



VILLAGE COUNCIL REGULAR MEETING AGENDA  
TAOS TENT  
5 THUNDERBIRD ROAD  
TAOS SKI VALLEY, NEW MEXICO  
TUESDAY, JUNE 11, 2019 2:00 P.M.

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1. CALL TO ORDER AND NOTICE OF MEETING
2. ROLL CALL
3. APPROVAL OF THE AGENDA
4. APPROVAL OF THE MINUTES OF THE MARCH 28, 2019 VILLAGE COUNCIL SPECIAL MEETING, the MAY 14, 2019 VILLAGE COUNCIL WORKSHOP, and the MAY 14, 2019 VILLAGE COUNCIL REGULAR MEETING
5. UPDATE BY VILLAGE OF TAOS SKI VALLEY TAX INCREMENT DEVELOPMENT DISTRICT BOARD CHAIR NEAL KING
6. CITIZEN'S FORUM –for non-agenda items only. Limit to 5 minutes per person (please sign in)
7. FINANCIAL REPORTS
8. COMMITTEE REPORTS
  - A. Planning & Zoning Commission
  - B. Public Safety Committee
  - C. Firewise Community Board
  - D. Parks & Recreation Committee
  - E. Lodger's Tax Advisory Board
9. REGIONAL REPORTS
10. MAYOR'S REPORT
11. STAFF REPORTS
12. OLD BUSINESS
  - A. PUBLIC HEARING: Consideration to Approve Ordinance No. 2019-68 Approving Water, Sewer, and Trash Rates for Fiscal Year 2020
13. NEW BUSINESS
  - A. Consideration to Approve Resolution No. 2019-398 Approving an Application to the NM Department of Transportation Local Government Road Fund Call for Projects
  - B. Consideration to Approve A Memorandum of Agreement Between the Village of Taos Ski Valley and the North Central Regional Transit District to Provide a Pilot Summer Transit Service to Taos Ski Valley
14. MISCELLANEOUS
15. CLOSED SESSION
  - A. Discussion of Possible or Pending Litigation  
This matter may be discussed in closed session under Open Meetings Act exemption 10-15-1(H) (7)
  - B. A. Discussion of Limited Personnel Matters  
This matter may be discussed in closed session under Open Meetings Act exemption 10-15-1(H) (2)
13. C. Consideration to Authorize Village Administrator to Negotiate a Professional Services Contract to Retain Joseph Caldwell as Mediator
16. ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING OF THE VILLAGE COUNCIL
17. ADJOURNMENT



**Village of Taos Ski Valley**  
 PO Box 100, 7 Firehouse Road, Taos Ski Valley, NM 87525  
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 E-mail: [vtsv@vtsv.org](mailto:vtsv@vtsv.org) Website: [www.vtsv.org](http://www.vtsv.org)  
**Mayor:** Christof Brownell  
**Council:** Jeff Kern, Roger C. Pattison,  
 J. Christopher Stagg, Thomas Wittman  
**Administrator:** John Avila  
**Clerk:** Ann M. Wooldridge, CMC  
**Finance Director:** Nancy Grabowski

**NOTICE OF MEETINGS**

**NOTICE IS HEREBY GIVEN** of the following meetings of the Village of Taos Ski Valley, New Mexico and the dates, times and locations of the meetings:

MEETING	DATE & TIME	LOCATION
VILLAGE COUNCIL SPECIAL MEETING	Wednesday, May 29, 2019 1:00 p.m.	Edelweiss Lodge Club Room
VILLAGE OF TAOS SKI VALLEY SPRING CLEAN-UP DAY	Thursday May 30, 2019	Firehouse Meet at 9:00 a.m. Lunch at 12 noon
PUBLIC SAFETY COMMITTEE	Monday June 3, 2019 10:00 a.m.	Inn at Taos Valley Club Room
FIREWISE COMMUNITY BOARD	Monday June 3, 2019 11:00 a.m.	Inn at Taos Valley Club Room
PLANNING & ZONING COMMISSION REGULAR MEETING	TBA	Edelweiss Lodge Club Room
VILLAGE COUNCIL REGULAR MEETING <i>PUBLIC HEARING: Consideration to Approve <u>Ordinance No. 2019-68</u> Approving Water, Sewer, and Trash Rates for Fiscal Year 2020</i>	Tuesday June 11, 2019 2:00 p.m.	Taos Tent Thunderbird Road
TIDD BOARD REGULAR MEETING	Wednesday, June 19, 2019 1:00 p.m.	Taos Tent Thunderbird Road
PARKS & RECREATION COMMITTEE	TBA	Edelweiss Lodge
SOURCE WATER PROTECTION PLAN COMMITTEE MEETING	TBA	TBD
LODGER'S TAX COMMITTEE	TBA.	Snakedance Condominiums

