



**VILLAGE COUNCIL REGULAR MEETING AGENDA
EDELWEISS LODGE CLUB ROOM
106 SUTTON PLACE
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, DECEMBER 10, 2019 2:00 P.M.**

- 1. CALL TO ORDER AND NOTICE OF MEETING**
- 2. ROLL CALL**
- 3. APPROVAL OF THE AGENDA**
- 4. APPROVAL OF THE MINUTES OF THE NOVEMBER 12, 2019 VILLAGE COUNCIL REGULAR MEETING**
- 5. CONSIDERATION TO APPOINT MELVIN EUGENE COOPER AS A POLICE OFFICER 1-TEMPORARY PART TIME FOR THE VILLAGE OF TAOS SKI VALLEY**
- 6. PRESENTATION ON CURRENT FOREST RESTORATION ACTIVITIES AND OPPORTUNITIES FOR COLLABORATION by Ray Corral, Carson National Forest Fire Management Officer, and J.R. Logan, Community Wildfire Protection Plan Core Team Coordinator**
- 7. CITIZEN'S FORUM** –for non-agenda items only. Limit to 5 minutes per person (please sign in)
- 8. FINANCIAL REPORTS**
- 9. COMMITTEE REPORTS**
 - A. Planning & Zoning Commission
 - B. Public Safety Committee
 - C. Firewise Community Board
 - D. Parks & Recreation Committee
 - E. Lodger's Tax Advisory Board
- 10. REGIONAL REPORTS**
- 11. MAYOR'S REPORT**
- 12. STAFF REPORTS**
- 13. OLD BUSINESS**
- 14. NEW BUSINESS**
 - A. Consideration to Approve **Resolution No. 2020-417** a Resolution to Approve of the Disposal of the Department of Public Safety Eagle Radar Units
 - B. Consideration to Approve **Resolution No. 2020-418** Approving the Village of Taos Ski Valley 2020 Legislative Priority Requests
 - C. Consideration to Approve Renewal of the Medical Director's Service Contract for the EMS System in the Village of Taos Ski Valley
 - D. Consideration to Approve an Increase in Shift Stipends to Emergency Medical Services Peak On-Call Volunteers for the 2019-2020 Ski Season
 - E. Consideration to Approve Renewal of the GIS Services Contract and Authorization for the Village Administrator to Negotiate the Terms of the Contract
- 15. MISCELLANEOUS**
- 16. ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING OF THE VILLAGE COUNCIL**

-- Providing infrastructure & services to a World Class Ski Resort Community --

17. ADJOURNMENT

-- Providing infrastructure & services to a World Class Ski Resort Community --



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**VILLAGE COUNCIL REGULAR MEETING
DRAFT MINUTES
EDELWEISS LODGE CLUB ROOM
106 SUTTON PLACE
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, NOVEMBER 12, 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 role and a quorum was present.

Governing body present:

Mayor Christof Brownell
Councilor Jeff Kern
Councilor Roger Pattison
Councilor Chris Staggs
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
Project Manager Rich Willson
Administrative Assistant Renee Romero
Administrative Assistant Christina Wilder
Village Attorney Susan Baker

3. APPROVAL OF THE AGENDA

MOTION: To approve the agenda as presented

Motion: Councilor Wittman

Second: Councilor Kern

Passed: 4-0

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

A. David Norden, TSVI CEO, said that snowmaking was in full force and that there is much more snow being stockpiled up high than can be seen from the base area. With the cooler temperatures again, TSVI is having good snow production at night. The snowmaking crew is currently working from the Whistlestop down, and then will work from the top of Lift #1 down to the Whistlestop. The hope is to have Lift #1 open as well as the Pioneer Glade lift for opening day.

Mr. Norden reminded the Council of TSVI's invitation for the Council, the P&Z Commission, and Village Staff to meet with TSVI for them to share their vision, and also for the Village to share its vision.

Mr. Norden introduced Jessica Caskey who has been working on TSVI's B-Corp status renewal as well as on instituting a living wage standard and a pay equity standard at TSVI. Ms. Caskey will be attending some Council meetings in order to get more involved in the community.

5. FINANCIAL REPORTS

Finance Director Grabowski reported that GRT remitted to the Village in October for August filings was a negative \$17,407 compared to \$136,554 for last year. Year-to-date is -\$47,408 versus \$332,785 for last year. The negative number is a result of no distribution in October, along with a withdrawal of GRT by NM Tax & Revenue for repayment of funds which they determined should have gone to the TIDD.

The TIDD received GRT in October of \$251,397. Hold Harmless GRT for the month was \$12,277. Without the negative GRT amount year-to-date, the Hold Harmless revenue year-to-date would be \$30,911.

Lodger's tax collections in October for September were \$18,538 versus \$15,977 for last year. Fiscal year-to-date total is \$69,748 versus \$58,397 for last year.

Outside contractor expenses are up because of payouts to IWS for WWTP work, and to RMCI for Kachina Tank work.

Legislative appropriations include the final payout of the FY16 \$50,000 NMED grant and the initial payout of the \$1.3 million NMED Legislative Grant. The Village will submit a request for the balance of \$53,415.61 to NMED shortly. The Water Trust Board grant has been reimbursed to the Village in full.

6. COMMITTEE REPORTS

A. Planning and Zoning Commission –Commission Chair Wittman reported on the November 4, 2019 P&Z Commission meeting. Agenda items included:

- A Public Hearing for Preliminary Plat approval for the Resort at Taos Ski Valley on 74 acres in the Kachina Area. Councilor Wittman said that it was a lively meeting, with about six people speaking in favor and nine against. The Commission approved a motion to continue this item to the February 3, 2020 P&Z meeting.
- A Public Hearing for change of zoning for four parcels within the Preliminary Plat. This would eventually follow approval of a Preliminary Plat. The Public Hearing was held with a similar result as in the previous item. A motion to continue this item to the February 3, 2020 P&Z Commission was approved. Councilor Wittman said that the project would be comprised of a 36-room hotel and 16 Villas for Phase 1, and a 60-room hotel and 36 villas in Phase 2. Build-out time would take 10-12 years. The P&Z Commission meeting ended at 3:30 p.m.

The next meeting of the P&Z Commission is a Special Meeting scheduled for November 18, 2019 at 1:00 p.m. at the Edelweiss Lodge Club Room, to discuss the draft Firewise Ordinance and the draft Building Code Ordinance changes.

B. Public Safety Committee –Committee Chair Pattison reported that the Committee and the Firewise Board met on November 4, 2019.

The Committees continue discussions on their projects:

- Continued discussion of the Firewise Ordinance with input from the community on suggested changes. Comments are coming from citizens who are involved, or who want to be involved. The purpose of the ordinance is to encourage citizens to engage in the process, but not to have a regulation which comes on too strong. A second community meeting took place on November 9, 2019, with the next draft to go to the P&Z Commission on November 18, 2019 for discussion.
- Working on the process of undergrounding electric service within the Village. It is understood that the connection at Taos East is now underground, which leads them to believe that the overhead electric lines have been decommissioned. The Committee is looking forward to the day when the overhead lines within the Village are decommissioned. An inquiry was made as to whether the KCEC Franchise Fees could be used to pay for trenching from the junction box to a property line. This will be investigated.
- NMDOT has re-striped the center lines in Amizette, and the Committee thanked Chief Trujillo for his diligence in getting this accomplished.
- The second siren has been installed at Kachina Lift Station has been tested, and is active.
- Concerns with Sutton Place safety issues such as snow removal and loading and unloading of deliveries. The objective is to limit visits to Sutton Place, and to avoid any parking by fire hydrants.

The next meeting will take place on January 6, 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 November 4, 2019.

Discussion was covered under the Public Safety Committee report.

The next meeting will take place on January 6, 2019 at 11:00 a.m. at the Inn at Taos Valley.

D. Parks & Recreation Committee – Committee Member Kerrie Pattison reported that the summer items have been put away. The Committee is looking forward to a big summer season next year. Committee members met with Planning Director Nicholson to discuss planning for the Kachina open space parcels recently gifted to the Village. They will meet with him again in December. The Village is supporting the Parks & Recreation Committee by assisting in development of a capital infrastructure plan to support impact fees and also in the development of a trail system on the Kachina lands, which already has a sketch plan of possible trails. The next meeting time will be announced at a later date.

E. Lodger's Tax Advisory Board – Councilor Stagg reported that the Board met to discuss the budget, proposed expenditures, and to hear a request from the Village Administration on lodger's tax funds for several lodger's tax-eligible items. Councilor Stagg said that the Board had been reluctant to budget for these expenditures, as the Council voted to spend lodger's tax funds only on promotions when the Village incorporated. The Board approved a certain amount, to be a one-time budget adjustment for this fiscal year.

7. REGIONAL REPORTS

Planning Director Nicholson said that the Source Water Protection Committee would be meeting on November 14, 2019 at 10:00 a.m. at which time they will review the source water protection maps.

Administrator Avila reported that the Landfill Board would be conducting a rate study. The Recycling Committee will be evaluating the number of visits and volume of recyclables delivered. The Committee is evaluating the economic pressure of running the recycling facility versus the environmental pressure to do the right thing. The reports are that the Town of Taos revenue streams for recycling, such as the Waste Management franchise fees and recycling fees are not being directed to the Landfill Board.

Administrator Avila also reported that at the IGC meeting there was discussion of the possibilities of utilities in the "Lucky Corridor". The Enchanted Circle Council of Governments (ECOG) reaffirmed its commitment to Kit Carson for installation of electric charging stations and getting proposals through the State. The ECOG is also discussing sharing procurement items as well as a regional shared service for building inspections.

