

Lodger's tax collections were \$20,520.20 versus \$9,540.74 for last year. Totals year to date are \$30,261.44 versus last year's \$34,978.64. Totals for the year are actually down by 40%, because this year's figures are comprised of \$10,172 in late payments.

The auditors held a mid-audit meeting with the Mayor and Village staff and reported that things look good and that there are no big issues or red flags to report. Adrienne Anderson has been hired to fill the Planner position.

7. COMMITTEE REPORTS

A. **Planning and Zoning Commission** – P&Z met on Monday, October 3, 2016 at 1:00 p.m.

Commission Chair Wittman reported on the following agenda items:

- Application for Conditional Use for Wireless Communications Tower Placement on Pattison Trust Lands. This item was withdrawn by the applicant.
- Application for Parking Conditional Use at the Beausoleil site. This item was passed 6-0.
- Chaz Rockey's presentation on an integrated approach to improving cellular service in Taos Ski Valley. Rockey reported that TSV Inc. has spent \$500,000 on a circuit of conduits around the mountain and will be ready for placement of three cell towers next year. The cell service carriers decide on the best locations.
- Public Dedication of Lands and Easement Right by TSVI to the Village. The Commission recommended approval by Council.
- The Dominguez Trust Lot Line Adjustment and Vacation of Village Right-of-Way. The Commission recommended that the Council approve the resolution concerning this item.
- Discussion of Temporary Buildings used for Food Vending. Building and Construction Director Jones will draw up regulations for these small buildings.

The next P&Z meeting is scheduled for Monday, November 7, 2016 at 1:00 p.m. at the Looking Glass Room of the TSV Resort Center. The meeting was adjourned at 2:40 p.m.

B. Public Safety Committee – The Public Safety Committee met on October 3, 2016. Committee Chair Bennett reported that the only item for discussion was the hunting and firearms ordinance, which the committee continues to formulate. Attorney Romero will attend the committee's next meeting, to be held on November 7, 2016 at 11:00 a.m. at the Village Office.

C. Firewise Community Board of Directors - The Firewise Community Board of Directors met on October 3, 2016. Board Chair Bennett reported that the placement of the additional, second, siren was discussed.

The next meeting will take place on Monday, November 7, 2016 at 10:00 a.m. at the Village Office.

D. **Parks & Recreation Committee**

Committee Chair Katherine Kett reported that the Community Picnic on October 5, 2016 was a success and had a good turnout. Chair Kett and Administrator Fratrack had an informative meeting with the U.S. Forest Service that same day. The creation of partnerships aids in accomplishing goals, according to the Forest Service; for example, the Village Public Works Department helps the Forest Service by servicing the restrooms at the Bull-of-the Woods trailhead. Any project needing Forest Service approval would need a strong plan of partnership in terms of funding, man-power, and data, along with correlating with TSV Inc.'s master plan. Changing the location of the Carson National Forest sign was discussed at the meeting, although the apparent cost of moving and improving the sign would be \$2,000. Kett reported that the Twining Campground and Hiker Parking are being used much more than in the past. Twining Campground has some limitations in terms of improvements due to archeological sites from the Twining mining days found at the site. Chair Kett will look into whether the steps can be rebuilt to the Twining campground and whether the picnic tables can be replaced that were removed at the time of the TSV Inc. skier drop-off relocation.

The next Parks & Recreation Committee meeting has not been scheduled. The disc golf course is being taken down for the winter season.

E. **Lodgers' Tax Advisory Board**

The Board met on October 5, 2016 at 1:30 p.m. The Board decided to maintain a schedule of requests for funding and actual funding disbursements in the same fiscal year. Current grant applications were reviewed. Funding projects approved included the Field Institute, the German School, the Jillana Ballet School, the Taos School of Music, and the Taos Opera Institute. TSV Inc. was approved for funding costs of one half of the spring fireworks, at \$14,000. Taos Winter Wine Fest was approved for \$9,000 in funding, and also a funding request for employee training for TSV Inc. and Chamber staff was approved. The Taos Winter Sports Team request for funding was denied, but may be considered at a later date depending on the items submitted for reimbursement.

TSV Inc. made a request for \$38,481 in funding for transportation to cover a portion of the cost of running shuttles to augment the RTD shuttle service between Taos Ski Valley and the Town of Taos. Concerns were expressed about whether this would be an employee shuttle and how it would benefit the community as a whole. There is also concern about the lack of service to Amizette. TSV Inc. envisions changes in service, stating that it will no longer run beyond the parking lot at KTAO, and that perhaps mid-day and evening runs could include guests. TSV Inc. reported that costs for running the Taos Ski Valley area employees shuttle ran \$190,000 last year. Approximately 20% of employees riding the shuttle last year were non-TSV Inc. The funding for 20% of the cost of running the service, \$38,481, was approved by the Lodger's Tax Board, but there was a request for Village Council concurrence on this expenditure request, since the Council had originally directed the Board to use Lodger's Tax proceeds for advertising and promotion. Attorney Romero will conduct further research to insure proper expenditure of Village lodger's tax funds for transportation.

