



Village of Taos Ski Valley
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**VILLAGE COUNCIL REGULAR MEETING
DRAFT MINUTES
EDELWEISS LODGE CLUB ROOM
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, MARCH 8, 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. Newly elected Councilors Tom Wittman and Christof Brownell read their oaths of office.

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 Christof Brownell
Councilor Chris Stagg
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
Building Inspector Rich Willson

3. APPROVAL OF THE AGENDA

Councilor Wittman asked to move item 8.D., Parks & Recreation Committee report to follow item 4., Approval of the Minutes.

MOTION: To approve the agenda with the above amendment

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

4. APPROVAL OF THE MINUTES OF THE FEBRUARY 9, 2016 REGULAR COUNCIL MEETING

MOTION: To approve the minutes from the February 9, 2016 regular Village Council Meeting as presented.

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

8.D. Parks & Recreation Committee

Katherine Kett, Chair of the Parks & Recreation Committee reported on items from the March 3, 2016, meeting:

- The volleyball court is to be installed near the Phoenix Restaurant on May 25, 2016.
- The disc golf course will have a new design with a shorter course. The course will lead up towards Chair #4.

- Rebuilding the J.R. Ramming Memorial Trail is on hold until after the construction has stopped on Sutton Place.
- A new picnic table and benches will be installed by the wetlands in the Kachina area.
- No official trash pick-up day is being planned, so citizens should feel free to pick up trash on their own starting as soon as the snow melts.
- A Staff appreciation picnic and barbeque will be held on October 5, 2016 at the Twining Campground
- The 20th anniversary of Village incorporation will take place on July 1, 2016. A special event may be planned for the July 4th celebration.
- The bear-proof trash can near the Kinderkafig will be replaced, and the party responsible for damaging the previous can will pay for the new one.

The next meeting of the Parks & Recreation Committee will be held on March 29, 2016 at 11:00 a.m. at the Edelweiss Lodge Club Room.

5. ELECTION OF MAYOR PRO TEM AND APPOINTMENT OF MUNICIPAL OFFICERS

After each Municipal Election the new governing body should appoint and affirm staff to the offices of the clerk, treasurer and police officer. In addition, NMSA 3-11-5A, in part states “the mayor shall submit for confirmation by the governing body, the names of persons who shall fill the appointive offices of the municipality and the names of persons who shall be employed by the municipality”.

MOTION: To appoint and affirm Ann M. Wooldridge as Clerk, Nancy Grabowski as Treasurer, and David Wallace as Police Chief

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

MOTION: To confirm the names of persons who shall be employed by the municipality

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

MOTION: To appoint Councilor Wittman as Mayor Pro Tem

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

6. CITIZEN’S FORUM

No one spoke at the forum.

7. FINANCIAL REPORTS

Nancy Grabowski, Finance Director, reported that GRT remitted to the Village in February was \$103,161 compared to \$228,895 for February last year. Totals are \$802,872 versus last year’s \$658,465. The TIDD received its second distribution in February of \$657,515, for December GRT. The 455 reports that list which businesses are reporting under the old Village code instead of the new TIDD location code of 20-430 have not yet been sent by NM Tax and Revenue.

Lodger’s tax collections were \$72,514 versus \$66,075 for last year. Totals for the year remain up by 19%, at \$180,541 over last year’s \$162,743, although since this is due to substantial late payments made in this fiscal year, revenues are actually about the same year over year. Water and sewer revenue line item amounts are up over last year; this may be due in part to metered water used for construction. Outside contractor and engineering expenses are up because of all the projects the Village is working on, including the treatment plant improvements and the Kachina water tank.

Director Grabowski introduced Michael Steininger from DFA, who is visiting the Village office this week to meet with staff on financial matters. He travels to municipalities throughout the State to offer assistance. Mr. Steininger told the Council that the last audit was good, but to be aware that the new State Auditor will be focusing on accountability and procurement in this year’s audits. He has shared some policy and purchasing manuals with the Staff that hopefully can be put in to use, as well as manuals on fund accounting.

8. COMMITTEE REPORTS

A. Planning and Zoning Commission – P&Z met on Monday, March 7, 2016, at 1:00 p.m. for two and a half hours at the Edelweiss Lodge. Commission Chair Wittman reported on the following agenda items:

- Peter Talty with TSV Inc. addressed the Commission about the completion of Sutton Place next fall, and the installation of new lighting and signage. Samples of potential designs for lighting fixtures were shown. Gordon Briner gave a timeline of summer projects, which will start the day after ski season.
- The draft amended sign code, which Planner Foster presented with more suggested changes. This will continue to be discussed and will be presented to the public for additional comments.
- The Kachina Master Plan, and methods for financing the creation of the plan. Foster presented four different options, with the majority of the Commission voting to have TSV Inc. and other property owners in Kachina pay for hiring a consultant to create the plan, with the Village taking the lead in overseeing the project.
- Redesign of Ernie Blake Road. The Commission had chosen one option for a redesign, two years ago, but no movement has occurred to move the project forward. Commissioner Wittman will work with Administrator Fratrack to meet with the property owners on either side of the road. The next P&Z meeting is scheduled for Monday, April 4, 2016 at 2:00 p.m., at the Edelweiss Lodge & Spa Club Room.

