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VILLAGE COUNCIL REGULAR MEETING
DRAFT MINUTES
SNAKEDANCE CONDOMINIUMS HONDO RESTAURANT
110 SUTTON PLACE
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, MAY 15, 2018, 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 Brownell 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 Christof Brownell
Councilor Jeff Kern
Councilor Roger Pattison
Councilor Chris Stagg
Councilor Tom Wittman, Mayor Pro Tem

Staff present:

Village Administrator Mark Fratrack
Village Clerk Ann Wooldridge
Public Works Director Ray Keen
Police Chief Sam Trujillo
Building Inspector Rich Willson
Administrative Assistant Christina Wilder
Village Attorney Dennis Romero
Fire Chief Mitch Daniels

3. APPROVAL OF THE AGENDA

Councilor Wittman requested that item 12. F. be moved to follow agenda item 5. Councilor Pattison asked to move agenda item 12. G. to be included in the Firewise Community Board report.

MOTION: To approve the agenda as amended

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

4. APPROVAL OF THE MINUTES OF THE MAY 4, 2018 VILLAGE COUNCIL BUDGET WORKSHOP and the MAY 4, 2018 VILLAGE COUNCIL SPECIAL MEETING

MOTION: To approve the minutes as presented

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

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

Homeowner Tom McCullough asked what efforts were being made to clear dead, standing trees on the property between his house and the adjacent home. There had been some discussion of the Village purchasing this property, but it is still owned by the Pattison Trust.

A. Presentation of Ready, Set, Go Program by Committee Members

No Committee members were able to attend.

12. F. Presentation of the POMS & Associates Risk Services Program and Acknowledgement by Council of Village Participation

Clerk Wooldridge explained that POMS & Associates Risk Services offers a program titled POMS Connects which provides training and consulting on human resource management, risk management, best practices, safety compliance, and more. Senior members of the company are well-respected experts in these fields and have presented many seminars at New Mexico Municipal League conferences, institutes, and academies. Since Village staff remains extremely busy managing Village projects, this program appears to offer many advantages in assisting with personnel management.

POMS & Associates acts as an insurance broker and is able to provide services at no additional cost to the Village. The fee would be included as a portion of the insurance premium that the Village pays to the New Mexico Self Insurers' Fund for workers compensation, liability, property, and other coverage. The Village would need to send a letter to the New Mexico Self Insurers' Fund in June as official notification of Village of Taos Ski Valley participation in the POMS program. While there are many programs that POMS offers, representatives of the company would meet with Village staff to identify priorities for the first year. This item will be brought to Council for a vote at the June meeting.

6. FINANCIAL REPORTS

Administrator Fratrack presented Director Grabowski's report, as she was in training on the new accounting software. GRT remitted to the Village in April was \$187,022 compared to \$165,452 for April last year. Year-to-date GRT total is \$1,279,375 versus \$1,296,008 for last year. The TIDD received \$9,079 in GRT in April for February collections.

Lodger's tax collections in April were \$74,080 versus \$81,036 for last year. Year-to-date total is \$344,519 versus last year's \$308,070.

\$18,859 in Hold Harmless GRT revenues were received in March. Year-to-date total is \$123,476. These funds will be transferred to the new Village bank account at Hillcrest Bank to keep the funds segregated for bond interest payments for the WWTP upgrades.

Several Village positions have recently been filled: Police Officer Justin Hutter, Public Works Operator Fabian Sanchez, Planner Patrick Nicholson, and Building Inspector Jalmar Bowden, will be new employees of the Village.

7. COMMITTEE REPORTS

A. Planning and Zoning Commission –Commission Chair Wittman reported that the May meeting had been cancelled. The next P&Z Commission meeting will take place on June 4, 2018 at 1:00 p.m. at the Snakedance Condominiums Hondo Restaurant.

The Kachina Master Plan Committee met on May 14, 2018. Half of the elements have been discussed. The new Planner will help to determine next steps. There will be funds in the FY19 budget for hiring an outside contractor, if needed. Councilor Kern has joined the Committee and the meetings will be noticed on the regular Village notice of meetings.

