



Village of Taos Ski Valley
PO Box 100, 7 Firehouse Road, Taos Ski Valley, NM 87525
(575) 776-8220 (575) 776-1145 Fax
E-mail: vtsv@vtsv.org Website: www.vtsv.org

**VILLAGE COUNCIL MEETING
DRAFT MINUTES
SNAKEDANCE CONDOS HONDO ESTAURANT
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, APRIL 14, 2015, 2:00 P.M.**

1. CALL TO ORDER & NOTICE OF MEETING

The regular meeting of the Village of Taos Ski Valley Council was called to order by Mayor King at 2:00 p.m. The notice of the meeting was properly posted.

2. ROLL CALL

Ann Wooldridge, Village Clerk, called the role and a quorum was present.

Governing Body Present

Mayor Neal King
Councilor Kathy Bennett
Councilor Chris Stagg
Councilor/Mayor Pro-Tem Barb Wiard

Governing Body Absent

Councilor Tom Wittman

Village Staff Present

Administrator Mark Fratrack
Finance Director Nancy Grabowski
Clerk Ann Wooldridge
Administrative Assistant Renee Romero
Public Works Director Ray Keen
Public Safety Director Dave Wallace
Planner Matthew Foster
Attorney Dennis Romero

3. APPROVAL OF THE AGENDA

Councilor Bennett requested that all future agendas include the Firewise Community Board of Directors under Committee Reports.

MOTION: To approve the agenda as presented

Motion: Councilor Wiard **Second:** Councilor Bennett **Passed:** 3-0

**4. APPROVAL OF THE MINUTES OF THE MARCH 3, 2015, AND THE MARCH 17, 2015
VILLAGE COUNCIL MEETINGS**

MOTION: To approve the minutes from the March 3, 2015, and the March 17, 2015 Village Council Minutes.

Motion: Councilor Stagg **Second:** Councilor Wiard

Councilor Bennett stated that various sentences and the Law Enforcement report was missing from the minutes. She requested that they be put back into the minutes. She also said a motion had been modified in the March 17th minutes, as well as the agenda title. Councilor Wiard said the Public Safety report was on the Village website to keep the minutes condensed. Discussion followed with a consensus that staff members produce the minutes. Councilor Bennett requested that the deletions be put back into the minutes.

MOTION: To approve the minutes from the March 3, 2015, and the March 17, 2015 Village Council Minutes as edited

Motion: Councilor Stagg

Second: Councilor Wiard

Passed: 3-0

5. CITIZEN'S FORUM – No one spoke at the forum.

6. FINANCIAL REPORTS

Director Grabowski reported she is working on the third quarter financial reports. GRT was \$200,123.07 for the month compared to \$165,940.26 at this time last year. GRT yearly total is up by \$254,000.00 since this time last year. Lodgers' Tax is up by about \$3,000 for the year as compared to year 2014. Water revenue is down by \$36,000.00. Staff is looking for leaks. Staff has had their budget meetings. Other discussion included the TIDD, Impact Fees, possible increase in water rates, and up to date computer software for the Public Works staff. Grabowski passed her CPO training.

7. COMMITTEE REPORTS

A. Planning and Zoning Commission

Councilor Stagg reported on the P&Z Commission meeting held on Monday, March 30, 2015. Planner Foster will rewrite the Master Plan. A discussion was held regarding specific road plans. Discussion on the conditional use for Parcel G included:

- 1) Condos vs. Hotel
- 2) Building height calculation change due to reconfiguration
- 3) Addition of a swimming pool

TSVI will have an update at the next P&Z meeting which will be held Monday, May 11, 2015 at 1:00 p.m. at the Snakedance Condos/restaurant.

B. Public Safety Committee

The Public Safety Committee met on Monday, March 30, 2015. Councilor Bennett reported on the following agenda items:

- Although not on the agenda, Councilor Bennett thanked all the generous donors who contributed to the Village EMS Department in reply to a letter sent to everyone. The Volunteer EMS Department collected \$17,847.00.
- The Firearms/hunting ordinance is in progress and on hold until the May meeting.
- Discussion and planning was done with the Chamber, TSVI, Public Safety, and Law Enforcement regarding the 4th of July festivities which will be held at the Bavarian.
- Sidewalk maintenance will be kept under Miscellaneous on the agenda for the next meeting.
- All emergency and regular traffic will access the Snakedance/St. Bernard/Edelweiss via Strawberry Hill, entering from the KK, for 14 weeks starting in July, while the culvert on Sutton Place is replaced.

Firewise Community Board of Directors

The Board met on Monday, March 30, 2015. Councilor Bennett reported on the following agenda items:

- The Village Wildfire Community Preparedness Day Grant is scheduled for Saturday, May 2, 2015. The Village was awarded a \$500 grant for the project to be done on May 2, 2015, which includes thinning property around the firehouse and the Village Offices as an example of defensible space. Councilor Bennett reported on the schedule for this project.
- The CWPP is being developed by Planner Foster. He has applied for a grant to help with the GPS system and wildfire scenarios.
- The Wildfire Evacuation Plan will be rewritten, with permission from TSVI, to use the KK as a destination in the event of a wildfire.
- The Slash pile location is TBD.
- The fire siren will be mounted on the VMF building and tested next week.
- A Firewise Communities Coalition is being formed with all firewise entities in Northern NM. This includes the Village of Taos Ski Valley.

