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**VILLAGE COUNCIL REGULAR MEETING
DRAFT MINUTES
SNAKEDANCE CONDOMINIUMS
HONDO RESTAURANT
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, JUNE 14, 2016, 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 Fratrack
Village Finance Director Nancy Grabowski
Village Clerk Ann Wooldridge
Public Works Director Ray Keen
Interim Public Safety Director Sam Trujillo
Village Planner Matthew Foster
Village Attorney Dennis Romero

3. APPROVAL OF THE AGENDA

MOTION: To approve the agenda as written

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

4. APPROVAL OF THE MINUTES OF THE MAY 10, 2016 BUDGET WORKSHOP and the MAY 10, 2016 REGULAR VILLAGE COUNCIL MEETING

MOTION: To approve the minutes from the May 10, 2016 Budget Workshop and the May 10, 2016 regular Village Council Meeting as presented.

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

5. CITIZEN'S FORUM

Jerome de Bontin spoke about his opposition to the proposed realignment of Ernie Blake Road. Mr. de Bontin said that he hopes that there is still a chance for common sense to prevail in making this decision. He told the Council that his main concerns, among others, were that the road realignment would be unsafe, would be detrimental to neighboring property owners, would not be the best option for the public, and that there was no due process.

Amu Duncan, manager for the Powderhorn Condominiums, expressed concern for the grade of the proposed Ernie Blake Road realignment, and asked whether the final plan could be taken to a vote.

6. FINANCIAL REPORTS

Director Grabowski was out on vacation. Clerk Wooldridge reported that GRT remitted to the Village in May was \$201,624 compared to \$231,566 for May last year. Totals are \$1,352,016 versus last year's \$1,299,099. The TIDD received a distribution in May for March GRT of \$417,340. Total TIDD GRT received to date totals \$1,477,783. The 455 reports for the first quarter of 2016 that list which businesses are reporting under the old Village code instead of the new TIDD location code of 20-430 have recently been sent by NM Tax and Revenue.

Lodger's tax collections were \$3,250, versus \$5,450 for last year. Totals for the year are up by 6%, at \$331,629 over last year's \$311,629. Substantial late payments were made in this fiscal year, so revenues are actually ahead by \$7,741 year over year.

Impact fees for one residential project have been collected, and hopefully, the impact fees from the Parcel G project can be settled on and collected before fiscal year-end. There should be one reimbursement from the Water Trust Board by end of fiscal year. The audit contract has been approved by the State Auditor's office.

Two public works employees tendered their resignations in early June. Advertising for replacement staff will take place after final determination on the salary survey. Interviews for the police chief and the building inspector will take place soon.

7. COMMITTEE REPORTS

A. **Planning and Zoning Commission** – P&Z met on Monday, June 6, 2016 at 1:00 p.m.

Commission Chair Wittman reported on the following agenda items:

- A public hearing was held for a conditional use permit for modular construction at Lot 1, Block L of the O.E. Pattison Subdivision. 3 people spoke in favor, none against. The permit was approved.
- Discussion continued about the access easement being sought by John Kammerdiener across Village land in Block F to Lot 4, owned by Mr. Kammerdiener. Attorney Romero has looked into the value of any easement and the rules surrounding the Village granting such an easement to a private property owner. If the Village grants an easement, Mr. Kammerdiener will have the access road engineered and get Village approval.
- Zehren & Associates is designing a standard for way-finding signs that will be used around the Village.
- The draft amended sign code, which Planner Foster presented with more suggested changes. This will be presented to Council as an amendment to Ordinance 16-30.
- The second draft of the Community Wildfire Protection Plan (CWPP) was adopted by resolution, and the P&Z encouraged the Council to also adopt it.
- Redesign of Ernie Blake Road continues to be discussed. The Commission voted in favor of keeping with their previous recommendation of option #1 of the 2014 Russell Engineering schematics as the best choice.

The next P&Z meeting is scheduled for Monday, July 11, 2016 at 1:00 p.m., at the Snakedance Condominiums Hondo Restaurant.

B. Public Safety Committee – The Public Safety Committee did not meet. A meeting may be scheduled for later in June, otherwise the next one will take place on Monday, July 11, 2016 at 9:00 a.m. at the Village Office.

