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**VILLAGE COUNCIL MEETING  
DRAFT MINUTES  
SNAKEDANCE CONDOS  
HONDO RESTAURANT  
TAOS SKI VALLEY, NEW MEXICO  
TUESDAY, AUGUST 11, 2015, 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 King at 2:00 p.m. The 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 Neal King  
Councilor Kathy Bennett  
Councilor Chris Stagg  
Councilor/Mayor Pro-Tem Barb Wiard  
Councilor Tom Wittman

**Village Staff Present**

Administrator Mark Fratrack  
Finance Director Nancy Grabowski  
Clerk Ann Wooldridge  
Public Works Director Ray Keen  
Community Development Director Don Schieber  
Planner Matthew Foster  
Attorney Dennis Romero

**3. APPROVAL OF THE AGENDA**

**MOTION:** To amend the agenda by moving items 12. A and 12.B to before item 11, and adding item 13. A, discussion of Village boundaries.

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

**4. APPROVAL OF THE MINUTES OF THE JULY 14, 2015 REGULAR VILLAGE COUNCIL MEETING and the JULY 22, 2015 SPECIAL COUNCIL MEETING**

**MOTION:** To approve the minutes of the July 14, 2015 Regular Council Meeting and the minutes of the July 22, 2015 Special Council Meeting as presented

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

**5. CITIZEN'S FORUM**

No one spoke

**6. FINANCIAL REPORTS**

Director Grabowski reported that GRT collected in July was \$37,891 compared to \$50,101 for the same month last year. GRT yearly total (July only) is down 25%. Lodger's Tax collected in July was \$3,160 compared to \$2,493 for FY 2015, a 25% increase. The Village budget was submitted by the deadline of July 31, 2015, along with the 4<sup>th</sup>

quarter financial reports. The TIDD final budget was also submitted by July 31, 2015. The FY 2015 audit and preliminary financial reports have been completed by Precision Accounting. Recent GASB rule changes require municipal entities to state PERA liability amounts, and PERA has not yet released those numbers to any entity. Once those numbers have been reported and included in the audit, the audited financials will be submitted to the State Auditor's Office.

Contact has been made with Personnel Systems & Services about conducting a salary survey for Village staff positions. Staff hopes that work can begin on the survey in September. A new equipment operator/laborer has been hired for the Public Works Department.

## **7. COMMITTEE REPORTS**

### **A. Planning and Zoning Commission**

Councilor Wittman reported that the Planning and Zoning Commission (P&Z) did not meet in August. The next meeting is scheduled for 1:00 p.m., September 14, 2015 at the Snakedance Condominiums.

### **B. Public Safety Committee**

The Public Safety Committee met on Monday, August 3, 2015. Councilor Bennett reported on the following agenda items:

- Work continues on the draft gun ordinance with input by Chief Wallace. This ordinance has been difficult to draft because of needing to address second amendment rights. Draft ordinance will be sent to Attorney Romero for review.
- The slash pile is moving around the Village, along with the Burn Boss, for most efficiency in transporting slash
- Homeowners should tell contractors that they hire to cut wood where the current location is for the slash pile
- Concern that someone is still taking slash to Ocean Boulevard, the old location of the slash pile
- Discussion about who maintains Village sidewalks, specifically those along Thunderbird Road, and future sidewalks.

### **C. Firewise Community Board of Directors**

The Board met on Monday, August 3, 2015. Councilor Bennett reported on the following agenda items:

- Discussion of the AlertSense system using text messages to cell phones, in the event of emergencies
- A presentation by The Nature Conservancy

Meetings for both committees are scheduled for Monday, October 5, 2015 at 9:00 a.m. and 10:00a.m. consecutively, at Councilor Bennett's house on Snowshoe Road.

Councilor Bennett also reported that the Taos Ski Valley Up & Over 10K Trail Run was successful, with 213 runners crossing the finish line.

### **D. Parks & Recreation Committee**

Administrator Fratrack and Director Grabowski attended the meeting on Wednesday, August 5, 2015 at 2:00 p.m. at the Stray Dog. Some of the items discussed at the meeting were:

- Development of a picnic area near the wetlands in the Kachina area
- The volleyball tournament taking place in August at the volleyball court by the Phoenix Restaurant

Next meeting is scheduled for Tuesday, September 8, 2015 at 2:00 at the Bavarian Lodge.

### **E. Lodgers' Tax Advisory Board – No report**

## **8. REGIONAL AND STATE REPORTS**

Councilor Wiard reported on:

- Taos Regional Landfill Board meeting  
Administrator Fratrack attended on Councilor Wiard's behalf. A resolution was passed accepting the loan for \$1,376,046 for construction of a new cell.
- NMML Resolutions Committee, Albuquerque, met August 25, 2015.

## **9. MAYOR'S REPORT**

Mayor King reported that the Council had directed Staff to look into the culvert situation near the Sierra del Sol. As a result, Mayor King had met with Staff on-site to come up with some possible options for placement of the culvert. Village Staff will meet with representatives from TSV Inc. and Sierra del Sol to resolve this issue.