These meetings will be public meetings to consider various items of business. A copy of the agenda for each meeting will be available for inspection 72 hours prior to the meeting. Persons wishing to comment on items listed on the proposed agendas may submit written comments to the Village offices on or before 5:00 p.m. on the day prior to the meeting. Persons with disabilities may request accommodations no later than 5:00 P.M. on the day prior to the meeting. This notice shall be posted at the Village Office, Box Canyon, Village Message Board in the TSV Chamber of Commerce and three other public places within the municipality as provided by Section 3-1-2 NMSA 1978. /s/ Ann M. Wooldridge, Village Clerk, posted May 22, 2019.



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**VILLAGE COUNCIL SPECIAL MEETING  
DRAFT MINUTES  
INN AT TAOS VALLEY, 1314A STATE ROAD 150  
TAOS SKI VALLEY, NEW MEXICO  
THURSDAY, MARCH 28, 2019 4:00 P.M.**

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**1. CALL TO ORDER & NOTICE OF MEETING**

The special meeting of the Village of Taos Ski Valley Council was called to order by Mayor Brownell at 4:10 p.m. The notice of the special meeting was properly posted.

**2. ROLL CALL**

Ann Wooldridge, Village Clerk, called the role 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

**Village Staff Present**

Administrator John Avila  
Clerk Ann Wooldridge  
Police Chief Sam Trujillo  
Planning Director Patrick Nicholson  
Building Official Jalmar Bowden

**3. APPROVAL OF THE AGENDA**

**MOTION: To approve the agenda as written**

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

**4. APPROVAL OF THE MINUTES OF THE DECEMBER 12, 2018 VILLAGE COUNCIL WORKSHOP, the FEBRUARY 12, 2019 VILLAGE COUNCIL WORKSHOP and the FEBRUARY 12, 2019 VILLAGE COUNCIL REGULAR MEETING**

**MOTION: To approve the three sets of minutes, as written**

**Motion: Councilor Wittman                      Second: Councilor Stagg**

Some members of the audience asked the Council to not adopt the draft minutes of the December 12, 2018 Village Council Workshop, as they said that certain objectionable language used at that meeting had not been included in the minutes. Discussion took place.

Councilor Stagg said that the Council policy has been to adopt summary minutes, not verbatim minutes, and that verbatim minutes may not be desirable. Other audience members had comments. Video recordings of Council meetings, if they were to occur, would not substitute for a written copy of Council proceedings, explained Clerk Wooldridge.

**The Mayor called for a vote.                      Passed: 3-1 (Councilor Pattison dissenting)**

5. **NEW BUSINESS**

**A. Consideration to Approve the Appointment of Planning & Zoning Commissioners**

According to Village Ordinance No. 1997-15, Creating a Planning and Zoning Commission, the Commission shall consist of seven (7) members who shall be appointed by the Mayor with the consent of the Village Council. On the first Commission, the members shall be appointed for one-year or two-year terms, and each subsequent term of a member on the Commission shall be for two years or less in order to maintain the original staggering of terms of membership. Four members of the Planning & Zoning Commission have two-year terms which began in January 2017.

Mayor Brownell explained that there had been five applicants for the four open Commission positions. He listed his concerns with Planning & Zoning Commission appointments, including training needed for Commissioners, consideration of term limits for Commissioners, the real possibility of conflict of interests, having Councilors on the Commission, the need for full disclosure by Commissioners when certain projects could affect them personally, either positively or negatively, and the problem of requiring Commission decisions under a forced timeline on occasion. Mayor Brownell asked whether it was perhaps a timely matter to consider requiring just 5 Commissioners instead of the 7 specified in the Ordinance.

Mayor Brownell said that he had considered many factors, but that in order to maintain continuity, he recommended appointing the previous 4 members: Commissioners Caldwell, Duffy, King, and Stagg.

**MOTION: To approve the Mayor's appointments**

**Motion: Councilor Wittman                      Second: Councilor Kern**

Councilor Kern said that he would like to see better communication between the P&Z Commission and the Council. Mayor Brownell said that that presented a problem, because 2 Council members were on the P&Z Commission. If all of the Councilors and Mayor were to attend P&Z Commission meetings, then there would be a quorum. This often occurred anyways, but it's advisable for the Councilors and Mayor to not comment. The Council is the appeals board for P&Z Commission decisions. There was a suggestion that perhaps there should not be any shared members between the Council and the Commission.

Homeowner Fitzpatrick asked whether the new Village Complex activities should each be brought before the Commission for approval.

