

**Village of Taos Ski Valley Tax Increment Development District**

P.O. Box 100, 7 Firehouse Road, Taos Ski Valley, NM 87525

(575) 776-8220 (575) 776-1145 Fax

**Chairperson:** Neal King

**Board Members:** Richard Duffy, Chaz Rockey, Tom Wittman, Ashley Leach DFA

**Co-Treasurers:** Nancy Grabowski, Chaz Rockey

**Clerk:** Ann M. Wooldridge, CMC

**VILLAGE OF TAOS SKI VALLEY  
TAX INCREMENT DEVELOPMENT DISTRICT BOARD  
DRAFT REGULAR MEETING MINUTES  
TAOS TENT, 5 THUNDERBIRD ROAD  
TAOS SKI VALLEY, NEW MEXICO  
WEDNESDAY, JUNE 19, 2019, 1:00 P.M.**

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**1. CALL TO ORDER**

The regular meeting of the Village of Taos Ski Valley Tax Increment Development District (TIDD) Board of Directors was called to order by Chairperson King at 1:00 p.m. The notice of the special meeting was properly posted.

**ROLL CALL**

Ann Wooldridge, TIDD Clerk, called the role and a quorum was present.

**TIDD Board Members Present**

Chairperson Neal King

Board Member Richard Duffy

Board Member Ashley Leach, DFA

Board Member Chaz Rockey, Co-Treasurer

Board Member Tom Wittman

**TIDD Board Staff Present**

TIDD Clerk Ann Wooldridge

TIDD Finance Director Nancy Grabowski

TIDD Attorney Dennis Romero

**2. APPROVAL OF THE AGENDA**

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

**Motion: Board Member Wittman      Second: Board Member Duffy      Passed: 4-0**

**3. Consideration to Approve the Minutes of the April 30, 2019 Special Meeting of the Board of Directors of the Village of Taos Ski Valley Tax Increment Development District**

**MOTION: To approve the Minutes of the April 30, 2019 Special Meeting of the Board of Directors of the Village of Taos Ski Valley Tax Increment Development District**

**Motion: Board Member Wittman      Second: Board Member Duffy      Passed: 4-0**

**4. Other Business**

**A. Discussion and Review of TIDD Board of Directors Election Procedures for the November 5, 2019 TIDD Board Member Local Election**

Clerk Wooldridge explained that in the 2019 Legislative Session, House Bill 407 passed both the House and the Senate and was signed by the Governor on April 3, 2019, to be effective immediately. These changes to the Election Code were being considered by the Legislature after the Village TIDD Board had adopted its Election Resolution No. 2019-27 at its March 6, 2019 TIDD Board Meeting. The 2018 Election code was being followed for a Special Election with mail-only ballots.

However, with the changes in the 2019 Election Code, the TIDD election process must be altered to follow the new code. Some of the highlights of the changes:

1. New board members shall be elected by “qualified electors.” Property ownership is no longer a basis for qualification to vote in a TIDD election of new board members (although property ownership remains a qualification for formation elections). The definition of a qualified elector, which now means a “voter” according to NMSA 1978 Section 1-1-5, is a resident of this state qualified to vote under the provisions of the constitution of New Mexico and the constitution of the United States. Voters who are registered to vote within the Village of Taos Ski Valley precinct AND who reside within the boundaries of the TIDD comprise the body of qualified voters for this election. The District Clerk is in the process of confirming this qualification.

2. The qualifications of candidates, which now means a person who “physically resides within the boundaries of the district or districted area in which the person desires to be elected or to represent and the person’s record of voter registration shows that the person is both a qualified elector of the state and was registered to vote in the area to be elected to represent on the date the proclamation calling a local election is filed in the office of the secretary of state.” This date is August 7, 2019.

3. The District must opt in to the Local Election Act for an election which shall be held on the first Tuesday after the first Monday in November of each odd numbered year. The Taos County Clerk will run the election, at no cost to the TIDD. The polling place will be the location within our precinct normally designated by Taos County for elections, which is the Inn at Taos Valley. A voting tabulator machine will be used.

Significant dates:

- June 8, 2019-July 8, 2019 Notify the County Clerk of all local government positions that are to be filled at the next regular election. Taos County Clerk Anna Martinez said that an email is fine.
- July 16, 2019 Taos County Clerk notifies the Secretary of State’s office of all positions to be filled.
- August 7, 2019 Secretary of State’s office issues proclamation for local election
- By August 22, 2019 Taos County Clerk shall post and publish the election proclamation
- August 27, 2019 9-5 Candidate Filing Day with Taos County Clerk. Must be in-person by the eligible candidate or by a person acting by virtue of written authorization.
- September 3, 2019 Write-in Candidate Filing Day
- October 8, 2019 Voter Registration Closes
- October 8, 2019 Absentee Voting Begins. Application for absentee ballot is made through the Taos County Clerk’s office.
- October 19, 2019 Early Voting Begins at the Taos County Clerk’s office
- November 2, 2019 Early Voting Ends
- November 5, 2019 Local Election Day
- November 15, 2019 Last Day for Taos County Clerk to issue Certificate of Canvass of the results of the Election
- November 29, 2019 Secretary of State’s office issues Certificate of Election to Candidates
- January 1, 2020 Candidates take office

#### **B. Village Request for Reimbursement of TIDD Expenses**

Village Administrator Avila explained that the Village has continued to support the TIDD structure and process with the hopes of seeing public projects come to fruition. To that end, he said that the Village had undertaken expenses with the understanding that these expenses could be reimbursable under the Master Development Agreement through TIDD Board approval. Some of these costs, not previously submitted for reimbursement, were recently brought to the attention of the Village Administrator. Administrator Avila presented to the Board a summary of invoices as well as copies of many of the individual invoices. The majority of these were from Attorney Dennis Romero. Mr. Romero explained that he had billed the Village for Village-related work, while billing the TIDD for TIDD work, as the TIDD attorney. He explained that the detail presented in the invoices themselves should suffice as adequate detail.

