

across Strawberry Hill, one side to the other. The week leading up to August 18, 2017 will be dedicated to the chairlift, with the following week being dedicated to the water line.

- Grading work is moving along. The fixed-grip triple chairlift foundations are being completed, with work set to begin on the pulsed gondola.
- Work will begin soon on the Ernie Blake Road river crossing, with that section of road closed to traffic for approximately six weeks.

12. NEW BUSINESS

A. Discussion and Consideration to Approve a Lender for the Wastewater Treatment Plant Improvements Interim Financing

At the December 21, 2016 Village Council workshop, Brad Angst, with George K. Baum & Company (GKB), presented various financing arrangements for the Wastewater Treatment Plant (WWTP) upgrades. GKB staff conducted further research, and at the February 14, 2017 Council meeting, GKB recommended utilizing the USDA Rural Development loan program. Village staff has proceeded with completing the application and other requirements for the USDA. The structure of the loan requires the use of interim financing with a separate entity. Once construction was complete, the USDA loan would be initiated to cover all construction costs. GKB has gone out for an RFP to try to obtain the most advantageous interim financing for the Village. Village staff and GKB recommend awarding the WWTP interim financing award to Texas Independent Bankers' Bank.

MOTION: To approve choosing Texas Independent Bankers' Bank for the Wastewater Treatment Plant Improvements Interim Financing

Motion: Councilor Stagg

Second: Councilor Wittman

Passed: 4-0

C. Consideration to Approve Professional Services Contract Number VTSV-2018-05 between Ambitions Technology Group and the Village of Taos Ski Valley

The Village conducted an RFP for IT Professional Services on June 1, 2017. Several responses were received, and after review by the RFP committee, a decision was made to contract with Ambitions Technology Group. Their main office is located in Albuquerque, but they have a satellite office in Taos and service many clients in the Taos area. The committee noted the experienced staff and expertise of the vendor, and felt that with the continued growing needs of the Village, that more comprehensive IT support needed to be available. Although the services will be more costly to the Village, the Village will receive monthly maintenance and will have a variety of services available from this new firm. The contract is being finalized, and will not exceed \$25,000.00. After an initial one-year contract, the contract will be reevaluated on an annual basis prior to renewal.

MOTION: To Approve Professional Services Contract Number VTSV-2018-05 between Ambitions Technology Group and the Village of Taos Ski Valley

Motion: Councilor Wittman

Second: Councilor Stagg

Passed: 4-0

6. FINANCIAL REPORTS

Director Grabowski reported that GRT remitted to the Village in July was \$24,100 compared to \$119,910 for July last year. The TIDD did not receive a distribution in July for May GRT.

Lodger's tax collections were \$26,463 versus \$3,312 for last year. Most of the lodgers' tax collected was late submittals.

Water/sewer revenues were up by 13% year over year. Many revenues and expenses have varied from the previous year, mostly due to the fact that last year the Village was paying bills associated with the purchase of the Taos Mountain Lodge, and because permit fees for The Blake were received in July 2016. In addition, the Village was in the process of hiring for eight positions in 2016.

The final FY2018 budget has been submitted to DFA. The Village FY2017 audit has begun.

7. COMMITTEE REPORTS

A. **Planning and Zoning Commission** – P&Z met on July 20, 2017. Commission Chair Wittman reported on the following agenda item:

- The Village applied for a variance to the side-yard setback requirements in order to build a retaining wall on, or close to, the property line at Taos Mountain Lodge. Rich Willson has been working on the plan for parking and grading to maximize parking spaces, to provide handicapped access to the Village office, and to make an entrance to the property which is not as steep.

The next meeting is scheduled for September 11, 2017 at 1:00 p.m. at the Snakedance Condominiums.

B. Public Safety Committee – The Committee met on August 2, 2017. Committee Chair Bennett reported on the following agenda item:

- The bear issue was addressed. Councilor Bennett said that the issue is with people, not with bears. There is an ordinance in place requiring that trash be kept only in bear-proof containers. In recent weeks, bears have been ransacking trash being kept in non-bear-proof bins, creating unsafe situations, as well as making messes. Village Police are issuing citations to homeowners and business owners for infractions of the ordinance. The Committee is taking steps to make the public aware that many bears have been seen around the Village. A meeting will take place on August 26, 2017 when representatives of the NM Department of Game and Fish will discuss staying safe around bears.

The next meeting of the Public Safety Committee has not been scheduled.

