

C. Mr. Dominic Martinez, E911 Coordinator for Taos County, spoke about the need to improve communications between Central Dispatch and the Village EMTs. They are interested in opening the lines of communication between E911, the Village, and TSVI.

Mr. Bobby Lucero, Taos County Emergency Management Coordinator, went over the Text Alert system that is being used by Taos County.

Mayor Brownell said that the Village would be glad to work with Taos County on both if these items.

D. David Norden, TSVI CEO, announced that Taos Air was resuming operations for the winter season and reservations were underway. He said that he had appreciated the good discussion on workforce housing which had taken place at the previous day's P&Z Commission meeting. Mr. Norden said that TSVI would be buying the Columbine Inn with a predicted closing date of November 20, 2019. He thought that a good conversation had taken place with Mayor Brownell and Councilor Wittman about impact fees. He hoped that this would be a building block in the foundation of a good relationship going forward.

He invited the Village to set a date to get together with representatives of TSVI for TSVI to share its vision, and hoped that then the Village would reciprocate in sharing its vision.

6. FINANCIAL REPORTS

Finance Director Grabowski reported that GRT remitted to the Village in September for July filings was \$83,776 compared to \$86,640 for last year. Year to date is -\$30,001 versus \$196,230 for last year. The negative number is a result of no distribution in August, along with a withdrawal of GRT by NM Tax & Revenue for re-payment of funds which should have gone to the TIDD.

The TIDD received GRT in September for July collections of \$53,769. Hold Harmless GRT for the month was \$12,628.

Lodger's tax collections in September for August were \$18,926 versus \$15,936 for last year. Fiscal year-to-date total is \$51,210 versus \$42,420 for last year.

Outside contractor expenses are up because of payouts to IWS for WWTP work, and to RMCI for Kachina Tank work. The WWTP payment will be submitted to NMED for Legislative Grant reimbursement, once approved by the USDA. The WTB funds have been exhausted for the Kachina Tank payments.

7. COMMITTEE REPORTS

A. **Planning and Zoning Commission** –Commission Chair Wittman reported on the October 7, 2019 P&Z Commission meeting. Agenda items included:

- An update on amended building code adoptions in a draft ordinance to be presented for review in the next few months
- A first review of the draft Firewise Ordinance with input from the Firewise Board members. A Community Outreach meeting on the draft ordinance will take place on Saturday, November 9, 2019 at 2:00 p.m. at the Edelweiss Lodge Club Room. Following that, the P&Z Commission will meet in a Special meeting on Monday, November 18, 2019 at 1:00 p.m. at the Edelweiss Lodge to conduct further review and discussion of the draft ordinance.
- A Pattison Trust proposed land exchange consisting of 11 acres of Trust lands in several parcels in exchange for the ½ acre lot owned by the Village at the top of Bull-of-the-Woods Road. Input from the discussion was that a presentation of where these lands were and how they could be used was needed in order for the P&Z Commission to make a recommendation to the Council.
- Workforce housing options. TSVI announced the pending purchase of the Columbine Inn which will house approximately 70 employees full-time for the winter season. TSVI hopes to eventually house 200 employees in the Village in order to lessen the travel burden for their staff, have better consistency, and also to provide individuals who can volunteer for the Fire and EMS Departments. The building permit for some code amendments to the building will be issued by the Village soon.
- The Shopoff presentation for preliminary plat approval and zone change applications for The Resort at Taos Ski Valley will be considered at the November P&Z meeting.

The next meeting is scheduled for November 4, 2019 at 1:00 p.m. at the Edelweiss Lodge Club Room.

B. **Public Safety Committee** –Committee Chair Pattison reported that the Committee met on October 7, 2019.

The Committee continues discussions on its projects:

- Working on the process of undergrounding electric service within the Village

- NMDOT needs to re-paint the latest striping on State Road 150
- Second siren installed at Kachina Lift Station, testing the controller, getting going on third siren acquisition
- E911 communications – Making connections with Taos County on this. Need funds for a new repeater.
- EMS Staffing is a necessity, researching methods of funding this essential service. Would like more information on the Village web site.
- Draft Firewise Ordinance continued amendments. Dead standing and dead down trees a priority target. Penalties may be lightened. The ordinance may become more similar to guidelines.
- A Firewise Board Community meeting is planned for Saturday, November 9, 2019 with a possible field trip to get out and look at some good examples of thinning.
- The Firewise Board and the Public Safety Committee are hoping for the community to get involved in their projects.

The next meeting will take place on November 4, 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 met on October 7, 2019.

Discussion was covered under the Public Safety Committee report.

The next meeting will take place on November 4, 2019 at 11:00 a.m. at the Inn at Taos Valley.

