

A. Planning and Zoning Commission – P&Z did not meet in June. Final edits are being completed to the comprehensive plan, although the plan was adopted by resolution of the P&Z Commission at the May 11, 2017 meeting. The next meeting is scheduled for July 3, 2017 at 1:00 p.m. at the Snakedance Condominiums.

B. Public Safety Committee – The Public Safety Committee met on June 5, 2017 at 10:00 a.m. Councilor Bennett reported on agenda items discussed:

- The Committee is working on getting the word out about using bear-proof dumpsters. Committee members worked with Village staff to get a letter sent out advising citizens that they need to use bear-proof dumpsters for storing trash. The police department will begin to fine people after July 1, 2017 for going against Ordinance 2011-49 which outlines steps necessary for the proper storage of solid waste in the Village.

C. Firewise Community Board of Directors - The Firewise Community Board of Directors met on June 5, 2017 at 11:00 a.m. Councilor Bennett reported on agenda items discussed:

- A Firewise Community Education Day will be held this year on July 4th.

The next meetings of the Public Safety Committee and the Firewise Board will be scheduled for September, after a break for the summer.

D. Parks & Recreation Committee – Chairperson Katherine Kett reported on the Committee’s summer activities:

- Disc golf course installation will take place on June 24-25, 2017
- Sand for the volleyball court will be delivered on June 15, 2017.
- The kids play structure will be placed near the sand.
- There is a plan to have open volleyball tournaments on Thursday evenings.
- Improved signage will be made for the disc golf course.
- The Committee hopes to get the okay for creation of a Kachina Park on Kachina Road.

E. Lodgers’ Tax Advisory Board – a meeting was not held, but one will be scheduled for the next couple of weeks to discuss lodgers’ tax grants.

9. REGIONAL REPORTS

Councilor Bennett said that she did not attend the Intergovernmental Council (IGC) meeting. The Landfill Board meeting centered on discussion of fees for recycling.

10. MAYOR’S REPORT

Mayor King said that he has been helping staff with installing new Voice-Over IP phones at the Village office. Use of these new phones should save the Village hundreds of dollars a month. He also talked about the dust problem on Village roads, and will work out a plan with Public Works Director Keen and Police Chief Bilardello to minimize dust.

11. STAFF REPORTS

Mark Fratrack, Village Administrator reported on ongoing projects:

- Townsite Act – There is no change. A hazardous material interview and inspection took place. Administrator Fratrack has contacted the Forest Service to discuss the easement that they have proposed.
- Taos Mountain Lodge – The interior has been cleared out and cleaned up. Most of the fireplace stacks have been removed. Rich Wilson continues to rework the parking plan for optimal and best use.
- Kachina Water Tank – This item will be discussed later on in the meeting.
- WWTP/WWTP Financing Options – The USDA application has been submitted to the national office. The process is slow but it is moving forward. Staff is waiting on the USDA to confirm bridge financing.
- Ernie Blake Road – The appraisals have been received. Representatives from the Village have spoken with the respective land owners. The land owners are going to get their own appraisals done, which are scheduled to be completed by July 20, 2017.
- NM Gas Co – NM Gas Co. contacted the Village, since they are reviewing options. When they are ready with options for running lines, they will contact us again.

Discussion followed. Chaz Rockey, with TSVI, asked why the Council would want to delay at this point. He said that TSVI had responded to the Village's concerns about accepting ownership of the plaza, and so had proposed the public easement instead. He said that TSVI has responded to Council and to Staff's concerns. There will be no cost to the Village for maintenance or upkeep of the infrastructure.

Mayor King called for a vote. Vote: 2-2 (Councilors Stagg and Wittman dissenting) Mayor King voted nay.

Failed: 2-3

Administrator Fratrack said that recently staff had the chance to talk to representatives of TSVI, and that Finance Director Grabowski and Public Works Director Keen were now comfortable with the costs involved.

MOTION: To Approve an Easement Agreement between Taos Ski Valley, Inc., Parcel G Development LLC, the Village of Taos Ski Valley, and the Village of Taos Ski Valley Tax Increment Development District and to pay the annual fee of \$50,000

Motion: Councilor Wittman

Second: Councilor Stagg

Passed: 4-0

C. Consideration to Approve the Dedication, Bill of Sale, Grant of Easement and Agreement by Taos Ski Valley, Inc. to the Village of Taos Ski Valley of Infrastructure Improvements: Sutton Place Road and Crossing, Water Retention Pond, Core Village Utility Lines, Wayfinding/Signage, and Stream Restoration

As part of the Village of Taos Ski Valley Tax Increment Development District (TIDD) infrastructure projects, the developers made infrastructure improvements; these improvements, as agreed upon in the MDA, would be dedicated to the Village. Once dedicated, the infrastructure improvements would qualify for reimbursement through the TIDD. The process to have these improvements dedicated to the Village is to utilize a Bill of Sale.

