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VILLAGE COUNCIL REGULAR MEETING
MINUTES
EDELWEISS LODGE CLUB ROOM
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, APRIL 10, 2018, 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 Brownell at 2:00 p.m. The notice of the meeting was properly posted.

2. **ROLL CALL**

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

Governing body present:

Mayor Christof Brownell
Councilor Jeff Kern
Councilor Roger Pattison
Councilor Chris Stagg
Councilor Tom Wittman

Staff present:

Village Administrator Mark Fratrick
Village Clerk Ann Wooldridge
Finance Director Nancy Grabowski
Public Works Director Ray Keen
Police Chief Sam Trujillo
Building Inspector Rich Willson
Administrative Assistant Renee Romero
Administrative Assistant Christina Wilder
Village Attorney Dennis Romero
Fire Chief Mitch Daniels

3. **APPROVAL OF THE AGENDA**

Councilor Wittman requested that item 12. C. be removed from the agenda as discussions were still taking place.

MOTION: To approve the agenda as amended

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

4. **APPROVAL OF THE MINUTES OF THE MARCH 13, 2018 VILLAGE COUNCIL REGULAR MEETING**

MOTION: To approve the minutes as presented

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

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

A. Discussion of the Village July 4th 2018 Celebration

Colleen Durocher with the VTSV Chamber of Commerce said that a Committee had met to discuss the details of July 4th festivities. They are planning for a Block Party celebration with a band, to be held at the TSVI Plaza. No parade is planned this year since the chairlift would not be running and because the celebration would be taking place just at the Plaza. She said that they hoped to have around 200 people, as in past years. Neal King said that the parade was always a good thing to have. Kaela Gillum from TSVI said that perhaps a non-motorized parade could take place with the school and camp groups, if someone would be interested in taking the lead on planning it.

B. Neal King said that he was building an online web site called “TSV Reporter” where he would report on news and his version of goings-on in Taos Ski Valley. He asked if the Council would allow an e-blast to be sent out announcing the web site as well as something to be inserted in the utility bills.

6. FINANCIAL REPORTS

Finance Director Grabowski reported that GRT remitted to the Village in March was \$212,960 compared to \$204,130 for March last year. Year-to-date GRT total is \$1,092,352 versus \$1,130,557 for last year. The TIDD received \$7,259 in GRT in March for January collections.

Lodger’s tax collections in March were \$68,454 versus \$70,033 for last year. Year-to-date total is \$270,439 versus last year’s \$227,034.

\$21,753 in Hold Harmless GRT revenues were received in March. Year-to-date total is \$104,617. These funds will be transferred to the new Village bank account at Hillcrest Bank to keep the funds segregated for bond interest payments for the WWTP upgrades.

Interviews are being conducted for the vacant positions. Public Works Operator Gabriel Vasquez has been hired to take the new Mechanic/Equipment Operator position.

7. COMMITTEE REPORTS

A. Planning and Zoning Commission –Commission Chair Wittman reported on the April 2, 2018 P&Z meeting. Agenda items included:

- A Public Hearing for variances to the setback requirements for proposed construction on Block L Lot 12 at 131 Twining Road. The architect presented the drawings and explained the need to encroach slightly in the setbacks because of the nature of the steep lot and the encroachment of Twining Road onto the property. No variance to the riparian setback was requested. The variances were approved.
- Al Johnson had removed his request to address the Commission about the setback requirement variances that had been granted at the Taos Mountain Lodge property to allow more parking.
- Progress has been taking place at the Taos Mountain Lodge property.
- Announcement of the next Kachina Master Plan Committee meeting, which will take place on Monday, May 14, 2018 at 9:00 a.m. at the Snakedance Condominiums.

Commission Chair Wittman announced that the next P&Z Commission meeting would take place on May 14, 2018 at 1:00 p.m. at the Snakedance Condominiums Hondo Restaurant.

Councilor Duffy said that he would be interested in bringing up at the next Commission meeting the design standards for recent houses that have been built in Taos Ski Valley.

B. Public Safety Committee –Committee Chair Pattison reported that the Committee met on April 2, 2018. Agenda items included:

- Wildlife-proof refuse containers
- NMDOT safety precautions in Amizette
- Use of traffic cameras in Amizette. Speed-reporting cameras are not allowed but there is a possibility of using surveillance cameras.
- New bear warning signs, which have been distributed and posted, even in the Highway 150 campgrounds
- Possible new “fire restriction” signs
- A new Public Safety brochure which could be distributed to spread information about bear safety, evacuation plans, and other items.

The Committee will meet again on May 14, 2018 at 10:30 a.m. at the Snakedance Condominiums Hondo Restaurant.