C. Firewise Community Board of Directors - The Public Safety Committee did not meet. A meeting may be scheduled for later in June, otherwise the next one will take place on Monday, July 11, 2016 at 10:00 a.m. at the Village Office.

D. **Parks & Recreation Committee**

Administrator Fratrack read a report from Katherine Kett, Chair of the committee, on recent activity:

- The disc golf course has been set up with 18 holes starting near the base of chair #1.
- The volleyball court is ready for use with balls held with the attendant at the base of chair #4
- Kachina picnic area by the wetlands will have a new picnic table and bench set up this summer
- Two cornhole games have been purchased; one of them will be set up by the Bavarian

E. Lodgers' Tax Advisory Board – no report

8. REGIONAL AND STATE REPORTS

Councilor Bennett reported on the following items:

- The Landfill Board budget has very little detail being given on any of the items listed.
- The latest JPA under which the Landfill Board operates does not seem to have been signed by all of the participating entities.
- The IGC is a good venue for sharing information with all of the Enchanted Circle municipalities. All towns are working on their budgets at this time.

9. MAYOR'S REPORT

Mayor King reported that he had been participating on the interview committees for new Village personnel.

10. STAFF REPORTS

A. Mark Fratrick, Village Administrator reported on ongoing projects:

- Townsite Act – The process appears to be moving along. Red Tail Surveying has preliminary surveys done for Forest Service and Village approval.
- Communication Tiger Team – Staff is holding off on setting up a Team until later.
- TIDD Improvements Dedications – Staff will okay the dedication of the TIDD improvements to the Village, which includes the alley between the Snakedance and St. Bernard Hotel. There still needs to be some discussion on maintenance and operational upkeep expectations and the responsible parties.
- Taos Mountain Lodge (TML) Financing – The Village is only waiting on the septic permit and variance. Estimated closing date is June 24th, 2016, although a request has been made to push it to July 1st or 8th so that it will be in the new fiscal year.
- RTD Meeting – A meeting was held on Jun 2, 2016 to discuss the next year's schedule. The estimated dates for buses to run will be December 16, 2016 to March 26, 2017.
- Beausoleil – There have been some issues with post-winter cleanup and the fencing.
- Building Construction Director & Police Chief – All resumes have been reviewed. Both candidate pools have been narrowed down to six candidates. A few candidates withdrew after reviewing the salary range. There are now three candidates for Police Chief and four candidates for the Building and Construction Director.
- The Mountain Pact Coal Reform – They are organizing a sign-on letter to send to the Department of the Interior. The Village will sign it.
- Plan Review and Residential Building Inspection Back Up – The Village will send Planner Foster to the school and then he will be mentored by Code Enforcement Officer Willson while Foster works towards getting certified.
- National Joint Powers Alliance (NJPA) procurement – Staff is researching the NJPA to see if it meets NM State procurement regulations. The NJPA is a service cooperative that provides regional support programs and national cooperative purchasing contracts to all levels of government.
- There is the possibility of needing a special Council meeting towards the end of June to okay a contract for engineering services for the wastewater treatment plant expansion..
- July 4th festivities and the Village's 20th birthday party will be held by the Bavarian. The Village has asked for help in parking cars.

Department Briefs

- **Department of Public Safety Update. Interim Public Safety Director Trujillo reported on April activity:**
- Law Enforcement: (3) Citizen Assists, (10) Hours of Traffic Enforcement, (2) Traffic Stops, (2) Verbal Warnings, (3) Citizen Assists, (2) Agency Assist, (1) MVCs, (13) Parking Citations, (1) Residential Alarm
- Fire/EMS: (0) Fire Responses, (1) EMS Response
- SAR: (1) Search and Rescue Mission – assisted State Police with an overdue hiker search
- There is still discussion of allowing ATVs on Village roads.
- **Planning Department:** Planner Foster announced the open house meetings that he will hold on July 2nd and 3rd at Taos Ski & Boot to discuss the comprehensive plan. He has been working on firewise programs, as well as on

recreational trails planning, in addition to his other duties. Administrator Fratrack complemented Foster on his hard work completing the comprehensive plan.