Building Official Bowden, who also sits as alternate member on the NCRTD Board, announced a November 14, 2019 Community Outreach meeting that the NCRTD representatives will be holding in Taos Ski Valley, at the Rio Hondo Learning Center at 2:30 p.m. that day. The public is invited and encouraged to attend.

8. MAYOR'S REPORT

Mayor Brownell said that consideration may be given to NCRTD early-route funding. The KTAO expanded parking lot will be used as an official Park & Ride location. He received notice that the de-energizing for overhead lines would occur soon on State Road 150, if it hadn't been done already.

9. 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 building package has been delivered and is being constructed. The estimated time for completion of the new building is three weeks. The membranes have been installed in the north tank and the contractor is currently working on the south tank. The yard piping is 98% complete. The electrical conduit is installed, ready for the KCEC fiber optic hook-up. Start-up of the new plant will be coordinated with Ovivo for December. The transition between the temporary plant and the new system will be coordinated through Thanksgiving.
- **Kachina Water Tank** – The 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 started work. Work will include one additional electrical pull box and one additional fiber pull box. Cost from RMCI will be modified by the internal tasking.
Tank construction portion is complete with tank tests and beam coating to continue this week. Dry utilities, electrical, and fiber are being coordinated this week, along with mechanical piping in the vault. The pumps are onsite and electrical plans are ready for assignment to RMCI or other to installation of mechanical piping

An agreement for assignment and removal of extra material from the site by TSVI upon completion of construction still needs to be completed.

Closing documentation is to be completed with the Water Trust Board before December.

- **Village Hall Complex** – The Special Council Meeting on October 29, 2019 included a presentation by the Village Hall Complex Task Force, which included recommendations to review funding options for a complete Village Office build-out, and options for lease of the Work Force Apartments. The Village is treating the apartment portion of the project as an enterprise fund (13) since revenue is anticipated.

After fact finding, a different plan than is being proposed is expected.

Initial meetings with the Village's Financial Advisor are underway and an update is expected in December.

- **Other Items:**

- The New Mexico Department of Transportation (NMDOT) is proposing a new rule, 18.27.6 NMAC, Local Government Transportation Project Fund. NMDOT will hold six public hearings for the purpose of receiving oral and written public comment from interested parties on the proposed new rule, 18.27.6 NMAC. The hearing in District 5 is scheduled on November 25, 2019, from 9:00 a.m. to 12:00 p.m. at 1120 Cerrillos Road, Santa Fe, New Mexico.
- Action of the latest TIDD Dedication packet is projected to be in front of Council for acceptance by the January regular meeting, January 15, 2020. Last week questions and answers were reviewed and inspection of technical and financial material is still in process.
- Progress towards coordination with Kit Carson Electric for undergrounding continues this week with a report of KCEC planning from Mr. R. Martinez. Lately he let the Village know that requests to underground some down-valley lines had been completed. He said that Kit Carson has run some underground lines to energize existing overhead lines that feed the Taos East and the cabin up from the Taos East. This has allowed KCEC to minimize the exposure of the overhead electric lines. KCEC was able to open the existing overhead breaker just down from the Austing Haus to de-energize the overhead electric lines.

The Village has recently received system mapping and is purchasing software to allow Village staff to access the planning material. The Village has just over \$450,000 in KCEC franchise fees reserved. Village staff expects to have an excavation contractor in place by construction season next year and a project plan delineated. Communications has improved with KCEC and clear and factual information is needed.

Trenching and conduit may be paid out of franchise fees but not on private property. The project locations with the most benefit will be considered foremost, in conjunction with the KCEC technicians.

- The Village needs to be involved with the regional decisions regarding the construction of transmission lines for Wind Energy Supplier Lucky Corridor for the transmission line project that will bring electricity from the Springer area through the Taos region and is expected to replace power generated in the Four Corners Area. Lucky plans to meet with Mr. Reyes this week and the Village will be invited to meet when the Region is brought into the process.
- At the November 9, 2019 Firewise Board Community Meeting interesting information was provided on fire risk mapping and how those dangers are scored in the insurance industry.

Department Briefs

- Chief Trujillo presented the September Public Safety report: Arrests (0), Residential Alarms (7), Business Alarms (1), Vehicle Alarm (0), Suspicious Persons/Vehicles (2), Citizen Assists (97), Embezzlement (0), Traffic Enforcement Hours (86), Traffic Stops (14), Traffic Hazard (2), Theft (0), Vehicle Theft (0), Larceny (0), Property Damage (0), Verbal Warnings (26), Written Warnings (2), Parking Citations (9), Written Citations (3), Assists to other Agencies (9), Foot Patrol Hours (43), Welfare Check (0), Animal calls (2), MVCs (1), B&E (0), Trespass Warnings (0), Found/Lost Property (0), Disorderly (0), Reckless Driver (1), Private Property Crash (0), 911 Hang Up (1), Trespassing (0), Battery or Assault (1), Domestic Calls (1), Narcotics Adult (0), Civil Stand-by (0), Shots Fired (0), Fire Calls (1), Fire Alarms (0), EMS Calls (0), SAR Calls (0).

Chief Trujillo said that effective November 1, 2019 the public safety signs on Twining Road would be changed. A notice was sent out and a map of the new signs can be seen on the Village web site at <http://www.vtsv.org/village-services/public-safety/> Signs will be improved and enlarged but the objective is to lower the speed limit and limit parking to the uphill side of the road, especially in the Kachina area. The new signs are legally posted on poles and the plan is to update all of the public safety signs such as those posted on trees.

- Planning Director Nicholson reported that Resort at Taos Ski Valley applications had been continued to the February 3, 2020 P&Z Commission meeting. The draft Firewise Ordinance and the draft Building Code Ordinance will be presented for discussion at the November 18, 2019 Special P&Z meeting.

- Building Official Bowden reported that the final garage ceiling inspection had been conducted at the Blake Residences. The third extended hours concrete pour had occurred earlier in the month and the contractors focus now is to continue framing of the Blake Residences and to backfill the below-grade walls. Two building permits were issued this month, one for the Columbine Inn change of occupancy work which includes installation of an additional exterior stair. The Bavarian Restaurant was also issued a permit for alterations to the dishwashing room and storage areas. Building Official Bowden has continued his draft work on the Building and Construction Code Ordinance, to be discussed at the P&Z Special Meeting.
- Clerk Wooldridge reported that at the November 9, 2019 Firewise Board Community Meeting some very interesting information had been presented about Firelines and ISO ratings. This information is copied and provided here at the Council meeting, and will then be posted on the Village web site under the Public Safety Committee and Firewise Board page. The TIDD Board Member election took place on November 5, 2019 with the uncanvassed results showing that the two candidates with the most votes were Richard Duffy and Neal King. The results will be canvassed by the Taos County Commission at an upcoming meeting, according to the new Election Code Statute changes. The auditors recommended that a lodger's tax training be given for lodging establishments and property management companies. Clerk Wooldridge will conduct training at the Taos Ski Valley Chamber of Commerce meeting on November 14, 2019 at 4:00 p.m. at the Rio Hondo Learning Center.
- Attorney Baker reported that she had been creating many revisions on the draft Firewise Ordinance, in accordance with community input and Firewise Board recommendations.

10. OLD BUSINESS

11. NEW BUSINESS

A. Consideration to Approve a Memorandum of Agreement (MOA) between the Village of Taos Ski Valley and the North Central Regional Transit District (RTD) to Provide a Bus Route to Taos Ski Valley for the 2019-2020 Ski Season. This MOA is for an agreement between the Village of Taos Ski Valley and the RTD for the purpose of providing transportation service for the 2019-2020 Ski Season. Service will run from December 21, 2019 and go through March 29, 2020. The RTD is requesting \$74,587 for providing the bus service. The Town of Taos has committed to \$20,000, which the Village will bill for at the appropriate time. The Village's budgeted amount under Lodgers Tax (Fund 15) is \$40,514, which leaves an additional balance due of \$14,073. The Village would be liable for that amount if no other funding sources could be negotiated, such as possibly Taos County, or using the almost \$14,000 credit from summer service. As shown in the RTD Route 341 TSV Green schedule, there will be six roundtrips a day on weekdays and eight roundtrips a day on weekends. There has been a price increase from last year.

The RTD also receives funding from Village GRT, contributing approximately \$47,000 to its budget for the service.

MOTION: To Approve a Memorandum of Agreement (MOA) between the Village of Taos Ski Valley and the North Central Regional Transit District (RTD) to Provide a Bus Route to Taos Ski Valley for the 2019-2020 Ski Season

Motion: Councilor Stagg

Second: Councilor Wittman

Councilor Stagg noted that there has been much discussion on this topic within the Lodger's Tax Board members as to whether supporting this is the right thing to do and whether it supports town lodgings who can charge less for rooms. He noted that, similarly to the employee shuttle, the bus cuts down on pollution and is the right thing to do. He thanked the Lodger's Tax Board for supporting this effort.

Discussion continued as to why the Lodger's Tax Board had not been in favor of adding the additional proposed routes. The additional routes had a higher per-route cost was the reason, said Councilor Stagg. TSVI David Norden said that it is important for Northern New Mexico entities to support public transportation, that collaboration with other entities is important. Councilor Stagg noted that this was the sticking point with some Lodger's Tax Board members, that the Town of Taos and Taos County were not participating in transportation at the same level. Councilor Stagg said that a conversation with the larger community was needed. Lodgers Tax funding is budgeted for the employee shuttle program as long as the shuttles are open to everyone.

The Mayor called for a vote.

