



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 REGULAR MEETING
DRAFT MINUTES
EDELWEISS LODGE CLUB ROOM
110 SUTTON PLACE
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, AUGUST 14, 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, Mayor Pro Tem

Staff present:

Village Administrator Mark Fratrack
Village Clerk Ann Wooldridge
Finance Director Nancy Grabowski
Police Chief Sam Trujillo
Public Works Director Ray Keen
Community Development Director Patrick Nicholson
Building Official Rich Willson
Public Works Superintendent Olaf Mingo
Administrative Assistant Christina Wilder
Village Attorney Dennis Romero
Fire Chief Mitch Daniels

3. APPROVAL OF THE AGENDA

MOTION: To approve the agenda as presented

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

4. APPROVAL OF THE MINUTES OF THE JULY 10, 2018 VILLAGE COUNCIL REGULAR MEETING and the JULY 27, 2018 VILLAGE COUNCIL SPECIAL MEETING

MOTION: To approve the minutes with the amendments made according to Councilor Pattison's suggestions

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

5. CITIZENS' FORUM – Limit to 5 minutes per person (please sign in)

A. David Norden, TSVI CEO, relayed that TSV is undergoing a renaissance and that TSVI has found a need to re-focus on its purpose. TSVI will concentrate on three main missions: 1. Enjoyment, by guests, staff, and locals alike, 2. Protection, of the environment and of natural resources, and 3. Giving, namely in the form of philanthropy. In light of this last mission, TSV plans to hold a "Night of Philanthropy" event in September at the TSVI plaza area. TSVI's hope is to include TSV residents, locals, and staff to attend a gathering with music, food and beverages to learn about the Taos Community Foundation (TCF), and to spearhead a donation drive in order to make a Taos Ski

Valley gift to the Taos Community Foundation. David Norden sits on the Board of the TCF. He said that the endowment is currently \$10 million with \$200,000 being given back to the Taos community each year in the form of grants and scholarships. Additionally, the TCF is in the midst of a fund drive to buy its own building.

B. Former Mayor Neal King spoke about the need to begin a “Save the TSV Post Office” campaign. He said that the U.S. Postal Service is considering closing down the Taos Ski Valley location. This is a community service that would be missed if it went away, he said.

In addition, King said that even with operating a gift shop, the business doesn’t generate much revenue for its owners and the costs of moving from place to place has been substantial because of dismantling and rebuilding the postal boxes. King asked the Council to please get together on coming up with ideas to assist the Post Office. Taos Ski Valley Chamber of Commerce Membership Director Colleen Durocher said that any proposed new location had to be handicapped-accessible, and also asked if it would be possible for the Village to donate some funds each time that the post office had to move.

6. **FINANCIAL REPORTS**

Finance Director Grabowski reported that GRT remitted to the Village in July was \$48,720 compared to \$29,867 for July last year. Year-to-date GRT total is \$48,720 versus \$29,687 for last year. The TIDD received \$7,083 in GRT in July for May collections. Hold Harmless GRT for the month was \$5,821.

Lodger’s tax collections in July were \$8,692 versus \$26,463 for last year. Several late submissions were part of the FY2018 numbers.

7. **COMMITTEE REPORTS**

A. Planning and Zoning Commission –Commission Chair Wittman reported on the July 27, 2018 P&Z meeting. Agenda items included:

- A Public Hearing for a variance application request for the wetland setback at the Bavarian for a kitchen expansion. At the Public Hearing, two people spoke in favor and none against. The Commission voted to approve the variance request with seven conditions.

The regular August P&Z meeting has been moved to August 23, 2018 at 1:00 p.m. at Tenderfoot Katie’s in the TSV Resort Center for Public Hearings for two variances at the new Village Offices and for two variances at Parcel D. The Kachina Master Plan Committee will meet on the same day at 9:00 a.m. at the Edelweiss Lodge Club Room.

B. Public Safety Committee –Committee Chair Pattison reported that the Committee met on August 6, 2018. Agenda items included:

- Discussion of critical safety issues in the Village, particularly parking and signage, official request to Planning department to conduct Village-wide Roads and Parking study, to increase visitor parking.
- The Public Safety Committee is working with the Department of Public Safety on the placement of signs around the Village
- A separate Evacuation Plan for the Kachina area

The Committee will meet again on September 10, 2018 at 10:00 a.m. at the Edelweiss Lodge Club Room.

C. Firewise Community Board of Directors – Committee Chair Pattison reported that the Committee met on August 6, 2018. Agenda items included:

- Slash is currently being taken to the landfill
- Contractors must take the slash that they clear to the landfill themselves
- The Burn Boss will be used once conditions improve, but not for large debris or tree stumps
- The Board is re-assessing individual property thinning needs, and community reports will be updated. They are working to incentivize citizens to do the right thing, or else consider enforcement actions.