C. Firewise Community Board of Directors – Board Chair Pattison reported that the Board met on April 2, 2018. Agenda items included:

- Firewise Community designation needs renewal in November.
- The Firewise Board is working on its budget and development of an action plan.
- A third siren will be ordered and placed in between Bull-of-the-Woods and the Phoenix Switchback, and the second siren will be installed in the Kachina area. Consideration is being given to another siren in Amizette, perhaps at the Taos Mountain Lodge.
- The slash pile will open in a few weeks near the Treatment Plant. The Burn Boss is under repair.
- Discussion of the Evacuation Plan

The Board will meet again on May 14, 2018 at 11:00 a.m. at the Snakedance Condominiums Hondo Restaurant.

D. Parks & Recreation Committee- Committee Chair Kett reported that a meeting had been held on April 10, 2018. The Committee plans to speak with representatives of the U.S. Forest Service and report back next month. Other discussion items included:

- Trash pick-up month will be held for all of April. A gathering will be held on April 27, 2018 at 4:00 p.m. at the Twining Campground, with a prize awarded for the most interesting item found during trash pick-up month. Kett urged everyone to get out in the Village and pick up trash.
- A J.R. Trail work day may be scheduled soon.
- Consideration is being given to expanding the Twining Campground and possibly installing a play structure.

No future meeting has been scheduled.

E. Lodgers' Tax Advisory Board – Councilor Stagg reported that the Board had met. Projected collections for FY 2018 are expected to total around \$300,000.

- Three grants were approved, for the TSVI fireworks, for funding paid EMS staff overnight at holiday times by the Village, and for the TSVI non-employee shuttle.
- Applications would be sent out the following week for the following year's grants.
- Funding of the Hermitage Retreat would take place the following year
- Consideration is being given to airport support.

No future meeting has been scheduled.

8. REGIONAL REPORTS

Mayor Brownell had attended the Landfill Board meeting where the main topic of discussion was recycling. Taos County is considering various options. Cardboard recycling makes some money, but glass and plastic recycling does not, reported Mayor Brownell. The landfill expects to have enough room for only another 20 years' worth of trash. Approximately 7% of trash gets recycled. The Board is working on an updated Joint Power of Attorney document between all of the participating entities. Other possible joint recycling efforts are being investigated.

Councilor Pattison reported on the Source Water Protection Plan meeting. Improved definition of coordinates of water discharge should be done, not only at the Phoenix Spring, but also at the Gunsite Spring, and other sources. The Committee is considering next steps, such as bringing the plan to the P&Z commission, or making it into an Ordinance. The plan identifies spring sources and protection methods, addresses the threat of fire to the spring sources as well as a possible deluge of mud after a fire with ensuing rain. The Village is fortunate that its water source is underground. Thanks were expressed to TSVI for conducting firewise thinning during the summers. Mayor Brownell reported on very interesting newly elected officials' training attended by him, Councilor Kern, and Councilor Pattison.

9. MAYOR'S REPORT

Mayor Brownell reported that at the recent Intergovernmental Council meeting he was able to meet representatives from various regional entities. A Town Manager group will start meeting to discuss various joint solutions to regional issues such as Taos Regional Airport support, recycling efforts, and Holy Cross Hospital funding.

10. STAFF REPORTS

Administrator Fratrack reported on ongoing projects:

- Townsite Act –The process is getting finalized. An easement agreement is still needed with Qwest across the Treatment Plant property. Mayor Brownell will be the authorized signatory on the transfer document. The Village will take title as “Village of Taos Ski Valley, an incorporated municipality and political subdivision of the State of New Mexico.”
- Taos Mountain Lodge – The water and heating system replacement contract has been awarded. The contractor began work on Monday, April 9, 2018. The architect contract will be awarded shortly. The architect will produce the building bid documents. Driveway easement and access from NMDOT has been preliminarily approved.
- Kachina Water Tank – The preconstruction conference took place on March 22, 2018. RMCI complimented FEI Engineers on the amount of detail in the plans.

- VTSV Bull of the Woods Lot –An appraiser is under contract. She should be visiting the lot in the near future. Once the lot is appraised, information will be brought forward to the Council to discuss a possible land swap, sale, or other options.
- Fire Substation Relocation Project – Building Inspector Willson is working to line up a company that is willing to take on relocating the Substation. There are various possibilities about the new site set-up which would allow a slab or even the present Substation to be incorporated into future use and construction.
- WWTP/WWTP Financing Options – Only the final item remains in order for the USDA to authorize the Village to go out for bid. We’ve received our first funding distribution.
- Ernie Blake Road – The Beausoleil and Sierra del Sol land swap closing documents are on the agenda today. The Village is working to sign off on the engineering plans. Staff is also working with TSVI on an MOU for the Letter of Intent to construct Thunderbird and Ernie Blake Roads.
- Budget Process – Administrator Fratrack is continuing to meet with department heads to walk through their budgets. A water and sewer rate setting meeting is planned.
- Certified Building Official and Planner Position Interviews – Interviews have been conducted with two people for Building Official and three people for Planner. Staff is coordinating one more interview before making a decision.