C. Firewise Community Board of Directors – The Firewise Board did not meet. The next meeting has not yet been scheduled.

D. Parks & Recreation Committee – Committee Chair Kett reported on the Committee’s summer activities:

- The gates on Kachina Road have been closed to create the Kachina Vista Park. Signs will be made indicating parking, and giving information about the park. An informational letter will be sent out to the community advising of the creation of the new park.
- The hanging flower baskets have been a wonderful addition to the Village core. Kett said that this was a collaborative effort between Taos Ski Valley, Inc., the Chamber of Commerce, and the Parks & Recreation Committee. She thanked John Castillo and John Mudder for their efforts.
- The disc golf course and the volleyball court have been well-used.
- The Williams Lake Trail has been extremely popular for day hikes this summer. The Committee will discuss how to improve signage for next summer.
- No progress has been made on the JR Trail this summer.

E. Lodgers’ Tax Advisory Board – The Lodgers’ Tax Committee met earlier that day, where the Committee finalized its budget. The Committee will be accepting grant applications until late October 2017, and will be ready to fund applicants starting in early November 2017. The next funding cycle will begin in March 2018. The next meeting is scheduled for November 1, 2017 at 10:00 a.m. at the Snakedance Condominiums.

8. REGIONAL REPORTS

The Landfill Board met on July 20, 2017, when they approved the budget and discussed recycling costs. The Intergovernmental Council met, with very few people in attendance.

9. MAYOR’S REPORT

Mayor King said that there are concerns with Hiker Parking getting very full every weekend. He suggested that the Village get the land surveyed and proceed with making a plan to use the space to the greatest advantage. The Mayor’s recent moonlight hike to Williams Lake was extremely well-attended. Mayor King and Councilor Bennett will be attending the New Mexico Municipal League annual conference in Clovis on August 15-18, 2017.

10. STAFF REPORTS

Mark Fratrack, Village Administrator reported on ongoing projects:

- Townsite Act – The letter requesting a narrower easement has been sent.
- Taos Mountain Lodge – Civil Engineering and Geotest Contractors have been procured. Staff is still working through estimating costs for remodeling, driveway realignment, and other necessary items. Staff will make a report when there is a more concrete design and layout accompanied by cost estimates.
- Kachina Water Tank – This is on the agenda for later in the meeting.
- WWTP/WWTP Financing Options – The USDA application has been approved. More supporting documents are required to follow up with requests from the USDA. Interim financing will be discussed later on in the agenda.
- Ernie Blake Road – The negotiating committee met with Beausoleil owners again. Negotiations are moving forward.
- Bull of the Woods VTSV Property – Staff has requested that John Whitney perform an appraisal on the property, but it won’t happen until October.

- NM Gas Co. – Staff put NM Gas Company in touch with Russell Engineering in order to discuss the Ernie Blake Road/Thunderbird Road intersection concerns. There is no additional update.
- Improvements on Strawberry Hill – Staff continues to monitor activity and respond when required and requested by TSVI. Village staff is working through the water line breaks as well as the planned outages.
- KCEC/ Fiber Optic – Staff has sent in the weekly lists of interested businesses and residents, with 61 total names submitted so far. There is no further update at this time.
- Dust –Complaints have stopped since the rain started. Staff will work to have a better plan for next year that can be initiated earlier.
- New Runway Ribbon Cutting – Administrator Fratrack will be attending the Taos Airport’s new runway ribbon cutting; it will be held on August 25, 2017 at 10:30 a.m. Fratrack asked that the Mayor and Council be invited also.

Department Briefs

- **Department of Public Safety Update:** Chief Bilardello reported on July activity: MVCs (2), Embezzlement (2), Residential Alarm (1), Business Alarm (2), Suspicious Persons/Vehicles (4), Citizen Assists/Contacts (33), Traffic Enforcement Hours (31), Traffic Stops (6), Written Citations (1), Written Warning (1), Verbal Warning (4), Parking Citations (9), Assists to other Agencies (11), Foot Patrol Hours (33), Animal Control (9). Fire EMS: Fire Calls (2), EMS Calls (2). SAR Hours: (1). The Animal Control items were actually animal contact, meaning encounters with bears, Bilardello said.
By New Mexico law, all police officers are now required to carry a tourniquet, a trauma kit, and Narcan. The State will be furnishing those items to Village officers. Chief Bilardello reported that purchasing and placing a new police trailer is more involved than previously thought, and it is taking longer than expected. Village officers are conducting speed control on Twining Road, with tickets being given for even a five mile per hour overage on speed. The Up and Over Run was a success in terms of public safety, he said. Advertising for a part-time officer will happen soon.
- **P&Z Update:** Director Jones said that the clean-up at Zap’s house is going slowly, and he will be sending a letter of violation of the promised short time-frame for clearing the property. Jones had completed a survey of various towns’ permit and development fees, and commented that the Village’s fees were in line with other towns.