MOTION: To acknowledge and approve Lodger's Tax Board Approval of Transportation Funding
Motion: Councilor Stagg **Second:** Councilor Bennett **Passed:** 4-0

8. REGIONAL REPORTS

Councilor Brownell reported on activity from the Taos Landfill Board, with items of interest being the ongoing litigation with a previous contractor, the possible lease of an earthscraper, and the potential ban of either the sale or use of the product Roundup. The IGC Board discussed paving more bike lanes in town, the new runway at the airport and its potential capacity, and the new stage purchased by the Town of Taos for concerts.

MOTION: To amend the agenda to move item 12.E. to before item 12.A.
Motion: Councilor Stagg **Second:** Councilor Wittman **Passed:** 4-0

9. MAYOR'S REPORT

Mayor King reported that the TIDD Board approved the first quarter FY2017 report. Staff is working on documents and conditions surrounding the public improvements dedication process from TSVI to the Village. The next TIDD Board meeting is scheduled for January 10, 2017 unless a special Board meeting is required in November 2016. Mayor King has recently assisted Village Staff in following all required procedures for using the BurnBoss.

10. STAFF REPORTS

A. Mark Fratrack, Village Administrator reported on ongoing projects:

- Townsite Act – There is no new update.
- Skype – Fratrack asked the Council for their input on the effectiveness of using Skype as a call-in method for Councilors. The use of more advanced technology and a more sophisticated telecommunications system would improve attendance by a Skype-type arrangement, it was agreed.
- BurnBoss – The Mayor trained three Public Works employees on the proper use of the BurnBoss. These employees are not going to be trained in all of the areas of wildland firefighting, just the safe use of the equipment.
- Communication Tiger Team – the first meeting took place, with the next one planned for November.
- Taos Mountain Lodge – Staff is working on plans for leveling the parking lot before installation of holding tanks.
- Ernie Blake Road – Fratrack and Mayor King met with the managing partners of Beausoleil to discuss the process necessary to acquire the appropriate amount of property to construct Ernie Blake Road. Staff will

put together an offer. The forecast is for a solid proposal to be ready to present in late December or early January.

- RTD – The MOA between the Village and RTD has been signed. The MOA between the Village and the Town of Taos is being presented for approval by both entities today.
- Natural Gas line – The Village has hired Phoenix Mechanical to transfer the firehouse equipment and lines from propane to natural gas.
- Kachina Water Tank – Grubbing and clearing for site preparation will not be accomplished this year but will be done early next summer to keep on schedule.
- WWTP – As part of the Environmental Assessment (EA) for the WWTP upgrade, Staff has been working with the SE Group to arrange for a meeting with stakeholders at the Quail Ridge on October 13, 2016 at 11:00 a.m., and a workshop and scoping meeting at the Looking Glass in the TSV Resort Center on October 26, 2016 at 6:00 p.m.

Department Briefs

- **Department of Public Safety Update.** Police Chief Bilardello reported on recent activity: (2) Citizen Arrests, (26) Hours of Traffic Enforcement, (5) Traffic Stops, (3) Written Warnings, (2) Verbal Warnings and (1) Trespass Warning. Fire/EMS: (0) responses, SAR: (0) responses. Bilardello also reported that he will be purchasing body cameras and storage space in the cloud for camera footage from police officers. He is planning to attend a national conference in San Diego to shop vendors for other equipment, including a “tag reader” camera and Toughbook laptops. He is acquiring new Class A and Class B uniforms, and in general, upgrading and updating the department, he reported.
- **Village Clerk:** Clerk Wooldridge reported that there has been a lot of activity in the Planning & Zoning Department while still being short-staffed. She is planning to attend the Master Clerk’s Academy on October 19 to 21 in Albuquerque. She said that the transfer from propane at the Village office and firehouse has been time-consuming and several parts of the work have not gone smoothly.

11. OLD BUSINESS

A. Consideration of Clarification of the Expanded Liquor License Service Area for Rio Hondo H&R, Inc. Dispenser License No. 0704, Approved by Council September 13, 2016

The area approved at the September 13, 2016 Council meeting encompassed the resort center, the Blake Hotel, the Bavarian Restaurant, the Phoenix Restaurant, and the related outdoor areas. The intent was to apply for approval for the entire 116 acres of the TSV Inc. fee title area, inclusive of the buildings listed above. Updated diagrams were presented. No public hearing was required, only governing body approval. TSV Inc. noted that this would aide in conducting special events.