Both meetings are scheduled for Monday, May 4, 2015 at 10:00 and 11:00 consecutively at the Snakedance Condos/restaurant.

C. Parks & Recreation Committee – No report

D. Lodgers' Tax Advisory Board

Councilor Stagg reported on the Lodgers' Tax Advisory Board meeting. He said the Board approved projects to be funded by Lodgers' Tax and Roger Mariani, Chair, will have this report for the budget meeting in May.

8. REGIONAL AND STATE REPORTS

Councilor Wiard announced an "Earth Day" celebration sponsored by UNM-Taos and KTAO radio to be held on April 22, 2015 from 4:00 p.m. to 8:00 p.m. at the KTAO radio station. Everyone is invited to attend. She reported on the Taos Regional Landfill Board meeting held on Wednesday, March 18, 2015.

- Permit Modification Update (sludge) – SMA following progress
- Attorney Dennis Romero approved for Parker litigation
- Mobile home declared as surplus and added to public auction
- Software RFP being written for scale house
- RAID (Recycling and Illegal Dumping) grant proposal submitted

The IGC (Intergovernmental Council of the Enchanted Circle) did not meet in March or April. The Landfill Board and the IGC meetings will be held on Wednesday, May 20, 2015.

Other meetings she attended included:

- March 3, 2015 – Del Norte Trails Coalition Community Forum at the KTAO Solar Center
- March 7-11, 2015 – NLC Annual Congressional City Conference, Washington, D.C.
President Obama opened the first general session.
- March 27, 2015 – NCNMEDD (Economic Development), Santa Fe
- April 7, 2015 – NMML District 2 with Mark Fratrack.
Self-Insurers' Fund: There will be no rate increase and the Village will receive \$11,187.00 credit.

Future Meetings:

- April 28, 2015 – DWI Grant Council, Santa Fe
- May 16, 2015 – NMML Budget Committee, Santa Fe
- June 6, 2015 – NMML Board Meeting

Councilor Wiard gave a 2015 Legislative Session summary:

- 192 bills passed both houses
- Lowest number of bills introduced in 25 years and lowest number passed since 1940.
- Hold Harmless – no fixes results with the possibility for largest GRT increase ever
- GRT Distribution Adjustments – compromise with Tax & Rev.
- No bills passed for capital outlay (\$270 million) – possible Special Session
- TIDD passed and signed for the Village of Taos Ski Valley

9. MAYOR'S REPORT

Mayor King said he will be involved in the Wildfire Community Preparedness Day thinning project scheduled for May 2, 2015, at the Firehouse. He is involved with the TIDD and equitable ways to determine the TIDD baseline. He is assisting Staff in revisiting their needs for computer systems. Mayor King said he will draft a letter to warn people about the summer construction.

10. STAFF REPORTS

Administrator Fratrack reported on the following:

- Townsite Act – An agreement letter from the Forest Service will be ready for review by the end of the month or early May.
- Capital Outlay – As the legislature did not pass any bills for capital outlay, none was distributed for new projects, including the Village request for the wastewater treatment plant (WWTP). He will be drafting a letter for the Mayor's signature to request the Governor authorize a Special Session for capital outlay requests.
- Funding Requests
 - Water Trust Board – The Kachina water tank application was submitted. It was decided to not submit the Gunsite Spring infiltration gallery request.
 - Clean Water State Revolving Loan Fund – An application for \$550,000 was submitted for the WWTP.

- Drinking Water State Revolving Loan Fund – An application for \$250,000.00 for leak detection and repair will be submitted.
- TIDD
 - Baseline calculations and graphs were distributed showing total GRT for 2008 through 2015.
 - Discussion was held regarding the TSVI construction GRT for 2014. Council will set the TIDD baseline at the May budget workshop with approval at the Council meeting. Councilor Stagg spoke with Chaz Rocky who said, “The TIDD is based on an estimate”. Budget planning is more challenging due to trying to forecast revenue because of the TIDD.
- FedEx/UPS – Package pick up at the Village office is time consuming. Due to the volume and time involved, other entities in the Ski Valley that might be interested in being designated as the FedEx/UPS drop off/pick up have been contacted. A pick up fee of perhaps \$3.00 may be charged.
- Water/sewer Fees Waived – Scott Lewis, 20 Cliff Hanger Loop, gutted his building in February 2014. A waiver of fees will be granted until he builds a new structure. Bill Sullivan, property owner, objected to this.
- Cell Service – A short term fix to help with capacity and continuity is now estimated for this summer. Coverage will be a bit more challenging because of cost and location of towers. During a discussion on cell towers, Councilor Stagg suggested a cell tower ordinance be considered.