11. OLD BUSINESS

A. Consideration to Approve a Memorandum of Understanding with Taos Ski Valley, Inc. (TSVI) to continue to work with TSVI to research the 250,000 Gallon Kachina Water Tank relocation

At the June 29, 2017 Council meeting, Council directed Village staff to work with TSVI to draft an MOU that would incorporate the Village’s requirements for moving the Kachina Tank.

The “Relocation Requirements” from Administrator Fratrack’s July 11, 2017 250,000 Gallon Water Tank presentation:

- An escrow account for funding
- Reimbursement of Water Trust Board (WTB) funding expended, if withdrawn by the WTB
- Capital cost guaranteed for required pump station
- Operation and maintenance costs for pump station
- Dedication of spring box and chlorination station land by TSVI to the Village
- source water protection with a 200-foot perimeter
- Funding for additional design costs: engineering, surveying, geotechnical, legal, etc. (to include VTSV costs)

Staff recommended Council approve the 250,000 gallon Kachina water tank MOU which would continue the suspension of the 250,000 gallon buried water tank project at the original location and allow staff to work with TSVI on researching a possible new location for the tank.

The MOU states that the Village Council will extend its decision on the final location of the tank on TSVI’s land until November 30, 2017. It also adopts a further three year extension on the reversionary clause in the Tract A deed.

MOTION: To Approve the Draft Memorandum of Understanding with Taos Ski Valley, Inc. (TSVI) to continue to work with TSVI for three months to research the 250,000 Gallon Kachina Water Tank relocation

Motion: Councilor Wittman Second: Councilor Stagg

Discussion continued. Administrator Fratrack explained that although the WTB funding is secured until June 2019, the construction of the tank must be well underway at that point. If a new location were chosen, an extension of time could be sought on expending the funds. Representatives of TSVI were not in agreement on the amount of reimbursement being requested by the Village. TSVI would pay the up-front costs and costs for engineering for a new site, they said, and explained again that the original site is no longer a desirable location given their current ownership of land holdings in the Kachina area. TSVI is interested in having the Village infrastructure in the Kachina area consolidated.

There was a recommendation that the Village go out to bid for construction of the tank at the original location, to be ready to begin construction in the early spring if that site were chosen. Plans for construction of the tank at Tract A would need to be amended in order to maintain construction within the granted easement. Discussion continued about determining the best location for the tank, at the best price. There was concern about the visual impact of an above-ground tank, and if placed near the spring, concern over maintaining the Village's water source.

AMENDED MOTION: To Approve the Draft Memorandum of Understanding with Taos Ski Valley, Inc. (TSVI) to continue to work with TSVI to research the 250,000 Gallon Kachina Water Tank relocation, with the understanding that Administrator Fratrack and Attorney Romero would negotiate the terms listed in the MOU
Motion: Councilor Wittman Second: Councilor Stagg Passed: 3-1 (Councilor Bennett voting against)

B. Consideration to Approve Recommendation to proceed with the 250,000 gallon buried Kachina Water Tank project at the original location

This item was no longer necessary, given the action taken on the previous agenda item.

C. Discussion and Approval of Proposed Water and Sewer System Development Fees and Impact Fees for Parcel G
As part of the Master Development Agreement (MDA) adopted in forming the Tax Increment Development District (TIDD), the Developer Impact and System Development fees for TSVI's building projects are subject to possible relief of 25-100%. Village staff and TSVI staff have been in discussions on appropriate credit amounts on these fees for the Blake, in an amount between the 25% and 100%. The debate is over the amount the developer would not have to pay because of the improvements they have made to the Village infrastructure system, versus the appropriate amounts that the Village should require to support Village-deemed priority projects.

The impact fee structure is laid out in Zoning Ordinance 2017-30, which states that if public facilities are constructed and dedicated on behalf of the Village, the Developer may be eligible for a credit reimbursement for such dedication or contribution against the development impact fee payable or paid. According to the MDA, Village Council shall approve the amount of credits allowed.

