

No meetings will take place in August and the next meetings are to be announced.

C. Firewise Community Board of Directors -see above

D. Parks & Recreation Committee – Chair Katherine Kett said that no meeting had taken place but noted that a site visit for the Hiker Parking bathrooms had taken place, that volleyball games are held regularly on Thursdays, the JR Trail vegetation is healthy with the aspens growing back from the beaver encounters in the last few years. She said that the signage at the Village entrance was beneficial for visitors.

E. Lodger’s Tax Advisory Board –Co-Chair Stagg reported that the Board met on July 13, 2021 to review the lodgers tax budget and the Chamber budget. The Taos Air request for funding has been currently budgeted for \$125,000 and if additional lodgers’ tax above \$450,000 is collected, then 50% will go to Taos Air up to a maximum of \$200,000 total. He said that the Board is cognizant of being fiscally responsible by not budgeting over expected revenues. The next meeting has not been scheduled.

F. Capital Infrastructure Advisory Committee – Director Nicholson reported that the CIAC had not met since the July 12, 2021 Council workshop on impact fees. Councilor King provided the water data that he referenced at that meeting which has been shared with Willdan, the consultants on the impact fee study. Work will continue on the study. No subsequent meeting has been scheduled.

7. REGIONAL REPORTS

There were no reports.

8. MAYOR’S REPORT

Mayor Brownell said that there were no meetings to report on. Bears seem to be prevalent in the Village so the community should be aware. In that regard, he asked that the door on the trash compactor be checked as it seemed to be difficult to close.

9. STAFF REPORTS

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

Administrator Avila touched on ongoing items in the Village, namely electric line undergrounding, the new Village entry road in Bison parking lot, the ICIP list, the CIP list and development impact fees, and the TIDD project list progress as well as movement towards TIDD infrastructure dedication.

Director Nicholson said that much work had been done on formulating the cannabis ordinance. At the next Council meeting, the development impact fee study should be ready, as well as approval to initiate an updated avalanche study.

Chief Trujillo commended the Chamber and TSVI for their good work in handling the July 4th crowds.

10. OLD BUSINESS

A. PUBLIC HEARING: Consideration to Approve **Ordinance No. 2022-10** Amending Village Ordinance No. 2020-10, to Update the Building and Construction Codes to Include the 2018 New Mexico Energy Conservation Codes

Building Official Bowden said that the Federal Department of Energy’s Office of Energy Efficiency and Renewable Energy issued a determination that the 2018 IECC saves 1.97 percent annual energy cost along with 1.91 percent in annual source energy and 1.68 percent savings in site energy. The key impacts for this current update range from a life cycle cost saving of \$398 in climate zone 1 to \$1,071 in climate zone 8. The Village of Taos Ski Valley is in climate zone 7. Life cycle cost savings compared to the 2009 regulations for homes in the Village can be assumed to be at minimum a few thousand dollars, and easily pay back related construction costs.

This ordinance was first read at the June Council meeting and as such is up for consideration to adopt.

PUBLIC HEARING: No one spoke either for or against adoption of the ordinance.

MOTION: To Approve Ordinance No. 2022-10 Amending Village Ordinance No. 2020-10, to Update the Building and Construction Codes to Include the 2018 New Mexico Energy Conservation Codes

Motion: Councilor Wittman

Second: Councilor Stagg

Passed: 4-0

11. NEW BUSINESS

A. Consideration to Approve Resolution No. 2022-472 Requesting a Permanent Budget Adjustment to the FY2021 Budget (BAR) to increase the Municipal GRT and Hold Harmless GRT revenue collections and corresponding transfers out of the General Fund, and to Increase Transfers in to Pledged Funds to the USDA (63), to the Roads Fund (05), and to the Water Reserves Fund (41) for General Support

Staff recommends approval of Resolution No. 2022-472 to amend the budget for FY2021, to increase the Municipal GRT and Hold Harmless GRT revenues in the General Fund (03) and increase the transfers out of the General fund to the USDA Fund (63) for debt service, the roads fund (05,) and Water Reserves fund (41) for general support.

MOTION: To Approve Resolution No. 2022-472 Requesting a Permanent Budget Adjustment to the FY2021 Budget (BAR) to increase the Municipal GRT and Hold Harmless GRT revenue collections and corresponding transfers out of the General Fund, and to Increase Transfers in to Pledged Funds to the USDA (63), to the Roads Fund (05), and to the Water Reserves Fund (41) for General Support

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

B. Consideration to Approve Resolution No. 2022-478, Approving the 4th Quarter FY 2021 Financial Report for the Year ending June 30, 2021

As per State Statute, the Village is required to submit the final fiscal year 2021 4th quarter report along with the corresponding profit and loss statement no later than July 31, 2021, to the Department of Finance and Administration Local Government Division. This report is a recap of the financial events of fiscal year 2021 beginning July 1, 2020, and ending June 30, 2021, and verifies the ending fund balances for all Village funds. The summary 4th Quarter report was presented along with the Profit and Loss report for FY2021. The accurate ending fund balances are an integral part of the next fiscal year 2022 budget.

