



Village of Taos Ski Valley
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VILLAGE COUNCIL REGULAR MEETING
DRAFT MINUTES
EDELWEISS LODGE CLUB ROOM
106 SUTTON PLACE
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, NOVEMBER 13, 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, who entered during item 4
Councilor Tom Wittman, Mayor Pro Tem

Staff present:

Village Administrator Mark Fratrack
Village Clerk Ann Wooldridge
Police Chief Sam Trujillo
Community Development Director Patrick Nicholson
Building Inspector Jalmar Bowden
Administrative Assistant Renee Romero
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:** 4-0

4. APPROVAL OF THE MINUTES OF THE OCTOBER 9, 2018 VILLAGE COUNCIL REGULAR MEETING and the VILLAGE COUNCIL NOVEMBER 6, 2018 SPECIAL COUNCIL MEETING

MOTION: To approve the October 9, 2018 minutes with a few small punctuation and slight word changes, and for the November 6, 2018 minutes, with the amendment to change the sentence concerning the Amizette utility lines from “at which time the sewer line would most likely be extended” to “the sewer line would have to be extended”.

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

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

A. Homeowner Mike Fitzpatrick expressed concern for the possibility that sewer lines could be extended to Amizette. He said that he has been researching other options to serve the new Village Hall once the variance from the NMED expires allowing the use of holding tanks. He said that the citizens of Amizette will be forming an Amizette Community Association. Mr. Fitzpatrick said that he would like access to budgets and costs associated with the new Village Hall project.

6. FINANCIAL REPORTS

Administrator Fratrack reported on October activity in Director Grabowski's absence. GRT remitted to the Village in October was \$136,554 compared to \$75,355 for October last year. Year-to-date GRT total is \$332,785 versus \$212,552 for last year. The TIDD did not receive any GRT in October for August collections. Hold Harmless GRT for the month was \$13,722.

Lodger's tax collections in October were \$15,977 versus \$8,960 for last year. Year-to-date total is \$58,398 for this year, compared to \$60,610 for last year.

Village Staff will ask the Water Trust Board for an extension of time for the funding for the Kachina Water Tank project because of past delays. RMCI has been working on the project this summer, and will continue next spring. The total amount disbursed in FY2019 for the project so far is \$853,142, which has been submitted for reimbursement under the Village's Water Trust Board loan/grant matching fund award.

7. COMMITTEE REPORTS

A. Planning and Zoning Commission –Commission Chair Wittman reported on the November 5, 2018 P&Z meeting. Agenda items included:

- A Public Hearing for a conditional use permit application for wireless communication tower at the Northside at Taos Ski Valley property. A Walsh family representative was in attendance, expressing concern over whether emissions from the tower could affect people staying at their house on Mineslide Road. Mr. Roger Pattison, the applicant, spoke about his intention for the tower which is to bring better wireless communications to the Village.

The Kachina Master Plan Committee meeting was cancelled.

The next P&Z meeting will be held December 3, 2018 at 1:00 p.m. at the Edelweiss Lodge Club Room. (Note: this meeting was later cancelled.)

B. Public Safety Committee –Committee Chair Pattison reported that the Committee met on November 5, 2018. Agenda items included many ongoing conversations:

- The Committee recommends the hiring of a paid part-time EMS/ Fire person who could perhaps live at the new Village Hall.
- The Committee is reviewing the Taos County Hazard Mitigation Plan in order to make a recommendation about Village adoption to the Council.
- There is concern about the Fire Department and EMS, concerning who is in charge of these volunteer programs. He said that it appeared that independent decisions were being made, and that there is an independent Fire Board, but that there also are documents to say that these programs are under the umbrella of the Village. In any case, he said, it appears that Village funds have been distributed to the Fire Department and the Committee asked to know more about this.
- The Committee has set a priority for the Village to get the overhead electric lines installed underground. The contractor needs to be made aware of an expedited schedule next spring and summer.

The Committee will meet again on December 3, 2018 at 10:00 a.m. at the Martini Tree in the TSV Resort Center.

C. Firewise Community Board of Directors – Committee Chair Pattison reported that the Committee met on November 5, 2018. Agenda items included:

- Thanks to Attorney Romero for working on the proposed Firewise thinning ordinance.
- The Committee is interested in a fuels management standards study. The fuels management standards look to be straightforward. The Committee is interested in gathering information on previously treated properties to see how they are faring.
- Councilor Pattison noted that grants are available for municipalities for firewise thinning, especially in the Wildland Urban Interface zone, and especially in areas that would protect several homes. Grants could cover private or federal land. There is a grant which requires a letter of interest to be submitted by Thursday, and if approved, an invitation would be extended to fill out the grant paperwork, which is extensive.
- There is concern with the NMDOT re-painting of Highway 150 through Amizette. It was understood that the lines were to be temporary. The Committee is interested in getting a conversation started again with NMDOT.
- There is still concern with a Kachina area evacuation plan, but in the meantime, the Village's evacuation plan will be distributed again.

