

**COUNCIL OF THE VILLAGE OF BOSQUE FARMS, NM
MINUTES OF THE SPECIAL MEETING
APRIL 22, 2026**

1. CALL TO ORDER

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

2. ROLL CALL OF GOVERNING BODY

Present were Mayor Chris Gillespie, Mayor Pro Tem Erica De Smet, Councilor James Bruhn, and Councilor Manuel Zamora. Councilor Ronita Wood was absent. Quorum present.

Mayor stated a change needs to be made to the agenda to move Item twelve (12) F to the top of the agenda.

Mayor Pro Tem De Smet motioned to move Item twelve (12) New Business letter F to number four (4) for the agenda. Councilor Zamora second the motion.

Roll call as follows: Councilor Wood, absent; Mayor Pro Tem De Smet, for; Councilor Bruhn, for; and Councilor Zamora, for. **Motion carried unanimously.**

3. PLEDGE OF ALLEGIANCE

Bill Richardson led the Pledge of Allegiance.

4. PRESENTATIONS

A. Resolution No. 1089-26, A Resolution Accepting and Approving the Fiscal Year 2025 Audit.

Fernando Medina, a representative from Pattillo, Brown & Hill, L.L.P., gave a presentation on the 2025 Audit Results. There were three findings. Timely Deposits of Cash Recipets, three (3) out of twenty-five (25) were not deposited within twenty-four (24) hours. Fuel Cards, there was one (1) out of ten (10) missing receipts. Travel and Per Diem, one (1) out of ten (10) mileage done at the incorrect rate.

Clerk/Administrator Martinez addressed the audit findings. The timely deposits of the cash receipts are due to the lack of personnel and distance to the banking institution. These are things beyond our control like people calling in, if we don't have enough staffing we can't leave the front desk unattended.

Regarding the gas receipts she read the cause, the Village failed to ensure all fuel card transactions are properly supported, reviewed and approved. Management response was the Village will implement procedures to ensure that all transactions are properly being approved

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and submitted prior to payments. We do have the actual credit card statement that identifies the charges, so they're all validated. The actual paper receipt is a third point of validation.

Mayor Pro Tem De Smet made a motion to approve Resolution 1089-26 accepting the Fiscal Year 2025 Audit. Councilor Bruhn seconded the motion.

Roll call as follows: Councilor Wood, absent; Mayor Pro Tem De Smet, for; Councilor Bruhn, for; and Councilor Zamora, for. **Motion carried unanimously.**

5. DEPARTMENTAL REPORTS

Prodigy Drew Padilla gave a report on the Wastewater Treatment Plant. Prodigy continues with the Village staff operators to develop a list of items that require preventative maintenance for the wastewater treatment plant and the collection system, and the water system. They sent a quote to Bosque Farms staff for thirty-three (33) more razor grinder pumps. These are high flow pumps. Prodigy likes to have them in stock, that way they can change them out. They change them out on a regular basis. Prodigy has quotes for Wastewater Treatment Plant main shut off and plant upgrades. The way the staff is structured now: One guy is on call, that person gets calls from dispatch after hour emergencies. Another person takes care of the wells, making sure we are blending correctly for arsenic. Two guys are assigned to the plant. Then there is a supervisor to make sure all the guys are doing what they need to be doing. Well two (2) is offline due to loss of bearing motors. It is offline and needs to be repaired but it is still available for emergencies. Prodigy recommends that the Village of Bosque Farms review and update the agreement with Peralta to reflect the increased wastewater volume to the Wastewater Treatment Plant. The Village is taking all Peralta's wastewater twenty percent (20%) of all the wastewater we treat is from Peralta. That agreement was made five (5) years ago, it needs to be updated.

Fire Chief Schnider gave an update for the Fire Department. In the last month there was two structure fires within the Village. There is a burn ban in effect in the county. He has been working with the Mayor and Council on a burn ban for the municipality.

Interim Police Chief Adams summarized Police and Animal Control Activity for the month of March 2026.

Clerk/Administrator Martinez gave a clerk's report including getting meetings and workshops scheduled, there has been a lot of conflicting times and dates. A workshop for Rules of Procedures needs to be done to get it established, identified and approved. She rearranged how she is meeting with Prodigy. They are meeting on a biweekly basis. They will be looking at funding and grants at one meeting and operations at the other. Clerk/Administrator Martinez is working on legal RFPs. She also gave an update on IPRA requests and the lights on Hwy 47. She has been in contact with Molzen Corbin in regards to

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all the projects including the Wastewater Treatment Plant, Winchester, Esperanza and obtaining the fire plot map.