**The Mayor called for a vote.                      Passed: 3-1 (Councilor Pattison dissenting)**

**B. Discussion and Consideration to Approve Submittal of an Application to NCRTD for a Summer Pilot Program and to Apply to the Village Lodger's Tax Board for Funding**

The North Central Rural Transportation Department Resolution No. 2009-13 provides a methodology for assessing new routes and services and allows the Mayor as a Board Member to request a new route be investigated for implementation.

The Village would benefit from increased visitor numbers in the summer months outside the ski season, and the bus route would provide additional support to the efforts for summer activity in the Village.

The Village may ask for support from the Village Lodger's Tax Board for funding for a pilot service between the Town of Taos and the Village of Taos Ski Valley, in order for the NCRTD to conduct the service on a trial basis. This would consist of three round trips each Friday, Saturday and Sunday, during June, July and August 2019.

The investigation of a summer pilot program route can be initiated this summer if the funding is provided to NCRTD to help cover expenses of no more than \$40,000. Should the pilot project prove successful, the NCRTD could consider a longer term arrangement that could include more partners and funding sources.

Staff recommends approval to apply for the NCRTD Pilot Summer Transit Route, and to secure funding before the fiscal year budget deadline through application to the Village Lodger's Tax Board.

**MOTION: To approve the submittal of an Application to NCRTD for a Summer Pilot Program**

**Motion: Councilor Stagg                      Second: Councilor Wittman**

Councilor Stagg said that it wouldn't be necessary for the Council to make a request to the Lodger's Tax Board, as the Council was the fiscal agent for those funds. The Lodger's Tax Board is in favor of supporting the NCRTD Summer Pilot Project.

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

**6. MISCELLANEOUS**

**7. 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, April 9, 2019 at 2:00 p.m. at the Edelweiss Lodge Club Room.

**6. ADJOURNMENT**

**MOTION: To Adjourn**

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

The meeting adjourned at 4:30 p.m.

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Christof Brownell, Mayor

ATTEST: \_\_\_\_\_  
Ann M. Wooldridge, Village Clerk



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VILLAGE COUNCIL MEETING  
BUDGET WORKSHOP  
DRAFT MINUTES  
EDELWEISS LODGE CLUB ROOM  
106 SUTTON PLACE  
TAOS SKI VALLEY, NEW MEXICO  
TUESDAY, MAY 14, 2019 9:00 A.M.

**1. CALL TO ORDER & NOTICE OF MEETING**

The workshop of the Village of Taos Ski Valley Council was called to order by Mayor Brownell at 9:00 a.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 Christof Brownell  
Councilor Jeff Kern  
Councilor Roger Pattison  
Councilor Chris Stagg  
Councilor Tom Wittman, Mayor Pro Tem

**Staff present:**

Village Administrator John Avila  
Village Clerk Ann Wooldridge  
Finance Director Nancy Grabowski  
Public Works Director Anthony Martinez  
Planning Director Patrick Nicholson  
Building Official Jalmar Bowden  
Police Chief Sammy Trujillo  
Administrative Assistant Christina Wilder

**3. APPROVAL OF THE AGENDA**

**MOTION: To approve the agenda as presented**

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

**4. BUDGET WORKSHOP**

Village Administrator Avila introduced the budget.

He said that Village staff has worked to put together a comprehensive annual fiscal year budget to fund daily operations and capital expenditures. Overall Village staff has been conservative on revenue projections. The forecasting for GRT above the baseline, or what is referred to as the increment amount, is set at 10% of the baseline. Staff feels this is a conservative estimate due to the capital improvement projects that are anticipated for this upcoming building season. The summary total revenue is forecasted slightly up for this upcoming fiscal year mainly due to estimating GRT revenue increase for the Kachina Water Tank project and the Waste Water Treatment Plant construction along with private construction.

Expenses have been budgeted as flat in most areas. As with FY19, positive revenue results will not be earmarked for operations but instead for funding capital projects for FY20. Staff stands firm on the recommendation of placing these funds toward stabilizing Capital projects and strengthening reserves to be used at later dates for grant matches, capital purchases and projects, maintenance, or to supplement future loan payments. General Fund cash reserve will be projected at five-month coverage to allow the Village to cover the slow period, July to December, and support

Waste Water Treatment Plant construction. Incremental GRT had been set aside into reserves, and a good portion is slated to fund the construction for the Village priority Waste Water Treatment Plant (WWTP) upgrade and also for other future Village priority capital expenditures.

Administrator Avila explained that capital improvement expenses for System Development are not sustained by System Development fees and require support for expenditures. Utility System Development projects require support from the General and Enterprise funds in the FY20 budget.