MOTION: To Approve Resolution No. 2022-478, Approving the 4th Quarter FY 2021 Financial Report for the Year ending June 30, 2021

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

C. Consideration to Approve Resolution No. 2022-479 Requesting Acceptance of the Federal Rescue Fund/American Rescue Plan Act Grant Funding and Creating the Fund No. 66/26000 in the FY2022 Budget

The Village will be submitting the fiscal year 2021-22 budget by July 31, 2021. The Village was awarded funding from the State of New Mexico via the Federal Rescue Fund/American Rescue Plan Act totaling \$12,609. The Department of Finance and Administration (DFA) is requiring that the new fund code 26000 be utilized, requiring the Village to create a new fund within its accounting structure. A budget adjustment is not required, however new funds are required to be approved by the Village Council. The funding will be utilized for capital expenditures.

MOTION: To Approve Resolution No. 2022-479 Requesting Acceptance of the Federal Rescue Fund/American Rescue Plan Act Grant Funding and Creating the Fund No. 66/26000 in the FY2022 Budget

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

D. Consideration to approve Resolution No. 2022-480, a Resolution Requesting Approval of the FY2022 Final Budget

As per State Statute and the Department of Finance and Administration (DFA), the Village Council must review and approve the final fiscal year budget for FY2021-2022 prior to submission. The original budget was presented to the Council at a budget workshop held on April 27, 2021. There were no rate increases for water, sewer, or trash. Since Council's review of the budget, all actuals have been entered into the Council working budget spreadsheet as of June 30, 2021, and 4th Quarter FY2021 fund balances are final. The DFA has a policy not to allow any changes to the revenue and expense categories without its approval. Only cash balances can be entered at this time unless the Village has a reason to request that the Local Government Division open fund/object codes within the budget. The following are the changes that will be made to the final FY2022 budget:

Summary List of Budget Changes VTSV for final FY2021 submission

FUND	OBJECT CODE	AMOUNT
General Fund (03/11000)	8322(58040) Capital Improvements	(\$200,000)
General Fund (03/11000)	6220(55030) Outside Contractors	(\$100,000)
General KCEC UG (44/11000)	6220 (55030) Outside Contractors	(\$200,000)
TOTAL Decrease:		(\$500,000)

Decreases were made to the General Fund outside contractor and capital improvement expenses to reduce the expense to revenue ratio and increase the General Fund ending balance for FY2022.

FUND	OBJECT CODE	AMOUNT
LEPF (14/21100)	6434/57050 Training	\$ 1,212.00

LEPF (14/21100)	8322//58080 Capital	\$13,000.00
LEPF (14/21100)	6322/56040 Small Equip	\$14,706.00
LEPF (14/21100)	6313/56090 Safety Supplies	\$10,500.00
Total Expenses:		\$39,418.00

Changes were made to the LEPF budget because the carry forward amount at the end of the fiscal year decreased. Because there was a decrease in the ending balance on June 30, 2021, expenses were reallocated so that the ending balance was not a negative number. LEPF is required to have a zero balance at the end of every fiscal year.

FUND	OBJECT CODE	AMOUNT
Lodgers Tax (15/21400)	6220/57060 Grant Distribution	(202,459.00)

Decrease in Grant recipients' disbursements. Changes were made to the Chamber Contract, and a decrease of support for Taos Air from \$250,000 to \$125,000 was recommended and approved by the Lodger's Tax Committee.

FUND	OBJECT CODE	AMOUNT
FRF/ARPA (66/26000)	4037/47700 Grant Funds Revenue	\$ 6,304.50
FRF/ARPA (66/26000)	8322/58080 Capital Expense	\$ 6,304.50

The Federal Relief Fund (ARPA) grant was added to FY2022 budget after the official award notice was made to the Village. The total award was \$12,609.00; however the Village will only receive ½ the funding in FY2022 so it is budgeted accordingly.

All other items originally presented to Council at the April 27, 2021 workshop remain the same.

MOTION: To Approve Resolution No. 2022-480, a Resolution Requesting Approval of the FY2022 Final Budget
Motion: Councilor Wittman Second: Councilor King Passed: 4-0

E. Consideration to Approve Resolution No. 2022- 481 Assignment of Designee to Sign Agreement with the NM Department of Environment Accepting the Reauthorized Capital Outlay for Use to Plan, Design, Construct, Equip and Install the Kachina Water Booster Station for the Kachina Water Tank and Water Distribution Lines

The Village of Taos Ski Valley applied and received Capital Outlay funding for planning development of the Gunsite Springs, however funding was in danger of being lost. The immediate and critical need to fund the Kachina Booster station was partially resolved by reauthorization of funds.

