



Village of Taos Ski Valley
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VILLAGE COUNCIL REGULAR MEETING
DRAFT MINUTES
EDELWEISS LODGE CLUB ROOM
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, DECEMBER 12, 2017, 2:00 P.M.

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

The regular meeting of the Village of Taos Ski Valley Council was called to order by Mayor King at 2:00 p.m. The notice of the meeting was properly posted.

2. **ROLL CALL**

Ann Wooldridge, Village Clerk, called the roll 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
Building & Construction Director Bill Jones
Building Inspector Rich Willson
Administrative Assistant Renee Romero
Administrative Assistant Christina Wilder
Village Attorney Dennis Romero

3. **APPROVAL OF THE AGENDA**

MOTION: To approve the agenda as presented

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

4. **APPROVAL OF THE MINUTES OF THE NOVEMBER 14, 2017 VILLAGE COUNCIL REGULAR MEETING**

MOTION: To approve the minutes with an amendment on the P&Z Commission report

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

5. **CITIZEN'S FORUM – Limit to 5 minutes per person (please sign in)**

6. **FINANCIAL REPORTS**

Finance Director Grabowski reported that GRT remitted to the Village in November was \$89,599 compared to \$41,995 for November last year. Year-to-date GRT total is \$302,151 versus \$447,559 for last year. The TIDD received a distribution of \$35,007 in November for September GRT.

Lodger's tax collections in November were \$6,207 versus \$4,731 for last year. Year-to-date total is \$66,817 versus last year's \$41,097.

\$10,664 in Hold Harmless GRT revenues were received in November. Year-to-date total is \$24,377. These will be transferred to fund 42, Sewer Depreciation, to support the WWTP upgrades.

Congratulations to Leland Thompson who received his EMTI Certification in November.

7. **COMMITTEE REPORTS**

A. Planning and Zoning Commission –Commission Chair Wittman reported that the December 2017 P&Z meeting had been cancelled. The next meeting is scheduled for January 8, 2018 at 1:00 p.m. at the Edelweiss Lodge Club Room.

Commission Chair Wittman announced that the Kachina Master Plan Committee has added additional members. The Committee will meet on January 8, 2018 at 10:00 a.m. at the Village Administrative office. Administrator Fratrack will be the Village staff representative.

B. Public Safety Committee –Committee Chair Bennett reported that the Committee had met to further discuss the requirement for bear-proof dumpsters. The Committee will meet again on February 5, 2018 at the Edelweiss Lodge Club Room.

C. Firewise Community Board of Directors – The Firewise Board successfully completed its renewal of the Firewise Community designation for the Village of Taos Ski Valley. An action plan was distributed to the Board members. Discussion of the open fire ordinance was discussed relative to bonfires. Lighting a bonfire requires a permit from the Fire Chief. The next Firewise Community Board meeting will take place on February 5, 2018 at 11:00 a.m. at the Edelweiss Lodge Club Room.

D. Parks & Recreation Committee – no report

E. Lodgers’ Tax Advisory Board – The Lodger’s Tax Board will meet in January. Letters will be sent out asking for grant submissions.

8. **REGIONAL REPORTS**

Councilor Bennett reported that the Intergovernmental Council discussed community development at its meeting. Kit Carson Cooperative is conducting a study for the Town of Taos. Next meetings for the Landfill and the IGC will be held in January.

9. **MAYOR’S REPORT**

Mayor King reported that Kit Carson Electric is making a good effort to get parties involved in building solar arrays. Kit Carson Electric Cooperative says it wants to serve all of its customers on sunny summer days with locally generated solar power by 2022.

The underground power lines in the trench coming up State Road 150 are now in use. According to Kit Carson Electric Cooperative CEO Luis Reyes, the power will go back down from the Village core to Amizette and Taos East on above-ground lines.

There have been some Fire and EMS calls, Mayor King reported.

