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**VILLAGE COUNCIL REGULAR MEETING
DRAFT MINUTES
EDELWEISS LODGE CLUB ROOM
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, FEBRUARY 9, 2016, 2:00 P.M.**

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

Staff present:

Village Administrator Mark Fratrack
Village Finance Director Nancy Grabowski
Village Clerk Ann Wooldridge
Public Works Director Ray Keen
Public Safety Director Dave Wallace
Village Planner Matthew Foster
Administrative Assistant Renee Romero
Village Attorney Dennis Romero

3. APPROVAL OF THE AGENDA

Councilor Wiard asked to move items 12.C and 12.D to follow item 4. Approval of the Minutes.

MOTION: To approve the agenda with the above amendment

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

4. APPROVAL OF THE MINUTES OF THE JANUARY 12, 2016 REGULAR COUNCIL MEETING

MOTION: To approve the minutes from the January 12, 2016 regular Village Council Meeting as presented.

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

12. C. Consideration to Approve Resolution No. 2016-306 of the Village of Taos Ski Valley Council Supporting

Taos County Imposing a One Mill Levy to Provide Funding for Holy Cross Hospital

Councilor Stagg introduced Bill Patten, CEO of Holy Cross, who made a presentation to the Council. The Indigent Fund program and the Rural Community Hospital Demonstration project have reduced reimbursements over the past few years, while there has been an increase in patients who have Medicaid insurance, the lowest payer, and a decrease in patients with private health insurance, the highest payer.

Most of the hospital's costs are fixed as they provide service 24-hours a day, 365 days a year. The hospital is mandated to provide emergency medical services to anyone who needs them, regardless of their ability to pay. There is a backlog of needed capital equipment and building maintenance needs as Holy Cross has taken significant measures to reduce its expenses. An increase in the mill levy by \$1 for each \$1,000 of net

taxable value for the next 4 years is being proposed by Taos County as a method to raise \$5,000,000 for the hospital. It is common for hospitals, especially in rural areas, to receive either mill levy taxes or a portion of GRT, Patten said.

MOTION: To Approve Resolution No. 2016-306 of the Village of Taos Ski Valley Council Supporting Taos County Imposing a One Mill Levy to Provide Funding for Holy Cross Hospital

Motion: Councilor Stagg

Second: Councilor Wiard

Passed: 4-0

12. D. Consideration to Approve Resolution No. 2016-307 A Resolution Authorizing Staff to Add Funds to the Fiscal Year 2017 Budget for Purchase of Fund Accounting Software

Director Grabowski said that because the Village is a municipality, a state agency that is required to maintain different types of funds, she has been reviewing some software packages that are fund accounting programs made specifically for government entities. She said that QuickBooks, the Village's current accounting software, was made for small businesses, retail sales and personal use. Some processes are maintained manually by Village Staff in Excel spreadsheets because QuickBooks cannot accommodate various needs, such as tracking capital assets, requisitions, and some payroll items. Grabowski stated that for the construction of a new wastewater treatment plant, part of NMED and EPA approvals include an asset management program that is more advanced than a simple spreadsheet. The two proposed software packages are Caselle and Tyler, with prices ranging from \$36,000 to \$79,000 depending on the software and where it is hosted. The monthly support costs are not yet known.

MOTION: To Approve Resolution No. 2016-307 A Resolution Authorizing Staff to Add Funds to the Fiscal Year 2017 Budget for Purchase of Fund Accounting Software

Motion: Councilor Stagg

Second: Councilor Wiard

Passed: 4-0

5. CITIZEN'S FORUM

Nancy Wellman relayed that she had entered an FCC complaint about her cell phone service and was told that AT&T would increase capacity as well as install a new tower, with no timeline given, and was informed that her case was closed. She considered this to be an unsatisfactory resolution. Councilor Stagg said that the AT&T tower by the Bavarian was hooked up to the fiber optic lines, but not the tower in the base area.

6. FINANCIAL REPORTS

Nancy Grabowski, Finance Director, reported that GRT remitted to the Village in January was \$224,615 compared to \$88,138 for January last year. Totals are \$699,711 versus last year's \$429,569. The TIDD received its first distribution in January, for November GRT. The amount was less than expected, at \$58,000. Clerk Wooldridge has been contacting taxpayers by phone, asking them to use the correct location code of 20-430 when filing their CRS reports. Staff has met in person and by phone with representatives of NM Tax and Revenue to straighten out the details of having businesses file their GRT in the TIDD location code, and of also of insuring that NM Tax and Revenue, the Village, and the TIDD, are all on the same page with an understanding of tax baseline amounts and calculations. NM Tax and Revenue will be contacting all taxpayers asking them to use the new location code and also requesting that they resubmit any CRS filings that used the Village code of 20-414 instead of the new correct code of 20-430 for the TIDD, for July 2015 going forward.

