

Village of Taos Ski Valley
Village Council
Agenda Item

AGENDA ITEM TITLE: **Village of Taos Ski Valley Roads Discussion** – no action required

DATE: July 10, 2018

PRESENTED BY: Mark G. Fratrack, Village Administrator

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION:

There have been many different discussions on what to do about the roads in the Village of Taos Ski Valley. At a recent Kachina Master Plan meeting, a portion of the meeting was centered on Village roads and what to do about them. At the July 2, 2018 P&Z meeting, again the topic of Village roads came up. The issues are: How to control the dust? To pave or not to pave? Or maybe only pave so much? Don't pave at all and continue to try other methods? Bring State Road 150 up north of the parking lots, put in a bridge and have it connect with Kachina Road? Improve Kachina Road, for year-round or just off-ski season access? Talk of installing a gondola from the parking lot up to the Kachina area to cut down on traffic? Staff has discussed these issues at length.

The one question that always arises is how would the Village pay for this improvement? Paving Twining Road is an item listed on the TIDD projects as part of the Master Development Agreement.

RECOMMENDATION: No voting action necessary. Direction to Staff is optional.

Village of Taos Ski Valley
Village Council
Agenda Item

AGENDA ITEM TITLE: **Consideration to Approve a Volunteer Fire Chief Stipend**

DATE: July 10, 2018

PRESENTED BY: Mark G. Fratrack, Village Administrator

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION:

Volunteer Fire Chief Mitch Daniels approached the Village Administrator about the possibility of receiving a stipend for services he is providing to the Village of Taos Ski Valley. When he stepped into the Fire Chief position, he wasn't sure of what the job entailed. He has now been in the position for approximately two years and has become more active on Fire and EMS within the Village and with other government agencies. He is requesting \$20,000.00 a year stipend, which would be broken out into \$1,666.67 a month. The Village Administrator continues to receive positive feedback for the training he is providing and the many incidents he continues to respond to. There is \$40,000 budgeted for an EMS/Fire Chief Position (½ in fund 04 and ½ in 09), but that was for a full time position. This stipend would have to be in addition to that amount, if and when the Village hires an EMS/EMT/Safety Officer position.

RECOMMENDATION: The Village Administrator recommends that the Council approve the \$20,000.00 a year stipend for Volunteer Fire Chief Mitch Daniels.

**Village of Taos Ski Valley
Village Council
Agenda Item**

AGENDA ITEM TITLE: **Consideration to Approve Services Contract No. 2019-01 Mike Compton Construction Company Contract to Pour a Concrete Slab for the Fire Substation Site**

DATE: July 10, 2018

PRESENTED BY: Mark G. Fratrack, Village Administrator / Rich Willson, Building Inspector

STATUS OF AGENDA ITEM: New business

CAN THIS ITEM BE RESCHEDULED: Not recommended

BACKGROUND INFORMATION:

The Village is in the process of moving the Kachina Fire Substation from TSVI-owned property to Village-owned property. As part of this process, the Village will be required to have a new building slab poured to allow for the Substation to position correctly on the new site. Bids were requested and Mike Compton Construction was the low bidder. (see contract)

STAFF RECOMMENDATION: Staff recommends approval of Services Contract No. 2019-01 the Mike Compton Construction contract to pour a concrete slab for the Fire Substation.



SERVICES CONTRACT #2019-01

This contract is hereby made and entered into by and between the Village of Taos Ski Valley, a New Mexico Municipality (hereinafter "VILLAGE") and Mile Compton Construction, (hereinafter CONTRACTOR") on this 11th day of July, 2018

WHEREAS, the VILLAGE has found it necessary to retain the services of CONTRACTOR to provide contractor services to construct a concrete foundation for the relocation of the Kachina Fire Station to the new Site. Includes the site preparation and drainage according to the attached site map; and

WHEREAS, the VILLAGE desires to engage CONTRACTOR to provide said services; and

WHEREAS, CONTRACTOR desires to provide such service(s) under the terms and conditions of this contract;

THEREFORE, IT IS HEREBY MUTUALLY AGREED by and between the parties that:

1. Scope of Work. CONTRACTOR shall act as:

Per attached site drawing (Exhibit A.) Includes: rebar and mesh, concrete pour and finish utilizing 3000 PSI concrete , insulation installation and 22 ga. Metal insulation cover cleanup of site upon completion of work

2. Address & Phone Contact. The address and phone number of Contractor is:

Mike Compton Construction
PO Box 1867
Taos, NM 87571
575-758-9220

3. Term. This contract shall be effective from July 11, 2018 and terminate at 5:00 p.m. on August 31, 2018 unless sooner terminated pursuant to the termination provision below or by completion of said services. This contract shall not be effective until approved by the **VILLAGE Council and signed by the Mayor.**

4. Renewal. VILLAGE shall have the right, but is not obligated, to renew this contract subject to terms agreeable to both the VILLAGE and CONTRACTOR.
5. Compensation. The VILLAGE shall pay CONTRACTOR, under this contract, a sum of \$16,290.00 plus applicable sales of .0925% using the TIDD CRS code #20-480 for filing.
6. Release. CONTRACTOR agrees that, upon final payment of the amount due under this contract, CONTRACTOR releases the VILLAGE from all liabilities, claims and/or obligations whatsoever arising from, or under, this contract.
7. Appropriations. This contract is contingent upon there being sufficient appropriations available. The VILLAGE shall be the sole and final determiner of whether sufficient appropriations exist. If this contract encompasses more than one fiscal year, this contract is contingent upon continuing appropriations being available.
8. Annual Review. If this contract encompasses more than one fiscal year, this contract is subject to an annual review by the VILLAGE. If any deficiencies are noted during the review process, the Contractor shall be given a specified time, as per the Notice to Cure provision below, in which to cure said deficiency(ies).
9. Conflicts Provision. Should there be any conflict between any terms, condition or understanding between any term or condition contained in this contract and those documents incorporated by reference, the terms and conditions of this contract shall govern.
10. Work Product. Once the construction has been accomplished, the quality of work must be approved and accepted by the Village as complete. All work and work product produced under this contract shall be and remain the exclusive property of the VILLAGE and CONTRACTOR shall not use, sell, disclose or otherwise make available to anyone (individual, corporation or organization), other than the VILLAGE, any such work or work product or copies thereof. If applicable, the provision of Sec. 13-1-123(B), N.M.S.A. (1978 as amended) shall apply. Further, CONTRACTOR shall not apply for, in its name or otherwise, for any copyright, patent or other property right and acknowledges that any such property right created or developed remains the exclusive right of the VILLAGE.
11. Status of Contractor. CONTRACTOR acknowledges that it is an independent contractor and as such neither it nor its employees, agents or representatives shall be considered employees or agents of the VILLAGE nor shall they be eligible to accrue leave, retirement benefits, insurance benefits, use of VILLAGE vehicles, or any other benefits provided to VILLAGE employees.
12. Non-Agency. CONTRACTOR agrees not to purport to bind the VILLAGE to any obligation not assumed herein by the VILLAGE, unless the CONTRACTOR has express written approval and then only within the limits of that expressed authority.
13. Confidentiality. Any information learned, given to, or developed by CONTRACTOR in the performance of this contract shall be kept confidential and shall not be made available or otherwise released to any individual or organization without the prior written approval of the VILLAGE.

