



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

Jemez Springs Village Council Meeting Minutes Tuesday, December 17, 2024, 6:00 PM Governing Body Conference Room

1. Call to Order

Mayor Mike Nealeigh called the meeting to order at 6:00 PM.

- a) **Council Members Present:** Mayor Mike Nealeigh, Trustees Judy Boyd, James McCue, Manolito Sanchez, and Robert Wilson.
- b) **Council Members Absent:** None.
- c) **Also in Attendance:** Interim Clerk Heather Gutierrez, Finance Director Consultant Jim Cox, Wastewater Operations Manager Rose Fenton, Wastewater Consultant Jesse Cole, Librarian Janet Phillips, Fire Chief Craig Francois, Police Chief Joe Moreno, IT Consultant Fred Simmank, Planning & Zoning Commissioner Betsy Daub, and community members Greg Mertz, Olympia Holliday, and Fletcher Holliday.

2. Pledge of Allegiance

Mayor Nealeigh led the Pledge of Allegiance.

3. Approval of Agenda

Trustee Sanchez moved to approve the agenda, seconded by Trustee Boyd. The motion passed unanimously.

4. Approval of Minutes

The Council reviewed the minutes from the November 19, 2024, Regular Council Meeting. Trustee Wilson moved to approve the minutes as presented, seconded by Trustee McCue. The motion passed unanimously.

5. Public Input

No members of the public offered comment.

6. Court Report

The Council received the Court Report, and Mayor Nealeigh noted that it had been provided to the Council for informational purposes and did not require approval

7. Mayor's Report

Mayor Nealeigh presented his report, which included updates on the following:

- a) **Code Enforcement:** Mayor Nealeigh deferred the Code Enforcement report to the Streets Report, as it concerns the classification of Lucero Road.
- b) **Administration**
 - i. **AmeriGas Propane Tanks on Village Property:** Mayor Nealeigh reported that AmeriGas charged the Village **\$198** for service calls to remove two propane tanks which they considered to be owned by Amerigas. Following communication with AmeriGas, the customer service representative agreed to cancel the charges. AmeriGas continues to fill other Village tanks, but must now obtain prior authorization before filling the Fire Station tank. Mayor Nealeigh noted that the tank behind the Fire Station is currently at 80% capacity.
 - ii. **Open Meetings Act (OMA)/Inspection of Public Records Act (IPRA) Claim:** Mayor Nealeigh reported no recent activity regarding the OMA or IPRA claim. He noted that the Village had not yet received an IPRA request from Stephen Anderson, although Mr. Anderson had previously indicated he would submit one.
- c) **Project Updates**
 - i. **Capital Outlay Submission:** Mayor Nealeigh and Finance Director Consultant Jim Cox confirmed that the capital outlay submissions were completed by the deadline.
 - ii. **River Trail Stone Circle:** Mayor Nealeigh reported that a previously unallocated 2023 capital outlay grant of **\$100,000** for the River Trail project will be used to construct a stone gathering circle and may also fund the purchase of benches, trash receptacles, and bollards.

- iii. **Modular Building at Community Park:** The 2023 \$75,000 grant for the modular building is pending approval. Work is progressing under a prior grant, with construction underway on the decks and connecting the water and sewer lines. Mayor Nealeigh noted that the construction crew had driven across the community garden and stated his disappointment. The Council reviewed architectural renderings for a potential new facade and porch on the building, which would be funded by any remaining grant money.
- iv. **Dark Sky Lighting:** The Village issued an Invitation for Bids (IFB) on December 5 for the Dark Sky Lighting project. Bids are due December 30, with bid opening scheduled for January 2. Six of seven required certifications are secured. The right-of-way and utility certifications are pending. The utility certification requires each utility company to state the project's impact on their ability to supply services. The New Mexico Department of Transportation (NMDOT) has provided a reauthorization date of February 13, 2025, if a grant extension is necessary. Once bids are received and a vendor selected, a project timeline will be developed to assess the need for reauthorization.
- v. **Communication Initiative:** Phase One of the communication initiative, the opt-in text message program, now has 97 participants. Phase Two, which involves integrating text inquiries with a dedicated webpage, will take longer to implement due to the need for website development.
- vi. **Jemez Holiday Festival:** Mayor Nealeigh briefly summarized the Jemez Holiday Festival, stating that it was a glowing success. He praised the efforts of all involved.

d) Personnel Matters

- i. **New Part-Time Personnel:** Mayor Nealeigh deferred introductions of new part-time personnel to New Business during which he will seek Council confirmation of their employment.
- ii. **Transition Plan to Restructure Staffing:** Mayor Nealeigh presented a plan to transition from an Interim Clerk and Finance Consultant to a Clerk/Finance Officer and a Bookkeeper/Deputy Clerk. The plan includes budget allocations, a bond for the Clerk/Finance Officer, and three months of consultation from Jim Cox Consulting. Implementation will use existing budget funding and up to 25% of the projected income from the recently approved Gross Receipt Tax rate increase. Discussion revolved

around whether qualified applicants would be available to fill the required positions.