11. OLD BUSINESS

A. PUBLIC HEARING: Consideration to Approve Ordinance No. 2016-57 Proposed Natural Gas Distribution Franchise Agreement with New Mexico Gas Co, Inc. (NMGC)

Mayor King opened the Public Hearing: Roger Pattison spoke in favor of the franchise agreement which may assist in installing gas lines throughout the Village. No one spoke against. The Public Hearing was closed.

MOTION: To Approve Ordinance No. 2016-57 Proposed Natural Gas Distribution Franchise Agreement with New Mexico Gas Co, Inc. (NMGC)

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

12. NEW BUSINESS

A. Presentation of State Highway 150 Trench Update and PID Introduction, by Chaz Rockey

Mr. Rockey explained that the Highway 150 trench has cost more than expected, at \$14.5 million. More funds could be sought by establishing a Public Infrastructure District (PID). PID assessments on Village core area properties could raise an estimated \$3.5 million. With the Village being the agent for the natural gas credits, those credits can be pooled to fund greater expansion of the lines around the Village. It is expected that for The Blake and the Resort Center alone, a savings of \$519,000 annually will be realized. The service lines should cost around \$800 to \$1,000 per condominium unit or house.

B. Consideration to Approve the Townsite Act Plat Survey

MOTION: To Authorize the Village Administrator to approve the final survey plat for the wastewater treatment plant Townsite Act property

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

C. Consideration to Approve a Professional Services Contract with Geographic Innovations for Design and Implementation of a Geodatabase

Staff is requesting approval of a contract with Geographic Innovations as the Village's GIS consultant to design a geodatabase as a central repository of maps and mapping data related to land use and zoning. The Village published a Request for Proposals and received and evaluated the two proposals.

MOTION: To Approve a Professional Services Contract with Geographic Innovations for Design and Implementation of a Geodatabase

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

D. Consideration to Approve Resolution No 2016-310 Adopting the Village of Taos Ski Valley Community Wildfire Protection Plan

Planner Foster presented the plan which shows how the Village will protect itself in the event of a wildfire. This plan has received approval from the P&Z Commission, the Nature Conservancy, and Taos County. If the State Forestry Fire Task Force adopts it, then it would be official and make the Village eligible for grants for such things as fuel treatments.

MOTION: To Approve Resolution No 2016-310 Adopting the Village of Taos Ski Valley Community Wildfire Protection Plan

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

E. Introduction: Amendments to Ordinance No. 2016-30 Adopting Zoning Regulations and a Zoning Map for the Village of Taos Ski Valley, for Section 8.6 Sign Permits

The sign permit amendments have been discussed extensively at P&Z meetings. As this is the introduction of the amendments to the ordinance, no action was taken.

F. Introduction: Ordinance No. 2017-58 Adopting Water, Sewer, and Trash Rates for Fiscal Year 2017

This ordinance adopts the utility rates that were presented with the FY 2017 budget. As this is the introduction of the ordinance, no action was taken.

G. Discussion and Confirmation of P&Z Commission recommendation on Ernie Blake Road design.
The P&Z Commission discussed the Ernie Blake Road realignment at its June 6, 2016 meeting and voted to remain in favor of its earlier choice of option #1 of the Russell Engineering design options presented in 2014. This option was adopted by resolution of the Council when it adopted the roadway improvement plan of the revised comprehensive plan. More details need to be understood before moving forward. Discussion took place, with many citizens expressing concern that the public be involved in the process of decision-making on this topic. Many citizens expressed hope that all involved parties could work together for an agreeable solution. Russell Engineers will be involved in determining the best final design.

13. MISCELLANEOUS

14. CLOSED SESSION

A. Discussion of Threatened or Pending Litigation for system development fees

This matter may be discussed in closed session under Open Meetings Act exemption 10-15-1(H)(7) which allows for discussion of threatened or pending litigation.

MOTION: To go to Closed Executive Session

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

MOTION: To return to Open Session

No decisions or motions were made during closed session.

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

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

The next regular meeting of the Village Council is scheduled for Tuesday, July 12, 2016, at 2:00 p.m., at the Snakedance Condominiums Hondo Restaurant.

15. ADJOURNMENT

MOTION: To Adjourn.

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

The meeting was adjourned at approximately 4:30 p.m.

Neal King, Mayor

ATTEST:

Ann M. Wooldridge, Village Clerk