The funding agreement for \$315,000 requires Council authorization for the Mayor to sign and also to name the designated individual, the Village Administrator, to sign the agreement documentation.

In addition to needing the upgraded booster station pump to get water to the Kachina tank, distribution lines from the tank need to be planned and installed.

MOTION: To Approve Resolution No. 2022-481 Assignment of Designee to Sign Agreement with the NM Department of Environment Accepting the Reauthorized Capital Outlay for Use to Plan, Design, Construct, Equip and Install the Kachina Water Booster Station for the Kachina Water Tank and Water Distribution Lines

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

F. Consideration to Approve Contract No. 2022-06 between the Village of Taos Ski Valley and the Taos Ski Valley Chamber of Commerce for Fiscal Year 2022

The Village of Taos Ski Valley Chamber of Commerce has been supported by the Village lodger's tax collections for many years. The Village works with the Chamber, providing monthly payments to support the work of the Chamber. The Chamber in turn supports the community by advertising the businesses which are located within the Village boundaries. The Chamber contract for FY 2022 includes \$271,041.00 in monthly grant disbursements, divided into monthly payments as requested by the Chamber Director. Additionally, it includes funding for special projects of \$29,000.

MOTION: To Approve Contract No. 2022-06 between the Village of Taos Ski Valley and the Taos Ski Valley Chamber of Commerce for Fiscal Year 2022

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

Thanks were extended to the Chamber for their assistance during the Covid emergency procedures and also for help with summer traffic.

G. Consideration to Approve the Renewal of Village Annual Outside Contractor Contracts

The Village has many contracts with outside contractors for ongoing and on-call projects and services. As stated below these are the FY2022 contracts which will be renewed along with the services they provide and a contract amount or not to exceed amount (NTE):

Above \$20,000

Precision Electric	7/1-6/30/2022 On-Call Electric	(NTE) \$59,000
Ray's Septic	7/1-6/30/2022 Tank Pump @ TML	(NTE) \$59,000
Plummer Engineering	7/1-6/30/2022 On-Call Gen. Service	(NTE) \$50,000
Plummer Engineering	7/1-6/30/2022 On-Call Water Service	(NTE) \$50,000
SW Accounting	7/1-6/30/2022 FY21 Audit	(NTE) \$30,000
Red Tail Survey	7/1-6/30/2022 On-call surveyor	(NTE) \$25,000

Less Than \$20,000:

Olsen, Lisa	7/1-6/30/2022 Bookkeeping	(NTE) \$19,900
Burt & Company CPA's	7/1-6/30/2022 Accounting	(NTE) \$ 15,000
Jenkins, Mika	7/1-6/30/2022 Office cleaning	(NTE) \$ 5,000
Good Riddance	7/1-6/30/2022 Pest Control	(NTE) \$ 3,000
Burt & Company CPA's	7/1-6/30/2022 Audit-Lodgers Tax	(NTE) \$ 2,000
Anchor Built	7/1-6/30/2022 Underground	Per Task Order

MOTION: To Approve the Renewal of Village Annual Outside Contractor Contracts

Motion: Councilor Wittman

Second: Councilor King

Passed: 4-0

H. Introduction: Ordinance No. 2022-71 Adopting Regulations for the Use, Sale, Production, Manufacturing, and Cultivation of Marijuana

Attorney Baker presented the proposed ordinance which creates regulations regarding the use, sale, production, manufacturing, and cultivation of marijuana. According to the New Mexico Cannabis Regulation Act ("the Act"), the Village has the authority to regulate the "time, place and manner" of marijuana uses within the Village's jurisdictional limits. The Act does not specify limitations on the Village's authority, except that the Village cannot require a marijuana establishment to be located more than three hundred (300) feet from a school, and that marijuana establishments cannot be prohibited.

The State has authorized local governments to require business licenses for a marijuana establishment and to enact zoning regulations to ensure that these establishments are compatible with the surrounding neighborhood. The State prohibits a local government from enacting a moratorium on marijuana establishments, even if zoning and other regulations are not in place. The sale of marijuana cannot take place in an establishment where alcohol is sold. Consideration to approve this ordinance will take place at the August Council meeting after a public hearing is held.

13. MISCELLANEOUS

A. Homeowner Mike Fitzpatrick asked about the total amount of funds that have been expended on the upgraded wastewater treatment plant. He also said that he wants to create a Dropbox of files from the Village. Councilor King will discuss options with Mr. Fitzpatrick.

14. 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 scheduled for August 24, 2021 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 3:45p.m.

Christof Brownell, Mayor

ATTEST: _____
Ann M. Wooldridge, Village Clerk