The Board will meet again on December 3, 2018 at 11:00 a.m. at the Martini Tree in the TSV Resort Center.

D. Parks & Recreation Committee – Committee Member Kerrie Pattison reported that the Committee has wrapped up its projects for the year. They will be obtaining quotes for re-doing elements on the JR Trail signs. The Kachina Visa Park signs have been installed All citizens are invited to participate in the Committee or at least attend meetings. The lower Sutton Place Boardwalk will apparently not be open for use at this time. The next meeting will take place on November 29, 2018 at 3:00 p.m. at the Village Office.

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

8. REGIONAL REPORTS

Administrator Fratrack reported that the Landfill Board discussed budgets.

At the IGC meeting, discussion took place about recycling and the possibility of situating the recycle center at the Landfill. Discussion was held on the possibility of charging participating entities to pay for recycling and to invite other area municipalities to participate in such a program. To date, only the Village of Taos Ski Valley has agreed to participate in the payment participation program.

9. MAYOR'S REPORT

A. Consideration to Appoint Jalmar Bowden as Building Official for the Village of Taos Ski Valley

According to Village Ordinance No. 2017-10, the Building Official is the Village of Taos Ski Valley Administrator or a duly appointed representative. Building Official Rich Willson has filled this position for the past three years. Building Inspector Bowden satisfied the requirements of the International Code Council and was awarded certification as a Building Official on September 18, 2018. At that time Building Inspector Bowden pledged adherence to the ICC Code of Ethics, dedicating his training and knowledge to the protection of the health, safety and welfare of the public in the building environment. He meets the definition of Certified Building Official per Title 14 Chapter 5 Part 1.7B. of the New Mexico Administrative Code. Building Inspector Bowden has demonstrated this commitment as Village of Taos Ski Valley Building Inspector and has inspired confidence that this will continue as Building Official.

The appointment shall be made by the Mayor with the approval of a majority of all members of the governing body.

MOTION: To Appoint Jalmar Bowden as Building Official for the Village of Taos Ski Valley

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

B. Mayor Brownell gave the Oath of Office to the newly appointed Village Administrator, John Avila

11. STAFF REPORTS

Administrator Fratrack reported on ongoing projects:

- Townsite Act – The Village is still holding the Quitclaim Deed and Purchase & Sale Agreement. The USFS will be sending out a letter in the near future outlining what needs to take place by the Village in order for the USFS to execute the closing on this property.
- Property Management RFP for Village Apartments –A second RFP is in process. Administrator Fratrack walked the property with six companies interested in the putting in a proposal. Two submitted proposals; they were interviewed and one was selected. This item is on the agenda for Council approval.
- Village Hall – Excavation continues in full swing. Most blocks have arrived for retaining walls. The tanks have been installed. Heat and water has been turned on for the apartments. The electrical excavation permit expired for the project was reinstated with great effort. Building Inspector Bowden and Administrator Fratrack presented further information.
- Kachina Water Tank – RMCI finished up trenching for the lines as much as possible until the first snow hit, when they had to demobilize a week earlier than expected. Water Trust Board funding expires in February 2019. The Village has submitted a letter and background information requesting an extension on the funding, and Administrator Fratrack will make the formal request on Nov 28, 2018 to the Board in Santa Fe.
- Kachina Pump Station – This will be a project for spring or summer in FY2020. Staff suggests pursuing a Drinking Water State Revolving Funding (DWSRF) grant/loan. The cost is estimated to be \$300,000.