The items considered for dedication to the Village at this time are Sutton Place road and crossing, utilities, signage, and stream improvements. Staff reservations concern the heated walkway and Snakedance turnabout curb/gutter and drain inlet, but TSVI has said that they will be putting in a drain in that location, with a one-year warranty. There are also reservations concerning the thoroughfare to the gondola to be located between the Edelweiss and Mogul Medical. Sutton Place is steep at that location and tends to get iced over. The Village would expose itself to unjustified liability, said Administrator Fratrack. Village staff understands that it is the intention of TSVI to make additional improvements and to landscape around the retention pond this summer. Staff would like to see these improvements and landscaping accomplished before the retention pond is accepted.

MOTION: To Approve the Dedication, Bill of Sale, Grant of Easement and Agreement by Taos Ski Valley, Inc. to the Village of Taos Ski Valley of Infrastructure Improvements: Sutton Place Road and Crossing, Water Retention Pond, Core Village Utility Lines, Wayfinding/Signage, and Stream Restoration

Motion: Councilor Wittman

Second: Councilor Stagg

Discussion followed. It would be difficult to install heating in just one section of Sutton Place, TSVI said. The road cannot be leveled off at that section because that would make the section just above even steeper. TSVI will also be concerned with maintaining the road in good condition at that location in order to look out for its guests. The Sutton Place crossing may have its hazards, as currently exist in other parts of the Village. However, Sutton Place meets the standards for roads in the Village of Taos Ski Valley. If the road meets the standard, and the Village does not accept it, the Village would not be following its own rules, said Peter Talty, with TSVI. TSVI invited Village staff to meet with TSVI and Zehren & Associates to discuss details of the landscaping around the retention pond, on June 14, 2017.

Mayor King called the question.

Passed: 4-0

D. Consideration to Approve a Memorandum of Understanding between Taos Ski Valley, Inc. and the Village of Taos Ski Valley for the Vehicle Maintenance Facility Washbay Installation

The Village Public Works Director and FEI Engineers have been working with TSVI personnel on an MOU to allow the VMF oil/water separator to release liquid into the Village WWTP. The Village and FEI Engineers have made suggestions on the MOU, and TSVI has incorporated them in the document. FEI Engineers have verified and approved the design of the holding tank setup and the GPM that is allowable to be released from the VMF oil/water separator.

MOTION: To Approve a Memorandum of Understanding between Taos Ski Valley, Inc. and the Village of Taos Ski Valley for the Vehicle Maintenance Facility Washbay Installation

Motion: Councilor Wittman

Second: Councilor Brownell

Passed: 4-0

E. Presentation by Taos Ski Valley, Inc. on Summer 2017 Strawberry Hill and Public Improvements Projects

Peter Talty with TSVI reported on TSVI's summer projects. These include:

- Ernie Blake Road stream crossing – this involves stream restoration with the same characteristic in the river as by the Sutton Place crossing. A culvert will be installed and the stream stabilized.
- Strawberry Hill river crossing – river restoration will occur in that location, as well as electric line placement

- Strawberry Hill - Upgraded water and sewer utility lines will be installed across Strawberry Hill along with regrading of the slope, installation of a gondola and chairlift, and remodeling of the Kinderkafig
- Parts of the parking lot may be paved, depending on timing
- Retention Pond landscaping will be completed

Mr. Talty said that they are attempting to complete as many projects as possible in this plan, but that they will have to wait and see how the projects develop. There is a complicated sequencing of events and coordinating of work that must take place. TSVI is concentrating on dedicating the area around the Kinderkafig to families and children. They will not route snowcats through that area any more. Firehouse Road will be paved, with two lanes, and curb and gutter. Creation of a new river crossing on Firehouse Road will be addressed with the Forest Service at a later date, however. It is yet to be determined whether there will be a space for tubing next winter.