e) Community Relations

- i. **Update to Commissioner Jones and Representative Chandler:** Mayor Nealeigh has submitted an update to Commissioner Jones and Representative Chandler.
- ii. **Representative Chandler Town Hall Meeting:** Representative Chandler conducted a Town Hall Meeting in Jemez Springs on December 7.
- iii. **Meeting with the Governor of Jemez Pueblo:** Mayor Nealeigh met with the Governor of Jemez Pueblo on December 10 to discuss the potential for a Memorandum of Understanding (MOU). A follow-up meeting is scheduled for December 24.
- iv. **Phone Conversation with A.J. Pacheco, Constituent Service Representative for Congresswoman Teresa Leger Fernandez:** He addressed the Mayor's earlier question as to whether Payment in Lieu of Taxes (PILT) from federal entities located within the Village limits was an option. His research has found that PILT is not an option for municipal governments. On another note, he advised the Mayor of new legislation called the *Small Tract Act* which allows the Forest Service to give small tracts of property to jurisdictions that may help them in some way. There was some discussion as to which properties might be helpful to have and the Mayor indicated that he would follow up on this possibility.

f) Boards & Commissions

- i. **Library Board:** The Library Board did not meet in December and will not meet again until after the new year.
- ii. **Lodger's Tax Board:** The Lodger's Tax Board did not meet in December. Their next meeting will be in February 2025.
- iii. **Planning & Zoning Commission:** The Planning & Zoning Commission minutes were included in an informational packet provided to the Council. Chair Daud reported that since the last meeting a consultant working on behalf of AT&T has initiated an application to upgrade equipment on the existing wireless telecommunication tower owned by Commnet. The Commission is waiting for the required fees to be paid to start the application process.

g) Department Reports

- i. **Bath House:** The Council reviewed the November Bath House operations report.
- ii. **Fire Department:** The Council reviewed Fire Chief Craig Francois' report, which included a roster of first and last names for all volunteers, as requested in the November 19, 2024 Council meeting. Fire Chief Francois applauded the work done in support of the Lights of Gisewa event and also noted that 14 people attended the "Stop the Bleed" and "Advanced First Aid" training on November 2.
- iii. **Information Technology:** A written IT report was presented and Consultant Fred Simmank was present to answer questions.
- iv. **Library:** Librarian Janet Phillips presented her report, noting a recent **\$35,000** county grant reimbursement and highlighting that of the **\$300,000** spent to remediate the mold and return the building to full functionality only **\$35,000** has not been reimbursed from one source or another. The Mayor took a moment to applaud Ms. Phillips for her monumental effort in achieving this result. She went on to say that the library is instituting a new program for ages 8-18 on Fridays, which will include a monthly challenge. The first monthly challenge will focus on creating an escape room. A new Dungeons and Dragons program will also be held twice a month on Saturday mornings for those ages 12 and up.
- v. **Police Department:** The Council reviewed Police Chief Joe Moreno's written report on November police activities.
- vi. **Public Works:** The Council reviewed a written report. Mayor Nealeigh noted that Public Works has been working with the Brew House to address their hot water shortage, the efficiency of their HVAC units, and the sign "stub" which has long been a tire hazard where their front parking lot and the street intersect. In addition, the Public Works Director is working with the librarian to replace their water heater, as well.
- vii. **Streets:** Mayor Nealeigh reported on recent issues regarding Lucero Road. He explained that he found it necessary to send a letter to residents declaring Lucero to be a Village street until its official status could be determined. This action was taken to ensure access for all residents, following an incident where one resident blocked another's access, resulting in a disagreement over whether Lucero Road is a street or a driveway. Mayor Nealeigh has requested documentation from property

owners and is collaborating with the county GIS department to formulate a final determination. Discussion followed on the question of easements and the Village's role in enforcing easements.

Mayor Nealeigh also reported on a December 11th meeting with Troy Witt, Phillip Trujillo and Audie Meskiman from the local NMDOT substation. Street Superintendent Scott Johnson and Police Chief Joe Moreno also attended the meeting. Topics discussed included: 1) shoulder encroachment on Highway 4 at several locations within the Village; 2) the need for additional safety signage, and 3) pedestrian safety. Mr. Witt and his team were very helpful and advised the Mayor to contact NMDOT engineer Jason Rover for help with items 2 and 3 and stated that the local substation could probably deal with the bank encroachment if the affected property owners gave their permission. The Mayor stated that he would ask the property owners for permission to have the bank cleared from near the highway right-of-way. Chief Moreno also addressed the importance of maintaining what the NMDOT calls a "clear zone." It is one-foot from the white line that ensures that NMDOT plows are not impeded when they clear the highway of snow. The Mayor and the Chief will be communicating with property owners to ensure that the clear zone is maintained.

The Mayor addressed several other matters having to do with streets and signage. He indicated that a local donor has offered to pay for the replacement of the wooden Fitzgerald Park sign that has been damaged for quite some time. Also, the Community Park sign will be moved to the south side of Civic Center Lane to increase visibility for passing traffic and reduce obstruction for traffic entering Highway 4. On a final note, the Mayor expressed his intention to seek a name change for Civic Center Lane once he has investigated the procedure for doing so and secured public input.

