

Mr. Brad Angst explained the financing that has occurred with the issuance of bonds for funding the Wastewater Treatment Plant through the USDA. He also discussed a market update and current interest rates, which are at a 10-year low. He said that there is a low cost for municipal bonds for municipal infrastructure at this time, from which the Village has benefited. His reporting to the Governing Body is part of the bond process.

6. APPROVAL OF THE MINUTES OF THE JULY 14, 2020 VILLAGE COUNCIL REGULAR MEETING and the JULY 28, 2020 SPECIAL COUNCIL MEETING

MOTION: To approve both sets of minutes

Motion: Councilor Wittman

Second: Councilor King

Passed: 4-0

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

A. VTSV Chamber of Commerce Director Courtney Tucker thanked the Village of Taos Ski Valley staff and TSV Inc. staff for supporting visitor visits to the Village. There is a promotion for the upcoming Hat & Boot weekend. She explained that the Chamber's summer budget had been approved by the Council but not yet the budget for the fall. Ms. Tucker said that Chamber staff had been working on improving signage in the parking lot that looked old for a more professional and updated look as visitors enter the Village. The Chamber's member businesses were appreciative of the effort, she reported. The Chamber is happy that they are able to conduct their work and is appreciative of the support.

B. Property owner Bob Corroon explained that he purchased the large Pattison Trust parcel a year ago. He has drawn up a plan for mitigating any risk associated with fire on his land. The main concern with forest fire, he said, is the damage to the river from run-off, and secondly, the protection of the forest ecosystem. He has hired a forester and produced a plan, which prescribes planned burning, and will increase biodiversity by enhancing meadows. This in turn will invite more elk and grassland bird nestings. Mr. Corroon introduced Nick Dolocek, the forester who created a 500-page management plan with historical data. Mr. Dolocek explained that, when implemented, this plan will reduce the threat of fire by thinning the number of trees by one half. The plan addresses protecting the ridge from a possible Red River fire. He said that he had been working with Village Staff to manage the process to not affect neighbors. The Planning Department has a copy of the plan.

C. TSVI David Norden said that TSVI is operating under Covid-era protocol, with a planned and phased opening operation for the rest of the summer and to move into winter. The recent NM Department of Health screening at TSV produced a 100% negative test result for Covid. Mr. Norden explained that they are planning to become the "Best in Class" as far as ski operators go. TSVI plans to be a model operation to show the Governor that this can work. TSVI would like to open for the winter and stay open, he said. It is important that all businesses in the Village are safe so that no one business creates a problem. He suggested that there be a Village-endorsed plan for alignment across all businesses, and that the Village needs to oversee all the businesses in the Village, to enforce the same philosophy. Covid-related signs, especially, should be unified in design for the winter, he suggested.

D. Homeowner Kent Kiehl asked about a possible planned hiking trail which he heard might go through his property on Dolcetto Lane. He inquired about a possible trade of easements from his property to the Village's adjacent property, which might benefit both parties, he said.

8. COMMITTEE REPORTS

A. Planning and Zoning Commission –Commission Chair Wittman reported that the P&Z Commission met on August 3, 2020. Agenda items included a revised riparian setback variance request for a residence on upper Twining Road, which was approved by a vote of 5-2, as well as a presentation by Director Nicholson of the 2022-2026 Infrastructure Capital Improvement Plan (ICIP). The ICIP was recommended to send to Council by a vote of 6-1 after discussion. Many of the dollar amounts had been updated, especially for Public Safety equipment. The next meeting of the P&Z Commission is scheduled for September 14, 2020 via Zoom.

B. Public Safety Committee – The Public Safety Committee had submitted its written report, which is part of the Council packet.

The next meeting will take place on September 14, 2020 at 10:00 a.m. via Zoom.

C. Firewise Community Board of Directors – The report was combined with the Public Safety report.

The next meeting will take place on September 14, 2020 at 11:00 a.m. via Zoom.

D. Parks & Recreation Committee –

Committee Chair Katherine Kett reported that the Committee members had walked the open space lands that had been donated to the Village from the Kachina POA last year. She will write up a summary and follow-up of discussion for each of the four parcels. Chair Kett and Director Nicholson met with a wetland biologist to discuss the wetland area. The biologist will write up an assessment of the wetlands and possible steps forward. The next meeting is planned for August 19, 2020 at 11:00 a.m. at the Twining Campground.

