

each about 2.5 miles long, which the UNM Nordic Team is interested in using. Mr. Norden said that they received a lot of positive feedback from the public in attendance at the meeting.

C. John Weinmeister with TSVI spoke about the new snow making improvements that they have been using this year. He said that although improvements have been made, TSVI is interested in making upgrades to increase pumping capacities. This would allow more skiable terrain to be opened more quickly. This season, TSVI purchased new snow guns and pumped 50 million gallons of water to make snow. This has been a significant improvement, Mr. Weinmeister explained, but TSVI wants to upgrade the piping and the pumping from 2,000 gallons per minute to 5,000 gallons per minute. He said that there would be a need to upgrade water storage capacity in order to accommodate these increases. The extra water storage capacity could also be used for Fire Department back-up fire suppression flows. TSVI will increase the horsepower on the pumping stations. He said that there are 33 miles of pipe in the ground for snowmaking currently. A decision on a possible water storage tank has not been made yet, he reported. TSVI has sufficient water rights to cover this water use, Mr. Weinmeister said.

D. Carl Gilmore, a ski patroller with TSVI as well as an EMS expert and volunteer, explained that he is very involved with the UNM International Mountain Medicine Center program. UNM is one of only two universities to offer a degreed program in the field. The Taos Ski Valley Foundation will be generously funding the Center for \$250,000 each year for the next 2-3 years. Mr. Gilmore said that there is a possibility to attract groups to conduct research and to study at Taos Ski Valley. He pointed out an economic advantage in attracting groups, as well as an advantage in boosting the UNM program. Councilor Stagg commented on the remarkable combination of TSVI Ski Patrol, Mogul Medical, and Holy Cross Hospital all working together to support this UNM International Mountain Medicine Center program.

E. Homeowner Tom McCullough said that three windows at this house on Twining Road had been shot at and broken with a BB gun. He thought that there had been four well-placed shots. He was concerned that this sort of activity was occurring in the Village of Taos Ski Valley.

6. FINANCIAL REPORTS

Finance Director Grabowski reported that GRT remitted to the Village in December was \$112,787 compared to \$142,636 for December last year. Year-to-date GRT total is \$533,489 versus \$738,814 for last year. The TIDD did not receive any GRT in December, but did receive \$11,575 in property tax increment.

Lodger's tax collections in December were \$6,521 versus \$5,976 for last year. Year-to-date total is \$73,338 versus last year's \$47,072.

\$11,907 in Hold Harmless GRT revenues were received in December. Year-to-date total is \$36,284. These funds will be transferred to a new Village bank account at Peoples Bank to keep the funds segregated for bond interest payments for the WWTP upgrades.

Police Chief Bilardello has resigned, as well as Joey Apodaca and Francisco Chavez in the Public Works Department. Village management is discussing how to best move forward to organize and fill these positions. Director Grabowski reported that the system development and impact fees for The Blake had been received by the Village. Several new bank accounts have been opened at Peoples Bank and at US Bank to segregate funds for bond interest payments and reserves. The TIDD audit has received final approval, and the Village is expected to hear about final approval to release the Village audit from the State Auditor soon. Mayor and Council outside employment and conflict of interest forms will be distributed for completion by the elected officials, at the end of the Council meeting.

7. COMMITTEE REPORTS

A. **Planning and Zoning Commission** –Commission Chair Wittman reported on the January 8, 2018 P&Z meeting. Agenda items included:

- The draft underground utilities ordinance, which was postponed indefinitely
- An open meetings act resolution, which was passed
- The consent of those Commissioners up for re-appointment by the Mayor and Council, namely Commissioners Nichols, Wittman, and Woodard
- The election of the Commissioners for a Chairperson, the unanimous vote being for Commissioner Wittman
- A discussion of the Taos Mesa Brewing Tap Room outdoors service area, which will be voluntarily taken down by the owners for public safety and aesthetic concerns in the winter

Village staff would be sending out the agendas for meetings. Anyone interested in putting their emails on the list should contact the Village office.

10. STAFF REPORTS

Administrator Fratrack thanked Clerk Wooldridge for organizing the Council meetings and all of the documents necessary for the meeting packets. He noted that more meetings are being held than before, with much longer agendas.

