

COUNCIL OF THE VILLAGE OF BOSQUE FARMS, NM
MINUTES OF THE SPECIAL MEETING
MARCH 5, 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, Councilor Ronita Wood, Mayor Pro Tem Erica De Smet, Councilor James Bruhn, and Councilor Manuel Zamora. Quorum present.

3. PLEDGE OF ALLEGIANCE

Councilor Zamora led the Pledge of Allegiance.

4. PRESENTATIONS:

A. Training – Village Attorney

Attorney Winters gave a Local Government Training. Presentation Topics included Mayor and Council duties, OMA and IPRA, rolling quorums, quasi-judicial duties, resolution and ordinances and agenda development.

The Village has a Mayor Council form of Government, generally called a Strong Mayor form of government. Only the Mayor shall supervise the employees of the municipality. The Mayor shall preside over all meetings of the Council and shall vote only when there is a tie vote. The Governing Body shall elect one of its members to act as Mayor Pro Tem in the absence of the Mayor.

The biggest duty of the Governing Body is to manage and control the finances of property, real and personal, of all finances and all property, real and personal belonging to the municipality. This speaks to budget.

Mayor Pro Tem De Smet asked what is property, real and personal.

Attorney Winters explained property, real and personal would be real estate, water rights, trucks, vehicles.

Councilor Zamora asked if Rescues would be considered property to which Attorney Winters answered absolutely.

Open Meetings Act is known as “sunshine law.” It requires that public business be conducted in full public view. Every employee and official of a public body must know that IPRA exists and that their work is a public record. Every email that you send to anybody is a public record

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whether its carbon copied, blind copied. Every public body must designate a records custodian and should share this information with the organization.

Mayor Pro Tem De Smet clarified putting “confidential” at the bottom of your email does not make it confidential, correct?

Attorney Winters explained, the exception to that is if Attorney Winters receives an email as counsel, she will respect confidentiality and mark it confidential. However, if it is blind copied to someone else, including members of the public, the confidentiality established in that attorney-client relationship is gone. That becomes a public record.

Mayor Pro Tem De Smet asked again any e-mail, if you put “confidential” at the bottom, does it make it confidential? To which Attorney Winters replied no.

Rolling Quorums are absolutely prohibited. It violates Public Meeting Act. Chance encounters are not rolling quorums. When you are intentionally coping other members of the Governing Body on emails, even blind coping them, it is potentially a rolling quorum.

Councilor Bruhn informed when they were in Molly Training they said Councilors could blind copy all their members so everyone’s aware of the email, but they shouldn’t reply to the email.

Attorney Winters replied that it is good advice you shouldn’t reply but if you’re blind copied. There is that temptation to pick up the phone and respond. It invites a problem. She also reminded Council carbon copies and blind copies are public record.

Resolutions are generally policy matters. Ordinances are the laws. A resolution can be passed on one evening with seventy-two (72) hours’ notice. An ordinance requires two publications, one before and one after, unless it’s a franchise ordinance.

Section 2-2-2(A)(4) doesn’t give a lot of guidance on agenda development. Attorney Winters guidance is talk to each other. This doesn’t say who’s in charge, give your stuff to the Clerk/Administrator.

Mayor Pro Tem De Smet asked what Attorney Winters has to do with the agenda. She stated none of the items that Council requested to be on the special meeting are on that special meeting.

Attorney Winters responded she did not take those items off the agenda. Two agenda items had to do with terminating a volunteer. Her job as council is to work with the Councilors and get them to communicate with the Mayor or this administration. Attorney Winters stated she specifically asked Mayor Pro Tem De Smet, if the gentlemen were terminated would there necessarily have to be a meeting, to which the Mayor Pro Tem answer was no.

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Mayor Pro Tem De Smet replied she said yes, she has it on recording.

Attorney Winters had also asked another Governing Body member the same question, his answer was also no.