At the January 17, 2017 Council meeting, Council agreed that the developer should make payment of \$400,000.00, or approximately 25%, of the total \$1,600,721 system development and impact fees due. Government Facilities and Public Safety impact fees are not eligible for credit under the MDA. A 25% credit on system development fees and impact fees is automatically granted, which totals \$334,481. TSVI is requesting a 75% system development credit, an 80% credit on roads impact fees, and an 83% credit on parks and recreation impact fees, given for the projects that they have completed which are listed on the Village's Needs Assessment Report. The Village is requesting that only the 25% MDA guaranteed credit be given. There are outstanding credits on the Village ledgers that TSVI is authorized to apply against water and sewer system development fees.

Councilor Stagg suggested that the Council wait to discuss this item until the following month, when representatives of TSVI could be in attendance. Councilor Wittman noted that the Village's request grants a 33% credit on the total fees. VTSV requests that a total MDA credit of \$334,481 be given, and that TSVI utilize all the additional water and sewer existing credits of \$192,714. After the \$400,000 payment already made, TSVI would be required to make a payment of \$673,526.

MOTION: To Approve the Village staff's recommendation of proposed credit amounts for system development fees and developer impact fees for The Blake, requiring total payment required by TSVI of \$673,526

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

12. NEW BUSINESS

B. Consideration to Approve **Resolution No. 2018-341** Adopting an Enchanted Circle Trails Master Plan

The resolution was not yet available.

MOTION: To table indefinitely Resolution No. 2018-341 Adopting an Enchanted Circle Trails Master Plan

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

D. Consideration to Approve the Renewal of the Annual Contract with Taos Ski Valley Chamber of Commerce for Fiscal Year 2018

The Taos Ski Valley Chamber of Commerce has been supported by the Village lodgers' tax collections for many years. The Village is the fiscal agent of the lodger's tax committee and makes monthly payments to the Chamber via a lodger's tax grant to support them. The Chamber in turn supports the community by advertising for the member businesses which are located within the Village boundaries. For this fiscal year the lodger's tax committee has approved an increase of \$30,000. This will result in a grant disbursement to the Chamber totaling \$180,000 for fiscal year 2018.

MOTION: To Approve the Renewal of the Annual Contract with Taos Ski Valley Chamber of Commerce for Fiscal Year 2018

Motion: Councilor Stagg

Second: Councilor Wittman

Passed: 4-0

E. Consideration to Approve **Ordinance No. 2018-63** Adopting Water, Sewer, and Trash Rates for Fiscal Year 2018 As part of the FY2018 Final Budget, the FY 2018 Budget Summary is adopted, which states in regards to Water/Sewer rates and Trash Collection fees; “Staff is recommending a 4% increase in the fixed and variable rates. This equates to the variable rate going from \$.0437/gallon to \$.0454/gallon, or a \$.0017/gal increase, and the fixed rate going from \$54.63/EQR to \$56.82/EQR, or \$2.19/EQR. A 4% increase will keep the Village in pace with rising operation and maintenance costs and will continue to get the Village closer to Fund 01 becoming a true enterprise self-supporting fund.” and “There will be no increase in the trash fees this year.”

As this is the first reading of the ordinance, no action is necessary at this time. The ordinance will be brought to the Council in September for a public hearing and consideration to approve. In the meantime, because the final budget was approved, the new rates were implemented in July 2017 for the new fiscal year.

13. MISCELLANEOUS

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

The next regular meeting of the Council will take place on Tuesday, September 12, 2017 at 2:00 p.m., at the Snakedance Condominiums Hondo Restaurant.

15. CLOSED SESSION

A. 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 Wittman

Second: Councilor Stagg

Passed: 4-0

MOTION: To return to Open Session

No decisions or motions were made during closed session.

Motion: Councilor Stagg

Second: Councilor Wittman

Passed: 4-0

MOTION: To continue to negotiate with the landowners adjacent to Ernie Blake Road

Motion: Councilor Stagg

Second: Councilor Brownell

Passed: 4-0

16. ADJOURNMENT

MOTION: To Adjourn.

Motion: Councilor Stagg

Second: Councilor Wittman

Passed: 4-0

The meeting was adjourned at 4:45 p.m.

Neal King, Mayor

ATTEST: _____
Ann M. Wooldridge, Village Clerk