14. Worker's Compensation. CONTRACTOR acknowledges that neither it nor its employees, agents or representatives shall have any claim whatsoever to worker's compensation coverage under the VILLAGE's policy.
15. Taxes. CONTRACTOR acknowledges that it and it alone, shall be liable for and shall pay to the New Mexico Taxation & Revenue Department, the applicable gross receipts taxes on all monies paid to it under this contract and that the VILLAGE shall have no liability for payment of such tax. CONTRACTOR also acknowledges that it, and it alone, shall be liable to the State and Federal government(s) and/or their agencies for income and self-employment taxes required by law and that the VILLAGE shall have no liability for payment of such taxes or amounts.
16. Records-Audit. CONTRACTOR shall keep, maintain and make available, to the VILLAGE, all records, invoices, bills, etc. related to performance of this contract for a period of three (3) years after the date of final payment. If federal grant funds are used to pay under this contract, Contractor shall retain all records for the period of time under which OMB Circular 102-A shall apply. Said records shall be available for inspection, audit and/or copying by the VILLAGE or its authorized representative or agent, including federal and/or state auditors.
17. Indemnification. CONTRACTOR agrees to indemnify and hold harmless the VILLAGE from any and all claims, suits, and causes of action which may arise from its performance under this contract unless specifically exempted by New Mexico law. CONTRACTOR further agrees to hold harmless the VILLAGE from all personal claims for any injury or death sustained by CONTRACTOR, its employees, agents or other representatives while engaged in the performance of this contract. CONTRACTOR agrees to maintain liability insurance at least equal to the requirements of the New Mexico Tort Claims Act during the term of this contract.
18. Assignment & Subcontracting. CONTRACTOR shall not assign, transfer or subcontract any interest in this contract or attempt to assign, transfer or subcontract any claims for money due under this contract without the prior written approval of the VILLAGE.
19. Conflict of Interest. CONTRACTOR warrants that it presently has no interest or conflict of interest and shall not acquire any interest or conflict of interest which would conflict with its performance of services under this contract.
20. Non-Discrimination. CONTRACTOR agrees that it, its employee(s) and/or agent(s) shall comply with all federal, state and local laws regarding equal employment opportunities, fair labor standards, and other non-discrimination and equal opportunity compliance laws, regulations and practices.
21. Default by Contractor. In the event that CONTRACTOR defaults on any term or provision of this contract, the VILLAGE retains the sole right to determine whether to declare the contract voidable and/or CONTRACTOR agrees to pay the VILLAGE the reasonable costs, including court fees and attorney's fees and direct and indirect damages, incurred in the enforcement of this contract.
22. Efforts to Cure. If the VILLAGE elects to provide the Contractor with notice to cure any deficiency or defect, the Contractor may have the time specified in the written "Notice to Cure" Authorization. Failure, by the Contractor, to cure said deficiency or defect, within the authorized time, shall result in an immediate termination of this contract subject to the provision of No. 9 above.

26. Severability. In the event that a court of competent jurisdiction finds that any term or provision of this contract is void, voidable or otherwise unenforceable, all other terms and provisions shall remain intact and enforceable where not otherwise inconsistent with the Court's findings.
27. Scope of Agreement. This contract incorporates all of the agreements and understandings between the parties. No prior agreement(s) or understanding(s), verbal or otherwise, shall be valid or enforceable unless embodied in this contract.
28. Amendment(s) to This Contract. This contract shall not be altered, changed, modified or amended, except by instrument, in writing, executed by both parties.
29. Applicable Law. This contract shall be governed by the Laws of the State of New Mexico and the Ordinances, resolutions, rules and regulations of the VILLAGE. Any legal proceeding brought against the VILLAGE, arising out of this contract, shall be brought before the Eighth Judicial District Court, Taos County, State of New Mexico.
30. Illegal Acts. Pursuant to Sec. 13-1-191, N.M.S.A. 1978 (as amended), it shall be unlawful for any CONTRACTOR to engage in bribery, offering gratuities with the intent to solicit business, or offering or accepting kickbacks of any kind. All other similar act(s) of bribes, gratuities and/or kickbacks are likewise hereby prohibited.

IN WITNESS HEREOF, the parties have executed this Agreement as of the date first written above.

CONTRACTOR

CONTRACTOR'S GRT/CRS NUMBER or

CONTRACTOR'S FED. TAX ID NO. or SSN

VILLAGE OF TAOS SKI VALLEY

CHRISTOF BROWNELL, MAYOR

ATTEST:

ANN MARIE WOOLDRIDGE, VILLAGE CLERK

Village of Taos Ski Valley
Village Council
Agenda Item

AGENDA ITEM TITLE: Presentation and Discussion on Possible Land Swap and Other Options in Regards to the Village's Bull of the Woods Lot

DATE: July 10, 2018

PRESENTED BY: Mark G. Fratrack, Village Administrator

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION:

The Village of Taos Ski Valley owns a .50 acre lot roughly located at the entrance to the Bull of the Woods. This property was acquired with the intention of building a residence to provide housing for the Village Administrator. At a past Council meeting, the subject of what to do with the Bull of the Woods lot was discussed. The Village Council directed Staff to get an appraisal of the property to better assess the possible value of said property. An appraisal was conducted, completed, and sent to Staff in June 2018. The appraisal report was email out to the Mayor and Council on July 5, 2018. With the appraisal completed, it will allow the Council to have a better discussion on possible options for what to do with the property. Some of the possible options for the Mayor and Council to discuss:

1. Swap the property for other property: Prior to becoming a Village Councilor, Roger Pattison had approached the Village Administrator with offering to possibly swap some Pattison property for the Village Bull of the Woods lot. And prior to discussions with the Village Administrator, Mr. Pattison had been in discussion with previous Village Staff members over the past few years.
2. Sell the Lot: Put it on the market and sell the property outright. Lot appraisal was \$240,000.00.
3. Use the property for Village infrastructure, such as a water tank to provide Block N residents with water.
4. Set up a park or picnic area of sorts.
5. Hold on to the property for the time being for future use, sale or trade.