6. MAYOR & COUNCILOR'S REPORTS - no official action

Councilor Zamora no report.

Councilor Bruhn no report.

Mayor Pro Tem De Smet is happy to report she got in touch with DOT and they are going to fix the roads from mile marker thirty-one (31) to thirty-six (36) from the month of May through July that might change due to weather but not too much.

Mayor Gillespie spoke about the three projects he has. He is working on getting the broken line underneath Highway 47 replaced. Another component of that is there are seven (7) or eight (8) poles that do not have neutral. Mayor is talking to contracting vendors to see if we could get an AT&T cellular transmitted camera at the wastewater treatment facility out on Highway 6. Once that happens the Village can begin the process of trying to get the sludge facility back. It will save the Village a considerable sum of money on a monthly basis to be able to do our own processing.

7. REVIEW AND APPROVAL OF TREASURER'S REPORT

Clerk/Administrator Martinez presented the Treasurer's report for the month of March 2026.

Mayor Pro Tem De Smet made a motion to approve the treasurer's report for the month of March 2026. Councilor Bruhn seconded the motion.

Roll call as follows: Councilor Wood, absent; Mayor Pro Tem De Smet, for; Councilor Bruhn, for; and Councilor Zamora, for. **Motion carried unanimously.**

8. PUBLIC COMMENT (*Comments are limited to 1 ½ Minutes, time cannot be shared*)

Shoshana Avrishon, resident, thinks it's a very honorable and commendable thing when people choose to run for office or choose to volunteer to be appointed. There are responsibilities that come with that job, and sometimes people can bite off more than they can handle. She thinks Mayor bit off more than he can handle. She thinks he should consider stepping down and letting someone else in.

Melanie Bennett, resident, stated her concerns about the need for a stronger, more effective leadership within the Village. It is important for our Village to have leadership that builds trust, follows proper processes, and works constructively with both residents and internal

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departments. She encourages the Council to consider what steps may be necessary to ensure our Village has the strong, reliable leadership that needs to thrive.

Virgil Proctor, resident, requests to have striping put on Mitchell Drive. People use the road like a parking lot for Sopas. He believes striping would really help remind people that Mitchell Drive is a road, and they need to get in the right hand or left hand lane, it would help with traffic.

9. REVIEW AND APPROVAL OF CONSENT AGENDA

A. Minutes from Special Meeting held on March 31, 2026

Councilor Bruhn made a motion to approve the minutes for the Special Meeting held on March 31, 2026. Councilor Zamora seconded the motion.

Roll call as follows: Councilor Wood, absent; Mayor Pro Tem De Smet, for; Councilor Bruhn, for; and Councilor Zamora, for. **Motion carried unanimously.**

10. ITEMS REMOVED FROM THE CONSENT AGENDA

11. OLD BUSINESS

A. Approval of Resolution Noting No objection to Peralta pursuing annexation of property owned by Peralta in accordance with NMSA 1978, § 3-7-1

Mayor Pro Tem De Smet made a motion to approve Resolution 1088-26. Councilor Zamora seconded the motion.

Roll call as follows: Councilor Wood, absent; Mayor Pro Tem De Smet, for; Councilor Bruhn, for; and Councilor Zamora, for. **Motion carried unanimously.**

Attorney Flores general consensus is they do not need approval to annex property in which they owned. In the resolution it does indicate that Peralta owns that property. An agreement needs to be formulated with respect to the annexation but it's not a matter that necessarily needs to go before the Council for formal approval.

Councilor Bruhn asked if the annexation includes the short section of Peralta Blvd. He wants to make sure this resolution states the Village is not responsible for the maintenance on that piece of road.

Mayor Gillespie's understanding is that if they go through the process to annex that property that road comes with it.

Mayor Gillespie asked if there was any further discussion on this matter.

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Roll call as follows: Councilor Wood, absent; Mayor Pro Tem De Smet, for; Councilor Bruhn, for; and Councilor Zamora, for. **Motion carried unanimously.**

B. Discussion and possible Action – Status of ARPA Funding

Clerk/Martinez gave an update on the ARPA funding. She has reached out to Leandra, with the State of New Mexico. In order to get the funding reauthorized, Leandra is asking Clerk/Administrator Martinez the same questions the Clerk needs answered. She will reach out again to see how this can be remedied. She is asking for a little more time to get clarifications.

Mayor Pro Tem De Smet gave an update on the ARPA funds. Two hundred thousand dollars (\$200,000) is left in funding for ARPA. Unfortunately, a former clerk obligated two hundred thousand dollars for more funding to salaries, which was not approved by the Council. Mayor Pro Tem questions if the Village can revert the money back to what the ARPA funding could initially be spent on and just expend the money, or does it have to be obligated through the Department of the Treasury before it can be used.