Councilor Zamora clarified that he stated he did want it on there, unless it was provided to us that he had signed it, and it wasn't done until yesterday.

It was clarified that the Council received a draft on Monday signed by the Mayor but not the copy that was signed by that person.

Mayor Pro Tem De Smet has an email from Attorney Winters stating they are not going to put any of the other Special Meeting agenda items on the Special Meeting. She asked again what authority does Attorney Winters have over the agenda.

Attorney Winters replied she has no authority to put anything on the agenda or to take it off. She does have an obligation to help you all communicate with each other. Then on the third agenda item that you asked for, you and I exchanged a dozen drafts and emails with respect to the EMS proposal that's on today's agenda.

Mayor Pro Tem De Smet stated that wasn't her idea.

Attorney Winters wanted to make sure they understood that what she heard from them was that if the business was taken care of, they had no interest in having a meeting on those issues.

Mayor Pro Tem De Smet clarified that she asked that those items remain with the exception of the resignation. She asked Councilor Zamora to confirm that's what he asked for as well.

Councilor Zamora said he was good as long as there was a signed copy to him by Friday.

Attorney Winters apologized she did not hear the "by Friday" part. Then clarified nobody wants that on the agenda anymore.

Mayor Pro Tem De Smet commented it's not on here so we didn't really have an option.

Attorney Winters asked if they wanted those two agenda items regarding Mr. Abeita on a future agenda.

Mayor Pro Tem De Smet stated if we want it, we'll call for it. She just wanted to know why it was removed and under what authority. A majority of governing body signed a copy. Then two Councilors also requested that the remainder of the things, with the exception of the resignation, to stay on there. Nothing that they asked for this Special Meeting is on the agenda.

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5. OLD BUSINESS

A. Approval of the Revision to the Fair Board Agreement

Councilor Bruhn commented on a paragraph that reads “The Village hereby agrees that the Fair Association shall have primary use of the Village Properties. However, the Fair Association agrees that the Village may use or may assign use of the Village Properties during anytime of the year to any person(s) if the Village deems the same to be in the best interest of the Village.” He clarified so the fair basically takes position of the Community Center at that point.

Councilor Wood is on the Fair Board so she left the room for the discussion.

Councilor Bruhn how its written the fair is the primary occupants of the Village premises.

Mayor Pro Tem De Smet questioned this text gives the Fair Association primary use of both the Community Center and the White Building next to the Village office.

Attorney Winters reminded them they previously approved this agreement. When the Mayor went to present it to the Fair Board, they had a change on one whereas clause. Her recommendation to the Mayor was even though it was one change in one whereas clause, in the interest of transparency and trust, she suggested to put it back in front of the Council to approve that change in the whereas clause. It is well within Councils right since it is now on the agenda to make additional changes Mayor will have to present those back to the Fair Board for further consideration.

The president of the Fair Board came up and agreed to thirty (30) days from July 15, 2026, through August 15, 2026.

Attorney Winters suggested if the first paragraph is amended it would be for the period of July 15, 2026, through August 15, 2026, the Village hereby agrees the Fair Association shall have primary use of the Village properties. The other change was in the second whereas clause. If there is going to be a motion to approve, she would make the motion to approve those two changes.

Mayor Pro Tem De Smet made a motion to approve the Fair Board contract with said changes that only a thirty-day (30) timeframe will be given for them to have primary use of the Village properties. Councilor Brugh seconded the motion.

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

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B. Review and Possible Action on the Open Meetings Act approved in January 2026

Mayor Pro Tem De Smet made a motion to approve resolution 1082-26 and open it up for discussion. Councilor Zamora seconded the motion.

Mayor Pro Tem De Smet would like to make the change to the regularly scheduled meetings from six o'clock p.m. on the third Thursday to six o'clock p.m. on the third Wednesday. The other change is the Village does not have a Bosque Farms Senior Center it has a Bosque Farms Community Center.