MOTION: To approve the clarified expanded liquor license service area for Rio Hondo H&R, Inc. Dispenser License No. 0704

Motion: Councilor Wittman

Second: Councilor Bennett

Passed: 3-1 (Councilor

Brownell voting nay)

This motion will nullify the motion made at the September 13, 2016 Council meeting for the smaller service area. The license will also cover Parcel D, which TSV Inc. leases.

12. NEW BUSINESS

E. Consideration to Approve and Accept a Plat for Dedication of Lands and Easement Rights by TSVI et al. to the Village of Taos Ski Valley, and a Bill of Sale for related Public Improvements thereto to the Village of Taos Ski Valley, subject to the Village’s final inspection and certification of completion thereof

According to the Master Development Agreement (MDA) between VTSV, TSVI, and the TIDD, all components of the Public Infrastructure Project shall be dedicated and conveyed to the Village. TSVI worked with the contiguous property owners so that the appropriate land and easements are dedicated to the Village which incorporates the Public Infrastructure Project improvements attached to those properties.

Discussion touched on various aspects of the transfer to the Village and the Village’s liability in owning these public spaces and in maintaining them. Construction Project Manager Bob Daniel explained that this process has been commonly done in other ski areas in the west. Daniel also explained about the workings of the snowmelt system. He said that one or more third party inspections have been conducted on all installations.

Chaz Rockey presented a cost schedule of up-to-date expenses for public infrastructure. He reported \$14,572,925 in associated costs, while the estimates were at \$13,810,000. Rockey also commented that many of

the projects, such as the Sutton Place river crossing and associated stream restoration, have been in much need of repair and upgrade for the Village for many years. The Highway 150 trench project had cost overruns of \$5 million because of the extensive engineering work required, he said. The natural gas portion of the trench is active, so that portion of the project will be eligible for TIDD reimbursement.

The Village's formal acceptance of the projects is subject to inspection and certification of satisfactory completion by Village Staff. Once the Village accepts the plats and bill of sale, the developer's costs can be reimbursed by the TIDD, subject to adequate funds on hand.

A maintenance agreement for the public spaces is not a part of this dedication; an agreement will be negotiated in the next month. A request for proposals will be conducted by the Village to contract with the best entity to conduct maintenance of the plazas. Such a maintenance agreement will cost the Village an estimated \$60,000 to \$70,000 per year. The Village will take care of snow removal on the road.

MOTION: To Approve and Accept a Plat for Dedication of Lands and Easement Rights by TSVI et al. to the Village of Taos Ski Valley, and a Bill of Sale for related Public Improvements thereto to the Village of Taos Ski Valley, subject to the Village's final inspection and certification of completion thereof

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

A. Consideration to Approve Resolution No. 2017-320, A Resolution Authorizing and Approving Financial Assistance from the New Mexico State Highway and Transportation Department FY2016-2017, NM LGRF DOT Project SP-5-17 (196)

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 2017 road project. The contract commits the State to \$45,000 in funding with the Village contributing 25% of total project costs, or \$15,000.00, for a total project cost of \$60,000.00. Monies for the project will be used for full construction with drainage improvements of various local streets.

MOTION: To Approve Resolution No. 2017-320, A Resolution Authorizing and Approving Financial Assistance from the New Mexico State Highway and Transportation Department FY2017, NM LGRF DOT Project SP-5-17 (196)

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

B. Consideration to Approve Resolution No. 2017-321 Regarding Ratification of the Vacation and Relocation of Portions of Emma Street and Gusdorf Street within Amizette

The Village Planning Department approved a lot line adjustment of several Dominguez Trust properties located in Amizette in April 2016. The lot line adjustment also involved the relocation of portions of Emma and Gusdorf Streets. These streets appear on old plats, but do not exist on the ground. In order to effectuate the relocation, portions of these platted streets must be vacated and abandoned. By New Mexico law, only the governing body of a municipality has the authority to abandon a street.

In addition to the ratification, the Dominguez Trust is requesting that the Village convey title to the abandoned street sections by quitclaim deed in order to satisfy Taos County Assessor property appraisal requirements. Staff is evaluating the propriety of conveying title to the Dominguez Trust for the abandoned streets. A conveyance of title to these portions of street may involve the conveyance of title to the Village from the Dominguez Trust for the relocated streets on the Dominguez property.

MOTION: To Approve Resolution No. 2017-321 Regarding Ratification of the Vacation and Relocation of Portions of Emma Street and Gusdorf Street within Amizette

Motion: Councilor Stagg Second: Councilor Wittman

Discussion centered on the fact that another portion of Gusdorf Road had been abandoned in 1996. More clarification may be necessary.