F. Discussion on 250,000 gallon Kachina Water Tank and 5million gallon Kachina Water Tank, Consideration for Council Direction on 250,000 or 5million gallon tank, and Consideration for Council Direction on Project Initiation With or Without Easement Approval

NMFA Water Trust Board funding for the 250,000 gallon buried Kachina Water Tank was applied for in 2014, authorized in 2015 and secured in January 2016. The Village Council approved RMCI as the contractor for the Kachina Water Tank construction, but a contract has not yet been signed. Administrator Fratrack said that no construction progress was made during the building season of 2016, and the Village needs to make progress this building season if a funding extension is to be requested of the NMFA. NMFA funding expires on February 28, 2019. The Village and FEI Engineers have spent many hours in discussions with TSVI on the location of the Kachina Tank and the construction site disturbance location. Last year, TSVI brought forth an idea of possibly joining together in a public/private partnership for a 5 million gallon tank in the Kachina area. Administrator Fratrack said that after the 2016 building season, the Village was informed that TSVI was not ready to move forward with their project. Due to the Village's project timeline and the possibility of losing funding, the Village Administrator informed TSVI that the Village was going to move forward with the 250,000 Kachina Water Tank and planned to construct in 2017. In May 2017, TSVI requested to open up discussions again with the Village on the possible public/private partnership and requested to address the Council concerning their proposal. TSVI provided the Village with information concerning why they feel an Alternative Dual-Purpose Kachina Water Tank would be a good project to consider. Village staff and FEI Engineers have analyzed the benefits and disadvantages for the Village of a 5 million gallon dual-purpose water tank.

The planned 250,000 gallon buried water tank was going to be constructed on a 1/8th acre plot of land that was given to the Village by TSVI in 2011, specifically for the purpose of building the tank. Peter Talty said that the current location is no longer the best site, given TSVI's plans. TSVI is now concerned about the amount of site disturbance that would occur at the site during construction. He noted that the Village's construction documents appear to have the construction disturbance area be larger than the easement granted by TSVI. TSVI says that circumstances have changed since 2011, and that this location now seems desirable for either development, or for a conservation easement. In addition, TSVI is now more concerned with snowmaking, and is therefore interested in more water storage that could be used for snowmaking. David Norden, TSVI President, said that at the recent National Ski Areas Association conference, the main topic of discussion was ski areas' concern with warming temperatures and not having enough snow.

Talty also noted that the current location requires that the Williams Lake Trail be moved substantially, a project that would need to be undertaken by the Village, by making requests to the Forest Service.

Talty said that the tank did not need to be 5 million gallons, nor did it need to have surface water mixed with ground water, that they are simply asking the Village to investigate a new site. TSVI would like to have the tank moved to a "utility area", closer to the Village's Chlorination Station and Phoenix Spring. Talty suggested that consolidating Village infrastructure would be economical in many ways, such as for maintenance purposes, and for energy conservation.

Public Works Director Keen expressed concern with any site disturbance around the Phoenix Spring. Keen noted that this is a delicate area, and that construction would not be allowed to impede the spring in any way.

Peter Talty said that if the Village's project were to be abandoned to work on a new project, TSVI would work with the Village to help the Water Trust Board understand why the project was being changed. Administrator Fratrack said that an appeal could be made to the Water Trust Board to switch funding to a new project, and it might be successful. Fratrack also noted that beginning a new project would add more expense to the total cost. Talty said that TSVI would hold the Village harmless for expenditures made for the project so far.

Don Schieber, representing an investment group that recently purchased 70 acres in the Kachina area, expressed concern that the new proposed site would not provide adequate water pressure to the entire parcel that was purchased. Schieber said that water would need to be pumped uphill if the tank were to be moved to a lower elevation. Schieber suggested that the two best sites for the tank were the current site, or the previous site proposed by the Pattison Trust.

John Halley, Kachina area property owner, said that the Village's water master plan that has been in place for many years has served as the guidance for what could be developed in the Kachina basin. Halley suggested that a 5 million gallon tank might be a good idea for TSVI, but that it doesn't serve the Village's needs.

Patrick O'Brien, with FEI Engineers, said that the current plans might be able to be changed to minimize the easement disturbance at the current site. He informed the Council that the notice of award for the construction contract would need to be given by the end of the month. Mayor King suggested having a special Council meeting on June 29, 2017 in order to have time to gather more information.

MOTION: To table this item

Motion: Councilor Wittman

Second: Councilor Brownell

Passed: 4-0

G. Consideration to Approve the Request for \$3565.38 for the Town of Taos Landfill Recycling Operational Expenses Councilor Bennett reported that at the recent Landfill Board meetings, it has been announced that the Town of Taos Landfill Recycling Center is losing money. A Recycling Operations Fee Proposal was made to bill each of the participating municipalities an amount based on the tonnage that each entity takes to the landfill. The proposed fee for the Village of Taos Ski Valley would be \$3,565.38 annually.