Councilor Bruhn added he needed Wednesday instead of Thursday due to prior commitments.

Mayor made a comment that a lot of people attend church on Wednesday evenings.

Councilor Wood added that's why the schools don't do Wednesdays either.

Mayor Pro Tem De Smet made a motion to approve resolution 1082-26 with the two changes. Councilor Zamora seconded the motion.

Attorney Winters spoke. She pointed out that resolution No. 1082-26 has already been approved at the January meeting, her recommendation is that this be presented as a new resolution with those two changes at the next meeting. Nothing precludes from scheduling your next meeting on the third Wednesday, so long as it is properly noticed. Legislatively, someone should direct staff and administration to prepare a new resolution with the corrections and the new date and time. It needs to be posted and published in accordance with the Open Meetings Act. Also, put it on the next agenda.

Mayor Pro Tem De Smet moved to amend her motion and make the motion to push the resolution with the changes to the next meeting for approval. Councilor Bruhn seconded the motion.

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

C. Review and approve the Cooperative Agreement for Winchester Drive paving from Local Government Road Fund

Mayor explained it is an extension of an existing agreement to take it out to the end of December 2026.

Mayor Pro Tem De Smet moved to approve the Local Government Road Fund Cooperative Agreement Extension. Councilor Wood seconded the motion.

Councilor Bruhn asked where the funding comes from for this project.

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Mayor Gillispie believes it comes from General Fund, and it has already in budget.

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

12. NEW BUSINESS

A. Resolution Directing Village Administration to Immediately Solicit, Recruit and Advertise for EMS Personnel

Mayor Pro Tem De Smet made a motion to not adopt a resolution directing Village Administration to Immediately Solicit, Recruit and Advertise for EMS Personnel. She thinks it's important that we stay focused on the roles defined in state statute under NMSA 3-11-6. The mayor supervises employees and directs administration, while the council's responsibilities is to provide policy, direction and oversight for the Village. Recruitment for EMS personnel is already within the authority of administration. She wants to ensure that the council is addressing the actual operational issues in front of them, namely, whether we have the qualified personnel necessary to safely operate our EMS apparatus and serve residents of Bosque Farms. Councilor Zamora seconded the motion.

There was discussion.

Councilor Bruhn would like to have a meeting with everybody present, Peralta, Valencia County, and Bosque Farms, to go over all the options and make sure they pick the right solution for EMS. That way, once it is up and running, it's up and running efficiently, professionally, everything works. Councilor Bruhn would like to set up a Special Meeting sometime in the next couple of weeks or months, like a workshop to discuss and find options.

Mayor Gillespie clarified that Councilor Bruhn's inclination then is to set up a workshop among all the county entities. Councilor Bruhn confirmed.

Mayor Gillespie agreed and asked Councilor Bruhn to place that as a motion to request that the Village Administration set up a workshop.

Attorney Winters said there were two different issues. She asked Mayor Pro Tem De Smet if the motion is to table or is it a motion to not pass? She advised if you make a motion not to pass, a no-vote kills it.

Mayor Pro Tem De Smet made a motion to adopt a resolution directing Village Administration to Immediately Solicit, Recruit and Advertise for EMS Personnel. Councilor Zamora seconded the motion.

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Roll call as follows: Councilor Wood, against; Mayor Pro Tem De Smet, against; Councilor Bruhn, against; and Councilor Zamora, against. **Motion died.**

B. Review and approval of Axon Enterprise, Inc. for body cameras for the Police Department.

Officer Duran gave a presentation on how the BFPD are coming to the end of their contract with their current body cameras. He talked about all the upgrades this system would provide for the Police Officers.

Mayor Pro Tem De Smet asked how quickly the can these come in?

Officer Duran answered as soon as everything is signed and approved through Council, they can start getting outfitters and start getting everything ordered and in place to get everything taken care of. The outfitter that we use currently to help outfit the vehicles has already dedicated his time to come down here for three days to get the whole fleet done. He's coming to us. We're not having to go to him because his offices are in Rancho.

