



**VILLAGE COUNCIL REGULAR MEETING AGENDA  
EDELWEISS LODGE CLUB ROOM  
TAOS SKI VALLEY, NEW MEXICO  
TUESDAY, JANUARY 17, 2017 2:00 P.M.**

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1. **CALL TO ORDER AND NOTICE OF MEETING**
2. **ROLL CALL**
3. **APPROVAL OF THE AGENDA**
4. **APPROVAL OF THE MINUTES OF THE DECEMBER 13, 2016 REGULAR VILLAGE COUNCIL MEETING and the DECEMBER 21, 2016 SPECIAL VILLAGE COUNCIL MEETING**
5. **PRESENTATION TO ELISABETH BROWNELL FOR SERVING AS A COMMISSIONER ON THE PLANNING & ZONING COMMISSION**
6. **CITIZEN'S FORUM** – Limit to 5 minutes per person (please sign in)
7. **FINANCIAL REPORTS**
8. **COMMITTEE REPORTS**
  - A. Planning & Zoning Commission
  - B. Public Safety Committee
  - C. Firewise Community Board
  - D. Parks & Recreation Committee
  - E. Lodger's Tax Advisory Board
9. **REGIONAL REPORTS**
10. **MAYOR'S REPORT**
  - A. Consideration to Appoint a Representative to the Holy Cross Hospital Nominating Committee
  - B. Consideration to Appoint an Elected Official Representative to North Central New Mexico Economic Development District (NCNMEDD) Board of Directors
  - C. Consideration to Participate in the New Mexico Municipal League (NMML) 28<sup>th</sup> Annual Municipal Day
11. **STAFF REPORTS**
12. **OLD BUSINESS**
  - A. Consideration to Approve **Resolution No. 2017-321** Regarding Ratification of the Vacation and Relocation of Portions of Emma Street and Gusdorf Street within Amizette
  - B. Consideration to Approve Amended and Restated Master Development Agreement (MDA) adopted by the **Amended and Restated Resolution No. 2015-275** Approving the Application for Formation of the Village of Taos Ski Valley (VTSV) Tax Increment Development District (TIDD), etc.
  - C. Consideration to Approve Natural Gas Line Improvements and Related Portions of Underground Trench Improvements Dedication, Bill of Sale, Assignment of Permit Rights and Agreement, from Taos Ski Valley, Inc. to the Village of Taos Ski Valley
  - D. Consideration to Approve Natural Gas Line Improvements and Related Portions of Underground Trench Improvements Assignment of Infrastructure and Permit Rights, from the Village of Taos Ski Valley to NM Gas Company

*-- Providing infrastructure & services to a World Class Ski Resort Community --*

**13. NEW BUSINESS**

**A.** Consideration to Approve Award Recommendation for Procurement of Membrane Bio-Reactor (MBR) System Equipment for the VTSV Wastewater Treatment Expansion Project

**B.** Consideration to Approve Tasking for Professional Engineering Services for Conceptual Level Alternatives Analysis for Sewer Service to Amizette

**C.** Discussion and Direction Concerning a Proposal from TSVI to Construct a Joint 5,000,000 Gallon Water Storage Tank in the Kachina Area

**D.** Discussion and Consideration to Approve of Proposed System Development and Impact Fees for Parcel G

**E.** Introduction: **Ordinance No. 2017-60** An Ordinance Adopting a Municipal Hold Harmless Gross Receipts Tax

**F.** Consideration to Approve a Contract for Bond Attorney for the Village of Taos Ski Valley

**G.** Consideration to Approve Village of Taos Ski Valley Locked Vehicle Policy

**H.** Consideration to Approve Contract No. 2017-05, a Professional Service Contract with Whitney Appraisal Associates, Inc.

**I.** Consideration to Approve **Resolution No. 2017-323** A Resolution to Authorize and Approve Contract No. 2017-06 with Tyler Technologies Accounting Software

**J.** Consideration to approve Professional Services Contract Number VTSV 2017-07 between Text Interactions.com and the Village of Taos Ski Valley

**K.** Consideration to Authorize Village Staff to Draft and Mayor to Sign a Support Letter for "AN ACT RELATING TO TAXATION; REMOVING AN EXEMPTION FOR CERTAIN SHORT-TERM OCCUPANCY RENTALS FROM THE LODGERS' TAX."

**14. MISCELLANEOUS**

**15. CLOSED SESSION**

**A.** Discussion of Possible Litigation in Regards to Land Acquisition adjacent to Ernie Blake Road

This matter may be discussed in closed session under Open Meetings Act exemption 10-15-1(H) (7)

**16. ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING OF THE VILLAGE COUNCIL**

**17. ADJOURNMENT**

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Village of Taos Ski Valley  
 PO Box 100, 7 Firehouse Road, Taos Ski Valley, NM 87525  
 (575) 776-8220 (575) 776-1145 Fax  
 E-mail: [vtsv@vtsv.org](mailto:vtsv@vtsv.org) Website: [www.vtsv.org](http://www.vtsv.org)  
**Mayor:** Neal King  
**Council:** Kathleen Bennett, Christof Brownell,  
 J. Christopher Stagg, Thomas Wittman  
**Administrator:** Mark G. Fratrack,  
**Finance Director:** Nancy Grabowski  
**Clerk:** Ann M. Wooldridge

## NOTICE OF MEETINGS

NOTICE IS HEREBY GIVEN of the following meetings of the Village of Taos Ski Valley, New Mexico and the dates, times and locations of the meetings:

MEETING	DATE & TIME	LOCATION
PUBLIC SAFETY COMMITTEE	Monday, January 9, 2017 10:00 a.m.	Village Administrative Office 7 Firehouse Road
FIREWISE COMMUNITY BOARD MEETING	Monday, January 9, 2017 11:00 a.m.	Village Administrative Office 7 Firehouse Road
PLANNING & ZONING MEETING	January CANCELLED	Edelweiss Lodge Club Room 106 Sutton Place
VILLAGE COUNCIL REGULAR MEETING	Tuesday, January 17, 2017 2:00 p.m.	Edelweiss Lodge Club Room 106 Sutton Place
TIDD BOARD REGULAR MEETING	Wednesday, January 18, 2017 10:00 a.m.	Edelweiss Lodge Club Room 106 Sutton Place
PLANNING & ZONING MEETING	Monday, February 6, 2017 1:00 p.m.	Edelweiss Lodge Club Room 106 Sutton Place
CHAMBER OF COMMERCE	TBA	Edelweiss Lodge Club Room 106 Sutton Place
PARKS & RECREATION	TBA	TBD
LODGER'S TAX COMMITTEE	TBA	TBD

These meetings will be public meetings to consider various items of business. A copy of the agenda for each meeting will be available for inspection 72 hours prior to the meeting. Persons wishing to comment on items listed on the proposed agendas may submit written comments to the Village offices on or before 5:00 P.M. on the day prior to the meeting. Persons with disabilities may request accommodations no later than 5:00 P.M. on the day prior to the meeting. This notice shall be posted at the Village offices, Box Canyon, Village Message Board in the TSV Chamber of Commerce and three other public places within the municipality as provided by Section 3-1-2 NMSA 1978. /s/ Ann M. Wooldridge, Village Clerk, posted January 6, 2017.



Village of Taos Ski Valley  
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(575) 776-8220 (575) 776-1145 Fax  
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**VILLAGE COUNCIL REGULAR MEETING  
DRAFT MINUTES  
EDELWEISS LODGE CLUB ROOM  
TAOS SKI VALLEY, NEW MEXICO  
TUESDAY, DECEMBER 13, 2016, 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 Christof Brownell  
Councilor Chris Stagg  
Councilor Tom Wittman, Mayor Pro Tem

**Staff present:**

Village Administrator Mark Fratrack  
Village Clerk Ann Wooldridge  
Finance Director Nancy Grabowski  
Public Works Director Ray Keen  
Police Chief Andrew Bilardello  
Building & Construction Director Bill Jones  
Planner Adrienne Anderson  
Administrative Assistant Renee Romero  
Administrative Assistant Ruth Martin  
Village Attorney Dennis Romero

**3. APPROVAL OF THE AGENDA**

**MOTION:** To approve the agenda as written

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

**4. APPROVAL OF THE MINUTES OF THE NOVEMBER 8, 2016 REGULAR VILLAGE COUNCIL MEETING**

**MOTION:** To approve the minutes as presented

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

**5. CITIZEN'S FORUM – no one spoke**

**6. FINANCIAL REPORTS**

Director Grabowski reported that GRT remitted to the Village in November was \$41,995.22 compared to \$197,397.64 for November last year. Total year to date is \$447,559.24 versus last year's \$379,109.95. The TIDD did not receive a distribution in November for September GRT.

Lodger's tax collections were \$4,731.31 versus \$4,197.87 for last year. Totals year to date are \$41,097.13 versus last year's \$44,922.68.

The Village has now received \$181,600 in Clean Water State Revolving Fund reimbursements and \$104,600 in Water Trust Board reimbursements in FY16.

7. **COMMITTEE REPORTS**

**A. Planning and Zoning Commission** – P&Z met on Monday, December 5, 2016 at 1:00 p.m. at the Edelweiss Lodge Club Room. Commission Chair Wittman reported on the following agenda items:

- Application for Variance for Front and Side-Yard Setbacks on Lot 6, Block F by Kent Kiehl. An addition is being added to this residence, which is situated on a very steep lot. Staff recommended approval of a variance to the front setback from 25 feet to 9 feet and the side setback from 20 feet to 14 feet. A public hearing was held, no one spoke against granting the variance, and it was approved by the Commission.

- Planner Anderson reported that she is working towards revising and completing the comprehensive plan in the first quarter of 2017.

- Improvement of upper portion of the JR Trail will be spearheaded by TSV Inc., as they are the permit holder of the land with the U.S. Forest Service. The Village of Taos Ski Valley will afterwards become involved in restoration of the lower part of the trail.

- Director Jones is getting started on enforcement of the new sign code requirements.

- The Commissioners drew lots for reinstatement of their terms, with Commissioners Wittman, Nichols, and Woodard starting one-year terms as of January 1, 2017, and Commissioners Caldwell, Stagg, Bender, and Duffy starting two-year terms on the same date. A motion was passed to re-elect Commissioner Wittman as Chairperson of the Commission.

The next P&Z meeting is scheduled for Monday, January 9, 2017 at 1:00 p.m. at the Edelweiss Lodge Club Room. (Note: This meeting was later cancelled.) The P&Z meeting was adjourned at 2:10 p.m.

**B. Public Safety Committee** – The Public Safety Committee did not meet in December. The next meeting will take place on January 9, 2017.

**C. Firewise Community Board of Directors** - The Firewise Community Board of Directors did not meet in December. The next meeting will take place on January 9, 2017.

**D. Parks & Recreation Committee** - no report

**E. Lodgers' Tax Advisory Board** – Councilor Stagg announced that the Board would be meeting in the near future concerning eligible lodgers' tax expenditures.

8. **REGIONAL REPORTS**

Councilor Bennett reported on activity from the Landfill Board and the Enchanted Circle meeting. The Landfill plans to buy a drone to use for better surveillance of the pods. Representative Roberto Gonzales will be attending the next Enchanted Circle meeting.

The next Enchanted Circle meeting and Landfill Board meeting will take place on December 15, 2016.

9. **MAYOR'S REPORT**

**A.** Consideration to Appoint Virgil Vigil as a Police Officer for the Village of Taos Ski Valley

**MOTION: To appoint Virgil Vigil as a Police Officer for the Village of Taos Ski Valley**

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

**B.** Consideration to Approve Planning & Zoning Commission Appointments

Commission Chair Wittman announced that at the December P&Z meeting, Commissioners drew lots for reinstatement of their terms. Commissioners Wittman, Nichols, and Woodard will start one-year terms as of January 1, 2017, and Commissioners Caldwell, Stagg, Bender, and Duffy will start two-year terms on the same date.

**MOTION: To approve the slate of P&Z Commission appointments**

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

10. **STAFF REPORTS**

Mark Fratrack, Village Administrator reported on ongoing projects:

- Townsite Act – Mayor King, Red Tail Surveying, and Administrator Fratrack met with the Forest Service. There were a few surveying questions to be discussed. The Forest Service informed them that they estimate the process moving forward will take six months to a year to complete.
- Taos Mountain Lodge – Administrator Fratrack met with the NM DOT District Engineer concerning the placement of holding tanks, and also talked with them about the longer term vision of water and sewer lines to the Amizette area. The Village water master plan includes provisions for line extensions to Amizette. The variance that the Village has with the NM Environment Department for the septic system is for a period of ten years.
- Kachina Water Tank – No change
- WWTP – Administrator Fratrack will be getting with the SE Group to discuss feedback received from the scoping meeting, and the process and timeline moving forward.
- Parks and Recreation – TSVI will be meeting with the Village and Parks and Recreation Committee towards the end of the month to discuss the JR Trail plan.
- WWTP Financing Options – Administrator Fratrack has been discussing financing options for the WWTP upgrade with Brad Angst of G.K. Baum & Company (GKB). There are a myriad of products to choose from, and to possibly blend, to finance the project, such as CWSRF, USDA, GO Bonds, Hold Harmless GRT, to name a few. Staff is suggesting that a workshop be held to walk through the different financing products available. The date GKB and Administrator Fratrack would like to suggest is Wednesday, December 21, 2016.
- Ernie Blake Road – A request for proposals has been advertised for appraisal services regarding the land that will need to be exchanged and/or purchased in connection with the road redesign.

#### **Department Briefs**

- **Department of Public Safety Update.** Police Chief Bilardello reported on November activity: (26) Hours of Traffic Enforcement, (3) Traffic Stops, (2) Written Warnings, (1) Verbal Warning, (2) Residential Alarms, (1) Criminal Damage to Property, (1) Welfare Check, and (14) Parking Citations. Fire/EMS: (0), SAR: (0) Search and Rescue Mission –suspended.

Chief Bilardello also reported that he is continuing work on the Department of Public Safety policy manual. Officer Vigil has started already and knows many people as he previously worked for the Town of Taos and Taos Pueblo. Chief Bilardello said that the officers will start conducting more patrolling on foot. The trailer which houses the police department is undersized and inadequate. When purchased fifteen years ago, the plan was for the building to be a temporary space for the department. Bilardello will be looking for a new building to be placed in the same location. He said that the upstairs of the Firehouse would be difficult to use because of the potential trouble of handling prisoners up the long stairs, and the Taos Mountain Lodge is too far down the highway for timely response by officers.

- **Public Works Update:** Director Keen reported that a new snow blower has arrived.

#### **11. OLD BUSINESS**

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

Attorney Romero reported that he and the attorney for the other party agreed to delay for another month.

**MOTION: To postpone indefinitely**

**Motion: Councilor Stagg**

**Second: Councilor Wittman**

**Passed: 4-0**

**B. Consideration to Approve Amended and Restated Master Development Agreement (MDA) adopted by the Amended and Restated Resolution No. 2015-275 Approving the Application for Formation of the Village of Taos Ski Valley (VTSV) Tax Increment Development District (TIDD), etc.**

As part of the VTSV TIDD formation, an MDA was adopted through Amended and Restated Resolution No. 2015-275. The applicant, which is Taos Ski Valley, Inc. as agent for Twining Development, LLC and Santander Holdings, LLC, has brought forward an updated and amended MDA.

Chaz Rockey, speaking on behalf of TSVI, reported that some misinformation had been spreading that there was to be a vote on the formation of a Public Infrastructure District (PID) at this meeting. No such item is up for a vote today. He said that TSVI prefers not to form a PID, but that application for formation of a PID may be considered at some point, in order to fund the installation of natural gas lines throughout the Village. The assessment that would be levied if a PID were to be formed would be a small portion of the discount that owners would realize from hooking up to natural gas, Rockey said. The PID levy would be outlined at the time

of a PID formation. The formation process would be similar to the TIDD formation, with the Village Council voting on an application, followed by an election of landowners and registered voters, with a 75% vote in the affirmative being required to successfully form the PID.