These are some of the suggested options that have been presented or discussed with the Village Administrator; the list is in no way meant to be all-inclusive or exclusive of options to be considered.

RECOMMENDATION: Staff requests direction on which option, or options, to look into and bring back at a later meeting to present to Council for further consideration.

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: Consideration to Approve the Annual Contract with the Village of Taos Ski Valley Chamber of Commerce for Fiscal Year 2019

DATE: July 10, 2018

PRESENTED BY: Nancy Grabowski, Finance Director

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: The Village of Taos Ski Valley Chamber of Commerce has been supported by the Village lodger's tax collections for many years. The Village works with the Chamber, providing monthly payments to support the work of the Chamber. The Chamber in-turn supports the community by advertising for the businesses which are located within the Village boundaries.

RECOMMENDATION: Staff recommends approval of the contract between the Village of Taos Ski Valley and the Village of Taos Ski Valley Chamber of Commerce for FY 2019.

Village of Taos Ski Valley
Village Council
Agenda Item

AGENDA ITEM TITLE: **Consideration to Approve Resolution No. 2019-359 Approving a Permanent Budget Adjustment Request for Increased Engineering Services Expense for Wastewater Treatment Plant Upgrade**

DATE: July 10, 2018

PRESENTED BY: Nancy Grabowski, Finance Director

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: The Village submitted its fiscal year 2017-18 budget in July of 2017. The budget included approximately \$250,000 for the estimated engineering services for the Waste Water Treatment Plant revitalization for fiscal year 2018. In the last few months FEI Engineers have been working on the RFP including pre-bid meetings, addendums to the bid, and working closely with Ovivo the membrane manufacturing company, to finalize the plans for the plant revitalization, in anticipation of beginning the project this summer. Also the Village increased its revenue collection budget when it received interim bond financing in December 2017. The Village has now exceeded the original budgeted amount for engineering services and Staff is requesting a budget adjustment of \$41,500 to cover these additional expenses. (See attached exhibit A)

RECOMMENDATION: Staff recommends approval of Resolution No. 2019-359 Approving a Permanent Budget Adjustment Request for Increased Engineering Services Expense for the Wastewater Treatment Plant Upgrade

**VILLAGE OF TAOS SKI VALLEY
RESOLUTION NO. 2019-359**

**A RESOLUTION REQUESTING A PERMANENT BUDGET ADJUSTMENT TO THE
FY2018 BUDGET FOR THE INCREASED ENGINEERING EXPENSES FOR THE
WASTE WATER TREATMENT PLANT REVITALIZATION**

WHEREAS, it is hereby resolved that the Village of Taos Ski Valley having met in a regular meeting on July 10, 2018 proposes to make an adjustment to the Fiscal 2017-18 budget as follows:

<u>FUND</u>	<u>ACCOUNT/DESCRIPTION</u>	<u>AMOUNT</u>
6225/42 Sewer Fund	Engineering	\$ 41,500.00
	TOTAL EXPENSE/BAR	\$ 41,500.00

WHEREAS, at the regular meeting of the Village of Taos Ski Valley Governing body on July 10, 2018, it considered adjustments to its budget for the Fiscal Year 2017-2018; and

WHEREAS, said budget was developed on the basis of need and through cooperation with all user departments, elected officials and other department supervisors; and

WHEREAS, the official meetings for the review of said documents were duly advertised and posted in compliance with the State of New Mexico Open Meetings Act; and

WHEREAS, it is the majority opinion of this Council that the proposed budget adjustments meets the requirements as currently determined for Fiscal Year 2017-2018.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the governing body of the Village of Taos Ski Valley, State of New Mexico hereby approves, authorizes and directs that the Village of Taos Ski Valley budget for Fiscal Year 2017-2018 be amended accordingly.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2018.

THE VILLAGE OF TAOS SKI VALLEY

By: _____
Christof Brownell, Mayor

(Seal)

ATTEST:

Ann M. Wooldridge, Village Clerk

VOTE: For _____ Against _____

11:42 AM

07/01/18

Cash Basis

VILLAGE OF TAOS SKI VALLEY
CASH ACTIVITY Budget vs. Actual by class
 July 2017 through June 2018

