



Village of Taos Ski Valley
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VILLAGE COUNCIL REGULAR MEETING
DRAFT MINUTES
EDELWEISS LODGE CLUB ROOM
106 SUTTON PLACE
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, MAY 14, 2019, 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 John Avila
Village Clerk Ann Wooldridge
Finance Director Nancy Grabowski
Police Chief Sam Trujillo
Community Development Director Patrick Nicholson
Building Official Jalmar Bowden
Public Works Director Anthony Martinez
Administrative Assistant Renee Romero
Administrative Assistant Christina Wilder
Village Attorney Susan Baker

3. APPROVAL OF THE AGENDA

Councilor Wittman asked to move items 12. G. and 12. H. to before item 12. A. , and to move the Parks & Recreation Committee report to precede the Citizen's Forum.

MOTION: To approve the agenda as amended

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

4. APPROVAL OF THE MINUTES OF THE APRIL 9, 2019 VILLAGE COUNCIL REGULAR MEETING and the APRIL 16, 2019 VILLAGE COUNCIL SPECIAL MEETING

MOTION: To approve the minutes as presented

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

- 7. D. Parks & Recreation Committee** – Committee Chair Katherine Kett reported that trash pick-up day would take place on May 23, 2019, with a picnic lunch at noon at the Firehouse. (Note: this was later changed to May 30, 2019 because of inclement weather.) Summer projects are underway to hang flower baskets, install the disc golf course, and other items, which will all be set up by mid-June. The playground equipment will not be installed this year as no adequate location has been identified.

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

A. Homeowner Francie Parker addressed the Council to say that she was concerned about the proposed employee housing dormitory that TSVI would like to build on the corner of O.E. Pattison Loop and Twining Road. She said that none of the neighbors or anyone else affected by this proposed dormitory were notified or knew anything about the plans to build a 16,000 square foot, four-story tall building in their neighborhood. She said that the dormitory would reclaim current roadway for its footprint, and would house up to 80 temporary workers, while providing only 7 parking spaces. She said that they only found out about the proposed project because of a small item placed upon the April 1, 2019 P&Z meeting agenda. According to Ms. Parker, there was a shortage of required parking spaces or zoning conformance for the project. Upon request, she had received meeting minutes for a meeting held on February 21, 2019 between the Village staff and TSV Inc. for a Certificate of Compatibility Checklist Pre-Submission Those meeting minutes, written by TSVI, stated that no mandatory public review or notification was required according to Village ordinances. The final approved March 12, 2019 Village Council meeting minutes state that in Planning Director Nicholson's department briefing for March, no variances or conditional use permits were expected for the project.

Ms. Parker asked that Village policy be changed and that one of the Village Councilors sponsor, draft, and submit a new Village ordinance for approval that requires that a sign be posted on a property 30 days before any building permit is approved. This would ensure an adequate period for public comment in the Village of Taos Ski Valley and make the Village homeowners feel more informed about the changes occurring in the Taos Ski Valley as it continues to grow, she said.

Ms. Parker asked that a two-week notice be given of "any such issue coming before the P&Z Commission."

B. TSVI CEO David Norden said that TSVI has learned that the public is interested in what they are doing and so they will make a concerted effort to inform the public. He said that TSVI's goals are to enjoy and protect the outdoors, while giving back to entities that support a sustainable environment. He said that TSVI sponsored a charitable event in the last week of ski season that raised \$132,000 for donation to the Taos Community Foundation towards Search & Rescue efforts, through various organizations. Mr. Norden reported that two TSVI employees had recently been awarded a NM Leadership award and an Innovation & Sustainability award.

C. TSVI's Development Director Peter Johnson asked how the Village Staff could re-do, rescind, and change agreed-upon plans, in its effort to better regulate Village rules. Attorney Baker advised the Council to not respond.

D. Homeowner Sharon Woods said that she was strongly against the proposed dormitory. She asked how the parking requirement was evaluated. Ms. Woods said that having the proposed dormitory in her neighborhood would hurt the residents and their property values.