Director Wallace reported on the March activity regarding Law Enforcement, EMS, and Fire. Calls for Service for the Month of March 2015 Report

Law Enforcement

- (53) Citizen Assists –
- (16) Vehicle Unlocks, (17) Vehicles Pull Outs, (18) Guest Assists, (2) Jump Starts
- (5) Residential Alarm Calls
- (2) Motor vehicle collisions
- (4) Agency Assists
- (2) Lost Property – (1) Recovered
- (43.5) Hours of Traffic Enforcement
- (9) Traffic Stops – (2) Citations, (7) Verbal Warnings
- (10) Parking citations
- (12) Hours of Traffic Control

Fire/EMS

- (2) Fire Responses – (1) Smoke Detector Activation, (1) Smoke Investigation
- (2) EMS Responses – (1) Shortness of Breath, (1) Unattended Death

SAR - None

Other Activity – None

Mayor King commended Chief Wallace and his staff for a great job during the winter ski season.

Director Scheiber and Rich Willson will have an office in the Command Post Trailer in the upper parking lot to be close to the construction with less travel to the Village Office for paperwork, etc.

Clerk Wooldridge is following up on the TIDD. She talked about the boundary of the TIDD vs. Land in the Village. There are businesses outside of the TIDD. CRS packages could differ.

11. OLD BUSINESS - None

12. NEW BUSINESS

A. Introduction: Ordinance No. 2015-38, Amendments to Ordinance #2004-38, an Ordinance Adopting Regulations for Water Use within the Village of Taos Ski Valley

The principal purpose of the revision is directed at mandating residential connection to the Village water system and eliminating, to the extent allowed by NM law, the use of water wells as a source of water for domestic use. Accordingly, the proposed revisions to this ordinance track recent changes in NM law relative to allowing a municipality to require the connection to its water system and also setting out the specific grounds by which a property owner may drill a well as an exception to the requirement. Staff recommends approval. This will require a first and second reading as Ordinance #04-38. Discussion followed.

Councilor Bennett asked for clarification on Section 17. Item F.1.: “The well shall be metered to Village specifications and monthly usage shall be recorded and reported annually to the Village planning director.” All residents in Block N have wells on their properties. When she needed to drill a new well in November 2014, the State Engineer’s office did not know where to obtain a meter, and scolded her for not reporting water usage. This issue has not been resolved.

No motion is needed on changes to the ordinance at this time, as the Public Hearing will be held next month.

B. Consideration to Approve Resolution #2015-283, a Resolution Concerning Governing Body Meetings and Public Notice Required

The Open Meetings Act resolution was adopted by the Council in January 2015. It has since been decided to hold regular Council meetings on the second Tuesday of the month.

MOTION: To approve Resolution #2015-283, a Resolution Concerning Governing Body Meetings and Public Notices

Motion: Councilor Wiard **Second:** Councilor Stagg **Passed:** 3-0

C. Consideration of Appeal and Discharge for Lodgers’ Tax Late Charge Penalties in FY 2015

Staff received a letter requesting relief of the lodgers’ tax late fee. The property owner is requesting that the Village waive these penalties. The Village auditors have recommended that the Village follow policy and that an appeal, on a case by case basis, should go to the Council for a decision. The Council voted to allow relief of 50% of the penalty to a previous homeowner for months when no rent had been collected.

MOTION: To approve Staff’s decision for a 50% reduction in the late fee as was done with previous homeowners

Motion: Councilor Stagg **Second:** Councilor Wiard **Passed:** 2-1
(Councilor Bennett voting Nay)

D. Mountain Pact Request for Village Support – Department of Interior Coal Valuation Letter

Mountain Pact represents mountain communities for environmental and economic resilience. They would like VTSV to sign on to a letter that requests coal leases on government land be at fair market value, whereas, the leases are going for an average of 12% below fair market value. By charging a fair market value, more revenue will flow back to communities and help support local schools, roads, and other priorities. Staff recommends Council authorize Mayor King to sign the letter.

MOTION: To authorize Mayor King to sign the letter

Motion: Councilor Wiard **Second:** Councilor Stagg **Passed:** 3-0

13. MISCELLANEOUS - None

14. ANNOUNCEMENT OF THE DATE, TIME AND PLACE OF THE NEXT MEETING OF THE VILLAGE COUNCIL

The next meeting of the Village Council is scheduled for Tuesday, May 12, 2015 at 9:00 a.m. for the scheduled Budget Workshop followed by the regularly scheduled Village Council Meeting on Tuesday, May 12, 2015 at 2:00 p.m. Both meetings will be held at the Snakedance Condos/restaurant.

15. ADJOURNMENT

MOTION: To Adjourn

Motion: Councilor Bennett **Second:** Councilor Wiard **Passed:** 3-0

Neal King, Mayor

ATTEST:

Ann M. Wooldridge, Village Clerk