10. **STAFF REPORTS**

Mark Fratrack, Village Administrator reported on ongoing projects:

- Townsite Act – Re-surveying should be completed soon. The Surveyor will be sending the plat to the Village for review and approval. Village counsel is working with TSVI counsel to draft an agreement to address interests for parking and other uses by TSVI through an MOU.
- Taos Mountain Lodge – As the weather holds, Village staff is still planning on moving forward with septic tank and gas line installation, and repaving the parking lot.
- Kachina Water Tank – The Village is scheduled to advertise the project for bids starting in mid-January. Village staff continues to keep TSVI informed of the project status and design as a courtesy, and address or explain rationale in the best manner possible.
- WWTP/WWTP Financing Options – Village staff continues to work with supporting entities on moving the interim financing and loan process forward in respect to USDA document requirements.
- Ernie Blake Road – The appropriate surveys need to get completed on the properties in question in order to draft the proposed closing documents.
- RTD – Taos County and the Town of Taos have not yet passed the amendment for the two additional runs each weekday and weekend day which will cost \$21,000 between the three entities. There is every indication that the County and Town will approve their portions to participate.

- The Blake Fees and Temporary Certificate of Occupancy – Village staff met with TSVI, and TSVI would like to propose another way to pay, or get credit for, their fees. Because The Blake Temporary Certificate of Occupancy was going to expire at the end of November, staff granted another extension of the certificate until the end of December 2017. TSVI is now requesting a Temporary Certificate of Occupancy until the end of ski season in order to give them more time to bring forward a payment or credit proposal for their impact and system development fees. This item will be brought forth at the next Council meeting.

Councilor Brownell asked when the deeds and negotiations would be finalized for Ernie Blake Road. Attorney Romero answered that the surveys are still preliminary, but that when the surveys are finalized, the Village will sign them. Hopefully, everything will be finalized by April, Romero said. There may be a possibility of proceeding with work next summer.

Thunderbird Road work will most likely not get accomplished until after the completion of Parcel D. A plan needs to be made for any relocation of utilities on Thunderbird Road, as well as for the installation of a natural gas line.

Plans for the Village staff to move to the Taos Mountain Lodge have been delayed because of the time-consuming process to get the tanks built and to finalize plans on the grading that needs to be done. Village staff is working with NM Gas to get natural gas lines installed at the Taos Mountain Lodge.

Department Briefs

- Director Keen reported that he has been finishing up the submittal for the NMDOT roads coop reimbursement. The first Source Water Plan Committee meeting was successful. The Committee will most likely add additional members. The snow blower was picked up in Denver and is ready for use this winter. Director Keen will be researching methods to increase revenues for the roads fund.

11. OLD BUSINESS

12. NEW BUSINESS

A. Introduction: Consideration to Approve **Ordinance No. 2018-49** Amending Ordinance 2011-49 Solid Waste, Requiring Wildlife Proof Refuse Containers in the Village and to Change the Violation Charge to \$500.00 per day This ordinance was discussed by the Public Safety Committee at its meeting on Monday, December 4, 2017, and the Committee members agreed that two definitions should be added regarding wildlife-proof refuse containers. The revised ordinance addresses all wildlife proof refuse containers, not just limited to bears. In addition, the revision changes the choice of violation fee of \$250 to \$500 per day to a flat \$500.00 per day.

As this is the first reading of **Ordinance No. 2018-49** Amending Ordinance 2011-49, no action is required at this time.

B. Introduction: Consideration to Approve **Ordinance No. 2018-65** Rescinding Ordinance No. 2012-33 Personnel Ordinance

The Village Council adopted Ordinance No. 2003-33 in fiscal year 2003 to establish a personnel policy manual. The ordinance was amended in 2012 by Ordinance No. 2012-33.

Although the Council passed a resolution rescinding the personnel ordinance in June 2017, only an ordinance can rescind another ordinance. The adoption of this ordinance will serve the same purpose intended by the adoption of the June 2017 resolution.

As this is the first reading of **Ordinance No. 2018-65**, no action is necessary at this time.