Enterprise Funds Water Operating 01 and 02 Sewer Operating should be self-supporting. Staff continues to work to get to the most accurate plant and operation costs for the water and sewer systems, split as of FY 19 at a 20%/80 % ratio. The revenues generated by rates are intended to cover operation and capital expenses without subsidy dependence. The dependence on estimating seasonal usage to set rates could lead to further instability for enterprise budgets. Since a dependable revenue predictor that allows for fluctuation in volume and still covers the costs of the service is necessary, a new proposed stability factor will be implemented for the FY20 rates. In addition, an accounting of the General Fund subsidized expenses for costs associated with water and sewer operations such as billing and accounting efforts are being provided by staff but have not been paid by the Enterprise Funds. Last year the proposed increase to rates was rejected and the General Fund was assigned the extra expenses not covered by user fees. Staff has concluded that a yearly increase to both Water/Sewer rates for base and volume usage services should be increased annually by 4% so as to cover all identified expenses of providing service and allow for stability over multiple years.

A Water System Audit, with the hope of developing an Asset Management Plan (AMP), will entail some expense next year but could pay for itself in the short term through identification and repair of leaks in the system. GIS files, TIDD as-built records, locating equipment, and staff time are all assets that can bring down the cost of the AMP. The water system in FY20 anticipates two projects; the Kachina Water Tank and the Gunsite Springs development.

02 Sewer operations have been pressed to handle the increased peak demand and though the plant did not operate at optimal levels, safety and treatment standards were maintained without undue overtime expense. The plan to build a new plant to accommodate increased volumes is near construction. The development of policy to ensure fiduciary responsibility in operations will make the system more cost effective.

Funding to fill an unfunded Supervisor position in the Waste Water plant now accurately reflects the cost for staffing. Unplanned retirement payout costs for two senior positions impacted FY19 but there is not the same expectation for FY20. Maintaining the operating costs is expected but overall expenses are planned higher with preparation of capital projects, a summary total of \$14,403,591.

Fund 07 Solid Waste Mitigation - Trash collection revenues have not kept pace with the increased cost for the region and a yearly rate increase of 5% is requested in FY20. The rate structure set up in previous years was an effort to make Fund 07, Solid Waste, a sustainable fund, but the revenues have not matched expenses for demand and the Village has allocated more Public Works staff time to Solid Waste.

Fund 05 Roads: Construction to improve streets throughout the Village is funded somewhat by NMDOT Local COOP grants but accessing other funding sources is a challenge. GRT, Gas Tax, MVD registration, and Impact Fee transfers do not cover the continuing need for repair and construction of facilities. Many staff hours are dedicated to keeping the public roads safe and drivable. Additional hours are utilized making access to public roads and assisting vehicles in need. TIDD roads construction requires review as they are developed, in order to minimize the maintenance cost of the road when it is transferred to the Village.

One of the main focuses in this budget cycle is to continue building reserves, as results are being seen and the budget continues to get healthier. This has allowed the Village to pursue additional funding opportunities and capital projects. This year staff would like to propose the following transfers into reserve accounts:

- 02 to 32, \$10,000 Vehicle/Equipment Reserves
- 01 to 32, \$5,000 Vehicle/Equipment Reserves
- 02 to 42, \$37,800 Bond interest net Reserves
- 01 to 41, \$30,000 Water Depreciation Reserves
- 01 to 41, \$8,731 Kachina Water Tank
- 01 to 41, \$26,250 Old loan payment until 2030
- 02 to 42, \$120,000 WWTP Upgrade Reserves

- 03 to 32, \$100,000 General Reserves
- 03 to 43, \$300,000 General Admin Reserve

It is vital for VTSV to continue to build reserves not only to prepare for unexpected costs, but for better planning and forecasting of Village priority projects, maintenance, and equipment purchases. Past transfers for reserves are helping to cover FY20 capital expenditures.

This year has been once again a very busy year for all Village departments. Staff continues to take responsibility for additional workload and projects. Because of the outstanding efforts by dedicated employees in times of crisis and throughout the year, the Village Administrator would like to propose up to a 5% Classification/COLA for all personnel, with the understanding that the Village Administrator reserves the option to recommend to Council additional percentage adjustments for identified personnel. There is a 5 % increase to medical, dental and vision premiums. An increase of employer contribution of 0.25% is predicted from PERA; staff advises to maintain the same match for PERA coverage. And, Staff maintains recommendation of the health incentive expense.

The Village's insurance through the NM Self Insurers' Fund is predicted to remain relatively the same, with a few areas of increase seen in the range of 5%. The Village has a good track record in its Liability and Workers' Compensation claims, so will not see the proposed rate increases of some other municipalities in New Mexico.

With all the activity for the Village, the Contract Lawyer has been more active in new and long-standing issues. If legal action is required to defend the residents' interests, the Village may need an adjustment of budgets above a 50% increase.