D. Parks & Recreation Committee – Committee Member Kerrie Pattison reported that the volleyball net would be taken down the following week, as well as the disc golf course baskets.

The next meeting will take place on Wednesday, October 16, 2019 at 4:30 p.m. at the Stray Dog Cantina

E. Lodger’s Tax Advisory Board – The next meeting will take place on Wednesday, October 9, 2019 at 2:00 p.m.

8. REGIONAL REPORTS

Village Administrator Avila reported that he would be attending the Lodger’s Tax Board meeting with the Village’s requests. Planning Director Nicholson plans to attend the NM RTPO meeting on October 10, 2019, and a Source Water Protection meeting is scheduled for Wednesday, October 16, 2019 at 10:00 a.m. at the Edelweiss Lodge Club Room.

9. MAYOR’S REPORT

Mayor Brownell said that a solution had to be found for hiring EMS Staff. He said that there is a possibility of buying land from Mickey Blake for vehicle bays and possibly Village offices.

The Landfill Board will be scheduling a special recycling meeting, as this is an important regional issue.

Mayor Brownell appointed members to a Task Force to study the finances for the Village Complex project.

The Task Force members are: Councilor Wittman, Councilor Pattison, P&Z Commissioner Caldwell, and P&Z Commissioner King. The hope is to get the community involved in planning next steps for this project.

10. STAFF REPORTS

Administrator Avila reported on ongoing projects:

- **WWTP** – Project management for the Waste Water Treatment Plant includes scheduling for month-end the regular progress meetings with USDA to coincide with the Village’s pay application process. A list of guided items are discussed at monthly construction meetings, the last week of the month, and addressed in the owner’s monitoring report to Rural Development.

The old treatment plant building has been demolished and the stem wall has been poured for the new treatment plant. Existing piping and miscellaneous equipment have been removed and plumbing installed for the new lab. Coordination is taking place with NM Gas for new lines and meters. Old electrical conduit has been demolished with installation of new conduit. The new treatment plant slab and equipment pads have been poured. The Ovivo tanks are in place.

Upcoming work includes the connection of the gas lines, connection to Kit Carson fiber optic, and construction of the building around the installed equipment. Building delivery scheduled for mid-October.

- **Kachina Water Tank** – work is proceeding smoothly. Plummer, RMCI, and the Village are coordinating the hose and pump for filling the tanks for testing, then backfill will be done. Funds will be sought for the required booster

pump. The engineers will be able to make a report in November. The Village Public Works Department is undertaking the task of extending the dry utilities from the existing end location on Blue Jay Ridge Road to the location where RMCI began work, in order to save money on a potential change order from RMCI. . One additional electrical pull box and one additional fiber pull box will be installed.