Mr. Rockey outlined the five main changes in the amended document: 1. it allows for a more cost-efficient way to issue bonds, using a master indenture agreement; 2. it allows for a PID, if formed, to pay for a project that had previously been dedicated to the Village; the natural gas line, for example; 3. it allows for further improvement of projects that had already been dedicated to the Village; the retention pond or Sutton Place being examples; 4. it contains an updated finance plan with more realistic numbers; and 5. it contains maintenance standards for the upkeep of Sutton Place.

Discussion took place on the revised MDA, and specifically on the potential of a PID being formed in the Village of Taos Ski Valley. Some citizens spoke up to say that they feel many people are not in favor of a PID, unlike a TIDD. They noted that there is a lot of language in the revised MDA about a PID, and voiced concern that a PID could be used for levies for infrastructure besides the natural gas lines. There was a suggestion for a workshop to be held on the revised MDA.

Mr. Rockey explained that the intention of the MDA is to formalize the relationship between the TIDD, VTSV, TSVI, and a PID, if formed. TSVI would be the largest assessed entity if a levy were assessed. Formation of a PID would not occur without many public meetings. He said that no one would pay a levy on a benefit that they didn't receive. It is possible that a PID would not need to be formed. Mr. Rockey explained that the calculations for a PID are difficult due to estimating the benefit of the public infrastructure.

Concerning the dedication of Sutton Place to the Village, Mr. Rockey said that this would not take place until all of the parties were comfortable with the process. He said that the standards are set high for maintaining Sutton Place in the MDA, so that no matter who ends up being responsible for the maintenance, it will be done well. The cost of maintaining Sutton Place and the plaza area are only estimated at this time.

**MOTION: To postpone Approval of the Amended and Restated Master Development Agreement (MDA) adopted by the Amended and Restated Resolution No. 2015-275 Approving the Application for Formation of the Village of Taos Ski Valley (VTSV) Tax Increment Development District (TIDD), etc.**

**Motion: Councilor Brownell**

**Second: Councilor Bennett**

Discussion followed.

**AMENDED MOTION: To postpone Approval of the Amended and Restated Master Development Agreement (MDA) adopted by the Amended and Restated Resolution No. 2015-275 Approving the Application for Formation of the Village of Taos Ski Valley (VTSV) Tax Increment Development District (TIDD), etc. and hold a workshop on the MDA and possible PID Formation**

**Motion: Councilor Brownell**

**Second: Councilor Bennett**

**Failed: 2-3 (Councilors**

**Bennett and Brownell voting for, Councilors Stagg and Wittman voting against, and Mayor King voting against.)**

**MOTION: To Approve the Amended and Restated Master Development Agreement (MDA) adopted by the Amended and Restated Resolution No. 2015-275 Approving the Application for Formation of the Village of Taos Ski Valley (VTSV) Tax Increment Development District (TIDD), etc.**

**Motion: Councilor Wittman**

**Second: Councilor Stagg**

Councilor Brownell asked whether Councilor Stagg would be recusing himself from the vote.

**The vote was called.**

**Failed: 2-3 (Councilors Stagg**

**and Wittman voting for, Councilors Bennett and Brownell voting against, and Mayor King voting against.)**

C. Consideration to Approve entering into a Snowmelt Boiler System Agreement with Parcel G Development, LLC and/or The Blake Hotel Holdings, LLC, and Parcel G Condominium Association, Inc.

**MOTION: To remove this item from the table**

**Motion: Councilor Wittman**

**Second: Councilor Bennett**

**Passed: 4-0**

Since the same boiler system will service The Blake, plaza, and sidewalks, the developer is requesting that the Village enter into a "Boiler Agreement". Costs for any maintenance and upkeep, and also natural gas used, will be allocated depending on Village dedicated area usage and the developer will then bill the Village for the allocated costs. The Village-owned portion is metered separately. The estimated first year cost for the public area is \$3,000, of which the Village would pay half. If the cost is higher, TSVI will be eager to get the problem solved. The snowmelt system is moisture-activated as well as temperature-activated. Chaz Rockey said that TSVI is working on getting the kinks out of the new system. TSVI is working with Kit Carson to urge installation of the conductor necessary for the underground electric lines up State Road 150 which would be a

big step forward for reducing electrical outages. There were some concerns about the system not being on a generator, as well as concerns about the ice flow problem that seems to be occurring in front of the Snakedance.  
**MOTION: To postpone approval of entering into a Snowmelt Boiler System Agreement with Parcel G Development, LLC and/or The Blake Hotel Holdings, LLC, and Parcel G Condominium Association, Inc.**  
**Motion: Councilor Wittman                      Second: Councilor Bennett                      Passed: 4-0**

**D. Discussion and approval of an Interim Maintenance Service Agreement with Taos Ski Valley, Inc. for Core Area for the predetermined public spaces (plaza areas and sidewalks), which would allow time to publish and assess requests for proposals (RFP), and then award a contract for a Maintenance Service Agreement for the public spaces in the Core Area**

**MOTION: To remove this item from the table**

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

An agreement is unnecessary until the dedication of Sutton Place occurs.

**MOTION: To postpone indefinitely approval of an Interim Maintenance Service Agreement with Taos Ski Valley, Inc.**

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

## **12. NEW BUSINESS**

**A. Consideration to Approve Natural Gas Line Improvements and Related Portions of Underground Trench Improvements Dedication, Bill of Sale, Assignment of Permit Rights and Agreement, from Taos Ski Valley, Inc. to the Village of Taos Ski Valley**

**MOTION: To postpone Approval of Natural Gas Line Improvements and Related Portions of Underground Trench Improvements Dedication from Taos Ski Valley, Inc. to the Village of Taos Ski Valley**

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

There will be a need to move ahead with this dedication in the near future, according to Mr. Rockey, in order to take advantage of the NM Gas credits and provide natural gas throughout the Village.

**B. Consideration to Approve Natural Gas Line Improvements and Related Portions of Underground Trench Improvements Assignment of Infrastructure and Permit Rights, from the Village of Taos Ski Valley to NM Gas Company**

**MOTION: To postpone Approval of Natural Gas Line Improvements and Related Portions of Underground Trench Improvements Dedication from the Village of Taos Ski Valley to NM Gas Company**

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

**C. Consideration to Approve Final Design Service and Descriptions for the Ernie Blake Road Improvements, Amendment # 1 to Task Order #16 with FEI Engineers for \$87,968.40**

One of the steps for the Ernie Blake Road realignment is to get the 100% Final Design completed. FEI Engineers have proposed an amendment to their contract which outlines a scope of work to complete the final design. This is a necessary step if the Village would like to continue to pursue the improvements to Ernie Blake Road that were outlined at the workshop and were previously approved by council. TSVI will become more involved in the project, as this is reimbursable to the developer by the TIDD.

**MOTION: To Approve Final Design Service and Descriptions for the Ernie Blake Road Improvements, Amendment # 1 to Task Order #16 with FEI Engineers for \$87,968.40**

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

**D. Discussion and Approval of Memorandum of Agreement (MOA) between the Village of Taos Ski Valley and Taos Ski Valley, Inc. for Lodgers' Tax Contribution of \$38,481.00 for the Service Employees Bus Transportation System**

At the November 2016 council meeting, the council made a motion to support the Lodgers' Tax Committee recommendation that \$38,481.00 be used to support the TSVI shuttle. Staff recommended approval based on legal concurrence, Lodger's Tax Board vote to support, and a proper MOA be negotiated and accepted. Also, staff recommended that the Village speak with the DFA Local Government representative for an opinion. Attorney Romero's opinion is that this is an allowable cost for lodger's tax funds. Councilor Stagg said that there will be defined schedules for tourist use and that the schedule complements the RTD schedule.



**MOTION: To Approve of Memorandum of Agreement (MOA) between the Village of Taos Ski Valley and Taos Ski Valley, Inc. for Lodgers' Tax Contribution of \$38,481.00 for the Service Employees Bus Transportation System**

**Motion: Councilor Wittman**

**Second: Councilor Bennett**

Discussion followed on whether staff passes would be required to ride the bus.

**AMENDED MOTION: To Approve of Memorandum of Agreement (MOA) between the Village of Taos Ski Valley and Taos Ski Valley, Inc. for Lodgers' Tax Contribution of \$38,481.00 for the Service Employees Bus Transportation System with the provision that visitors not be discriminated against by the driver in favor of staff**

**Motion: Councilor Wittman**

**Second: Councilor Bennett**

More discussion followed, with some comments that putting money towards the TSVI bus makes sense because the Village can have more input on the schedule than with the RTD bus, which benefits employees, visitors, and TSVI alike. Also, the bus runs that would appeal to tourists are either mid-day or in the evening, when fewer staff would be riding anyways.

**The question was called.**

**Passed: 3-1(Councilor Brownell voting against)**

**E. Consideration to Approve Relief for Edelweiss Lodge November Utility Bill for Unauthorized Use of Water by Third Party**

Water was being used from an outside spigot at the Edelweiss Lodge to water new plantings on Sutton Place.

This was being conducted by a landscaping crew, and the Edelweiss Staff had not authorized this usage.

**MOTION: To Approve Relief for Edelweiss Lodge November Utility Bill for Unauthorized Use of Water by Third Party to the median of the summer average consumption and the invoiced consumption for November.**

**Motion: Councilor Wittman**

**Second: Councilor Brownell**

**Passed: 4-0**

The credited amount will be billed to the contractor.

**F. Consideration to Approve Relief for Rocky Mountain Condominium Lodger's Tax Penalties for December 2015 to September 2016**

Terry Sports had not remitted lodgers' tax reports to the Village for the months of December 2015 through September 2016 and the manager was asking for relief on the penalties. No tax was due, according to the manager, as no rentals had taken place during those months.

**MOTION: To Approve Relief for Rocky Mountain Condominium Lodger's Tax Penalties for December 2015 to September 2016**

**Motion: Councilor Bennett Second: Councilor Wittman**

**Failed: 0-4**

**G. Discussion and Request for New Mexico Municipal League (NMML) for a Legal Opinion on Real Estate Transfer Tax**

Most states have some type of real estate transfer tax in place, but New Mexico is one of the 13 states that do not have one in place. Real estate transfer tax can be used for specific project or purposes. This tax would be imposed on the transfer of the title of real property within the jurisdiction.

**MOTION: To Recommend Village Administrator work with Councilor Stagg and the Village Attorney to draft a request for legal opinion of the NMML on establishing a real estate transfer tax in the Village of Taos Ski Valley**

**Motion: Councilor Stagg**

**Second: Councilor Wittman**

**Passed: 4-0**

### **13. MISCELLANEOUS**

**A.** TSVI CEO David Norden addressed the Council to say that TSVI had re-printed their trail maps to now list all of the merchants in the Village, and the new directory map signs will also indicate the location of all merchants in the core area.

**B.** Councilor Brownell asked about the mud that seems to be flowing from the parking lot into Sutton Place. TSVI will look into re-grading the area above the entrance to Sutton Place, though this may not be completed until the summer months.

**C.** TSVI announced the opening of the new "Taos Bound" area in the Sprung structure which will be opening soon on weekend evenings for children's activities.

D. Mayor King asked each of the Councilors to contact Administrator Fratrack with their concerns about the amended MDA so that Fratrack could then meet with Mr. Rockey to make a plan on how to proceed.

E. Roger Pattison addressed the Council saying that the community is concerned that Councilor Stagg has a conflict of interest that is not being identified on some items being presented to the Council for a vote.

Councilor Stagg said that a conflict of interest comes to play when a person stands to gain personally by a vote of the Council. Mayor King noted that Councilor Stagg's family no longer owns TSV Inc., and that in a small town many people are involved in businesses that come up in discussions or votes at a Council meeting. Mayor King said that he also works for TSV Inc., as did Councilor Bennett until recently. Attorney Romero will look into the parameters surrounding the nature of the conflict of interest guidelines and perceptions.

**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, January 17, 2017, at 2:00 p.m., at the Edelweiss Lodge Club Room. This is a week later than usual due to Administrator Fratrack being out of town on the second Tuesday of the month. A Council workshop will be held on December 21, 2016 at 1:00 p.m. at the Edelweiss Lodge Club Room to discuss Wastewater Treatment Plant funding options.

**15. ADJOURNMENT**

**MOTION: To Adjourn.**

**Motion: Councilor Wittman**

**Second: Councilor Bennett**

**Passed: 4-0**

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

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Neal King, Mayor

ATTEST:

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Ann M. Wooldridge, Village Clerk



Village of Taos Ski Valley  
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**VILLAGE COUNCIL WORKSHOP  
WASTEWATER TREATMENT PLANT  
IMPROVEMENT FUNDING OPTIONS  
DRAFT MINUTES  
EDELWEISS LODGE CLUB ROOM  
TAOS SKI VALLEY, NEW MEXICO  
WEDNESDAY, DECEMBER 21, 2016 1:00 P.M.**

**1. CALL TO ORDER & NOTICE OF MEETING**

The workshop of the Village of Taos Ski Valley Council was called to order by Mayor King at 1:00 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 Christof Brownell  
Councilor Chris Stagg  
Councilor Tom Wittman Mayor Pro Tem

**Village Staff Present**

Village Administrator Mark Fratrack  
Village Clerk Ann Wooldridge  
Finance Director Nancy Grabowski  
Public Works Director Ray Keen  
Building & Construction Director Bill Jones  
Planner Adrienne Anderson  
Administrative Assistant Ruth Martin  
Village Attorney Dennis Romero

**3. APPROVAL OF THE AGENDA**

**MOTION: To approve the agenda as presented**

**Motion:** Councilor Wittman      **Second:** Councilor Bennett

**Passed:** 4-0

**4. WASTEWATER TREATMENT PLANT IMPROVEMENT FUNDING OPTIONS WORKSHOP**

Brad Angst, with G.K. Baum & Company, presented various options for the Village to use in order to finance the construction of a new wastewater treatment plant. The total financing requirements for the project are estimated at \$6,765,000. Council, Staff, and GKB need to identify the financing route that the Village would like to pursue and determine the repayment sources for the respective financing. All options carry various restrictions. The Village has already funded \$500,000 of the project through a Clean Water State Revolving Loan Fund (CWSRF) Loan/Grant.

The financing scenarios presented include cash contributions from the Village's General Fund Reserve account ranging from \$1 million to \$1.5 million, said Mr. Angst. The Village currently has approximately \$2,270,000 in the General Fund Reserve Account.

Financing possibilities include State and Federal Loan/Grant options, such as the USDA Rural Utility Service Loan and Grant Program, the NMED Clean Water State Revolving Loan Fund (CWSRF), and the NMED Rural Infrastructure Program. Capital Market options include the issuance of General Obligation

Bonds or Revenue Bonds. It would be necessary for the Village to engage a bond attorney if bonds were used as an option.

Potential revenue and repayment sources for the debt include Village general fund net system revenues, the imposition of a Hold Harmless Gross Receipts Tax of 0.375%, an increase in water and sewer rates, and the use of ad valorem property taxes. There is also the possibility of applying for a North Central New Mexico Economic Development District grant for \$3 million in 2018.

The Village has several other projects in the works, such as the Kachina Water Tank, and potential water and sewer lines to Amizette, so it was suggested that the cost of all of these projects be taken into consideration when looking at the Village's financing needs. GKB will pursue several different funding options at the same time, and may have something to bring to the Council in January, particularly the hold harmless gross receipts tax option.

**5. ADJOURNMENT**

**MOTION: To Adjourn**

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

The meeting was adjourned at 3:05 p.m.