For FY20, the Capital Project list includes (by priority):

- Waste Water Treatment Plant (WWTP): The System Expansion of the Sewer plan remains the Village's number one priority for capital improvements. The Village is utilizing the Clean Water State Revolving Fund \$500,000 (\$150,000 grant/\$350,000 loan) previously received to fund Allen Plummer Associates (FEI Engineering) in all engineering, studies, design, surveying, and other required items to bring this project to a shovel ready state. Additionally the Village committed to provide cash payment of \$800,000. In April the redesigned WWTP construction project was awarded to Integrated Water Systems using the Ovivo membrane system. The new construction project cost is now foreseen to be \$10,000,000. In order to complete this project in FY2020, additional USDA loan funds will need to be secured for at least \$1,660,000, and additional Village cash contribution of \$1,533,996. The cash contribution will severally deplete Village reserves and add additional loan costs to the Waste Water System Expansion debt service. Additional rate and/or reduction in service budget may be required.
- Kachina water tank, controls, and piping project: Allen Plummer Associates recently held another Contractor Pre- Construction meeting with RMCI for the second phase of the Kachina Water Tank Project. The goal is to complete the project by November 2019, with the majority of the project prep work having been completed in 2018. The Village received Water Trust Board (WTB) approval in FY16 for funding for the \$1,640,000 loan/grant water tank project. The current estimated project total is \$2.17 million. The breakdown for the projected funding was \$1,476,000 WTB grant; \$164,000 WTB loan, \$330,000 Village match, and \$200,000 TIDD match. A change order charge of \$240,000 was approved in 2019 because of increased costs of excavating in terrain with large boulders.
- Village Hall Complex (VHPlex): In FY16, the New Mexico Finance Authority approved funding for the Village to purchase the former Taos Mountain Lodge (TML) for use as Workforce Housing and the future site of Village offices. The Village acquired the TML in July 2016 and proceeded to design and redesign the facility, demolition work was started and expenses were incurred to bring the facility within regulatory compliance. The Village has spent all project funds and exceeded the anticipated budget. The remaining costs associated with finally making the Complex usable are over \$200,000 in the remainder of FY19 and predicted to be at least half that in FY20. Until there is final regulatory approval, it is unknown when to expect to rent the apartment units. Some costs of terrain improvement will be regained if the office space can be remodeled for use by the Village Police Department. Staff will bring on a property management company to lease out the available apartment units once they are made ready.

In closing, Village staff feels that this is a fiscally conservative budget that will assure the Village can maintain its present level of operations and service, while taking care of its employees, build reserves, set aside funds for

emergencies and unforeseen expenses, and continue to fund projects in a timely manner according to Council direction and priorities.

Director Grabowski proceeded to explain the budget in detail, by department. Once the Capital Outlay agreements for \$1.3 million for the WWTP expansion, and for \$315,000 for the Gunsite Spring Development have been signed, the Village will be able to access the funds and add them to the budget.

Director Martinez explained that the temporary treatment plant would suffice and would be available to handle next winter's flows if the expansion project had not been completed at that time. Staff will work on hooking up the treatment plant to natural gas in order to save money on propane expenses.

Discussion took place on re-establishing work towards burying electric lines underground, and which areas should be prioritized. In order to bury lines in Amizette, Taos East would need to be connected. Discussion would need to take place with Luis Reyes again about de-activating the overhead lines down to Taos East. The Twining Road section is one-phase which causes an imbalance in the Village system and causes outages. A scope of work needs to be completed as there is approximately \$400,000 in Kit Carson Franchise Fees accumulated at this time.

Director Nicholson made some requests for continued funding for GIS licenses, maintenance agreements, equipment, and contractor expenses. Also requested was funding for an impact fee needs assessment update. The total expenses for these projects, \$140,000, will be added to the General Fund budget.

Expenses for the recycle bins were questioned, as the Village's system is not working. Village staff will make a plan to dedicate funds and staff to improving the Village's recycle program, in part because of changes with the Town of Taos' recycling program.

EMS/Fire Volunteers requested that a source of revenue be identified for funding paid EMS and Fire personnel. The Village proposes retaining a 10% administrative fee for the processing of Lodgers' Tax payments, collections, late fees, budgeting, and processing of grant funds.

Homeowner George Boyden and his wife thanked the Village staff for such a thorough presentation and explanation of Village finances.

**5. ADJOURNMENT**

**MOTION: To Adjourn.**

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

The workshop was adjourned at 12:45 p.m.