- Fire Substation Relocation Project – The concrete pad has been poured and the structure moved. Staff continues to work on the electrical lines and the propane tank. The propane companies have been stating they wouldn't have a technician available for at least 30 days.
- WWTP – Patrick O'Brien gave an update, saying that coordination continues with the USDA on its requirements. The Ovivo treatment equipment supplier will amend the existing contract to accommodate the new design. FEI has been corresponding with NM State Procurement experts to insure following of guidelines in amending the Ovivo contract. The redesign of the plant will occur in September to December 2018, with review by the NMED and the USDA to occur following. Planned advertisement for a project contractor will take place in January 2019, with a contractor assigned in February in order to get working in May 2019 for project completion in the fall of 2019. Mr. O'Brien said that the hope is for the redesigned project to cost less than \$7 million. The new plant will use more elements of the previous plant, with the installation of two new modular units. Plant capacity of the current plant 120,000 gallons per day will increase to 300,000-350,000 gallons per day. Mr. O'Brien said that it's not currently required to regulate possible pharmaceutical by-products in the treatment plant effluent. If requirements were to be put in place, a reverse osmosis process could be added later.
- Ernie Blake Road – The final temporary construction easement and piping easement along Ernie Blake Road and Cottam's Cabin property has been signed by the Cottams.
- Natural Gas Line – Because of the late start and unforeseen complications with underground construction, the gas lines were not completed in Ernie Blake Road. The gas lines should move forward early next construction season, and in Thunderbird Road after other utilities are completed.
- Legal Work/Discussions: Update: 1. Townsite Act/WWTP TSVI's Easement request (holding); 2. Property Management RFP (completed); 3. Alpine Village Cabin Easement (completed).
- **Department Briefs**
- Chief Trujillo reported on recent activity: Residential Alarms (1), Business Alarms (0), Suspicious Persons/Vehicles (4), Citizen Assists (74), Embezzlement (0), Traffic Enforcement Hours (78), Traffic Stops (14), Theft (0), Vehicle Theft (0), Larceny (0), Property Damage (0), Verbal Warnings (24), Written Warnings (5), Parking Citations (3), Written Citations (2), Assists to other Agencies (7), Foot Patrol Hours (52), Welfare Check (1), Animal calls (2), MVCs (2), B&E (0), Trespass Warnings (0), Found Property (1), Fire Calls (3), EMS Calls (2), SAR Hours (1)
- Building Official Bowden gave a report on updates.
- Community Development Director and Interim Public Works Director Nicholson announced that Ernie Blake Road is open. The previous signage is no longer needed as the road is now two-way. Dirt will be placed on Phoenix Switchback for the winter. The Discharge Monitoring Report will be added back in to the Council packets. The Twining Road project will continue in the spring, with the application of asphalt millings to occur earlier in the season. Director Nicholson will look into having short-term parking for the post office reinstated. .
In the Planning Department, an open lands dedication to the Village in the Kachina area will be brought to the Council in the near future. Staff is investigating the positive and negative aspects of this for the Village. Director Nicholson reported that the Source Water Protection Plan Committee may be proposing an overlay zone for source water protection. The plan is in its final draft. The hope is to bring the plan to the Council in the first quarter of 2019. Director Nicholson is compiling a scope of work for an assessment of transportation and access options to the Kachina area.
- Clerk Wooldridge reported on changes in the NM Election Code that have occurred with the passing of HB 98 at the 2018 NM legislative Session. Municipalities will have to either opt-in to the new Local Election Act rules by adopting an ordinance to have elections through the County Clerk in November of odd-numbered years, or else opt-out by passing a resolution to send to the NM Secretary of State to continue conducting elections locally in March of even-numbered years. This will be brought forth as a Council agenda item at the December Council meeting.
- Attorney Romero reported on on-going work on Townsite Act concerns with easements.

12. OLD BUSINESS

A. PUBLIC HEARING: 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
North Central Regional Transit District's (RTD) mission is to provide safe, secure and effective public transportation in North Central New Mexico in order to enhance the quality of life of citizens by providing mobility options, and spur economic development throughout the region. As part of the Village utilizing the RTD services, the Village has an MOU with the RTD for them to provide transportation service to the ski valley during the ski season. The Village has also opened up talks with RTD on possible summer service.
The RTD suggested that the Village become a board member of the RTD, which would allow for voting rights when items are presented to the RTD board for consideration.

This agenda item came before the Village Council at its September meeting and was tabled because the notice of Public Hearing had not been advertised in the newspaper for ten days previous to the meeting. Although NMSA 73-25-4 refers to regulations concerning creation of a district, the NCRTD has interrupted the law to require a public hearing when a new member is added, in essence creating a new district.

RTD Executive Director Anthony Mortillero explained to the Council that once the Village passed the resolution, the RTD Board would then vote on the addition. A Village representative would take a seat on the RTD Board in January 2019. The RTD Board Director must be an elected official, he said, but a designee could be a Staff member, except on bonding or land acquisition votes.

PUBLIC HEARING: Mayor Brownell opened the Public Hearing. Speaking in favor was RTD Director Mortillero. Mayor Brownell spoke in favor, saying that he was in favor of more bus routes in winter, as well as the possibility of summer bus routes. TSVI's Peter Johnson spoke in favor of any support for additional transportation to Taos Ski Valley. No one spoke against.

The Public Hearing was closed.

Director Mortillero said that he would try to schedule some extra meetings about additional services in the coming year.

