



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 12, 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 roll and a quorum was present.

**Governing body present:**

Mayor Christof Brownell  
Councilor Jeff Kern  
Councilor Roger Pattison  
Councilor Chris Stagg  
Councilor Tom Wittman, Mayor Pro Tem

**Staff present:**

Village Administrator John Avila  
Village Clerk Ann Wooldridge  
Finance Director Nancy Grabowski  
Police Chief Sam Trujillo  
Community Development Director Patrick Nicholson  
Building Official Jalmar Bowden  
Project Manager Rich Willson  
Administrative Assistant Renee Romero  
Administrative Assistant Christina Wilder  
Village Attorney Susan Baker

**3. APPROVAL OF THE AGENDA**

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

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

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

**A.** David Norden, TSVI CEO, said that snowmaking was in full force and that there is much more snow being stockpiled up high than can be seen from the base area. With the cooler temperatures again, TSVI is having good snow production at night. The snowmaking crew is currently working from the Whistlestop down, and then will work from the top of Lift #1 down to the Whistlestop. The hope is to have Lift #1 open as well as the Pioneer Glade lift for opening day.

Mr. Norden reminded the Council of TSVI's invitation for the Council, the P&Z Commission, and Village Staff to meet with TSVI for them to share their vision, and also for the Village to share its vision.

Mr. Norden introduced Jessica Caskey who has been working on TSVI's B-Corp status renewal as well as on instituting a living wage standard and a pay equity standard at TSVI. Ms. Caskey will be attending some Council meetings in order to get more involved in the community.

**5. FINANCIAL REPORTS**

Finance Director Grabowski reported that GRT remitted to the Village in October for August filings was a negative \$17,407 compared to \$136,554 for last year. Year-to-date is -\$47,408 versus \$332,785 for last year. The negative number is a result of no distribution in October, along with a withdrawal of GRT by NM Tax & Revenue for repayment of funds which they determined should have gone to the TIDD.

The TIDD received GRT in October of \$251,397. Hold Harmless GRT for the month was \$12,277. Without the negative GRT amount year-to-date, the Hold Harmless revenue year-to-date would be \$30,911.

Lodger's tax collections in October for September were \$18,538 versus \$15,977 for last year. Fiscal year-to-date total is \$69,748 versus \$58,397 for last year.

Outside contractor expenses are up because of payouts to IWS for WWTP work, and to RMCI for Kachina Tank work.

Legislative appropriations include the final payout of the FY16 \$50,000 NMED grant and the initial payout of the \$1.3 million NMED Legislative Grant. The Village will submit a request for the balance of \$53,415.61 to NMED shortly. The Water Trust Board grant has been reimbursed to the Village in full.

## 6. COMMITTEE REPORTS

**A. Planning and Zoning Commission** –Commission Chair Wittman reported on the November 4, 2019 P&Z Commission meeting. Agenda items included:

- A Public Hearing for Preliminary Plat approval for the Resort at Taos Ski Valley on 74 acres in the Kachina Area. Councilor Wittman said that it was a lively meeting, with about six people speaking in favor and nine against. The Commission approved a motion to continue this item to the February 3, 2020 P&Z meeting.
- A Public Hearing for change of zoning for four parcels within the Preliminary Plat. This would eventually follow approval of a Preliminary Plat. The Public Hearing was held with a similar result as in the previous item. A motion to continue this item to the February 3, 2020 P&Z Commission was approved. Councilor Wittman said that the project would be comprised of a 36-room hotel and 16 Villas for Phase 1, and a 60-room hotel and 36 villas in Phase 2. Build-out time would take 10-12 years. The P&Z Commission meeting ended at 3:30 p.m.

The next meeting of the P&Z Commission is a Special Meeting scheduled for November 18, 2019 at 1:00 p.m. at the Edelweiss Lodge Club Room, to discuss the draft Firewise Ordinance and the draft Building Code Ordinance changes.

**B. Public Safety Committee** –Committee Chair Pattison reported that the Committee and the Firewise Board met on November 4, 2019.