Passed: 4-0

Mayor Brownell reported that the NCRTD summer ridership had been larger than expected. He said that the NCRTD maintained good data on ridership. Chief Trujillo said that as a public safety matter, having public transportation had a positive influence on keeping fewer cars off of the road, and fewer cars in the river in the winter.

B. Consideration to Approve **Resolution No. 2020-416** Requesting a Permanent Budget Adjustment (BAR) to the FY2020 Budget to Increase the Transfer Out from Lodgers Tax Fund (15) and to Increase the Transfer In to the General Fund (03)

The Village submitted its fiscal year 2019-20 budget in July 2019. Village staff made a request to the Council for additional funding from the Lodger's Tax fund to support tourist-related activities including: EMS staffing for peak weekend coverage, Enchanted Circle Trails Association work, snow removal, and snow melt system on the Plaza. On October 9, 2019 the Lodger's Tax Board met and discussed the request from the Village Administrator with the direction given from the Mayor and Council. After a review of available funds, the Lodger's Tax Board voted in favor of awarding an additional amount of \$80,000.00 in support of Village-funded tourist-related activities. The Board was not in favor of was fit based on the requested items. The Board stated that this support would be for FY2020 only and that should the Village request funding in subsequent years that it would have to reapply.

MOTION: To Approve Resolution No. 2020-416 Requesting a Permanent Budget Adjustment (BAR) to the FY2020 Budget to Increase the Transfer Out from Lodgers Tax Fund (15) and to Increase the Transfer In to the General Fund (03)

Motion: Councilor Wittman

Second: Councilor Stagg

Passed: 4-0

C. Consideration to Approve TSVI Request for Variance to the Revenue Collection Policy for Utility Charges at The Blake

Representatives of Taos Ski Valley, Inc. (TSVI) contacted Village staff about water/sewer charges at The Blake from June to August 2019. Staff informed TSVI of the necessary steps to take to obtain a credit for high water usage. TSVI staff pursued locating a source for the high water use and found a leak in the irrigation system. Village Staff proceeded with calculating a possible credit based on the Village's Revenue Collection Policy. A credit of \$7,235.77 plus tax was allowable under the policy. TSVI Staff asked if additional credit could be granted, in the attached email dated October 18, 2019. This action requires Council consideration as a variance to the policy. Mike Bower, Director of Facilities, wrote a letter explaining their findings, which was a blockage in an irrigation system valve. The landscaping goes to watering Sutton Place plantings, as well as the Riverwalk and some Edelweiss planting beds. Mr. Bower said that TSVI staff has since changed its processes in order to monitor these types of things more regularly. Some of these landscaping locations have been or will potentially soon be dedicated to the Village via the TIDD process.

MOTION: To Approve TSVI Request for Variance to the Revenue Collection Policy for Utility Charges at The Blake

Motion: Councilor Wittman

Second: Councilor Kern

Passed: 3-0 (Councilor Stagg abstaining)

D. Consideration to Approve of Out of State Travel to St. Louis, MO for International Institute of Municipal Clerks Annual Conference and Training by Ann Wooldridge May 17-20, 2020

The 74th Annual International Institute of Municipal Clerks Annual Conference is taking place in St. Louis, MO this fiscal year in May 2020. The training which is available at this conference focuses specifically on the needs of Municipal Clerk professionals in conducting work for local governments. The list of training opportunities includes public meetings, parliamentary procedure, public records, elections, human resources, leadership, and more. The special classes and Athenian Dialogue programs provide credits towards obtaining Certified Municipal Clerk and Master Municipal Clerk designations. Clerk Wooldridge is working towards a Master Municipal Clerk certification. The travel expense was included in the original general fund travel budget estimate for FY2020. The registration for the conference will begin this fall so making plans in advance will be beneficial in savings of early registration, first-time discounts, and the availability of lodging at the lower conference-blocked room cost. Estimated expenses are an estimate total of \$2,130.

MOTION: To Approve of Out of State Travel to St. Louis, MO for International Institute of Municipal Clerks Annual Conference and Training by Ann Wooldridge May 17-20, 2020

Motion: Councilor Stagg

Second: Councilor Pattison

Passed: 4-0

12. MISCELLANEOUS

13. 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)

B. Discussion of the Acquisition of Real Property

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

MOTION: To go to Closed Executive Session

Motion: Councilor Stagg

Second: Councilor Wittman

Passed: 4-0

MOTION: To return to Open Session

Motion: Councilor Wittman

Second: Councilor Stagg

Passed: 4-0

No decisions or motions were made during closed session.

11. NEW BUSINESS

E. Direction to Create and Transact Legal Documents for Settlement of Threatened Legal Action by TSVI

MOTION: To Create and Transact Legal Documents for Settlement of Threatened Legal Action by TSVI for Parcel C and D

Motion: Councilor Wittman

Second: Councilor Kern

Passed: 4-0

F. Direction to Create and Transact Legal Documents from the Village to Reduce the Risk of Legal Action

MOTION: To table this item

Motion: Councilor Stagg

Second: Councilor Kern

Passed: 4-0

14. 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, December 10, 2019 at 2:00 p.m. at the Edelweiss Lodge Club Room.

15. ADJOURNMENT

MOTION: To Adjourn

Motion: Councilor Stagg

Second: Councilor Wittman

Passed: 4-0

The meeting adjourned at 4:40 p.m.

Christof Brownell, Mayor

ATTEST: _____
Ann M. Wooldridge, Village Clerk

Village of Taos Ski Valley
Village Council
Agenda Item

AGENDA ITEM TITLE: Consideration to Appoint Melvin Eugene Cooper as a Police Officer 1-Temporary Part Time for the Village of Taos Ski Valley

DATE: December 10, 2019

PRESENTED BY: Chief Sam Trujillo

STATUS OF AGENDA ITEM: Mayor's Appointment with Council Approval

CAN THIS ITEM BE RESCHEDULED: Not recommended

BACKGROUND INFORMATION:

Per NM State Statute (NMSA) Section 29-1-9, each police officer shall receive, from the governing body, an appointment in writing as a police officer of the municipality. The appointment shall be made by the Mayor with the approval of a majority of all members of the governing body. This appointment, usually referred to as a "commission", is necessary to give the officer the authority to assume police powers within the municipality. The Village Clerk will be administering the oath of office.

RECOMMENDATION: Motion to appoint Melvin Eugen Cooper as a Police Officer 1-Temporary Part Time for the Village of Taos Ski Valley.
After approval, the Oath of Office will be administered by the Clerk.



VILLAGE OF TAOS SKI VALLEY

OATH OF OFFICE

I, Melvin E. Cooper having been appointed to the
(name)
office of Police Officer 1-Temporary Part Time of the Village of Taos Ski
Valley, do solemnly swear to uphold the Constitution of the United States,
the Constitution and laws of the State of New Mexico, and the laws
of the Village of Taos Ski Valley, and will faithfully and impartially
discharge the duties of said office to the best of my ability.

(signature)

Administered this ____ day of _____ 20____.

(To be used by Clerk, Treasurer, and Police Officers)

VILLAGE OF TAOS SKI VALLEY

Profit & Loss Prev Year Comparison

July through November 2019

	Jul - Nov 19	Jul - Nov 18	\$ Change	% Change
Income				
4012 · REVENUE -Water Sales	72,363.77	97,820.93	-25,457.16	-26.02%
4013 · Revenue - Sewer	289,452.85	209,520.06	79,932.79	38.15%
4018 · REVENUE- GRT HB 6	126.66	0.00	126.66	100.0%
4019 · REVENUE-Hold Harmless GRT	41,632.74	54,185.88	-12,553.14	-23.17%
4020 · REVENUE - GRT MUNICIPAL	114,084.65	191,175.72	-77,091.07	-40.33%
4021 · REVENUE - GRT- STATE	92,037.55	158,616.74	-66,579.19	-41.98%
4022 · REVENUE - GRT - ENVIRONMENT	4,694.78	7,827.67	-3,132.89	-40.02%
4023 · REVENUE - GRT - INTFRASTRUCTURE	18,780.59	31,311.54	-12,530.95	-40.02%
4025 · REVENUE -LIQUOR LICENSES	250.00	0.00	250.00	100.0%
4026 · REVENUE - BUSINESS LICENSE	665.00	655.00	10.00	1.53%
4027 · REVENUE - OTHER	43,903.98	27,532.44	16,371.54	59.46%
4028 · REVENUE - GASOLINE TAX	2,259.29	2,223.43	35.86	1.61%
4029 · REVENUE - LODGER'S TAX	84,870.31	70,303.42	14,566.89	20.72%
4031 · REVENUE - PARKING FINES	270.00	110.00	160.00	145.46%
4034 · REVENUE - MOTOR VEHICLE FEES	5,873.43	5,773.71	99.72	1.73%
4035 · REVENUE - BUILDING PERMITS	12,042.55	17,089.15	-5,046.60	-29.53%
4036 · REVENUE -Licenses/Permits Other	60.00	5,889.43	-5,829.43	-98.98%
4037 · REVENUE - GENERAL GRANTS	21,800.00	21,200.00	600.00	2.83%
4040 · REVENUE - WATER CONNECTION FEES	0.00	36,029.03	-36,029.03	-100.0%
4041 · REVENUE - SEWER CONNECTION FEES	0.00	41,867.46	-41,867.46	-100.0%
4046 · REVENUE - SOLID WASTE FEE	25,276.66	28,328.46	-3,051.80	-10.77%
4047 · REVENUE - OTHER OPERATING	16,678.87	1,187.40	15,491.47	1,304.66%
4049 · REVENUE - FIRE GRANTS	73,302.60	69,841.20	3,461.40	4.96%
4050 · REVENUE - IMPACT FEES	0.00	17,792.65	-17,792.65	-100.0%
4053 · REVENUE - GRT MUN CAP OUTLAY1/4	18,780.59	31,311.54	-12,530.95	-40.02%
4056 · REVENUE - LEGISLATIVE APPROPRI.	1,262,606.55	0.00	1,262,606.55	100.0%
4058 · Plan Review Fees	3,674.47	11,324.89	-7,650.42	-67.55%
4060 · WTB FY2016 revenue	461,437.95	893,260.13	-431,822.18	-48.34%
4100 · Miscellaneous Revenues				
4101 · Sale of Fixed Assets	26,591.00	0.00	26,591.00	100.0%
4110 · Misc Revenue- TIDD reimburse	7,333.07	2,528.66	4,804.41	190.0%
Total 4100 · Miscellaneous Revenues	33,924.07	2,528.66	31,395.41	1,241.58%
7004 · REVENUE - FINANCE CHARGE ON W/S	431.87	528.37	-96.50	-18.26%
7005 · REVENUE - INTEREST INCOME	47,214.07	38,959.00	8,255.07	21.19%
7006 · REVENUE -INVESTMENT INTEREST	3,501.46	7,043.23	-3,541.77	-50.29%
7007 · REVENUE - INTEREST IMPACT FEES	90.89	71.59	19.30	26.96%
7010 · REVENUE - AD VALOREM TAX	27,288.04	11,188.10	16,099.94	143.9%
9000 · BEG. BALANCE	0.00	0.00	0.00	0.0%
Total Income	2,779,376.24	2,092,496.83	686,879.41	32.83%
	2,779,376.24	2,092,496.83	686,879.41	32.83%
Expense				
4082 · DEBT SERV - 2007 WWTP LOAN PRIN	93,173.13	90,976.59	2,196.54	2.41%