E. Lodger's Tax Advisory Board – Co-chair Stagg said that the Board believes that the Chamber is doing a good job, but that the Board is being cautious about watching spending for the upcoming year. The next meeting has not been scheduled.

9. REGIONAL REPORTS

There were none.

10. MAYOR'S REPORT

Mayor Brownell spoke about the need for Staff to inform the community of Village ordinances and make the public aware of the need to follow these ordinances. He expressed concern about attracting wildlife into the Village, which visitors may be unaware of. In addition, he cautioned that visitors to the Village follow the rules set in place by the Governor concerning COVID issues. Village staff is informing property owners of the need to follow regulations for business registration and tax submittals for short-term rentals.

The Twining Road project seems to have a great deal of interest from the community, as this is a major road for access. A community forum had just taken place via Zoom, with more discussions to follow.

Mayor Brownell said that one of the items to be addresses in the Kachina Master Plan should be public access to public lands.

11. STAFF REPORTS

Administrator Avila reported on ongoing projects:

- **COVID -19 - Pandemic Emergency:**

CARES Local Government Cares Act Relief Funds Application is submitted. VTSV/TSVI meeting have started, initially planned on a weekly basis for discussion to address issues of mutual importance and possible coordinated action. COVID precautions and coordinating for the July 4th Holiday weekend were successful. Labor Day planning is scheduled for next week. Village Facilities besides having a decontamination schedule, will also need upgrades for protecting public health including: full protective gear and equipment for any public employee that may be in the presence of the public, appointment hour for any visits to Village facilities, changing and cleaning clothing and outer surfaces of shoes with a disinfectant to reduce potential viral particles, touchless temperature readings, and continued protection by vaccination to not increase vulnerability to other diseases. Meetings in the Office must be COVID-safe and scheduled in advance. The Village has liberally used Work-at-Home accommodations for all but the most essential worker status.

On Thursday, July 2, 2020 the Village Council amended Resolution 2020-428 to require wearing of COVID protective masks within the Village. Governor Michelle Lujan Grisham shortly after announced the updated NM health order requiring masks be worn throughout NM along with 14-day health quarantine for those entering the state. The Resolution is scheduled to be reviewed again this month with a possible amendment to enforce lodging restrictions in the Village, in compliance with State orders.

Strategies for reopening as the safest place to visit: How does the Village Community conduct business to have the safest season possible? Input from the business community and residents is helpful in considering what is possible. Most municipalities assumed short term rentals would have a huge decrease in activity during COVID-19. Granicus reports show only a 3% drop between March-May. They have seen a 20% average increase in June/July.

Mayor Brownell suggested that the Village participate in funding the electronic signs that TSVI has been funding.

- **WWTP** – NMED Project Management visited with staff and toured the Wastewater Treatment Plant on August 4, 2020 to review the project. The roof repair to the old plant is a phase that is being done by the Village as it was not in the scope for the project and a foam repair option was judged insufficient. Ongoing work for the Wastewater Treatment Plant includes continued optimized efficiency of the Ovivo System along with ongoing training. Ovivo engineers and technicians are in contact to address system operations issues.
- **Kachina Water Tank** – NMED Project Management also visited the Kachina Tank site to review progress to final completion. A punch list of final tasks was reviewed along with confirmation of support by Village and Kit Carson COOP electric and fiber.

The Village needed to finish digging the trench 10 feet to the existing transformer. KCEC has installed the transformer and will make power connection after RMCI attaches meter cabinet to the transformer (usually utilities are responsible for service to the meter.)

Reseeding is to be done by TSVI. Proper organic fill on top of the tank needs to have similar weight per square foot as designed cover material.

Electricians have made progress in the pump station and to switch over to new pumps will need coordination with KCEC to power up the station. Once the pump station is operational the tank will be sterilized again, and distribution lines will be receiving a final test.

The Kachina Tank is completely covered now with only maintenance installations showing. The Tank can only take so much weight on top, so a barrier is recommended to keep any unauthorized visitors and vehicles away.