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Neal King, Mayor

ATTEST:

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Ann M. Wooldridge, Village Clerk

8:41 AM

01/10/17

Cash Basis

# VILLAGE OF TAOS SKI VALLEY

## Profit & Loss Prev Year Comparison

### July through December 2016

Ordinary Income/Expense	Jul - Dec 16	Jul - Dec 15	\$ Change	% Change
Income				
4012 · REVENUE - Combined Water-Sewer	344,338.82	296,898.70	47,440.12	16.0%
4020 · REVENUE - GRT MUNICIPAL	275,866.60	216,557.64	59,308.96	27.4%
4021 · REVENUE - GRT - STATE	226,995.37	179,024.15	47,971.22	26.8%
4022 · REVENUE - GRT - ENVIRONMENT	11,201.96	8,834.71	2,367.25	26.8%
4023 · REVENUE - GRT - INFRASTRUCTURE	44,810.59	35,339.72	9,470.87	26.8%
4027 · REVENUE - OTHER	44,489.30	33,476.11	11,013.19	32.9%
4028 · REVENUE - GASOLINE TAX	2,085.00	2,540.74	-455.74	-17.9%
4029 · REVENUE - LODGER'S TAX	47,072.73	54,220.26	-7,147.53	-13.2%
4031 · REVENUE - PARKING FINES	350.00	725.00	-375.00	-51.7%
4034 · REVENUE - MOTOR VEHICLE FEES	6,691.69	7,770.55	-1,078.86	-13.9%
4035 · REVENUE - BUILDING PERMITS	0.00	64,510.47	-64,510.47	-100.0%
4036 · REVENUE - Licenses/Permits	56,674.42	2,200.00	54,474.42	2,476.1%
4037 · REVENUE - GENERAL GRANTS	26,833.00	72,333.00	-45,500.00	-62.9%
4040 · REVENUE - WATER CONNECTION FEES	18,205.03	165.00	18,040.03	10,933.4%
4041 · REVENUE - SEWER CONNECTION FEES	14,659.67	3,556.00	11,103.67	312.3%
4046 · REVENUE - SOLID WASTE FEE	28,422.39	30,560.82	-2,138.43	-7.0%
4047 · REVENUE - OTHER OPERATING	1,026.00	591.81	434.19	73.4%
4049 · REVENUE - FIRE GRANTS	102,216.00	99,910.00	2,306.00	2.3%
4050 · REVENUE - IMPACT FEES	22,373.47	0.00	22,373.47	100.0%
4053 · REVENUE - GRT MUN CAP OUTLAY1/4	44,810.59	35,339.72	9,470.87	26.8%
4058 · Plan Review Fees	65,222.01	418.44	64,803.57	15,486.9%
4059 · Proceed NMFA Issuance of Debt	969,982.77	0.00	969,982.77	100.0%
4060 · WTB FY2016 revenue	6,616.11	0.00	6,616.11	100.0%
4070 · CWSRF 2016 Revenue	116,962.82	0.00	116,962.82	100.0%
7004 · REVENUE - FINANCE CHARGE ON W/S	657.46	2,413.33	-1,755.87	-72.8%
7005 · REVENUE - INTEREST INCOME	10,583.13	2,529.96	8,053.17	318.3%
7007 · REVENUE - INTEREST IMPACT FEES	43.90	43.06	0.84	2.0%
7010 · REVENUE - AD VALOREM TAX	15,977.40	162,444.10	-146,466.70	-90.2%
9000 · BEG. BALANCE	0.00	0.00	0.00	0.0%
Total Income	2,505,168.23	1,312,403.29	1,192,764.94	90.9%
Gross Profit	2,505,168.23	1,312,403.29	1,192,764.94	90.9%
Expense				
4082 · DEBT SERV - 2007 WWTP LOAN PRIN	79,720.54	77,398.59	2,321.95	3.0%
4083 · DEBT SERV. - 2007 WWTP LOAN INT	30,631.34	32,953.29	-2,321.95	-7.1%

8:41 AM

01/10/17

Cash Basis

# VILLAGE OF TAOS SKI VALLEY

## Profit & Loss Prev Year Comparison

### July through December 2016

	Jul - Dec 16	Jul - Dec 15	\$ Change	% Change
6100 • Salary and Benefits				
6112 • SALARIES - STAFF	436,625.70	447,467.85	-10,842.15	-2.4%
6113 • SALARIES - ELECTED	17,069.91	17,069.91	0.00	0.0%
6121 • WORKER'S COMP INSURANCE	24,546.00	23,390.10	1,155.90	4.9%
6122 • HEALTH & LIFE INSURANCE	82,305.99	93,575.88	-11,269.89	-12.0%
6123 • MPPP PENSION/EMPLOYEE	0.00	6,555.55	-6,555.55	-100.0%
6125 • FICA EMPLOYER'S SHARE	34,145.36	34,864.38	-719.02	-2.1%
6126 • WORKMAN'S COMP PERSONAL ASSESS	146.20	137.30	8.90	6.5%
6127 • SUTA STATE UNEMPLOYEMENT	418.12	1,343.81	-925.69	-68.9%
6128 • PERA Employer Portion	34,526.49	31,554.01	2,972.48	9.4%
6130 • HEALTH INCENTIVE - SKI PASS/GYM	2,386.37	2,368.00	18.37	0.8%
6132 • MISC BENEFITS	0.00	0.01	-0.01	-100.0%
Total 6100 • Salary and Benefits	632,170.14	658,326.80	-26,156.66	-4.0%
6220 • OUTSIDE CONTRACTORS	334,013.69	250,152.60	83,861.09	33.5%
6225 • ENGINEERING	77,234.10	145,690.66	-68,456.56	-47.0%
6230 • LEGAL SERVICES	46,034.56	38,852.97	7,181.59	18.5%
6242 • ACCOUNTING	1,665.01	2,112.90	-447.89	-21.2%
6244 • AUDIT	9,926.40	15,494.49	-5,568.09	-35.9%
6251 • WATER PURCHASE, STORAGE	582.57	576.03	6.54	1.1%
6253 • ELECTRICITY	10,846.38	9,225.94	1,620.44	17.6%
6254 • PROPANE	3,431.50	4,615.06	-1,183.56	-25.7%
6256 • TELEPHONE	8,075.35	8,348.69	-273.34	-3.3%
6257 • RENT PAID	613.48	513.00	100.48	19.6%
6258 • WATER CONSERVATION FEE	123.33	101.40	21.93	21.6%
6259 • Natural Gas	108.75	0.00	108.75	100.0%
6270 • LIABILITY & LOSS INSURANCE	65,226.75	59,285.89	5,940.86	10.0%
6312 • CHEMICALS & NON DURABLES	8,820.46	28,682.43	-19,861.97	-69.3%
6313 • MATERIAL & SUPPLIES	95,736.26	82,268.69	13,467.57	16.4%
6314 • Dues/fees/registration/renewals	4,457.76	6,187.99	-1,730.23	-28.0%
6315 • BANK CHARGES	70.33	15.00	55.33	368.9%
6316 • Software	3,518.10	897.30	2,620.80	292.1%
6317 • Personal Protective Equipment	259.85	1,059.55	-799.70	-75.5%
6318 • Postage	1,078.37	1,021.50	56.87	5.6%
6320 • EQUIPMENT REPAIR & PARTS	1,942.65	13,762.58	-11,819.93	-85.9%
6321 • BUILDING MAINTENANCE	924.82	0.00	924.82	100.0%
6322 • SMALL EQUIP & TOOL PURCHASES	4,795.93	4,985.73	-189.80	-3.8%
6323 • SYSTEM REPAIR & PARTS	1,868.00	0.00	1,868.00	100.0%
6331 • OUTSIDE TESTING SERVICES	576.59	200.00	376.59	188.3%
6332 • EQUIPMENT RENTALS	2,489.66	0.00	2,489.66	100.0%
6417 • VEHICLE MAINTENANCE	7,806.08	15,017.28	-7,211.20	-48.0%
6418 • FUEL EXPENSE	7,904.07	12,303.72	-4,399.65	-35.8%
6432 • TRAVEL & PER DIEM	16,504.70	8,009.49	8,495.21	106.1%
6434 • TRAINING	6,048.55	5,986.63	61.92	1.0%
6560 • Payroll Expenses	0.00	-378.62	378.62	100.0%
6712 • LAB CHEMICALS & NONDURABLES	4,135.00	3,995.01	139.99	3.5%
6713 • LAB MATERIALS & SUPPLIES	0.00	129.67	-129.67	-100.0%

8:41 AM

01/10/17

Cash Basis

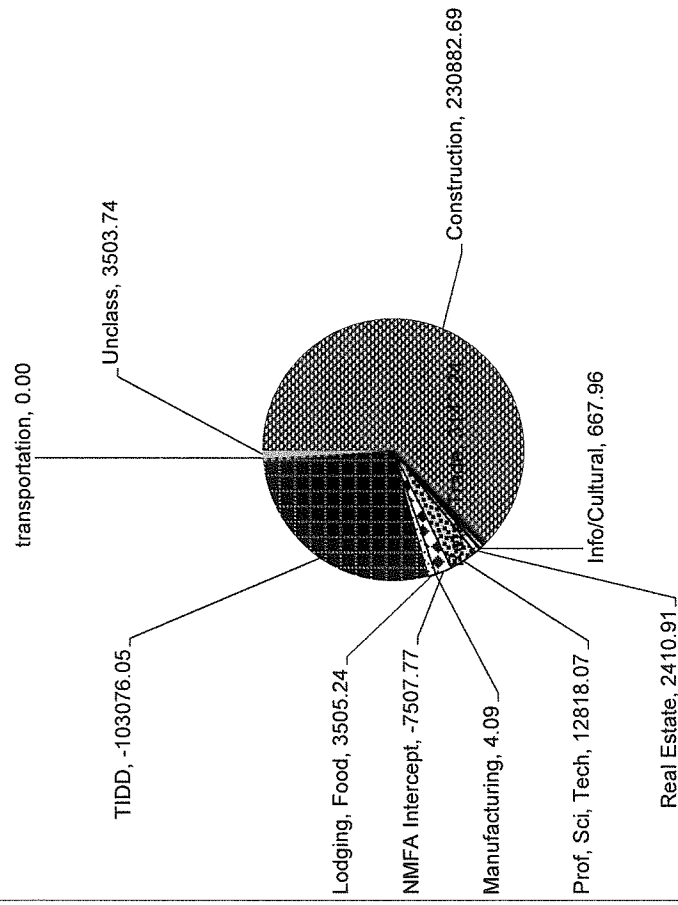
# VILLAGE OF TAOS SKI VALLEY

## Profit & Loss Prev Year Comparison

### July through December 2016

	Jul - Dec 16	Jul - Dec 15	\$ Change	% Change
6716 · LAB TESTING SERVICES	6,635.59	3,937.75	2,697.84	68.5%
6720 · LAB OUTSIDE CONTRACTORS	0.00	1,339.00	-1,339.00	-100.0%
8322 · CAPITAL EXPENDITURES	1,000,228.07	12,884.79	987,343.28	7,662.9%
8323 · Capital Assets \$1000-\$4999	1,069.58	0.00	1,069.58	100.0%
8325 · EQUIPMENT & TOOL PURCHASE	0.00	3,911.70	-3,911.70	-100.0%
8421 · NMFA Interest TML #TAOS55	13,640.38	0.00	13,640.38	100.0%
Total Expense	2,490,914.69	1,509,865.50	981,049.19	65.0%
Net Ordinary Income	14,253.54	-197,462.21	211,715.75	107.2%
Other Income/Expense				
Other Expense				
9001 · TRANSFER TO FUND	-282,562.35	-377,018.35	94,456.00	25.1%
9002 · TRANSFER FROM FUND	282,562.35	377,018.35	-94,456.00	-25.1%
Total Other Expense	0.00	0.00	0.00	0.0%
Net Other Income	0.00	0.00	0.00	0.0%
Net Income	14,253.54	-197,462.21	211,715.75	107.2%

# Village of Taos Ski Valley Gross Receipts Distribution December 2016



Construction	Construction
Info/Cultural	Info/Cultural
Prof, Sci, Tech	Prof, Sci, Tech
Manufacturing	Manufacturing
TIDD	TIDD
transportation	transportation
Retail Trade	Retail Trade
Real Estate	Real Estate
NMFA Intercept	NMFA Intercept
Lodging, Food	Lodging, Food
Other Services	Other Services
Unclass	Unclass



Lodger's Tax

LODGERS' TAX

7/01/04 thru Current the tax rate is 5%; 2/97 thru 6/04 tax rate was 4.5%

CURRENT RATE = 5%

	July	August	September	October	November	December	January	February	March	April	May	June
FY 2006	\$5,206.63	\$8,230.49	\$4,246.58	\$3,341.34	\$4,065.97	\$5,272.32	\$35,863.33	\$30,737.46	\$49,273.73	\$47,301.01	\$5,461.46	\$27,578.36
YTD	\$5,206.63	\$13,437.12	\$17,683.70	\$21,025.04	\$25,091.01	\$30,363.33	\$66,226.66	\$96,964.12	\$146,237.85	\$193,538.86	\$199,000.32	\$226,578.68
FY 2007	\$2,598.88	\$3,062.11	\$6,699.35	\$4,995.65	\$2,000.12	\$5,337.46	\$40,954.80	\$41,957.59	\$67,487.55	\$72,949.07	\$9,581.32	\$4,404.89
YTD	\$2,598.88	\$5,660.99	\$12,360.34	\$17,355.99	\$19,356.11	\$24,693.57	\$65,648.37	\$107,605.96	\$175,093.51	\$248,042.58	\$257,623.90	\$262,028.79
FY 2008	\$2,722.84	\$5,440.23	\$4,285.04	\$2,754.53	\$3,901.84	\$577.12	\$51,173.76	\$59,427.24	\$69,853.67	\$77,642.16	\$6,257.25	\$6,805.31
YTD	\$2,722.84	\$8,163.07	\$12,448.11	\$15,202.64	\$19,104.48	\$19,681.60	\$70,855.36	\$130,282.60	\$200,136.27	\$277,778.43	\$284,035.68	\$290,840.99
FY 2009	\$2,308.21	\$17,029.81	\$4,613.37	\$1,998.89	\$2,683.42	\$2,329.41	\$69,821.07	\$48,658.30	\$64,074.56	\$63,514.05	\$2,163.00	\$1,019.51
YTD	\$2,308.21	\$19,338.02	\$23,951.39	\$25,950.28	\$28,633.70	\$30,963.11	\$100,784.18	\$149,442.48	\$213,517.04	\$277,031.09	\$279,194.09	\$280,213.60
FY 2010	\$6,555.17	\$6,692.88	\$6,626.34	\$2,464.04	\$3,071.98	\$3,065.62	\$58,358.23	\$53,226.27	\$63,632.42	\$73,788.32	\$5,154.71	\$2,591.00
YTD	\$6,555.17	\$13,248.05	\$19,874.39	\$22,338.43	\$25,410.41	\$28,476.03	\$86,834.26	\$140,060.53	\$203,692.95	\$277,481.27	\$282,635.98	\$285,226.98
FY 2011	\$3,799.08	\$5,779.40	\$4,203.94	\$4,540.58	\$826.80	\$4,048.19	\$48,139.08	\$38,771.02	\$56,737.62	\$53,736.46	\$1,376.99	\$1,907.76
YTD	\$3,799.08	\$9,578.48	\$13,782.42	\$18,323.00	\$19,149.80	\$23,197.99	\$71,337.07	\$110,108.09	\$166,845.71	\$220,582.17	\$221,959.16	\$223,866.92
FY 2012	\$5,123.77	\$5,559.34	\$7,292.78	\$3,573.23	\$2,125.17	\$25,832.86	\$57,242.46	\$54,829.42	\$66,115.91	\$72,972.48	\$6,978.68	\$4,665.17
YTD	\$5,123.77	\$10,683.11	\$17,975.89	\$21,549.12	\$23,674.29	\$49,507.15	\$106,749.61	\$161,579.03	\$227,694.94	\$300,667.42	\$307,646.10	\$312,311.27
FY 2013	\$3,611.20	\$6,647.21	\$6,362.49	\$6,914.30	\$3,587.06	\$4,412.71	\$41,548.72	\$58,051.35	\$69,819.08	\$65,779.34	\$2,387.53	\$1,223.37
YTD	\$3,611.20	\$10,258.41	\$16,620.90	\$23,535.20	\$27,122.26	\$31,534.97	\$73,083.69	\$131,135.04	\$200,954.12	\$266,733.46	\$269,120.99	\$270,344.36
FY 2014	\$2,832.98	\$7,754.90	\$7,045.56	\$19,777.25	\$4,319.60	\$4,888.83	\$54,643.19	\$58,342.34	\$68,032.70	\$67,580.97	\$4,688.03	\$1,953.28
YTD	\$2,832.98	\$10,587.88	\$17,633.44	\$37,410.69	\$41,730.29	\$46,619.12	\$101,262.31	\$159,604.65	\$227,637.35	\$295,218.32	\$299,906.35	\$301,859.63
FY 2015	\$2,492.93	\$6,804.83	\$15,377.68	\$9,451.74	\$6,196.45	\$7,739.68	\$48,605.50	\$66,074.56	\$67,834.16	\$75,221.00	\$5,450.60	\$1,138.28
YTD	\$2,492.93	\$9,297.76	\$24,675.44	\$34,127.18	\$40,323.63	\$48,063.31	\$96,668.81	\$162,743.37	\$230,577.53	\$305,798.53	\$311,249.13	\$312,387.41
FY 2016	\$3,159.70	\$22,368.20	\$9,450.74	\$5,746.17	\$4,197.87	\$9,297.58	\$53,807.00	\$72,513.85	\$76,593.23	\$71,244.05	\$3,250.86	\$2,501.47
YTD	\$3,159.70	\$25,527.90	\$34,978.64	\$40,724.81	\$44,922.68	\$54,220.26	\$108,027.26	\$180,541.11	\$257,134.34	\$328,378.39	\$331,629.25	\$334,130.72
FY 2017	\$3,312.79	\$6,428.45	\$20,520.20	\$6,104.38	\$4,731.31	\$5,975.60						
YTD	\$3,312.79	\$9,741.24	\$30,261.44	\$36,365.82	\$41,097.13	\$47,072.73	\$47,072.73	\$47,072.73	\$47,072.73	\$47,072.73	\$47,072.73	\$47,072.73

