



Village of Taos Ski Valley
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**VILLAGE COUNCIL REGULAR MEETING
DRAFT MINUTES
COLUMBINE INN CONFERENCE CENTER
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, SEPTEMBER 13, 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 (by Skype)
Councilor Christof Brownell
Councilor Chris Stagg
Councilor Tom Wittman, Mayor Pro Tem

Staff present:

Village Administrator Mark Fratrack
Village Finance Director Nancy Grabowski
Village Clerk Ann Wooldridge
Public Works Director Ray Keen
Police Chief Andrew Bilardello
Chief Building Official Rich Willson
Building & Construction Director Bill Jones
Village Attorney Dennis Romero

3. APPROVAL OF THE AGENDA

MOTION: To approve the agenda as written

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

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

MOTION: To approve the minutes as presented

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

5. CITIZEN'S FORUM

6. FINANCIAL REPORTS

Director Grabowski reported that GRT remitted to the Village in August was \$55,423.48 compared to \$20,239.04 for August last year. Totals year to date are \$175,333.42 versus last year's \$58,130.86. The TIDD received a distribution in August for June GRT of \$230,066.63.

Lodger's tax collections were \$6,255.95, versus \$22,368.20 for last year. Totals year to date are \$9,568.74 versus last year's 25,527.90. Totals for the year are actually only down by \$1,100.00, because last year's figures were comprised of \$15,000 of late payments.

The auditors have spent several days at the Village office, and plan to return for the week of September 19, 2016. The new Building & Construction Director, Bill Jones, started on September 17, 2016. The new

public works crew members started during the week of August 22, 2016: Francisco Chavez, Lead Mechanic, Kevin Cisneros and Josh Garcia, Equipment Operator/Laborer, and Ruth Martin, Public Works Administrative Assistant. Interviews for the Planner position will begin next week.

7. COMMITTEE REPORTS

A. Planning and Zoning Commission – P&Z met on Monday, September 12, 2016 at 1:00 p.m. Commission Chair Wittman reported on the following agenda items:

- Public Hearing for Parking Conditional Use at the Beausoleil site. Three people spoke for it, and four people spoke against. The Commission voted to table action until the next meeting.
 - Application for Conditional Use for Wireless Communications Tower Placement on Pattison Trust Lands. This item was tabled until the next meeting.
 - A clarification for the July 11, 2016 P&Z Commission meeting minutes to state that the Hotel St Bernard had allowed for a turning circle at the top of Sutton Place, but that it should be noted that this land remains the property of the Hotel St. Bernard and that this is a temporary easement, subject to further discussion
 - An introduction of Bill Jones, new Building & Construction Director
- The next P&Z meeting is scheduled for Monday, October 3, 2016 at 1:00 p.m. at the Looking Glass Room of the TSV Resort Center. The meeting was adjourned at 3:35 p.m.

B. Public Safety Committee – The Public Safety Committee did not meet in September as Councilor Bennett was out of town.
The next meeting will take place on Monday, October 3, 2016 at 9:00 a.m. at the Village Office.

C. Firewise Community Board of Directors - The Firewise Community Board of Directors did not meet as Councilor Bennett was out of town.
The next meeting will take place on Monday, October 3, 2016 at 10:00 a.m. at the Village Office.

D. Parks & Recreation Committee
Committee Chair Katherine Kett reported that they have had a successful summer, with good use of the volleyball court at the Bavarian, great enhancements to the Kachina park area, and successful establishment of the new disc golf course. The Committee is inviting the community to a picnic and barbeque on October 5, 2016, 3:00 to 6:00 p.m. at the Twining Campground. An update on the community bulletin board in the Kachina area will be provided at the next meeting. Committee Chair Kett and Village Administrator Fratrack will meet with representatives of the US Forest Service to discuss items of interest to the Parks & Recreation Committee, in October. A family has approached the committee to offer dedication and placement of a bench in the Kachina park area in memory of a friend who recently passed away.