Department Briefs

- Chief Trujillo reported on recent activity. MVCs (4), Residential Alarms (1), Property Damage (2), Larceny (1), Theft (1), Suspicious Persons/Vehicles (6), Citizen Assists (28), Traffic Enforcement Hours (43), Traffic Stops (13), Written Citations (1), Written Warnings (2), Verbal Warnings (39), Parking Citations (1), Assists to other Agencies (4), trespass Warnings (1), Foot Patrol Hours (18), Welfare Check (3). Fire Calls (1), EMS Calls (1), SAR Hours (0). Chief Trujillo reported that the NMDOT had visited the Village and they had discussed safety issues in Amizette. Chief Trujillo requested that the passing zones be removed and that the speed limit remain at 30 miles per hour until and through Amizette. They also discussed installing some pullouts to allow slower cars to pull over to let faster cars pass, and signs about being courteous, as well as “click it or ticket” signs. The NMDOT representative said that any highway changes need approval from the Governor.
- Fire Chief Mitch Daniels reminded everyone that in emergency situations, 911 should always be called and not the Village Police or Fire Department directly. He said that the Fire Department’s jurisdiction runs all the way down the canyon, but not the Village Police Department’s jurisdiction. In regards to the potential relocation of the Kachina Fire Substation this summer, Chief Daniels said that keeping the truck in a dry and warm environment would be the most important, if there would be a lag time between taking down the Substation and re-assembling it. Chief Daniels thanked TSVI for providing staff for Wildland Fire crews and allowing them to renew their certifications. Fire Department trainings will be held on Mondays at 5:00 p.m. for the summer. The Fire Department is conducting walk-throughs of all the various condominium complexes in order for Fire Department personnel to be familiar with the structures. Chief Daniels also said that get building insurance has become a problem for recent residential and commercial building owners.
- Public Works Director Keen reported on recent activity, including a meeting recently with the Valdez Acequia Association. There has been concern about the house in the water in Amizette. The Public Works staff will be installing the Public Safety siren near the Kachina lift station. Director Keen said that the Parks and Recreation Committee had recently completed a grant application for potential recycling funds. New signs are being ordered and installed for the Kachina Vista Park. Councilor Pattison mentioned that the Public Safety Committee will be requesting that water line upgrades for Phoenix Switchback and Cliffhanger Loop be moved up in priority on the next ICIP.

11. OLD BUSINESS

12. NEW BUSINESS

A. Consideration to approve Agreement in Lieu of Condemnation between the Village of Taos Ski Valley and St. Bernard Expansion II LLC

Administrator Fratrack explained that improvements to Ernie Blake (EB) Road are a public improvement priority. A workshop was held in August 2016 where new design plans for EB road were presented for study and discussion. In general, there was positive feedback from the people in attendance, and all had a better understanding of the project. In connection with the new design plans, the Village was required to acquire the appropriate property from land owners impacted by the new EB road design. The Council appointed a negotiation team from the Mayor and Council to talk with those land owners and to make an offer to purchase the land in question. Surveys were conducted and an in-depth appraisal was performed on the properties. An offer was made to the St. Bernard Expansion II LLC, and through

negotiations, eventually was agreed upon, and preliminarily approved by parties involved. Some land would be purchased by the Village, while land on the opposite side that was formerly EB road would be sold, bringing the total cost to the Village to \$243,061.

Attorney Romero explained that the Agreement in Lieu of Condemnation involves language to accommodate moving the road easement and developing a temporary construction area easement for two years. A closing date on the sale of the property has not yet been scheduled.

MOTION: To approve the Agreement in Lieu of Condemnation between the Village of Taos Ski Valley and St. Bernard Expansion II LLC

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

B. Consideration to approve Agreement in Lieu of Condemnation between the Village of Taos Ski Valley and Sierra del Sol Condominiums Homeowners Association

This item involved the same issues as the previous agenda item involving St. Bernard Expansion II, except for this was for Sierra del Sol property. The proposed purchase price of \$20,835 for Sierra del Sol land had not been completely agreed upon at the time of the Council meeting so this item was postponed. Attorney Romero said that he could proceed with instigating condemnation of the property for a cost of around \$1,400 if an agreement could not be reached. Administrator Fratrack explained that continued negotiations required approval of the Sierra del Sol Homeowners Association and then approval of all of the Sierra del Sol homeowners.

