



Village of Taos Ski Valley
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VILLAGE COUNCIL REGULAR MEETING
DRAFT MINUTES
TENDERFOOT KATIE'S MTSV RESORT CENTER
116 SUTTON PLACE
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, SEPTEMBER 11, 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 Tom Wittman, Mayor Pro Tem

Governing body absent:

Councilor Chris Stagg

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
Public Works Superintendent Olaf Mingo
Administrative Assistant Christina Wilder
Village Attorney Dennis Romero

3. APPROVAL OF THE AGENDA

MOTION: To approve the agenda as presented

Motion: Councilor Wittman Second: Councilor Kern Passed: 3-0

4. APPROVAL OF THE MINUTES OF THE AUGUST 14, 2018 VILLAGE COUNCIL REGULAR MEETING

MOTION: To approve the minutes as presented

Motion: Councilor Wittman Second: Councilor Kern Passed: 3-0

5. PRESENTATION BY LUIS REYES, KIT CARSON CEO, AND FIBER OPTIC GENERAL DISCUSSION

Mr. Reyes said that Kit Carson has run fiber optic up to the Village of Taos Ski Valley in the Highway 150 trench, along with natural gas and electricity. Fiber optic cable is active up to the Phoenix Restaurant. He said that the 2014 funds were designated for 5,000 to 6,000 drops of fiber optic. These funds have been expended. 7,000 properties were hooked onto the fiber optic, and there are 7,000 more waiting for the service to be completed. The Broadband grant's main objective was to provide fiber optic to underserved areas as well as non-served areas. There was also a

requirement to serve large institutions such as schools, hospitals, etc. The parameters of the grant that Kit Carson received were approved by the NM Legislature, he said.

Mr. Reyes said that since the Village is not a low to moderate income area, a plan must be formulated for serving the properties in Taos Ski Valley. He suggested that perhaps a franchise agreement, in the vein of the underground electric franchise agreement, could be implemented. In the Village, 40 properties are connected while 60 have not yet been connected but have been given estimates. He said that he would guess that either the owners thought the estimate was too costly, or else they have decided that fiber optic was not that important. Perhaps costs could be reduced by hiring a third party contractor to dig the trenches, which would require coordination. Some private properties may not require that conduit be installed, lowering the cost for that property. There would be legal ramifications if public sector funds were to be used to get private properties connected. Going forward, Mr. Reyes said that the best practice would be to put conduit for fiber optic in any new road.

According to Mr. Reyes, Kit Carson is in discussions with TaosNet for TaosNet to gain access to the Kit Carson network. There are cyber security issues that would have to be satisfied once other equipment was hooked into the Kit Carson network.

Councilor Kern said that homeowners are exasperated that some quotes to connect are so much higher than others, even in the same neighborhood. Mr. Reyes explained that the cost is largely due to the length of the trench, as well as the difficulty of trenching for each property. Councilor Kern said that if some sort of cooperative effort would be made to connect the remaining properties, those owners who had paid their full cost would be upset.

Kit Carson promised to provide as-built maps of all underground conduits and fiber optic lines, and the locations of where the fiber is live. Homeowner Duncan McBranch asked if some sort of Village-wide solution could be found. Mr. Reyes said that Kit Carson is very interested in a solution that is cost-effective for everyone. There is technology that would allow for wireless connections, but for that to occur, the backhaul in the fiber optic would need to be increased.

Mr. Phil Linsalata, property manager for Lake Fork Condominiums, said that he had submitted applications for all 13 of the Lake Fork Condominiums. Since the fiber optic was initially being offered for free, he said that they consider these applications to be contracts. The recent quote given him for the cost of hooking up included a charge of \$12,400 for 645 linear feet going down the private Lake Fork Road. Mr. Linsalata suggested that Kit Carson work with the NM Gas Co. to combine trenching efforts. He also suggested that the Village help Kit Carson work with other utilities to conduct joint trenching.

Another citizen, from Wheeler Peak Condominiums, asked why Kit Carson could not connect all properties along a road if connecting one property. Mr. Reyes explained that they had been overwhelmed with 15,000 requests being submitted in a short period of time. He said that Kit Carson continues to look for funding sources. Kit Carson had received an early grant for broadband, but now other cooperatives are applying. He said that Kit Carson now needs local agreements.