Councilor Bennet reported that the Village's Public Works Department is budgeting this year for improvements and additions to the Village's recycling and will be applying for a large grant in the spring of 2018. She said that the Village expects to significantly reduce the tonnage being taken from the ski valley to the landfill. Councilor Bennett said that a Village goal is to reduce the volume of both recycled products and garbage taken to the landfill, and save money on both sides.

Councilor Stagg said that it is important to support the Town of Taos in its efforts to continue the recycling program.

MOTION: To Approve the Request for \$3565.38 for the Town of Taos Landfill Recycling Operational Expenses, for one year

Motion: Councilor Stagg

Second: Councilor Brownell

Passed: 4-0

H. Consideration to Approve the Amended and Restated Joint Powers Agreement (JPA) Concerning the Operations of the Taos Emergency Communications Center

Chief Bilardello said that in 2014, the Village approved the JPA for Central Dispatch Services. At that time, the Village agreed to "Article III – Finances, Section B. Initial Budget requires the Village of Taos Ski Valley to pay \$10,000.00 annually, or the pro-rata portion thereof for a partial fiscal year, such payments to be allocated to a reserve account." There was an E911 GRT approved through an election, but E911 GRT funding won't be utilized for operations until July 2018.

MOTION: To Approve the Amended and Restated Joint Powers Agreement (JPA) Concerning the Operations of the Taos Emergency Communications Center

Motion: Councilor Stagg

Second: Councilor Brownell

Passed: 4-0

I. Consideration to Approve New Village Vehicle Lockout and Recovery Policy

Chief Bilardello said that there is no existing policy pertaining to the unlocking of vehicle doors or towing/pushing vehicles which are stuck in the Village. Village legal counsel, along with members of the DPS and Public Works departments, has created a new policy and waiver form addressing this issue. The Village has determined that it is appropriate for the DPS and Public Works Departments to conduct vehicle rescue operations at the express request of a vehicle operator. Councilor Stagg thanked Chief Bilardello for looking at this issue again and coming up with a workable policy.

MOTION: To Approve the New Village Vehicle Lockout and Recovery Policy

Motion: Councilor Stagg

Second: Councilor Brownell

Passed: 4-0

J. Consideration to Approve Dominguez Trust Right-of-Way Exchange to Relocate Emma Road

Attorney Romero said that Roger Pattison is under contract to purchase two of the Dominguez Trust properties located in Amizette, and as a contingency to that purchase agreement, Pattison is requesting the approval of a right-of-way exchange to relocate Emma Street. This street appears on old plats, but does not exist on the ground. The exchange would involve the Village abandoning the platted right-of-way on the first section of Emma Road, from State Highway 150 to its intersection with the power line easement. In return for abandoning the Emma Street platted right-of-way, Pattison would convey to the Village a forty-foot wide easement over the Lot 6 road. The proposed exchange appears to involve an equivalent area of square footage. The road on Lot 6 provides access to several properties.

By New Mexico law, only the governing body of a municipality has the authority to abandon a street. This item was brought before the Village Planning & Zoning Commission, which voted unanimously to recommend approval for the

adjustment, vacation, and exchange of the easement platted as Emma Street for an easement on a portion of Lot 6 Block 3. All adjacent property owners were notified before this item was brought before the P&Z Commission. The Village's action would become effective only after confirmation of closing and conveyance of title to Pattison of the two Amizette lots so that the Village would receive the easement from Pattison as the owner of Lot 6 in exchange for its abandonment.

MOTION: To Approve the Dominguez Trust Right-of-Way Exchange to Relocate Emma Road

Motion: Councilor Wittman

Second: Councilor Brownell

Passed: 4-0

K. Consideration to Approve Closing Kachina Road to Summer Vehicular Traffic to Create a Kachina Park
Councilor Brownell said that he had met with the Parks and Recreation Committee to discuss closing Kachina Road to create a new Village Municipal Park. The suggestion is that during winter months Kachina Road would remain closed and no access would be allowed due to high avalanche risk. Once the danger of avalanche had passed, including spring snow melt with falling rocks, Kachina Road would be closed to through vehicular traffic so that it could be utilized by hikers and bikers, and for various pedestrian-friendly activities. With proper signage, a few parallel parking spaces could be designated at either end, with no parking allowed in front of the gate. A plan for emergency or scheduled access to Kachina Road could be ensured via a plan set forth with VTSV Public Works and Public Safety Departments. The committee unanimously agreed that this would be a benefit to the community. The Parks and Recreation Committee would immediately provide the necessary signage, doggie stations, and a few picnic tables and benches.

