



Village of Taos Ski Valley
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VILLAGE COUNCIL REGULAR MEETING
DRAFT MINUTES
EDELWEISS LODGE CLUB ROOM
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, APRIL 11, 2017, 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 Christof Brownell
Councilor Chris Staggs
Councilor Tom Wittman, Mayor Pro Tem

Staff present:

Village Administrator Mark Fratrack
Village Clerk Ann Wooldridge
Finance Director Nancy Grabowski
Public Works Director Ray Keen
Police Chief Andrew Bilardello
Building & Construction Director Bill Jones
Administrative Assistant Renee Romero
Administrative Assistant Ruth Martin
Village Attorney Dennis Romero

3. **APPROVAL OF THE AGENDA**

MOTION: To approve the agenda as presented

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

4. **APPROVAL OF THE MINUTES OF THE MARCH 14, 2017 REGULAR VILLAGE COUNCIL MEETING**

MOTION: To approve the minutes as presented

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

5. **CITIZEN'S FORUM – Limit to 5 minutes per person (please sign in)**

6. **FINANCIAL REPORTS**

Director Grabowski reported that GRT remitted to the Village in March was \$204,130 compared to \$166,682 for March last year. Total year to date is \$1,130,556 versus last year's \$969,554, which is an increase of 17%. The TIDD received a distribution in March for January GRT of \$147,998.

Lodger's tax collections were \$70,033 versus \$76,593 for last year. Totals year to date are \$227,034 versus last year's \$257,134, which is a decrease of almost 12%.

Water/sewer revenues continue to be up, but only by 7.4% over last year. Property tax collections are up by 11.6%. The Public Works department is short by one employee, and interviews will start this week.

Director Grabowski will be attending the National GFOA conference in Denver in May, to which she received a scholarship. She will also be attending Certified Purchasing Officer training in May.

7. COMMITTEE REPORTS

A. Planning and Zoning Commission – P&Z met on Monday, April 3, 2017 at 1:00 p.m. at the Edelweiss Lodge Club Room. Commission Chair Wittman reported on the following agenda items:

- Review of the latest draft of the revised comprehensive plan, which lasted approximately two hours. The comments that had been given by the Commissioners were reviewed, and were either entered into the document or resolved in a different manner. Commissioners recommended a final edit of the document for remaining grammar, punctuation, and sentence structure resolution. Commission Chair Wittman and Clerk Wooldridge will perform the proofreading. It is necessary to hold a public hearing before final adoption of the comprehensive plan, which will hopefully occur at the next P&Z meeting.

The next P&Z meeting is scheduled for Monday, May 1, 2017 at 1:00 p.m. at the Snakedance Condominiums Hondo Restaurant. (Note: This meeting was later changed to May 11, 2017.)

B. Public Safety Committee – The Public Safety Committee met on April 3, 2017 at 10:00 a.m. Councilor Bennett reported on agenda items discussed:

- The Text Interactions program will be put in to use soon.
- New signs have been manufactured warning the public about the dangers of leaving trash out that could be found by bears. The signs will be posted around the community.

C. Firewise Community Board of Directors - The Firewise Community Board of Directors met on April 3, 2017 at 11:00 a.m. Councilor Bennett reported on agenda items discussed:

- The meeting that was held on March 27, 2017 at 3:00 p.m. at the Columbine Inn Conference Center with representatives from the Nature Conservancy and the Rio Grande Watershed Coalition to discuss tree thinning in Amizette this summer was a success. Peter Vigil from the Taos Soil and Water Conservation District (TSWCD) spoke about the cost-sharing program for creating defensible space. This is an 80/20 split program with the TSWCD for homeowners.
- A Firewise Community Education Day will be held this year on July 4th. A Firewise Preparedness day will not be held.

The next meetings of the Public Safety Committee and the Firewise Board are scheduled for May 1, 2017 at the Snakedance Condominiums Hondo Restaurant at 10:00 a.m. and 11:00 a.m., respectively.

