Mark Feldman, Daniel Broderick, and Tom Mnich

### 2. Pledge of Allegiance

The mayor led the Pledge of Allegiance.

### 3. Approval of Agenda

a) **Motion:** Trustee Wilson moved to approve the agenda.

b) **Second:** Trustee McCue seconded the motion.

c) **Revision:** Mayor Nealeigh added the November 12 Special Meeting Minutes

d) **Vote:** Motion passed unanimously as corrected.

### 4. Approval of Minutes

a) **Motion:** Trustee Boyd moved to approve the Special Minutes from October 15, 2024.

**Second:** Trustee McCue seconded the motion

b) **Motion:** Trustee Wilson moved to approve the Special Minutes from November 12, 2024.

**Second:** Trustee Boyd seconded the motion.

c) **Discussion:** The minutes of the 10-15-2024 Regular Meeting were reviewed. Several corrections were noted, with the redundant phrase about “the Rescue 2-6 (not C-6) truck being out of commission” removed, along with a repeated phrase regarding Trustee Wilson's request for full names of volunteers in future reports.

d) **Motion:** Trustee Wilson moved to approve the Minutes from October 15, 2024, meeting as corrected.

**Second:** Trustee Boyd seconded the motion

e) **Vote:** Motion passed unanimously

### 5. Public Input

Resident Betsy Daub raised concern about speeding on Highway 4 and requested the Village Council consider a feasibility study for a speed camera in the 25-mph zone. Trustees and the mayor commented on speed cameras, including limitations on placement along state highways, and current methods of speed enforcement by the Pueblo of Jemez. The council acknowledged the concern and agreed to consider the request for a feasibility study.

### 6. Court Report

The Court Report was presented for informational purposes only.

### 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.

b. **Administration:** The mayor gave a brief report on the efforts of AmeriGas Propane to claim ownership of three propane tanks located on Village property. Trustee Sanchez recalled a similar effort several years ago and expressed his conviction that the tanks in question do belong to the Village. The mayor expressed his determination not to relinquish the tanks unless AmeriGas had definitive proof of ownership and followed the procedures set out in the PRC's Customer Bill of Rights. He promised to keep the Council posted on any action taken by the propane company.

- **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 (IPRA) claim.
- **Project Updates**
  1. **River Trail:** The Finance Director discovered a 2023 capital outlay grant of \$100,000 for the River Trail that had not been processed. This will allow the stone circle project to proceed and potentially fund benches, trash receptacles, and bollards, as well.
  2. **Modular Building at Community Park:** Grant G2988 began the fiscal year with a balance of \$119,569. Lowest bids for sewer/water connections (TLC) and decks/ramps (Jemez Mountain Construction) have been secured. NOOs and contracts are pending. An additional \$75,000 of 2023 capital outlay funds were located bringing the available balance to approximately \$100,000, allowing for consideration of skirting, parking lot striping, a faux roof structure, HVAC improvements, break room additions, and furniture.
  3. **Dark Sky:** Applications for six of the seven required clearances/certifications have been submitted, with two granted. Application for the right-of-way certification has yet to be submitted because it requires several other certifications as prerequisites. An Invitation for Bids (IFB) has been prepared and scheduled for release on November 20, with bid openings on December 12.
  4. **Vault Toilets at Community Park:** The mayor reported that there was still 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 Initiative:** Phase One (opt-in) has 77 participants. A flyer on how to opt-in is available. Phase Two (inquiries with webpage integration) will take longer to implement since it requires building web pages for residents to access when they text into the system.
  6. **Capital Outlay:** Special meetings were held on October 15 and November 12 to secure public input and to discuss which capital outlay projects will be submitted for possible funding during the upcoming legislative session. The decision as to which projects will be submitted will be made under New Business.
  7. **Jemez Holiday Festival:** The festival is scheduled for November 30. A volunteer work party will be held November 23 to prepare the Community Park. The 501st (Star Wars costumed characters) will appear at the event. Three hot air balloons will be on display and will glow, but not leave the ground. Additional entertainment includes the Indian dance troupe from the Jemez Valley High School (who will soon return from Washington D.C. where they performed for the Navy, the White House staff, and the Pentagon), a Porche car club, and of course, Santa.
  8. **Stephen Anderson sewer refund:** Mr. Anderson has filed an IPRA request (not yet received by the Village) and initially declined a refund offer of \$2,507

**c. Personnel Matters:**

- i. **Resignation Of Donna Sanchez as Village Office Receptionist:** The Mayor informed the council that Mrs. Donna Sanchez has resigned as the village receptionist, effective November 22. A potluck snack reception will be held in her honor on Friday, November 22 at 10AM in the municipal conference room.