C. Consideration to Approve Resolution No. 2018-346 Election Resolution

The next election of municipal officers will be held on March 6, 2018. There is one Mayor position to be filled and two Councilor positions. All declarations of candidacy shall be filed with the Village Clerk on Tuesday, January 9, 2018 between the hours of 8:00 a.m. and 5:00 p.m. The election will be held at the Snakedance Condominiums at 110 Sutton Place, Taos Ski Valley, NM, in the room off of the lobby. Snakedance Condominiums will be providing a short-term parking spot for voters, as well as a handicapped accessible parking spot.

Absentee voting begins on January 30, 2018 and ends on Friday, March 2, 2018. Early voting on paper ballots begins on Wednesday, February 14, 2018 and closes at 5:00 p.m. on Friday, March 2, 2018.

MOTION: To Approve Resolution No. 2018-346 Election Resolution

Motion: Councilor Wittman

Second: Councilor Bennett

Passed: 4-0

D. Consideration to Approve First Amendment to Memorandum of Agreement (MOA) between the Village of Taos Ski Valley and the North Central Regional Transit District (RTD) to provide a bus route to Taos Ski Valley for the 2017-2018 Ski Season

At the November 2017 Council meeting, Council approved the MOA between the Village of Taos Ski Valley and the RTD for the purpose of providing transportation service for the 2017-2018 Ski Season. Service will run from December 15, 2017 and go through March 25, 2018.

The approved MOA with RTD included \$46,340.00 for the service dates above, which is a 5% increase from last year. The Town of Taos has committed to \$12,600.00, so the amount the Village is required to put in would be \$34,340.00. The Lodger's Tax Board voted to approve this amount at its November 1, 2017 meeting, from Lodger's Tax Fund 15. As with last year, there will be five roundtrips a day on weekdays and seven roundtrips a day on weekends. This amendment will provide the additional services for two more weekday and two more weekend day runs. Total cost for the amendment for two additional daily runs for the dates in question is \$20,774.00. The Village will split this cost three ways with the Town of Taos and Taos County.

MOTION: To Approve First Amendment to Memorandum of Agreement (MOA) between the Village of Taos Ski Valley and the North Central Regional Transit District (RTD) to provide a bus route to Taos Ski Valley for the 2017-2018 Ski Season

Motion: Councilor Wittman

Second: Councilor Bennett

Passed: 4-0

E. Consideration to Approve Memorandum of Agreement VTSV-2018-10 in the Amount of \$67,114.00 Between the Village of Taos Ski Valley and the Town of Taos for the Purpose of Providing Transportation Service for the 2017-18 Ski Season

This is a memorandum of agreement renewed on an annual basis between the Village of Taos Ski Valley and the Town of Taos for the purpose of providing transportation service for the 2017-2018 ski season. Of the \$67,114.00, the Town of Taos would reimburse the Village \$19,600.00; Taos County would reimburse the Village \$7,000.00. The Village's portion after reimbursements would be \$40,514.00. These amounts include the amendment amount for the two additional daily runs.

MOTION: To Approve a Memorandum of Agreement VTSV-2018-10 in the Amount of \$67,114.00 Between the Village of Taos Ski Valley and the Town of Taos for the Purpose of Providing Transportation Service for the 2017-18 Ski Season

Motion: Councilor Stagg

Second: Councilor Wittman

Passed: 4-0

F. Consideration to Approve Memorandum of Agreement VTSV-2018-11 in the Amount of \$67,114.00 Between the Village of Taos Ski Valley and the Taos County for the Purpose of Providing Transportation Service for the 2017-18 Ski Season

This is a memorandum of agreement between the Village of Taos Ski Valley and the Taos County for the purpose of providing transportation service for the 2017-2018 ski season. Of the \$67,114.00, Taos County would reimburse the Village \$7,000.00; the Town of Taos would reimburse the Village \$19,600.00.

