



Village of Taos Ski Valley
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**VILLAGE COUNCIL REGULAR MEETING
DRAFT MINUTES
VIA ZOOM TELE CONFERENCE
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, OCTOBER 27, 2020 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. 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 Neal King
Councilor Chris Stagg
Councilor Tom Wittman, Mayor Pro Tem

Staff present:

Village Administrator John Avila
Village Clerk Ann Wooldridge
Finance Director Nancy Grabowski
Building Official Jalmar Bowden
Public Works Director Anthony Martinez
Police Chief Sam Trujillo
Planning Director Patrick Nicholson
Village Attorney Susan Baker

3. APPROVAL OF THE AGENDA

MOTION: To approve the agenda as presented

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

4. MOMENT OF SILENCE

Mayor Brownell asked for a moment of silence to honor the recent passing of Hotel St. Bernard owner and Taos Ski Valley Pioneer Jean Mayer, as well as for the passing of Clerk Wooldridge's mother.

5. APPROVAL OF THE MINUTES OF THE SEPTEMBER 8, 2020 VILLAGE COUNCIL REGULAR MEETING and the SEPTEMBER 28, 2020 VILLAGE COUNCIL SPECIAL MEETING

MOTION: To approve the minutes as presented

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

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

A. TSVI CEO David Norden said that the recent two-foot snowfall was a promising sign, and that the sale of season passes, daily tickets, and ski lessons was going well. Mr. Norden relayed that COVID-safe best practices would have to be followed by staff and guests alike to have a safe season and stay open. The four reasons for opening the ski season are to continue employing the staff, to run the largest economic engine in Taos County, to get people outside having fun and exercising, and to continue with TSVI's economic revitalization efforts. Mr. Norden said that TSVI has fulfilled the requirements to become NM Safe Certified, the only ski area to do so. The ski resort will have to

operate at week-day levels to maintain safe practices and social distancing. TSVI will follow the Governor's orders and this winter; it will not be business as usual.

7. COMMITTEE REPORTS

A. Planning and Zoning Commission –Commission Chair Wittman reported that the P&Z Commission had not met. The next meeting will be held on November 2, 2020 at 1:00 p.m. via Zoom.

B. Public Safety Committee – Mayor Brownell reported that the Committee and the Board had met on October 5, 2020. They are working on a Firewise Board mission statement and on an update to the evacuation plan. The Public Safety Committee will meet on November 2, 2020 at 10:00 a.m. via Zoom.

C. Firewise Community Board of Directors – The Board will meet on November 2, 2020 at 11:00 a.m. via Zoom.

D. Parks & Recreation Committee – Committee Chair Katherine Kett reported that the Committee members would like to enhance Hiker Parking and met on-site on October 18, 2020 to discuss plans. The next meeting has not yet been scheduled.

E. Lodger's Tax Advisory Board – Co-chair Stagg said that the Chamber will be presenting a revised budget to the Board. The next meeting has not been scheduled.

8. REGIONAL REPORTS

Planning Director Nicholson and Administrator Avila reported on recent regional teleconference meetings.

9. MAYOR'S REPORT

Mayor Brownell said that the process to appoint members to the newly formed Capital Infrastructure Advisory Committee was under way.

Meetings have been taking place between the Village and David Norden with TSVI for coordination of winter opening plans.

10. STAFF REPORTS

Administrator Avila reported on ongoing projects including COVID-safe planning for the Village, for the community, and for ski season operations, working in conjunction with TSVI. Mr. Avila also updated on the Kachina Tank and the Village Complex.

The Village Administrator's report can be viewed in the Council packet for this meeting.

Department Briefs

- Finance Director Grabowski's report was submitted with the Council packet. GRT collections year-to-date are \$188,880 compared to \$156, 957 for last year. Lodger's tax collections are down 29%, as well as water and sewer revenue.
- Chief Trujillo's report was included in the packet.
- Chief Molina said that a new cross-band repeater will be installed in the coming weeks for use by emergency personnel.
- Planning Director Nicholson's report was included in the meeting packet.
- Building Official Bowden's report was included in the Council packet.
- Public Works Director Martinez' report is in the meeting packet.