- **Village Hall Complex** – Completion of key tasks are required if the Village Complex Apartments are to be rentable. Grading the parking lot will take place this week with paving to follow. The Property management contract has been executed to start apartment and lease readiness. CID for fire alarms has been received. This approval will make way for other rental unit buildings in the Amizette area. A temporary tent will be placed at the site to house Totemoff. The Village Complex office space is being prepared for use by the Village Police Department with relatively inexpensive construction costs. Additionally the backup electrical generator being removed from the new sewer plant has a benefit for use at the Complex, especially for Public safety. The facility will be an improvement to trailer accommodations and will provide a presence along the NM 150 corridor, as well as additional safety at the Complex. As a Municipal Building, CID permitting is also needed for the Police offices. Additional funding for paving is requested for the Police Department.
- **Other Items:**
 - A resolution addressing signage and enforcement was passed at the last Council meeting. Purchase of signage and installation of signage is scheduled by November for signs at the entrance to Twining Road about four-wheel drive requirements, about the speed limit on Twining Road being lowered to 15 mph on the lower part, and also that parking be limited to one side of the road.
 - The Village has been advised to provide training for lodging establishments on lodger's tax collection, remittance, and records retention requirements.. Assistance will be asked of the NM Municipal League. In addition, the NM Statutes have changed which will require the Village's lodger's tax ordinance to be amended. .
 - The RFP for Excavation services for the Village resulted in no proposals, as did the RFI for land for municipal use.
- **Department Briefs**
- Chief Trujillo presented the September Public Safety report: Arrests (0), Residential Alarms (7), Business Alarms (1), Vehicle Alarm (0), Suspicious Persons/Vehicles (3), Citizen Assists (93), Embezzlement (0), Traffic Enforcement Hours (89), Traffic Stops (15), Traffic Hazard (2), Theft (0), Vehicle Theft (0), Larceny (0), Property Damage (0), Verbal Warnings (27), Written Warnings (1), Parking Citations (3), Written Citations (4), Assists to other Agencies (10), Foot Patrol Hours (42), Welfare Check (0), Animal calls (2), MVCs (1), B&E (0), Trespass Warnings (0), Found/Lost Property (1), Disorderly (0), Reckless Driver (1), Private Property Crash (0), 911 Hang Up (0), Trespassing (0), Battery or Assault (1), Domestic Calls (0), Narcotics Adult (0), Civil Stand-by (1), Shots Fired (1), Fire Calls (3), Fire Alarms (4), EMS Calls (2), SAR Calls (0).
Chief Trujillo said that there have been bear and bear scat sightings along Kachina Road.
- Planning Director Nicholson reported that the official comprehensive Village zoning map, reflecting all past Council decisions and amendments on zoning, will soon be posted at the Village office and on the Village web site. The Village released an RFP for an update to the Village system development fee and impact fee study, which supports the Needs Assessment report required to adopt these fees by ordinance. A committee reviewed the proposals and the award of contract is on the Council agenda for this meeting. The Resort at Taos Ski Valley project, including 25 acres of development consisting of retail, lodging, and residential properties including two hotels, is scheduled to be heard at the November 4, 2019 P&Z Commission meeting. The agenda is expected to include preliminary plat approval and a proposed zone change application of the 75 acre parcel located behind Wheeler Peak Condominiums in the Kachina area. Monitoring of the water quality and quantity at the Gunsite Spring continues. The initial results indicate that this is an extremely clean water source with an approximate water supply of 200 gpm at last reading, even this late in the season.
- Building Official Bowden reported that he had issued seven building permits over the past month, one for demolition of an existing residence which will be replaced next construction season, and the others were renovation and roofing permits.
- Public Works Director Martinez reported that there were no compliance issues, as is normal. Repairs are being conducted on the water truck and the mechanic's shop has been very busy. Public Works Department Staff have been digging trenches for conduit at the Village Hall complex and have stored wall blocks at the WWTP site temporarily. An RFB for snow removal may be conducted for snow removal, as well as working with TSVI, on Sutton Place snow removal. The road dedication requires that the road be plowed from 7 a.m. to 7 p.m., and that the sidewalks be maintained until 8:00 p.m. Director Martinez said that the Village Public Works Department needed some assistance in order to maintain this level of plowing.

Soil stabilizer is being applied for the fall rain run-offs. Director Martinez said that a plan is being drawn up for the required Kachina booster station pump. He is also working on ways to organize an asset management plan. A dirt stabilizer is being applied this fall.

- Chief Molina addressed the EMS staffing needs, saying that Taos County could help if the Village paid for the service. As needed housing for the medical transport unit, he recommended Firehouse #1 as being the best location. The new truck being donated by Taos County will hold 700 gallons. In order to participate in mutual aid, the Village needs VHF radio communication. He is hoping to augment the Fire Department's buildings.
- Clerk Wooldridge reminded the public that the TIDD Board election would take place on November 4, 2019 from 7:00 a.m. to 7:00 p.m. at the Inn at Taos Valley Club Room. Absentee and early voting is taking place starting October 8, 2019 through the office of the Taos County Clerk, as required in the newly adopted NM State Statute Election Code. The Municipal Officer Election Day will take place on March 3, 2019 for two Village Councilor positions.
- Attorney Baker advised that the Council must appoint an advisory committee to review the qualified professional's proposal for impact fee and system development fee amendments. This would be reviewed prior to P&Z Commission recommendation. The Shopoff proposal for development includes many items for review of access, water rights, Pattison Settlement Agreement obligations, land and easements requested for Gunsite Springs, and open space donation and acceptance by the Village. Water rights investigation has proved that documents need to be filed at the Office of the State Engineer for proof of beneficial use and proof of completion of works. Village Staff and Attorney Baker met with a representative of the Office of the State Engineer. Attorney Baker asked if the Council would like to sunset the approval of Chaz Rockey as an agent for the Village of Taos Ski Valley to the NM Tax & Revenue Department. She said that the negotiations continue about the Parcel D and C system development fees.

11. OLD BUSINESS

A. Consideration to Accept the Planning & Zoning Commission Review and Recommendation of Remanded Thunderbird Road Improvements Project

Village Staff recommend that Thunderbird Road design be remanded back to the Planning Commission for consideration. The Commission considered the matter at the September 9, 2019 meeting and made a recommendation to Council that they approve the 2018 Public Works Director signed engineering plans, with the condition that the Village and the Developer work with the Brownells on acquisition of the necessary property and the condition that the Village issue a revocation of the letters which rescinded approval for the Thunderbird Road plans.

TSVI Peter Talty said that all of the documents are in order for the road to proceed as shown. The agreements with the Cottams are in place, he said. Other documents are ready, including for the Brownell property. The Parcel C land will be donated for road alignment.

Much discussion took place.