Current month LT collections reflects money generated in the previous month.

Aug FY2016 includes \$15K late LT

Sept 2016-Approx \$3,261 is for Late Lodgers Tax

Sept 2017 includes \$10,172 in Late LT for FY2016

# VILLAGE OF TAOS SKI VALLEY

## GROSS RECEIPTS & LODGER'S TAX COLLECTION SUMMARY

Gross Receipts Tax  
CURRENT RATE = 8.8875%

## GROSS RECEIPTS

	July	August	September	October	November	December	January	February	March	April	May	June
FY 2006	\$33,641.60	\$22,262.09	\$25,181.86	\$31,212.23	\$62,459.42	\$47,324.74	\$43,923.25	\$139,874.26	\$112,375.79	\$110,299.40	\$165,260.42	\$27,589.18
YTD	\$33,641.60	\$55,903.69	\$81,085.55	\$112,297.78	\$174,757.20	\$222,081.94	\$266,005.19	\$405,879.45	\$518,255.24	\$628,554.64	\$793,815.06	\$821,404.24
FY 2007	\$49,871.45	\$34,078.55	\$36,243.65	\$49,758.67	\$39,527.57	\$35,791.82	\$34,561.38	\$149,069.79	\$134,953.15	\$155,909.24	\$169,491.55	\$43,203.86
YTD	\$49,871.45	\$83,950.00	\$120,193.65	\$169,952.32	\$209,479.89	\$245,271.71	\$279,833.09	\$428,902.88	\$563,856.03	\$719,765.27	\$889,256.82	\$932,460.68
FY 2008	\$20,214.64	\$49,552.50	\$30,529.91	\$18,716.47	\$24,225.26	\$23,499.17	\$50,734.80	\$146,293.94	\$160,211.63	\$167,362.79	\$212,589.13	\$20,102.55
YTD	\$20,214.64	\$69,767.14	\$100,297.05	\$119,013.52	\$143,238.78	\$166,737.95	\$217,472.75	\$363,766.69	\$523,978.32	\$691,341.11	\$903,930.24	\$924,032.79
FY 2009	\$5,978.98	\$31,604.97	\$36,411.72	\$34,168.28	\$36,755.21	\$36,869.62	\$81,443.70	\$194,410.32	\$178,012.59	\$176,315.78	\$191,892.82	\$36,332.99
YTD	\$5,978.98	\$37,583.95	\$73,995.67	\$108,163.95	\$144,919.16	\$181,788.78	\$263,232.48	\$457,642.80	\$635,655.39	\$811,971.17	\$1,003,863.99	\$1,040,196.98
FY 2010	\$32,800.00	\$38,773.70	\$39,381.43	\$61,759.08	\$56,887.02	\$54,858.12	\$42,174.35	\$223,797.16	\$189,376.01	\$176,576.34	\$221,448.63	\$59,190.36
YTD	\$32,800.00	\$71,573.70	\$110,955.13	\$172,714.21	\$229,601.23	\$284,459.35	\$326,633.70	\$550,430.86	\$739,806.87	\$916,383.21	\$1,137,831.84	\$1,197,022.20
FY 2011	\$31,002.86	\$62,982.96	\$26,127.83	\$33,610.96	\$60,913.74	\$74,949.02	\$42,282.39	\$171,246.82	\$139,053.09	\$142,336.03	\$154,287.41	\$27,928.23
YTD	\$31,002.86	\$93,985.82	\$120,113.65	\$153,724.61	\$214,638.35	\$289,587.37	\$331,869.76	\$503,116.58	\$642,169.67	\$784,505.70	\$938,793.11	\$966,721.34
FY 2012	\$64,073.01	\$26,203.38	\$23,181.89	\$42,430.30	\$60,186.45	\$32,954.89	\$47,797.29	\$207,267.40	\$162,805.78	\$182,358.83	\$200,924.87	\$42,673.54
YTD	\$64,073.01	\$90,276.39	\$113,458.28	\$155,888.58	\$216,075.03	\$249,029.92	\$296,827.21	\$504,094.61	\$666,900.39	\$849,259.22	\$1,050,184.09	\$1,092,857.63
FY 2013	\$36,835.14	\$20,863.12	\$45,705.38	\$27,699.69	\$66,674.98	\$48,677.59	\$50,727.81	\$178,549.60	\$163,125.28	\$166,032.40	\$203,817.88	\$21,818.85
YTD	\$36,835.14	\$57,698.26	\$103,403.64	\$131,103.33	\$197,778.31	\$246,455.90	\$297,183.71	\$475,733.31	\$638,858.59	\$804,890.99	\$1,008,708.87	\$1,030,527.72
FY 2014	\$32,785.51	\$20,399.76	\$33,382.63	\$32,521.83	\$42,153.17	\$47,625.85	\$41,859.55	\$187,697.06	\$165,940.26	\$157,119.60	\$217,538.39	\$33,070.40
YTD	\$32,785.51	\$53,185.27	\$86,567.90	\$119,089.73	\$161,242.90	\$208,868.75	\$250,728.30	\$438,425.36	\$604,365.62	\$761,485.22	\$979,023.61	\$1,012,094.01
FY 2015	\$50,101.37	\$20,302.81	\$45,180.40	\$67,963.83	\$54,978.94	\$102,903.79	\$88,137.83	\$228,895.80	\$200,123.07	\$208,944.00	\$231,566.84	\$70,845.96
YTD	\$50,101.37	\$70,404.18	\$115,584.58	\$183,548.41	\$238,527.35	\$341,431.14	\$429,568.97	\$658,464.77	\$858,587.84	\$1,067,531.84	\$1,299,098.68	\$1,369,944.64
FY 2016	\$37,891.82	\$20,239.04	\$97,742.38	\$25,839.07	\$197,397.64	\$95,985.99	\$224,614.99	\$103,161.00	\$166,682.00	\$180,838.00	\$201,624.53	\$38,366.93
YTD	\$37,891.82	\$58,130.86	\$155,873.24	\$181,712.31	\$379,109.95	\$475,095.94	\$699,710.93	\$802,871.93	\$969,553.93	\$1,150,391.93	\$1,352,016.46	\$1,390,383.39
FY 2017	\$119,909.94	\$55,423.48	\$87,873.13	\$142,357.47	\$41,995.22	\$148,618.10						
YTD	\$119,909.94	\$175,333.42	\$263,206.55	\$405,564.02	\$447,559.24	\$596,177.34	\$596,177.34	\$596,177.34	\$596,177.34	\$596,177.34	\$596,177.34	\$596,177.34

Current month GRT collections reflects money generated 2 months prior.

\* NOTE: Feb 2007-Sept. 2012: Includes NMFA loan pay deduction- Note starts again Aug 2016

**FY2017 TIDD GRT Distribution**

Date	VTSV Increment	State Increment	Admin Fees	Total TIDD	NMFA Offset	VTSV Net Cash Received
1/19/2016	32,967.85	26,339.42	(775.24)	58,532.03		224,614.99
2/15/2016	367,767.33	295,468.00	(5,720.59)	657,514.74		103,161.32
3/16/2016	52,544.37	18,074.14	(609.11)	70,009.40		166,682.00
4/14/2016	154,666.36	122,107.93	(2,387.25)	274,387.04		180,838.00
5/17/2016	233,430.58	187,540.49	(3,631.00)	417,340.07		201,624.53
6/15/2016	10,558.12	8,482.49	(164.24)	18,876.37		38,366.93
<b>TOTAL FY2016</b>	<b>851,934.61</b>	<b>658,012.47</b>	<b>(13,287.43)</b>	<b>1,496,659.65</b>		<b>915,287.77</b>

7/15/2016	227,768.50	180,136.30	(3,518.29)	404,386.51		119,909.94
8/23/2016	129,583.78	102,484.51	(2,001.66)	230,066.63	7,507.77	55,423.48
9/15/2016	127,005.96	100,445.77	(1,961.85)	225,489.88	7,507.77	80,365.36
10/15/2016	174,220.52	137,786.57	(2,691.14)	309,315.95	7,507.77	142,357.47
11/18/2016	-	-	-	-	7,507.77	34,487.45
12/15/2016	103,076.05	81,520.23	(1,592.19)	183,004.09	7,507.77	141,110.33

Chaz said TSVI did not pay Jayne's timely

<b>TOTAL</b>	<b>761,654.81</b>	<b>602,373.38</b>	<b>(11,765.13)</b>	<b>1,352,263.06</b>	<b>37,538.85</b>	<b>573,654.03</b>
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<b>TOTAL FY16 &amp; FY17</b>	<b>1,613,589.42</b>	<b>1,260,385.85</b>	<b>(25,052.56)</b>	<b>2,848,922.71</b>	<b>37,538.85</b>	<b>1,488,941.80</b>
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**Village Baseline**

Month GRT is Generated	Month GRT is Reported to State	Mth GRT is distributed fr State to Entities	Total	State	Village
December	January	February	371,622.37	201,645.53	169,976.84
January	February	March	328,741.64	178,378.07	150,363.57
February	March	April	310,404.18	168,428.01	141,976.17
March	April	May	429,910.95	233,273.42	196,637.53
April	May	June	64,234.89	34,854.41	29,380.48
May	June	July	93,353.53	50,654.43	42,699.09
June	July	August	40,142.02	21,781.41	18,360.61
July	August	September	89,560.14	48,596.11	40,964.03
August	September	October	134,697.23	73,087.89	61,609.34
September	October	November	108,590.92	58,922.38	49,668.54
October	November	December	204,035.98	110,711.70	93,324.28
November	December	January	174,517.70	94,694.82	79,822.88
<b>Total</b>			<b>2,349,811.54</b>	<b>1,275,028.17</b>	<b>1,074,783.36</b>

DMR Copy of Record

Permit  
Permit #: NM0022101  
Major: Yes

Permittee:  
Permittee Address:  
TAOS SKI VALLEY, VILLAGE OF  
7 FIREHOUSE RD.  
TAOS SKI VALLEY, NM 87525

Facility:  
Facility Location:  
TAOS SKI VALLEY, VILLAGE OF  
7 FIREHOUSE RD.  
38 OCEAN BLVD.  
TAOS SKI VALLEY, NM 87525

Permitted Feature: 001  
External Outfall

Discharge: 001-A  
TREATED MUNICIPAL WASTEWATER TO THE RIO HONDO

Report Dates & Status  
Monitoring Period: From 12/01/16 to 12/31/16

DMR Due Date: 01/15/17

Considerations for Form Completion

Principal Executive Officer

First Name: Raymond  
Last Name: Keen

No Data Indicator (NODI)

Form NODI:

Code	Parameter Name	Monitoring Location Season # Param. NODI	Quantity or Loading				Quality or Concentration				Units	# of Ex. Frequency of Analysis Sample Type
			Qualifier 1	Value 1	Qualifier 2	Value 2	Qualifier 1	Value 1	Qualifier 2	Value 2		
00310 BOD, 5-day, 20 deg. C	1 - Effluent Gross	0	Sample	0.7	23.8 30DA AVG <=	1.27	35.7 7 DA AVG 26 - lb/d	26 - lb/d	=	19 - mg/L	0430 - Four Per Month 06 - COMP-6	
			Permit Req.									
			Value NODI									
00400 pH	1 - Effluent Gross	0	Sample	0.14	23.8 30DA AVG <=	0.22	35.7 7 DA AVG 26 - lb/d	26 - lb/d	=	12 - SU	0230 - Twice Per Month 06 - COMP-6	
			Permit Req.									
			Value NODI									
00530 Solids, total suspended	1 - Effluent Gross	0	Sample	0.57	13.65 30DA AVG <=	1.05	20.5 7 DA AVG 26 - lb/d	26 - lb/d	=	19 - mg/L	0230 - Twice Per Month 06 - COMP-6	
			Permit Req.									
			Value NODI									
00600 Nitrogen, total (as N)	1 - Effluent Gross	0	Sample	0.18	5.34 30DA AVG <=	0.28	5.34 7 DA AVG 26 - lb/d	26 - lb/d	=	19 - mg/L	0430 - Four Per Month 06 - COMP-6	
			Permit Req.									
			Value NODI									
00610 Nitrogen, ammonia total (as N)	1 - Effluent Gross	0	Sample	0.02	1.2 7 DA AVG <=	0.05	1.2 7 DA AVG 26 - lb/d	26 - lb/d	=	19 - mg/L	0430 - Four Per Month 06 - COMP-6	
			Permit Req.									
			Value NODI									
00665 Phosphorus, total (as P)	1 - Effluent Gross	0	Sample	0.047	Req Mon 30DA AVG	=	0.071	Req Mon 7 DA AVG	=	03 - MGD	0101 - Daily	
			Permit Req.									
			Value NODI									
50050 Flow, in conduit or thru treatment plant	1 - Effluent Gross	0	Sample	19 INST MAX	8 - Other (See Comments)	=	19 INST MAX	8 - Other (See Comments)	=	28 - ug/L	0101 - Daily	
			Permit Req.									
			Value NODI									
50060 Chlorine, total residual	1 - Effluent Gross	0	Sample	32 - CFU/100mL	32 - CFU/100mL	=	32 - CFU/100mL	32 - CFU/100mL	=	32 - CFU/100mL	0230 - Twice Per Month GR - GRAB	
			Permit Req.									
			Value NODI									
51040 E. coli	1 - Effluent Gross	0	Sample	200 30DAVGE0	200 30DAVGE0	=	200 30DAVGE0	200 30DAVGE0	=	32 - CFU/100mL	0230 - Twice Per Month GR - GRAB	
			Permit Req.									
			Value NODI									
74055 Coliform, fecal general	1 - Effluent Gross	0	Sample	400 DAILY MX	400 DAILY MX	=	400 DAILY MX	400 DAILY MX	=	32 - CFU/100mL	0230 - Twice Per Month GR - GRAB	
			Permit Req.									
			Value NODI									

Submission Note

If a parameter row does not contain any values for the Sample nor Effluent Trading, then none of the following fields will be submitted for that row: Units, Number of Excursions, Frequency of Analysis, and Sample Type.