	42 SEWER DEPRC			
	Jul '17 - Jun 18	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
4027 · REVENUE - OTHER	0.00	50,000.00	-50,000.00	0.0%
4041 · REVENUE - SEWER CONNECTION FE...	89,692.59			
4053 · REVENUE - GRT MUN CAP OUTLAY1/4	105,280.11	97,692.00	7,588.11	107.8%
4056 · REVENUE - LEGISLATIVE APPROPRI.	20,977.84			
4061 · Bond Proceeds	1,900,000.00	1,900,000.00	0.00	100.0%
4070 · CWSRF 2016 Revenue	161,473.19	243,381.00	-81,907.81	66.3%
7005 · REVENUE - INTEREST INCOME	1,231.48	250.00	981.48	492.6%
9000 · BEG. BALANCE	160,827.77			
Total Income	2,439,482.98	2,291,323.00	148,159.98	106.5%
Gross Profit	2,439,482.98	2,291,323.00	148,159.98	106.5%
Expense				
4082 · DEBT SERV - 2007 WWTP LOAN PRIN	82,112.16	82,112.00	0.16	100.0%
4083 · DEBT SERV. - 2007 WWTP LOAN INT	28,239.72	28,240.00	-0.28	100.0%
6220 · OUTSIDE CONTRACTORS	88,153.45	88,905.51	-752.06	99.2%
6225 · ENGINEERING	292,819.93	251,413.00	41,406.93	116.5%
6230 · LEGAL SERVICES	36,958.60	37,526.22	-567.62	98.5%
6310 · Advertising	1,189.28	1,200.00	-10.72	99.1%
6313 · MATERIAL & SUPPLIES	2,425.85	4,500.00	-2,074.15	53.9%
6315 · BANK CHARGES	24,184.23	24,184.00	0.23	100.0%
6318 · Postage	41.37	100.00	-58.63	41.4%
6320 · EQUIPMENT REPAIR & PARTS	0.00	1,000.00	-1,000.00	0.0%
6323 · SYSTEM REPAIR & PARTS	1,967.00	5,000.00	-3,033.00	39.3%
6331 · OUTSIDE TESTING SERVICES	3,178.06	3,200.00	-21.94	99.3%
8322 · CAPITAL EXPENDITURES	12,748.28	15,000.00	-2,251.72	85.0%
8325 · EQUIPMENT & TOOL PURCHASE	20,977.84	20,978.00	-0.16	100.0%
8423 · CWSRF 052 Interest	7,914.21	7,914.21	0.00	100.0%
8425 · Hold Harmless Bond Interest pay	416.67			
8427 · Net Revenue Bond Interest pay	416.67			
Total Expense	603,743.32	571,272.94	32,470.38	105.7%
Net Ordinary Income	1,835,739.66	1,720,050.06	115,689.60	106.7%
Other Income/Expense				
Other Expense				
9001 · TRANSFER TO FUND	-454,795.75	-500,352.00	45,556.25	90.9%
Total Other Expense	-454,795.75	-500,352.00	45,556.25	90.9%
Net Other Income	454,795.75	500,352.00	-45,556.25	90.9%
Net Income	2,290,535.41	2,220,402.06	70,133.35	103.2%

BAR

Resolution
#2019-359

Village of Taos Ski Valley
Village Council
Agenda Item

AGENDA ITEM TITLE: **Consideration to Approve Resolution No. 2019-360 Approving a Permanent Budget Adjustment Request for the Land Purchase and Swap for the Ernie Blake Road Improvement project**

DATE: July 10, 2018

PRESENTED BY: Nancy Grabowski, Finance Director

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: The Village submitted its fiscal year 2017-18 budget in July of 2017. At that time the Ernie Blake Road project was in the ICIP but was not included in the FY2018 budget projections. The Village did not have any plans to proceed with this project at that time but projects that TSV Inc. initiated caused the timing on the Ernie Blake Road project to become more important. The Village has now purchased and swapped most of the land needed to proceed with Ernie Blake Road improvements. Funds were taken from the General Reserve Fund (43) to accommodate this purchase, which is partially what the reserve fund has been designated for, that is, purchase of real property. Since the expense was not included in the FY2018 original budget, a budget adjustment of \$248,500 is needed to cover the additional expense. (See exhibit "B")

RECOMMENDATION: Staff recommends approval of Resolution No. 2019-360 Approving a Permanent Budget Adjustment Request for the Land Purchase and Swap for the Ernie Blake Road Improvement project.

**VILLAGE OF TAOS SKI VALLEY
RESOLUTION NO. 2019-360**

**A RESOLUTION REQUESTING A PERMANENT BUDGET ADJUSTMENT TO THE
FY2018 BUDGET FOR THE LAND PURCHASE and SWAP FOR THE ERNIE BLAKE
ROAD IMPROVEMENT PROJECT**

WHEREAS, it is hereby resolved that the Village of Taos Ski Valley having met in a regular meeting on July 10, 2018 proposes to make an adjustment to the Fiscal 2017-18 budget as follows:

<u>FUND</u>	<u>ACCOUNT/DESCRIPTION</u>	<u>AMOUNT</u>
8322/43 General Reserve Fund	Capital Land Purchase	\$248,500.00
TOTAL EXPENSE/BAR		\$248,500.00

WHEREAS, at the regular meeting of the Village of Taos Ski Valley Governing body on July 10, 2018, it considered adjustments to its budget for the Fiscal Year 2017-2018; and

WHEREAS, said budget was developed on the basis of need and through cooperation with all user departments, elected officials and other department supervisors; and

WHEREAS, the official meetings for the review of said documents were duly advertised and posted in compliance with the State of New Mexico Open Meetings Act; and

WHEREAS, it is the majority opinion of this Council that the proposed budget adjustments meets the requirements as currently determined for Fiscal Year 2017-2018.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the governing body of the Village of Taos Ski Valley, State of New Mexico hereby approves, authorizes and directs that the Village of Taos Ski Valley budget for Fiscal Year 2017-2018 be amended accordingly.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2018.

THE VILLAGE OF TAOS SKI VALLEY

By: _____
Christof Brownell, Mayor

(Seal)

ATTEST:

Ann M. Wooldridge, Village Clerk

VOTE: For _____ Against _____

11:43 AM
07/01/18
Cash Basis

VILLAGE OF TAOS SKI VALLEY
CASH ACTIVITY Budget vs. Actual by class
July 2017 through June 2018

Exhibit "B"

	43 GENERAL/ADMIN RESERVE			
	Jul '17 - Jun 18	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
4027 · REVENUE - OTHER	98,987.89	60,000.00	38,987.89	165.0%
7005 · REVENUE - INTEREST INCO...	1,784.77	180.00	1,604.77	991.5%
9000 · BEG. BALANCE	1,366,956.96			
Total Income	1,467,729.62	60,180.00	1,407,549.62	2,438.9%
Gross Profit	1,467,729.62	60,180.00	1,407,549.62	2,438.9%
Expense				
6220 · OUTSIDE CONTRACTORS	2,909.78			
6315 · BANK CHARGES	10.00			
8322 · CAPITAL EXPENDITURES	298,402.67	50,000.00	248,402.67	596.8%
Total Expense	301,322.45	50,000.00	251,322.45	602.6%
Net Ordinary Income	1,166,407.17	10,180.00	1,156,227.17	11,457.8%
Other Income/Expense				
Other Expense				
9001 · TRANSFER TO FUND	-300,000.00	-310,000.00	10,000.00	96.8%
Total Other Expense	-300,000.00	-310,000.00	10,000.00	96.8%
Net Other Income	300,000.00	310,000.00	-10,000.00	96.8%
Net Income	1,466,407.17	320,180.00	1,146,227.17	458.0%

Resolution
2019-360

Village of Taos Ski Valley
Village Council
Agenda Item

AGENDA ITEM TITLE: **Consideration to Approve Resolution No. 2019-361 Approving a Permanent Budget Adjustment Request in FY2018 for the CD Investment Maturing in June 2018**

DATE: July 10, 2018

PRESENTED BY: Nancy Grabowski, Finance Director

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: The Village submitted its fiscal year 2017-18 budget in July of 2017. In June 2018 a CD investment in the General Fund (03) matured and rolled into the money market cash account. The funds will be reinvested in July of 2018.