Administrator Fratrack reported on ongoing projects:

- Townsite Act – The Forest Service signed an extension of the contract until September 2019. The re-surveying is complete and the plat should be at the Forest Service for final review and approval. The WWTP construction can proceed without the Village needing to own the land. Attorney Romero is working with TSVI Attorney Canepa on the TSVI easement document.
- 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. Some excavation work should begin next week.
- Kachina Water Tank – The Village is scheduled to advertise the project for bids starting the following week. There will be a pre-bid meeting on January 24, 2018 with the bid opening scheduled for February 9, 2018. Village staff continues to keep TSVI informed of the project status, and there has been some concern about the temporary re-routing of the Williams Lake Trail during construction.
- WWTP/WWTP Financing Options – Village staff closed on the interim financing. Fratrack said that this is the largest project that the Village has taken on since incorporation. FEI Engineers LLC is working to get all of the necessary approvals from NMED and the USDA in order to start the bidding process. The goal is to advertise for bids around February 1, 2018.
- Ernie Blake Road – The final surveys are just being completed on the properties in question in order to draft the proposed closing documents. Staff met with representatives from TSVI and Russell Engineering to discuss the engineering design plans for both Ernie Blake Road and Thunderbird Road. Councilor Brownell said that no one from the Village or TSVI had met with the Brownells concerning the acquisition of part of the Brownell Chalet property to allow for the re-alignment of Thunderbird Road.
- RTD – Taos County and the Town of Taos passed the amendment required for the two additional runs each weekday and weekend day which will cost \$21,000 between the three entities. The Chamber is distributing the new schedule.
- The Blake Fees and Temporary Certificate of Occupancy – TSVI has paid all of the fees associated with The Blake construction. Staff will continue to work with TSVI to discuss future assessment of fees. Staff suggested that TSVI make a presentation or schedule a workshop with the Council to discuss how to handle future development fees.
- Administrator Fratrack and Mayor King met with TSVI on TSVI's 2018 summer projects. Their list of projects includes completion of the Strawberry Hill revegetation and the Strawberry Hill river crossing, work on the JR Trail, improvement of the pedestrian crossing on Sutton Place by the gondola, re-grading at the bottom of Lift 1, improvements in the Kachina Village area with the removal of some of the small buildings, an upgrade to the Phoenix Restaurant, and the Thunderbird Road re-alignment and possibly Ernie Blake Road re-alignment. They are considering installing a ropes course by the Pioneer Glade lift, through the trees.

Department Briefs

- Chief Bilardello reported that his department is addressing the problems in Amizette with speeding traffic. There is a possibility of hiring part-time officers, or more full-time officers to help patrol. Bilardello said that many of the speeders are workers trying to get to work, so the officers are trying to give them a break by giving a warning the first time, and a ticket thereafter. He said that with their updated traffic radars and new laptops, the Village Police Officers will be able to issue electronic tickets in the future.
Chief Bilardello said that hopefully he is leaving the agency better and more modern than before, and he thanked the Mayor, Council and Citizens for letting him serve as police chief.
- Director Keen reported that the treatment plant has been running smoothly, and that the water pressure problems in the Kachina area have been solved. The Public Works staff will be tearing up the asphalt at Taos Mountain Lodge soon.
- Clerk Wooldridge announced that a candidates' forum is being planned for February 24, 2018 in the late afternoon. Details will be announced. Citizen Mike Fitzpatrick asked about the voter roster and how names get removed from the list when a person moves. Clerk Wooldridge answered that the Village does not oversee the voter list; the Taos County Clerk is in charge of the voter list, in conjunction with the Secretary of State. A potential voter does need to provide the County Clerk with a physical address in the Village limits to be listed on the Village's voter list. NMSA 1-1-7 says that "For the purpose of determining residence for voting, the place of residence is governed by the following rules:

- A. The residence of a person is that place in which his habitation is fixed, and to which, whenever he is absent, he has the intention to return;”

When a person registers to vote in another location, their name would get removed from the Village list.

- Attorney Romero said that he has a plan for the small parcels of land around the Ernie Blake Road alignment. Once the contracts are finalized, they will be brought back to the Council.

11. OLD BUSINESS

A. PUBLIC HEARING: 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 introduced at the December Council meeting. The amended ordinance adds language identifying “wildlife proof refuse containers” instead of just “bear-proof refuse containers.” The violation fee has been increased to \$500 per day.

PUBLIC HEARING: Mayor King opened the public hearing. No one spoke for or against. The public hearing was closed.