Clerk/Administrator Martinez's understanding that it would revert to its original purpose. She thinks the Village has to get it reauthorized before it could be spent.

C. Discussion regarding Ordinance 2-1 and 2-2 due to Changes in HB 298

The discussion was opened.

Attorney Flores informed that Attorney Winters added portions verbatim from HB 298 to bring the ordinance into compliance.

Mayor Pro Tem De Smet had suggestions where the Council might be more involved in some of these decisions. She asked if she should send them to Attorney Flores and Attorney Winters to revise and be positive that we're still within the state statute while being able to be more involved in some of these.

Attorney Flores affirmed they could look and make sure everything is in compliance.

D. Update from Staff on Reimbursement from State for Payments made to Prodigy

Clerk/Administrator Martinez has to get the project out of archived status. She has to get everything established to allow for the flow of activity. She is actively working on it.

12. NEW BUSINESS

A. Legal RFP – Staff drafting RFP; Review of statewide municipal examples

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Mayor informed staff is drafting that RFP review of statewide Municipal examples is ongoing.

B. Consideration and action on the re-appointment of Planning Commissioners Joe Hale and Micheal Barber.

Councilor Bruhn made a motion to reappoint Joe Hale and Michael Barber to the Planning and Zoning Commission. Councilor Zamora seconded the motion.

Roll call as follows: Councilor Wood, absent; Mayor Pro Tem De Smet, for; Councilor Bruhn, for; and Councilor Zamora, for. **Motion carried unanimously.**

C. Approval of Notice of Award and Notice to Proceed Desert Fox Paving for entire length and width of Esperanza Drive from NM 47 to West Bosque Loop. Fits within the NMDOT funding amount of \$925,000.

Councilor Bruhn would like to award the contract for nine-hundred twenty-five thousand dollars (\$925,000) to make sure we use all the state funds that they are allocating. The contract is for eight hundred forty-one thousand (\$841,000).

Clerk/Administrator Martinez answered, it will have to be factoring the match, but she will get the clarifications on what the differences are.

Mayor Pro Tem De Smet asked if we approve this now, are we locked in on the amount.

Clerk/Administrator Martinez clarified that generally, with granting the award from NMDOT is nine-hundred twenty-five thousand dollars (\$925,000). We have to justify that we spent the nine-hundred twenty-five thousand (925,000) at minimum on that project in a normal grant agreement.

Mayor Pro Tem De Smet made a motion to approve the Notice of Award and Notice to Proceed for Desert Fox Paving for Esperanza Drive. Councilor Bruhn seconded the motion.

Roll call as follows: Councilor Wood, absent; Mayor Pro Tem De Smet, for; Councilor Bruhn, for; and Councilor Zamora, for. **Motion carried unanimously.**

D. Anchor Engineering agent for Steven Davis is appealing a recommendation of denial for a Zone Change from A-R to R-1 at 555 Country Ln. legally described as Tract: 15 THE SW 8.00 AC S: 2 T: 7N R: 2E 8.00 Acres Map 63 Bosque Farms Unit #15

Councilor Zamora asked if he had to recuse himself do to the fact that his daughter is the neighbor of the property. He verified there is no other connection.

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Attorney Flores's concern is they are moving to a quasi-judicial hearing. The three tenants of quasi-judicial hearings are no bias, no conflict of interest and essentially equal time to each party. If there is concern over potential conflict of interest, or even something that could be perceived bias, she recommends recusal.

Councilor Zamora requested to recuse himself.

Mayor Pro Tem De Smet made a motion to move into listening to the appeal for Anchor Engineering agent for Steven Davis appealing a recommendation of denial for a Zone Change. Councilor Bruhn second the motion.

Robert Pierson gave a summary. The recommendation of denial by the Planning and Zoning Commission for requested zone change from A-R to R-1 at 555 Country Lane. The Commission ultimately felt the preservation of rural America and the maintenance of those types of properties north of Bosque Loop was a priority for Bosque Farms was the key behind the recommendation for denial. Anchor Engineering argues that it is available per code.

Robert Pierson swore everyone in that intended to speak.