**d. Community Relations:** The Mayor met with Jemez Valley Public Schools Superintendent Dr. Manuel Medrano and members of his administrative team on October 22<sup>nd</sup>.

**e. Boards & Commissions**

- i. **Library Board:** The Library Board minutes from their September meeting. There was no meeting held this month as the next meeting will be held in the new year.
- ii. **Lodger's Tax Board:** The Lodger's Tax Board minutes were submitted, with the chair present to answer questions. LTB is funding the Jemez Holiday Festival budget up to \$7,000. Discussion arose about getting Jemez Springs listed in the Visit Albuquerque tourism guide and updating the Jemez Springs tourism website.
- iii. **Planning & Zoning Commission:** The Planning and Zoning Commission minutes were submitted, with the chair present. A recommendation from the commission will be considered under New Business.

**f. Department Reports**

- i. **Bath House:** The Bath House report for October was presented, providing an overview of the month's operations, which included numerical data, which the Trustees liked seeing. Trustee Sanchez asked about the 2-hour soak. Interim Clerk Gutierrez mentioned that the 2-hour soaks are usually regular customers of the Bath House. There were no further questions from the Council.
- ii. **Fire Department:** The fire chief's email report was reviewed, clarifying that the 2-6 truck was still in for repairs. Discussion revolved around the need for a simple roster with first and last names.
- iii. **Information Technology:** Fred, Simmank, the Village IT consultant, was present to address questions and provided updates since the last report, including the recent completion of work at

the wastewater plant (Starlink installation and pending VOIP equipment), which serves as a test site for future transitions to satellite internet.

- iv. **Library:** The librarian provided an update on the successful Michael Elias archaeology talk fundraiser, the upcoming final "Avoid Scams" movie on November 23 at 2:00 p.m. and the reclassification of library staff to part-time village employees rather than independent contractors. The videos of previous talks and resources will be posted on the library website.
- v. **Police Department:** Police Chief Moreno was absent, but the mayor noted the department was awarded a \$50,000 capital outlay grant for a side-by-side rescue vehicle. A written report on recent activities was presented.
- vi. **Public Works:** A written report on October activity was presented. There were no questions from the Council.
- vii. **Street:** The Streets Superintendent has focused on inventorying basic needs and issues relating to streets, sidewalks, and bridges since he was appointed. His report outlined the importance of signage (connecting signage to 911, addresses on buildings), tree/brush trimming to improve sight lines, and an "Adopt-a-Walk" program for the Dennis Maestas walkway. The two village owned bridges were also discussed. The North Mooney bridge needs rehabilitation of its timber components while the South Mooney bridge may need replacement. The mayor is working to secure funds for both. He noted that there are three other bridges within village limits that are privately owned and not subject to state inspection.
- viii. **Wastewater:** The Wastewater Operations Manager's report was reviewed. Discussion followed about the requirement for a pesticide license to apply root killing chemicals.

## 8. Trustee's Report

- a) Trustee Boyd, Trustee Sanchez and Trustee Wilson had nothing to report.
- b) Trustee McCue informed the council that he and a friend will be painting the stage on Thursday at the community park to get it ready for the Jemez Holiday Festival.

## 9. Finance Board

- a) **Motion:** Trustee Boyd moved to convene the Finance Board.
  - b) **Second:** Trustee McCue seconded the motion.
  - c) **Discussion:** No Discussion
  - d) **Vote:** The motion passed unanimously, and the meeting began at 6:55 p.m.
- a. Interim Clerk's Report:** The interim clerk reported on a recent sewer backup into Village office bathrooms. Tiles in the bathrooms and hallway were damaged and removed. Once the underlayment dries thoroughly the tiles will be replaced.
- b. Finance Director Report:** The Finance Director consultant Jim Cox presented his report. He noted the discovery of several previously unprocessed grants and provided updates on the fiscal year's financial status, capital outlay projects, and audit processes.
- i. **Prior Fiscal Year(s) –2022, 2023 and, 2024:** Mr. Cox credited the release of \$225,000 in 2023 capital outlay funds by DFA to their recognition that the Village is improving fiscal management. The Village still has \$125,084 in outstanding items to be paid, with \$28,964 due to a vendor and \$96,120 in past due property and health insurance premiums. He also reviewed a letter prepared for submission to DFA delineating the issues behind the late FY 2022, 2023, and 2024 audits and establishing a timeline for completing them. He estimated that all three audits should be completed by the end of March 2025.
  - ii. **Current Fiscal Year –2025:** The GRO funding reimbursement process is moving slowly. Our request is the first to be processed through MRCOG and DFA and they are working through several processing bugs. The Village revenue budget is currently ahead of this time last year by approximately \$29,000. In addition, we are working through compliance requirements for both the current capital outlay projects and those we anticipate receiving later this fiscal year. Lastly, the first quarter financial reports have been submitted showing revenue of \$622,016 and expenditures of \$349,398. He noted that the high revenue numbers are the result of revenue funds that came to the Village early in the fiscal year (such as Law Enforcement Protection Funds and Fire Protection Funds) but are expended throughout the year.
    - **Motion:** Trustee Sanchez moved to adjourn the Finance Board.
    - **Second:** Trustee McCue seconded the motion
    - **Vote:** The motion passed unanimously. The regular meeting was reconvened at 7:05 p.m.