Edit Check Errors

No errors.

Comments

50060: Chlorine is not used in process; therefore it is not measured

Attachments

No attachments.

Report Last Saved By

TAOS SKI VALLEY, VILLAGE OF

User: rmarin@visv.org

Name: Ruth Martin

E-Mail: rmarin@visv.org

Date/Time:

2017-01-12 12:23 (Time Zone: -06:00)

Status: NotDMR Validated

Telephone: 575-776-8220

Title: Public Works Director

Village of Taos Ski Valley  
Village Council  
Agenda Item

AGENDA ITEM TITLE: Consideration to Appoint a Representative to the Holy Cross Hospital Nominating Committee

DATE: January 17, 2017

PRESENTED BY: Mayor Neal King

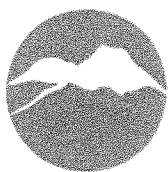
STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: Holy Cross Hospital is requesting that the Village Council appoint a representative to serve on the 9-member Nominating Committee. The Committee will meet several times to consider names of community-minded persons willing to serve on the Hospital's 13 member Board.

RECOMMENDATION: Kathy Bennett has agreed to be the representative on the nominating committee. Discussion and Appointment of Kathy Bennett to serve as the Village of Taos Ski Valley's representative on the Holy Cross Hospital Nominating Committee.

*-- Providing infrastructure & services to a World Class Ski Resort Community --*



# Holy Cross Hospital

Taos Health Systems

January 4, 2017

Mr. Neal King, Mayor  
Taos Ski Valley  
P.O. Box 100  
Taos Ski Valley, NM 87525

Dear Mr. King:

The Holy Cross Hospital Board of Trustees is once again selecting prospective Trustees to serve on our 13 member board. This involves the Taos Ski Valley.

The Board would like you to once again select one person to serve on our 9 member Nominating Committee for a one (1) year term. This committee will meet several times to consider names of community minded persons who would be willing to serve on the Hospital Board.

The slate of nominees will be due to the full hospital board by **May 9, 2017**. Thus, we would like your representative to be selected by **February 17, 2017**. A Nominating Committee meeting will be held in early March to orient the members to the process and the procedures for the selection of nominees. Please provide contact information for your representative as we will need to contact them regarding the meeting dates. It is very important that your representative attend these meetings.

Please inform our office at 575-751-5766 or e-mail Lenora Cisneros, Sr. Executive Assistant at [lcisneros@taoshospital.org](mailto:lcisneros@taoshospital.org), once you have identified a willing representative.

If you have any questions, please do not hesitate to call me at 751-5714.

Sincerely,

Bill Patten  
Chief Executive Officer

Village of Taos Ski Valley  
Village Council  
Agenda Item

**AGENDA ITEM TITLE:**

Consideration to Appoint an Elected Official Representative to North Central New Mexico Economic Development District (NMNMEDD) Board of Directors

**DATE:** January 17, 2017

**PRESENTED BY:** Mayor Neal King

**STATUS OF AGENDA ITEM:** New Business

**CAN THIS ITEM BE RESCHEDULED:** Not recommended

**BACKGROUND INFORMATION:** Councilor Wiard previously represented the Village of Taos Ski Valley on the Board of the North Central New Mexico Economic Development District. The North Central New Mexico Economic Development District (NCNMEDD) is “an association of local units of government and other organizations created to encourage and allow regional cooperation on a multitude of issues”, according to its web site. NCNMEDD was created originally to serve the eight counties of Colfax, Los Alamos, Mora, Rio Arriba, San Miguel, Sandoval, Santa Fe, and Taos. Councilor Wiard represented Taos County on the Board, along with State Representative Roberto Gonzales, Red River Mayor Linda Calhoun, and Taos County Commissioner Gabriel Romero. The new Administrative Assistant at NCNMEDD contacted Administrator Fratrack recently to ask if a representative of the Village of Taos Ski Valley would be attending their meetings.

**RECOMMENDATION:** Discussion and appointment of an elected official as representative to the North Central New Mexico Economic Development District (NMNMEDD) Board of Directors

*-- Providing infrastructure & services to a World Class Ski Resort Community --*

Village of Taos Ski Valley  
Village Council  
Agenda Item

**AGENDA ITEM TITLE:** Consideration to Participate in the New Mexico Municipal League (NMML) 28<sup>th</sup> Annual Municipal Day

**DATE:** January 17, 2017

**PRESENTED BY:** Mayor Neal King

**STATUS OF AGENDA ITEM:** New Business

**CAN THIS ITEM BE RESCHEDULED:** Not recommended

**BACKGROUND INFORMATION:** The New Mexico Municipal League (NMML) holds an annual Municipal Day in conjunction with the Legislative Session. Legislators are invited to join a reception sponsored by the NMML on February 21, 2017, and there is a Municipal Day Session and luncheon on February 22, 2017. This is an opportunity to network with State Legislators to discuss the Village of Taos Ski Valley projects, goals and funding requirements, as well as to interact and meet fellow municipal Mayors and Council members.

**RECOMMENDATION:** Recommend Mayor/Council Participation in the New Mexico Municipal League (NMML) 28<sup>th</sup> Annual Municipal Day

*-- Providing infrastructure & services to a World Class Ski Resort Community --*





## 28<sup>th</sup> Annual Municipal Day

To: **ALL MUNICIPAL OFFICIALS**  
From: William F. Fulginiti, Executive Director  
Date: January 11, 2017

The 2017 Legislature convenes on Tuesday, January 17<sup>th</sup>. In conjunction with the 60-day Legislative Session, we have scheduled our **28<sup>th</sup> Annual Municipal Day for Wednesday, February 22<sup>nd</sup> in Santa Fe** at the La Fonda Hotel on the Plaza. Legislators will be invited to join us for a Reception on Tuesday evening, February 21<sup>st</sup>. (*Functions listed below.*)

<b>Tuesday, February 21<sup>st</sup></b>	Registration & Reception	5:30 p.m.
<b>Wednesday, February 22<sup>nd</sup></b>	Registration	9:00 a.m.
	Continental Breakfast	9:00 a.m.
	Municipal Day Session	10:00 a.m. – 12:00 p.m.
	Lunch	12:00 p.m.

**HOTEL RESERVATIONS:** In order to ensure accommodations at this special rate, reserve your hotel room before Tuesday, February 7<sup>th</sup> since our *room blocks may sell out prior to the 7<sup>th</sup>*. **After February 7<sup>th</sup>, rooms are on an availability basis at regular rates.** Call the hotel of your choice and ask for the **NEW MEXICO MUNICIPAL LEAGUE ROOM BLOCK**.

### LA FONDA HOTEL (*Headquarters*)

100 East San Francisco Street / 800-523-5002, ext. 1 or 505-982-5511 / [www.lafondasantafe.com](http://www.lafondasantafe.com)

CUT-OFF DATE: 12:00 Noon/Tuesday, February 7<sup>th</sup>  
RATE: \$100.00 + Tax – Single or Double up to two persons  
Additional \$15/person/Night (after two)  
Parking Fee: \$10 for overnight guests or \$2.50/hr with max of \$10 for day guests  
Cancellation Policy: 48 hours prior to arrival

### HOTEL CHIMAYO

125 Washington Avenue / 855-752-9273 or 505-988-4900 / [www.hotelchimayo.com](http://www.hotelchimayo.com)

CUT-OFF DATE: Tuesday, February 7<sup>th</sup>  
RATE: 100.00 + Tax – Single or Double  
Parking Fee: Complimentary  
Cancellation Policy: 72 hours prior to arrival (by 3:00 p.m.)

If you have any questions, please contact us. Hope to see you in Santa Fe next month.

#### **NMML REGISTRATION/CANCELLATION POLICY:**

- After February 15<sup>th</sup> you **must** register on-site.
- Cancellations must be received in writing by February 15<sup>th</sup>.
- A \$25 fee charged for all cancellations.
- No refunds after February 15<sup>th</sup>.
- No partial refunds.
- Pre-registered no shows are responsible for full registration fee.
- Credit card transaction(s) processed immediately.
- Receipts available upon registration check-in.
- Registration confirmations will be emailed.
- Policy also applies to Spouse/Guest Registrants.
- Weather related no shows will be charged \$25.
- By submission of this form, I agree to all registration/cancellation policies.

Mark G. Fratrack  
Village Administrator  
Village of Taos Ski Valley Council  
Monthly Briefing  
January 17, 2017



**\* Ongoing & Past Projects \***

1. **Townsite Act** – FS still waiting on final plats for review. SE Group suggesting we set up another meeting with FS to discuss the timeline and way forward.
2. **Appraisal** – VTSV piece of property in Bull of the Woods Canyon. Should we get it appraised in case we want to swap, but more so to sell it?
3. **Mt. Pact Thank You Letter** – The purpose of these letters is to thank our Senators and Representative for supporting the outdoor recreation economy and build accountability for the completion of the Bureau of Economic Analysis study. (Outdoor REC act background attached)
4. **Police Station Upgrade** – Chief Bilardello and I met with Mickey Blake. Mickey is supportive of a slightly larger Police Station. He would like to see the proposal and possibly nominal charge for the leased space.
5. **Taos Mountain Lodge – No new update** Previously: Met with the NM DOT District Engineer concerning the placement of our holding tanks. Also talked with them about the longer term vision of water/sewer lines to the Amizette area. They seem to be open to the location of the tanks and they have requested a preliminary design on water/sewer line in Amizette.
6. **Kachina Water Tank** – Ready to go out for bids. Construction could start late spring early summer.
7. **Tagging** – A citizen alerted us to a couple of electric utility boxes that have been “tagged”. We’re taking immediate steps to paint over them.
8. **WWTP/WWTP Financing Options** – Met with USDA to discuss loan options. GKB still researching best options for the Village. MBR equipment RFP completed; on agenda for approval.
9. **EB Road** – Appraisal services RFP complete, on agenda for approval. Final engineering & construction, when it takes place, will be passed over to TSVI as part of the TIDD infrastructure improvements.
10. **Village Server Reorganization** – Ruth spearheaded the reorganization of the Village server. We had a couple planning meetings, got input from all the staff, and put it into practice.

**\* Department Briefs \***

- **Dept. of Public Safety Update:** (Andy Bilardello)
- **P&Z Update:** (Bill Jones & Adrienne Anderson)
- **Public Utilities Dept. Update:** (Ray Keen)
- **Village Clerk:** (Ann Marie Wooldridge)
- **Legal Update:** (Dennis Romero)



# The Mountain Pact

## Policy Backgrounder: Outdoor REC Act January 2017

### **What is the “Outdoor Recreation Jobs and Economic Impact Act”?**

In November 2016, the U.S. House of Representatives and U.S. Senate passed the Outdoor Recreation Jobs and Economic Impact Act (“Outdoor REC Act”) of 2016. This bill directs the U.S. Department of Commerce to enter into a joint memorandum with the Department of Agriculture and the Department of the Interior to conduct, acting through the Bureau of Economic Analysis, an assessment and analysis of the outdoor recreation economy of the United States and the effects attributable to it on the overall U.S. economy.

### **Why is it important to measure the outdoor economy?**

Outdoor recreation is an economic powerhouse in the United States, contributing an estimated \$646 billion to the US economy with 6.1 million direct Americans jobs – almost equal to pharmaceuticals and motor vehicle sales and parts combined.<sup>1</sup> Most of this outdoor recreation takes place on public lands and waters. For mountain communities surrounded by and serving as the gateway to public lands, the employment and business opportunities stemming from outdoor recreation are a core economic driver. However, until the recent passage of the Outdoor REC Act, the federal government did not measure the outdoor recreation industry as it does the outputs of other economic sectors -- ignoring a critical contributor to local jobs.

The Outdoor REC Act directs the Department of Commerce (via the Bureau of Economic Analysis) to coordinate with the Department of Agriculture and the Department of the Interior in an effort to measure the outdoor recreation economy’s contribution to the overall U.S. economy (i.e. GDP). Once the federal government fully understands and records the economic benefits of outdoor recreation, proponents of public lands protection, multiple use, restoration and access will have critical data point to inform public conversations about management of public lands.

### **Why does this matter to mountain communities?**

Outdoor recreation is a key economic driver for mountain communities, including those engaged with The Mountain Pact. It is often at the core of the community, the reason why so many of us choose to live in these towns. The outdoor economy encompasses not only the spending and jobs that result from tourism and outdoor recreation, but also the quality of life benefits that attract workers and businesses to communities with outdoor amenities, the health benefits associated with outdoor activities, and the benefits to the local tax base.

If we truly understood the value of public lands, we would hope that federal decision-makers would weigh decisions about these places more carefully. Once the federal government fully recognizes and records the economic benefits of outdoor recreation – just as it does every other major industry contributing to the GDP – communities dependent on outdoor recreation and surrounded by public lands will gain leverage in urging the government to invest in the maintenance of the land and water resources on which the outdoor industry relies. This is especially true given the great challenges we face in the work of mitigating environmental degradation from climate change and irresponsible development, and given the ongoing challenge of securing adequate public investment to provide sustainable, high-quality outdoor recreation infrastructure that enables access without compromising the landscape. This research and shift in thinking will unlock new opportunities for both environmental conservation and economic growth in the Intermountain West.

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<sup>1</sup> Outdoor Industry Association. The Outdoor Recreation Economy Report. 2012. Available at: [https://outdoorindustry.org/images/researchfiles/OIA\\_OutdoorRecEconomyReport2012.pdf](https://outdoorindustry.org/images/researchfiles/OIA_OutdoorRecEconomyReport2012.pdf)

Village of Taos Ski Valley  
Village Council  
Agenda Item

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

DATE: January 17, 2017

PRESENTED BY: Dennis Romero and Bill Jones

STATUS OF AGENDA ITEM: Old business

CAN THIS ITEM BE RESCHEDULED: Yes

BACKGROUND INFORMATION: In April, 2016, the Village Planning Department approved a lot line adjustment of several Dominguez Trust properties located in Amizette. 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. Thus, the purpose of the Resolution is to ratify the action taken by the Village Planning Department to relocate Emma and Gusdorf.

In addition to the Ratification, the Dominguez Trust is also 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 similarly involve the conveyance of title to the Village from the Dominguez Trust for the relocated streets on the Dominguez property.

The proposed Emma Road relocation has generated concern among some of the nearby property owners. The potential for opposition prompted staff to undertake a comprehensive notification to all owners in the area of the proposed road relocation. Staff is informed that Dominguez Trust is working diligently to resolve the neighbors' concerns. In this regard, Dominguez Trust has agreed to staff's request to postpone Village Council's consideration of the resolution ratifying the Planning Department's administrative approval of the lot line adjustment. The postponement is intended to give Dominguez Trust sufficient time to address and resolve all issues with the neighbors prior to Village Council's consideration and action on this item.