Martin Garcia spoke for Anchor Engineering representing Steve Davis at 555 Country Lane on the zone change. They believe there was confusion and kind of an abuse of power regarding the decision by the Commission. The property in question is at 555 County Lane. It is an eight (8) acre parcel, it has two residents that were in place before the Village was incorporated. Mr. Davis, the property owner, came to Anchor Engineering to help them develop this property. Farming is no longer profitable. Mr. Garcia read from ordinance 10-1-15. The comprehensive plan was done in 1976 when the Village was incorporated. The intent was to remain rural. There is nothing in any ordinance the Village has that says North of the North Loop needs to remain rural. They are proposing to take the property that's A-R and zone it to R-1. They are proposing to take the property that would, under normal ordinance, be a two (2) acre lot and subdivide it down to as small as one (1) acre. The intent is to aid the property owner to move forward to building his own home, a home for his son, and to offer the other lots for sale to help offset the cost of the development.

Rick Babcock explained that County Lane is a very rural and agricultural neighborhood. There are twenty-five parcels along County Lane, they are all two acres or more. It is a prime example of the rural environment that so many people in Bosque Farms come here to be a part of. Why would we want to start breaking that up? Are we going to go against what the citizens of Bosque Farms decided they would like to have our Village look like for one person?

Virgil Proctor reminded the Council they have to decide what is fair to all neighbors. For the neighbors that have two acres and they have irrigation, is this property going to be suitable for

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irrigating or is it going to be an area of weeds? You have to be dedicated to not some of the Village people but to all of them as to what's best for this property.

Angela Richardson is concerned about all the traffic this has potential to bring if there are more houses built back on the Northside. There are some that can't grow agriculture, but many are. She is sorry for the gentleman, but the increase in traffic, the draw to bring other people to do the same thing, we are going to be sorry.

Lee Wharton agreed that ordinance 10-1-8 does talk about agricultural and the purpose is to maintain agricultural and that type of low-density residential housing. Ordinance 10-1-3, Applicability, says zone districts and boundaries of zone districts described herein, are shown on the Zone Map, which shall be made a part of this Section 10-1. So, it becomes part of the ordinance. Maybe the ordinance does not specifically say that all land on the north side of the loop will remain as agricultural, but it was zoned A-R, it became part of the zone map, and therefore it became part of the ordinance. She also read from the Comprehensive Plan where it stated Bosque Farms has a rich agricultural history and rural lifestyle that the Villagers would like to uphold now and into the future. She pointed out several places out of the Comprehensive Plan where it shows residents want to maintain a rural and agricultural lifestyle. She has no problem with him dividing his property and selling it. She would like to see the A-R zoning maintained.

Steven Davis explained they moved here in seventy-one before Bosque Farms was Bosque Farms. Foxcroft was already there. His eight (8) acres are not contiguous to anything closer than the half acres on the North side and the five-eighths acres on the South side. He wants to split his land up to one-acre pieces. It will have restricted covenants. It will do agriculture, he doesn't care if it's raising pigs, sheep, or making quilts in the garage, it will have that restricted covenant. It will be agriculture.

Martin Garcia the two (2) words you keep hearing continuously are rural and agricultural. Whether it's A-R zoning or R-1 zoning, the ordinance 10-1-5 specifies what you need to do once you have A-R or R-1. Agriculture is not defined in any of the ordinances. Mr. Garcia read the definition, agriculture is the science, art or business of cultivating soil, producing crops and raising livestock. Mr. Davis just said that's what the intent if this ultimately is going to be. Both A-R and R-1 require it. They are not asking for a variance from the ordinance, they are asking to comply with the ordinance. The only difference between A-R and R-1 is A-R is two (2) acre lots and R-1 is minimum three-quarters of an acre. They both recommend rural and agricultural. As for the traffic, there are two houses right now, they are proposing six (6) lots, there are four (4) more houses that are going to come in. He doesn't think four (4) houses is going to make that much difference on Country Lane. If they stay with A-R there will be two (2) additional houses, either way there will be an increase in traffic that's allowed.

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Mayor Gillespie commented Mr. Davis is in a situation where, given the amount of water that comes down the ditch for agricultural use, he cannot actually grow a crop. That is also an issue.

Lee Wharton added, taking a property and making it go from two (2) acre lots to potentially three-quarters of an acre lot. He is not planning to do that, but once that change is allowed in that area which is primarily zoned agricultural, the next guy may want to do it, then the next guy. The issue is trying to maintain the integrity of our roots, our rural and agricultural. This is making a change that allows further changes in the future, when he still has the ability to divide the land.

Mayor Pro Tem De Smet made a motion to adjourn our quasi-judicial session. Councilor Bruhn seconded the motion.

Mayor Gillespie stated this hearing is considered closed.

Councilor Bruhn made a motion to accept the recommendation for denial of the zone change. Mayor Pro Tem De Smet seconded the motion.