11. OLD BUSINESS

A. PUBLIC HEARING: Consideration to Approve **Ordinance No. 2021-14** Amended Lodgers Tax Ordinance
The Village of Taos Ski Valley's Lodgers Tax Ordinance has not been amended for consistency with New Mexico Act SB 106 removing the exception for less than 3 units. With this change, every short-term rental would now be treated the same, with all properties expected to follow the requirements.

This change allows for uniformity of application to all rental units for the requirement of business registration, payment of Gross Receipts Tax to the correct location code, and remittance of Lodgers Tax based on gross rent charges.

PUBLIC HEARING: Mayor Brownell spoke in favor of adopting this Ordinance as this will make lodger's tax collections more fairly collected, he said. No one spoke against. The Public Hearing was closed.

MOTION: To Approve Ordinance No. 2021-14 Amended Lodgers Tax Ordinance

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

B. Consideration to Approve Resolution No. 2021-447 in Support of Designating the Rio Hondo and Lake Fork as Outstanding National Resource Waters

Director Nicholson said that the Village was recently approached by Axie Navas, Director of the new State of New Mexico Outdoor Recreation Division (ORD), and Rachel Conn, Projects Director for Amigos Bravos, to assist in nominating and petitioning the NM Water Quality Control Board to designate the Rio Hondo and Lake Fork as Outstanding Natural Resource Waters (ONRW). ONRW designation provides the highest level of water quality protection and discourages water quality degradation caused by new or increased sources of pollution. ONRW designation also streamlines the approval process for future watershed protection and restoration projects such as riparian habitat restoration, forest thinning to mitigate wildfires, and other activities.

Director Nicholson said that this Resolution is an ideal complement to TSVI's "B Corporation" status and stated corporate ethos, and directly supports and reinforces the Village Master Plan Principles and Goals.

Rachel Conn with Amigos Bravos said that any type of activity that did not create pollution would still be allowed. Ms. Nava explained that she would be putting the application together to submit to the Water Quality Control Commission. A public hearing will be held on the application in mid-2021. Adoption of this Resolution by the Village shows support for the effort.

MOTION: To Approve Resolution No. 2021-447 in Support of Designating the Rio Hondo and Lake Fork as Outstanding National Resource Waters

Motion: Councilor Wittman Second: Councilor King. Passed: 4-0

12. NEW BUSINESS

A. Consideration to Approve Resolution No. 2021-450 Requesting a Permanent Budget Adjustment to the FY2021 Budget (BAR) to Accept the CARES ACT Funding, Creating Fund No. 65, along with the Corresponding Budget
In August 2020, the Department of Finance (DFA) offered the opportunity to apply for CARES ACT grant funding to local governments and counties to assist with additional, unbudgeted costs that have arisen from the Covid-19 pandemic. The Village of Taos Ski Valley applied and was awarded a grant of \$97,875.00. These funds were not included in the original budget submission, but the CARES ACT revenue, expenses and transfers must now be added into the FY2021 budget to submit the first quarter report. The funds that were expended for Covid-19 from March-June 2020 will be transferred back to the general fund in the amount of \$8,200.00. The additional transfer of \$750 is to cover lodging at the TML Apartments for on call, emergency staffing. Expenses include signage including a new light up memo board, PPE and safety supplies for staff and emergency personnel, additional EMS, Police and Fire staffing, and other materials and supplies as needed. Staff is working closely with the Chamber to create signage for the safety of the community. These funds are available for expenses which are purchased, received, and paid for in full by December 30, 2020.

MOTION: To Approve Resolution No. 2021-450 Requesting a Permanent Budget Adjustment to the FY2021 Budget (BAR) to Accept the CARES ACT Funding, Creating Fund No. 65, along with the Corresponding Budget

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

B. Consideration to Approve Resolution No. 2021-451 Requesting a Permanent Budget Adjustment to the FY2021 Budget (BAR) to Carry Forward the Remaining FY2020 Lodger's Tax Transfer

In November of 2019, the Lodgers Tax Committee approved a transfer to assist the Village for tourist-related expenses. The Village Council accepted this funding per BAR Resolution No. 2020-416 at its November Council regular meeting. The Lodger's Tax Committee has now agreed that since the Village did not request and receive the entire approved amount, that the Village may carryforward the remaining \$26,000.00 into the FY2021 budget cycle. The Village will request funding once expenses have been made and will submit requests to the Lodger's Tax Committee for approval, following the normal Lodger's Tax required processes.