- **Village Hall Complex** – There are still a few items to complete before the Village can convert the temporary CID permit into the final permit. They include a required stair rail, roof, drainage, and piping repairs. Managing the budget cycle along with internal and external impediments to improvements for Public Safety Office continued, so that opportunities to move forward have had to wait. The \$90K repair estimate can be reduced if the Village can undertake some of the remaining demolition. The Public Safety Office is a workable start to further developing Village offices at the site and if the Fire/EMS Administration Office is located on site, there is opportunity for additional Fire Grant Funding that can be used for equipment and building.
- **TIDD - Thunderbird/Ernie Blake Roads** are underway with regular meetings with TSVI and contractors anticipated. Staff has reached out to assist with the permitting process including: excavation, and ROW and utility requirements. Meetings with TSVI, Kit Carson and NM Gas have provided project updates. Replacement of the limited capacity sewer line on Thunderbird Road is being considered. If there are no further connections to the line it should suffice for the current demand. However, if connection of a customer with any notable demand were to be considered, it would require the replacement of the line. To avoid the additional costs, connection to the Thunderbird sewer line would need to be limited to what is connected now. Other connection would be directly to the main.
The Village understand that the financial information for pending TIDD project dedication is to be available for review soon. Along with the project review required of the Village by the MDA, audit requirements also need to be met so that the full value of a project can be accounted for by the Village. After review of all the TIDD dedication documents, Village Staff will be able to make a recommendation for dedication of the projects. With the economic impact of the COVID pandemic, baseline GRT revenues are unlikely to be met in the immediate future, thought Administrator Avila.
- **Underground electric-** The RFP 2020-06 for a trenching pricing agreement as well as the contract for electrician have been awarded and these companies have been working on site with KCEC to plan and install underground electrical facilities in the Village. With the contractor onboard, KCEC can finish the permit application with NMDOT in July and the ongoing plan to underground electricity along NM 150 in the Amizette area will be able to start. Discussions between the Village, KCEC, NMDOT and the contractors are focused on starting the Amizette project this month. There is confirmation of Kit Carson surveying the project area and initial spotting of lines. Although residents are free to use Village contractors, they should independently be contracted by the private owners to finish the connection to their homes. Procurement restrictions do not allow the government to be an agent of the contractor for private use. Alternatively, once the underground service is available near a property, the five steps to connecting underground are:
 1. The Owner to engage a contract electrician for work on their property,
 2. Together contact KCEC with the meter number and request an upgrade to an underground service. KCEC and the electrician will contact the Village for underground permitting and start credit request for public ROW work.
 3. Proceed with underground work and connect to the underground service.
 4. Make the credit application for the portion of work done in the public ROW. If the property is undeveloped the request is for a new service.

KCEC is concerned for safety, service, and cost reasons, that not all the properties within the service area of an underground supply line are connected. There are over a dozen properties that still could be connected to underground service within the Village. Village staff has reached out to those owners to inform them of the opportunity to connect, while KCEC is working on underground projects in the Village. The Village is planning to fund the public portion of the project in coordination with Kit Carson Electric Corporation installation of facilities. The Village intends to contract the required trenching by using Franchise Fee proceeds. Also anticipated is providing a credit program for the portion of owner costs in the public Right of Way.

Department Briefs

- Finance Director Grabowski's report was submitted with the Council packet.
- Chief Trujillo's report was also submitted. He said that they have been conducting compliance checks with businesses, but it may be difficult to impose restrictions on these businesses.
- Planning Director Nicholson said that the Thunderbird Road project was ahead of schedule by a week and a half. His report was submitted previously to Council.
- Building Official Bowden asked that members of the community speak with him about the possible updated Wildland Interface Ordinance. His report had been submitted in writing.
- Attorney Baker said that there may be a need to investigate borrowing funds for the Village to purchase the Blake parcel adjacent to the Firehouse.
- The other July Department Briefs were included in the Council packet and are posted on the web site with the Council items.