E. Homeowner Rob Elliott spoke against the proposed dormitory and said that the neighborhood residents had contacted lawyers and media consultants.

F. Homeowner Rhonda Fleck spoke against the proposed dormitory, saying that if it were to be constructed, the property owner who allowed the use of her bridge to cross the river would shut the bridge to public access. The neighborhood residents would no longer have use of a bridge to get to the ski area.

6. FINANCIAL REPORTS

Director Grabowski reported that GRT remitted to the Village in April was \$252,341 compared to \$187,022 for April last year. Year-to-date GRT total is \$1,805,292 versus \$1,279,374 for last year, a 41% increase of previous year's collections. The TIDD received GRT of \$143,433 in April for February collections. Hold Harmless GRT for the month was \$33,803.

Lodger's tax collections in April were \$122,892 versus \$74,080 for last year. Year-to-date total is \$506,854 for this year, compared to \$344,519 for last year, a 47% increase of previous year's collections.

Water and sewer revenues are up 8% from the previous year.

Heritage Trust, who has been doing the monthly Centinel Bank monthly reconciliations, payroll quarterly reports, W-2 and 1099's for the Village, has given notice that they will no longer be able to provide these services. Staff sent out a request for bids from local CPA and bookkeeping services. A bookkeeping/CPA service has provided assistance to the finance department in the past and has allowed for stronger internal controls. The Village also requested bids from these firms to process payroll and payroll liabilities.

7. COMMITTEE REPORTS

A. Planning and Zoning Commission –Commission Chair Wittman reported that the Commission did not meet in May, and most likely would not meet in June. If so, the next meeting will take place on July 1, 2019 at the Edelweiss Lodge Club Room.

B. Public Safety Committee –Committee Chair Pattison reported that the Committee had not met in May. The next meeting will take place on June 3, 2019 at 10:00 a.m. at the Inn at Taos Valley.

C. Firewise Community Board of Directors – Committee Chair Pattison reported that the Committee had not met in May. The next meeting will take place on June 3, 2019 at 11:00 a.m. at the Inn at Taos Valley.

E. Lodgers’ Tax Advisory Board

Councilor Stagg reported that at the April meeting, the Lodgers’ Tax grant requests had been approved for the same entities as in the previous year. The Council approves the final Lodger’s Tax Board fiscal year budget, which includes the grants. The next meeting of the Lodgers’ Tax Advisory Board is scheduled for June 12, 2019 at 11:00 a.m. at the Snakedance Condominiums.

8. REGIONAL REPORTS

Planning Director Nicholson reported that a draft Source Water Protection Committee plan will be brought to the Council in the next couple of months.

Administrator Avila reported that the Landfill Board meeting on April 25, 2019 included a request for budgeting regional cleanup projects, a policy for discussion on how to accommodate private entity discounts for assistance in cleanup projects without creating anti-donation violation, discussion of budget needs for increased fees to cover anticipated expenses, the impact for communities now that the Town of Taos Recycling Center is changing, and adoption of an investment policy.

The Inter-Governmental Council of the Enchanted Circle agenda was primarily occupied by the USFS explanation of the opportunities to participate in the Capitol Christmas Tree, and a call for Chambers of Commerce, Schools, and Community Organizations to organize along the stops of the tree’s route through New Mexico.

The Enchanted Circle Council of Governments (ECCOG) had a presentation by Carl Colonius with the Enchanted Circle Trails Association requesting funding, in addition to a statement of support for the Enchanted Circle Trails Association. The Board discussed Budget constraints and general and political support for the Trail Projects.

There was also a discussion of conducting an RFP for price agreements available to all members of the ECCOG. Administrator Avila said that the Town of Taos agreed that they would help correct the Capital Outlay designation for Gunsite Spring development of \$315,000 which was mistakenly assigned to Taos instead of to the Village of Taos Ski Valley.