E. Lodgers' Tax Advisory Board
The Board will meet soon to review requests for Lodger's Tax grants.

8. REGIONAL REPORTS

Councilor Bennett reported that the Landfill Board and the IGC will meet next on September 21, 2016 and Councilor Brownell will attend.

9. MAYOR'S REPORT

Mayor King read a proclamation setting the week of September 17 through 23 as Constitution Week, in official recognition of this document and the anniversary of its signing. Mayor King announced that the BurnBoss was up and running now, on a summer operation schedule.

A. Mayor King gave Police Chief Andy Bilardello his Oath of Office.

10. STAFF REPORTS

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

- Townsite Act – Fratrack has Updated Senator Udall’s office. Monument caps should be set in the next week or two. Once caps are set and the plat is approved, the Village then moves into the USFS administration process to have the property signed over.
- Communication Tiger Team – the first meeting took place, with the next one planned for October to formulate a survey to send out.
- Taos Mountain Lodge – One bid was received for the septic system RFP. Before proceeding, work will need to be done to level an area for additional parking.
- The Blake/ TSVI – Staff is continuing discussions with TSVI in regards to the system development fees and the maintenance agreement for upkeep of the public areas.
- Ernie Blake Road – Russell Planning & Engineering, Inc. put on a very well received workshop on Aug 20, 2016. Staff will be getting with some adjoining property owners to try to work through some land swapping and accessing issues.
- RTD – Staff and legal counsel have reviewed the agreement, schedule, and funding requirements. The Town of Taos will commit to \$12,000 for the upcoming ski season.
- Natural Gas line – The Village Firehouse has the line in, and is working to transfer the lines and equipment to natural gas from propane. Kudos to Joey Apodaca and Ann Wooldridge for their work in getting this moving quickly. Staff continues to work with NM Gas on assuring that the Villages the credits towards trunk line installation.
- Kachina Water Tank – Grubbing and clearing for site preparation are starting soon. TSVI will be contracting with a company to do the grubbing; the funding will be part of the TIDD match for this project. The tank will be installed next year. FEI Engineers and Staff continue to work with TSVI on minimizing visual and construction impact of the tank project.
- WWTP – The Village will have to do the appropriate Environmental Assessment (EA) for the WWTP site. As part of that process, the Village will be holding a public scoping meeting on October 26, 2016 from 6 p.m. to 8 p.m. in the Looking Glass Room of the TSV Resort Center. Notices have been published and sent out.
- Parks & Rec – The picnic table is in place along the walking trail by the wetlands in the Kachina area.
- Fiber Optic improvements – Administrator Fratrack reported that representatives from Verizon and from AT&T had been by the Village office to report increased capacity for their networks. Fratrack encouraged parties interested in hooking up to the fiber optic to call Joe Lovato, a representative from Kit Carson.

Department Briefs

- **Department of Public Safety Update.** Police Chief Bilardello reported on recent activity, though he noted that he had seen very little crime since starting with the Village.
- **Village Clerk:** Clerk Wooldridge reported that changes in Staff have created an extremely busy period at the Village office.
- **Public Works Department:** Keen has worked out getting proper authorization with the USFS to use the BurnBoss. Administrator Fratrack commended Keen on working through the permitting process.
- **Legal Update:** Attorney Romero reported on ongoing work on the Sutton Place dedication, Ernie Blake Road improvements, and items concerning the tort claims act.

11. OLD BUSINESS

A. PUBLIC HEARING: Consideration to Approve **Ordinance No. 2017-58** Adopting Water, Sewer, and Trash Rates for Fiscal Year 2017

There will be a 4% increase in fixed and usage rates for water and sewer for FY2017. The Village’s recent audit pointed out a shortfall in revenue versus expenses for water and sewer and the auditors highly recommended increasing the rates. Trash fees will increase by 4% to fund improvements at the recycling area.

PUBLIC HEARING: No one spoke for the ordinance, and no one spoke against. The public hearing was closed.