MOTION: To Approve Memorandum of Agreement VTSV-2018-11 in the Amount of \$67,114.00 Between the Village of Taos Ski Valley and Taos County for the Purpose of Providing Transportation Service for the 2017-18 Ski Season

Motion: Councilor Wittman

Second: Councilor Brownell

Passed: 4-0

G. Consideration to Approve Contract No. VTSV 2018-12 with Albuquerque Vault Company for Fabrication of Four Septic Holding Tanks to Replace the Defective Tanks Currently at the Taos Mountain Lodge

The Village of Taos Ski Valley purchased the Taos Mountain Lodge in July of 2016. The three septic tanks at the lodge were tested but failed the test because of leakage. Because of this issue NMED will not allow anyone to inhabit the rental units or the main building of the lodge. It has since been determined that in order for ample parking, the lodge would need road traffic-bearing tanks. It was also determined that because there would be full time residents in many of the units, and Village staff occupying the main house, that four tanks would be necessary to replace the original tanks. One of the tanks will be mainly for solids while the other three will be for grey water. An Invitation for Bid was done requesting bids on the tanks. The Village received only one bid response which was from Albuquerque Vault. The total contract amount is \$21,859.80, which includes fabrication costs of \$19,500.00, and delivery of \$2,359.80 including tax.

MOTION: To Approve a Contract No. VTSV 2018-12 with Albuquerque Vault Company for Fabrication of Four Septic Holding Tanks to Replace the Defective Tanks Currently at the Taos Mountain Lodge

Motion: Councilor Wittman

Second: Councilor Brownell

Passed: 4-0

H. Council Acknowledgement of the 1st Quarter Financial Data Submitted to the Department of Finance, Local Government Division in October 2017

As per the Department of Finance Local Government Division, it is required to have quarterly financial information submitted no later than 30 days after the close of each quarter. Staff is submitting this report to the Council for their review and acknowledgement of the financial status of the Village as of September 30, 2017.

MOTION: To Acknowledge the 1st Quarter Financial Data Submitted to the Department of Finance, Local Government Division in October 2017

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

I. Discussion and Consideration to Approve Hiring a Professional Company to Study and Submit Recommendations and Protocols for the Village of Taos Ski Valley in the Event of an Active Shooter

It was determined by the Village of Taos Ski Valley Departments of Public Safety, i.e., Law Enforcement, Fire Department, and EMS, that there is a need for a professional company to conduct a study and submit recommendations for the case of an active shooter event somewhere in the Village. Chief Bilardello is familiar with several companies who specialize in this type of work. A study would also address the roles and communication protocols for Municipal, County, and State safety personnel. Based on Council approval, Chief Bilardello will contact several companies to get a cost for this study.

MOTION: To Approve Seeking a Professional Company to Study and Submit Recommendations and Protocols for the Village of Taos Ski Valley in the Event of an Active Shooter

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

J. Consideration to Approve Out-of-State Travel by Two Public Works Employees to Denver, CO to Pick Up Snowplow Blades and the LaRue Snow Blower

The State requires that out-of-state travel be approved by the Council. The Public Works Department is requesting approval for out of state travel which occurred on November 20 and 21, 2017 to Denver, Colorado. The purpose of the trip was for two employees to pick up cutting edges for snowplow blades (to save shipping costs) and the LaRue snow blower which was being repaired from last winter's damage. .

MOTION: To Approve Out-of- State Travel by Two Public Works Employees to Denver, CO to Pick Up Snowplow Blades and the LaRue Snow Blower

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

13. MISCELLANEOUS

14. CLOSED SESSION

A. Discussion of the Limited Personnel Matters

This matter may be discussed in closed session under Open Meetings Act exemption 10-15-1(H) (2)

MOTION: To go to Closed Executive Session

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

MOTION: To return to Open Session

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

No decisions or motions were made during closed session.

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

The next regular meeting of the Council will take place on Tuesday, January 16, 2018 at 2:00 p.m., at the Edelweiss Lodge Club Room. Note: This is the third Tuesday of the month, because candidate filing day for the March 6, 2018 election occurs on the second Tuesday of the month.

15. ADJOURNMENT

MOTION: To Adjourn.

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

The meeting was adjourned at 4:00 p.m.

Neal King, Mayor

ATTEST: _____
Ann M. Wooldridge, Village Clerk