The Committees continue discussions on their projects:

- Continued discussion of the Firewise Ordinance with input from the community on suggested changes. Comments are coming from citizens who are involved, or who want to be involved. The purpose of the ordinance is to encourage citizens to engage in the process, but not to have a regulation which comes on too strong. A second community meeting took place on November 9, 2019, with the next draft to go to the P&Z Commission on November 18, 2019 for discussion.
- Working on the process of undergrounding electric service within the Village. It is understood that the connection at Taos East is now underground, which leads them to believe that the overhead electric lines have been decommissioned. The Committee is looking forward to the day when the overhead lines within the Village are decommissioned. An inquiry was made as to whether the KCEC Franchise Fees could be used to pay for trenching from the junction box to a property line. This will be investigated.
- NMDOT has re-stripped the center lines in Amizette, and the Committee thanked Chief Trujillo for his diligence in getting this accomplished.
- The second siren has been installed at Kachina Lift Station has been tested, and is active.
- Concerns with Sutton Place safety issues such as snow removal and loading and unloading of deliveries. The objective is to limit visits to Sutton Place, and to avoid any parking by fire hydrants.

The next meeting will take place on January 6, 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 met on November 4, 2019.

Discussion was covered under the Public Safety Committee report.

The next meeting will take place on January 6, 2019 at 11:00 a.m. at the Inn at Taos Valley.

**D. Parks & Recreation Committee** – Committee Member Kerrie Pattison reported that the summer items have been put away. The Committee is looking forward to a big summer season next year. Committee members met with Planning Director Nicholson to discuss planning for the Kachina open space parcels recently gifted to the Village. They will meet with him again in December. The Village is supporting the Parks & Recreation Committee by assisting in development of a capital infrastructure plan to support impact fees and also in the development of a trail system on the Kachina lands, which already has a sketch plan of possible trails. The next meeting time will be announced at a later date.

**E. Lodger's Tax Advisory Board** – Councilor Stagg reported that the Board met to discuss the budget, proposed expenditures, and to hear a request from the Village Administration on lodger's tax funds for several lodger's tax-eligible items. Councilor Stagg said that the Board had been reluctant to budget for these expenditures, as the Council voted to spend lodger's tax funds only on promotions when the Village incorporated. The Board approved a certain amount, to be a one-time budget adjustment for this fiscal year.

## 7. REGIONAL REPORTS

Planning Director Nicholson said that the Source Water Protection Committee would be meeting on November 14, 2019 at 10:00 a.m. at which time they will review the source water protection maps.

Administrator Avila reported that the Landfill Board would be conducting a rate study. The Recycling Committee will be evaluating the number of visits and volume of recyclables delivered. The Committee is evaluating the economic pressure of running the recycling facility versus the environmental pressure to do the right thing. The reports are that the Town of Taos revenue streams for recycling, such as the Waste Management franchise fees and recycling fees are not being directed to the Landfill Board.

Administrator Avila also reported that at the IGC meeting there was discussion of the possibilities of utilities in the "Lucky Corridor". The Enchanted Circle Council of Governments (ECOG) reaffirmed its commitment to Kit Carson for installation of electric charging stations and getting proposals through the State. The ECOG is also discussing sharing procurement items as well as a regional shared service for building inspections.

Building Official Bowden, who also sits as alternate member on the NCRTD Board, announced a November 14, 2019 Community Outreach meeting that the NCRTD representatives will be holding in Taos Ski Valley, at the Rio Hondo Learning Center at 2:30 p.m. that day. The public is invited and encouraged to attend.

## 8. MAYOR'S REPORT

Mayor Brownell said that consideration may be given to NCRTD early-route funding. The KTAO expanded parking lot will be used as an official Park & Ride location. He received notice that the de-energizing for overhead lines would occur soon on State Road 150, if it hadn't been done already.

## 9. STAFF REPORTS

### Administrator Avila reported on ongoing projects:

- **WWTP** – Project management for the Waste Water Treatment Plant includes scheduling for month-end the regular progress meetings with USDA to coincide with the Village's pay application process. A list of guided items are discussed at monthly construction meetings, the last week of the month, and addressed in the owner's monitoring report to Rural Development.  
The building package has been delivered and is being constructed. The estimated time for completion of the new building is three weeks. The membranes have been installed in the north tank and the contractor is currently working on the south tank. The yard piping is 98% complete. The electrical conduit is installed, ready for the KCEC fiber optic hook-up. Start-up of the new plant will be coordinated with Ovivo for December. The transition between the temporary plant and the new system will be coordinated through Thanksgiving.
- **Kachina Water Tank** –The Public Works Department is undertaking the task of extending the dry utilities from the existing end location on Blue Jay Ridge Road to the location where RMCI started work. Work will include one additional electrical pull box and one additional fiber pull box. Cost from RMCI will be modified by the internal tasking.  
Tank construction portion is complete with tank tests and beam coating to continue this week. Dry utilities, electrical, and fiber are being coordinated this week, along with mechanical piping in the vault.  
The pumps are onsite and electrical plans are ready for assignment to RMCI or other to installation of mechanical piping

An agreement for assignment and removal of extra material from the site by TSVI upon completion of construction still needs to be completed.