Mayor Pro Tem De Smet asked if approved by the council, do you have to put a purchase order in or if it's already done.

Chief Owen explained the quotes you have before you are waiting for your approval before we can sign any contracts and get any purchase orders sent out. That's why we're here before you today. As soon as we can get this, we've already spoken with them. They have everything ready to go. Everything will be upfitted by the end of month. It'll be a smooth transition.

Mayor Pro Tem De Smet's concern is the purchase order part of it. She heard that it can be quite a lengthy process and just wants to make sure.

Chief Owen responded they have been working with the treasurer extensively over the past thirty (30) days. She's fully aware of how we're going to be able to get this coordinated, she has copies of the contracts, but she's fully aware of when and how and is ready to go.

Councilor Bruhn asked if its body cams and vehicle cams. The Officers said yes.

Councilor De Smet made a motion to approve Axon Enterprise, Inc. for body cameras for the Police Department. Councilor Bruhn seconded the motion.

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

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7. EXECUTIVE SESSION

Discuss limited personnel matters as permitted under Section 10-15-1(H)(2) of the New Mexico Open Meetings Act

Attorney Winters suggested taking the action item after executive session off the agenda. It has not been noticed. Because that action item is a personnel matter, she wants to make sure there are absolutely no issues with the notice. For that reason, she would like to see somebody recognize that this has been moved to the Monday meeting.

Councilor Wood made a motion to remove the action item related to the closed session. Councilor Bruhn seconded the motion.

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

~~**Action Item: To review and take action on findings from Personnel Board related to Closed Session in accordance with Section 3-11-6(D)(1) NMSA**~~

Councilor Wood made a motion to adjourn to Executive Session in accordance to Section 10-15-1(H)(2). Councilor Bruhn seconded the motion.

Councilor Zamora recused himself, he is on the Personal Board.

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

Executive Session started at 7:16.

Mayor Pro Tem De Smet made a motion to reconvene from Executive Session. Councilor Bruhn seconded the motion.

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

Attorney Winters spoke for the record. In accordance with the Open Meetings Act 10-15-1(J) in particular, the minutes of this meeting need to reflect that the matters discussed in closed meeting were limited only to those specified in the motion for closure, and in the notice the notice of the closed meeting.

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8. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS

Councilor Bruhn requested for the staff to set up a Special Meeting to involve Bosque Fire Department, Peralta Fire Department, Valencia County Fire Department, and the Village Council as a Workshop to discuss the EMS propositions.

Mayor Pro Tem De Smet reiterated, at the next regularly scheduled meeting, she would like ordinance 2-1 for discussion and possible action in its entirety due to the changes with HB 298 and others, ordinance 4-1 in its entirety. She would like the annexation of the property with Peralta on the agenda. Also, she would also like to ask for a workshop to be scheduled to go over the Rules of Procedure. She would not like it to be in conjunction with the EMS. Mayor Pro Tem De Smet made a motion to adjourn this meeting and immediately go into an Emergency Meeting after this meeting.

Mayor Gillespie responded, that is not possible. An Emergency Meeting has not been noticed.

Mayor Pro Tem De Smet responded it doesn't have to be. According to Open Meetings Act 10-15-1(F), an Emergency Meeting can be convened with unforeseen circumstance that if not addressed immediately by public body will likely result in injury or damaged persons or property or substantial financial loss to the public body. She is requesting that we adjourn this meeting and immediately go into an Emergency Meeting. Councilor Zamora seconded the motion.

9. ADJOURNMENT

Mayor Gillespie adjourned the meeting at 7:36 p.m.

PASSED, APPROVED AND ADOPTED THIS 31st DAY OF MARCH 2026

Chris Gillespie, Mayor

(SEAL)

ATTEST:

Erica A. Martinez, Clerk/Administrator