Roll call as follows: Councilor Wood, absent; Mayor Pro Tem De Smet, against; Councilor Bruhn, against; Councilor Zamora, recused, and Mayor Gillespie, for. **Motion denied.**

Mayor Pro Tem De Smet clarified for the record, they voted no, they did not accept the denial of the Planning and Zoning Commission.

E. Anchor Engineering agent for Steven Davis is requesting a Zone Change from A-R to R-1 at 555 Country Ln, legally described as Tract: 15 THE SW 8.00 AC S: 2 T: 7N R: 2E 8.00 Acres Map 63 Bosque Farms Unit #15

Mayor Pro Tem De Smet made a motion to move into a quasi-judicial session in regards to the Zone Change. Councilor Bruhn second the motion.

Roll call as follows: Councilor Wood, absent; Mayor Pro Tem De Smet, for; Councilor Bruhn, for; Councilor Zamora, recused, and Mayor Gillespie, for. **Motion carried unanimously.**

Mayor began Anchor Engineering agent for Steven Davis is requesting a zone change from A-R to R-1 at 555 Country Lane.

Martin Garcia presented the request for a zone change on the property 555 Country Lane, an eight (8) acre parcel, that Mr. Steve Davis owns, from A-R zoning to R-1 zoning. There was an application that was submitted to Planning and Zoning. The property currently has two homes on it and approximately six (6) acres of land used for farming. The property is no

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longer conducive to farming. The property owner came to Anchor Engineering to help him develop this property and subdivide it. They intend to maintain the lot size to minimum of one acre. The properties to the North are half acre lots. Properties to the South except for one are three thirds of an acre, the properties to the West across the ditch are half acres. Ordinance 10-1-5 warns against spot zoning. The drought and the agricultural situation, although they do get water every six (6) or four (4) weeks, is not conducive to anything that's productive to farming. As a result, Mr. Davis, and Mr. Garcia as his agent, are requesting a zone change of the property from A-R to R-1. It is not prohibited by any of the ordinances. Ordinance 10-1-15 and its intent clearly states that if the property gets into this condition, it is allowed and encouraged to be looked at before it becomes a blighted property. The irrigation, as limited as it may be, will continue when the time comes for development. The homes are going to be stick built homes and not manufactured homes. They do not want a development that's going to be detrimental to the neighborhood.

Lee Wharton addressed the Mayor and Council. Bosque Farms is going to be a place neither of you would like to live since you both live on large agricultural properties. You probably wouldn't want to see divided. Pretty soon we're all going to be a bunch of little boxes, and all our nice green space is going to be gone. I would like you not to participate in that. He can divide his land into two (2) acre lots and sell it for a very good product. It's on a small street not even appropriate for that amount of traffic. She implored Mayor and Council not to change anymore of Bosque Farms.

Angelia Richardson clarified with all these additional houses, we are not going to have one or two additional cars, we are going to have a bunch of cars. Then when all the other's decide that they want to bust up their property, where are we going to bring all this traffic? Are we going to build a new road for all this traffic to come through? Two (2) acres is more than plenty. It doesn't matter what his profit would be. It's the effect that it will have on our community. The additional water, the additional roads being torn up, just so many things.

Mayor Pro Tem De Smet made a motion to come out of the quasi-judicial session in regards to the Zone Change. Councilor Bruhn second the motion.

Roll call as follows: Councilor Wood, absent; Mayor Pro Tem De Smet, for; Councilor Bruhn, for; Councilor Zamora, recused, and Mayor Gillespie, for. **Motion carried unanimously.**

Mayor Gillespie asked for a motion on Mr. Steven Davis is requesting a zone change from A-R to R-1 at 555 County Lane.

Councilor Bruhn made a motion to approve this zone change. Mayor Pro Tem De Smet seconded the motion.

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Roll call as follows: Councilor Wood, absent; Mayor Pro Tem De Smet, for; Councilor Bruhn, for; Councilor Zamora, recused, Mayor Gillespie for. **Motion carried unanimously.**

13. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS

Mayor Pro Tem De Smet requested RFP at another meeting. She also requested temporarily outsourcing our procurement to be up for discussion the next meeting. She wants ordinance 4-1 in the paper so we could get it on the next agenda.

14. ADJOURNMENT

Mayor Gillespie adjourned the meeting at 10:08 p.m.

PASSED, APPROVED AND ADOPTED THIS 20TH DAY OF MAY 2026

Chris Gillespie, Mayor

(SEAL)

ATTEST:

Erica A. Martinez, Clerk/Administrator