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

A. Jim Sanborn, IT Director for TSV Inc. (TSVI), reported that TSVI is trying to improve cell service, particularly on the back side of the mountain. Currently, there is an AT&T Cell on Wheels (COW) but TSVI is working on a method to improve service in conjunction with the improvements at the Phoenix Restaurant. TSVI envisions a new single tower adjacent to the Phoenix with the same roof line, in order to get Verizon as well as AT&T service. TSVI will be leveraging new infrastructure with remote locations at the Resort Center and possibly the Children's Center. Fiber optic will be run up Rubezahl return trail to the Kachina area. TSVI will install one tower and then assess the coverage, using a phased approach. Eventually, a tower could be placed at the top of the old Lift #1, which would improve service to Amizette.

B. David Norden, TSVI CEO, explained that TSVI is re-focusing on its purpose with three main missions: 1. Enjoyment, by guests, staff, and locals alike, 2. Protection and enhancement of the environment and of natural resources, and 3. Giving, namely in the form of philanthropy. In light of this last mission, TSVI plans to hold a "Night of Philanthropy" event on September 21st at the TSVI plaza. 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 and to spearhead a donation drive in order to make a combined Taos Ski Valley/ Village of Taos Ski Valley gift to the Taos Community Foundation.

Mr. Norden reported that the Williams Lake Trail had been relocated off of private property onto U.S. Forest Service Land.

B. Homeowner Brandon Swim expressed his concern about the roads not getting plowed in a timely manner when there are big snowfalls. He commented that at one time an outside contractor had conducted the plowing, and he thought that it was an excellent job.

7. FINANCIAL REPORTS

Finance Director Grabowski reported that GRT remitted to the Village in August was \$49,342 compared to \$48,720 for August last year. Year-to-date GRT total is \$98,063 versus \$78,566 for last year. The TIDD received \$32,236 in GRT in August for June collections. Hold Harmless GRT for the month was \$7,322.

Lodger's tax collections in August were \$17,791 versus \$13,960 for last year. Year-to-date total is \$26,484 for this year, compared to \$40,423 for last year.

In Human Resources, searches are being conducted for the Village Administrator position, as well as for the Public Works Director position.

8. COMMITTEE REPORTS

A. Planning and Zoning Commission –Commission Chair Wittman reported on the August 23, 2018 P&Z meeting. Agenda items included:

- A Public Hearing for a variance request for the retaining wall height at the new Village Hall property in Amizette. At the Public Hearing, two people spoke in favor and none against. The Commission voted to approve the variance request with a vote of 6-0. The second variance was deemed unnecessary.
- A Public Hearing for a variance request to the riparian setback at Parcel D. At the Public Hearing, four people spoke in favor and four people expressed concern with the setback request. Discussion followed. The Commission voted to approve the variance request with a vote of 6-0. A second variance was deemed unnecessary.
- The 2020-2024 ICIP was recommended for approval by the Council.
- New public meeting signs will be used to notice the public of hearings for variance or conditional use requests.

The September P&Z meeting will be cancelled. The next P&Z meeting will be held October 1, 2018 at 1:00 p.m. at Tenderfoot Katie's in the TSV Resort Center.

The Kachina Master Plan Committee will meet on the same day at 9:00 a.m. at the Edelweiss Lodge Club Room. A Kachina Master Plan Open House will take place on Saturday, September 22, 2018 at 1:00 p.m. at Tenderfoot Katie's in the TSV Resort Center. The hope is to allow more citizens to attend the meeting for active discussion, as the meeting is on a Saturday.

B. Public Safety Committee –Committee Chair Pattison reported that the Committee met on September 10, 2018. Agenda items included:

- Chief Trujillo continues his search for cost-effective but accurate cameras for the Village entrance road.
- The Fire Substation relocation is progressing forward with the concrete pad to be poured in the next couple of weeks.
- The second siren will be installed by the sewer lift station in Kachina.
- The Committee is working with Community Development Director Nicholson on a signage plan.
- The Committee is working with TSVI on a Kachina area evacuation plan.