MOTION: To approve **Ordinance No. 2017-58** Adopting Water, Sewer, and Trash Rates for Fiscal Year 2017

Motion: Councilor Wittman

Second: Councilor Stagg

Passed: 4-0

Councilor Brownell asked whether it would be possible to project out future increases and let the community know in advance. Mayor King said that it costs more to run the plant each year, and like a business, the Village needs to anticipate these increases in cost of operations. Administrator Fratrack explained that in order to

balance revenues and expenditures a larger increase would have been necessary, but the plan is to progress towards a balance over a period of several years. Staff will make an effort to publicize these increases as much in advance as possible.

B. Consideration to Approve Allowing Village Administrator to enter into an Agreement with Utility Service Partners, Inc.

A representative from Utility Service Partners, Inc. had presented their program at the previous Council meeting. The program offers private insurance to homeowners for their water and sewer service lines, however the letters sent to homeowners would have the Village logo attached, perhaps making it appear that the Village were sponsoring it. In exchange, the Village could receive a percentage of the revenue from the premiums. Since August, Staff had made inquiries at other towns that offer the program, with mixed feedback. There were questions about whether taking this action followed the procurement code. Councilor Bennett expressed concern that the company would be using the Village logo.

MOTION: To approve Administrator Fratrack negotiating an agreement with Utility Service Partners, Inc.

Motion: Councilor Wittman

Second: Councilor Stagg

Passed: 3-1 (Councilor Bennett

dissenting)

12. NEW BUSINESS

A. Presentation on Blake Hotel Update, Public Improvement Dedication Process, and related documents, by Chaz Rockey, TSVI

Chaz Rockey presented an update on recent completion of the stair between The Blake and the Snakedance, the finished surface being installed over the snow melt system, and progress at The Blake. Some work will be pushed back to 2017. Construction of the hotel and related infrastructure has created a great deal of economic activity for Northern New Mexico, he reported, and has created a need for more finish tradesmen in the area. TSVI is currently taking reservations for the hotel for February, which may be moved earlier, depending on progress. The months of November and December will be devoted to training and finishing up details for the hotel.

TSVI is working towards the dedication of public improvements to the Village, which will involve a dedication plat, an improvements map, and updated master development agreement, and a maintenance agreement, as well as a bill of sale. They hope to bring these items to the P&Z Commission and to the Council in October. TSVI will need to assign its rights to work on US Forest Service land to the Village. Ultimately, the Highway 150 trench and the natural gas lines will also be dedicated to the Village.

B. Presentation of Proposed Natural Gas Distribution and Cellular Infrastructure, by Chaz Rockey, TSVI

The Highway 150 underground utility trench has been completed, and the natural gas lines have been pressurized. Several Core Village buildings are being connected to the natural gas lines. The revenue credits provided by New Mexico Gas Company can be used for the benefit of the entire Village. NM Gas has presented a plan to extend distribution lines throughout the Village in four phases: the Core Village, the Phoenix Switchback area, the Kachina area, and Amizette. Installation costs are estimated to be \$2.5 million, using revenue credits from the Sutton Place hotels and condominiums of \$300,000. Other revenue and lot credits from NM gas total \$600,000. In addition, NM Gas' new parent company, Emera, is providing an economic stimulation program that will provide a 50% additional credit on the remaining amount of \$1.9 million, leaving \$950,000 for the net outlay to obtain Village-wide natural gas distribution.

Chaz Rockey explained that TSVI would contribute to the \$950,000, subject to approval of a Public Infrastructure District (PID). He said that TSVI is examining projected figures for a PID, which could capture approximately \$6.5 million. He said that the TIDD was not able to pay for the entire cost of the Highway 150 trench, and that consideration of a PID had always been discussed in order to pay for natural gas installation. Planning would begin immediately for installation to start in 2017, as long as road re-alignments were finalized as soon as possible.

Councilor Bennett left the meeting at this time.