\_\_\_\_\_  
Christof Brownell, Mayor

ATTEST: \_\_\_\_\_  
Ann M. Wooldridge, Village Clerk



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VILLAGE COUNCIL REGULAR MEETING  
DRAFT MINUTES  
EDELWEISS LODGE CLUB ROOM  
106 SUTTON PLACE  
TAOS SKI VALLEY, NEW MEXICO  
TUESDAY, MAY 14, 2019, 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 role 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 John Avila  
Village Clerk Ann Wooldridge  
Finance Director Nancy Grabowski  
Police Chief Sam Trujillo  
Community Development Director Patrick Nicholson  
Building Official Jalmar Bowden  
Public Works Director Anthony Martinez  
Administrative Assistant Renee Romero  
Administrative Assistant Christina Wilder  
Village Attorney Susan Baker
  
  3. **APPROVAL OF THE AGENDA**  
Councilor Wittman asked to move items 12. G. and 12. H. to before item 12. A. , and to move the Parks & Recreation Committee report to precede the Citizen’s Forum.  
**MOTION: To approve the agenda as amended**  
**Motion: Councilor Wittman                      Second: Councilor Stagg                      Passed: 4-0**
  
  4. **APPROVAL OF THE MINUTES OF THE APRIL 9, 2019 VILLAGE COUNCIL REGULAR MEETING and the APRIL 16, 2019 VILLAGE COUNCIL SPECIAL MEETING**  
**MOTION: To approve the minutes as presented**  
**Motion: Councilor Wittman                      Second: Councilor Stagg                      Passed: 4-0**
  
  7. **D. Parks & Recreation Committee** – Committee Chair Katherine Kett reported that trash pick-up day would take place on May 23, 2019, with a picnic lunch at noon at the Firehouse. (Note: this was later changed to May 30, 2019 because of inclement weather.) Summer projects are underway to hang flower baskets, install the disc golf course, and other items, which will all be set up by mid-June. The playground equipment will not be installed this year as no adequate location has been identified.

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

A. Homeowner Francie Parker addressed the Council to say that she was concerned about the proposed employee housing dormitory that TSVI would like to build on the corner of O.E. Pattison Loop and Twining Road. She said that none of the neighbors or anyone else affected by this proposed dormitory were notified or knew anything about the plans to build a 16,000 square foot, four-story tall building in their neighborhood. She said that the dormitory would reclaim current roadway for its footprint, and would house up to 80 temporary workers, while providing only 7 parking spaces. She said that they only found out about the proposed project because of a small item placed upon the April 1, 2019 P&Z meeting agenda. According to Ms. Parker, there was a shortage of required parking spaces or zoning conformance for the project. Upon request, she had received meeting minutes for a meeting held on February 21, 2019 between the Village staff and TSV Inc. for a Certificate of Compatibility Checklist Pre-Submission. Those meeting minutes, written by TSVI, stated that no mandatory public review or notification was required according to Village ordinances. The final approved March 12, 2019 Village Council meeting minutes state that in Planning Director Nicholson's department briefing for March, no variances or conditional use permits were expected for the project.

Ms. Parker asked that Village policy be changed and that one of the Village Councilors sponsor, draft, and submit a new Village ordinance for approval that requires that a sign be posted on a property 30 days before any building permit is approved. This would ensure an adequate period for public comment in the Village of Taos Ski Valley and make the Village homeowners feel more informed about the changes occurring in the Taos Ski Valley as it continues to grow, she said.

Ms. Parker asked that a two-week notice be given of "any such issue coming before the P&Z Commission."

B. TSVI CEO David Norden said that TSVI has learned that the public is interested in what they are doing and so they will make a concerted effort to inform the public. He said that TSVI's goals are to enjoy and protect the outdoors, while giving back to entities that support a sustainable environment. He said that TSVI sponsored a charitable event in the last week of ski season that raised \$132,000 for donation to the Taos Community Foundation towards Search & Rescue efforts, through various organizations. Mr. Norden reported that two TSVI employees had recently been awarded a NM Leadership award and an Innovation & Sustainability award.

C. TSVI's Development Director Peter Johnson asked how the Village Staff could re-do, rescind, and change agreed-upon plans, in its effort to better regulate Village rules. Attorney Baker advised the Council to not respond.

D. Homeowner Sharon Woods said that she was strongly against the proposed dormitory. She asked how the parking requirement was evaluated. Ms. Woods said that having the proposed dormitory in her neighborhood would hurt the residents and their property values.

E. Homeowner Rob Elliott spoke against the proposed dormitory and said that the neighborhood residents had contacted lawyers and media consultants.

F. Homeowner Rhonda Fleck spoke against the proposed dormitory, saying that if it were to be constructed, the property owner who allowed the use of her bridge to cross the river would shut the bridge to public access. The neighborhood residents would no longer have use of a bridge to get to the ski area.