MOTION: To Approve Resolution No. 2021-451 Requesting a Permanent Budget Adjustment to the FY2021 Budget (BAR) to Carry Forward the Remaining FY2020 Lodger's Tax Transfer

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

C. Council Acknowledgement of the FY2021 1st Quarter Financial data for submission to the Department of Finance Local Government Division

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. Attached was the summary report to be submitted to DFA by October 31, 2020, along with the Profit and Loss from July 1-September 30, 2019. Staff is submitting this report to the Council for its review and acknowledgement of the financial status of the Village as of September 30, 2020.

MOTION: To Acknowledge the FY2021 1st Quarter Financial data for submission to the Department of Finance Local Government Division

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

D. Consideration to Approve Resolution No. 2020-452 Designating Kachina Vista Municipal Park

On June 13, 2017 Village Council approved the recommendation of the Parks and Recreation Committee June 5, 2017 meeting.

On June 13, 2017 Village Council approved the recommendation of the Parks and Recreation Committee to close Kachina Road to create a new Village Municipal Park. During winter months Kachina Road would remain closed and no access would be allowed due to high avalanche risk, and once the danger of avalanche has passed, including spring snow melt with falling rocks, Kachina Road would be closed to through vehicular traffic to be utilized by hikers and bikers, and for various pedestrian-friendly activities, as a municipal park.

This would provide an easier incline, and a less dusty and scenic route for visitors and residents. Parks & Recreation Committee members feel that with proper signage, a few parallel parking spaces could be designated at either end, or not.

A plan for emergency or scheduled use of Kachina Road could be ensured via a plan set forth between the Village Public Works and Public Safety Departments. Proper signage could be posted indicating that parking in front of the gate is not permitted.

The Kachina Vista Municipal Park designation was not considered permanent and required an extension of a designation as a recreational trail park.

MOTION: To Approve Resolution No. 2020-452 Designating Kachina Vista Municipal Park

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

E. Consideration to Approve Resolution No. 2020-453 Approving an Extension to the NMDOT FY 2019/2020 Local Government Road Program

The Village Council needs to approve a resolution for State Highway and Transportation Department funding. After passage of the Resolution, the Highway Department will draft a contract for Village approval for the FY2021 road project. The State has committed to funding in the amount of \$60,000.00 with the Village contributing 25% of total project costs, or \$20,000.00, for a total project cost of \$80,000.00.

Monies for the project will be used for full construction with drainage improvements of various local streets.

MOTION: To Approve Resolution No. 2020-453 Approving an Extension to the NMDOT FY 2019/2020 Local Government Road Program

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

F. Consideration to Approve Credit Request for Powderhorn Condominiums' July Utility Bill

The current Revenue Collection Policy was applied to determine if a credit would be available for the July 2020 water/sewer bill for the Powderhorn Condominiums. Since Staff is not able to grant a variance to Village policies, this is being brought to Council for consideration.

MOTION: To Approve a Credit Request for Powderhorn Condominiums' July Utility Bill down to the amount of a five-year average amount for July

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

G. Consideration to Approve Credit Request for Schnitzer House Utility Bills

The current Revenue Collection Policy was applied to determine if a credit would be available for two months in question, October 2019, and May 2020. As no credit was available, the Schnitzer's property manager, Kim Hamstra, wrote a letter to the Village explaining the trouble that they have been experiencing at the house over the last couple of years. Since Staff is not able to grant a variance to Village policies, this is being brought to Council for consideration.

MOTION: To Approve a Credit Request for the Schnitzer House Utility Bills in the amount of \$1,500

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

13. MISCELLANEOUS

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

The next meeting of the Village Council will be a Special Meeting on Tuesday, November 10, 2020 at 2:00 p.m., and the next Regular Meeting will be held on Tuesday, November 24, 2020 at 2:00 p.m. via Zoom.

15. ADJOURNMENT

MOTION: To Adjourn

Motion: Councilor Wittman

Second: Councilor King

Passed: 4-0

The meeting adjourned at 4:20 p.m.

Christof Brownell, Mayor

ATTEST: _____
Ann M. Wooldridge, Village Clerk