9. MAYOR’S REPORT

Mayor Brownell thanked TSVI for adding an additional week to the ski season, which included some fresh powder days. He said that regional bus service through the NCRTD is difficult to organize for the Enchanted Circle because Angel Fire is in Colfax County. The hope is to get summer bus service to Taos Ski Valley by late June.

Mayor Brownell said that the construction workers on Thunderbird Road were being conscientious and considerate of the neighbors.

10. STAFF REPORTS

Administrator Avila reported on ongoing projects:

- **WWTP** – The Waste Water Treatment Plant expansion project is scheduled to start with site review May 15, 2019 with substantial completion to be reached in 210 calendar days. The overriding concern is to have the new plant completely functional in time for the seasonal increase in demand. Phasing the project over two years has not been a consideration in planning the project and would add to the cost of construction. Following receipt of the signed Notice to Proceed and subsequent execution by Integrated Water Services (IWS), IWS will release several purchase orders for subcontracts and equipment and they are prepared to attend a pre-construction conference call meeting on May 15, 2019. Prior to the meeting IWS will prepare and submit schedules consistent with the Contract Documents.
- USDA representatives participated in the bid evaluation process and recommended that the Village consider options for covering the growth of expected construction costs, including requesting an increased USDA loan authorization. Evaluation of rationale for additional funding to cover construction bids overage included the following:
 - A comparison of the construction project bids received in 2018 and the current April 2019 bids indicate that approximately \$3.3 million in construction cost was removed from the project plans. This reduction in cost is attributed primarily to reduced construction labor and materials associated with using packaged MBR plant equipment, elimination of the need for constructing large cast-in-place concrete basins, reducing the construction timeframe from 27 months to approximately 9 months,

eliminating a large amount of below-grade yard piping, and simplifying the mechanical piping and the electrical/I&C work required by utilizing the packaged MBR equipment systems.

- It is believed that the primary reasons for the construction bid cost over-run as compared to the approximate \$8 million 2016 PER cost estimate are attributable to the following primary reasons:
 - the remote location of the WWTP construction work impacting the cost and availability of labor, shipping cost of material, and per diem costs of workers
 - cost impact due to jobsite elevation on construction season and daily inclement weather as a percentage of total work days available
 - construction risk associated with labor and subcontractor availability shortages
 - materials and labor cost increases over the period from 2016 to 2019
 - cost increases tied to electrical and I&C work
 - adherence to the provisions of the American Iron and Steel (AIS) requirements
 - the need to provide a fully-functional temporary treatment plant system for the duration of construction
 - increased construction cost associated with the 8-foot depth of bury for yard piping
- The Village was able to make the deadline for a request for an increased possible USDA loan, and the request has progressed to final levels of approval. The Village may need to consider increased user rates if not able to meet the cost of the new plant with System Development Fees or continued support from the General Fund.
- **Kachina Water Tank** – The long planned construction of the Kachina Water Tank project has started with mobilization of equipment last week. Continued assistance by Village staff to clear snow at the project site will make the progress easier. The project was intended to be constructed in two building seasons due to issues with access and site constraints. The Contractor has a very tight schedule to meet in order to complete the project this building season. RMCI proposed and the Village accepted a change order for \$240,000, down from its original request of approximately \$500,000. As a priority for the expanded system capacity anticipated in the Village water system planning, the Kachina Water Tank project is needed to meet the surges in demand during the ski season. When completed it is also expected to provide increased capacity for buildings now experiencing lower water supply and pressure levels. System Development Fees are not anticipated to cover the Village share of the total cost of the project. The anticipated total cost of \$2,835,923 leaves a funding gap of \$867,923 over the budgeted \$1,968,000. The project was funded through the Water Trust Board for \$1,640,000: 10% loan, 90% grant, which required the Village to match the difference, then \$328,000. The project must be completed, invoiced and closed by November 30, 2019 to meet the Village's obligations for Water Trust Board Funding. An updated construction schedule will be provided as the construction progresses.
- **Village Hall Complex** – Developing Village Hall facilities has been a priority project, and the purchase and repurposing of the previous Taos Mountain Lodge property continues after many design and redesign issues. Work on the tasks continue in order to have permitted, functional, Village Work Force Housing. Tasks recently completed are the septic service contract, and the NMED final certification. Still to accomplish before the units are ready: CID approval, fire alarm installation, building repairs, plumbing, electric, phone, fiber, and block wall installation, and drains and landscape seeding. In order to meet budget constraints, work not planned for this fiscal year includes guard rails and road way work.