6. **FINANCIAL REPORTS**

Director Grabowski reported that GRT remitted to the Village in April was \$252,341 compared to \$187,022 for April last year. Year-to-date GRT total is \$1,805,292 versus \$1,279,374 for last year, a 41% increase of previous year's collections. The TIDD received GRT of \$143,433 in April for February collections. Hold Harmless GRT for the month was \$33,803.

Lodger's tax collections in April were \$122,892 versus \$74,080 for last year. Year-to-date total is \$506,854 for this year, compared to \$344,519 for last year, a 47% increase of previous year's collections.

Water and sewer revenues are up 8% from the previous year.

Heritage Trust, who has been doing the monthly Centinel Bank monthly reconciliations, payroll quarterly reports, W-2 and 1099's for the Village, has given notice that they will no longer be able to provide these services. Staff sent out a request for bids from local CPA and bookkeeping services. A bookkeeping/CPA service has provided assistance to the finance department in the past and has allowed for stronger internal controls. The Village also requested bids from these firms to process payroll and payroll liabilities.

7. **COMMITTEE REPORTS**

A. **Planning and Zoning Commission** –Commission Chair Wittman reported that the Commission did not meet in May, and most likely would not meet in June. If so, the next meeting will take place on July 1, 2019 at the Edelweiss Lodge Club Room.

**B. Public Safety Committee** –Committee Chair Pattison reported that the Committee had not met in May. The next meeting will take place on June 3, 2019 at 10:00 a.m. at the Inn at Taos Valley.

**C. Firewise Community Board of Directors** – Committee Chair Pattison reported that the Committee had not met in May. The next meeting will take place on June 3, 2019 at 11:00 a.m. at the Inn at Taos Valley.

**E. Lodgers' Tax Advisory Board**

Councilor Stagg reported that at the April meeting, the Lodgers' Tax grant requests had been approved for the same entities as in the previous year. The Council approves the final Lodger's Tax Board fiscal year budget, which includes the grants. The next meeting of the Lodgers' Tax Advisory Board is scheduled for June 12, 2019 at 11:00 a.m. at the Snakedance Condominiums.

**8. REGIONAL REPORTS**

Planning Director Nicholson reported that a draft Source Water Protection Committee plan will be brought to the Council in the next couple of months.

Administrator Avila reported that the Landfill Board meeting on April 25, 2019 included a request for budgeting regional cleanup projects, a policy for discussion on how to accommodate private entity discounts for assistance in cleanup projects without creating anti-donation violation, discussion of budget needs for increased fees to cover anticipated expenses, the impact for communities now that the Town of Taos Recycling Center is changing, and adoption of an investment policy.

The Inter-Governmental Council of the Enchanted Circle agenda was primarily occupied by the USFS explanation of the opportunities to participate in the Capitol Christmas Tree, and a call for Chambers of Commerce, Schools, and Community Organizations to organize along the stops of the tree's route through New Mexico.

The Enchanted Circle Council of Governments (ECCOG) had a presentation by Carl Colonius with the Enchanted Circle Trails Association requesting funding, in addition to a statement of support for the Enchanted Circle Trails Association. The Board discussed Budget constraints and general and political support for the Trail Projects.

There was also a discussion of conducting an RFP for price agreements available to all members of the ECCOG. Administrator Avila said that the Town of Taos agreed that they would help correct the Capital Outlay designation for Gunsite Spring development of \$315,000 which was mistakenly assigned to Taos instead of to the Village of Taos Ski Valley.

**9. MAYOR'S REPORT**

Mayor Brownell thanked TSVI for adding an additional week to the ski season, which included some fresh powder days. He said that regional bus service through the NCRTD is difficult to organize for the Enchanted Circle because Angel Fire is in Colfax County. The hope is to get summer bus service to Taos Ski Valley by late June.

Mayor Brownell said that the construction workers on Thunderbird Road were being conscientious and considerate of the neighbors.

**10. STAFF REPORTS**

**Administrator Avila reported on ongoing projects:**

- **WWTP** – The Waste Water Treatment Plant expansion project is scheduled to start with site review May 15, 2019 with substantial completion to be reached in 210 calendar days. The overriding concern is to have the new plant completely functional in time for the seasonal increase in demand. Phasing the project over two years has not been a consideration in planning the project and would add to the cost of construction. Following receipt of the signed Notice to Proceed and subsequent execution by Integrated Water Services (IWS), IWS will release several purchase orders for subcontracts and equipment and they are prepared to attend a pre-construction conference call meeting on May 15, 2019. Prior to the meeting IWS will prepare and submit schedules consistent with the Contract Documents.
- USDA representatives participated in the bid evaluation process and recommended that the Village consider options for covering the growth of expected construction costs, including requesting an increased USDA loan authorization. Evaluation of rationale for additional funding to cover construction bids overage included the following:
  - A comparison of the construction project bids received in 2018 and the current April 2019 bids indicate that approximately \$3.3 million in construction cost was removed from the project plans. This reduction in cost is attributed primarily to reduced construction labor and materials associated with using packaged MBR plant equipment, elimination of the need for constructing large cast-in-place concrete basins, reducing the construction timeframe from 27 months to approximately 9 months,

eliminating a large amount of below-grade yard piping, and simplifying the mechanical piping and the electrical/I&C work required by utilizing the packaged MBR equipment systems.