The Board will meet again on September 10, 2018 at 11:00 a.m. at the Edelweiss Lodge Club Room.

D. Parks & Recreation Committee – Committee Member Kerrie Pattison reported that the Committee has been busy getting new signs made for the Kachina Vista Park. These signs will be installed near the end of August. They have completed the work on the Kachina Hiker Parking information kiosk. A second JR Trail work session was held, in the late afternoon, with more people attending. Ms. Pattison said that the Committee acknowledged the extra work that has been conducted by Neal King, and they were most appreciative. Mayor Brownell also expressed his thanks to Mr. King. The Committee plans to continue work on the trail. The new boardwalk is expected to be completed in September.

The next meeting will be held on August 21, 2018 at 4:30 p.m. at the lower end of Kachina Vista Park.

E. Lodgers' Tax Advisory Board – there was no report

8. REGIONAL REPORTS

Mayor Brownell reported that at the Landfill Board meeting, a tour of the Taos Landfill took place. Mayor Brownell reported that safety measures are in place for handling toxic waste. The Landfill is expected to be able to accept trash for at least another 20 years.

The Town of Taos' recycling program was again discussed. It is costly to operate and also difficult to run. Mayor Brownell suggested that the Village make a plan to coordinate with TSV Inc.'s recycling program.

At the IGC meeting, Holy Cross Hospital's financial needs were outlined.

Mayor Brownell and Administrator Fratrick met with the Rural Transportation District (RTD). The RTD was open to the idea of trying some routes in the summer. The program is popular with cyclists in Santa Fe going to the ski basin. Funds would be needed for additional runs in the summer.

Councilor Pattison reported that the Source Water Protection Committee is integrating various aspects of legal water issues as well as water rights considerations.

At the Community Wildfire Protection Plan meeting, various grants were discussed to be used for Firewise thinning. Councilor Pattison said that the U.S. Forest Service is using a new approach to fires which have been started accidentally, which is to let the fire burn if there appears to be no threat of danger or loss.

9. MAYOR'S REPORT

A. Consideration to Appoint a Voting Delegate for the NMML Annual Conference Business Meeting

Each member municipality in good standing that is registered and attending the NMML Annual Conference shall be entitled to one delegate vote in electing officers, deciding municipal policy, and voting upon all other questions at the Annual Business meeting.

MOTION: To Approve the Appointment of Administrator Fratrick as Voting Delegate for the NMML Annual Conference Business Meeting

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

10. STAFF REPORTS

Administrator Fratrick reported on ongoing projects:

- Townsite Act – Staff sent another draft CenturyLink easement agreement to the Forest service. This was supposed to be the last item before the Forest Service could send all of the documents to its legal counsel for review. Any feedback received will be discussed with the Village Attorney and the attorney for the Forest Service.
- TIDD Claw back – At the last TIDD meeting Chaz Rockey said that his estimate was that NM Tax and Revenue had overpaid the Village by a projected \$300,000 which should have gone to the TIDD.
- Airport Update –Air service is to start December 2018 for the upcoming ski season. The service will use a 30-passenger Dornier 328 turbo-prop high-wing jet. Projected service days are Thursday, Saturday, and Sunday with the plane flying Austin/Taos, Taos/Dallas, Dallas/Taos, then Taos/Austin.
- Village RFPs: The legal RFP has been re-advertised and posted with the NM BAR Association. The Property Management RFP for the Taos Mountain Lodge units will be advertised in the Taos News on Thursday, August 16, 2018. The Civil Engineering RFP will be advertised in the Taos News on Thursday, August 23, 2018.
- Taos Mountain Lodge – Administrator Fratrick presented a project schedule and an expense and funding estimate update. He suggested a Council workshop on-site at the property for a project management update, a review of plans, a walk of the property, and a view of the rental units.
- Kachina Water Tank – RMCI has finished preliminary clearing and grubbing and has begun work to bring the water line up Blue Jay Ridge road to the tank site.
- Fire Substation Relocation Project –The drainage plan project has run into issues with the owners of the adjacent property, who have requested liability insurance from the Village above the tort limits set by State Statutes. The new plan is to run the drainage across the road instead.
- Wastewater Treatment Plant – FEI will give an update and make a presentation at the September Council meeting.
- Ernie Blake Road – Administrator Fratrick is working to set up a time to close on the necessary properties.
- Gas Line installation – NM Gas Company's selected contractor should be completing the Twining Road portion soon and will shift to O.E. Pattison Loop next. The Village will meet with NM Gas Company on August 15, 2018.