MOTION: 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

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

13. NEW BUSINESS

A. Council Acknowledgement of the FY2019 1st Quarter Financial data submitted to the Department of Finance Local Government Division on October 30, 2018

As per the Department of Finance (DFA) Local Government Division, it is required to have the quarterly financial information submitted no later than 30 days after the close of each quarter. The summary report as submitted to DFA, the Profit and Loss from July 1-September 30, 2018 and the Balance Sheet as of September 30, 2018 were presented. Staff is submitting this report to the Council for its review and acknowledgement of the financial status of the Village as of September 30, 2018.

MOTION: To Acknowledge and Approve the FY2019 1st Quarter Financial data submitted to the Department of Finance Local Government Division on October 30, 2018

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

B. Consideration to Approve Landseer Management as Property Management Company to Manage Rental of Village Apartments and Authorization for the Village Administrator to Negotiate Terms of the Contract

The Village purchased the Taos Mountain Lodge with the idea of remodeling the manager's apartment and reception area into the Village offices and also renting out the apartments long-term for employee "workforce" housing. The Village received an NMFA loan and committed matching funds for the initial funding for the purchase and upgrades for this project. Besides providing affordable workforce housing in the ski valley, it has always been the intention to utilize the rental income from the apartments to pay for the remodel of the office and to possibly supplement the NMFA GRT Bond Revenue loan payment. As part of this transaction with NMFA, it was recommended by the NMFA and agreed upon by the Village to hire a property management company to manage the rental of the Village apartments. The Village went out for the initial RFP; the Village received one proposal at that time, which was later withdrawn. The Village went out a second time for the property management RFP. The Village Administrator showed the property to six companies that expressed interest in putting in a proposal. The Village received proposals from two of the companies; they were: Grande Realty and Landseer Management. A panel reviewed the two proposals, interviewed the two companies, and the panel unanimously recommends awarding the contract to Landseer Management. The initial contract will be for one year.

MOTION: To Approve Landseer Management as Property Management Company to Manage Rental of Village Apartments and Authorization for the Village Administrator to Negotiate Terms of the Contract

Motion: Councilor Kern Second: Councilor Wittman

The details of background checks, maximum number of people in a unit, rental candidates' demonstration of a job within the Village of Taos Ski Valley, and charges from the management company for its work, will all be written into the contract.

The Mayor called for a vote. Passed: 4-0

C. Consideration to Approve SageGIS, LLC as the Village GIS Services Firm and to Authorize the Village Administrator to Negotiate Terms and Initiate the Contract

GIS is an essential municipal service, providing program support across all municipal departments. Proposed GIS services would build upon earlier Village efforts and would include a needs assessment, a system design, data compilation, base layer creation and development, spatial analysis, and mapping. Examples of the types of spatial analysis and GIS mapping products provided as deliverables under the contract would include: municipal zoning, Village utilities and infrastructure, land ownership, land development scenarios, E-911 addressing, public safety response time areas, and the like.

An RFP was issued and a total of three responses were received. The selection committee reviewed the proposals in their entirety and unanimously recommends awarding the contract to SageGIS, LLC. The proposed services would be for an initial one year contract period with the possibility for annual renewal at the Village's sole discretion for an additional three years. However, it is anticipated that upon completion of the new Village Hall next year, that a permanent part-time position will be created, allowing this service to be brought in-house.

MOTION: To Approve SageGIS, LLC as the Village GIS Services Firm and to Authorize the Village Administrator to Negotiate Terms and Initiate the Contract

Motion: Councilor Pattison Second: Councilor Wittman

Director Nicholson explained that it's expected that the contractor would work approximately 30-50 hours per week, and that there would be an expectation of deliverables at certain set points. Director Nicholson will work with the contractor on a priority list of work.

The Mayor called for a vote.

Passed: 4-0

13. MISCELLANEOUS

A. Administrator Fratrack introduced the two final candidates for the Village Attorney contract, for which an RFP had been issued. Eighteen proposals were submitted, which the selection committee reviewed and from which four firms were selected to interview. The final two candidates are Susan Baker, and Robles, Rael, and Anaya. Representatives from each firm introduced themselves to the Council and answered questions. Each firm has extensive municipal experience. The two finalists will be interviewed once again by the Committee and a finalist will be selected.

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, December 11, 2018 at 2:00 p.m. at the Edelweiss Lodge Club Room.

15. ADJOURNMENT

MOTION: To Adjourn

Motion: Councilor Wittman

Second: Councilor Kern

Passed: 4-0

The meeting adjourned at 4:25 p.m.

Christof Brownell, Mayor

ATTEST: _____
Ann M. Wooldridge, Village Clerk