B. Public Safety Committee – The Public Safety Committee met on March 7, 2016 at 9:00 a.m. at the Village Administration Office. Chairperson Bennett reported on the following agenda items:

- The firearms and hunting draft ordinance will be reviewed again, with an effort made to simplify the wording in the ordinance.
- The Committee would like to look in to the limits of liability coverage that are in place for the EMS vehicle, as it is being used more for transporting patients.

C. Firewise Community Board of Directors - The Firewise Community Board of Directors met on March 7, 2016 at 10:00 a.m. at the Village Administration Office. Chairperson Bennett reported on the following agenda items:

- Another siren will be purchased for better coverage throughout the Village, and the height of the old siren will hopefully be raised for increased broadcasting.
- The draft Community Wildland Protection Plan (CWPP) was presented by Planner Foster. This outlines ways to protect the Village from wildfire, and is a necessary tool to be used in obtaining grants.
- The Beaver Pond may need to be dredged again as the silt is building up.

Both of these committees will meet next on Monday, April 4, 2016 at 9:00 a.m. and 10:00 a.m. consecutively, at the Village Administration Office.

D. Lodgers’ Tax Advisory Board

Letters have been mailed concerning applying for Lodger’s Tax grants. The next meeting will take place on April 20, 2016 at 10:00 a.m. at the Snakedance Condominiums.

9. REGIONAL AND STATE REPORTS

Councilor Bennett reported on the following items:

- The final legislative bulletin from the Legislative Session included some items of interest, namely
 - Alcohol to be allowed on ski areas; exact implications of this are unknown at this time.
 - Lodger’s Tax will be allowed for use in subsidizing airline

Councilor Stagg reported that TSV Inc. is interested in supporting air service to Santa Fe at this time.

10. MAYOR’S REPORT

Mayor King reported that the Village did receive \$50,000 in capital outlay to be used towards planning, designing, and construction of the treatment plant expansion. The Village Staff has been working towards moving forward with the Town Site Act acquisition of the treatment plant land.

11. STAFF REPORTS

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

- Townsite Act –Staff continues to work on the design and explanation for the request regarding snow storage space and a sedimentation pond for the treatment plant property.

- WWTP Funding –the Village has received \$50,000 in capital outlay funding from this past legislative session to be used towards the planning, design, and construction of the treatment plant expansion
- Water Trust Board (WTB) Kachina Storage Tank and Clean Water State Revolving (CWSRF) Waste Water Treatment Plant Loan Documents –all loan documents for both of these funding sources have been received. Staff will review them and then present to the Mayor for signature.
- WWTP Upgrades – All upgrades have been installed. The electricity needs to be hooked up to VFD drive for the WAS pump.
- State Road 150 – The acting District Engineer is now the NM DOT Secretary, so he is aware of the issues with potholes on 150. Some repairs have taken place. Village staff will continue to follow up to see if more repairs are possible.
- Salary Survey – Staff is performing reviews of Mike Swallow’s reworked job descriptions, and they have been sent back. Mike Swallow will start pulling pay comparisons.

Department Briefs

- **Department of Public Safety Update. Chief Wallace reported on February activity:**
- Law Enforcement: (22) Citizen Assists, (77) Hours of Traffic Enforcement, (14) Traffic Stops, (8) Verbal Warnings, (9) Parking Citations, (2) Written Warning, (1) Lost Property, (1) Missing Person, (2) Burglar Alarms, (4) Written Citations
- Fire/EMS: (0) Fire Responses, (1) EMS Response – Careflight Assist
- SAR: (1) Search and Rescue Mission for a missing skier
- **Village Clerk:** Clerk Wooldridge presented certificates of service for the three election judges and one alternate judge and thanked them for their hard work on election day. The canvass of returns, the certificates of election for the two candidates, and the written receipt and qualification statements will be filed in the official minute book for this Council meeting.

Staff has been attending to a lot of paperwork involved with the loans/grants that the Village is receiving and agreements, etc. to get signed. Wooldridge has been working with Administrative Assistant Romero to insure that collections are timely for lodger’s tax, business registrations, and water/sewer bills. A special meeting will take place on March 25, 2016 in order to hold a public hearing for a liquor license transfer, and the next TIDD Board meeting has been changed to Tuesday April 12, 2016 at 10:00 a.m. at the Snakedance Condominiums.