B. Public Safety Committee –Committee Chair Pattison reported that the Committee met on May 14, 2018. Agenda items included:

- NMDOT representatives attended the meeting to discuss safety improvements to Highway 150. The passing zone should be removed although removing the signs and re-painting the center line stripes is costly. There was discussion of signs up and down the canyon with warnings such as "Courtesy pays," "Watch for Wildlife," or "XX miles to the Parking Lot." Building pull-out areas on the side of the highway was discussed. The Committee would ask employers to be lenient with employees who might be a few minutes late because of slow traffic on the highway.
- Some of the regional planning organizations will be contacted for assistance, as they focus on roads and road safety also.
- A new Public Safety brochure will be drawn up which would disseminate information about bear safety, evacuation plans, and other items.

The Committee will meet again on June 4, 2018 at 10:30 a.m. at the Snakedance Condominiums Hondo Restaurant.

C. Firewise Community Board of Directors –

12. **G. Presentation and Information Regarding the 2018 Wildland Urban Fire Summit in Santa Fe**
Councilor Pattison, Kathy Bennett, and Sheila Duffy attended the recent Wildland Urban Fire Summit in Santa Fe. They were very impressed with the forums which were presented, and they have shared the information with the Firewise Community Board. They learned about Santa Fe's efforts to protect its watershed and will share the information with the Source Water Protection Plan Committee.

Board Chair Pattison reported that the Board met on May 14, 2018. Agenda items included:

- Concern about the difficult fire season. TSV Inc., the Village, the Fire Department, and homeowners must work collaboratively to keep a steady eye on potential threats of fires in the Village.
- The Firewise Board may begin the homeowner self-assessment program again.
- Firewise information was recently emailed and mailed to property owners by Village Staff.
- The Evacuation Plan has been updated and will be posted.
- The second siren will be installed in the Kachina area. This will be tied into the electric grid with a generator back-up. A third siren will be ordered and placed in between Bull-of-the-Woods and the Phoenix Switchback. This third siren will be solar-powered. The Board is expecting these installations to occur by July. Consideration is being given to another siren in Amizette, perhaps at the Taos Mountain Lodge.
- The Board will request that a representative of TSVI attend the Board meetings, as well Mitch Daniels, Fire Chief.
- Concern about firewise standards being met on the construction of new houses. Attorney Romero will double-check on enforcement methods.
- The Board said that homeowners and community members should inquire of Board members for advice about how to protect their properties.

Homeowner Tom McCullough expressed concern about the need for taking a pro-active approach to protect the Village from wildfires, on a broad scale.

The Board will meet again on June 4, 2018 at 11:00 a.m. at the Snakedance Condominiums Hondo Restaurant.

D. Parks & Recreation Committee- Committee Member Kerrie Pattison reported that the Committee was working on summer projects, including the hanging flower baskets, a new community bulletin board, and rehab of the Hiker Parking information booth. Plans include an effort to clean up the JR Trail. The Committee was very appreciative of the involvement in the recent trash pick-up efforts. Pattison reported that Mayor Brownell won the prize for the most unique item found during trash pick-up, which was an unopened decades-old can of beer.

E. Lodgers' Tax Advisory Board – no report

8. REGIONAL REPORTS

Administrator Fratrack had attended the Landfill Board meeting, along with Director Keen and Assistant Wilder. The Board is working on an updated Joint Power of Attorney (JPA) document between all of the participating entities. The next year's budget was approved. A potential composting facility was dismissed as being too costly to operate. The Board may investigate purchasing some of the equipment which has been formerly rented. The Inter-governmental Council met and is considering the extent of its own authority, as it is not a non-profit and doesn't have any status or authority. The Council is considering drawing up a JPA for signature by the communities desiring to participate in certain projects.