MOTION: To Table Consideration of Resolution No. 2017-321 Regarding Ratification of the Vacation and Relocation of Portions of Emma Street and Gusdorf Street within Amizette

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

MOTION: To Grant Authority to the Village Administrator to execute the appropriate documents of conveyance after approval of Resolution No. 2017-321

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

C. Consideration to Approve Resolution No. 2017-322 Requesting a Permanent Budget Adjustment for Purchase of the Taos Mountain Lodge

Since the Village purchase of the Taos Mountain Lodge is completed and totals are available, the Village budget needs to be updated to include the capital asset, closing costs, legal fees and revenues associated with this purchase.

MOTION: To Approve Resolution No. 2017-322 Approving the Budget Adjustment Request (BAR) for submission to the Department of Finance for the purchase of the Taos Mountain Lodge and recording the loan disbursement from NMFA

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

D. Introduction: Ordinance No. 2017-59 Adopting the 1997 edition of the Uniform Code for the Abatement of Dangerous Buildings Code and the 1997 edition of the Uniform Administrative Code

The Village has had several instances where buildings or structures have become dangerous and unsafe to occupy or use. Where conditions or defects exist to the extent that the life, health, property, or safety of the occupants of buildings or structures is endangered, the Village needs to be able to protect those occupants. The adoption of this code would allow the Village staff to declare that a building or structure is unsafe, unsanitary, and unfit for human habitation or in such a condition that it is likely to cause sickness or disease

No action is necessary as this is an introduction of this ordinance, which will be considered for approval at the November Village Council meeting.

F. Consideration to Approve Contract No. 2017-03 between the Village of Taos Ski Valley and webDPW LLC to provide a hosted asset management and preventative maintenance SAAS (software as a service)

As a condition of the Village funding agreement with the Water Trust Board, the Village is obligated to establish an asset management program. By entering into a contract and utilizing webDPW LLC's services, the Village will now be in compliance with this requirement. The initial cost of the software is \$6,000 with annual costs thereafter to be \$2,500.

MOTION: To Approve Contract No. 2017-03 between the Village of Taos Ski Valley and webDPW LLC to provide a hosted asset management and preventative maintenance SAAS (software as a service)

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

G. Consideration to Approve a Memorandum of Agreement, Village of Taos Ski Valley Contract No. 2017-04, between the Town of Taos and the Village of Taos Ski Valley Utilizing the North Central Rural Transit District to Provide a Bus Line Route between the Town of Taos and the Village of Taos Ski Valley

This is a memorandum of agreement for the Village to be the fiscal agent for the RTD contract for bus service for the 2016/17 ski season. It stipulates that the Town of Taos will fund \$12,000 for these services.

MOTION: To Approve a Memorandum of Agreement, Village of Taos Ski Valley Contract No. 2017-04, between the Town of Taos and the Village of Taos Ski Valley Utilizing the North Central Rural Transit District to Provide a Bus Line Route between the Town of Taos and the Village of Taos Ski Valley

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

H. Consideration to Approve Expanded Liquor License Service Area for Historic Hondo Restaurant & Bumps Market Dispenser License No. 0605 to provide outside table service

The Village has been working with the Snakedance to allow them to provide seating for patio service while maintaining an adequate exit path from the building. The Snakedance has a verbal approval from the New Mexico Regulation and Licensing Department, with the provision that they provide a low fence or wall to separate their service area from the commons. The wall will not be located on the new Village-owned public plaza. No public hearing is required, only Governing Body approval for the expansion of the liquor service area.

MOTION: To Approve Expanded Liquor License Service Area for Historic Hondo Restaurant & Bumps Market Dispenser License No. 0605 to provide outside table service

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

I. Consideration to Authorize the Mayor to "Sign-On" to the Letter to Congressional Leadership from the Mountain Pact supporting Wildfire Public Lands & Fire Funding

The Mountain Pact represents mountain communities for environmental and economic resilience. As part of Mountain Pact's federal legislative and policy priorities, they would like the Village to sign on to a letter that supports a comprehensive fire funding solution that minimizes the transfer of funds to pay for increasing costs of fighting wildfire, allows access to disaster funding outside the agencies' discretionary funds, and addresses how the increasing ten-year average cuts into the USFS and DOI budgets.

MOTION: To Authorize the Mayor to “Sign-On” to the Letter to Congressional Leadership from the Mountain Pact supporting Wildfire Public Lands & Fire Funding
Motion: Councilor Stagg Second: Councilor Wittman Passed: 4-0

13. MISCELLANEOUS

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, November 8, 2016, at 2:00 p.m., at the Looking Glass Room of the TSV Resort Center. (Note: this was later changed to the Taos Mountain Lodge, 1346 State Highway 150.)

15. ADJOURNMENT

MOTION: To Adjourn.

Motion: Councilor Bennett Second: Councilor Brownell Passed: 4-0
The meeting was adjourned at 5:05 p.m.

Neal King, Mayor

ATTEST:

Ann M. Wooldridge, Village Clerk