- Ongoing Legal Work and Discussions: 1. Townsite Act and TSVI's WWTP Easement request; 2. Strawberry Hill Utilities- VTSV access; 3. Property Management RFP; 4. Century Link easement; 5. A temporary on-call engineering RFP; 6. Ernie Blake Road MOU; 7. Shopoff Culvert / Fire Substation; 8. Temporary Construction Agreement Cottam and Brownell; 9. Alpine Village Cabin Easement; 10. Civil Engineering RFP.

Department Briefs

- Chief Trujillo reported on recent activity. Residential Alarms (1), Business Alarms (0), Suspicious Persons/Vehicles (9), Citizen Assists (52), Traffic Enforcement Hours (76), Traffic Stops (9), Theft (1), Vehicle Theft (1), Larceny (1), Property Damage (2), Residential Alarm (1), Verbal Warnings (18), Parking Citations (6), Written Citations (3), Assists to other Agencies (30), Foot Patrol Hours (39), Welfare Check (0), Animal calls (3), MVCs (3), B&E (1), Trespass Warnings (2). Fire Calls (20), EMS Calls (4), SAR Hours (2).
- Community Development Director Nicholson reported that he had been conducting work on the Source Water Protection Plan Committee projects, including investigating the Gunsite Spring possibilities, also final review of the ICIP, a TIDD projects priority list, a road and trails funding grant, and possibilities for a new Kachina Road.
- Public Works Director Keen reported on recent department activity including numerous road drainage projects, Phoenix Switchback improvements, relocation of the Fire Substation, and clearing at the new Village Office site in Amizette. As part of the NM DOT Road Co-op project some alternative methods of dust control may be applied.
- Clerk Ann Wooldridge reported that the administrative Staff had successfully worked through overwhelming technical issues with accounting software and utility billing software.

11. OLD BUSINESS

A. PUBLIC HEARING: Consideration to Approve **Ordinance No. 2019-66** Approving a 4% Increase to Water and Sewer Rates and Keeping the Trash Rates the Same for Fiscal Year 2019

At the May 4, 2018 Village of Taos Ski Valley Council meeting, Council preliminarily approved the FY2019 Final Budget. As part of the FY2019 Final Budget, the FY 2019 Budget Summary is adopted, which stated in regard to Water/Sewer rates and Trash Collection fees; "Staff is recommending a 4% increase in the fixed and variable rates. This equates to the variable rate going from \$.0454/gal to \$.0472/gal, or a \$.0018/gal increase, and the fixed rate going from \$56.82/EQR to \$59.09/EQR, or a \$2.27/EQR increase. Staff recommends that there should be no increase in the trash fees this year."

Councilor Stagg expressed concern that a rate increase would impact the regular users the most because those users are in the ski valley, using water all of the time. Councilor Stagg suggested using reserves to assist in revenue shortfalls this year would be a good idea, due to the bad snow season last year.

PUBLIC HEARING: Mayor Brownell opened the Public Hearing. Former Mayor Neal King spoke in favor of the Ordinance, saying that the methodology used to calculate the rates is good, but if it appears that the rates are being raised because last year was a bad snow year, then perhaps this is not the time to raise rates. Krizia Shelton, daughter of Hotel St. Bernard owner Jean Mayer, said that it is difficult for businesses to have rates change each year. TSVI Development Director Peter Johnson said that the rate system should be more straightforward and that looking harder at fixed costs of running the water and sewer systems should be conducted. The Public Hearing was closed.

MOTION: To Approve Ordinance No. 2019-66 Approving a 4% Increase to Water and Sewer Rates and Keeping the Trash Rates the Same for Fiscal Year 2019

Motion: Councilor Stagg Second: Councilor Wittman

Councilor Stagg suggested delaying any rate increase. He said that because the EQR fixed designation would also change that it would not result in a 4% rate increase across the board. Councilor Stagg suggested not using a methodology that used previous year's numbers to predict next year's revenues. He suggested that better forecasting is needed, with consistent and dependable utility rates for customers. He also suggested charging a relatively larger fixed rate, to cover fixed expenses.

Councilor Kern said that he would be interested in meeting with Staff to better understand the method used to calculate the rates each year, but also wondered whether the system encouraged water conservation.

Mayor Brownell called for a vote. Failed: 0-4

The water, sewer, and trash rates will stay the same as last fiscal year.

B. Village of Taos Ski Valley Roads Discussion

There have been many different discussions on what to do about the roads in the Village of Taos Ski Valley. At a recent Kachina Master Plan meeting, a portion of the meeting was centered on Village roads and what to do about them. At the

July 2, 2018 P&Z meeting, again the topic of Village roads came up. The issues are: How to control the dust? To pave or not to pave? Or maybe only pave so much? Don't pave at all and continue to try other methods? Bring State Road 150 up north of the parking lots, put in a bridge and have it connected with Kachina Road? Improve Kachina Road, for year-round or just off-ski season access? Install a gondola from the parking lot up to the Kachina area to cut down on traffic? Staff has discussed these issues at length.

