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VILLAGE COUNCIL REGULAR MEETING  
DRAFT MINUTES  
VIA ZOOM TELE CONFERENCE  
TAOS SKI VALLEY, NEW MEXICO  
TUESDAY, NOVEMBER 24, 2020 2:00 P.M.

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**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**

Mayor Brownell said that the Zoning Map agenda item was being postponed.

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

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

**4. APPROVAL OF THE MINUTES OF THE OCTOBER 27, 2020 VILLAGE COUNCIL REGULAR MEETING and the NOVEMBER 10, 2020 VILLAGE COUNCIL SPECIAL MEETING**

**MOTION: To approve the minutes with changing one typo in item 4 of the November 10, 2020 Draft Minutes**

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

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

**A.** TSVI CEO David Norden said they would meet with Governor Lujan-Grisham again on November 25, 2020 and that until then there was no certain news to share. TSVI is hopeful that everything will work out for an upcoming ski season opening, he said.

**B.** Village Chamber of Commerce Director Courtney Tucker said that signage for the common areas was in production and would be ready in the next two weeks. The Chamber is busy working on providing information services to guests, on providing an app for daily screening of employees working in Taos Ski Valley businesses, and on developing a private database which would draw names for random testing, at approximately 15% of the employee population biweekly. There are lots of logistics to figure out before implementation of the various programs, she said.

C. Homeowner Kathy Bennett said that she wished to express thanks to the November 3, 2020 Election workers and organizers, including Bard Wiard, Henry Caldwell, and Clerk Wooldridge. She said that it was very beneficial for Taos Ski Valley voters to have a polling place within the Village, and that it was run very efficiently and safely.

**6. COMMITTEE REPORTS**

**A. Planning and Zoning Commission** –Commission Chair Wittman reported that the P&Z Commission met on November 2, 2020. The Commission approved recommending the Zoning Map and Ordinance to Council by a vote of 7-0, approved recommending to Council approval of Ordinance 2021-44 by a vote of 4-3, and approved an application for Variance for side-yard setback at 123 Twining Road by a vote of 7-0. The next meeting will most likely be held in January 2021.

**B. Public Safety Committee** – no report at this time

**C. Firewise Community Board of Directors** – no report at this time

**D. Parks & Recreation Committee** –no report and no meeting is scheduled at this time

**E. Lodger’s Tax Advisory Board** – Co-chair Stagg said that the Board met on November 10, 2020 to review the budget, and approved requests from the Chamber of Commerce and Mogul Medical for budget considerations concerning Covid screening, testing, and protocols for the community employees and guests. The next meeting has not been scheduled.

**7. REGIONAL REPORTS**

Planning Director Nicholson attended the NRPTD meeting where they approved funding for transit between Los Alamos, Okay Owingeh and Santa Fe, and discussed other planning items. Administrator Avila reported on a recent Northern Area Workforce Solutions Board meeting where a change in quorum establishments was approved. Director Martinez reported on the recent Landfill Board meeting. The recycle center is currently closed for two weeks for Covid protocol. The Landfill Director can approve a closure himself if necessary. An easement at the landfill for KCEC was approved.

**8. MAYOR’S REPORT**

Mayor Brownell said Holy Cross Hospital CEO Bill Patten had informed the group about status at the hospital, with no patients being intubated at this time. At the Taos Living Center, many cases of Covid have been identified in the staff and in patients.

**9. STAFF REPORTS**

Staff reports were included in the Council packet and were posted to the web site.

**Department Briefs**

- Attorney Baker reported on ongoing activity concerning a large IPRA request from the Shopoff group, on working with the Pattison Trust on revised deeds, and on the need for an appraisal of the Mickey Blake property adjacent to the Firehouse.

**10. OLD BUSINESS**

**A. Discussion and Consideration to Approve Mayor’s Executive Order 2020-04 For Safety Measures to Prevent the Spread of Covid-19 During the 2020-2021 Ski Season**

The first Executive Order was issued by Mayor Brownell on March 27, 2020 in response to concerns for public health risks due to COVID-19 in the Village of Taos Ski Valley. In this fourth version of the Executive Order, the requirement for COVID-19 testing for employees has been changed to be required within one week of commencing employment. Additionally, screening questions for both employees and for guests have been added as exhibits to the Executive Order. Discussion took place.