- viii. **Wastewater:** Wastewater Operations Manager Rose Fenton reported that the wastewater treatment plant is operating well and that the Environmental Protection Agency (EPA) administrative order has been successfully closed. Ms. Fenton introduced Jesse Cole, a consultant with 4x4 Consulting, who is assisting at the plant and supplying the credentials to meet EPA compliance requirements. Mr. Cole confirmed the plant's excellent operational status and noted that a few minor aeration issues are still being addressed. He expressed his appreciation for the opportunity to serve the Village.

8. Trustee's Report

- a) Trustees Boyd, McCue, and Wilson had nothing to report.
- b) Trustee Sanchez commended the organizers of the wonderful Holiday Festival and the beautiful Lights of Gisewa, noting the smooth flow of lines and manageable crowds. He complimented Chief Moreno and the volunteers for their excellent work.

9. Finance Board

Trustee Sanchez moved to convene the Finance Board, seconded by Trustee Boyd. The motion passed unanimously. The Finance Board meeting began at 6:59 PM.

- a) **Interim Clerk's Report:** Interim Clerk Gutierrez reported that she has been focusing on wastewater billing and dealing with delinquent customer notices. She has also been working with Mr. Cox, providing audit information and financial reports.
- b) **Finance Director's Report:** Finance Director Consultant Cox presented his report, stating that bills outstanding from previous fiscal years stand at **\$121,084**.
- c) **Prior Fiscal Years 2022, 2023 & 2024:** Mr. Cox informed the Council that the first reimbursement request from the GRO funds in the amount of **\$14,766** was received and that the second reimbursement request was submitted in the amount of **\$44,868**. He explained that the Village was the first to process a GRO funding reimbursement requests through both the Mid-Region Council of Governments (MRCOG) and DFA, and they are working through several processing issues.

Mr. Cox reminded the Council that the Village has submitted a letter to the State Auditor proposing a timeline to complete all three audits (FY 2022, 2023, and 2024) by the end of March 2025. The State Auditor has responded positively, and MRCOG and DFA are also on board. He also clarified that the delay in processing capital outlay funding for several projects is due to the Department of Finance and Administration (DFA) more strictly interpreting the Executive Order signed by Governor Martiniez requiring completed audits before funding can be released. He assured the Council that the timeline specified in the letter to the State Auditor is on schedule.

Current Fiscal Year 2025: Mr. Cox reported that the Village's revenue is approximately **\$29,000** ahead of figures from the same time last year. Monthly budget actual reports to department heads continue to help improve budget management and fiscal controls. The first quarter financial reports were submitted

to and approved by DFA for the period ending September 30. He further pointed out that the Village is staying current on all fiscal year 2025 payables.

- d) **Resolution 2024-031 - Adjustments to the Village's Operating Budget:** Mr. Cox explained the need to adjust the annual operating budget to incorporate American Rescue Plan Act (ARPA) funds received through Sandoval County. The resolution moves ARPA funding into the enterprise fund under grant expenses. The adjustment increases both revenue and expenses by **\$412,964** and increases the overall revenue budget and the total expenditure budget to **\$1.9 million**. Trustee Wilson moved to authorize Resolution 2024-031, seconded by Trustee Sanchez. The motion passed unanimously by roll call vote.

Trustee Wilson asked if there are any restrictions on the use of GRO funds other than that they be applied to general operations. Mr. Cox and the Mayor clarified that the funds must be used for Village general operations. The Mayor pointed out that the GRO Funds free already budgeted funds that will be used to pay bills incurred in previous fiscal years.

Trustee Sanchez moved to adjourn the Finance Board, seconded by Trustee McCue. The motion passed unanimously. The regular meeting reconvened at 7:38 PM.

10. Old Business

- a) **Authorization of *Treatment Subsidy and Community Wellness Program Award*:** Mayor Nealeigh explained that a committee made up of the Mayor, Jim Cox, and Trustee Wilson scored the Request for Proposals to provide wellness services in the Jemez Valley. It is the committee's recommendation that the grant of **\$160,000** in GRO Funds be awarded to Jemez Valley Community Wellness (JVCW) a 501(c)(3) non-profit organization. The Village will serve as fiscal agent and will work with MRCOG and DFA in the administration of the funds. Trustee Boyd moved to authorize the award, seconded by Trustee Sanchez. The motion passed unanimously by roll call vote with Trustee McCue recusing himself (being a member of the JVCW Board)..

11. New Business

Confirmation of Part-Time Personnel: Mayor Nealeigh introduced the new part-time personnel: Alicia Weiss as a clerk's aide in the Village office, and Roz Coates, Hailey Cooper, and Annie Riley as library aides. The clerk's aide position was described as temporary, not to extend beyond the end of the fiscal year. Trustee Wilson moved to confirm all appointments, seconded by Trustee Sanchez. The motion passed unanimously.

12. Adjourn

Trustee Sanchez moved to adjourn the meeting, seconded by Trustee Boyd. The motion passed unanimously. The meeting adjourned at 7:52 PM.

DRAFT