The Village Complex has been put to use this fiscal year and has offset some costs by serving as the temporary housing of Emergency Medical Technicians (EMT) and other Village professionals. The Complex office space can readily be put to use by the Village Police Department with relatively inexpensive construction costs. The facility would be an improvement to the current police trailer housing, and would provide a presence along the NM 150 corridor as well as providing additional safety oversight at the Complex.
- Village Staff met and started project and policy discussions with NMDOT District Chief Paul Brasher. As a result, there is a better understanding of the immensity of responsibilities in the wide regions of NMDOT District 5. Village Staff also learned of the best process to address issues with NMDOT for NM 150, and of possible funding sources that are available in conjunction with NMDOT.
- Chief Robert Molina has begun to address required reporting for the Village Volunteer Fire Department. Discussions are taking place about how the Fire Department can be best managed.
- **Department Briefs**
- Chief Trujillo reported on recent activity: Residential Alarms (1), Business Alarms (1), Vehicle Alarm (1), Suspicious Persons/Vehicles (1), Citizen Assists (93), Embezzlement (0), Traffic Enforcement Hours (62), Traffic Stops (7), Theft (1), Vehicle Theft (1), Larceny (0), Property Damage (0), Verbal Warnings (19), Written Warnings (2), Parking Citations (1), Written Citations (0), Assists to other Agencies (3), Foot Patrol Hours (61), Welfare Check (2), Animal calls (1),

MVCs (2), B&E (0), Trespass Warnings (0), Found/Lost Property (1), Disorderly (0), Reckless Driver (1), Private Property Crash (1), 911 Hang Up (0), Trespassing (0), Battery or Assault (0), Domestic Calls (0), Civil Stand-by (0), Fire Calls (1), EMS Calls (0), SAR Calls (0). Chief Trujillo recommended that citizens be aware of the upcoming bear season.

- Building Official Bowden reported that permits underway included: Parcel D foundation permit, a bathroom remodel in Amizette, the bridge for Parcel D, a cell tower, and the interior remodel of Mogul Medical.
- Planning Director Nicholson reported that the Village may submit a funding proposal to the Local Government Road Fund for paving Twining Road. The Shopoff Group will be undertaking an expanded Kachina Access Feasibility Study. The Village GIS database will continue to build with the sharing of information from Red Tail Surveying, Taos County, UNM, and other entities. The hope is to begin field data collection with the Village Public Works Staff. The Gunsite Spring monitoring and water sample collection activity has commenced.
- Public Works Director Martinez reported that Staff had been working on locating a water leak in the highest pressure zone. They found two leaks: one on the main line and another on a customer line. The water system was shut down for the Thunderbird Road new water line, which affected customers nearby. There was a valve malfunction at the Pioneer Glades Tank which affected the lower two pressure zones, but the malfunction was corrected that night, April 29th. There are no wastewater compliance issues to report. Staff is preparing the facility grounds for the upcoming construction. A new manhole was installed by The Blake.
Public Works Staff has cleared the road up to the Kachina Tank work site. Gravel has been brought in a few times to fill in the larger pot holes on Lower Twining Road, and other locations. Two-inch gravel was used to prevent washout.
- Clerk Wooldridge reported that notices had been sent to property owners and qualified electors noticing the postponement of the TIDD Board election due to Legislative changes to the Election Code. The Village purchased a new microphone and software to record Council meetings, which produces a clear recording. The corresponding transcription service, which was free, did not work, however. From the April 9, 2019 council meeting, the transcription consisted of 61 pages of unusable words. A different service will be researched. Clerk Wooldridge is investigating the cost and the procedures involved in using a video camera at Council meetings, as requested.

