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#### VILLAGE COUNCIL REGULAR MEETING DRAFTMINUTES SNAKEDANCE CONDOMINIUMS HONDO RESTAURANT TAOS SKI VALLEY, NEW MEXICO TUESDAY, MAY 9, 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 Stagg Councilor Tom Wittman, Mayor Pro Tem

#### **Staff present:**

Village Administrator Mark Fratrick 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 Bennett Passed: 4-0

#### 4. APPROVAL OF THE MINUTES OF THE APRIL 10, 2017 VILLAGE COUNCIL WORKSHOP, the APRIL 11, 2017 VILLAGE COUNCIL WORKSHOP, and the APRIL 11, 2017 REGULAR VILLAGE COUNCIL MEETING MOTION: To approve all minutes as presented Motion: Councilor Wittman Second: Councilor Stagg Passed: 4-0

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

Matt McCole, manager of the Sierra del Sol Condominiums asked if the Council would consider a request for relief from the lodgers' tax late fee for April. Mr. McCole said that he mailed the Sierra del Sol lodgers' tax report from the Box Canyon post office's outside mail box on April 25, 2017. The envelope did not get date-stamped until April 26, 2017. Village staff wrote a letter to the Sierra del Sol asking for payment of the minimum late fee of \$100. This item will be placed on the June Council agenda for consideration.

#### A. Presentation of summer plans in the Kachina base area, by John Castillo, TSV, Inc. Mr. Castillo was not available for the meeting, but Councilor Stagg explained that TSVI's plan is to develop some landscaping between the Bavarian and Lift 4. The cell tower will be staying in place over the summer.

Lift 4 will be running seven days a week starting in mid or late June. The volleyball court will be set up at Lift 1 in the base area. Eventually, the fire substation will be moved.

# 6. FINANCIAL REPORTS

Director Grabowski reported that GRT remitted to the Village in April was \$165,451 compared to \$180,838 for April last year. Total year to date is \$1,296,008 versus last year's \$1,150,392, which is an increase of 13%. The TIDD received a distribution in April for February GRT of \$99,950.

Lodger's tax collections were \$81,036 versus \$71,244 for last year. Totals year to date are \$308,070 versus last year's \$328,378, which is a decrease of just over 6%.

Water/sewer revenues continue to be up, by 8.2% over last year. Software expenses are up because of beginning the installation of the Tyler Incode Accounting software. Small equipment expenses are up, as the Fire Department has been purchasing supplies to get updated.

The Public Works department hired a new Laborer/Equipment Operator named Gabriel Vasquez who started on April 23, 2017.

## 7. COMMITTEE REPORTS

**A. Planning and Zoning Commission** – P&Z did not meet on May 1, 2017, but will meet on May 11, 2017 at 1:00 p.m. at the Snakedance Condominiums Hondo Restaurant. Commission Chair Wittman said that a public hearing will be held to adopt the Comprehensive Plan, which is in the final editing stage.

**B. Public Safety Committee** – The Public Safety Committee met on May 1, 2017 at 10:00 a.m. Councilor Bennett reported on agenda items discussed:

• The Village will be working with TSVI to replace the existing trash cans in the base area with the least expensive bear-proof dumpster.

**C.** Firewise Community Board of Directors - The Firewise Community Board of Directors met on May 1 2017 at 11:00 a.m. Councilor Bennett reported on agenda items discussed:

- A firewise letter concerning initiating tree thinning on private property was recently sent to all property owners in the Village limits.
- A Firewise Community Education Day will be held this year on July 4<sup>th</sup>. A Firewise Preparedness day will not be held.
- The U.S. Forest Service will start forest thinning along Highway 150 after Memorial Day.

The next meetings of the Public Safety Committee and the Firewise Board are scheduled for June 5, 2017 at the Snakedance Condominiums Hondo Restaurant at 10:00 a.m. and 11:00 a.m., respectively.

### D. Parks & Recreation Committee

**E.** Lodgers' Tax Advisory Board – a meeting was not held, but letters were sent out to past recipients of lodgers' tax grants concerning next year's funding cycle.

# 9. **REGIONAL REPORTS**

Councilor Bennett and Mayor King attended the Landfill Board and the Intergovernmental Council (IGC) meetings in April. Operating costs of the recycle center are increasing, while revenue is going down. The Town of Taos has developed a plan for the participating entities in Taos County that use the landfill and the recycle center to subsidize the cost of the recycle center, based on the amount of waste taken to the landfill. The Village of Taos Ski Valley's portion is 1% of the total tonnage accounted for at the landfill. Using the methodology for making the calculations, the recycling fee proposal comes to \$8.57 per ton, so the Village's annual cost would be \$3,565.38. It was announced at the IGC meeting that the road through Pilar will have intermittent one-lane closures from August to November, as NM Gas Company lays new natural gas lines in the canyon.