## 10. STAFF REPORTS

Administrator Fratrack reported on the following:

- Townsite Act – the agreement has been signed and approved with the 4.95 acres (what was submitted) attached. It will be necessary to arrange for the required studies in order to move forward. Estimated cost is \$15,900 which includes studies and Forest Service review.
- Water Trust Board (WTB) Kachina Water Tank Application – Staff is working with FEI Engineers on the required “readiness to proceed” items due September 30, 2015. The WTB approved \$1,640,000 for the Kachina Water Tank (90% grant/10% loan). The Village match is \$330,000, and the TIDD is slated for \$200,000, for a project total of \$2,170,000.
- Utility Line Project – Terry Bruner with the USDA office notified Staff that the Rural Economic Development Loan (REDL) program is usually for \$1,000,000, but there may be a possibility of getting a variance for up to \$1,500,000. The Village is committed to \$1,500,000 through the TIDD finance plan. Staff is reviewing the documents and will begin the application process.
- RTD Chile Line – Councilor Stagg and Administrator Fratrack met with the RTD, who took over the Town of Taos transportation system. The RTD is proposing the same schedule as last year, but plans are not yet finalized.
- Sutton Place - Administrator Fratrack will meet with developers about whether the river crossing project will take place this year or next.
- Water and Sewer Collections – Most customers pay for their service on time, but Staff has to pursue collecting payments for some customers, as well as handling complaints and continuous requests for extensions of time for payment. Administrator Fratrack thanked Clerk Wooldridge for her persistence in collecting payments every month.
- McLaughlin Information Request –all of the drawings, CAD drawings, and as-builts that McLaughlin worked on for the Village are in the mail.
- The FY2015 audit is completed. Administrator Fratrack thanked Director Grabowski for her work with the auditors.

Director Wallace’s report on the July activity regarding Law Enforcement, EMS, and Fire:

- Law Enforcement: (1) Fight in Progress, (1) Commercial Alarm, (6) Citizen Assists, (1) Downed Animal that had been struck by a vehicle, (2) Residential Burglar Alarm, multiple hours of Traffic Enforcement, (1) Written Warning, (3) Verbal Warnings
- Fire/EMS: (1) Fire Call for out-of-control bonfire at campground on State Highway 150, (2) EMS Response
- SAR: (1) SAR Mission – person found at Williams Lake
- Other Activity: None

Attorney Romero asked the Council for direction on a request from a recipient of a parking ticket who did not want to pay. Council asked Attorney Romero to respond with a request for payment or a recommendation that that recipient appeal in person to the Village Council.

Planner Foster reported on various activities including his recent work with a group that is working to get more bicycle lanes established around Taos County. He is looking in to the possibility of extending bike lanes up State Highway 150 and funding possibilities.

Director Keen reported that the Public Works Department has been working on the roads, leak detection, and finding infiltration points. He will be working on an RFP for bids for a snow blower attachment for a loader. The Public Works department will begin distributing magnesium chloride on the roads once a new water pump has been installed on the water tender truck.

Clerk Wooldridge reported the Staff is continuing to spread information about use of the new location code when businesses submit CRS reports, starting with reports for July. Businesses should use the new TIDD location code, 20430, instead of the old Village code.

**12. NEW BUSINESS**

**A.** Consideration to Approve **Resolution No. 2016-293** , Concerning Implementation of a Phased Asset Management Plan (AMP) for the Drinking Water System

As part of the conditions New Mexico Finance Authority and Water Trust Board grant and loan funds, the Village is required to establish an Asset Management Plan (AMP). An AMP entails “managing infrastructure assets to minimize the total cost of owning and operating them while continuously delivering the service levels customers’ desire”. Staff will have to form an AMP team and assemble a three-year implementation plan.

**MOTION: To Approve Resolution No. 2016-293 , Concerning Implementation of a Phased Asset Management Plan (AMP) for the Drinking Water System**

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

**B.** Consideration to Approve **Amendment #1 for Contract VTSV-14-0002**, a One-Year Extension to Contract with FEI Engineers

FEI Engineers were selected through an RFP process for selection of an engineering firm in May 2014. FEI was selected and approved for a four-year term with the professional services contract requiring to be approved each year. Village Staff is in favor of extending the contract for an additional year.

**MOTION: To Approve Amendment #1 for Contract VTSV-14-0002, A One-Year Extension to Contract with FEI Engineers**

**Motion:** Councilor Bennett                      **Second:** Councilor Wiard                      **Passed:** 4-0

**11. OLD BUSINESS**

**A. PUBLIC HEARING:** Consideration to Approve **Ordinance No. 2016-30**, Amending Zoning Ordinance No. 2014-30 to Amend Section 8.6 Sign Permits and Add Section 19 Regulating the Construction and Siting of Wireless Communications Towers

Planner Foster explained that the amended language concerning signs and sign permits clears up any ambiguities in the ordinance and allows for perpendicular building-mounted signs. The proposed amendments were reviewed and endorsed by the Architecture and Urban Design committee made of Village residents and business owners. The Planning & Zoning Commission reviewed the amendments and recommends approval by the Village Council.