MOTION: 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

Motion: Councilor Wittman Second: Councilor Bennett

Mike Fitzpatrick asked if there were specifications for the containers, and whether the Village could provide homeowners with the containers. Village staff explained that this would go against anti-donation regulations. Staff will email some information on containers. The smallest available has a 60-gallon capacity. Brent Knox asked whether the ordinance would be upheld year-around, even in winter. Councilor Bennett said that the public has until April 20, 2018 to become compliant with the new ordinance, and that it would be upheld year-around.

The Mayor called for a vote. Passed: 4-0

B. PUBLIC HEARING: Consideration to Approve Ordinance No. 2018-65 Rescinding Ordinance No. 2012-33 Personnel Ordinance

This ordinance was introduced at the December Council meeting. The intent of this ordinance is to allow changes more readily to the Personnel Policy. Changing the regulations from an ordinance to a policy will facilitate this.

PUBLIC HEARING: Mayor King opened the public hearing. No one spoke for or against. The public hearing was closed.

MOTION: To Approve Ordinance No. 2018-65 Rescinding Ordinance No. 2012-33 Personnel Ordinance

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

12. NEW BUSINESS

A. PUBLIC HEARING: Consideration to Approve Application No. 1071030 for a Restaurant Beer and Wine Liquor License with On-premises Consumption Only with Patio Service, by Tripod Pizza LLC

The Village has received notification from the NM Regulation and Licensing Department of an application for restaurant beer and wine liquor license with on premises consumption only, with patio service, by the new owners of the Pizza Shack. Alcohol & Gaming has granted preliminary approval, and has forwarded the application to the Village as the Local Option District for approval.

The governing body is required to hold a public hearing in the question of whether the NM Regulation and Licensing Department should approve the proposed issuance. Notice of the Public Hearing has been published for thirty days, beginning on December 7, 2017 and subsequently on December 14, 2017, as required.

PUBLIC HEARING: Mayor King opened the public hearing. Kamal Jahrmarkt and Orlando Quintana, owners of the Pizza Shack, spoke for the application. No one spoke against. The public hearing was closed.

MOTION: To Approve Application No. 1071030 for a Restaurant Beer and Wine Liquor License with On-premises Consumption Only with Patio Service, by Tripod Pizza LLC

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

The Council welcomed the new owners of the Pizza Shack to the community and wished them well on the chance to have a thriving business in the Village.

B. Council Acknowledgement of the 2nd Quarter Financial data to be submitted to the Department of Finance, Local Government Division by January 31, 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 December 31, 2017.

MOTION: To Approve and Acknowledge the 2nd Quarter Financial data to be submitted to the Department of Finance, Local Government Division by January 31, 2017

Motion: Councilor Stagg Second: Councilor Wittman

Councilor Brownell asked if there was a need to worry about the drop in tax revenues this year was represented in the data. Councilor Stagg advised paying attention to the matter, but said that there is no financial crisis. In early winter months, there has sometimes been a shortfall of revenues. Also, the Village has reserves.

The Mayor called for the vote. Passed: 4-0

C. Consideration to Approve **Resolution No. 2018-348** Approving the Budget Adjustment Request (BAR) for Submission to the Department of Finance for the Initial Bond Proceeds Disbursement and Corresponding Expenses At the time the budget was submitted, the Village was in the beginning stages of bonding but the Village did not know what the proceeds would be or when they would be received. In December 2017, the bonding was completed and two bonds were issued to the Village for the Waste Water Treatment Plant interim financing. The Village has now received the first disbursements for the two bonds for \$50,001.00 each, totaling \$100,002.00. The Village also incurred additional expenses for bonding counsel and financial advising. The original amount of \$15,000 was included in the general fund budget for bond counsel which now needs to be moved into the sewer fund. Other expenses were not included in the original FY2018 budget.

MOTION: To Approve Resolution No. 2018-348 Approving the Budget Adjustment Request (BAR) for Submission to the Department of Finance for the Initial Bond Proceeds Disbursement and Corresponding Expenses

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

D. Consideration to Approve **Resolution No. 2018-349** Approving the Budget Adjustment Request (BAR) for Submission to the Department of Finance to Adjust the FY2018 Beginning Balances

The purchase of Taos Mountain Lodge in July 2016 created a debt service amount associated with the general fund. Prior to this, all the Village debt service was related directly to capital projects associated to water and sewer funds. When the initial interest payment of \$13,640.38 was made in November 2016, the transfer to the debt service on the Department of Finance report was not made. When reconciling the debt service for the 2nd quarter the error came to light. The entry is specific to the Department of Finance report and will decrease the general fund by the \$13,640.38 while increasing the debt service “fund” balance by the same amount.