Councilor Pattison reported on the Source Water Protection Plan meeting. Glorieta Geoscience has made some recommendations concerning setback considerations at the spring site. The Committee is developing a preferred land use plan. The Committee meets on the first Thursday of the month at the Quail Ridge Inn, to accommodate members driving from Santa Fe or Albuquerque.

Councilor Pattison reported on a Red River roads project that is working on opening up seven different U.S. Forest Service roads for recreational use. Consideration is being given to opening up a road from the Village over the mountain to Red River.

9. MAYOR'S REPORT

Mayor Brownell reported that the Rio Hondo has very little water and so he is concerned about fire season. Mayor Brownell reported on a meeting that he and Administrator Fratrack attended with Kit Carson CEO Luis Reyes to ask about whether the overhead electric lines would be dismantled; they may not. Currently, the power is active in the underground lines up Highway 150, then goes back down to Amizette in the overhead lines.

10. STAFF REPORTS

Administrator Fratrack reported on ongoing projects:

- Townsite Act – The easement agreement has not been completed with Qwest across the WWTP property.

- Mountain Pact – The Mountain Pact works with mountain communities regarding economic and environmental stresses, to create a shared voice on federal policy related to climate, public lands, and outdoor recreation. A representative may call the Mayor and Councilors to speak about who and what they are.
- Taos Mountain Lodge – The Living Design Group architectural contract has been awarded. They will produce the Village’s building and bid documents. Driveway easement and access from NM DOT has been preliminarily approved. Building Official Willson gave a presentation about the plans for the site. All of the grading and earth work will be done this summer, with the RFP for a contractor to be issued soon. Work would be able to continue indoors over the winter. Phoenix Mechanical finalized the yard line for natural gas and new boilers have been installed. Decisions will be made later on the possible use of a condominium for Village Public Safety personnel. Plans are being made to maintain the Police trailer at the current location but with a new facility.
- Kachina Water Tank – RMCI representatives visited, walked the site, and discussed the approach to construction this season. Staff is working with a private land owner for a location for RMCI’s construction trailer, supply trailer, and material. There have been concerns about staking from TSVI. The pre-construction conference took place on March 22, 2018. RMCI complimented FEI Engineers about the amount of detail in the plans.
- VTSV Bull of the Woods Lot – The Village has not yet heard back from the appraiser. Once the lot is appraised, Staff will bring the appraisal to Council to discuss a possible land swap, sale, or other option.
- Fire Substation Relocation Project – The contract has been awarded to EGSM, Inc., a building moving company. Building Official Willson has worked on a layout for the lot for the current building and the possible future building. The plan is to install a floating slab this summer which would hold the current substation and would later be able to hold a new building, with the addition of a stem wall, for a building which could be as large as the current fire station at 7 Firehouse Road.
- WWTP Upgrades – The Request for Bids for a contractor has been issued. The bid opening date is scheduled for May 31, 2018. (Note: this was later pushed back to June 13, 2018.)
- Ernie Blake Road –Attorney Romero is completing the documents necessary for closing on the Beausoleil and Sierra del Sol properties. Councilor Wittman and Administrator Fratrack will attend the Sierra del Sol Homeowners Association Board meeting May 19, 2018. Meetings are being held to agree on the engineering plans for new water lines. The MOU for the arrangement between TSVI and the Village for the construction of improvements to Thunderbird and Ernie Blake Roads is on the agenda for approval at this meeting.
- Roads COOP – The Village has signed a contract with Anchor Engineering for assistance in planning the NMDOT roads coop project for this year.
- NM Gas Lines – The estimated time frame for line installation is August or September 2018. The lines will extend up Twining Road to just above the top of O.E. Pattison Loop. The final step will be the connection from the beginning of Thunderbird Road to lines on U.S. Forest Service property, which will charge the lines.
- Firehouse Road – The U.S. Forest Service has asked whether the Village would be interested in taking on the permit for the road, to include maintenance of the road and culverts.