The Committee will meet again on October 1, 2018 at 10:00 a.m. at Tenderfoot Katie's in the TSV Resort Center.

C. Firewise Community Board of Directors – Committee Chair Pattison reported that the Committee met on September 10, 2018. Agenda items included:

- TSVI will be conducting a fuels management program, working through the Forest Stewards Guild. The result of the prescribed burns could be used to urge homeowners to conduct firewise thinning on their properties.
- The Board is still investigating enforcement actions. The most concern centers on dead wood. Also, property owners seem to like large trees, though this is a dangerous circumstance next to a house.

The Board will meet again on October 1, 2018 at 11:00 a.m. at the Tenderfoot Katie's in the TSV Resort Center.

Councilor Pattison said that the Source Water Protection Committee and the Taos Valley Watershed Coalition continue to meet, with discussion continuing on the same topics.

D. Parks & Recreation Committee – Committee Chair Katherine Kett reported that the Committee has been busy finishing projects for the coming winter. There are plans to hold a fall party with a ribbon-cutting for the new boardwalk which runs from the parking lot to Sutton Place. The Committee is conducting monthly JR Trail work

days, with the next one to take place on Wednesday, September 19, 2018 at 9:30 a.m. at the Firehouse Road entrance. Signage for Kachina Vista Park is getting completed. The hanging baskets will be coming down soon.

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

9. REGIONAL REPORTS

Administrative Assistant Wilder reported that at the Landfill Board meeting, the JPA is getting finalized and will be sent out for approval. Plans are in the works to conduct wood chipping at various locations throughout the County. The use of punch cards for the landfill is being considered.

Mayor Brownell reported that at the Inter-Governmental Council meeting, the Enchanted Circle Trails Association made a presentation. Of interest to the ski valley is a potential trail adjacent to Highway 150 from the old blinking light to Arroyo Seco, and possible continuation up Highway 150 when the road gets re-paved. There are plans for a Bull-of-the-Woods trail over to Lost Lake.

Councilor Pattison reported that the Taos Valley Watershed Coalition is considering a full-time employee to coordinate efforts and to seek grant money. Source water protection and watershed protection are the main focuses.

10. MAYOR'S REPORT

The Mayor's items are discussed in various other parts of the meeting.

11. STAFF REPORTS

Administrator Fratrack reported on ongoing projects:

- Townsite Act – The Village has received documents for review and has sent requested changes back to the U.S. Forest Service
- Current RFPs in process:
 - a. Legal Services: 17 proposals were received and the Committee will proceed with review.
 - b. Property Management RFP: just one entity was in attendance at the mandatory meeting on-site
 - c. Civil Engineering RFP: the response deadline is September 20, 2018
- Village Hall – Excavation is in full motion. The contractor is installing World Block for the driveway retaining wall. Staff is requesting the Mayor and two Council members for a workshop on-site for a project management update to review plans, walk the property, and preview rental units.
- Kachina Water Tank – Working on trenching and laying pipe for tank and water system connectivity
- Fire Substation Relocation Project – Drainage completed. Ran into issues with property owners requesting additional liability insurance from the Village above the Tort Limits set by state statutes. Plan is to go across the road instead.
- WWTP – Update on possible way forward. Water / Sewer rates – would like a workshop later in the month
- Ernie Blake Road – Working to set up closing at this time. Once a date is set up with the title company, the closing will be executed.
- Gas Line – NM Gas Co. has completed all its work on the gas lines. TSVI will initiate the gas line for EB Road and T-Bird Road.
- Kachina Pump Station – Will be a project for FY20. Timing wise, it will not be completed until spring or late summer 2020. Will pursue Drinking Water State Revolving Funding (DWSRF). Estimated \$300,000.
- Legal Work/Discussions: 1. Townsite Act/WWTP, TSVI's Easement request, on hold; 2. Strawberry Hill Utilities VTSV access, completed; 3. Property Management RFP, in process; 4. Century Link easement, completed per the USFS; 5. Temporary On-call Engineering RFP, completed; 6. EB Road MOU, completed; 7. Substation culvert onto private property, abandoned; 8. Temporary Construction License Cottam & Brownell, completed; 9. Alpine Village Suites Easement, ongoing; 10. Civil Engineering RFP, in process