RECOMMENDATION:

Staff recommends approval of **Resolution No. 2017-321** .

## **VILLAGE OF TAOS SKI VALLEY**

### **RESOLUTION NO. 321 REGARDING RATIFICATION OF THE VACATION AND RELOCATION OF PORTIONS OF EMMA STREET AND GUSDORF STREET WITHIN AMIZETTE**

WHEREAS certain streets situated within the area of Amizette, being specifically Emma Street and Gusdorf Street, appear as depicted in that particular plat of survey of Amizett [sic] by J. A. Burns, dated October, 1946 and filed with the office of the Taos County Clerk in Cabinet B Page 3-B; and,

WHEREAS the Village has not accepted, maintained, improved, or otherwise utilized Emma Street and Gusdorf Street as platted in the Burns survey; and,

WHEREAS certain existing roadways in the area of the Dominguez Trust parcels are situated outside the areas of the platted streets in the area of Amizette and have been utilized for ingress and egress to properties in the area; and,

WHEREAS in 2015, property owner Dominguez Trust applied for a lot line adjustment of its parcels of real property situated in Amizette, being specifically Adjusted Lot 1, Block 5; Adjusted Lot 7, Block 3; Adjusted Lot 11, Block 6; and Lot 6, Block 3; and,

WHEREAS as part of its application the Dominguez Trust requested that the Village abandon and relocate portions of Emma Street and Gusdorf Street in the manner depicted in that particular Boundary Survey Plat for Dominguez Trust by Red Tail Surveying, Inc. dated December 8, 2015; and,

WHEREAS in April, 2016, the Village Planning Department issued administrative approval of the Dominguez Trust application;

**NOW THEREFORE BE IT RESOLVED BY THE VILLAGE COUNCIL OF  
THE VILLAGE OF TAOS SKI VALLEY:**

1. That the Village of Taos Ski Valley does hereby ratify by this resolution the abandonment and relocation of Emma Street and the abandonment of that portion of Gusdorf Street that runs east from its intersection with Emma Street, all as depicted in the Boundary Survey Plat for Dominguez Trust by Red Tail Surveying, Inc. dated December 8, 2015.

2. That this resolution shall take effect immediately upon its adoption.

3. That the adoption of this Resolution shall not negate the Dominguez Trust's obligations to abide by all applicable building codes and Village ordinances relative to the relocation and improvement of Emma Street and to the establishment of a new right of way from State Highway 150 to the relocated Emma Street.

4. That the Mayor of the Village of Taos Ski Valley is hereby authorized to execute and deliver a quitclaim deed to the Dominguez Trust for the vacated portion of Emma Street that lies within Adjusted Lot 11, Block 6, in exchange for the execution and delivery to the Village from the Dominguez Trust for the new re-aligned portion of Emma Street.

THE VILLAGE OF TAOS SKI VALLEY

By: \_\_\_\_\_  
Neil King, Mayor

SEAL  
ATTEST

\_\_\_\_\_  
Ann Marie Wooldridge, Clerk

Vote: For \_\_\_\_\_ Against \_\_\_\_\_

Village of Taos Ski Valley  
Village Council  
Agenda Item

**AGENDA ITEM TITLE:** Consideration to Approve Amended and Restated Master Development Agreement (MDA) adopted by the Amended and Restated Resolution No. 2015-275 Approving the Application for Formation of the Village of Taos Ski Valley (VTSV) Tax Increment Development District (TIDD), etc.

**DATE:** January 17, 2017

**PRESENTED BY:** Mark G. Fratrack

**STATUS OF AGENDA ITEM:** Old Business

**CAN THIS ITEM BE RESCHEDULED:** Not recommended

**BACKGROUND INFORMATION:**

As part of the VTSV Tax Increment Development District (TIDD) formation, a MDA was adopted through Amended and Restated Resolution No. 2015-275. The applicant, which includes Twining Development, LLC ("Twining") and Taos Ski Valley, Inc. ("TSVI") and Twining, has brought forward an updated and amended MDA.

**ADDITIONAL INFORMATION:**

1. The PID is no longer mentioned as a party to the agreement. The document only references the PID in two instances:
  - a. Acknowledges TSVI may attempt to form a PID at some point in the future.
  - b. States that if a PID is ever formed that it can be used to reimburse us for unreimbursed costs of improvements that are dedicated before its formation (e.g. the natural gas line).
2. The document includes a full one year warranty from the time the improvements are transferred to the Village:
  - a. TSVI will assign the remainder of the Jaynes warranty to the Village at the time of dedication
  - b. If the Jaynes warranty expires before the one year term expires and an issue comes up – TSVI will pay for it and include it as reimbursable from the TIDD.
3. An updated and more comprehensive Plan of Finance is included as an exhibit to the document. It lists out the projects TSVI/VTSV jointly have identified and reflects current thinking on financing.

Actual verbiage might read a little different in the actual documents but will maintain the integrity of the recommendations presented.

**RECOMMENDATION:** Staff Recommends Approval

Village of Taos Ski Valley  
Village Council  
Agenda Item

**AGENDA ITEM TITLE:** Consideration to Approve Natural Gas Line Improvements and Related Portions of Underground Trench Improvements Assignment of Infrastructure and Permit Rights, from the Village of Taos Ski Valley to NM Gas Company

**DATE:** January 17, 2017

**PRESENTED BY:** Mark G. Fratrack

**STATUS OF AGENDA ITEM:** Old Business

**CAN THIS ITEM BE RESCHEDULED:** Not recommended

**BACKGROUND INFORMATION:**

To qualify for TIDD financing, TSVI needs to transfer ownership of the natural gas component of the State Road 150 utility trench to the Village. Since the ultimate owner of the improvement is NM Gas Company, the assignment of the infrastructure from the Village to NM Gas needs to be executed. The assignment incorporates comments from NM Gas Company. They have approved the document for signing.

**RECOMMENDATION:** Staff Recommends Approval of Natural Gas Line Improvements and Related Portions of Underground Trench Improvements Assignment of Infrastructure and Permit Rights, from the Village of Taos Ski Valley to NM Gas Company



## **DEDICATION, BILL OF SALE, ASSIGNMENT OF PERMIT RIGHTS AND AGREEMENT**

THIS DEDICATION, BILL OF SALE, ASSIGNMENT OF PERMIT RIGHTS AND AGREEMENT (the "Dedication") by Taos Ski Valley, Inc., a New Mexico corporation ("TSVI") the Village of Taos Ski Valley (the "Village"),

WITNESSETH:

TSVI for full, good and valuable consideration, in the sum of \$1.00 (one dollar), the receipt and adequacy of which is hereby acknowledged, and for the following mutual covenants of the parties, , does hereby dedicate to the Village the following infrastructure improvements, as more particularly described in Exhibit A attached hereto (the "Improvements"):

Natural gas trunk line improvements and related portions of underground trench improvements (the "Improvements").

A schedule of the costs of the Improvements is attached hereto as Exhibit B.

TSVI hereby represents for the benefit of the Village and its assigns (specifically New Mexico Gas Company) that it owns good and merchantable title, free and clear of all liens and encumbrances, to the personal property and holds all necessary permit rights in the real property on which the Improvements have been constructed, as shown in the diagrams attached hereto as Exhibit A.

TSVI understands and agrees that, following dedication of the Improvements to the Village, the Village will assign all its right, title and interest in and to the Improvements to New Mexico Gas Company for the purpose of providing natural gas service to the Village and its residents.

The Village hereby acknowledges and agrees to accept from TSVI the delivery and assignment of all permit rights, contracts, documents, agreements, material receipts, and warranties, used, executed, or received for the construction of the Improvements from the contractor/constructor of the Improvements. TSVI hereby affirms and warrants to the Village that all payments due to material suppliers, contactors, laborers, or other persons furnishing materials or services for the Improvements are paid in full and there are no outstanding balances of amounts due or liens attached to or that will be attached to the Improvements.

No modification of this Dedication is binding upon either party, their successors, or assigns unless it be in writing, signed and dated by a duly authorized representative of both parties.

Both TSVI and the Village and their respective signatories represent and warrant that they are authorized to enter into and duly sign and acknowledge this instrument and convey, assign and grant the interests conveyed, assigned and granted by this instrument.

This instrument is intended to facilitate the reimbursement of TSVI for the costs of the Improvements dedicated hereunder by the Village of Taos Ski Valley Tax Increment Development District, and nothing herein shall be construed as limiting the eligibility of TSVI for such reimbursement, including, without limitation, the consideration paid by the Village recited above.

This instrument is effective as of the date and time of its recordation in the real property records of Taos County, New Mexico.

TAOS SKI VALLEY, INC.

VILLAGE OF TAOS SKI VALLEY

By \_\_\_\_\_  
Authorized Officer

By \_\_\_\_\_  
Mayor

Date: \_\_\_\_\_, 2016

Date: \_\_\_\_\_, 2016

Exhibit A

(1) 2-IN I.D. MDPE SDR 11 GAS  
SERVICE LINE TO ALPINE VILLAGE SUITES

UNDERGROUND NATURAL GAS  
(1) 7-IN O.D. MDPE SDR 11 GAS LINE

UNDERGROUND NATURAL GAS  
(1) 4-IN I.D. MDPE SDR 11 GAS LINE

GAS METER LOCATI  
(1) 4-IN I.D. MDPE SDR  
GAS COMBINED SERV  
LINE TO THE BLAKE A  
RESORT CENT

SUTTON PLACE

UNDERGROUND NATURAL GAS  
(1) 7-IN O.D. MDPE SDR 11 GAS LINE

UNDERGROUND NATURAL GAS  
(1) 4-IN I.D. MDPE SDR 11 GAS LINE

EDELWEISS LODGE  
AND SPA

GAS METER LOCATION  
(1) 2-IN I.D. MDPE SDR 11 GAS  
SERVICE LINE TO EDELWEISS

TE

LAKE FORK CREEK

TAOS SKI VALLEY, INC  
ROUTE 150 JOINT UNDERGROUND UTILITY PROJECT

Exhibit B  
December 7, 2016

Cost Allocation									
Item	Quantity	Unit	Labor	Matrl	L+M	Total Cost	Electric	Gas	Fiber
<b>Trenching, bedding, crossings &amp; roadwork</b>									
(49x48) (DxW)	41,668	feet	90	0	90	\$ 3,811,740	\$ 1,270,580	\$ 1,270,580	\$ 1,270,580
(48x24) (DxW)	1,908	feet	90	0	90	\$ 389,759		\$ 389,759	
(19x12) (DxW)	6,333					\$ 69,663	\$ 69,663		
(48x30) (DxW)	48					\$ 4,080	\$ 2,040	\$ 2,040	
(65x48) (DxW)						\$ 6,210		\$ 6,210	
(36x24) (DxW)						\$ 3,720	\$ 1,240	\$ 1,240	\$ 1,240
Gavilan crossing	200					\$ 58,200	\$ 19,400	\$ 19,400	\$ 19,400
Little Creek crossing						\$ 25,000	\$ 8,333	\$ 8,333	\$ 8,333
Big Creek crossing						\$ 25,000	\$ 8,333	\$ 8,333	\$ 8,333
Yerba crossing						\$ 62,520	\$ 20,840	\$ 20,840	\$ 20,840
Manzanita crossing						\$ 16,800	\$ 5,600	\$ 5,600	\$ 5,600
Italianos crossing						\$ 40,800	\$ 13,600	\$ 13,600	\$ 13,600
Rock Adder	30,000	feet	25	0	25	\$ 122,025	\$ 40,675	\$ 40,675	\$ 40,675
Bedding	13,880	Cu yd.	10	20	30	\$ 208,838	\$ 69,613	\$ 69,613	\$ 69,613
Pavement Repair	250	feet	150	3,500	3,650	\$ 614,635	\$ 204,878	\$ 204,878	\$ 204,878
Driveway Repair	250	feet	600	1,500	2,100	\$ 35,000	\$ 11,667	\$ 11,667	\$ 11,667
2" Warning Tape	48,227	feet	0	0	0	\$ 101,517	\$ 33,839	\$ 33,839	\$ 33,839
Over Excavation		feet			0	\$ 41,750	\$ 41,750	\$ -	\$ -
Culvert Crossings		ea.			0	\$ 47,250	\$ 15,750	\$ 15,750	\$ 15,750
Cement Foundations		ea.			0	\$ 9,000	\$ 9,000	\$ -	\$ -
Standby		ea.			0	\$ 15,000	\$ 5,000	\$ 5,000	\$ 5,000
Pot Holing		ea.			0	\$ 1,700	\$ 567	\$ 567	\$ 567
Parking Lot Cleanup		ea.			0	\$ 136,618	\$ 45,539	\$ 45,539	\$ 45,539
Austing Haus						\$ 8,874	\$ 2,958	\$ 2,958	\$ 2,958
remove existing 500mcm						\$ 31,094	\$ 31,094	\$ -	\$ -
Other		ea.			0	\$ 46,914	\$ 15,638	\$ 15,638	\$ 15,638
Traffic Control		Highway Supply				\$ 453,000	\$ 151,000	\$ 151,000	\$ 151,000
Trenching subtotal						\$ 6,386,706	\$ 2,098,597	\$ 2,343,059	\$ 1,945,050
<b>Junctions, Junction Boxes, Terminations (Electrical)</b>									
UM33	2	ea.	1,000	1,552	2,552	\$ -	\$ -	\$ -	\$ -
UM33-MS (J-Box)	82	ea.	550	4,706	5,256	\$ 345,370	\$ 345,370	\$ -	\$ -
UM48-1&2	82	ea.	250	24	274	\$ 13,550	\$ 13,550	\$ -	\$ -
UM1-7C	2	ea.	800	0	800	\$ -	\$ -	\$ -	\$ -
UM6-22M (600A)	252	ea.	200	794	994	\$ 5,775	\$ 5,775	\$ -	\$ -
Junction boxes subtotal						\$ 364,695	\$ 364,695	\$ -	\$ -
<b>Electrical and Communications Conduit and Hand Holds</b>									
4" Sch 40 PVC	250,008	feet	2	2	4	\$ 1,071,814	\$ 714,543	\$ -	\$ 357,271
3" Sch 40 PVC	5,531					\$ 6,648			\$ 6,648
4" Sweeps (3' rad)	30	ea.	50	20	70	\$ 1,400	\$ 933	\$ -	\$ 467
UR5 6" Steel Casing	250	feet	800	300	1,100	\$ 8,229	\$ 8,229	\$ -	\$ -
UR5 - 10" Steel Casing	500	feet	1,200	600	1,800	\$ 22,800	\$ -	\$ 22,800	\$ -
UR-16" Steel Casing	250	feet	1,500	800	2,300	\$ 9,305	\$ 6,204		\$ 3,102
Comm Hand Holes	18		2,000	6,000	8,000	\$ 37,975	\$ -	\$ -	\$ 37,975
Conduit subtotal						\$ 1,158,172	\$ 729,909	\$ 22,800	\$ 405,463
<b>Electrical conductor and other</b>									
500AL mcm 260mil	146,000	feet	3	5	8	\$ 152,806	\$ 152,806	\$ -	\$ -
4/0 UG 260 mil	2,990	feet				\$ 5,478	\$ 5,478	\$ -	\$ -
1/0 CLX 260mil	6,520	feet				\$ 223,468	\$ 223,468	\$ -	\$ -
Switch Gear	1	ea.	10,000	25,000	27,000	\$ -	\$ -	\$ -	\$ -
UM6-3 (600A)	264	ea.	225	96	321	\$ 15,120	\$ 15,120	\$ -	\$ -
UM6-11 (600A)	135	ea.	50	55	105	\$ -	\$ -	\$ -	\$ -
UM6-10 (200A)						\$ 1,050	\$ 1,050	\$ -	\$ -
UM6-1(4/0)						\$ 900	\$ 900	\$ -	\$ -
UM6-28						\$ 1,530	\$ 1,530	\$ -	\$ -
UM6-34	135	ea.	50	105	155	\$ 1,620	\$ 1,620	\$ -	\$ -
PME site work						\$ 20,405	\$ 20,405	\$ -	\$ -
transformer						\$ 2,200	\$ 2,200	\$ -	\$ -
fiber installation						\$ 5,386	\$ -	\$ -	\$ 5,386
WESCO material (section 7 only)						\$ 563,462	\$ 375,641	\$ -	\$ 187,821
Other (J&D)						\$ 16,084	\$ 16,084	\$ -	\$ -
Electrical subtotal						\$ 1,009,509	\$ 816,302	\$ -	\$ 193,207
<b>Gas line</b>									
6" poly line	48,275	feet			36.6	\$ 1,522,058	\$ -	\$ 1,522,058	\$ -
<b>Soft Costs</b>									
Engineering & Mgmt		T&D Svs				\$ 1,669,568	\$ 556,523	\$ 556,523	\$ 556,523
Environmental/Permitting/Survey		Glorieta Geo/SE Group/Red Tail				\$ 213,000	\$ 71,000	\$ 71,000	\$ 71,000
Legal		Modrall/Canepa				\$ 85,000	\$ 28,333	\$ 28,333	\$ 28,333
Admin & LOC Fees		BPM/JPM Chase				\$ 20,000	\$ 3,000	\$ 14,000	\$ 3,000
BPM O/H Allocation (1.5%)						\$ 200,000	\$ 66,667	\$ 66,667	\$ 66,667
						\$ 2,187,568	\$ 725,523	\$ 736,523	\$ 725,523
<b>Sub-total</b>						\$ 12,628,708	\$ 4,735,026	\$ 4,624,440	\$ 3,269,243
NMGRT (unallocated above)						\$ 473,411	\$ 177,501	\$ 173,356	\$ 122,554
<b>TOTAL COSTS</b>						\$ 13,102,120	\$ 4,912,527	\$ 4,797,795	\$ 3,391,797