VILLAGE OF TAOS SKI VALLEY

Profit & Loss Prev Year Comparison

July through November 2019

	Jul - Nov 19	Jul - Nov 18	\$ Change	% Change
4083 · DEBT SERV. - 2007 WWTP LOAN INT	8,114.00	10,310.54	-2,196.54	-21.3%
6100 · Salary and Benefits				
6112 · SALARIES - STAFF	480,887.39	454,165.91	26,721.48	5.88%
6113 · SALARIES - ELECTED	14,443.77	14,443.77	0.00	0.0%
6115 · Overtime salaries	2,791.50	2,076.13	715.37	34.46%
6121 · WORKER'S COMP INSURANCE	14,619.00	18,175.12	-3,556.12	-19.57%
6122 · HEALTH INSURANCE	65,972.24	79,161.14	-13,188.90	-16.66%
6125 · FICA EMPLOYER'S SHARE	37,549.21	35,421.09	2,128.12	6.01%
6126 · WORKMAN'S COMP PERSONAL ASSESS	90.30	86.00	4.30	5.0%
6127 · SUTA STATE UNEMPLOYEMENT	287.44	457.34	-169.90	-37.15%
6128 · PERA Employer Portion	39,215.94	36,774.98	2,440.96	6.64%
6130 · HEALTH INCENTIVE - SKI PASS/GYM	1,251.88	900.00	351.88	39.1%
6133 · Life Insurance	321.12	378.00	-56.88	-15.05%
6134 · Dental insurance	4,209.11	4,930.73	-721.62	-14.64%
6135 · Vision Insurance	673.39	869.47	-196.08	-22.55%
Total 6100 · Salary and Benefits	662,312.29	647,839.68	14,472.61	2.23%
6220 · OUTSIDE CONTRACTORS	5,406,946.70	1,151,116.03	4,255,830.67	369.71%
6225 · ENGINEERING	100,216.21	55,250.57	44,965.64	81.39%
6230 · LEGAL SERVICES	27,939.26	22,746.96	5,192.30	22.83%
6242 · ACCOUNTING	5,855.62	1,689.35	4,166.27	246.62%
6244 · AUDIT	10,177.94	9,978.44	199.50	2.0%
6251 · WATER PURCHASE, STORAGE	94.71	75.51	19.20	25.43%
6253 · ELECTRICITY	10,507.12	9,940.81	566.31	5.7%
6254 · PROPANE	643.95	3,230.54	-2,586.59	-80.07%
6256 · TELEPHONE	7,062.18	6,521.73	540.45	8.29%
6257 · RENT PAID	3,422.81	766.55	2,656.26	346.52%
6258 · WATER CONSERVATION FEE	215.82	118.34	97.48	82.37%
6259 · Natural Gas	611.41	482.87	128.54	26.62%
6270 · LIABILITY & LOSS INSURANCE	49,165.49	35,034.51	14,130.98	40.33%
6310 · Advertising	336.57	2,297.91	-1,961.34	-85.35%
6312 · CHEMICALS & NON DURABLES	7,581.83	2,328.56	5,253.27	225.6%
6313 · MATERIAL & SUPPLIES	35,156.78	49,274.29	-14,117.51	-28.65%
6314 · Dues/fees/registration/renewals	3,174.00	4,966.45	-1,792.45	-36.09%
6315 · BANK CHARGES	836.30	1,766.13	-929.83	-52.65%
6316 · Software	527.73	13,414.88	-12,887.15	-96.07%
6317 · Personal Protective Equipment	1,035.63	21,247.61	-20,211.98	-95.13%
6318 · Postage	925.00	781.00	144.00	18.44%
6320 · EQUIPMENT REPAIR & PARTS	5,083.76	2,833.86	2,249.90	79.39%
6321 · BUILDING MAINTENANCE	21.84	0.00	21.84	100.0%
6322 · SMALL EQUIP & TOOL PURCHASES	9,774.11	4,353.83	5,420.28	124.5%
6323 · SYSTEM REPAIR & PARTS	283.86	403.78	-119.92	-29.7%
6331 · OUTSIDE TESTING SERVICES	67.65	33.64	34.01	101.1%
6332 · EQUIPMENT RENTALS	0.00	7,370.35	-7,370.35	-100.0%
6417 · VEHICLE MAINTENANCE	18,884.88	1,347.84	17,537.04	1,301.12%

VILLAGE OF TAOS SKI VALLEY
Profit & Loss Prev Year Comparison
July through November 2019

	<u>Jul - Nov 19</u>	<u>Jul - Nov 18</u>	<u>\$ Change</u>	<u>% Change</u>
6418 · FUEL EXPENSE	9,917.94	6,508.58	3,409.36	52.38%
6432 · TRAVEL & PER DIEM	2,033.69	11,265.57	-9,231.88	-81.95%
6433 · Travel & PD Elected Officials	478.43	2,140.36	-1,661.93	-77.65%
6434 · TRAINING	1,174.08	6,074.88	-4,900.80	-80.67%
6435 · Training Elected Officials	350.00	380.00	-30.00	-7.9%
6560 · Payroll Expenses	0.00	0.00	0.00	0.0%
6570 · Other Operations Expenses	22,286.94	0.00	22,286.94	100.0%
6712 · LAB CHEMICALS & SUPPLIES	4,286.29	1,666.08	2,620.21	157.27%
6714 · LAB EQUIPMENT REPAIR & PARTS	334.00	0.00	334.00	100.0%
6715 · LAB SMALL EQUIP & TOOL PURCHASE	0.00	596.25	-596.25	-100.0%
6716 · LAB TESTING SERVICES	3,324.11	4,005.84	-681.73	-17.02%
6720 · LAB OUTSIDE CONTRACTORS	1,171.00	0.00	1,171.00	100.0%
8322 · CAPITAL EXPENDITURES	156,530.44	135,360.78	21,169.66	15.64%
8323 · Capital Assets \$1000-\$4999	2,993.88	4,852.83	-1,858.95	-38.31%
8325 · EQUIPMENT & TOOL PURCHASE	1,997.55	314,406.24	-312,408.69	-99.37%
8421 · NMFA Interest TML #TAOS55	0.00	20,169.91	-20,169.91	-100.0%
8425 · Hold Harmless Bond Interest pay	63,000.00	17,009.17	45,990.83	270.39%
8427 · Net Revenue Bond Interest pay	42,000.00	11,340.83	30,659.17	270.34%
Total Expense	<u>6,782,026.93</u>	<u>2,694,276.47</u>	<u>4,087,750.46</u>	<u>151.72%</u>
	<u>-4,002,650.69</u>	<u>-601,779.64</u>	<u>-3,400,871.05</u>	<u>-565.14%</u>
 9001 · TRANSFER TO FUND	 -266,330.48	 -479,910.37	 213,579.89	 44.5%
9002 · TRANSFER FROM FUND	266,330.48	479,910.37	-213,579.89	-44.5%
	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.0%</u>
	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.0%</u>
	<u><u>-4,002,650.69</u></u>	<u><u>-601,779.64</u></u>	<u><u>-3,400,871.05</u></u>	<u><u>-565.14%</u></u>