RECOMMENDATION: Staff recommends approval of **Resolution No. 2019-361** Approving a Permanent Budget Adjustment Request (BAR) in FY2018 for the CD Investment Maturing in June 2018, for the transition of investment funds into cash.

**VILLAGE OF TAOS SKI VALLEY
RESOLUTION NO. 2019-361**

**A RESOLUTION REQUESTING A PERMANENT BUDGET ADJUSTMENT TO THE
FY2018 BUDGET FOR THE CD THAT MATURED IN JUNE 2018 AND CONVERTED
INTO THE ATTACHED MONEY MARKET CASH ACCOUNT**

WHEREAS, it is hereby resolved that the Village of Taos Ski Valley having met in a regular meeting on July 10, 2018 proposes to make an adjustment to the Fiscal 2017-18 budget as follows:

<u>FUND</u>	<u>ACCOUNT/DESCRIPTION</u>	<u>AMOUNT</u>
03 General Fund	Cash/Money Market Funds	\$250,000.00
03 General Fund	CD Investment	(\$250,000.00)

TOTAL EXPENSE/BAR

WHEREAS, at the regular meeting of the Village of Taos Ski Valley Governing body on July 10, 2018, it considered adjustments to its budget for the Fiscal Year 2017-2018; and

WHEREAS, said budget was developed on the basis of need and through cooperation with all user departments, elected officials and other department supervisors; and

WHEREAS, the official meetings for the review of said documents were duly advertised and posted in compliance with the State of New Mexico Open Meetings Act; and

WHEREAS, it is the majority opinion of this Council that the proposed budget adjustments meets the requirements as currently determined for Fiscal Year 2017-2018.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the governing body of the Village of Taos Ski Valley, State of New Mexico hereby approves, authorizes and directs that the Village of Taos Ski Valley budget for Fiscal Year 2017-2018 be amended accordingly.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2018.

THE VILLAGE OF TAOS SKI VALLEY

By: _____
Christof Brownell, Mayor

(Seal)

ATTEST:

Ann M. Wooldridge, Village Clerk

VOTE: For _____ Against _____

Village of Taos Ski Valley
Village Council
Agenda Item

AGENDA ITEM TITLE: **Consideration to Approve Resolution No. 2019-362 Approving a Permanent Budget Adjustment Request in FY2019 to Reinvest Money Market Funds into a CD Investment**

DATE: July 10, 2018

PRESENTED BY: Nancy Grabowski, Finance Director

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: The Village is submitting its fiscal year 2018-19 budget in July of 2018. In June 2018 a \$250,000 CD investment in the general fund (03) matured and rolled into the money market cash account. Staff would like to reinvest these funds into a new CD investment account.

RECOMMENDATION: Staff recommends approval of Resolution No. 2019-362 Approving a Permanent Budget Adjustment Request in FY2019 to Reinvest Money Market Funds into a CD Investment

**VILLAGE OF TAOS SKI VALLEY
RESOLUTION NO. 2019-362**

**A RESOLUTION REQUESTING A PERMANENT BUDGET ADJUSTMENT TO THE
FY2019 BUDGET TO REINVEST GENERAL FUND MONEY MARKET FUNDS BACK
INTO CD INVESTMENT.**

WHEREAS, it is hereby resolved that the Village of Taos Ski Valley having met in a regular meeting on July10, 2018 proposes to make an adjustment to the Fiscal 2017-18 budget as follows:

<u>FUND</u>	<u>ACCOUNT/DESCRIPTION</u>	<u>AMOUNT</u>
03 General Fund	CD Investment	\$250,000.00
03 General Fund	Cash Money Market	(\$250,000.00)
TOTAL EXPENSE/BAR		

WHEREAS, at the regular meeting of the Village of Taos Ski Valley Governing body on July 10, 2018, it considered adjustments to its budget for the Fiscal Year 2017-2018; and

WHEREAS, said budget was developed on the basis of need and through cooperation with all user departments, elected officials and other department supervisors; and

WHEREAS, the official meetings for the review of said documents were duly advertised and posted in compliance with the State of New Mexico Open Meetings Act; and

WHEREAS, it is the majority opinion of this Council that the proposed budget adjustments meets the requirements as currently determined for Fiscal Year 2017-2018.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the governing body of the Village of Taos Ski Valley, State of New Mexico hereby approves, authorizes and directs that the Village of Taos Ski Valley budget for Fiscal Year 2017-2018 be amended accordingly.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2018.

THE VILLAGE OF TAOS SKI VALLEY

By: _____
Christof Brownell, Mayor

(Seal)

ATTEST:

Ann M. Wooldridge, Village Clerk

VOTE: For _____ Against _____

Village of Taos Ski Valley
Village Council
Agenda Item

AGENDA ITEM TITLE: Consideration to Approve **Resolution No. 2018-363**, A Resolution Authorizing and Approving Financial Assistance from the New Mexico State Highway and Transportation Department FY2019, NM LGRF DOT Project SP-5-19 (198)

DATE: July 10, 2018

PRESENTED BY: Ray Keen, Public Works Director

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: The Village Council needs to approve a resolution for State Highway and Transportation Department funding. After passage of the attached resolution, the Highway Department will be drafting a contract for Village approval for the 2019 road project. At this point, the State has committed to funding in the amount of \$100,223.00 with the Village contributing 25% of total project costs, or \$33,408.00, for a total project cost of \$133,631.00.

Monies for the project will be used for full construction with drainage improvements of various local streets.