Lodger's tax collections were \$53,807 versus \$48,605 for last year. Totals for the year remain up by 19%, at \$108,027 over last year's \$96,669, although since this is due to substantial late payments made in this fiscal year, revenues are actually behind by \$7,500 year over year. Water and trash revenue line item amounts are up over last year, as are training expenses. Director Grabowski and Clerk Wooldridge attended a free training at PERA in Santa Fe. Some of the Village employees will become vested in PERA at the end of February, so information was sought on executing the purchase of prior service year credit.

7. COMMITTEE REPORTS

A. Planning and Zoning Commission – P&Z met on Monday, February 1 2016, at 1:00 p.m. for an hour and a quarter at the Edelweiss Lodge. Commission Chair Wittman reported on the following agenda items:

- The scope of work for creating a Kachina Master Plan. TSV Inc. has pledged \$50,000 towards creating the plan. Charles Fox, who recently purchased 70 acres of Pattison Land, does not necessarily see the need for a plan, as he will be creating a plan for 76 acres in Kachina.

- The draft amended sign code, which Planner Foster presented with 10 suggested changes. This will be discussed again at the March P&Z meeting.
 - A community open house, which will take place on July 2-3, 2016 for homeowners whose primary residences are out of town. Review of the next version of the draft Master Plan/Comprehensive Plan will take place.
- The next P&Z meeting is scheduled for Monday, March 7, 2015 at 1:00 p.m., at the Edelweiss Lodge & Spa Club Room.

B. Public Safety Committee – The Public Safety Committee met on February 1, 2016 at 9:00 a.m. at the Village Administration Office. Several members were not able to attend due to the heavy snowfall. Chairperson Bennett reported on the following agenda items:

- Safety issues on Thunderbird Road during ski season. Guests are not being directed to use the sidewalk and there have been many slips and falls. There doesn't seem to be a snow removal plan in place.

C. Firewise Community Board of Directors - The Firewise Community Board of Directors met on February 1, 2016 at 10:00 a.m. at the Village Administration Office. Chairperson Bennett reported on the following agenda items:

- A presentation by Ernie Atencio on the Community Wildland Fire Protection Plan (CWFRP)
- Both of these committees will meet next on Monday, March 7, 2016 at 9:00 a.m. and 10:00 a.m. consecutively, at the Village Administration Office.

C. Parks & Recreation Committee– The committee plans to meet in February.

D. Lodgers' Tax Advisory Board – no report

8. REGIONAL AND STATE REPORTS

Councilor Wiard reported on the following items:

- Taos Regional Landfill Board met on January 20, 2016. The agenda included:
 - Officer Election: Russell Church, Chair, and Barb Wiard, Vice Chair
 - MOU Revision
 - Suspension of new landfill cell construction for the season
 - Sludge acceptance
 - Reactivated lawsuit from 2012 with contractor
 Next meeting: Wednesday February 17, 2016
- Intergovernmental Council of the Enchanted Circle (IGC) – next meeting March 16, 2016
- Other meetings attended included NMML Legislative Reception, and the NMML Municipal Day at the Legislature and NMML Board Meeting
- Future meetings include the NLC Annual Congressional City Conference in Washington D.C., the NMML District 2 meeting in Santa Fe, the Newly Elected Officials meeting in Albuquerque, the DWI Grant Council in Santa Fe.
- The Legislative Session convened January 19, 2016 for a 30-day session. NMML legislative concerns are on oil and gas revenue, GRT and hold harmless, inequity in tax money dedicated for roads - towns versus state, and on the possibility of curfews for Board members. There was a question concerning the condition of state Road 150. Administrator Fratrick explained that conditions need to be dry in order for NMDOT to make repairs.

9. MAYOR'S REPORT

Mayor King expressed concern for safety on Thunderbird Road.

10. STAFF REPORTS

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

- Townsite Act – Village concerns on the survey have been relayed to the Forest Service. Staff is working on a new proposal to accommodate snow storage space and a settling pond for the treatment plant property.

- WWTP Funding –Staff submitted a letter to Senator Udall’s office requesting help in finding possible funding sources, and as a result, Staff has learned of many possible sources and is looking into them. Packets were delivered to the Village’s State Representative and Senator, and to the Governor’s office.
- Kachina Water Tank / WTB – The ordinance required by State Statute adopting water rates is on today’s agenda. This should be the final item to accept and set up the grant/loan.
- Clean Water State Revolving Fund (CWSRF) – Funding should be available in March 2016.
- WWTP Upgrades –Director Keen reported that the improvements are 90% complete. The plant mixers will need to be running by spring break. Keen also expressed concern with the 80-ton increase in refuse this year, which may require installation of a second trash compactor. He has been in contact with the Alpine Village Suites to express his concern that the fire hydrant in their driveway may get hit by a car. Keen recently met with TSV Inc. about the recycling program.
- Snow plowing – Attorney Romero is working with Attorney Canepa to draft a MOU pertaining to private plowing on Village roads. Staff will be meeting with property owners and lease holders on Thunderbird Road to discuss adherence to the Village snow removal and snow storage regulations.
- State Road 150 – Because of the bad condition of the road, Fratrack spoke with the NMDOT Acting District Engineer and also to the local office to pursue getting more repairs completed.
- FCC Emails – the suggestion to contact the FCC has provided various responses by cell carriers. Some responses state that cell service improvement is underway, while others seem to state that the company is aware of the situation, but no action is being taken.
- Salary Survey – Staff is working with Personnel Systems & Services to update job descriptions.