Lodger's Tax

CURRENT RATE = 5%

7/01/04 thru Current the tax rate is 5%; 2/97 thru 6/04 tax rate was 4.5%

LODGERS' TAX

	July	August	September	October	November	December	January	February	March	April	May	June
FY 2009	\$2,308.21	\$17,029.81	\$4,613.37	\$1,998.89	\$2,683.42	\$2,329.41	\$69,821.07	\$48,658.30	\$64,074.56	\$63,514.05	\$2,163.00	\$1,019.51
YTD	\$2,308.21	\$19,338.02	\$23,951.39	\$25,950.28	\$28,633.70	\$30,963.11	\$100,784.18	\$149,442.48	\$213,517.04	\$277,031.09	\$279,194.09	\$280,213.60
FY 2010	\$6,555.17	\$6,692.88	\$6,626.34	\$2,484.04	\$3,071.98	\$3,065.62	\$58,358.23	\$53,226.27	\$63,632.42	\$73,788.32	\$5,154.71	\$2,591.00
YTD	\$6,555.17	\$13,248.05	\$19,874.39	\$22,338.43	\$25,410.41	\$28,476.03	\$86,834.26	\$140,060.53	\$203,692.95	\$277,481.27	\$282,635.98	\$285,226.98
FY 2011	\$3,799.08	\$5,779.40	\$4,203.94	\$4,540.58	\$826.80	\$4,048.19	\$48,139.08	\$38,771.02	\$56,737.62	\$63,736.46	\$1,376.99	\$1,907.76
YTD	\$3,799.08	\$9,578.48	\$13,782.42	\$18,323.00	\$19,149.80	\$23,197.99	\$71,337.07	\$110,108.09	\$166,845.71	\$220,582.17	\$221,959.16	\$223,866.92
FY 2012	\$5,123.77	\$5,559.34	\$7,292.78	\$3,573.23	\$2,125.17	\$25,832.86	\$57,242.46	\$54,829.42	\$66,115.91	\$72,972.48	\$6,978.68	\$4,665.17
YTD	\$5,123.77	\$10,683.11	\$17,975.89	\$21,549.12	\$23,674.29	\$49,507.15	\$106,749.61	\$161,579.03	\$227,694.94	\$300,667.42	\$307,646.10	\$312,311.27
FY 2013	\$3,611.20	\$6,647.21	\$6,362.49	\$6,914.30	\$3,587.06	\$4,412.71	\$41,548.72	\$58,051.35	\$69,819.08	\$65,779.34	\$2,387.53	\$1,223.37
YTD	\$3,611.20	\$10,258.41	\$16,620.90	\$23,535.20	\$27,122.26	\$31,534.97	\$73,083.69	\$131,135.04	\$200,954.12	\$266,733.46	\$269,120.99	\$270,344.36
FY 2014	\$2,832.98	\$7,754.90	\$7,045.56	\$19,777.25	\$4,319.60	\$4,888.83	\$54,643.19	\$58,342.34	\$68,032.70	\$67,580.97	\$4,688.03	\$1,953.28
YTD	\$2,832.98	\$10,587.88	\$17,633.44	\$37,410.69	\$41,730.29	\$46,619.12	\$101,262.31	\$159,604.65	\$227,637.35	\$295,218.32	\$299,906.35	\$301,859.63
FY 2015	\$2,492.93	\$6,804.83	\$15,377.68	\$9,451.74	\$6,196.45	\$7,739.68	\$48,605.50	\$66,074.56	\$67,834.16	\$75,221.00	\$5,450.60	\$1,138.28
YTD	\$2,492.93	\$9,297.76	\$24,675.44	\$34,127.18	\$40,323.63	\$48,063.31	\$96,668.81	\$162,743.37	\$230,577.53	\$305,798.53	\$311,249.13	\$312,387.41
FY 2016	\$3,159.70	\$22,368.20	\$9,450.74	\$5,746.17	\$4,197.87	\$9,297.58	\$53,807.00	\$72,513.85	\$76,593.23	\$71,244.05	\$3,250.86	\$2,501.47
YTD	\$3,159.70	\$25,527.90	\$34,978.64	\$40,724.81	\$44,922.68	\$54,220.26	\$108,027.26	\$180,541.11	\$257,134.34	\$328,378.39	\$331,629.25	\$334,130.72
FY 2017	\$3,312.79	\$6,428.45	\$20,520.20	\$6,104.38	\$4,731.31	\$5,975.60	\$52,006.45	\$57,922.20	\$70,032.91	\$81,036.07	\$5,683.84	\$3,145.21
YTD	\$3,312.79	\$9,741.24	\$30,261.44	\$36,365.82	\$41,097.13	\$47,072.73	\$99,079.18	\$157,001.38	\$227,034.29	\$308,070.36	\$313,754.20	\$316,899.41
FY 2018	\$26,463.06	\$13,960.76	\$11,225.88	\$8,960.06	\$6,207.19	\$6,521.15	\$71,990.70	\$56,655.53	\$68,454.45	\$74,080.27	\$1,667.88	\$3,332.25
YTD	\$26,463.06	\$40,423.82	\$51,649.70	\$60,609.76	\$66,816.95	\$73,338.10	\$145,328.80	\$201,984.33	\$270,438.78	\$344,519.05	\$346,186.93	\$349,519.18
FY2019	\$8,692.23	\$17,791.85	\$15,936.00	\$15,977.48	\$11,905.77	\$18,255.86	\$89,403.18	\$100,794.38	\$105,205.05	\$122,892.45	\$12,426.36	\$5,097.57
YTD	\$8,692.23	\$26,484.08	\$42,420.08	\$58,397.56	\$70,303.33	\$88,559.19	\$177,962.37	\$278,756.75	\$383,961.80	\$506,854.25	\$519,280.61	\$524,378.18
FY2020	\$9,107.40	\$23,176.76	\$18,926.00	\$18,538.79	\$15,121.36							
YTD	\$9,107.40	\$32,284.16	\$51,210.16	\$69,748.95	\$84,870.31							

VILLAGE OF TAOS SKI VALLEY

GROSS RECEIPTS & LODGER'S TAX COLLECTION SUMMARY

Gross Receipts Tax
CURRENT RATE = 9.25%

GROSS RECEIPTS

	July	August	September	October	November	December	January	February	March	April	May	June
FY 2009	\$5,978.98	\$31,604.97	\$36,411.72	\$34,168.28	\$36,755.21	\$36,869.62	\$81,443.70	\$194,410.32	\$178,012.59	\$176,315.78	\$191,892.82	\$36,332.99
YTD	\$5,978.98	\$37,583.95	\$73,995.67	\$108,163.95	\$144,919.16	\$181,788.78	\$263,232.48	\$457,642.80	\$635,655.39	\$811,971.17	\$1,003,863.99	\$1,040,196.98
FY 2010	\$32,800.00	\$38,773.70	\$39,381.43	\$61,759.08	\$56,887.02	\$54,858.12	\$42,174.35	\$223,797.16	\$189,376.01	\$176,576.34	\$221,448.63	\$59,190.36
YTD	\$32,800.00	\$71,573.70	\$110,955.13	\$172,714.21	\$229,601.23	\$284,459.35	\$326,633.70	\$550,430.86	\$739,806.87	\$916,383.21	\$1,137,831.84	\$1,197,022.20
FY 2011	\$31,002.86	\$62,982.96	\$26,127.83	\$33,610.96	\$60,913.74	\$74,949.02	\$42,282.39	\$171,246.82	\$139,053.09	\$142,336.03	\$154,287.41	\$27,928.23
YTD	\$31,002.86	\$93,985.82	\$120,113.65	\$153,724.61	\$214,638.35	\$289,587.37	\$331,869.76	\$503,116.58	\$642,169.67	\$784,505.70	\$938,793.11	\$966,721.34
FY 2012	\$64,073.01	\$26,203.38	\$23,181.89	\$42,430.30	\$60,186.45	\$32,954.89	\$47,797.29	\$207,267.40	\$162,805.78	\$182,358.83	\$200,924.87	\$42,673.54
YTD	\$64,073.01	\$90,276.39	\$113,458.28	\$155,888.58	\$216,075.03	\$249,029.92	\$296,827.21	\$504,094.61	\$666,900.39	\$849,259.22	\$1,050,184.09	\$1,092,857.63
FY 2013	\$36,835.14	\$20,863.12	\$45,705.38	\$27,699.69	\$66,674.98	\$48,677.59	\$50,727.81	\$178,549.60	\$163,125.28	\$166,032.40	\$203,817.88	\$21,818.85
YTD	\$36,835.14	\$57,698.26	\$103,403.64	\$131,103.33	\$197,778.31	\$246,455.90	\$297,183.71	\$475,733.31	\$638,858.59	\$804,890.99	\$1,008,708.87	\$1,030,527.72
FY 2014	\$32,785.51	\$20,399.76	\$33,382.63	\$32,521.83	\$42,153.17	\$47,625.85	\$41,859.55	\$187,697.06	\$165,940.26	\$157,119.60	\$217,538.39	\$33,070.40
YTD	\$32,785.51	\$53,185.27	\$86,567.90	\$119,089.73	\$161,242.90	\$208,868.75	\$250,728.30	\$438,425.36	\$604,365.62	\$761,485.22	\$979,023.61	\$1,012,094.01
FY 2015	\$50,101.37	\$20,302.81	\$45,180.40	\$67,963.83	\$54,978.94	\$102,903.79	\$88,137.83	\$228,895.80	\$200,123.07	\$208,944.00	\$231,566.84	\$70,845.96
YTD	\$50,101.37	\$70,404.18	\$115,584.58	\$183,548.41	\$238,527.35	\$341,431.14	\$429,568.97	\$658,464.77	\$858,587.84	\$1,067,531.84	\$1,299,098.68	\$1,369,944.64
FY 2016	\$37,891.82	\$20,239.04	\$97,742.38	\$25,839.07	\$197,397.64	\$95,985.99	\$224,614.99	\$103,161.00	\$166,682.00	\$180,838.00	\$201,624.53	\$38,366.93
YTD	\$37,891.82	\$58,130.86	\$155,873.24	\$181,712.31	\$379,109.95	\$475,095.94	\$699,710.93	\$802,871.93	\$989,553.93	\$1,150,391.93	\$1,352,016.46	\$1,390,383.39
FY 2017	\$119,909.94	\$55,423.48	\$87,873.13	\$142,357.47	\$41,995.22	\$148,618.10	\$142,636.32	\$187,613.18	\$204,129.97	\$165,451.68	\$208,890.93	\$76,774.96
YTD	\$119,909.94	\$175,333.42	\$263,206.55	\$405,564.02	\$447,559.24	\$596,177.34	\$738,813.66	\$926,426.84	\$1,130,556.81	\$1,296,008.49	\$1,504,899.42	\$1,581,674.38
FY 2018	\$29,864.17	\$48,702.07	\$58,630.68	\$75,354.62	\$89,599.77	\$118,550.59	\$207,717.57	\$250,972.85	\$212,959.98	\$187,022.24	\$243,419.70	\$35,925.42
YTD	\$29,864.17	\$78,566.24	\$137,196.92	\$212,551.54	\$302,151.31	\$420,701.90	\$628,419.47	\$879,392.32	\$1,092,352.30	\$1,278,374.54	\$1,522,794.24	\$1,558,719.66
FY2019	\$54,483.94	\$55,106.22	\$86,640.50	\$136,554.40	\$141,644.03	\$189,464.82	\$258,317.57	\$323,305.93	\$301,671.26	\$252,340.78	\$319,694.92	\$86,838.09
YTD	\$54,483.94	\$109,590.16	\$196,230.66	\$332,785.06	\$474,429.09	\$663,893.91	\$922,211.48	\$1,245,517.41	\$1,547,188.67	\$1,799,529.45	\$2,119,224.37	\$2,206,062.46
FY2020	\$73,181.77	-\$186,958.84	\$83,775.61	-\$17,407.08	\$88,409.53							
YTD	\$73,181.77	-\$113,777.07	-\$30,001.46	-\$47,408.54	\$41,000.99							