C. Consideration to Approve Expanded Liquor License Service Area for Rio Hondo H&R, Inc. Dispenser License No. 0704

According to the documents submitted to the Village, TSV Inc. would like to expand its service area to include the Resort Center, The Blake, the Phoenix Restaurant, the Bavarian, and all related outdoor areas, under the liquor license for Rhoda's Restaurant & The Martini Tree Bar. This is allowed due to new regulations passed in the recent legislative session to allow an entire ski area to be a licensed premise, under one license. The Alcohol & Gaming Department has decided to handle administratively any request for a change in service area due to SB 193. No public hearing is required, only governing body approval.

MOTION: To Approve Expanded Liquor License Service Area for Rio Hondo H&R, Inc. Dispenser License No. 0704

Motion: Councilor Wittman

Second: Councilor Brownell

Councilor Brownell expressed concern that customers at the Bavarian would now have more than just beer and wine available for consumption which could potentially cause a safety hazard as customers skied down the return trail.

The question was called.

Passed: 2-1 (Councilor Brownell dissenting)

D. Consideration to Approve Resolution No. 2017-319 Approving an Amended Legal Holiday Schedule in Ordinance 2012-03 Personnel Ordinance Section 12.6

Section 12.6 of Personnel Ordinance 2012-03 lists the legal holidays which are currently approved for Village Staff. Included in the list is the only half-day holiday, which is Christmas Eve. As many of the staff travel a long distance to get to work, and because the half-day can be unproductive, this temporary change to the ordinance is being requested so that staff members can spend the time with their families. The personnel ordinance will be reviewed and updated for other items in the coming months.

MOTION: To Approve Resolution No. 2017-319 Approving an Amended Legal Holiday Schedule in Ordinance 2012-03 Personnel Ordinance Section 12.6

Motion: Councilor Stagg

Second: Councilor Wittman

Passed: 3-0

E. Consideration to Approve a Memorandum of Agreement between the Village of Taos Ski Valley and the North Central Regional Transit District to provide a Bus Route to Taos Ski Valley

Under this Memorandum of Agreement (MOA) the Regional Transit District (RTD) would provide bus service from the Town of Taos to the Village of Taos Ski Valley from December 16, 2016 to March 26, 2017. Above the 1/8% of Village GRT that RTD receives, the RTD is requesting \$10,360.48 for the weekday service and \$33,773.00 for weekend service, for a total of \$44,133.00. The Town of Taos has committed \$12,000, leaving \$32,133 for the Village to pay. \$30,000 from Village lodger's tax has been budgeted for this service in the FY17 budget, leaving the remaining \$2,133 to be paid either from lodger's tax or from the Village's general fund.

MOTION: To Approve a Memorandum of Agreement between the Village of Taos Ski Valley and the North Central Regional Transit District to provide a Bus Route to Taos Ski Valley for the 2016-2017 Ski season.

Motion: Councilor Stagg

Second: Councilor Wittman

Passed: 3-0

F. Consideration to Approve a Lease to the Village of Taos Ski Valley Chamber of Commerce at the Taos Mountain Lodge

The Chamber would like more office space and is considering having a visitor information office in the core area and a separate work office. As part of the purchase agreement with NMFA, the Village is required to utilize a property management company for long-term rentals to the public, but because the Chamber is a local non-profit organization, it appears that the Village could enter into a long-term lease for business use of the unit.

MOTION: To Authorize the Village Administrator to negotiate and enter into a lease agreement with the Village of Taos Ski Valley Chamber of Commerce at the Taos Mountain Lodge

Motion: Councilor Stagg

Second: Councilor Wittman

Passed: 3-0

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, October 11, 2016, at 2:00 p.m., at the Looking Glass Room of the TSV Resort Center.

15. ADJOURNMENT

MOTION: To Adjourn.

Motion: Councilor Stagg **Second:** Councilor Wittman

Passed: 4-0

The meeting was adjourned at approximately 5:00 p.m.

Neal King, Mayor

ATTEST:

Ann M. Wooldridge, Village Clerk