RECOMMENDATION: Approval of **Resolution No. 2018-363**, a resolution authorizing and approving financial assistance from the New Mexico State Highway and Transportation Department

VILLAGE OF TAOS SKI VALLEY

RESOLUTION NO. 2018-363

**AUTHORIZING AND APPROVING FINANCIAL ASSISTANCE FROM THE NEW MEXICO
STATE HIGHWAY AND TRANSPORTATION DEPARTMENT
FY 2019, NM LOCAL GOVERNMENT ROAD FUND PROJECT SP-5-19 (198)**

Whereas, the Village intends to undertake construction and improvements to its road system (Project # SP-5-19 (198)) and has received a commitment for financial assistance from the New Mexico State Highway Transportation Department of 75% match which is \$100,223.00 and the Village of Taos Ski Valley has the financial resources for the 25% match which is \$33,408.00. The total project cost is \$133,631.00.

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

Section 1. That all action (not consistent with the provisions hereof) heretofore taken by the Village and the officers and employees thereof directed toward the Application and the Project, be and the same is hereby ratified, approved and confirmed.

Section 2. That the application to be submitted by the Village, be and the same is hereby approved and confirmed as stated in Exhibit A attached hereto and incorporated by reference herein for full construction, reconstruction, drainage improvements, pavement rehabilitation/improvements of various local streets .

Section 3. That the officers and employees of the Village are hereby directed and requested to submit the application for review and are further authorized to take such other action as may be requested by the New Mexico State Highway and Transportation Department in its consideration and review of the application and to further proceed with arrangements for financing the Project.

Section 4. All acts and resolutions in conflict with this resolution are hereby rescinded, annulled and repealed.

Section 5. This resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 10th day of July, 2018.

THE VILLAGE OF TAOS SKI VALLEY

By _____
Christof Brownell, Mayor

(Seal)
ATTEST

Ann M. Wooldridge, Clerk

Vote: For _____ Against _____



7 Firehouse Road
Post Office Box 100
TaosSkiValley
New Mexico 87525

(575) 776-8220
(575) 776-1145 Fax

E-mail: vtsv@vtsv.org
Web Site: vtsv.org

MAYOR:
Neal King

COUNCIL:
Kathleen V. Bennett
Christof Brownell
J. Christopher Stagg
Thomas P. Wittman

VILLAGE
ADMINISTRATOR:
Mark G. Fratrack

FINANCE DIRECTOR:
Nancy Grabowski

CLERK:
Ann M. Wooldridge

March 12, 2018
Revised July 5, 2018

Mr. Paul Brasher, District 5 Acting Engineer
c/o Susan Godina
New Mexico Department of Transportation
7135 Cerrillos Road
Santa Fe, NM 87502

RE: Project Proposal 2018/2019 Road Coop Projects

Dear Mr. Brasher,

The Village of Taos Ski Valley is pleased to submit our proposal for the New Mexico Department of Transportation (NMDOT) FY 2018/2019 Local Government Road Fund Cooperative Projects (LGRF). The proposed Scope of Work consists of drainage, surface, and air quality improvements to Village roadways.

LOCATION

The proposed project is on Twining Road, which is entirely within the incorporated limits of the Village of Taos Ski Valley. All work will be within the public right of way and the project is our next priority for continued improvements to the roadways within the Village.

SCOPE OF WORK

The project scope includes drainage improvements to approximately 2150 lineal feet of Twining Road from Ernie Blake Road to Cliffhanger Loop. The improvements include installation of Storm Drainage Drop Inlets, stabilized or lined drainage swales, and installation of curb and gutter where necessary to facilitate proper drainage. Base Course or Asphalt Millings will be added to maintain a proper roadway surface. This project will complement improvements previously made to Twining Road as part of the 2015/2016 Local Government Road Fund Cooperative Project. In addition, the project scope includes dust control village-wide to improve and maintain air quality. (See Exhibit A: FY 2018/2019 Local Government Road Fund- Road Map).

Specific Bid Items are included in the attached Bid Schedule (Exhibit B) for the improvements as proposed for FY 2018/2019 and are consistent with previous LGRF projects.

PROJECT JUSTIFICATION

The Village of Taos Ski Valley is surrounded by the Hondo-Columbine and Wheeler Peak Wilderness Areas to the North and South and is located within the Upper Rio Hondo watershed. The watershed consists of high elevation alpine mountains, numerous streams and steep slopes. Development and traffic visiting the Village of Taos Ski Valley continually tasks the Village to properly maintain their roadways while taking strong consideration of the environmental impacts due to increased traffic and natural occurrences. The Village of Taos Ski Valley is highly sensitive to the environmental conditions that come with intense rainstorms, heavy snowfall, snowmelt and the runoff, and heavy tourism traffic. The Village is home to numerous narrow switchbacks and steep roadways. The proposed project lies within one of these areas. The proposed improvements will allow the Village to properly control the runoff and erosion in the area through the installation of drop inlets and drainage swales.

The proposed grading and installation of Base Course or Asphalt Millings will allow for proper roadway and subgrade stabilization to help improve the service life of Twining Road in this reach. The proposed dust mitigation is a continual challenge for the Village of Taos Ski Valley with high traffic during the dry season. The Village is continually investigating means of dust control that are long lasting while maintaining the balance to the sensitive environment that adds the natural beauty surrounding the Village.

The Village hereby certifies that the proposed work is on a public roadway and is necessary for the public good, safety and welfare of the municipality.