The one question that always arises is how the Village would pay for improvements. Paving Twining Road is an item listed on the TIDD projects as part of the Master Development Agreement.

Administrator Fratrack explained that the Public Works Department has been making small improvements every year to the Village roads, but that a comprehensive plan was needed. Should another traffic study be conducted? Community Development Director Nicholson said that money is always the largest obstacle, and that is why prioritizing needs is important. Director Nicholson will be working on alternatives to a Kachina Road solution then will address and assess other road needs.

12. NEW BUSINESS

A. Consideration to Approve Resolution No. 2019-369 Approving a Permanent Budget Adjustment Request (BAR) to the FY2019 Budget for the Capital Purchase of a 2018 Ford F450 Wildland Fire Truck from the Fire Protection Reserve Fund

Chief Daniels used proper purchasing to secure a 2018 Ford F450 Wildland Fire Truck via HG Purchasing Group and Weis Fire & Safety Equipment. As this capital expense was not included in the original FY2019 budget a BAR for this additional expense to the NM Department of Finance is necessary.

MOTION: To Approve Resolution No. 2019-369 Approving a Permanent Budget Adjustment Request (BAR) to the FY2019 Budget for the Capital Purchase of a 2018 Ford F450 Wildland Fire Truck from the Fire Protection Reserve Fund

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

B. Consideration to Approve Services Contract No. 2019-02 Materials Inc. for Manufacturing, Delivery and Structural Design of Redi-Rock Formations for the Taos Mountain Lodge

The Village issued an Invitation to Bid for Manufacturing, Delivery and Structural Design of Redi-Rock Formations to be used in conjunction with, and part of the excavation, clearing and grading improvements at the Taos Mountain Lodge. The Village received one bid, from Materials Inc., for \$141,881.

MOTION: To Approve Services Contract No. 2019-02 Materials Inc. for Manufacturing, Delivery and Structural Design of Redi-Rock Formations for the Taos Mountain Lodge

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

C. Consideration to Approve Services Contract No. 2019-03 Vigil Asphalt and Gravel for Contractor Services for Site Excavation, Grading, Redi-Rock and Septic Tank Installation at the Taos Mountain Lodge

The Village issued an Invitation to Bid for Site Excavation, grading, redi-rock and septic tank installation at the Taos Mountain Lodge. The Village received one bid, from Vigil Asphalt and Gravel, for \$291,967.

MOTION: To Approve Services Contract No. 2019-03 Vigil Asphalt and Gravel for Contractor Services for Site Excavation, Grading, Redi-Rock and Septic Tank Installation at the Taos Mountain Lodge

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

D. Consideration to Approve Services Contract No. 2019-04 Vigil Asphalt and Gravel for Contractor Services to Remove Trees and Stumps in Preparation for Site Excavation at the Taos Mountain Lodge

The Village issued an Invitation to Bid to Remove Trees and Stumps in Preparation for Site Excavation at the Taos Mountain Lodge. The Village received two bids. Staff is recommending the low bid, with Vigil Asphalt and Gravel for \$5462. Several large trees on the property are planned to be saved.

MOTION: To Approve Services Contract No. 2019-04 Vigil Asphalt and Gravel for Contractor Services to Remove Trees and Stumps in Preparation for Site Excavation at the Taos Mountain Lodge

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

E. Consideration to Approve Purchase of World Rock from Taos Gravel Products

The Village issued an Invitation to Bid for World Block to be used in conjunction with, and part of the excavation, clearing and grading improvements at the Taos Mountain Lodge. The Village received one bid, from Taos Gravel Products.

MOTION: To Approve Purchase of World Rock from Taos Gravel Products

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

13. MISCELLANEOUS

14. CLOSED SESSION

A. Discussion of Threatened or Pending Litigation

This matter may be discussed in closed session under Open Meetings Act exemption 10-15-1(H) (7)

MOTION: To go to Closed Executive Session

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

MOTION: To return to Open Session

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

No decisions or motions were made during closed session.

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

The next regular meeting of the Council will take place on Tuesday, September 11, 2018 at 2:00 p.m. at Tenderfoot Katie's in the TSV Resort Center.

15. ADJOURNMENT

MOTION: To Adjourn

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

The meeting was adjourned at 5:05 p.m.

Christof Brownell, Mayor

ATTEST: _____
Ann M. Wooldridge, Village Clerk