Additionally, the auditors discovered an old balance that was being carried forward in the general fund, causing a difference to cash in the amount of \$3,114.00. The auditors have given the Village guidance to correct the difference and adjust the beginning balance in the general fund by this amount in the Department of Finance report.

MOTION: To Approve Resolution No. 2018-349 Approving the Budget Adjustment Request (BAR) for Submission to the Department of Finance to Adjust the FY2018 Beginning Balances

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

E. Consideration to Approve **Resolution No. 2018-350** Concerning Governing Body Meetings and Notice Required Required annually by the State of New Mexico, this is the open meetings act that governs when and how meetings will be conducted.

MOTION: To Approve Resolution No. 2018-350 Concerning Governing Body Meetings and Notice Required with the Amendment that the Resolution states the Council meetings are held on second Tuesday of the month, instead of the first Tuesday of the month

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

F. Consideration to Approve **Resolution No. 2018-351** a Resolution Appointing a Precinct Board for the Regular Municipal Election to be Held On March 6, 2018

Adoption of a resolution appointing the election precinct board is required by State of New Mexico election code. The following people, who are registered voters in the Village of Taos Ski Valley, have agreed to serve on the election board: Barb Wiard, Sheila Duffy, and Holly Burger. Dave Siebold has agreed to be the alternate.

MOTION: To Approve Resolution No. 2018-351 a Resolution Appointing a Precinct Board for the Regular Municipal Election to be Held On March 6, 2018

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

G. Authorization and Approval for the Village Administrator to Negotiate with Property Management Companies or Property Management Agencies regarding the Collection and Payment of Lodger's Tax
 Whether for investment or a second home, many residents have put their properties into the short-term rental market. There are a wide variety of options to market short-term rentals from personally marketing it, word of mouth, using property managers, and property management agencies such as AirBnB or VRBO. The property management companies and agencies will collect and submit Lodger's Tax for the property owner, but some require an established contract with the jurisdiction in question. In recent discussions with AirBnB, AirBnB will collect and submit Lodger's Tax for properties that they provide rental services for and are willing to enter into a contract with VTSV. For GRT on the other hand, AirBnB stated that they need a contract with the State in order to collect and distribute GRT accordingly.
MOTION: To Authorize and Approve the Village Administrator to Negotiate with Property Management Companies or Property Management Agencies regarding the Collection and Payment of Lodger's Tax
Motion: Councilor Brownell Second: Councilor Wittman Passed: 4-0

H. General Discussion and Possible Direction to Staff Concerning Funding Sources or Other Solutions Regarding Dust Control

Dust control has been a topic that has been discussed at various times over the years. The Village has spent up to \$15,000.00, primarily funded from the general fund, on numerous dust control methods. Some types of dust control applications have worked better than others, but all of them have been short term. There has not been a sanctioned, agreed upon plan to control and/or prevent dust instituted. A committee will be formed to discuss this issue and formulate a plan. Councilors Brownell and Wittman volunteered to serve on the committee.

I. Authorization and Approval for Taos Mesa Brewing expanded liquor license to include a patio area
 Taos Mesa Brewing Company applied and received approval for an expansion of the liquor sales area through the New Mexico Alcohol and Gaming Division in July 2017. The Village Administrator signed the application. Village Staff never informed Taos Mesa Brewing that this needed to come before the Council. The Village Staff's understanding was that this would be for summer use and not during the ski season. This item came to the P&Z Commission, and the owners of Taos Mesa Brewing voluntarily agreed to take down the outside service area for the winter..
MOTION: To Approve the Taos Mesa Brewing expanded liquor service area for non-ski season use
Motion: Councilor Wittman 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 Stagg Second: Councilor Brownell 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, February 13 2018 at 2:00 p.m., at the Edelweiss Lodge Club Room.

15. ADJOURNMENT

MOTION: To Adjourn.
Motion: Councilor Wittman Second: Councilor Bennett Passed: 4-0
 The meeting was adjourned at 5:00 p.m.

 Neal King, Mayor

ATTEST: _____
 Ann M. Wooldridge, Village Clerk