D. Parks & Recreation Committee – The Parks & Recreation Committee met on March 28, 2017. Committee member Kerrie Pattison reported on the agenda items discussed:

- The disc golf course will be placed in the same location as last year, past Pioneer Glade along the Rubezahl return trail. Signage will be improved, and the course should be installed by mid-June. Maps will be available at the Chamber, Taos Sports, and Bumps.
- The Committee will propose to TSVI that the volleyball court be moved back to the base area by Chair 1. There is not enough room for the volleyball court, the entrance to the summer chairlift, and the cell tower up in the Kachina base area. In addition, they would like to bring activity back to the base area.
- The Village trash pick-up day will be held on June 1, 2017, with a Frito Pie lunch to take place afterwards at the Village Office.
- The Committee is concerned about the John Ramming (JR) Trail status because of the extensive flooding created by the large beaver dam in the Rio Hondo. A meeting will take place on April 13, 2017 with the Army Corps of Engineers, the U.S. Forest Service, Glorieta Geoscience, the Village, TSVI, and the Parks & Recreation Committee in attendance, to discuss the issue and possible solutions.
- Ms. Pattison reported that the trail was originally funded, in 1998, by a grant from the Federal Highway Administration through the National Recreational Trail Fund. The grant was written by Richard Holmes and Roger Pattison. The Pattison Trust donated land for the Hiker Parking in Kachina, as well as the pedestrian easements, as a match to the grant funds. Originally, the grant was to be used to relocate the Williams Lake Trail, as well as to create the JR Trail; however, no solution was found for relocating the Williams Lake Trail and so all of the funds were used for the JR Trail. The trail was built by Richard Holmes, Roger Pattison, Christof Brownell, and Paul Austing, as well as other members of the Parks & Recreation Committee at the time. According to the provisions of the grant, the trail must remain in place for public use for the duration of 25 years from the date of the original grant, or the money should be refunded.

E. Lodgers' Tax Advisory Board – a meeting will be scheduled soon to finalize the grants for this year. The Board would like to move both the application and the funding cycles so that they occur in the same fiscal year.

9. REGIONAL REPORTS

Councilor Bennett reported that the Landfill Board met in late March. The Board has set aside \$60,000 for the litigation concerning Parker Excavating. The Town of Taos is concerned about the high cost of running the recycling program, and is looking at options. The Intergovernmental Council met, and discussed the new requirements for the driver's license application process.

Councilor Bennett attended an E911 meeting in the Mayor's place. A new JPA will be required, which will be brought before Council for approval at the necessary time.

10. MAYOR'S REPORT

Mayor King said that he had recently attended the celebration of the fourth anniversary of the Rio Grande Del Norte National Monument, sponsored by the Rivers & Birds organization. Mayor King will be picking up trash along State Highway 150, as he does customarily in the spring. Everyone is welcome to join him in this effort. He reported that the Williams Lake Trail continues to have a lot of snow. Hikers should be prepared for this.

11. STAFF REPORTS

Mark Fratrack, Village Administrator reported on ongoing projects:

- Townsite Act – The next item that the Village must take care of will be to create easements with various entities through the property. TSVI has indicated that they would like an easement of an approximate ¼ acre to store vehicles and equipment.
- Taos Mountain Lodge – FEI Engineering continues to work on water and sewer line design and associated costs for Amizette. Staff has been looking at what improvements need to be completed on the buildings at the Taos Mountain Lodge. Hopefully, more information on building improvements, as well as a recommendation for water and sewer service at the site, will be ready by next month.
- Kachina Water Tank – A contractors' pre-bid meeting was held the previous week. Once bids are received, FEI and Village staff will review, interview if need be, and select a contractor. The recommendation will be presented at the next Council meeting for approval. A new easement with TSVI will be required because of TSVI's requested redesign and relocation of the project. The easement is a high priority for the Village, as construction is expected to begin this year.
- WWTP/WWTP Financing Options – Staff continues to work with the USDA on the application process. Final negotiations with Ovivo, the equipment vendor, are taking place in regards to contract language. The Village did not qualify for the \$3 million grant award through the Northeast New Mexico Economic Development District.
- EB Road – The appraisal process is moving along. Attorney Romero met with the appraiser and the new attorney specializing in easements. Attorney Romero said that the process will involve surveying, obtaining aerial maps, researching title documents, and other items, which could be costly.
- Improvements on Strawberry Hill – This expenditure was not forecasted, but staff will continue to coordinate with TSVI on how best to replace the Village's water and sewer lines as TSVI moves forward with regrading Strawberry Hill.
- Secretary of Defense Freedom Award – The Mayor, Councilors Bennett and Wittman, and Administrator Fratrack will be attending a luncheon for the Village having been nominated for the Secretary of Defense Freedom Award for 2017.