MOTION: To Approve Closing Kachina Road to Summer Vehicular Traffic to Create a Kachina Park, for an initial period of two years

Motion: Councilor Stagg

Second: Councilor Brownell

Passed: 4-0

L. Consideration to Approve **Resolution No. 2017-331** Approving the Budget Adjustment Request (BAR) for submission to the Department of Finance for the distribution balance of the Taos Mountain Lodge financing and for the closure of Judicial Fund 16

Staff is requesting a BAR in the amount of \$384,502.00 to update the Department of Finance with the Village's current financial position to account for the remaining reserves in an account with the NMFA from the Taos Mountain Lodge purchase. This BAR also includes moving the remaining fund balance in judicial fund 16 of \$956.95, to the general fund. The funds in this account were collected as parking fines, and are not restricted.

MOTION: To Approve Resolution No. 2017-331 Approving the Budget Adjustment Request (BAR) for submission to the Department of Finance for the distribution balance of the Taos Mountain Lodge financing and for the closure of Judicial Fund 16

Motion: Councilor Wittman

Second: Councilor Bennett

Passed: 4-0

M. Consideration to Approve **Resolution No. 2017-332** Rescinding Ordinance No. 2012-33 Personnel Ordinance, An Ordinance Adopting Amendments to Ordinance No. 2003-33

The Village Council adopted Ordinance No. 2003-33 to establish a personnel policy manual, and amended it by Ordinance No. 2012-33. Staff considers this to be a policy and that it should not be required to be a Village law. Rescinding the ordinance would create the possibility to make the Personnel Policy a living document, allowing staff to make updates for changes in state and federal regulations, omissions, obsolescence, ambiguities and other changes as needed. Changes would be presented to the Village Council. It is not required that a personnel policy be a part of an ordinance.

MOTION: To Approve Resolution No. 2017-332 Rescinding Ordinance No. 2012-33 Personnel Ordinance, An Ordinance Adopting Amendments to Ordinance No. 2003-33

Motion: Councilor Stagg

Second: Councilor Wittman

Passed: 4-0

N. Consideration to Approve **Resolution No. 2017-333** to Update the Village Personnel Policy to Include Outside Employment Disclosure for Village Elected Officials

According to section 10-16-4.2 NMSA on Governmental Conduct, Village elected officials are required to sign an outside disclosure form if they are engaged in employment in addition being members on the Village Council. Village staff and legal counsel have developed a new form to be used by elected officials. This is not a statement of a conflict of interest.

MOTION: To Approve Resolution No. 2017-333 to Update the Village Personnel Policy to Include Outside Employment Disclosure for Village Elected Officials

Motion: Councilor Stagg

Second: Councilor Wittman

Passed: 4-0

O. Council Acknowledgment and Approval of Out-of-State Travel for the Fire Department

The State requires that out of state travel be approved by the Council. The TSV Fire Department would like to send four officers to the International Fire Chiefs Association's Company Officer Leadership Symposium in Charlotte, NC in July to develop the necessary skills as fire department officers and leaders. All funding would be provided by and follows all guidelines of the NM State Fire Marshal's office. This training is not available in New Mexico.

MOTION: To Approve Out-of-State Travel for the Fire Department

Motion: Councilor Stagg Second: Councilor Bennett Passed: 4-0

14. MISCELLANEOUS

15. CLOSED SESSION

A. Discussion of the Acquisition of Real Property

This matter may be discussed in closed session under Open Meetings Act exemption 10-15-1(H) (8)

MOTION: To Convene to Closed Session

Motion: Councilor Stagg Second: Councilor Bennett Passed: 4-0

MOTION: To return to Open Session

No decisions or motions were made during closed session.

Motion: Councilor Bennett Second: Councilor Stagg Passed: 4-0

16. ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING OF THE VILLAGE COUNCIL

The next regular meeting of the Village Council is scheduled for Tuesday, July 11, 2017, at 2:00 p.m., at the Snakedance Condominiums Hondo Restaurant. A special meeting of the Council will take place on Thursday, June 29, 2017 at 2:00 p.m., at the Snakedance Condominiums Hondo Restaurant.

17. ADJOURNMENT

MOTION: To Adjourn.

Motion: Councilor Bennett Second: Councilor Wittman Passed: 4-0

The meeting was adjourned at 5:45 p.m.

Neal King, Mayor

ATTEST: _____
Ann M. Wooldridge, Village Clerk