Administrator Avila said that he would conduct more research on these items and bring them back to the TIDD Board at another meeting, if they wished.

#### **C. Discussion and Review of TIDD GRT Distributions**

Board Member and TIDD Co-Treasurer Rockey reported that there appears to be something wrong mechanically with the manner of the calculation that NM Tax & Revenue is conducting for the baseline and the incremental Village and TIDD GRT. He said that the shortfall in taxes to the TIDD may not necessarily be going to the Village.

Board Member Rockey had met with Cabinet Secretary Schardin-Clake who said that NM Tax & Revenue is very interested in straightening out the problem. Councilor Stagg also met with the Cabinet Secretary, to represent the Village’s interest in getting this fixed. Board Member Rockey said Ms. Schardin-Clarke had explained that a designated agent could be named by the Village to work on the details and identify the problems, going back to the beginning of the TIDD. Ms. Schardin-Clarke is investigating the tax increment calculations for all TIDDs in the State of New Mexico.

Board Member Rockey thought that the Village’s Hold Harmless GRT is also getting shorted. Board Member Rockey said that the developer doesn’t have confidence in the tax calculation process. He said that if the shortfalls are running at a rate of 30%, then the \$30 million expended by the developer to date will not get reimbursed. The total expended so far on public infrastructure has been \$45 million, he said.

This will be discussed again at the next TIDD Board meeting.

#### **D. Developer Update**

TSVI Development Director Peter Johnson said that a submittal would be made within 30 days for Village acceptance and subsequent TIDD reimbursement of Strawberry Hill utilities, water and sewer lines, and river crossing. He said that the Ernie Blake Road improvements had been completed and inspected by Village staff. Village staff has now said that improvements were not approved for Thunderbird Road and that the easements had not been granted. Because of this, TSVI is now in a holding pattern, he said. Also, they are concerned about whether the Village will accept the Strawberry Hill improvements for reimbursement.

Mr. Johnson reviewed the list of projects and timing, saying that the Route 150 utility trench still needs fiber optic installation by the utility company. The Visitor Drop-off may remain privately owned instead of being TIDD-funded. The Blake Plaza has been completed, with the Parcel D Plaza due to begin construction soon. Riverwalk and Stream Restoration are ongoing. The Parking Lot upgrades will remain private. The Wastewater Treatment Plant project, now expected to be \$10 million, will be funded through the Village. Underground Utilities and Drainage in the Core and on Strawberry Hill are complete, with Ernie Blake Road and Thunderbird Road remaining. Natural Gas Distribution has been completed to the Village Core and the remaining expansion would need to be funded by the Village. Using the matching credits and the economic incentive grant, would bring the cost to about \$1 million. The Beaver Pond Water line improvement has yet to be determined. Sutton Place Crossing and Road have been completed. Bridge construction for Parcel D-G will be completed with the Parcel D project. The West Burroughs/Ernie Blake Road crossing has been completed but not yet dedicated. The Burroughs Road project details have yet to be determined. The Ernie Blake and Thunderbird Road Upgrades are underway, with \$1.5 million spent to date, with an expected cost of \$1.6 million expected to complete the project, in the next 1-2 years. Paving of Twining Road may have another funding source. Paving the Road to Kachina cost has been updated from \$2.2 million to \$10 million. The snow storage retention pond is complete. A Route 150/Village Entry will not occur until Parcel D is completed and there is less construction going on. The Kachina Water Tank is a Village project, currently estimated at \$3.75 million. A Kachina Public Parking Facility will not be considered until a Kachina Master Plan is completed. TIDD Dedication costs are ongoing.

Board Member Wittman thanked Mr. Johnson and said that this information is helpful, and useful for Village staff.

**5. Miscellaneous**

A. Board Member Wittman asked about Mr. Johnson's comment at the last Village Council meeting that the TIDD should have reimbursed the developer \$6 million. Board Member Rockey said that this was a reference to the shortfall in GRT distributions from the State. Board Member Wittman asked about a reimbursement schedule for the TIDD list of 27 eligible projects. He said that there wasn't any documentation saying that the developer needed to get reimbursed in order to continue work on infrastructure projects. Board Member Rockey explained that although that was true, there also isn't anything to say that the entire list of TIDD-eligible projects had to be completed. They agreed that the TIDD is a good faith effort for both parties, the developer and the Village.

- 6. Announcement of the Date, Time, & Place of the Next Meeting of the TIDD Board**  
The next Regular Meeting of the Village of Taos Ski Valley Tax Increment Development District (TIDD) Board is planned for July 17, 2019 at the Edelweiss Lodge Club Room.

**7. ADJOURNMENT**

**MOTION: To Adjourn**

**Motion: Board Member Wittman**

**Second: Board Member Duffy**

**Passed: 4-0**

The meeting was adjourned at 2:50 p.m.

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Neal King, Chair

ATTEST:

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Ann M. Wooldridge, Clerk