Closing documentation is to be completed with the Water Trust Board before December.

- **Village Hall Complex** – The Special Council Meeting on October 29, 2019 included a presentation by the Village Hall Complex Task Force, which included recommendations to review funding options for a complete Village Office build-out, and options for lease of the Work Force Apartments. The Village is treating the apartment portion of the project as an enterprise fund (13) since revenue is anticipated. After fact finding, a different plan than is being proposed is expected. Initial meetings with the Village’s Financial Advisor are underway and an update is expected in December.
- **Other Items:**
  - The New Mexico Department of Transportation (NMDOT) is proposing a new rule, 18.27.6 NMAC, Local Government Transportation Project Fund. NMDOT will hold six public hearings for the purpose of receiving oral and written public comment from interested parties on the proposed new rule, 18.27.6 NMAC. The hearing in District 5 is scheduled on November 25, 2019, from 9:00 a.m. to 12:00 p.m. at 1120 Cerrillos Road, Santa Fe, New Mexico.
  - Action of the latest TIDD Dedication packet is projected to be in front of Council for acceptance by the January regular meeting, January 15, 2020. Last week questions and answers were reviewed and inspection of technical and financial material is still in process.
  - Progress towards coordination with Kit Carson Electric for undergrounding continues this week with a report of KCEC planning from Mr. R. Martinez. Lately he let the Village know that requests to underground some down-valley lines had been completed. He said that Kit Carson has run some underground lines to energize existing overhead lines that feed the Taos East and the cabin up from the Taos East. This has allowed KCEC to minimize the exposure of the overhead electric lines. KCEC was able to open the existing overhead breaker just down from the Austing Haus to de-energize the overhead electric lines.

The Village has recently received system mapping and is purchasing software to allow Village staff to access the planning material. The Village has just over \$450,000 in KCEC franchise fees reserved. Village staff expects to have an excavation contractor in place by construction season next year and a project plan delineated. Communications has improved with KCEC and clear and factual information is needed. Trenching and conduit may be paid out of franchise fees but not on private property. The project locations with the most benefit will be considered foremost, in conjunction with the KCEC technicians.
  - The Village needs to be involved with the regional decisions regarding the construction of transmission lines for Wind Energy Supplier Lucky Corridor for the transmission line project that will bring electricity from the Springer area through the Taos region and is expected to replace power generated in the Four Corners Area. Lucky plans to meet with Mr. Reyes this week and the Village will be invited to meet when the Region is brought into the process.
  - At the November 9, 2019 Firewise Board Community Meeting interesting information was provided on fire risk mapping and how those dangers are scored in the insurance industry.

#### **Department Briefs**

- Chief Trujillo presented the September Public Safety report: Arrests (0), Residential Alarms (7), Business Alarms (1), Vehicle Alarm (0), Suspicious Persons/Vehicles (2), Citizen Assists (97), Embezzlement (0), Traffic Enforcement Hours (86), Traffic Stops (14), Traffic Hazard (2), Theft (0), Vehicle Theft (0), Larceny (0), Property Damage (0), Verbal Warnings (26), Written Warnings (2), Parking Citations (9), Written Citations (3), Assists to other Agencies (9), Foot Patrol Hours (43), Welfare Check (0), Animal calls (2), MVCs (1), B&E (0), Trespass Warnings (0), Found/Lost Property (0), Disorderly (0), Reckless Driver (1), Private Property Crash (0), 911 Hang Up (1), Trespassing (0), Battery or Assault (1), Domestic Calls (1), Narcotics Adult (0), Civil Stand-by (0), Shots Fired (0), Fire Calls (1), Fire Alarms (0), EMS Calls (0), SAR Calls (0).

Chief Trujillo said that effective November 1, 2019 the public safety signs on Twining Road would be changed. A notice was sent out and a map of the new signs can be seen on the Village web site at <http://www.vtsv.org/village-services/public-safety/> Signs will be improved and enlarged but the objective is to lower the speed limit and limit parking to the uphill side of the road, especially in the Kachina area. The new signs are legally posted on poles and the plan is to update all of the public safety signs such as those posted on trees.
- Planning Director Nicholson reported that Resort at Taos Ski Valley applications had been continued to the February 3, 2020 P&Z Commission meeting. The draft Firewise Ordinance and the draft Building Code Ordinance will be presented for discussion at the November 18, 2019 Special P&Z meeting.