#### 10. MAYOR'S REPORT

Mayor King said that the water pressure was noticeably low while they were fighting the recent house fire. The new Kachina Water Tank is a definite necessity.

#### 11. STAFF REPORTS

#### Mark Fratrick, Village Administrator reported on ongoing projects:

• Townsite Act – There is no update from the Forest Service on status of the process.

- Taos Mountain Lodge Staff is moving forward with the holding tank concept since the Village does not have funding in place at this time to run utility lines and install a lift station. The holding tanks will be traffic-rated so that cars can drive over them. Building & Construction Director Jones will be heading up the remodeling and improvements. Director Jones said that he is getting plumbing estimates for a new boiler, as well as for the holding tanks. He and Building Inspector Rich Willson have been talking to some local architects about designing and producing the drawings. Jones has overseen the Village Public Works staff that has assisted by removing the fireplaces in the units, and also the carpeting and furnishings in the house. Patrick O'Brien, with FEI Engineers, said that he has been working on a conceptual design for water and sewer lines in Amizette, both to just the Taos Mountain Lodge, and also to all of Amizette. It appears to be a very costly endeavor. Administrator Fratrick said that Village will plan to install lines within the next ten years, but not at this time. Mayor King noted that it would be useful to install a fire hydrant near the treatment plant when that occurs.
- Kachina Water Tank:
  - a. Contractors' bids have been received. A recommendation to award the bid will be presented later in the meeting.
  - b. FEI Engineers and Village staff continue to work with TSVI on the requested redesign and relocation of the project. FEI and staff had a conference call to try to work through and address TSVI's concerns.
  - c. As stated last month, the easement is a high priority for the Village and it is not possible to drag out the timing if construction expectations are to be met this year.
  - d. Fratrick is estimating a budget shortfall for the Kachina Water Tank project. The cost overrun should just be about 10% of the total cost. Patrick O'Brien noted that this is not surprising, since the application was submitted in 2013, and costs have increased since that time. The Drinking Water Revolving Fund could be a possible source of additional funding.
- WWTP/WWTP Financing Options Staff continues to work with the USDA on the application process. Staff is in the final stages of preparing the application for submission. The amount requested will be \$8 million.
- Ernie Blake Road Appraisals have been completed, and are in final review. Next steps to be decided.
- Improvements on Strawberry Hill Staff had a conference call with TSVI and the engineers on utility line locations and planning. Staff is recommending that the relocation and improvements to Village utility lines on Strawberry Hill be considered an authorized TIDD project. Councilor Wittman noted that there is \$2 million in the latest TIDD finance plan for Strawberry Hill improvements.
- NM Gas Co Staff has coordinated a meeting scheduled for the following week with the NM Gas Company. Further clarification on the credits and matching funds reveals that the credits will be available until used, however the matching funds have a five-year life span. Once the matching funds are secured, then there is an additional 5year window in which the funds would need to be expended. NM Gas has had \$3.2 million in requests so far for the \$10 million in economic stimulus funding available, inclusive of the Village's request. The Village's funding application is earmarked for now. Until the \$10 million is spoken for, the Village can roll over its application and still secure funding.

# **Department Briefs**

- **Department of Public Safety Update:** Chief Bilardello reported that it will no longer be possible for the Village to carry over the Law Enforcement funds from one year to the next, in order to save enough for a new vehicle, as was done in the past. He would like to either remove the expenditure for the vehicle tag reader and use that money to purchase another new police vehicle, or else supplement the law enforcement funds with money from the general fund in order to purchase a new vehicle for Officer Vigil.
- Fire Department: Chief Daniels reported on the recent house fire on upper Twining Road. He said that there was great cooperation from many entities that came to assist. Daniels will be bringing a request for out-of-state travel to the Council for several firefighters.
- **P&Z Update:** Director Jones said that the comprehensive plan and a land exchange in Amizette will be brought to P&Z on May 11, 2017.
- **Public Works Department:** Director Keen said that he has been busy planning for the Kachina water tank construction, as well as water and sewer line relocations and upgrades on Strawberry Hill. He has met with TSVI on enhancements to the Village's recycling program, and possibilities include purchasing a food digestion machine and a solar-powered cardboard baler. He hopes to reduce the Village's reliance on Waste Management. Keen hopes that the Village will not have to increase payments to the Town of Taos, although Councilor Stagg noted that if the Town is trying to improve its recycling program, it is good for everyone. The community needs to be educated in order for recycling to be effective, without the containers becoming contaminated. Stagg thanked Keen for working with TSVI, and commended the Public

Works staff on doing a good job. Keen said that the recent fire made the green water tank drop 6 and a half rungs in order to supply a water flow of 85-90 gallons per minute.

Village Clerk: Clerk Wooldridge said that staff has been working with Chairman Kett of the Parks & Recreation • Committee to get the word out about the trash pick-up day on June 1, 2017. A Frito pie lunch will follow at 12:30 p.m. at the Village Firehouse. All are invited to participate.