MOTION: To Accept the Planning & Zoning Commission Review and Recommendation of Remanded Thunderbird Road Improvements Project

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

B. Discussion and Consideration of the Acquisition of Private Properties to Expand and Realign the Thunderbird Road Right-of-Way

Attorney Baker recommended that the Council discuss the Village's intent to acquire private property to facilitate the expansion of the Thunderbird Road right-of-way. If the Council determines to move forward with the acquisition of private property, it should make a formal motion to do so which includes directing the developer to meet with staff to determine the exact area to be acquired. Once this determination is made, a surveyor should be retained to describe the area specifically in metes and bounds, including any easements for drainage and other utilities.

Because costs related to the acquisition of private property are dependent upon the exact area to be acquired, Council may wish to consider having Staff report back with the survey before acquiring an appraisal. Or as another option, Council could direct staff to obtain both a survey and appraisal and then report back for further action.

Village staff is hopeful that acquisition of private properties can be resolved through negotiation. However, should negotiation fail, it would be necessary to engage in eminent domain legal proceedings. Therefore, any appraiser retained by the Village should be an expert in these matters.

Much discussion followed. Several recommendations were made to remove the sidewalk from the plans at this time.

Thunderbird Road is an important project with a major utility installation all of the way to the Burroughs crossing.

MOTION: To Acquire Private Properties to Expand and Realign the Thunderbird Road Right-of-Way, with the contingency to obtain a survey and appraisal

Motion: Councilor Stagg Second: Councilor Kern
Mayor Pro-Tem Wittman called for a vote Failed: 0-4

F. Consideration to Approve Resolution No. 2020-413, A Resolution Authorizing and Approving Financial Assistance from the New Mexico Department of Transportation FY2020 NM LGRF DOT Control No. L500369
A Resolution is needed to approve the NMDOT FY2020 Road Coop funding. NMDOT will be drafting a contract for Village approval. At this point, the State has committed to funding in the amount of \$74,158 with the Village contributing 25% of total project costs, or \$24,719, for a total project cost of \$98,877. Monies for the project will be used for full construction with drainage improvements of various local streets.

MOTION: To Approve Resolution No. 2020-413, A Resolution Authorizing and Approving Financial Assistance from the New Mexico Department of Transportation FY2020 NM LGRF DOT Control No. L500369

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

G. Consideration to Approve Awarding Contract to The Plumbers for Natural Gas Service Line Installation along with Appliance Conversion and Installation of Hot Water Heater Installation
Director Martinez contacted The Plumbers (Hawk Mechanical), Bond Plumbing and Heating, Prompt Professional Services and Matt's Refrigeration & Appliance Repair. The scope of work that was requested was to pressure test the existing lines and provide a quote for Appliance Conversation to natural gas. One quote was received for the work. The quote covered the following items:

- Gas Service Line Installation
- Gas Fired Heating Unit Conversion from Propane to Natural Gas
- Replacing existing Propane Water Heater with New Natural Gas Water Heater

MOTION: To Approve Awarding Contract to The Plumbers for Natural Gas Service Line Installation along with Appliance Conversion and Installation of Hot Water Heater Installation

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

H. Consideration to Approve Contract No. 2020-09 with Willdan Financial Services for the Village Impact Fee and System Development Study

The last Village Needs Assessment Report, substantiating the imposition of Development Impact Fees, was done in 2014. This was the last time Impact and System Development Fee assessments were updated. These fees should be reviewed and updated at a minimum of every five years.

MOTION: To Approve Contract No. 2020-09 with Willdan Financial Services for the Village Impact Fee and System Development Study

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

13. MISCELLANEOUS

14. CLOSED SESSION

A. Discussion of the Acquisition of Real Property – Water Rights

This matter may be discussed in closed session under Open Meetings Act exemption 10-15-1(H) (8)

B. Discussion of Possible Litigation – Parcel C Fees

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

C. Discussion of Limited Personnel Matters - General

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

MOTION: To go to Closed Executive Session

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

MOTION: To return to Open Session

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

No decisions or motions were made during closed session.

Direction was given to Attorney Baker to pursue negotiations according to direction given in Closed Session.

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

A Special Council meeting will be held on Tuesday, October 29, 2019 at 2:00 p.m. at the Edelweiss Lodge Club Room. The next Regular Village Council Meeting will be held on Tuesday, November 12, 2019 at 2:00 p.m. at the Edelweiss Lodge Club Room.

16. ADJOURNMENT

MOTION: To Adjourn

Motion: Councilor Stagg

Second: Councilor Kern

Passed: 4-0

The meeting adjourned at approximately 5:35 p.m.

Christof Brownell, Mayor

ATTEST: _____
Ann M. Wooldridge, Village Clerk