**MOTION: To Approve Mayor’s Executive Order 2020-04 For Safety Measures to Prevent the Spread of Covid-19 During the 2020-2021 Ski Season**

**Motion: Councilor Wittman**

**Second: Councilor Kern**

**Passed: 4-0**

**B. Introduction:** Consideration to Approve **Ordinance No. 2021-44** an Ordinance Known as the Village Wildland Interface Ordinance, Adopting the ICC International Wildland-Urban Interface Code 2015 Edition and Establishing Amendments Thereto

Discussion took place on the Ordinance. Building Official Bowden will revise the Ordinance based on comments provided to bring back to Council at the next meeting.

As this is the first reading of the ordinance, no Council action is required at this time.

## 11. NEW BUSINESS

**A.** This item had been removed from the agenda.

**B.** Consideration to Approve **Resolution No. 2021-455** Requesting a Permanent Budget Adjustment to the FY2021 budget (BAR) for the Grant Awarded to the Village in October 2020 from the New Mexico Outdoor Recreation Division Special Projects and Outdoor Infrastructure Fund

In September 2020, the Parks and Recreation Committee submitted a grant proposal request to the New Mexico Outdoor Recreation Division, Special Projects and Outdoor Infrastructure Fund, for purchase and installation of Enviro-Loo composting toilets for the hiker parking area. The intent of this request is to take a more sustainable environmental approach to the bathroom facilities to enhance the parking lot and the clean high alpine environment. The Village Parks and Recreation Committee was awarded the grant in October for this innovative project.

The total cost of the project is estimated at \$36,600. The grant request was for \$18,300, with a 50% match of \$18,300 from the Village Parks and Recreation impact fee account. Impact fees may be utilized for capital projects with a life span of 10 years or more.

A BAR must be done to accept the grant funds and add the revenue into the Parks and Recreation budget along with the additional capital expense. Already included in the FY2021 budget is a transfer of \$30,000 from the impact fee fund for anticipated capital projects. An internal BAR will be done to transfer the other half of the capital project expense of \$18,300 from outside contractors to capital expense.

**MOTION: To Approve Resolution No. 2021-455 Requesting a Permanent Budget Adjustment to the FY2021 budget (BAR) for the Grant Awarded to the Village in October 2020 from the New Mexico Outdoor Recreation Division Special Projects and Outdoor Infrastructure Fund**

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

**C.** Consideration to Approve **Resolution No. 2021-456**, a Resolution to Approve a BAR for the Purchase of Capital Equipment, Increasing the Expense and Transfer into the Roads Fund (05) and the Transfer out from Roads Impact fees (55) While Trading in and Disposing of Obsolete Capital Equipment Owned by the Village of Taos Ski Valley  
The Village currently owns a 1998 John Deere 310 SE T0310848950 backhoe. It has been determined that this aged backhoe is failing and in constant need of repair. The Public Works Department has done some research and located a new 2021 John Deere SL HL loader Backhoe through Sourcewell Purchasing Cooperative. As members of the Cooperative, the Village would receive a discount and the opportunity to trade in the old backhoe for a credit. Purchasing this new equipment will cut down on repair expenses for years to come.

The price of the new backhoe, minus credits, and trade-in value is \$91,389. The Roads Impact Fee fund has an account balance of \$197,134. This purchase would leave a balance in the impact fee account of \$105,745, which is sufficient to cover this year's annual road co-op Village match.

**MOTION: To Approve Resolution No. 2021-456, a Resolution to Approve a BAR for the Purchase of Capital Equipment, Increasing the Expense and Transfer into the Roads Fund (05) and the Transfer out from Roads Impact fees (55) While Trading in and Disposing of Obsolete Capital Equipment Owned by the Village of Taos Ski Valley**

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

**D.** Consideration to Acknowledge and Approve the Disposal of a PowerEdge 2900 Server, Capital Equipment owned by the Village of Taos Ski Valley

In fiscal year 2009 the Village acquired a PowerEdge 2900 (serial #1664871389) server which was primarily used as the email server. The server is old and unreliable, with an expired warranty. The Village email was recently transferred to a cloud-based email system and no longer uses this server. Since it is obsolete, the server cannot be used in any other

capacity and cannot be resold; the server will be decommissioned and destroyed. Ambitions Technology Group will decommission and have the hard drive destroyed, providing certification as required.