11. OLD BUSINESS

12. NEW BUSINESS

G. Introduction: Ordinance No. 2019-67 An Ordinance Setting Water and Sewer System Connection Fees; Amending Prior Resolutions and Ordinances Relating to Water and Sewer System Fees; Providing For Regular Modification of Water and Sewer System Connection Fees to Cover Increased Operational and Maintenance Expenses
Administrator Avila and Attorney Baker introduced the proposed Ordinance. They said that in order to adequately support the fiscal sustainability of the Village water and wastewater systems, it is necessary for the Village to assess connection fees for new or expanded development. This Water and Sewer Connection Fees Ordinance legally establishes appropriate charges for connecting to the Village systems.

Administrator Avila and Attorney Baker said that the assessment of connection fees is a standard practice for local governments and is necessary to ensure the fiscal health of the water and sewer enterprise funds. The Village incurs excavation and construction costs to make water and sewer service connections to new residences and businesses requiring such service connections. These costs should be borne by the property owners requiring the new services and not exclusively by the Village.

As set forth in this Ordinance, any property owner who connects to the Village's sewer services must also comply with Village Ordinance No. 15-37, which restricts the discharge of dangerous and toxic effluent that could permanently damage the system. It also requires that an applicant obtain a permit to discharge certain types of effluent. For example, storm water and construction debris should not be allowed to flow directly into the system and may be mitigated through a sophisticated filtration system and regular monitoring. The proposed Ordinance clarifies that the costs incurred to ensure compliance with Ordinance No. 15-37 are to be borne by the property owner and not the Village.

Since this is the Introduction of Ordinance 2019-67, this item is for discussion only at this meeting.

Discussion followed with several questions being asked, especially about how this would relate to old connections. A request was made for a public meeting on this topic in order for the public to better understand what is being proposed. Attorney Baker said that the System Development Fee Resolution would be repealed if and when this Connection Fee Ordinance was passed.

MOTION: To Remand this draft Ordinance to the Planning & Zoning Commission for review and discussion

**Motion: Councilor Stagg
dissenting)**

Second: Councilor Wittman

Passed: 3-1 (Councilor Pattison

H. Introduction: Ordinance No. 2019-68 Approving an Annual Increase to Water, Sewer, and Trash Rates for Fiscal Year 2020 and Continue to Increase by that Rate Each Fiscal Year for the Next Four Fiscal Years: 2021, 2022, 2023, and 2024

The Village of Taos Ski Valley provides Water, Sewer and Trash service through self-supporting enterprise operations that require user fees. The rates for these services have been addressed from time to time in order to pay for capital and operational expenditures. Historically, the General Fund has helped to augment or subsidize the Enterprise Fund services. In order to make these services self-reliant, the rates collected need to at least cover expenses. The rate ordinance has been reviewed over the past year and information and methodologies were presented in the Council Workshop on March 5, 2019. From the Workshop discussions, rates sufficient to cover yearly expenses are recommended in Ordinance 2019-68. The Ordinance also includes a yearly adjustment to rates so as to maintain pace with incremental costs for these services. In addition, a new method will be put into place which stabilizes the rates from year to year in order to have fewer fluctuations.

The costs of managing trash collection is forecasted to increase locally with increased costs for hauling by Waste Management, increased participation/program costs predicted from the Landfill Board, and reduction in Recycling availability from the Town of Taos. In order to directly match waste mitigation services with the fluctuating demand by visitors it is also recommended to link the fee for trash service to water usage.

As this is the introduction of **Ordinance No. 2019-68**, no action is required at this time. A Public Hearing will be held at the next Council meeting for adoption of the Ordinance.