Current month GRT collections reflects money generated 2 months prior.

* NOTE: Feb 2007 -Sept. 2012: Includes NMFA loan pay deduction- Note starts again Aug 2016

FY2020 TIDD GRT Distribution

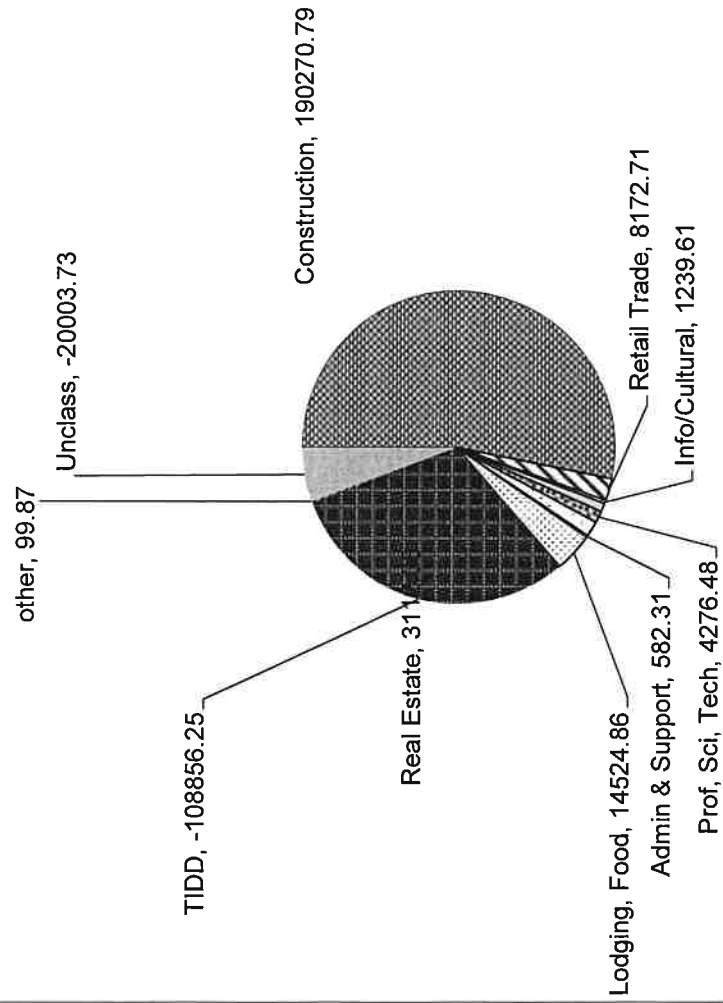
Date	VTSV Increment	State Increment	Admin Fees	Pay Backs	Total TIDD	Hold Harmless			VTSV Cash Received/with HH GRT (NOT offset)
						NMFA Offset	GRT	offset	
7/18/2018	3,989.99	3,155.58	(61.63)		7,083.94	5,763.47	5,821.77		48,720.47
8/15/2018	18,157.01	14,359.92	(280.46)		32,236.47	5,763.47	7,322.71		49,342.75
9/15/2018	27,190.23	21,504.06	(420.00)		48,274.29	5,763.47	11,319.09		80,877.03
10/15/2018						5,763.47	13,722.09		130,790.93
11/15/2018	17,803.55	14,080.38	(275.01)		31,608.92	5,763.47	16,000.22		135,880.56
12/21/2018						5,763.47	16,150.01		183,701.35
1/24/2019	85,423.85	67,532.82	452.03		153,408.70	5,763.47	37,977.11		258,317.57
2/21/2019	65,952.73	52,160.25	(1,018.75)		117,094.23	5,763.47	38,688.65		317,542.46
3/21/2019	68,670.32	54,309.62	(1,060.74)		121,919.20	5,763.47	37,624.44		295,907.79
4/15/2019	80,788.06	63,893.32	(1,247.93)		143,433.45	5,763.47	33,803.25		246,577.31
5/15/2019	39,083.17	30,909.84	(603.70)		69,389.31	5,763.47	36,362.37		313,931.45
6/15/2019	66,441.34	51,740.62	(1,019.53)		117,162.43	5,763.47	15,719.76		86,838.09
TOTAL FY19	473,500.25	373,646.41	(5,535.72)		841,610.94	69,161.64	270,511.47		2,148,427.76
7/15/2019						5,763.47	5,858.88		73,181.77
8/15/2019	272,687.44	215,661.55	(4,212.13)	(36,366.03)	447,770.83	0	8,105.89		(186,958.84)
9/15/2019	30,265.12	23,935.84	(431.54)		53,769.42	5,763.47	12,253.08		83,775.61
10/15/2019	141,503.60	111,911.70	(2,017.63)		251,397.67		12,227.32		(17,407.08)
11/15/2019	108,856.25	86,091.61	(1,552.12)		193,395.74	5,763.47	22,260.26		88,409.53
TOTAL FY19	553,312.41	437,600.70	(8,213.42)	(36,366.03)	946,333.66	17,290.41	60,705.43		41,000.99
TOTAL FY16, FY17, FY18 & FY19	3,217,387.10	2,527,810.29	(47,713.18)		5,661,118.18	234,710.56	487,746.44		6,129,157.09

VTSV owes to TIDD

Village Baseline

Month GRT is Generated	Month GRT is Reported to State	h GRT is distributed fr State to Entities	Total	State	Village
December	January	February	371,622.37	201,645.53	169,976.84
January	February	March	328,741.64	178,378.07	150,363.57
February	March	April	310,404.18	168,428.01	141,976.17
March	April	May	429,910.95	233,273.42	196,637.53
April	May	June	64,234.89	34,854.41	29,380.48
May	June	July	93,353.53	50,654.43	42,699.09
June	July	August	40,142.02	21,781.41	18,360.61
July	August	September	89,560.14	48,596.11	40,964.03
August	September	October	134,697.23	73,087.89	61,609.34
September	October	November	108,590.92	58,922.38	49,668.54
October	November	December	204,035.98	110,711.70	93,324.28
November	December	January	174,517.70	94,694.82	79,822.88
Total	Total		2,349,811.54	1,275,028.17	1,074,783.36

Village of Taos Ski Valley Gross Receipts Distribution November 2019



Construction	Retail Trade	Info/Cultural	Real Estate
Prof, Sci, Tech	Intercept	Admin & Support	Lodging, Food
TIDD	Admin Fee	other	Unclass

Monthly Public Safety Report

Nov-19

Law Enforcement	Hutter	Vigil	Trujillo	Totals
MVC's	0	1	0	1
Battery or Assault	0	0	0	
Embezzlement	0	0	0	
Residential Alarm	2	0	1	3
Business Alarm	2	1	2	5
Property Damage	0	0	0	
Larceny	0	0	0	
Vehicle Theft	0	0	0	
Theft	0	0	0	
Suspicious Persons/Vehicles	1	2	0	3
Arrests	0	0	0	
Citizen Assists/Contacts	43	38	20	101
Traffic Enforcement Hours	39	38	5	82
Traffic Stops	3	1	2	6
Written Citations	0	0	0	
Written Warnings	7	0	0	7
Verbal Warnings	0	11	2	13
Parking Citations	4	0	1	5
Assists to other Agencies	1	3	2	6
Tresspass Warnings	0	0	0	
Foot Patrol Hours	17	18	5	40
B & E / Burglary	0	0	0	
Animal Calls	0	0	0	
Welfare Check	2	1	0	3
Found/Lost Property	0	0	0	
Disorderly	0	0	0	
Reckless Driver	0	0	0	
Private Property Crash	2	0	0	2
911 Hang Up	1	0	0	1
Domestic Calls	0	0	0	
Civil Stand-by/Civil Complaint	0	0	0	
Vehicle Alarm	0	1	0	1
Alcohol Offense - Adult	0	0	0	
Traffic Hazard	0	4	1	5
Trespassing	0	0	0	
Narcotics Adult	0	0	0	
Shots Fired	0	0	0	
Harassment	0	0	0	
Unattended Death	0	0	0	
Abandoned Vehicle	1	0	1	2
Fire/EMS				
Fire Calls	0	3	1	4
EMS Calls/Assist	2	0		2
Fire Alarm	0	1	1	2