**MOTION: To Approve the Disposal of a PowerEdge 2900 Server, Capital Equipment owned by the Village of Taos Ski Valley**

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

**E. Consideration of TIDD Board Request to Village Council to Designate an additional Agent of the Village to be Permitted to Inspect Certain NM Tax & Revenue Department Reports under the Terms of the NM Tax & Revenue Department Confidentiality Agreement, for the Purpose of Working with Approved Village Staff and the NM Tax & Revenue Department to Reconcile Gross Receipts Tax Allocations to the Village and to the TIDD**

At its October 28, 2020 meeting, the TIDD Board requested that the Village Council appoint an additional Agent to work with the New Mexico Tax and Revenue Department (NMTRD) to address collection of Village GRT and appropriate allocation of funds back to the TIDD. The TIDD Board has expressed concerns that it is not receiving an accurate allocation of GRT monies through NMTRD.

**MOTION: To Approve TIDD Board Request to Village Council to Designate an additional Agent of the Village to be Permitted to Inspect Certain NM Tax & Revenue Department Reports under the Terms of the NM Tax & Revenue Department Confidentiality Agreement, for the Purpose of Working with Approved Village Staff and the NM Tax & Revenue Department to Reconcile Gross Receipts Tax Allocations to the Village and to the TIDD**

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

**F. Consideration to Approve a Contract between the Village of Taos Ski Valley and Souder, Miller & Associates**  
This contract will cover Operations and Maintenance of the Village of Taos Ski Valley Wastewater Treatment Plant during COVID-19 Staffing Scenarios To prevent the rate of spread of COVID-19, the Village of Taos Ski Valley Public Works Department has created protocols for the staff to stay safe at work but there is no guarantee that a staff member would not contract COVID-19. If a staff member does contract COVID-19, the Village must prohibit employees with known close contact to the person to return to work until authorized by the New Mexico Department of Health. In such a situation, it is possible that all staff could have been in contact with an infected individual. This would hamper compliance requirements for the Village's wastewater treatment permit.

Souder, Miller & Associates' SMA Operations is currently under contract with the Town of Taos to operate the Town's wastewater treatment facility. The SMA staff operates a membrane facility and has also supported another Ovivo membrane plant in the Pojoaque area. This contract would cover the COVID-19 Emergency Operations and Maintenance Support through three tasks: System Review and Staffing Needs, Emergency Support and System Monitoring, and Emergency/On Call Services.

**MOTION: To Approve a Contract between the Village of Taos Ski Valley and Souder, Miller & Associates**

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

**G. Consideration to Approve Directing the Village Administrator to Issue a Work Order for a Water Study to Plummer Engineering under the Village's on-call Contract based on Funding Availability**  
The Village does not have a comprehensive water study to accurately assess the ability to serve water to its residents and visitors. During recent drought conditions, and with aging infrastructure, the Village has experienced water shortages which required taking emergency measures.

There is a potential for property development that would increase the demand for water and wastewater facilities that may further strain the Village's ability to serve the community. To avoid the practice of using allegorical understanding of the water utility system, the need for a scientific water study is required and is more important now and for the future. Village Staff will provide water data and capacity forecasting to allow for an efficient project. As there is no specific funding allocated to the study, approval to award the Work Order is conditional on identifying funding before giving notice to proceed.

The proposed Work Order is already authorized under previously Council approved Task Order but approval to move forward is sought, as the project cost exceeds \$20,000 and funds need to be secured.

**MOTION: To Approve Directing the Village Administrator to Issue a Work Order for a Water Study to Plummer Engineering under the Village's on-call Contract based on Funding Availability**

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

**H. Consideration to Approve a Village Procurement Policy**

The Village is compliant with State procurement regulations, however those alone do not provide the structure and process specificity to guide the Village procurement activities.

This Procurement Policy helps to distill the State statutes into a guiding document. Developing a procurement manual will follow, to further define the procurement requirements. Lack of a written policy has led to confusion and errors in Village operations. The policy helps to clarify for staff the basic requirements of appropriately initiating purchases by accurately describing the product characteristics and structure to fairly obtain the best value purchase and efficiently transact a purchase and payment.

**MOTION: To Approve the Village Procurement Policy**

**Motion: Councilor Wittman**

**Second: Councilor King**

**Passed: 4-0**

## **12. MISCELLANEOUS**

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

The next meeting of the Village Council will be the Regular Meeting held on Tuesday, December 22, 2020 at 2:00 p.m. via Zoom.

### **15. ADJOURNMENT**

Mayor Brownell expressed a wish for a Happy Thanksgiving to everyone.

**MOTION: To Adjourn**

**Motion: Councilor Wittman**

**Second: Councilor King**

**Passed: 4-0**

The meeting adjourned at 3:35 p.m.

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Christof Brownell, Mayor

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