Department Briefs

- **Department of Public Safety Update.** Chief Bilardello reported that it was a busy month for the Village's law enforcement department. March activity: MVCs (4), Battery (2), Embezzlement (1), Residential Alarm (2), Property Damage (3), Larceny (2), Suspicious Persons/Vehicles (1), Citizen Assists (33), Traffic Enforcement Hours (30), Traffic Stops (11), Written Warnings(4), Verbal Warnings (12), Parking Citations (21), Assis to other Agencies (8), Trespass Warnings (1), Foot Patrol Hours (22), Welfare Checks (3), Civil Standby (1). Fire & EMS activity: Fire Calls (4), EMS Calls (5). The pond skimming event, which was very well-attended, caused a crowded parking situation at the Kachina base area. Chief Bilardello will approach TSVI about working in conjunction with the Village Department of Public Safety on big events. The end of ski season block party on Thunderbird Road was successful and well organized. The Police Department policy manual has been completed. Chief Bilardello will ask Attorney Romero to review it.

MOTION: To approve Amended and Restated Master Development Agreement (MDA) and Plan of Finance Exhibit, adopted by the Amended and Restated Resolution No. 2015-275 Approving the Application for Formation of the Village of Taos Ski Valley (VTSV) Tax Increment Development District (TIDD), etc.

Motion: Councilor Wittman Second: Councilor Bennett

Discussion followed. Chaz Rockey, with TSVI, said that if the Hold Harmless tax provision was the main item of contention, then he would remove it.

MOTION: To approve the amended Amended and Restated Master Development Agreement (MDA) and Plan of Finance Exhibit, adopted by the Amended and Restated Resolution No. 2015-275 Approving the Application for Formation of the Village of Taos Ski Valley (VTSV) Tax Increment Development District (TIDD), etc., excluding any mention of the hold harmless tax in the document

Motion: Councilor Wittman Second: Councilor Bennett

Further discussion took place, touching on several aspects of the document. Attorney Peter Franklin explained that the item stating that infrastructure that was built could be retroactively reimbursed was more of a legal requirement. An error was found in Exhibit E., and the \$440 million number will be changed to \$44 million. Chaz Rockey said that the cost of the Village's contribution for maintenance of the snowmelt system is estimated to come out at between \$7,000 and \$8,000 per month. However, language concerning maintenance agreements between the Village and TSVI will be included in an easement agreement, and are not in this MDA.

Administrator Fratrack said that the bond attorney who had recently been hired by the Village was also against adoption of the amended MDA.

MOTION: To call the question

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

The question was called and a vote taken on the previous motion. **Passed: 4-0**

D. Consideration to Approve Natural Gas Line Improvements and Related Portions of Underground Trench Improvements Dedication, Bill of Sale, Assignment of Permit Rights and Agreement, from Taos Ski Valley, Inc. to the Village of Taos Ski Valley

Once the MDA has been executed, this can take place. This has been presented to the Council on several occasions previously.

MOTION: To approve Natural Gas Line Improvements and Related Portions of Underground Trench Improvements Dedication, Bill of Sale, Assignment of Permit Rights and Agreement, from Taos Ski Valley, Inc. to the Village of Taos Ski Valley

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

E. Consideration to Approve Natural Gas Line Improvements and Related Portions of Underground Trench Improvements Assignment of Infrastructure and Permit Rights, from the Village of Taos Ski Valley to NM Gas Company

MOTION: To approve Natural Gas Line Improvements and Related Portions of Underground Trench Improvements Assignment of Infrastructure and Permit Rights, from the Village of Taos Ski Valley to NM Gas Company

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

13. NEW BUSINESS

A. Introduction of FY 2018 Budget

As per State Statute, the Village is required to have an introduction of the draft budget for FY2018. The draft budget must be submitted to DFA by June 1, 2017. An open workshop to discuss the budget was held on April 11, 2017 at 9:00 a.m. At a Council meeting in the next few months, a public hearing will take place when residents will be able to comment on the budget, before consideration to approve the final budget by resolution. No action is needed at this time.

B. Consideration to Approve Raise for Chief of Police as per his Position Offer Letter

As part of the Chief of Police position offer letter, Chief Bilardello was offered an incentive pay raise, after a six month period. Six months is the standard probationary period for all other VTSV new employees, except law enforcement officers.

Administrator Fratrack recommended approval of the raise, retroactive to Chief Bilardello's six-month tenure with the Village. Director Grabowski said that in the Attorney General's opinion, retroactive pay and bonuses are not permissible. Chief Bilardello would be eligible for a possible 4% increase as of July 1, 2017, along with the other employees.

MOTION: To approve an increase of \$5,000 for the Chief of Police after a review has been completed.

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

14. 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, May 9, 2017, at 2:00 p.m., at the Snakedance Condominiums Hondo Restaurant.

18. ADJOURNMENT

MOTION: To Adjourn.

Motion: Councilor Wittman

Second: Councilor Bennett

Passed: 4-0

Neal King, Mayor

ATTEST: _____
Ann M. Wooldridge, Village Clerk