Department Briefs

- Chief Trujillo reported on recent activity. Residential Alarms (6), Suspicious Persons/Vehicles (3), Citizen Assists (14), Traffic Enforcement Hours (31), Traffic Stops (5), Verbal Warnings (23), Parking Citations (4), Assists to other Agencies (3), Foot Patrol Hours (11), Welfare Check (0), Animal calls (1). Fire Calls (1), EMS Calls (0), SAR Hours (0).
Chief Trujillo introduced the new Police Officer, Justin Hutter. There has been a recent purchase of an electric bike to aid in police patrol.
- Fire Chief Daniels reminded everyone that in emergency situations, 911 should always be called and not the Village Police or Fire Department directly. He said that the Fire Department’s jurisdiction runs all the way down the canyon, but not the Village Police Department’s jurisdiction. The Fire Department has been patrolling for fire situations on Highway 150 and NM State Police are supposed to be patrolling in the evenings. If individuals notice fires in the campgrounds currently, with the fire restrictions in place, they should call Central Dispatch. The Village Fire Department Wildland Fire truck will assist with fires in the Village, in Taos, and in Questa. Chief Daniels reported that there are twenty-two Wildland Fire-certified firefighters employed by TSVI, for which he is appreciative. These firefighters are able to fight fires in any location, but will be staying in the Village to fight local fires. The current fire restrictions for the Village mirror the U.S. Forest Service restrictions, which are at Stage 1. This means no open fires outside of fire rings, no outdoor wood stoves or grills, no fireworks, no outdoors smoking of cigarettes. Use of chainsaws is allowed with a spark arrester. Chief Daniels encouraged all property owners to continue to work on fire mitigation on their properties. The Twining Campground has a fire ring to allow fires at this level of restriction, though being a U.S. Forest Service

campground, does not come under Village jurisdiction. Larger propane grills are allowed, but not small stoves using propane, charcoal, or wood.

- Public Works Director Keen reported on recent activity, including a plan to use asphalt millings as a test for dust control on a 600 linear-foot stretch of Twining Road. Additional measures for dust control will include use of the water truck for spraying the dirt roads. Surveying at the Kachina Water Tank site is being conducted. Excavation at the fire substation site is taking place. A new manhole has been installed at the Taos Mountain Lodge property in anticipation of the holding tank installation and the grading work. Public Works staff have been attending NM Rural Water Association trainings.

11. OLD BUSINESS

A. Consideration to approve a Memorandum of Understanding (MOU) and Agreement Regarding Re-Alignment of Ernie Blake (EB) Road

Improvements to Ernie Blake Road have been a public improvement priority, along with improvements to Thunderbird Road. These improvements are on the list of TIDD-financed projects. The property owner adjacent to the road has allowed for an easement to store dirt during construction of the road, with a penalty for extending beyond a two-year period. The Village has been working with TSVI to draft this MOU for TSVI to commit to completing the construction within a two year period once the Village has obtained the required easements. At the May 5, 2018 Council meeting, concerns were brought forth by Council about whether the Village would be reimbursed for the purchase price of approximately \$300,000 for the necessary property acquired for the project, and about whether TSVI would indemnify the Village if, because of TSVI's inability to get the project done within the specified timeframe, the Village were assessed additional fees from the land owner.

TSVI agreed to include an indemnification clause in this MOU rewrite, but they said that the purchase price reimbursement would not be included. TSVI has indicated they may be willing to discuss reimbursement costs with the Village outside of this MOU. Approval of the MOU is contingent upon Village approval of proposed water line improvements.

MOTION: To approve the Memorandum of Understanding (MOU) and Agreement Regarding Re-Alignment of Ernie Blake (EB) Road, with the contingency that Staff approves Exhibit C, water line improvements.

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

12. NEW BUSINESS

A. Introduction of FY2019 Draft Budget

As per State Statute, the Village needs to have an introduction of the draft FY2019 budget. Discussion of the budget took place at an open Council Workshop held on May 4, 2018. A public hearing will be held at a July Village Council meeting to hear comments from citizens. No approval is needed at this time.

B. Council Acknowledgement of the 3rd Quarter Financial Data Submitted to the Department of Finance, Local Government Division in March 2018

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 March 31, 2018.