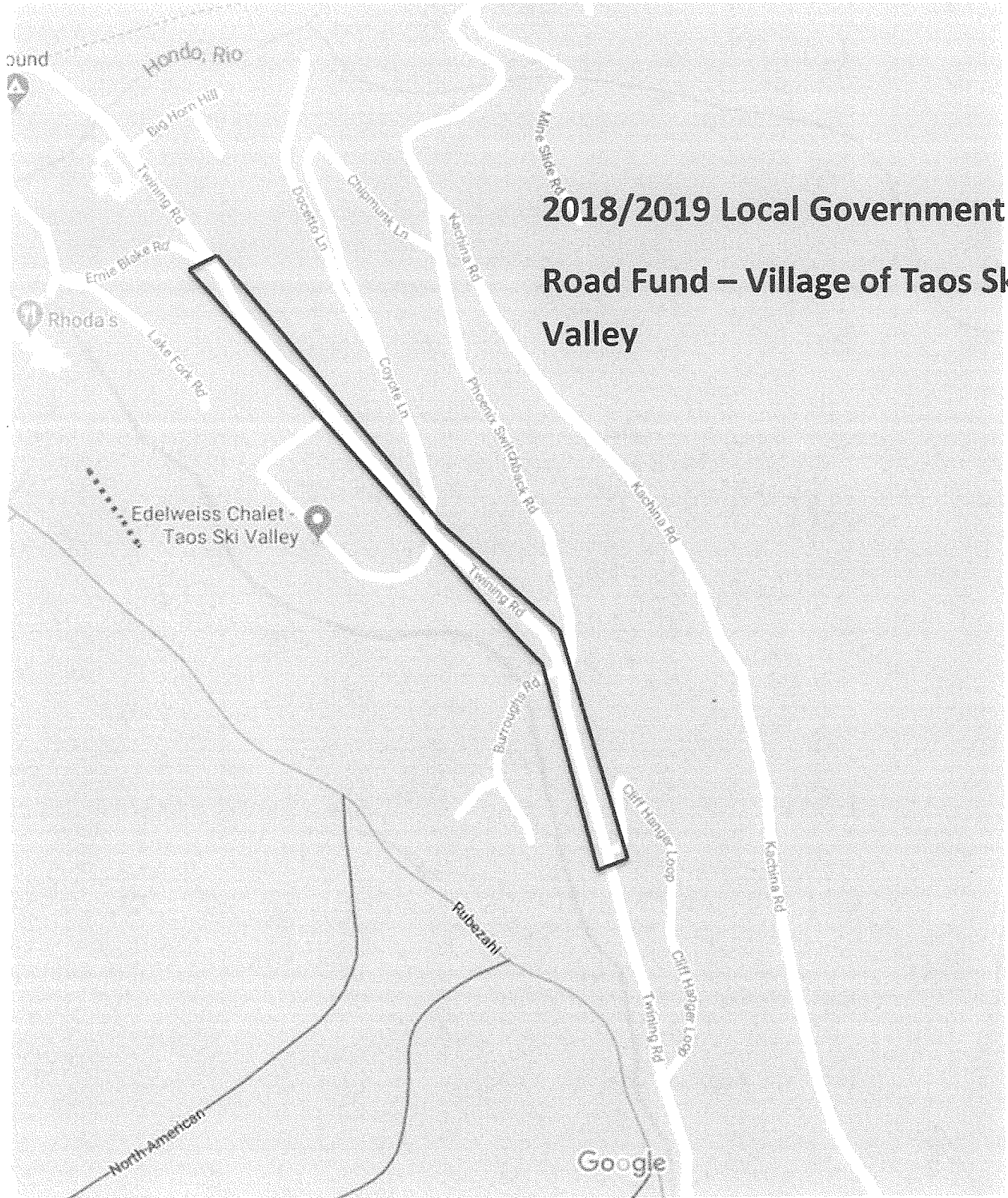


Mark G. Frattrick
Village Administrator



Date

EXHIBIT A



**2018/2019 Local Government
Road Fund – Village of Taos Ski
Valley**

Village of Taos Ski Valley
FY 2018 / 2019 LGRF Program
Exhibit B - Estimate of Cost

#	Item	Unit	Quantity	Cost	Total
1	Material: 15" x 20" HDPE Pipe	FT	400	\$ 35.00	\$ 14,000.00
2	Material: 15" HDPE Culvert Fitting	EA	3	\$ 300.00	\$ 900.00
3	Material: 15" WT Couple	EA	3	\$ 105.00	\$ 315.00
4	Material: 30" Drain Basin	EA	3	\$ 1,700.00	\$ 5,100.00
5	Material: Base Course	TN	250	\$ 25.00	\$ 6,250.00
6	Curb and Gutter	LF	600	\$ 35.00	\$ 21,000.00
7	Material: Crusher Fine	TN	10	\$ 22.00	\$ 220.00
8	Outside Contractor: Surveying	EA	1	\$ 2,500.00	\$ 2,500.00
9	Material: Mag Chloride or equivalent	TOTE	15	\$ 365.00	\$ 5,475.00
10	Equipment Rental: Water Truck	MO	3	\$ 2,333.33	\$ 6,999.99
11	Cattle Guard Type Drainage Inlet	CIP	1	\$ 10,000.00	\$ 10,000.00
12	Erosion Protection (concrete Cloth)	SF	500	\$ 7.00	\$ 3,500.00
13	Dust Abatement- Asphalt Millings-2126lf c	Tons	931	\$ 30.00	\$ 27,930.00
14	Labor	HR	1250	\$ 14.50	\$ 18,125.00
Sub- total					\$ 122,314.99
NMGRT @ 9.25%					\$ 11,314.14
GRAND TOTAL					\$ 133,629.13

Village of Taos Ski Valley
Village Council
Agenda Item

AGENDA ITEM TITLE: **Consideration to Approve Village of Taos Ski Valley Resolution No. 2018-365 A Resolution Declaring Hazardous Fire Conditions and Imposing Fire Restrictions**

DATE: July 10, 2018

PRESENTED BY: Mark G. Fratrack, Village Administrator

STATUS OF AGENDA ITEM: New business

CAN THIS ITEM BE RESCHEDULED: Not recommended

BACKGROUND INFORMATION:

Carson Nation Forest instituted Stage 3 fire restrictions on June 27, 2018 which included closure of the U.S. Forest Service lands. The Village of Taos Ski Valley held an Emergency Council meeting on June 27, 2018 to consider what steps the Village should take to support the Forest Service Stage 3 restrictions. The Village cannot shut down as there are people living here, businesses open, and projects that need to be worked on.

The Village adopted Ordinance 2004-02 AN ORDINANCE RELATING TO OPEN FIRES, FIREWORKS AND THE USE OF PUBLIC PROPERTY; REGULATING THE USE OF FIREWORKS AND OPEN FIRES AND PROHIBITING THE USE OF OPEN FIRES DURING PERIODS WHEN THE FIRE CHIEF FINDS THAT THE FIRE DANGER IS HIGH; PROVIDING A PENALTY AND REPEALING ORDINANCE 97-2, on August 5, 2003. The ordinance does not address items currently under discussion.

Chief Daniels presented a draft Resolution with safety measures to take for the Village residents, businesses, visitors, and project contractors. These items were discussed and approved by the Village Council in draft form on June 27, 2018.