**PUBLIC HEARING:** Mayor King opened the Public Hearing. Speaking for approval was resident Richard Duffy, who said that business owners have expressed approval of the amendments. No one spoke against approval. The Public Hearing was closed.

**MOTION: To Approve Ordinance No. 2016-30, Amending Zoning Ordinance No. 2014-30 to Amend Section 8.6 Sign Permits**

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

Planner Foster presented the changes being proposed in a new section of the ordinance to regulate the siting and construction of wireless communications towers. Erecting a tower would require a conditional use permit in any zone, and would not be allowed in designated open spaces. The goal is to minimize impacts and improve cell service. The Planning & Zoning Commission reviewed the proposed amendments and recommends approval by the Village Council. The amendments are designed to be consistent with the goals, policies, and objectives of the Wireless Communications Master Plan, adopted by the Council in July 2015.

**PUBLIC HEARING:** Mayor King opened the Public Hearing. No one spoke for approval. Peter Talty from TSV Inc. spoke against, saying that the ordinance language is prescriptive and burdensome. The Public Hearing was closed.

**MOTION: To Approve Ordinance No. 2016-30, Amending Zoning Ordinance No. 2014-30 to Add Section 19 Regulating the Construction and Siting of Wireless Communications Towers**

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

**12. NEW BUSINESS**

**C. Consideration to approve the Purchase of the AlertSense, Inc. System for Text Messages in Emergency Situations**

Councilor Bennett reported that the Firewise Community Board of Directors researched and participated in an on-line demonstration of the AlertSense, Inc., Wireless Emergency System. The system provides the ability to send text messages concerning emergency situations to anyone with a cell phone in the Village. Visitors and residents would be notified in the event of a wildland fire with specific evacuation instructions, for an active shooter, for avalanche danger, landslides, or other emergencies. The cost is \$1,125 per year with a three-year contract required. The funding will most likely come from the Fire and/or EMS budgets. The Firewise Community Board of Directors voted unanimously to recommend approval by the Village Council.

**MOTION: To approve the Purchase of the AlertSense, Inc. System for Text Messages in Emergency Situations**

**Motion:** Councilor Bennett      **Second:** Councilor Wiard      **Passed:** 4-0

**D. TSVI Conceptual Introduction of a Public Improvement District**

Peter Talty and Chaz Rockey with TSV Inc. made a presentation about the State Highway 150 utility line trenching that will begin this summer and be completed in 2016. They reported that it had been a challenging process to coordinate arrangements between all of the various entities, including the utility companies, but that notice to proceed had finally been secured from the NM DOT. Twining Development will dig the trench; the utility companies will install the lines, and when work is complete on the trench ownership of the utility lines will be transferred to the respective utility companies. The design of the trench is for joint use by natural gas, electric, and communication lines. Twining Development will carry the burden of the cost until such time that reimbursements are available from the TIDD, the Village, credits by utility companies, and from a possible Public Improvement District (PID). In addition to this trench, TSV Inc. has received approval from the U.S. Forest Service to allow for trenching for fiber optic lines up to the top of lift six.

Rockey explained that the goals for establishing a PID would be to address infrastructure needs and to support development. The proposed PID boundary would approximately duplicate the Core Village area plus Amizette. Unlike the TIDD, no contribution would be required from the State, the County, or the Village. Funds would go to the PID from assessments on parcels of land only if redevelopment were to occur, or if a landowner chose to convert to natural gas. The total of assessments, inclusive of property tax, would never exceed 1.95% of the market value of a piece of property. The proposed expenditures from a PID would fund the installation of natural gas lines, Core Village water and sewer lines, stream restoration, river walks, and public plazas. Though budget numbers are still preliminary, projected annual contribution from a PID could be \$1.2 million. Rockey explained that the process of forming a PID would involve developing and refining the plan, submitting an application and formation documents to the Village Council, and then having the Village conduct an election. Eligible voters in a PID election would consist of property owners in the PID boundary as well as qualified electors within the PID area. Rockey said that an application may be ready by spring 2016. Talty and Rockey thanked the Council for the opportunity to make their presentation.

**13. MISCELLANEOUS**

**A. Discussion of Village Boundary issue**

Attorney Romero reported that he had been working with Rob Watt, owner of Red Tail Surveying, to determine precisely what the original boundaries of the Village were and to determine if they had been filed correctly. A survey of the Village boundary had been completed in 1996, at the time of the Village formation, but there is some concern by Taos County as to whether it was officially recorded. This issue has surfaced due to staff at the Taos County Tax Assessor's office working to determine baseline amounts on properties within the TIDD boundary. Romero recommended that Red Tail Surveying complete a new map with the original Village boundary, which could be correctly recorded and filed with the necessary entities at the County and the State.

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

The next regular meeting of the Village Council is scheduled for Tuesday, September 8, 2015 at 2:00 p.m. at the Snakedance Condominiums Hondo Restaurant.

**15. ADJOURNMENT**

**MOTION: To Adjourn**

**Motion:** Councilor Wiard

**Second:** Councilor Wittman

**Passed:** 4-0

The meeting was adjourned at approximately 4:15 p.m.

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Neal King, Mayor

ATTEST:

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Ann M. Wooldridge, Village Clerk