The Village submitted its fiscal year 2019-20 budget in July 2019. Village staff made a request to the Council for additional funding from the Lodger's Tax fund to support tourist-related activities including: EMS staffing for peak weekend coverage, Enchanted Circle Trails Association work, snow removal, and snow melt system on the Plaza. On October 9, 2019 the Lodger's Tax Board met and discussed the request from the Village Administrator with the direction given from the Mayor and Council. After a review of available funds, the Lodger's Tax Board voted in favor of awarding an additional amount of \$80,000.00 in support of Village-funded tourist-related activities. The Board was not in favor of was fit based on the requested items. The Board stated that this support would be for FY2020 only and that should the Village request funding in subsequent years that it would have to reapply.

**MOTION: To Approve Resolution No. 2020-416 Requesting a Permanent Budget Adjustment (BAR) to the FY2020 Budget to Increase the Transfer Out from Lodgers Tax Fund (15) and to Increase the Transfer In to the General Fund (03)**

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

**C. Consideration to Approve TSVI Request for Variance to the Revenue Collection Policy for Utility Charges at The Blake**

Representatives of Taos Ski Valley, Inc. (TSVI) contacted Village staff about water/sewer charges at The Blake from June to August 2019. Staff informed TSVI of the necessary steps to take to obtain a credit for high water usage. TSVI staff pursued locating a source for the high water use and found a leak in the irrigation system. Village Staff proceeded with calculating a possible credit based on the Village's Revenue Collection Policy. A credit of \$7,235.77 plus tax was allowable under the policy. TSVI Staff asked if additional credit could be granted, in the attached email dated October 18, 2019. This action requires Council consideration as a variance to the policy. Mike Bower, Director of Facilities, wrote a letter explaining their findings, which was a blockage in an irrigation system valve. The landscaping goes to watering Sutton Place plantings, as well as the Riverwalk and some Edelweiss planting beds. Mr. Bower said that TSVI staff has since changed its processes in order to monitor these types of things more regularly. Some of these landscaping locations have been or will potentially soon be dedicated to the Village via the TIDD process.

**MOTION: To Approve TSVI Request for Variance to the Revenue Collection Policy for Utility Charges at The Blake**

**Motion: Councilor Wittman                      Second: Councilor Kern                      Passed: 3-0 (Councilor Stagg abstaining)**

**D. Consideration to Approve of Out of State Travel to St. Louis, MO for International Institute of Municipal Clerks Annual Conference and Training by Ann Wooldridge May 17-20, 2020**

The 74th Annual International Institute of Municipal Clerks Annual Conference is taking place in St. Louis, MO this fiscal year in May 2020. The training which is available at this conference focuses specifically on the needs of Municipal Clerk professionals in conducting work for local governments. The list of training opportunities includes public meetings, parliamentary procedure, public records, elections, human resources, leadership, and more. The special classes and Athenian Dialogue programs provide credits towards obtaining Certified Municipal Clerk and Master Municipal Clerk designations. Clerk Wooldridge is working towards a Master Municipal Clerk certification. The travel expense was included in the original general fund travel budget estimate for FY2020. The registration for the conference will begin this fall so making plans in advance will be beneficial in savings of early registration, first-time discounts, and the availability of lodging at the lower conference-blocked room cost. Estimated expenses are an estimate total of \$2,130.

**MOTION: To Approve of Out of State Travel to St. Louis, MO for International Institute of Municipal Clerks Annual Conference and Training by Ann Wooldridge May 17-20, 2020**

**Motion: Councilor Stagg                      Second: Councilor Pattison                      Passed: 4-0**

**12. MISCELLANEOUS**

**13. CLOSED SESSION**

**A. Discussion of Possible Litigation**

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

**B. Discussion of the Acquisition of Real Property**

This matter may be discussed in closed session under Open Meetings Act exemption 10-15-1(H) (8)

**MOTION: To go to Closed Executive Session**

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

**MOTION: To return to Open Session**

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

No decisions or motions were made during closed session.

**11. NEW BUSINESS**

**E. Direction to Create and Transact Legal Documents for Settlement of Threatened Legal Action by TSVI**

**MOTION: To Create and Transact Legal Documents for Settlement of Threatened Legal Action by TSVI for Parcel C and D**

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

**F. Direction to Create and Transact Legal Documents from the Village to Reduce the Risk of Legal Action**

**MOTION: To table this item**

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

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

The next Regular Village Council Meeting will be held on Tuesday, December 10, 2019 at 2:00 p.m. at the Edelweiss Lodge Club Room.

**15. ADJOURNMENT**

**MOTION: To Adjourn**

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

The meeting adjourned at 4:40 p.m.

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

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