The Council asked for the draft Ordinance to be revised and brought back at the following Council meeting, without the provision for an increase every year for five years.

Councilor Wittman departed the meeting.

A. Consideration for Council Acknowledgement of the Village of Taos Ski Valley FY2019 3rd Quarter Financial Report
Director Grabowski explained that as per the Department of Finance (DFA) Local Government Division, it is required to have the quarterly financial information submitted no later than 30 days after the close of each quarter. The summary report as submitted to DFA, the Profit and Loss from July 1-March 31, 2019, and the Balance Sheet as of March 31, 2019, as well as the investment summary schedule as of March 31, 2019 were presented. Staff is submitting this report to the Council for its review and acknowledgement of the financial status of the Village of Taos Ski Valley as of March 31, 2019.

MOTION: To Acknowledge the Village of Taos Ski Valley FY2019 3rd Quarter Financial Report
Motion: Councilor Stagg Second: Councilor Kern Passed: 3-0

B. Consideration to Approve **Resolution No. 2019-394** Requesting a Permanent Budget Adjustment (BAR) to the FY2019 budget for the Fire Protection fund (18) Adding Propane Utility Expense and Decreasing Contract/Professional Services Expense

Director Grabowski explained that the Village submitted its fiscal year 2018-19 budget in July of 2018. At that time the Village did not know that the fire substation would need to be moved by TSVI for construction and for additional parking in the Kachina area. Since the Substation was moved, another source of heating had to be arranged and a new propane tank was leased for the Substation. The Village has now received the initial propane bill totaling \$1410.16 and since there was not a line item for this expense in the original fire protection fund, this needs to be added to account for the expense. In order to avoid an increase to the total expense in the fire fund FY2019 budget, it was determined that the budget for contract/professional services could be decreased.

MOTION: To Approve Resolution No. 2019-394 Requesting a Permanent Budget Adjustment (BAR) to the FY2019 budget for the Fire Protection fund (18) Adding Propane Utility Expense and Decreasing Contract/Professional Services Expense
Motion: Councilor Kern Second: Councilor Stagg Passed: 3-0

C. Consideration to Approve **Resolution No. 2019-395** Requesting a Permanent Budget Adjustment (BAR) to the FY2019 Budget to Record Gross Receipts Taxes as Gross Revenue and Add the Administrative Fee as an Expense

The Village submitted its fiscal year 2018-19 budget in July of 2018. Historically the Village has reported the collections of Gross Receipts Taxes (GRT) net of the administrative fees. With the new Local Government Budget Management System (LGBMS) the Department of Finance has noticed a reporting anomaly between local government entities, and is now requiring that the full revenue amount of collected GRT be accounted for and that an expense item for the fees be added to each fund budget. These changes will affect the following funds and revenue allocations:

General Fund (03)	GRT Municipal and GRT State
Roads (05)	GRT Infrastructure
Environment (07)	GRT Environmental
Sewer Depreciation (42)	GRT Hold Harmless and GRT Capital Outlay

Staff calculated the amounts based on the actual GRT revenues and expenses for FY2019 and has added an additional estimate to all of the revenue and expense items for the remaining May and June collections. These new requirements will be included in the FY2020 budget projections.

MOTION: To Approve Resolution No. 2019-395 Requesting a Permanent Budget Adjustment (BAR) to the FY2019 Budget to Record Gross Receipts Taxes as Gross Revenue and Add the Administrative Fee as an Expense
Motion: Councilor Stagg Second: Councilor Kern Passed: 3-0

D. Consideration to Approve Renewal of the Audit Contract with Burt & Company CPA LLC for Three Years
Director Grabowski explained that in 2015 the Office of the State Auditor decided that many entities were using the same auditors for what they considered too long of a time period. The State Auditor updated the audit rule at that time and limited the term of audit services to a six consecutive-year limit. The Village had had the same auditor for twelve years at that time. Village staff conducted an RFP and awarded the contract to Burt & Company CPA LLC. The State Auditor requests that entities get updated bids after the third year, in accordance with state procurement code, to make sure that entities are getting the best value for their purchase.