- It is believed that the primary reasons for the construction bid cost over-run as compared to the approximate \$8 million 2016 PER cost estimate are attributable to the following primary reasons:
  - the remote location of the WWTP construction work impacting the cost and availability of labor, shipping cost of material, and per diem costs of workers
  - cost impact due to jobsite elevation on construction season and daily inclement weather as a percentage of total work days available
  - construction risk associated with labor and subcontractor availability shortages
  - materials and labor cost increases over the period from 2016 to 2019
  - cost increases tied to electrical and I&C work
  - adherence to the provisions of the American Iron and Steel (AIS) requirements
  - the need to provide a fully-functional temporary treatment plant system for the duration of construction
  - increased construction cost associated with the 8-foot depth of bury for yard piping
- The Village was able to make the deadline for a request for an increased possible USDA loan, and the request has progressed to final levels of approval. The Village may need to consider increased user rates if not able to meet the cost of the new plant with System Development Fees or continued support from the General Fund.
- **Kachina Water Tank** – The long planned construction of the Kachina Water Tank project has started with mobilization of equipment last week. Continued assistance by Village staff to clear snow at the project site will make the progress easier. The project was intended to be constructed in two building seasons due to issues with access and site constraints. The Contractor has a very tight schedule to meet in order to complete the project this building season. RMCI proposed and the Village accepted a change order for \$240,000, down from its original request of approximately \$500,000. As a priority for the expanded system capacity anticipated in the Village water system planning, the Kachina Water Tank project is needed to meet the surges in demand during the ski season. When completed it is also expected to provide increased capacity for buildings now experiencing lower water supply and pressure levels. System Development Fees are not anticipated to cover the Village share of the total cost of the project. The anticipated total cost of \$2,835,923 leaves a funding gap of \$867,923 over the budgeted \$1,968,000. The project was funded through the Water Trust Board for \$1,640,000: 10% loan, 90% grant, which required the Village to match the difference, then \$328,000. The project must be completed, invoiced and closed by November 30, 2019 to meet the Village's obligations for Water Trust Board Funding. An updated construction schedule will be provided as the construction progresses.
- **Village Hall Complex** – Developing Village Hall facilities has been a priority project, and the purchase and repurposing of the previous Taos Mountain Lodge property continues after many design and redesign issues. Work on the tasks continue in order to have permitted, functional, Village Work Force Housing. Tasks recently completed are the septic service contract, and the NMED final certification. Still to accomplish before the units are ready: CID approval, fire alarm installation, building repairs, plumbing, electric, phone, fiber, and block wall installation, and drains and landscape seeding. In order to meet budget constraints, work not planned for this fiscal year includes guard rails and road way work.

The Village Complex has been put to use this fiscal year and has offset some costs by serving as the temporary housing of Emergency Medical Technicians (EMT) and other Village professionals.

The Complex office space can readily be put to use by the Village Police Department with relatively inexpensive construction costs. The facility would be an improvement to the current police trailer housing, and would provide a presence along the NM 150 corridor as well as providing additional safety oversight at the Complex.
- Village Staff met and started project and policy discussions with NMDOT District Chief Paul Brasher. As a result, there is a better understanding of the immensity of responsibilities in the wide regions of NMDOT District 5. Village Staff also learned of the best process to address issues with NMDOT for NM 150, and of possible funding sources that are available in conjunction with NMDOT.
- Chief Robert Molina has begun to address required reporting for the Village Volunteer Fire Department. Discussions are taking place about how the Fire Department can be best managed.
- **Department Briefs**
- Chief Trujillo reported on recent activity: Residential Alarms (1), Business Alarms (1), Vehicle Alarm (1), Suspicious Persons/Vehicles (1), Citizen Assists (93), Embezzlement (0), Traffic Enforcement Hours (62), Traffic Stops (7), Theft (1), Vehicle Theft (1), Larceny (0), Property Damage (0), Verbal Warnings (19), Written Warnings (2), Parking Citations (1), Written Citations (0), Assists to other Agencies (3), Foot Patrol Hours (61), Welfare Check (2), Animal calls (1),