Roger Pattison asked Administrator Fratrick about whether the natural gas lines would be extended throughout the Village. Fratrick said that if the Village could not come up with the \$1 million necessary for the line extensions, then possibly homeowners could put together some line extension agreements. The biggest initial challenge is to access Twining Road. The Amizette area has access to the natural gas lines, at least those properties along Highway 150. Fratrick will inquire at NM Gas about the timing for access to the lines from the rear lots.

#### 12. **OLD BUSINESS**

#### **NEW BUSINESS** 13.

A. Consideration to Approve <u>Resolution No. 2017-330</u> Approving the Termination of Judicial Fund 16 with a Transfer of the Remaining Fund Balance to the General Fund 03

There is currently no court function within the Village, which was the original reason for the Judicial Fund 16. In reviewing the history of the fund, there has been no activity since fiscal year 2006. Staff has continued to budget \$200 of expenses annually to fund 16. This was done in case there was an arrest within the Village and the prisoner was taken to Taos County Jail. The county could then bill the Village for this service. The Village can budget via the Law

Enforcement Fund 04 which is supported by the general fund for this service. Therefore staff is requesting closure of the Judicial Fund 16 and a transfer of the remaining fund balance of \$956.95 to the general fund.

MOTION: To Approve Resolution No. 2017-330 Approving the Termination of Judicial Fund 16 with a Transfer of the Remaining Fund Balance to the General Fund 03 Passed: 4-0

**Motion: Councilor Stagg Second: Councilor Brownell** 

B. Council Acknowledgement of the 3rd Quarter Financial data submitted to the Department of Finance, Local Government Division in April 2017

As per the Department of Finance, Local Government Division, the Village is required to submit quarterly financial information no later than 30 days after the close of each quarter. Staff is submitting this report to the Council for their review and acknowledgement of the financial status of the Village as of March 31, 2017.

# MOTION: To Acknowledge the 3rd Quarter Financial data submitted to the Department of Finance, Local **Government Division in April 2017**

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

C. Consideration to Approve Bid Award for the Kachina Water Tank Project

The Village put forth an RFP for contractors for the Kachina Water Tank Project, with assistance from FEI Engineers. The Village received three responsible proposals for the project. After review of the documents, FEI Engineers is recommending RMCI from Albuquerque, NM, the low bidder with a bid of \$2,070,279.50, to be awarded this contract. MOTION: To Approve Bid Award for the Kachina Water Tank Project

#### Motion: Councilor Wittman **Second: Councilor Brownell**

Councilor Stagg asked whether this was the correct action to take at this time, considering the 10% loan amount, the \$328,000 match required, and the contribution of \$200,000 of TIDD resources, all for the \$1,640,000 grant by the Water Trust Board. He said that there are still concerns with the site for the tank, as well as the capacity, and also the relocation placement of the Williams Lake Trail. Councilor Wittman noted that there were 68 applicants for Water Trust Board funds at the time that the Village applied, and only 16 communities were awarded grants, while 52 were denied. He said that the cost overrun is not a big deal, but that the Kachina area water tank is a necessity.

Discussion followed. All reimbursements made to date by the Water Trust Board, approximately \$200,000, would need to be paid back if the original project were changed.

Mayor King called the question. Passed: 4-0

D. Council Acknowledgment and Approval of Out-of-State Travel for the Public Works Department

The Village purchased a Larue snow blower this year, and recently some blades were damaged. There was an attempt to repair the equipment in-house, but this piece of equipment is under warranty. Rather than risk losing the warranty it was decided to bring it to Denver to Kois Brothers, the authorized service representative. On May 3, 2017, two public works

employees took the snow blower to Denver, with prior authorization from the Mayor and Village Administrator. Once the equipment is repaired, two public works employees will be going back to Denver to pick up the equipment. MOTION: To Acknowledge and Approve Out-of-State Travel for the Public Works Department Motion: Councilor Stagg Second: Councilor Brownell Passed: 4-0

#### **13. MISCELLANEOUS**

**A.** Fire Chief Daniels thanked Mrs. Sheila Duffy for bringing food to the firefighters during the recent fire. Mrs. Duffy thanked the manager of The Blake, Eduardo, who graciously donated the food.

# 14. CLOSED SESSION

 A. Discussion of Limited Personnel Matters

 This matter may be discussed in closed session under Open Meetings Act exemption 10-15-1(H) (2).

 MOTION: To Convene to Closed Session

 Motion: Councilor Stagg
 Second: Councilor Brownell

 Passed: 4-0

 MOTION: To return to Open Session

 No decisions or motions were made during closed session.

 Motion: Councilor Stagg
 Second: Councilor Brownell

 Passed: 4-0

# 15. 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, June 13, 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

ATTEST:\_

Neal King, Mayor

Ann M. Wooldridge, Village Clerk