MOTION: To Acknowledge the 3rd Quarter Financial Data Submitted to the Department of Finance, Local Government Division in March 2018

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

C. Consideration to Approve Resolution No. 2018-356 Approving the Permanent Budget Adjustment Acknowledging the Bond Proceeds Revenue Received in April 2018 for the Interim Financing for the Wastewater Treatment Plant
The Village of Taos Ski Valley entered into a bond financing agreement in December 2017 for interim financing of the Wastewater Treatment Plant. There are two bond issuances: the \$4.2M bond guaranteed by Hold Harmless GRT revenues, and the \$2.8M net revenue bond guaranteed by net revenues from the sewer and water utilities. The bond proceeds are being distributed in semi-annual disbursements to the Village, and were not included in the original budget submitted to the Department of Finance in July 2017. The Village has now received the second disbursement of funds and is adjusting the budget for these proceeds accordingly. The Hold Harmless bond proceeds received in April totaled \$1,089,999; the net revenue bond proceeds totaled \$709,999. The bond proceeds that the Village will receive in FY2019 are already included in the preliminary budget, along with the estimated expenses from the engineers.

MOTION: To Approve Resolution No. 2018-356 Approving the Permanent Budget Adjustment Acknowledging the Bond Proceeds Revenue Received in April 2018 for the Interim Financing for the Wastewater Treatment Plant Motion: Councilor Wittman Second: Councilor Pattison Passed: 4-0

D. Consideration to Approve Resolution No. 2018-357 Requesting Approval of the Disposition of Assets Acquired by the Village of Taos Ski Valley Upon Purchasing the Taos Mountain Lodge
As part of the repair and remodeling of the Taos Mountain Lodge, certain items have been pulled out of the structures which have little, if any, value to the Village. To meet New Mexico Department of Finance requirements for disposal of items, it is mandatory to have Council approval by resolution prior to disposal of assets. The fireplace inserts have been pulled out from the rental units and will not be reused. There will be no fireplaces in the remodeled buildings. In addition, the water heaters and boilers are either damaged or do not meet current standards. There will be more items recommended for disposal once a final inventory has been completed.

MOTION: To Approve Resolution No. 2018-357 Requesting Approval of the Disposition of Assets Acquired by the Village of Taos Ski Valley Upon Purchasing the Taos Mountain Lodge
Motion: Councilor Stagg Second: Councilor Wittman Passed: 4-0

E. Presentation and Request for Support of Village converting to the National Incident-Based Reporting System (NIBRS) replacing Uniform Crime Reporting (UCR) system

There is nationwide push by law enforcement agencies to move to the National Incident-Based Reporting System (NIBRS). Discussions about this have taken place over the past several months at the Taos County E911 meetings. At present the Village is using Uniform Crime Reporting (UCR) which will not integrate with the NIBRS. The Village will be required to fully convert over to the NIBRS, and this will allow the Village to share information with nationwide law enforcement and FBI. It will likewise allow all other law enforcement agencies and the FBI to share information with the Village when required.

Taos County will purchase the system and will request reimbursement from the participating entities. Total cost for the system is \$20,648, which will be divided evenly by Taos County, Town of Taos, Questa, Taos Pueblo, and the Village of Taos Ski Valley, to make each entity's share \$4,129. There is a line item for NIBRS in the Police fund in the FY 2019 budget. This item will be brought to Council for a vote at the June meeting.

13. MISCELLANEOUS

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

A Special Council meeting will be held on Saturday, May 19, 2018 at 11:30 .m. at the Village Administrative Office, to appoint Neal King to the Planning & Zoning Commission. The next regular meeting of the Council will take place on Tuesday, June 12, 2018 at 2:00 p.m. at the Snakedance Condominiums Hondo Restaurant.

15. ADJOURNMENT

MOTION: To Adjourn.

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

The meeting was adjourned at 4:15 p.m.

Christof Brownell, Mayor

ATTEST: _____
Ann M. Wooldridge, Village Clerk