Based on the revised audit rule, section F-3 “The agency is encouraged to request multiple-year proposals for audit and AUP services, not to exceed three years, however the term of the contract shall be for one year only.” Staff requested bids from other auditors but Burt & Company remained the lowest bidder. Staff is satisfied with their performance and would prefer to continue utilizing their services. Although there is an increase from \$19,500 to \$22,000 per year, staff finds this increase acceptable and warranted, based on the number of projects and increased time the audit will require. The proposed Contract Task Order amount of \$30,000 exceeds the \$25,000 administrative approval threshold, and requires Village Council approval to proceed.

MOTION: To Approve Renewal of the Audit Contract with Burt & Company CPA LLC for Three Years
Motion: Councilor Kern Second: Councilor Stagg Passed: 3-0

E. Consideration to Approve Letter Amendment to the Voluntary Collection Agreement between Airbnb and the Village of Taos Ski Valley, NM for the Collection of the Lodger’s Tax

Since Airbnb entered into a Voluntary Collection Agreement (VCA) with the Village of Taos Ski Valley in March 2018, Airbnb has decided to offer some members of its host community an optional software feature for tax compliance. This new tax tool, a variation of which is already available on other platforms, will essentially allow hosts to remit applicable lodging taxes on their own. In Airbnb’s case, it is likely only hosts in the traditional hospitality industry will have access to this software feature. Airbnb will continue to collect and remit occupancy taxes on behalf of all other hosts. Airbnb has provided an amendment to the VCA that incorporates terms related to the new tax tool.

Airbnb has said that no entity in the Village has expressed an interest in using this optional program. Airbnb said that they look forward to continuing the partnership with the Village of Taos Ski Valley.

Although the Village is allowed to request a list of Airbnb participants only every four years, it appears that Airbnb has been collecting and remitting Lodger’s Tax consistently and on time.

MOTION: To Approve Submitting the Letter Amendment to the Voluntary Collection Agreement between Airbnb and the Village of Taos Ski Valley, NM for the Collection of the Lodger’s Tax, providing that any changes in the recent Lodger’s Tax Collection statutes are followed

Motion: Councilor Stagg Second: Councilor Kern Passed: 3-0

F. Introduction of FY2020 Draft Budget

Director Grabowski said that the budget had been discussed at the three and a half hour morning workshop and that the requested changes had been made and were presented here. Councilor Stagg commended the Village Staff on a job well done.

13. MISCELLANEOUS

14. CLOSED SESSION

A. Discussion of Possible Litigation

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

MOTION: To go to Closed Executive Session

Motion: Councilor Stagg Second: Councilor Kern Passed: 3-0

MOTION: To return to Open Session

Motion: Councilor Stagg Second: Councilor Kern Passed: 3-0

No decisions or motions were made during closed session.

MOTION: To direct Staff to contact Joseph Canepa per TSVI in order to negotiate pending litigation issues

Motion: Councilor Stagg Second: Councilor Kern Passed: 3-0

Discussion followed concerning the best way forward for the Village to work together with TSVI and the TIDD.

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

The next Regular Village Council Meeting will be held on Tuesday, June 11, 2019 at 2:00 p.m. at the Edelweiss Lodge Club Room. (The location of the June meeting was later changed to the Taos Tent on Thunderbird Road.) (A Special Council meeting was scheduled for May 29, 2019 to approve two Resolutions accepting the New Mexico Environment Department Capital Outlay Funds, \$1,300,000 for the Wastewater Treatment Plant, and \$315,000 for the Gunsite Spring development.

16. ADJOURNMENT

MOTION: To Adjourn

Motion: Councilor Kern Second: Councilor Stagg Passed: 3-0

The meeting adjourned at 5:30 p.m.

Christof Brownell, Mayor

ATTEST: _____
Ann M. Wooldridge, Village Clerk