[illegible]

Principal Executive Officer

First Name:	Anthony
Title:	Public Works Director
Telephone:	575-776-8220

Last Name: Martinez **Telephone:** 016 76 66 99

No Data Indicator (NODI)

Form NDI:

Monitoring Location Season & Param. NODI				Quantity of Loading				Quality or Concentration				# of EL	Frequency of Analyst	Sample Type			
Code	Parameter Name			Qualifier 1		Qualifier 2		Units	Qualifier 1	Value 1	Qualifier 2	Value 2	Qualifier 3	Value 3	Units		
				Sample	Permit Req. <=	Value NODI	Sample	Permit Req. <=	Value NODI	Value 1	Qualifier 1	Value 2	Qualifier 2	Value 3			
00310 BOD, 5-day, 20 deg C	1 - Effluent Gross	1	-	Sample	=	0.47	25 - l/bd				2	30 30DA AVG	<=	45.7 DA AVG	19 - mg/L	01/30 - Monthly	24 - COMF24
				Permit Req. <=		23.8 30DA AVG <=	26 - l/bd				<=	30 30DA AVG	<=		19 - mg/L	01/30 - Monthly	24 - COMF24
				Value NODI													
00400 pH	1 - Effluent Gross	0	-	Sample			>=	7.07						7.59	12 - SU	05/DW - 5 Days Every Week	GR - GRAB
				Permit Req.				6.8 MINIMUM						<=		05/DW - 5 Days Every Week	GR - GRAB
				Value NODI													
00530 Solids, total suspended	1 - Effluent Gross	1	-	Sample	=	1.56	26 - l/bd					6.7		6.7	19 - mg/L	01/30 - Monthly	24 - COMF24
				Permit Req. <=		23.8 30DA AVG <=	26 - l/bd				<=	30 30DA AVG	<=	45.7 DA AVG	19 - mg/L	01/30 - Monthly	24 - COMF24
				Value NODI													
00600 Nitrogen, total [as N]	1 - Effluent Gross	3	-	Sample	=	1.77	26 - l/bd					7.59		7.59	19 - mg/L	01/30 - Monthly	24 - COMF24
				Permit Req. <=		21.1 30DA AVG <=	26 - l/bd				<=	12.7 30DA AVG	<=	19.7 DA AVG	19 - mg/L	01/30 - Monthly	24 - COMF24
				Value NODI													
00610 Nitrogen, ammonia total [as N]	1 - Effluent Gross	1	-	Sample	=	0.01	26 - l/bd					0.03		0.03	19 - mg/L	01/30 - Monthly	24 - COMF24
				Permit Req. <=		5.34 30DA AVG <=	26 - l/bd				<=	3.2 30DA AVG	<=	3.2 7 DA AVG	19 - mg/L	01/30 - Monthly	24 - COMF24
				Value NODI													
00650 Phosphorus, total [as P]	1 - Effluent Gross	3	-	Sample	=	0.12	26 - l/bd					0.5		0.5	19 - mg/L	01/30 - Monthly	24 - COMF24
				Permit Req. <=		1.8 30DA AVG <=	26 - l/bd				<=	2.5 30DA AVG	<=	3.75 7 DA AVG	19 - mg/L	01/30 - Monthly	24 - COMF24
				Value NODI													
50050 Flow, in conduit or thru treatment plant	1 - Effluent Gross	0	-	Sample			=		0.035	Req Mon 30DA AVG		0.035		0.094	03 - MGD	01/01 - Daily	TM - TOTAL2
				Permit Req.					Req Mon 30DA AVG			Req Mon 7 DA AVG			03 - MGD	01/01 - Daily	TM - TOTAL2
				Value NODI													
50080 Chlorine, total residual	1 - Effluent Gross	0	-	Sample										18 INST MAX	28 - U/L	05/DW - 5 Days Every Week	GR - GRAB
				Permit Req.										8 - Conditional Monitoring - Not Required The Period			
				Value NODI													
51040 E. coli	1 - Effluent Gross	0	-	Sample										1	32 - CFU/100mL	02/30 - Twice Per Month	GR - GRAB
				Permit Req.										235 DAILY MX	32 - CFU/100mL	02/30 - Twice Per Month	GR - GRAB
				Value NODI													
74050 Coliform, fecal general	1 - Effluent Gross	0	-	Sample										1	32 - CFU/100mL	02/30 - Twice Per Month	GR - GRAB
				Permit Req.										400 DAILY MX	32 - CFU/100mL	02/30 - Twice Per Month	GR - GRAB
				Value NODI													
81010 BOD, 5-day, percent removal	1 - Effluent Gross	0	-	Sample			=	96.87							23 - %	01/30 - Monthly	CA - CALCTD
				Permit Req.			>=	85 MO AV MN							23 - %	01/30 - Monthly	CA - CALCTD
				Value NODI													
81011 Solids, suspended percent removal	1 - Effluent Gross	0	-	Sample			=	97.74							23 - %	01/30 - Monthly	CA - CALCTD
				Permit Req.			>=	85 MO AV MN							23 - %	01/30 - Monthly	CA - CALCTD
				Value NODI													

If a parameter row does not contain any values for the Sample nor Effluent Trading, then none of the following fields will be submitted for that row: Units, Number of Excursions, Frequency of Analysis, and Sample Type.

No errors.

Comments

Attachments
No attachments

Report Last Saved By

TAOS SKI VALLEY, VILLAGE OF

User:

Name:

E-Mail:

Date/Time:

Report Last Signed By

User:

Name:

E-Mail:

Date/Time:

AMARTINEZ@VTSV.ORG

Anthony Martinez

amartinez@vtsv.org

2019-11-13 16:34 (Time Zone: -06:00)

AMARTINEZ@VTSV.ORG

Anthony Martinez

amartinez@vtsv.org

2019-11-13 16:35 (Time Zone: -06:00)

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

AGENDA ITEM TITLE: **Consideration to Approve Resolution No. 2020-417 a Resolution to Approve of the Disposal of the Department of Public Safety Eagle Radar Units**

DATE: December 10, 2019

PRESENTED BY: Sammy Trujillo, Village Police Chief

STATUS OF AGENDA ITEM: New business

CAN THIS ITEM BE RESCHEDULED: Not recommended

BACKGROUND INFORMATION:

The purpose of the disposal/donation of these two radar units is that they are no longer operable for daily use and are obsolete.

The cost to repair and recalibrate these units would not be practical, and the Department has updated to newer and more effective radar units.

STAFF RECOMMENDATION: Staff recommends approval of **Resolution No. 2020-417** a Resolution to Approve of the Disposal of the Department of Public Safety Eagle Radar Units.

**STATE OF NEW MEXICO
VILLAGE OF TAOS SKI VALLEY**

RESOLUTION NO. 2020-417

A RESOLUTION TO APPROVE OF THE DISPOSAL OF THE DEPARTMENT OF PUBLIC SAFETY'S TWO EAGLE RADAR UNITS, A CAPITAL ASSET OWNED BY THE VILLAGE OF TAOS SKI VALLEY

WHEREAS, the Village of Taos Ski Valley owns certain property which the Village cannot utilize in daily operations or items are obsolete; and,

WHEREAS, The Village has specifically identified such property herein; and,

WHEREAS, following the requirements of the New Mexico Department of Finance, it is mandatory to have Council approval by resolution prior to disposal of any assets; and,

WHEREAS, Village Staff believes it is in the best interest of the Village to dispose of assets via donation or surplus auction, pursuant to State and Village requirements.

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 dispose/donate of the two Eagle Radar units, an obsolete capital asset.

PASSED, ADOPTED, AND APPROVED this _____

VOTES: _____ Yes _____ No

MUNCIPAL GOVERNING BODY OF
VILLAGE OF TAOS SKI VALLEY, NEW MEXICO

Mayor

ATTEST:

Village Clerk

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: Consideration to Approve Resolution No. 2020-418 Approving the Village of Taos Ski Valley 2020 Legislative Priority Requests

DATE: December 10, 2019

PRESENTED BY: John Avila

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION:

The Village Staff is planning to seek legislative funding during the 2020 Legislative Session. For support of Staff's request for funding it is prudent that the Village Council pass a Resolution supporting the request for priority funding of capital improvement projects.

This action does not preclude the Legislature funding other Village projects but directs Staff's efforts for the application process.

The Mayor and Council should discuss and decide which projects from the ICIP list should be prioritized for legislative funding requests.

RECOMMENDATION: Staff recommends the approval of Resolution No. 2020-418 for 2020 Legislative Priority requests for capital improvement project funding.