12. OLD BUSINESS

A. PUBLIC HEARING: Consideration to Approve 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 of Friday, March 4, 2016 the Rodey Law Firm, along with representatives from the NMFA and GK Baum were continuing to make revisions to this ordinance. Staff recommends a motion to postpone approval of Ordinance No. 2016-56 until the Council’s April meeting.

As this version is being presented to the Council, Staff would like to consider this reading as introduction of the revised ordinance. As this is the case, then Council would need to direct Staff to publish a “Notice of meeting and intent to adopt ordinance for April 12, 2016”.

MOTION: To Postpone Consideration to Approve 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

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

13. NEW BUSINESS

A. Consideration to Approve Resolution No. 2016-308, a Budget Adjustment Request (BAR) for the Clean Water State Revolving Fund (CWSRF)

After submitting the 2nd Quarter financial report to the Department of Finance (DFA) in January of 2016, the Village was notified by its budget analyst that there was an unbudgeted expense of \$10.00 in the CWSRF fund. The item was the bank charge expense. This was unbudgeted because it had not been determined that the Village would begin purchasing CDs with Village reserves prior to submitting the fiscal 2016 budget. In order

to stay in compliance with the State Auditor and State budget regulations and to avoid any audit findings, the Village needs to create a Budget Adjustment Request (BAR) to be submitted to the DFA for approval once approved by the council.

MOTION: Consideration to Approve Resolution No. 2016-308, Budget Adjustment Request (BAR) for the Clean Water State Revolving Fund (CWSRF)

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

B. Appointment of Elected Official Representative to Intergovernmental Council (IGC) and Taos Regional Landfill Board

Councilor Wiard had been the Village's representative to these boards. Councilor Bennett offered to attend these meetings, and Councilor Wittman offered to act as a back-up.

MOTION: To nominate Councilor Bennett to be the Elected Official Representative to Intergovernmental Council (IGC) and Taos Regional Landfill Board, with Councilor Wittman acting as a back-up

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

C. Consideration to Approve a Variance Request to the Village Revenue Collection Policy for a water leak at Alpine Village Suites

A leak was discovered at the Alpine Village Suites in early February. The water had apparently been leaking for some time. Village Staff is proposing an adjustment to Alpine Suites' water bill with a variance to the revenue collection policy to not use the December usage as the next highest.

DFA representative Steininger recommended not giving a credit on water as this could be considered subsidizing a private company. Councilor Wittman noted that the Village has a policy in place that addresses water leaks.

MOTION: To approve the Variance Request to the Village Revenue Collection Policy for a water leak at Alpine Village Suites as presented by Village Staff

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

14. MISCELLANEOUS

A. Administrator Fratrack asked Realtor Doug Bachtel from ABI Real Estate Investments to give an opinion on whether the Taos Mountain Lodge was a good choice of properties for the Village to purchase. Bachtel explained that there are not many properties for sale that could adequately house Village offices. If there are others, the price would be much higher. The going rate is approximately \$350,000 per acre, and if empty land were purchased, a building would still need to be built, along with drilling a well and installing a septic system, for other land in Amizette. Fratrack explained that the one-bedroom units would not be rented out for short-term rentals, so there would not be competition with hotels or condominiums.

15. 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)(8) which allows for discussion of the purchase or acquisition of real property

MOTION: To go to Closed Executive Session, but no discussion will take place on limited personnel matters

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

MOTION: To return to Open Session

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

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

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.

16. Consideration to Approve a Purchase Offer Amount for the Purchase of the Taos Mountain Lodge, with an Appraisal Contingency

MOTION: To terminate the current purchase agreement with the Taos Mountain Lodge

Motion: Councilor Wittman **Second:** Councilor Wittman **Passed:** 4-0
MOTION: To pursue offering a purchase price of \$850,000 with an appraisal contingency for the Taos Mountain Lodge, and to authorize spending up to \$6,500 on an appraisal
Motion: Councilor Stagg **Second:** Councilor Wittman **Passed:** 4-0

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

The next meeting of the Village Council will be a special meeting on March 25, 2016 at 9:00 a.m. at the Village Administrative Office. The next regular meeting of the Village Council is scheduled for Tuesday, April 12 2016, at 2:00 p.m., at the Snakedance Condominiums Hondo Restaurant.

15. ADJOURNMENT

MOTION: To Adjourn.

Motion: Councilor Bennett **Second:** Councilor Stagg **Passed:** 4-0
The meeting was adjourned at 4:30 p.m.

Neal King, Mayor

ATTEST:

Ann M. Wooldridge, Village Clerk