MOTION: To approve the Agreement in Lieu of Condemnation between the Village of Taos Ski Valley and Sierra del Sol Condominiums Homeowners Association

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

C. Consideration to approve Memorandum of Understanding (MOU) and Agreement Regarding Re-Alignment of Ernie Blake Road

This item had been removed from the agenda earlier.

D. Consideration to Approve Resolution No. 2018-353 Approving the Budget Adjustment Request (BAR) to Update the Debt Service Payment for the Clean Water State Revolving Fund Interest, Initial Bond Payment Interest, and Transfers to Cover the Payments in the FY2018 Budget

Director Grabowski explained that the Village submitted its fiscal year 2017-18 budget in July 2017. At that time the Village was still drawing on the grant/loan from the Clean Water State Revolving Fund (CWSRF). Since then the Village has expended the available funds and has been reimbursed for all eligible expenses. The first payment of the loan portion of the funding is due in February 2019; however the CWSRF offered the Village a refinancing option in February 2018. Included in the option to refinance was the payment of interest accrued through that date. Additionally, the bond proceeds which were disbursed to the Village in December 2017 now have the initial interest payment due. This BAR is to accommodate the increase in debt service for these interest payments along with the increased transfers from the Water fund (01) to cover the debt service payments.

MOTION: To Approve Resolution No. 2018-353 Approving the Budget Adjustment Request (BAR) to Update the Debt Service Payment for the Clean Water State Revolving Fund Interest, Initial Bond Payment Interest, and Transfers to Cover the Payments in the FY2018 Budget

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

E. Consideration to Approve Resolution No.2018-354 Approving the Budget Adjustment Request (BAR) for Clean Water State Revolving Fund Loan Refinancing Bank Fees and the Deposit for the Waste Water Treatment Plant Membrane System

Director Grabowski explained that included in the option to refinance the Village's 2007 loan was a 2% fee on the outstanding principal balance totaling \$24,184. In addition, the Village budgeted revenue of \$50,000 for capital outlay in FY2018. At the time the budget was submitted, it was unknown how much the initial deposit would be to begin the construction of the new membrane system for the WWTP upgrades. The deposit was paid in the amount of \$20,978 and was reimbursed to the Village by the State of New Mexico FY2017 Capital Outlay Fund. Staff is now requesting to include the matching expense in the FY2018 budget.

MOTION: To Approve Resolution No.2018-354 Approving the Budget Adjustment Request (BAR) for Clean Water State Revolving Fund Loan Refinancing Bank Fees and the Deposit for the Waste Water Treatment Plant Membrane System

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

F. Consideration to Approve Resolution No. 2018-355 To Approve the Purchase of a MultiHog MX120 Articulating Tractor with Multiple Attachments, and to Increase the Budgeted Transfer from Roads Impact Fees (55) to the Roads Fund (05)

Public Works Director Keen explained new improvements in the Core area have brought about a need to change some of the Public Works operational practices and procedures used in the past. An increase in density creates a higher risk of damage by heavy equipment as well as potential liability issues. Heavy equipment has been needed in the past to get snow clearing done quickly and efficiently but different measures could be taken in areas that have limited or restricted access. The MultiHog serves as a hydraulic pump with the option of attaching multiple tools to do various Public Works duties. Its size and maneuverability make it ideal for tasks for which heavy equipment is not suited.

In the original FY2018 budget, a transfer from Roads Impact Fees (55) to the Roads fund (05) was requested for \$145,000 to cover the purchase of new equipment. Since more impact fees have been collected, an additional transfer of \$78,500.00 could be made from the Impact Fee fund to cover the remainder of the expense.

MOTION: To Approve Resolution No. 2018-355 To Approve the Purchase of a MultiHog MX120 Articulating Tractor with Multiple Attachments, and to Increase the Budgeted Transfer from Roads Impact Fees (55) to the Roads Fund (05)

Motion: Councilor Pattison

Second: Councilor Stagg

Passed: 4-0

13. MISCELLANEOUS

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

A Special Council meeting will be held on Friday, May 4, 2018 at 1:00 p.m. at the Snakedance Condominiums Hondo Restaurant. The Council Budget Workshop will be held on Friday, May 4, 2018 at 9:00 a.m. at the Snakedance Condominiums Hondo Restaurant. The next regular meeting of the Council will take place on Tuesday, May 15, 2018 at 2:00 p.m. at the Snakedance Condominiums Hondo Restaurant.

15. ADJOURNMENT

MOTION: To Adjourn.

Motion: Councilor Wittman

Second: Councilor Pattison

Passed: 4-0

The meeting was adjourned at 4:15 p.m.

Christof Brownell, Mayor

ATTEST: _____
Ann M. Wooldridge, Village Clerk