As of December 7, 2016  
C086002009 - Up-Valley Utility Trench

Vendor	Tran Date	Comment	Amount
HIGHWAY SUPPLY			
N00	12/02/2015	HIG008 traffic control	74,910.00
N00	12/02/2015	HIG008 traffic control GRT	6,507.81
A02	03/28/2016	HIG008 traffic control	61,765.00
A02	03/28/2016	HIG008 traffic control GRT	5,365.83
N00	04/28/2016	HIG008 4/2016 traffic control	75,820.00
N00	04/28/2016	HIG008 4/2016 traffic GRT	6,586.86
N00	06/23/2016	HIG008 4/26-5/26 traffic contr	109,445.00
N00	06/23/2016	HIG008 4/26-5/26 traffic GRT	9,508.04
N00	10/12/2016	HIG008 June traffic control	78,960.00
N00	10/12/2016	HIG008 June traffic controlGRT	6,859.65
N00	10/12/2016	HIG008 July traffic control	12,240.00
N00	10/12/2016	HIG008 July traffic controlGRT	1,063.35
N00	10/12/2016	HIG008 July traffic control	4,350.00
N00	10/12/2016	HIG008 July traffic controlGRT	377.91
			<b>453,759.45</b>
J&D ELECTRICAL CONTRACTORS			
N00	10/19/2015	J&D000 segment #1 pvc	34,020.00
N00	10/19/2015	J&D000 segment #1 pvc GRT	2,955.49
N00	10/19/2015	J&D000 segment #2 pvc	34,020.00
N00	10/19/2015	J&D000 segment #2 pvc GRT	2,955.49
N00	10/19/2015	J&D000 segment #3 pvc	47,520.00
N00	10/19/2015	J&D000 segment #3 pvc GRT	4,128.30
N00	12/02/2015	J&D000 segment 1	66,601.00
N00	12/02/2015	J&D000 segment 1 GRT	5,785.96
N00	12/02/2015	J&D000 segment 2	69,977.50
N00	12/02/2015	J&D000 segment 2 GRT	6,079.30
N00	12/02/2015	J&D000 segment 3	23,440.00
N00	12/02/2015	J&D000 segment 3 GRT	2,036.35
N00	12/02/2015	J&D000 segment 4	98,820.00
N00	12/02/2015	J&D000 segment 4 GRT	8,584.99
N00	04/28/2016	J&D000 segment 3 vaults	24,800.00
N00	04/28/2016	J&D000 segment 3 vaults GRT	2,154.50
N00	04/28/2016	J&D000 segment 4 conduits	44,096.00
N00	04/28/2016	J&D000 segment 4 GRT	3,830.84
N00	04/28/2016	J&D000 segment 5 conduits	85,008.00
N00	04/28/2016	J&D000 segment 5 GRT	7,385.07
N00	04/28/2016	J&D000 segment 6 conduits	25,872.00
N00	04/28/2016	J&D000 segment 6 GRT	2,247.63
N00	06/13/2016	J&D000 segment 6 conduits	107,362.00
N00	06/13/2016	J&D000 segment 6 GRT	9,327.07
N00	06/13/2016	J&D000 segment 7, 7a conduits	30,338.65
N00	06/13/2016	J&D000 segment 7, 7a GRT	2,635.67
N00	06/13/2016	J&D000 segment 1-5 conduits	27,835.00
N00	06/13/2016	J&D000 segment 1-5 GRT	2,418.17
N00	06/23/2016	J&D000 Segment 7	190,796.80
N00	06/23/2016	J&D000 Segment 7 GRT	16,575.47
N00	06/23/2016	J&D000 Segments 4-6	39,033.00
N00	06/23/2016	J&D000 Segments 4-6 GRT	3,390.99
N00	10/12/2016	J&D000 Segment 1	25,767.40
N00	10/12/2016	J&D000 Segment 1 GRT	2,238.54
N00	10/12/2016	J&D000 Segment 7A	88,390.00
N00	10/12/2016	J&D000 Segment 7A GRT	7,678.88
N00	10/12/2016	J&D000 Segment 1 Blake	44,397.80
N00	10/12/2016	J&D000 Segment 1 Blake GRT	3,857.06
N00	10/12/2016	J&D000 Third party materials	1,642.27
			<b>1,206,003.19</b>
KIT CARSON ELECTRIC COOPERATIVE, INC.			
N00	01/08/2016	KIT003 Conduits - wesco	192,759.02
N00	01/08/2016	KIT003 Conduits - wesco GRT	13,853.60

Vendor	Tran Date	Comment	Amount
N00	04/26/2016	KIT003 PVC for trench	12,105.55
			<b>218,718.17</b>
NEW MEXICO GAS COMPANY INC			
000	10/30/2015	NEW061 Extension natural gas 2	426,514.50
A02	09/21/2015	NEW061 Extension natural gas	426,514.50
000	02/01/2016	NEW061 Extension natural gas 3	426,514.50
A02	06/21/2016	NEW061 Ext natural gas line- 4	426,514.50
		credit due from NM Gas	(184,000.00)
			<b>1,522,058.00</b>
PROTEGE EXCAVATION			
N00	10/19/2015	PRO027 segment #1 ur2/ur3	212,240.00
N00	10/19/2015	PRO027 segment #1 ur2/ur3 GRT	18,438.35
N00	01/07/2016	PRO027 Segment 1 GRT	17,540.41
N00	01/07/2016	PRO027 Segment 1	201,904.00
			<b>450,122.76</b>
ROMERO'S EXCAVATION			
N00	10/19/2015	ROM008 trench urs-2r	245,710.00
N00	10/19/2015	ROM008 trench urs-2r GRT	21,346.00
N00	10/19/2015	ROM008 standby time - 6 days	9,000.00
N00	10/19/2015	ROM008 standby time - 6 days GRT	781.88
N00	10/19/2015	ROM008 pot holting	1,700.00
N00	10/19/2015	ROM008 pot holting GRT	147.69
N00	12/02/2015	ROM008 segment 2 completion	290,067.50
N00	12/02/2015	ROM008 segment 2 completioGRT	25,199.62
N00	04/26/2016	ROM008 haul loads to lot	23,800.00
N00	04/26/2016	ROM008 haul loads to lot GRT	2,067.63
N00	04/28/2016	ROM008 segment 8 trenching	354,435.80
N00	04/28/2016	ROM008 segment 8 GRT	30,791.61
N00	06/23/2016	ROM008 Excavation work	103,756.25
N00	06/23/2016	ROM008 Excavation work GRT	9,013.83
N00	08/17/2016	ROM008 segment 2 LMF	57,441.94
N00	08/17/2016	ROM008 segment 2 LMF GRT	4,990.27
			<b>1,180,250.02</b>
TRANSMISSION & DISTRIBUTION SERVICES			
A07	06/18/2014	TRA023 site visit/design eng	11,718.77
A07	06/18/2014	TRA023 engineering/feasibility	7,802.44
A07	06/18/2014	TRA023 modeling/design	26,689.25
A07	07/31/2014	TRA023 7/2014 engineering	4,339.51
A07	08/27/2014	TRA023 6/2014 task 2 engineeri	2,434.25
A07	10/01/2014	TRA023 joint use utility trenc	23,315.30
A07	11/13/2014	TRA023 10/2014 Distribution St	3,461.24
A07	01/22/2015	TRA023 12/2014 distribution st	11,478.96
A07	01/22/2015	TRA023 12/2014 system analysis	6,537.70
A07	01/22/2015	TRA023 joint use trench layout	973.70
A07	04/22/2015	TRA023 1/15-3/15 distribution	108,439.47
A24	04/22/2015	TRA023 1/15-3/15 distributiGRT	7,590.76
A07	04/22/2015	TRA023 3/2015 joint use trench	3,185.00
A24	04/22/2015	TRA023 3/2015 joint use treGRT	222.95
A07	06/10/2015	TRA023 3/2015 Joint Use Trench	70,096.78
A07	06/10/2015	TRA023 3/2015 Joint Use Trench GRT	4,906.77
A07	06/26/2015	TRA023 11/2015 joint use trenc	6,367.00
A07	06/26/2015	TRA023 1/2015 joint use trench	11,041.11
A07	06/26/2015	TRA023 11/2015 joint use GRT	445.69
A07	06/26/2015	TRA023 1/2015 joint use GRT	772.88
A07	07/29/2015	TRA023 6/2015 joint use trench	53,648.02
A07	07/29/2015	TRA023 6/2015 joint use treGRT	3,755.36
A07	09/29/2015	TRA023 7/2015 joint use trench	41,744.85
A07	09/29/2015	TRA023 7/2015 joint use trench GRT	3,000.41
A07	10/26/2015	TRA023 9/2015 utility trench	146,456.21
A07	10/26/2015	TRA023 9/2015 utility trench GRT	12,723.38
A07	10/26/2015	TRA023 5/2015 utlity trench	64,705.71
A07	10/26/2015	TRA023 5/2015 utlity trench GRT	4,529.40
A07	10/26/2015	TRA023 8/2015 utlity trench	26,385.50

Vendor	Tran Date	Comment	Amount
A07	10/26/2015	TRA023 8/2015 utlity trench GRT	2,292.24
A07	12/02/2015	TRA023 10/2015 utility trench	30,722.02
A07	12/02/2015	TRA023 10/2015 utility trenGRT	2,668.98
A07	12/02/2015	TRA023 supervision-Hwy150 cons	234,886.47
A07	12/02/2015	TRA023 supervision-Hwy150 GRT	20,405.76
A07	12/16/2015	TRA023 11/2015 construc Hwy 15	58,998.73
A07	12/16/2015	TRA023 11/2015 construc HwyGRT	5,125.51
A07	12/16/2015	TRA023 11/2015 utility trench	23,250.00
A07	12/16/2015	TRA023 11/2015 utility trenGRT	2,019.84
A02	05/04/2016	TRA023 3/2016 construction	49,764.76
A02	05/04/2016	TRA023 3/2016 constructionGRT	4,323.31
A02	05/04/2016	TRA023 1/2016 construction	60,696.04
A02	05/04/2016	TRA023 1/2016 constructionGRT	5,272.97
A02	05/04/2016	TRA023 12/2015 construction	48,171.83
A02	05/04/2016	TRA023 12/2015 constructionGRT	4,184.93
A02	06/16/2016	TRA023 3/28-5/2 construction	223,556.94
A02	06/16/2016	TRA023 3/28-5/2 construct GRT	19,360.57
A02	06/23/2016	TRA023 5/2-5/27 Segments 1-8	132,506.16
A02	06/23/2016	TRA023 5/2-5/27 Segments GRT	11,511.47
A02	08/17/2016	TRA023 5/30-6/25 seg 1-8	131,378.90
A02	08/17/2016	TRA023 5/30-6/25 seg 1-8 GRT	11,413.54
A02	11/02/2016	TRA023 Hwy150 closeout activit	12,594.50
A02	11/02/2016	TRA023 Hwy150 closeout GRT	1,094.15
A02	11/02/2016	TRA023 Seg 1-8 7/4-8/25/16	80,799.64
A02	11/02/2016	TRA023 Seg 1-8 7/4-8/25 GRT	7,019.47
N00	11/02/2016	TRA023 8/9-8/12 construction	9,767.12
N00	11/02/2016	TRA023 8/9-8/12 constructi GRT	1,013.80
			<b>1,863,568.02</b>

#### VIGIL'S ASPHALT & GRAVEL

N00	10/19/2015	VIG001 segment #3 ur2-2	356,976.00
N00	10/19/2015	VIG001 segment #3 ur2-2 GRT	31,012.29
N00	12/02/2015	VIG001 segment 3 completion	102,069.00
N00	12/02/2015	VIG001 segment 3 completioGRT	8,867.24
N00	12/02/2015	VIG001 segment 4 work	737,134.00
N00	12/02/2015	VIG001 segment 4 work GRT	64,038.52
N00	12/02/2015	VIG001 material hauling	85,200.00
N00	12/02/2015	VIG001 material hauling GRT	7,401.75
N00	01/07/2016	VIG001 gila parking lot GRT	208.50
N00	01/07/2016	VIG001 gila parking lot	2,400.00
N00	04/28/2016	VIG001 segment 4 trenching	36,556.00
N00	04/28/2016	VIG001 segment 4 GRT	3,175.80
N00	04/28/2016	VIG001 segment 5 trenching	497,164.00
N00	04/28/2016	VIG001 segment 5 GRT	43,191.12
N00	04/28/2016	VIG001 segment 6 trenching	151,442.00
N00	04/28/2016	VIG001 segment 6 GRT	13,156.52
N00	06/13/2016	VIG001 segment 7a	84,204.00
N00	06/13/2016	VIG001 segment 7a GRT	7,315.22
N00	06/13/2016	VIG001 Gavilan crossing	59,400.00
N00	06/13/2016	VIG001 Gavilan crossing GRT	5,160.38
N00	06/13/2016	VIG001 segment 6	580,265.00
N00	06/13/2016	VIG001 segment 6 GRT	50,410.52
N00	06/13/2016	VIG001 segment 5 & 6	72,345.00
N00	06/13/2016	VIG001 segment 5 & 6 GRT	6,284.97
N00	06/13/2016	VIG001 Little Creek crossing	26,500.00
N00	06/13/2016	VIG001 Little Creek GRT	2,302.19
N00	06/13/2016	VIG001 Big Creek crossing	26,500.00
N00	06/13/2016	VIG001 Big Creeek GRT	2,302.19
N00	06/13/2016	VIG001 Yerba crossing	64,020.00
N00	06/13/2016	VIG001 Yerba crossing GRT	5,561.74
N00	06/13/2016	VIG001 Big Creek line ext	9,140.00
N00	06/13/2016	VIG001 Big Creek line GRT	794.04
N00	06/13/2016	VIG001 Little Creek line ext	27,875.00
N00	06/13/2016	VIG001 Little Creek line GRT	2,421.64