Infrastructure Capital Improvement Plan FY 2021-2025

Taos Ski Valley Project Summary

ID	Year	Rank	Project Title	Category	Funded to date	2021	2022	2023	2024	2025	Project Cost	Total Amount Not Yet Funded	Phases?
36504	2021	001	Kachina Water Booster Station	Water - Water Supply	0	35,000	465,000	0	0	0	500,000	500,000	No
36557	2021	002	Gunsite Springs Development	Water - Water Supply	315,000	750,000	500,000	0	0	0	1,565,000	1,250,000	Yes
36572	2021	003	Twining Road Improvements	Transportation - Highways/Roads/Bridges	275,500	700,000	1,400,000	1,400,000	0	0	3,775,500	3,500,000	Yes
35416	2021	004	Water Line Upgrades and Expansion	Water - Water Supply	0	425,000	1,575,000	2,500,000	2,000,000	1,500,000	8,000,000	8,000,000	Yes
35412	2021	005	Construct New Recycling Facility	Other - Solid Waste	0	300,000	0	0	0	0	300,000	300,000	No
36590	2021	006	Fire Station #2 Expansion	Facilities - Fire Facilities	0	645,000	75,000	0	0	0	720,000	720,000	No
36620	2021	007	Wastewater line Upgrades and Expansion	Water - Wastewater	0	500,000	1,000,000	1,250,000	2,500,000	750,000	6,000,000	6,000,000	Yes
36616	2022	001	Village Administrative Complex	Facilities - Administrative Facilities	1,943,000	0	45,000	1,830,000	0	0	3,818,000	1,875,000	Yes
36591	2022	002	Fire Rescue Truck	Vehicles - Public Safety Vehicle	0	0	450,000	0	0	0	450,000	450,000	No
35411	2022	003	Multi-purpose trails - Amizette to Kachina	Transportation - Bike/Pedestrian/Equestrian	0	0	225,000	275,000	0	0	500,000	500,000	Yes
36619	2023	001	Pumper Truck (Fire Dept.)	Vehicles - Public Safety Vehicle	0	0	0	1,000,000	0	0	1,000,000	1,000,000	No

Number of projects: 11

	Funded to date:	Year 1:	Year 2:	Year 3:	Year 4:	Year 5:	Total Project Cost:	Total Not Yet Funded:
Grand Totals	2,533,500	3,355,000	5,735,000	8,255,000	4,500,000	2,250,000	26,628,500	24,095,000

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

AGENDA ITEM TITLE: Consideration to Approve Renewal of the Medical Director's Service Contract for the EMS System in the Village of Taos Ski Valley

DATE: December 10, 2019

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 has maintained a contract with Dr. Quigley Peterson as the medical director for the EMS system in the Village for many years. The most recent contract has expired and needs to be renewed. As stated in his contract he shall maintain a valid license to practice medicine in New Mexico, oversee continuing education and quality assurance for service members licensed by the New Mexico EMS Bureau, develop and approve guidelines and protocols with the Village's Director, act as a liaison with the local health care providers including the Taos Ski Valley Ski Patrol and the EMS Bureau in Santa Fe, and agrees to allow his clinic to be used as a staging area in the event of a medical emergency within the Village.

RECOMMENDATION: A motion from the Council is requested to authorize renewal of the Medical Directors Service Contract.

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

**AGENDA ITEM TITLE: Consideration to Approve an Increase in Shift Stipends to
Emergency Medical Services Peak On-Call Volunteers for the
2019-2020 Ski Season**

DATE: December 10, 2019

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 has been providing on-call shift stipends for volunteer EMS staff during peak weekends and holidays for the past two ski seasons. Volunteer on-call EMS services are scheduled to begin this season on December 20, 2019. Unfortunately it has been a struggle to get volunteers despite the stipend now offered. A suggestion while meeting with Dr. Peterson and Leland Thompson from TSVI ski patrol, was to increase the paid stipend from \$75.00 per overnight shift to \$100.00 per overnight shift to encourage more participation. With the increased support from the Village Lodger's Tax Board there should be sufficient funds to cover this request.

RECOMMENDATION: A motion from the Council is requested to authorize this modification to the volunteer EMS stipend structure beginning December 2019 for the 2019-2020 ski season.

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: Consideration to Approve Renewal of the GIS Services Contract and Authorization for the Village Administrator to Negotiate the Terms of the Contract

DATE: December 10, 2019

PRESENTED BY: Patrick Nicholson

STATUS OF AGENDA ITEM: New business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: Today a Geographic Information System (GIS) is an essential municipal service, providing program support across all Village Departments. The GIS services contractor would build upon and expand the past year's efforts with work continuing on system design, data compilation, base layer creation and development, spatial analysis and mapping. Examples of the types of spatial analysis and GIS mapping products provided as deliverables under the contract would include - municipal zoning and land use, Village utilities and infrastructure, land ownership, land development scenarios, E-911 addressing, public safety response time areas, and the like. It is anticipated that upon completion of an expanded Village Hall facility, that a permanent part-time position will be created, allowing this service to be brought in-house.

RECOMMENDATION: Staff recommends approval of a one year renewal of SageGIS, LLC as the Village GIS services firm and authorization for the Village Administrator to negotiate terms and execute renewal of the contract.



Contract:
SageGIS, LLC

Contract # VTSV-2019-06

PROFESSIONAL SERVICES CONTRACT
For GIS Services

This contract is hereby made and entered into by and between the Village of Taos Ski Valley, a New Mexico Municipality (hereinafter "VILLAGE") and, SageGIS, LLC (hereinafter "CONTRACTOR") on this 1st day of January, 2019.

WHEREAS, the VILLAGE has found it necessary to retain the services of CONTRACTOR to provide GIS services for the VILLAGE; 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 provide services to the Village to establish and maintain a fully functional municipal GIS system including needs assessment, system design, data compilation, base layer creation and development, spatial analysis and mapping. Specific tasks include but may not be limited to:
 - A. Review and evaluate the Village's existing GIS - data files, storage, structure, equipment, and software and recommend improvements to enhance the functionality and GIS output for Village personnel and departments.
 - B. Design and build a new GIS – incorporate usable existing data and base layers, identify data gaps, acquire new data and parcel information, including coordinating GPS field data collection to develop new base layers and system architecture. Establish data standards and protocols.
 - C. Working with VTSV staff, provide spatial analysis and GIS mapping products to Village departments. General types of GIS maps may include - municipal zoning, Village utilities and infrastructure, land ownership, land development scenarios, E-911 addressing, public safety response time areas.
 - D. The Scope of Work outlined and provided in the Contractor's RFP response proposal and incorporated as a part of this contract as Exhibit A.
2. Address & Phone Contact. The address and phone number of Contractor is:

SageGIS, LLC CGIS
PO Box 1901
El Prado, NM 87529
(505)-469-8317

3. Term. This contract shall be effective from December 15, 2018, through December 14, 2019, 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 Village Administrator.
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. Contract Management. Contract management, project coordination, and acceptance of deliverables is assigned by the VILLAGE to the Director of Planning & Community Development.
6. Compensation. The VILLAGE shall pay CONTRACTOR, under this contract:
 - \$73,000.00.00 total, inclusive of NM GRT.
 - Other Reimbursable expenses: copies, printing, mailing charges would be reimbursed at cost.
 - Compensation shall directly relate to the deliverables as assigned by the VILLAGE within milestones indicated in the Contractor's proposal and shown as a percentage completed to date on each invoice.
7. 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.
8. 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. FY 2020 appropriations will be necessary to complete and fully fund the entire contract amount.
9. Annual Review. 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).
10. Termination. This contract may be terminated at will, by either party, with or without cause. Termination shall be by written notice which shall be delivered or mailed (certified mail, return receipt) to the other party. If notice is by mail, notice (i.e., the effective date of termination) will be deemed to be effective three (3) calendar days from the date of the postmark. If notice is hand-delivered, termination is effective as of the time of delivery to the CONTRACTOR (personally or at his/her office) or when delivered to the Office of the VILLAGE Administrator. If notified of termination, CONTRACTOR shall immediately cease performing services and deliver, to VILLAGE, any work in progress. If CONTRACTOR terminates this contract, notice of termination shall include CONTRACTOR's final billing statement. In no event shall termination nullify obligations of either party prior to the effective date of termination.
11. 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.
12. Work Product. 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 their 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.
13. Status of Contractor. CONTRACTOR acknowledges that he is an independent contractor and as such neither they nor their 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.

14. 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.
15. 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.
16. Worker's Compensation. CONTRACTOR acknowledges that neither they nor their employees, agents or representatives shall have any claim whatsoever to worker's compensation coverage under the VILLAGE's policy.
17. Taxes. CONTRACTOR acknowledges that they and they 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 them under this contract, and that the VILLAGE shall have no liability for payment of such tax. CONTRACTOR also acknowledges that they, and they 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.
18. 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.
19. Indemnification. CONTRACTOR agrees to indemnify and hold harmless the VILLAGE from any and all claims, suits, and causes of action which may arise from their 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, their employees, agents or other representatives while engaged in the performance of this contract.
20. 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.
21. Conflict of Interest. CONTRACTOR warrants that they presently has no interest or conflict of interest and shall not acquire any interest or conflict of interest which would conflict with their performance of services under this contract.
22. Non-Discrimination. CONTRACTOR agrees that they, their 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.
23. Ethical Considerations. CONTRACTOR shall abide by Contractor's Code of Professional Responsibilities and/or applicable Canons of Ethics as prescribed by their profession. Failure of any owner, partner, or major employee employed by CONTRACTOR to remain in good standing shall immediately render this contract voidable at the sole discretion of the VILLAGE, and, if declared voidable, all obligations of the VILLAGE to perform hereunder shall be nullified.
24. Required Liability Insurance. CONTRACTOR shall maintain liability insurance in an amount at least equal to the requirements set forth by the New Mexico Tort Claims Act, Sec. 41-4-19, N.M.S.A. 1978 (as amended).

25. 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 fees and direct and indirect damages, incurred in the enforcement of this contract.

26. 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.

27. 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.

28. 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.

29. Amendment(s) to This Contract. This contract shall not be altered, changed, modified, or amended, except by instrument, in writing, executed by both parties.

30. 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, and State of New Mexico.

31. 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.

Village of Taos Ski Valley

John Avila, Village Administrator

SageGIS, LLC

ATTEST:

CONTRACTOR'S GRT/CRS NUMBER or

CONTRACTOR'S FED. TAX ID NO. or SSN

ANN M. WOOLDRIDGE, VILLAGE CLERK