Department Briefs

- **Department of Public Safety Update. Chief Wallace reported on January activity:**
- Law Enforcement: (22) Citizen Assists, (77) Hours of Traffic Enforcement, (14) Traffic Stops, (8) Verbal Warnings, (9) Parking Citations, (2) Written Warning, (4) Citation Issued, (1) Lost Property, (1) Missing Person, (2) Burglar Alarms
- Fire/EMS: (0) Fire Responses, (1) EMS Response – Careflight Assist
- SAR: (1) Search and Rescue Mission for a missing skier
- Other Activity: Chief Wallace said he had been told that TSV Inc. had been telling their employees to drive down Ernie Blake Road, which is a one-way road uphill. Also, there may be interest in the Village acquiring an emergency transport vehicle.
- **Village Clerk:** Clerk Wooldridge reported on activity surrounding the TIDD and Village GRT reporting, on the upcoming election, and on the visit to PERA.

11. OLD BUSINESS

A. PUBLIC HEARING: Consideration to Approve **Ordinance No. 2016-55** Approving a 3% Increase to Water/Sewer Rates as per the Fiscal Year 2016 Budget

Mayor King opened the Public Hearing. No one spoke for or against. The Public Hearing was closed.

MOTION: To Approve Ordinance No. 2016-55 Approving a 3% Increase to Water/Sewer Rates as per the Fiscal Year 2016 Budget

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

B. Consideration to Approve **Resolution No. 2016-305** Authorizing the Vehicle Use Policy

Director Grabowski presented the second draft of the vehicle use policy. It was suggested that in addition to adopting the policy, the Village should purchase a gas-conservative car for employee and elected official use when on Village business.

MOTION: To Approve Resolution No. 2016-305 Authorizing the Vehicle Use Policy

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

12. NEW BUSINESS

A. Discussion and Direction to Staff of the Scope of Work and Budget for the Kachina Area Master Plan

With the recent development of the Village Core area and the funding made available for a Kachina Water Tank and a waste water treatment plant, there is a renewed interest in development in the Kachina area. Additionally, the conditional use permit application for the Kachina Mountain Lodge, which was approved by the Planning & Zoning Commission in January, prompted a conversation among property owners and Village staff regarding the need and benefit of a separate master plan for the Kachina area.

Planner Foster presented the positives and negatives of four options for proceeding with development of a Kachina Master Plan:

- Village staff and the P&Z Commission use the new Comprehensive Plan as a guide for development in the Kachina area, and use the existing zoning ordinance
- Accept the offer from TSV Inc. to help pay for a consultant contract and allow TSV Inc. to select the consultant
- Accept the offer from TSV Inc. to help pay for a consultant contract and ask other property owners to help pay for the full cost of the consultant contract?
- Village pays for the entire consultant contract

No action was requested on this item at this time.

(Councilor Stagg left the meeting at this time.)

B. Introduction of Ordinance No. 2016-56 Authorizing the Execution and Delivery of a Loan Agreement with New Mexico Finance Authority (NMFA) of a Special Limited Obligation for Possible Purchase of the Taos Mountain Lodge

As part of the approval process to accept a NMFA loan in order to purchase the Taos Mountain Lodge, adoption of this ordinance would be required. This first reading serves as introduction of the ordinance.

Consideration to Approve Notice of Meeting and Intent to Adopt Ordinance for March 8, 2016

MOTION: To Approve Notice of Meeting and Intent to Adopt Ordinance for March 8, 2016

Motion: Councilor Wittman **Second:** Councilor Wiard **Passed:** 3-0

13. MISCELLANEOUS

14. CLOSED SESSION

A. Discussion of the Purchase or Acquisition of Real Property

This matter may be discussed in closed session under Open Meetings Act exemption 10-15-1(H)(2) which allows for discussion of the purchase or acquisition of real property

B. Discussion of Limited Personnel Matters.

This matter may be discussed in closed session under Open Meetings Act exemption 10-15-1(H)(2) which allows for discussion of the purchase or acquisition of real property.

MOTION: To go to Closed Executive Session

Motion: Councilor Wittman **Second:** Councilor Wiard **Passed:** 3-0

MOTION: To return to Open Session

Discussion was only on the purchase or acquisition of real property and on limited personnel matters. No votes were taken in closed session.

Motion: Councilor Wittman **Second:** Councilor Wiard **Passed:** 3-0

15. 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, March 8, 2016, at 2:00 p.m., at the Edelweiss Lodge & Spa Club Room. .

15. ADJOURNMENT

MOTION: To Adjourn.

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

The meeting was adjourned at 4:30 p.m.

Neal King, Mayor

ATTEST:

Ann M. Wooldridge, Village Clerk