STAFF RECOMMENDATION: The fire restrictions outlined in the resolution have been in use and have been publicized. A motion is requested to approve Village of Taos Ski Valley **Resolution No. 2018-365** A Resolution Declaring Hazardous Fire Conditions and Imposing Fire Restrictions

Village of Taos Ski Valley
Resolution No. 2018-365
A Resolution Declaring Hazardous Fire Conditions and
Imposing Fire Restrictions

Whereas, The Village of Taos Ski Valley has ordained that due to long term drought conditions and rapidly escalating fire danger within the Village of Taos Ski Valley the following activities shall be prohibited or restricted within the boundaries of the Village of Taos Ski Valley; until rescinded

Whereas, consistent with its authority to provide for the safety and to preserve the health and welfare of the residents of the Village of Taos Ski Valley, pursuant to the Village of Taos Ski Valley Ordinance No. 2004-02, sections 1-8, the following restrictions are being imposed effective immediately;

RESTRICTIONS:

- **HIKER PARKING IS CLOSED UNTIL FURTHER NOTICE.**
- **CHARCOAL AND WOOD BURNING GRILLS ARE PROHIBITED;** Cooking devices, intended for outdoor use, fueled by charcoal or wood are prohibited.
- **OPEN BURNING IS PROHIBITED;** Agriculture burning; bonfires; burning of explosives and fireworks; campfires; ceremonial fires; controlled burning; outdoor cooking fires; outdoor heating fires; open burning; open flames; burning and/or storing slash or woodchip piles; and weed burning are prohibited.
- **SMALL ENGINE EQUIPMENT IS PROHIBITED;** Operating small internal or external combustion engines such as temporary generators, chainsaws, landscaping equipment or any tool which emits sparks are prohibited
- **OUTDOOR WELDING AND CUTTING TORCHES ARE PROHIBITED;** Welding or operating acetylene or other gas fueled torch is prohibited.
- **SMOKING OUTDOORS IS PROHIBITED;** Smoking is restricted to designated areas within structures which are exempt from the New Mexico No Smoking in Public Facilities Act, NMSA § 24-16-12 or inside personal vehicles equipped with ashtrays.
- **FIREWORKS ARE PROHIBITED;** The discharge of any type of fireworks or pyrotechnic devices is prohibited.
- **BURN PERMITS;** All previously issued burn permits are suspended. Holders of these permits will need to reapply for a new permit once these restrictions have been lifted.

ALLOWABLE ACTIVITIES:

- **KACHINA VISTA PARK IS OPEN.**
- **CAMPING ON PRIVATE PROPERTY IS ALLOWED.**
- **PARKING IN THE MAIN PARKING LOT IS ALLOWED UNLESS OTHERWISE STATED.**
- **FIREPLACES AND WOODSTOVES;** The use of indoor fireplaces and woodstoves are permitted, provided they are equipped with a metal spark arrestor screen.
- **BARBEQUE GRILLS;** Cooking devices that have an on/off switch intended for outdoor use, fueled by liquid propane gas, natural gas or liquid fuel are permitted provided that the user:
 - Shall maintain a minimum clearance of 15' of device and all combustible structures, fences and/or vegetation (No clearance is required at a single family dwelling.)
 - Shall constantly be attended by a capable adult with a means of complete extinguishment

- Shall dispose of waste in non-combustible containers with lids tightly secured
- **FIRE FOR COMMERCIAL COOKING;** The use of fire that would otherwise be prohibited, may be allowed for commercial purposes by permit only. A commercial permit for this use may be obtained from the Taos Ski Valley Fire Department or the Village of Taos Ski Valley Office. A valid Village of Taos Ski Valley Business License is a prerequisite. A commercial permit does not relieve the permit holder from any civil or criminal liability associated with damage resulting from an escaped fire or from the recovery of the cost of controlling and escaped fire.

FIRE RESTRICTION EXEMPTION PERMIT;

- A Fire Restriction Exemption Permit may be obtained from the Taos Ski Valley Fire Department or the Village of Taos Ski Valley Office. Approval and signature must be obtained from the Taos Ski Valley Fire Chief or the Village of Taos Ski Valley Planning and Building Department. Permit holder must have a copy of approved and signed exemption permit at applied property.

PENALTIES;

- Pursuant to the Village of Taos Ski Valley Ordinance No.2004-02, section 7, the penalties for any violation of these restrictions shall be a fine of not more than \$500 and/or imprisonment of not more than ninety (90) days.

Any federal, state or local member of an organized law enforcement, rescue or firefighting force in the performance of their official duty is exempted from this resolution.

PASSED, APPROVED AND ADOPTED

THIS ____ DAY OF _____, 2018

Christof Brownell, Mayor

Attest:

Ann Marie Wooldridge, Village Clerk

Vote: For ____ Against ____

Village of Taos Ski Valley
Village Council
Agenda Item

AGENDA ITEM TITLE: **Consideration to Authorize a Utility Billing Credit for
Uncollectable Trash Fees in the Amount of \$545.63**

DATE: July 10, 2018

PRESENTED BY: Ann Marie Wooldridge, Village Clerk

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION:

The Village's Revenue Collection Policy requires that for delinquent trash fees for properties not on the Village's water and sewer system, which are billed every six months for trash, a late fee begin accumulating after 30 days. After 120 days of non-payment, and once the uncollected fee is over \$100, a lien would be placed on the property.

Two properties in Amizette, both Streamside Suite Condominiums, went in to foreclosure in January 2015. The Village proceeded with the required measures, placing liens at the appropriate time. Village Staff recently inquired, and learned, that the two condominiums had sold in 2018. Village Staff received the new owner information. However, because the liens had not been recognized at the time of the sale by a title company, the overdue amounts remain unpaid.

Staff inquired at Taos County and learned that the liens were properly placed, and in the correct format. The Taos County Clerk recommended finding out which title companies were used and contacting them to inquire as to why these liens were not recognized and the unpaid amounts not paid.

Staff will pursue this, but in the event that Staff and legal counsel costs begin to surpass the cost of the uncollected trash fees, Staff is requesting approval for the option to write off the uncollected trash fees. Presumably, if the condominiums were in foreclosure, no one was using the units and generating trash. One unit had \$288.08 in trash fees unpaid, and the other unit had \$257.55 in unpaid fees at the time of each sale, totaling \$545.63.

Staff requests approval at this time since 6-month trash bills are issued at the end of July for the July-December 2018 period, and Staff needs to issue new trash bills for these customers.

RECOMMENDATION:

Staff recommends that Council vote to authorize a write-off of these fees if Staff and legal counsel time cost accumulates to a greater amount than the fees.