## 10. Old Business:

There was no old business to discuss.

## 11. New Business

- a) **Steep Slope Exemption for Property on Madrid Road**

The Planning and Zoning Commission unanimously recommended granting a steep slope exemption to Mark Feldman for property located on Madrid Road, lot 14A. The property is adjacent to his home on lot 15A.

- **Motion:** Trustee Wilson moved to approve the recommendation of the Planning and Zoning Commission to grant the exemption.
- **Second:** Trustee Sanchez seconded the motion.
- **Discussion:** Mr. Feldman presented his plans, which included creating an easement on his current lot (15A) to access the buildable area on 14A, thus minimizing disturbance and avoiding significant grading. The proposed disturbance area is under 5,000 ft<sup>2</sup>.
- **Vote:** Motion passed unanimously.

**b) Capital Outlay Funding Request**

The mayor pointed out that the council held two special meetings (hearings) to discuss and receive public input on prioritizing projects for capital outlay funding requests and offered a handout listing the projects selected for consideration.

- **Motion:** Trustee Wilson moved to approve the capital outlay projects as shown on the handout.
- **Second:** Trustee McCue seconded the motion.
- **Discussion:** The projects are:
  1. Maintenance barn, including the possibility of converting the existing stage (\$750,000)
  2. Compact tractor (\$100,000)
  3. Pick-up truck for the Wastewater Department (\$75,000)
  4. Retaining wall around skatepark (\$250,000)
  5. Engineering study to evaluate hot springs under library (\$75,000)
  6. HVAC system for Library Conference Room and Village Office (\$20,000)
  7. Library storage shed (\$250,000)

There was discussion as to whether the Infrastructure Capital Improvement Plan (ICIP) rankings were considered once the projects were submitted for legislative capital outlay funding. Mr. Cox stated that in his experience the ranking of the projects had more to do with the interests of the individual legislators and available funds and to a somewhat lesser extent on the degree to which the Village lobbied for each project.

- **Vote:** Motion passed unanimously through rollcall vote.

**c) Resolution 2024-028 Adopting a Sewer rate Exemption (CAP) for Residential Users based on Age and Income**

- **Motion:** Trustee McCue moved to Authorize Resolution 2024-028
- **Second:** Trustee Sanchez seconded the motion.
- **Discussion:** The mayor pointed out that the sewer rate exemption for residential users would be based on age (65+), disability status, and income (modified adjusted gross income of \$35,000 or less). The resolution provides a five-year exemption, requires an application and proof of eligibility, allows for appeals to the Village Council, and utilizes the same criteria as the county property tax exemption. Calculations were presented that estimated the potential cost of this exemption based on a 2020 census-based age demographic of 26% over age 65, poverty rates of 15% - 24%, and a utilization rate of 10-15 households, yielding a cost to the village of approximately \$1,890 - \$3,375 per year.
- **Vote:** Motion passed unanimously through rollcall vote.

**d) Resolution 2024-029 Authorizing Application for Transportation Project Funds to Replace the South Mooney Bridge #8934**

- **Motion:** Trustee McCue moved to Authorize Resolution 2024-029
- **Second:** Trustee Sanchez seconded the motion.
- **Discussion:** The resolution notes the bridge's condition, its ownership by the Village, the recommendation from the December 2022 Bridge Selection Report by Bohannan Huston and authorizes the mayor to apply for funds from the New Mexico Department of Transportation's *Transportation Project Fund*.
- **Vote:** Motion passed unanimously through rollcall vote.

**e) Resolution 2024-030 Authorizing Application for Transportation Project Funds to Rehabilitate the North Mooney Bridge #8566**

- **Motion:** Trustee McCue moved to Authorize Resolution 2024-030
- **Second:** Trustee Sanchez seconded the motion.

- **Discussion:** The NMDOT bridge inspector concluded that the superstructure is sound, but the timber decking is cracked and needs replacement. If approved, application for funding would be through the NMDOT *Transportation Projects Fund*.
- **Vote:** Motion passed unanimously through rollcall vote.

## 12. Adjourn

- **Motion:** Trustee Sanchez moved to adjourn.
- **Second:** Trustee McCue seconded the motion.
- **Vote:** Motion passed unanimously.
- The meeting was adjourned at 7:52 PM

DRAFT