Vendor	Tran Date	Comment	Amount
N00	06/13/2016	VIG001 Yerba line ext	40,234.00
N00	06/13/2016	VIG001 Yerba line GRT	3,495.33
N00	06/23/2016	VIG001 Segment 7	641,735.00
N00	06/23/2016	VIG001 Segment 7 GRT	55,750.73
N00	06/23/2016	VIG001 Asphalt repair	245,035.00
N00	06/23/2016	VIG001 Asphalt repair GRT	21,287.42
N00	06/23/2016	VIG001 Mans tribute crossing	19,300.00
N00	06/23/2016	VIG001 Mans tribute cross GRT	1,676.69
N00	06/23/2016	VIG001 Italianos tribute cross	43,300.00
N00	06/23/2016	VIG001 Italianos tribute GRT	3,761.69
N00	06/23/2016	VIG001 Mans tie line	22,346.60
N00	06/23/2016	VIG001 Mans tie lie GRT	1,941.36
N00	06/23/2016	VIG001 Italianos tie line	20,975.00
N00	06/23/2016	VIG001 Italianos tie line GRT	1,822.20
N00	08/17/2016	VIG001 Firehouse Rd	17,859.60
N00	08/17/2016	VIG001 Firehouse Rd GRT	1,551.55
N00	08/17/2016	VIG001 Sutton Rd.	31,630.00
N00	08/17/2016	VIG001 Sutton Rd. GRT	2,747.86
N00	11/02/2016	VIG001 Sutton PI excavation	55,689.60
N00	11/02/2016	VIG001 Sutton PI excava GRT	4,838.03
N00	11/02/2016	VIG001 Tbird Rd excavation	32,371.20
N00	11/02/2016	VIG001 Tbird Rd excavationGRT	2,812.25
N00	11/02/2016	VIG001 LMF excavation	11,237.20
N00	11/02/2016	VIG001 LMF excavation GRT	976.23
N00	11/02/2016	VIG001 Childrens center	6,620.00
N00	11/02/2016	VIG001 Childrens center GRT	575.11
N00	11/02/2016	VIG001 PME cabinet	19,205.00
N00	11/02/2016	VIG001 PME cabinet GRT	1,668.43
N00	11/02/2016	VIG001 NM150 asphalt repair	297,255.00
N00	11/02/2016	VIG001 NM150 asphalt repairGRT	25,824.03
N00	11/02/2016	VIG001 Amizette drainage	10,374.25
N00	11/02/2016	VIG001 Amizette drainage GRT	901.26
N00	11/02/2016	VIG001 Strawberry hill	59,517.00
N00	11/02/2016	VIG001 Strawberry hill GRT	5,170.54
N00	11/02/2016	VIG001 Pit house	5,142.50
N00	11/02/2016	VIG001 Pit house GRT	446.75
N00	11/02/2016	VIG001 Saint Bernard	11,615.25
N00	11/02/2016	VIG001 Saint Bernard GRT	1,009.07
			<b>4,902,493.36</b>

#### WESCO DISTRIBUTION

N00	04/28/2016	WES027 temp CLX cable	110,055.00
N00	04/28/2016	WES027 temp CLX cable GRT	9,561.03
N00	04/28/2016	WES027 segment 7 conductor	79,310.00
N00	04/28/2016	WES027 segment 7 GRT	6,890.06
N00	04/28/2016	WES027 segment 7 conductor	16,480.00
N00	04/28/2016	WES027 segment 7 GRT	1,431.70
N00	10/12/2016	WES027 electrical materials	480,082.60
N00	10/12/2016	WES027 electrical materialsGRT	41,707.17
	11/04/2016	WES027 electric/comm materials	38,341.01
	11/04/2016	WES027 electric/comm materiGRT	3,330.88
			<b>787,189.45</b>

#### JPM LOC Fees

000	10/14/2015	JPM NM gas LC fees	500.00
000	01/31/2016	1/15 JPM LC fee	4,515.21
000	03/31/2016	3/3 JPM LC amendment	250.00
000	04/30/2016	4/14 JPM LC fee	3,451.85
000	07/31/2016	LoC fee 7/2016 frm 19731	1,488.71
000	10/31/2016	LoC fee 10/2016 frm 19731	1,505.07
			<b>11,710.84</b>

#### ADMIN T&E

203	11/28/2014	PT 11/2014 T&E frm 19731	901.55
203	02/28/2015	PT 2/2015 T&E frm 19731	819.65



Vendor	Tran Date	Comment	Amount
203	06/30/2015	PT 6/2015 T&E frm 19731	707.65
203	07/31/2015	PT 7/2015 T&E frm 19731	2,158.88
203	09/30/2015	PT 9/2015 T&E frm 19731	1,678.21
203	10/31/2015	PT 10/2015 T&E frm 19731	1,030.79
000	11/30/2015	SB postage 11/2015 T&E frm 197	106.51
000	12/31/2015	SB postage 12/2015 T&E frm 197	18.58
000	04/30/2016	4/2016 SB postage frm 19731	17.27
000	05/31/2016	SB postage 5/2016 frm 19731	38.52
000	06/30/2016	SB postage 6/2016 frm 19731	17.44
			<b>7,495.05</b>

CANEPA & VIDAL, P.A.

B33	07/29/2015	CAN001 6/2015 legal re trench	150.00
N00	07/29/2015	CAN001 6/2015 legal re trench	1,224.56
A02	07/29/2015	CAN001 6/2015 legal re trench	300.00
A02	06/29/2016	CAN001 5/2016 legal re utility	325.00
			<b>1,999.56</b>

CONSERVATION PARTNERS

A02	05/26/2015	CON010 GIS analysis	650.00
			<b>650.00</b>

GLORIETA GEOSCIENCE, INC.

A07	07/16/2014	GLO015 Hwy 150 ROW assess	908.45
A07	08/07/2014	GLO015 Survey re Rte 150	6,447.87
A07	03/18/2015	GLO015 Hwy 150 SWPPP	24,267.37
A07	04/22/2015	GLO015 Hwy 150 SWPPP 3/2015	22,774.56
A07	04/22/2015	GLO015 Hwy 150 SWPPP GRT	1,864.67
A07	05/26/2015	GLO015 4/2015 Hwy SWPPP	55.44
A07	05/26/2015	GLO015 4/2015 Hwy SWPPP	677.16
A07	06/24/2015	GLO015 5/2015 Hwy150 SWPPP	1,252.14
A07	06/24/2015	GLO015 5/2015 Hwy150 SWPPP GRT	102.52
A07	07/29/2015	GLO015 Hwy 150 SWPPP	688.88
A07	07/29/2015	GLO015 Hwy 150 SWPPP GRT	59.85
A07	08/25/2015	GLO015 Hwy 150 SWPPP	3,948.63
A07	08/25/2015	GLO015 Hwy 150 SWPPP GRT	343.04
A07	09/28/2015	GLO015 8/2015 Hwy 150 stormwater	473.75
A07	10/27/2015	GLO015 Hwy 150 Stormwater	4,197.38
A07	10/27/2015	GLO015 Hwy 150 StormwaterGRT	364.65
A07	11/24/2015	GLO015 10/2015 Hwy 150 stormwa	19,203.93
A07	11/24/2015	GLO015 10/2015 Hwy 150 st GRT	1,668.34
A07	12/22/2015	GLO015 11/2015 Hwy 150 storm	5,974.83
A07	12/22/2015	GLO015 11/2015 Hwy 150 GRT	519.06
A07	01/22/2016	GLO015 12/2015 Stormwater	1,586.75
A07	01/22/2016	GLO015 12/2015 Stormwater GRT	137.85
A07	03/02/2016	GLO015 1/2016 Hwy 150 inspec	6,645.38
A07	03/02/2016	GLO015 1/2016 Hwy 150 GRT	577.32
A07	03/23/2016	GLO015 2/2016 Hwy 150 Stormwat	4,775.38
A07	03/23/2016	GLO015 2/2016 Hwy 150 StormGRT	414.86
A07	04/25/2016	GLO015 3/2016 Stormwater inspe	9,445.65
A07	04/25/2016	GLO015 3/2016 Stormwater GRT	820.59
A07	05/25/2016	GLO015 4/2016 stormwater	18,867.78
A07	05/25/2016	GLO015 4/2016 stormwater GRT	1,639.14
A07	06/28/2016	GLO015 5/2016 Hwy 150 stormwat	12,329.25
A07	06/28/2016	GLO015 5/2016 Hwy 150 GRT	1,071.10
A07	07/28/2016	GLO015 6/2016 Hwy 150 stormwat	11,797.10
A07	07/28/2016	GLO015 6/2016 Hwy 150 GRT	1,024.87
A07	08/22/2016	GLO015 7/2016 Hwy 150 stormwat	3,225.75
A07	08/22/2016	GLO015 7/2016 Hwy 150 GRT	280.24
A07	09/27/2016	GLO015 8/2016 Hwy 150 stormwat	7,319.13
A07	09/27/2016	GLO015 8/2016 Hwy 150 GRT	635.85
A07	10/28/2016	GLO015 9/2016 Hwy 150 stormwat	486.75
A07	10/28/2016	GLO015 9/2016 Hwy 150 GRT	42.29
12/7 outstanding invoice			4,000.00
			<b>182,915.55</b>

MODRALL SPERLING

Vendor	Tran Date	Comment	Amount
A02	03/11/2015	MOD001 1/2015 legal re utility	6,665.94
A02	04/08/2015	MOD001 2/2015 legal re utility	1,778.59
A02	05/26/2015	MOD001 4/2015 legal re trench	22,236.76
A02	06/24/2015	MOD001 5/2015 legal re trench	860.50
A07	06/24/2015	MOD001 5/2015 legal re trench GRT	70.45
A02	08/18/2015	MOD001 6/2015 legal re trench	6,858.32
A02	09/22/2015	MOD001 7/2015 Utility trench	7,301.42
A02	10/26/2015	MOD001 8/2015 utility trench	6,557.21
A02	12/11/2015	MOD001 10/2015 Utility Trench	17,598.53
A02	01/21/2016	MOD001 12/2015 legal re utilit	175.47
A02	04/20/2016	MOD001 2/2016 utility trench	2,070.20
A02	06/22/2016	MOD001 4/2016 utility trench	4,131.92
A02	07/25/2016	MOD001 5/2016 Utility trench	438.66
A02	11/21/2016	MOD001 9/2016 Utility trench	438.66
		Allowance for final billing	5,000.00
			<b>82,182.63</b>

RED TAIL SURVEYING INC.

A07	03/04/2015	RED001 2/2015 utility trench	1,046.71
A07	03/04/2015	RED001 Highway corridor	219.08
A07	05/26/2015	RED001 4/2015 Utilities	566.63
			<b>1,832.42</b>

SE GROUP

A07	09/25/2014	SEG004 8/2014 Utilities work	3,026.25
A07	10/16/2014	SEG004 9/2014 Villag Utilities	826.88
A07	10/16/2014	SEG004 7/2014 Village Utilitie	3,028.48
A07	10/16/2014	SEG004 2015 USFS land project	826.87
A07	11/13/2014	SEG004 10/2014 Village Utiliti	775.00
A07	12/11/2014	SEG004 11/2014 Village Utiliti	442.50
A07	02/26/2015	SEG004 1/2015 Village Utilitie	7,195.00
A07	01/13/2015	SEG004 12/2014 Utility trench	1,867.50
A07	01/01/2015	SEG004 7/2014 Village Utilitie	3,028.48
A07	05/26/2015	SEG004 2/2015 Village Utilitie	3,196.00
A07	05/26/2015	SEG004 3/2015 Village Utilitie	1,793.10
A07	07/29/2015	SEG004 6/2016 Village utilitie	2,255.00
A07	08/22/2016	SEG004 7/2016 Village utilitie	910.00
			<b>29,171.06</b>

Total Paid to Vendors	12,902,119.53
BPM Overhead Allocation	200,000.00
<b>TOTAL PROJECT COSTS</b>	<b>13,102,119.53</b>
BPM %	1.5%

Village of Taos Ski Valley  
Village Council  
Agenda Item

**AGENDA ITEM TITLE:** Consideration to Approve Natural Gas Line Improvements and Related Portions of Underground Trench Improvements Assignment of Infrastructure and Permit Rights, from the Village of Taos Ski Valley to NM Gas Company

**DATE:** January 17, 2017

**PRESENTED BY:** Mark G. Fratrack

**STATUS OF AGENDA ITEM:** Old Business

**CAN THIS ITEM BE RESCHEDULED:** Not recommended

**BACKGROUND INFORMATION:**

To qualify for TIDD financing, TSVI needs to transfer ownership of the natural gas component of the State Road 150 utility trench to the Village. Since the ultimate owner of the improvement is NM Gas Company, the assignment of the infrastructure from the Village to NM Gas needs to be executed. The assignment incorporates comments from NM Gas Company. They have approved the document for signing.

**RECOMMENDATION:** Staff Recommends Approval of Natural Gas Line Improvements and Related Portions of Underground Trench Improvements Assignment of Infrastructure and Permit Rights, from the Village of Taos Ski Valley to NM Gas Company

## ASSIGNMENT OF INFRASTRUCTURE AND PERMIT RIGHTS

THIS ASSIGNMENT OF INFRASTRUCTURE AND PERMIT RIGHTS (the "Assignment") by the Village of Taos Ski Valley (the "Village") to New Mexico Gas Company, Inc., a Delaware corporation ("NM Gas Co."),

### WITNESSETH:

The Village, for the purpose of facilitating natural gas utility service for itself and the residential and commercial occupants of the Village and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, and for the following mutual covenants of the parties, does hereby assign its right, title and interest, if any, in the following infrastructure improvements, as more particularly described in Exhibit A attached hereto:

Natural gas trunk line improvements and related portions of underground trench improvements (the "Improvements").

Reference is made to the Dedication, Bill of Sale, Assignment of Permit Rights and Agreement by and between Taos Ski Valley, Inc. ("TSVI") and the Village, of even date herewith (the "Dedication"), pursuant to which TSVI has represented for the benefit of the Village and NM Gas Co., as its assignee, that it holds all necessary permit rights in the real property on which the Improvements have been constructed, as shown in the diagrams attached hereto as Exhibit A.

NM Gas Co. hereby acknowledges and agrees to accept from the Village the delivery and assignment of all contracts, documents, agreements, material receipts, and warranties, used, executed, or received for the construction of the Improvements from the contractor/constructor of the Improvements. TSVI has affirmed and warranted in the Dedication that all payments due to material suppliers, contactors, laborers, or other persons furnishing materials or services for the Improvements are paid in full and there are no outstanding balances of amounts due or liens attached to or that will be attached to the Improvements.

No modification of this Assignment is binding upon either party, their successors, or assigns unless it be in writing, signed and dated by a duly authorized representative of both parties.

Both the Village and NM Gas Co. and their respective signatories represent and warrant that they are authorized to enter into and duly sign and acknowledge this instrument and assign and accept the Improvements and related rights as provided in this instrument.

This instrument is intended to facilitate the reimbursement of TSVI for the costs of the Improvements dedicated hereunder by the Village of Taos Ski Valley Tax Increment Development District, and nothing herein shall be construed as limiting the eligibility of TSVI for such reimbursement, including, without limitation, the consideration paid by the Village recited above.

This instrument is effective as of the date and time of its recordation in the real property records of Taos County, New Mexico.

NEW MEXICO GAS COMPANY, INC.

VILLAGE OF TAOS SKI VALLEY

By \_\_\_\_\_  
Authorized Officer

By \_\_\_\_\_  
Mayor

Date: \_\_\_\_\_, 2016

Date: \_\_\_\_\_, 2016