Department Briefs

- Chief Trujillo reported on recent activity: Residential Alarms (1), Business Alarms (1), Suspicious Persons/Vehicles (4), Citizen Assists (43), Traffic Enforcement Hours (67), Traffic Stops (14), Theft (0), Vehicle Theft (0), Larceny (3), Property Damage (1), Verbal Warnings (21), Parking Citations (6), Written Citations (5), Assists to other Agencies (11), Foot Patrol Hours (40), Welfare Check (1), Animal calls (3), MVCs (0), B&E (2), Trespass Warnings (2), Fire Calls (4), EMS Calls (3), SAR Hours (0)

Chief Trujillo said that he recently attended the Police Chiefs' meeting at the annual NMML Conference and appreciated the positive experience and knowledge gained.

- Community Development Director Nicholson announced a Kachina Master Plan Open House to take place on Saturday, September 22, 2018 at the Taos Tent. The community is invited and welcome to attend, especially Kachina area property owners. A presentation on a Kachina area preliminary plat proposal will be presented for discussion at the next P&Z meeting. The Source Water Protection Committee should have a draft final document by December. Hydrologic studies for the Bull-of-the-Woods and the Gunsite Springs will begin.
- Public Works Director Keen reported on recent department activity including numerous road drainage projects, Phoenix Switchback improvements, and relocation of the Fire Substation. The Kachina Water Tank project will be finishing up for the winter, to begin construction next year. The retaining wall project is underway at the new Village Hall property.
- Clerk Ann Wooldridge announced that the EMS department had received a very complimentary letter concerning volunteers' efforts in a hiker rescue. A monetary donation was also sent. The letter had been published in the Taos News. The audience applauded the efforts of the volunteers.
- Attorney Romero is working on the contractual obligations of a contract for accounting software which has not been workable.

12. OLD BUSINESS

13. NEW BUSINESS

A. Discussion and Update on Wastewater Treatment Plant

Patrick O'Brien gave an update on the design and engineering for the new wastewater treatment plant.

B. Consideration to Approve **Resolution No. 2019-370** Adopting the Village of Taos Ski Valley 2020-2024 Infrastructure & Capital Improvements Plan

This is the current Village ICIP prepared for submission to the NM Department of Finance. It establishes Village policy and project funding priorities. A TIDD project priority list is also included for review and consideration for approval. The plan was presented, discussed, and approved by the Village P&Z Commission on August 23, 2018.

Discussion took place on the funding for some projects that are listed on the TIDD Plan of Finance as being funded by both the Village and by the TIDD. Some residents of Block N asked why the Block N water and sewer line extension remained on the list when it appeared that there was little chance of the project being funded.

MOTION: To Approve Resolution No. 2019-370 Adopting the Village of Taos Ski Valley 2020-2024 Infrastructure & Capital Improvements Plan

Motion: Councilor Wittman Second: Councilor Kern Passed: 3-0

C. Consideration to Approve **Resolution No. 2019-371** A Resolution to Join the North Central Regional Transit District as a Voting Member of the District and Participate in the Affairs of the District

The adoption of this resolution requires that a notice of public hearing be published in the newspaper, which had been unknown earlier.

MOTION: To table until the hearing can be published

Motion: Councilor Wittman Second: Councilor Kern Passed: 3-0

14. MISCELLANEOUS

15. 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 Pattison Second: Councilor Wittman Passed: 3-0

MOTION: To return to Open Session

Motion: Councilor Wittman Second: Councilor Pattison Passed: 3-0

No decisions or motions were made during closed session.

16. 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, October 9, 2018 at 2:00 p.m. at Tenderfoot Katie's in the TSV Resort Center. (This was later changed to the Edelweiss Lodge Club Room.)

17. ADJOURNMENT

MOTION: To Adjourn

Motion: Councilor Pattison

Second: Councilor Kern

Passed: 3-0

Christof Brownell, Mayor

ATTEST: _____
Ann M. Wooldridge, Village Clerk