12. OLD BUSINESS

A. Consideration to Approve Amended Resolution 2020-428 Declaration of an Emergency for the Village of Taos Ski Valley

Administrator Avila said that Staff recommends approval of the second amendment to Resolution No. 2020-428 for COVID-19: continuation of emergency status, direction to protect against COVID infection by enforcing the requirements of the State health order, and authority provided in Resolution No. 2020-428 for COVID-19 while the State Declaration of emergency is in effect.

MOTION: To Approve Amended Resolution 2020-428 Declaration of an Emergency for the Village of Taos Ski Valley

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

13. NEW BUSINESS

A. Consideration to Approve a Five-Year Contract Extension between the Village of Taos Ski Valley and Waste Management of New Mexico

The Village of Taos Ski Valley has continued to receive beneficial use of Waste Management as the contractor to supply solid waste management service to the Village. The Village would like to exercise the right under our agreement to continue the service contract for the next five years. Under the terms of the agreement the contractor can implement a CPI increase to pricing. As of August, that amount is 1.8%. Otherwise, the terms would stay the same for five years. Tipping fees at the Landfill may increase, however.

MOTION: To Approve a Five-Year Contract Extension between the Village of Taos Ski Valley and Waste Management of New Mexico

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

B. Discussion and Direction of Lodgers Tax Enforcement and Update of Ordinance 2012-14 to Align with State Statute
Administrator Avila explained that the NM State Statute had changed to remove the exemption on paying lodgers tax for less than three units. The Village would like to amend its ordinance to coincide with this change. Introduction of the proposed amended ordinance will be brought to Council for introduction in September. Letters to property owners will be distributed when the changes have been adopted. Entities conducting short-term rentals will be encouraged to join the Village of Taos Ski Valley Chamber of Commerce.

C. Consideration to Approve Resolution No. 2021-446, the Village of Taos Ski Valley 2022-2026 Infrastructure Capital Improvements Plan (ICIP)

Director Nicholson explained that Village ICIP is prepared annually for submission to the NM Department of Finance & Administration. It establishes Village policy and project funding priorities for the five-year period FY 2022-26. Additional work remains to obtain and secure specific project funding and to designate a Village project manager, he said. The plan was developed by Senior Village staff and presented, discussed, and approved by the Village P&Z Commission at its August 3, 2020 regular meeting. The current draft incorporates P&Z recommendations. Councilor Kern asked that plans keep in mind the need for snow storage.

MOTION: To Approve Resolution No. 2021-446, the Village of Taos Ski Valley 2022-2026 Infrastructure Capital Improvements Plan (ICIP)

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

D. Discussion Regarding Establishing a Capital Improvements Advisory Committee (CIAC)

Attorney Baker presented a draft resolution which would establish a Capital Infrastructure Advisory Committee in the Village. This is required by State Statute to impose development impact fees and to study the infrastructure needed for new development as well as for existing property owners. She suggested that the CIAC could meet concurrently with the P&Z Commission since land use assumptions would be part of the process, as well as developing fair and equitable fees. Suggestions were made about the appointment of Committee members and how often such a Committee would meet. Advertisement was previously made for open Committee positions and 10 applications were received. The Resolution will be amended based on discussion and will be brought for consideration at the next Council meeting.

14. MISCELLANEOUS

A. Mayor Brownell asked about requirements for possibly trading easements between the Village and a private property owner.

B. Councilor Kern said that he had visited some of the TSVI operations and thought that they were doing a great job concerning Covid-safe practices. He said that the next step would be for Village Staff to draw up and implement a plan such as this for the rest of the Village enterprises and property owners.

Discussion took place with several people expressing similar concerns. It was suggested that this could be used as a marketing tool, being the “safest place to visit” in the winter.

15. CLOSED SESSION

A. Discussion of Pending Litigation

This matter may be discussed in closed session under Open Meetings Act exemption 0-15-1(H) (7)

MOTION: To go to Closed Executive Session

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

MOTION: To return to Open Session

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

No decisions or motions were made during closed session.

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

The next meeting of the Village Council will be a Regular Meeting on Tuesday, September 8, 2020 at 2:00 p.m. via Zoom.

17. ADJOURNMENT

MOTION: To Adjourn

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

The meeting adjourned at 4:35 p.m.

Christof Brownell, Mayor

ATTEST: _____
Ann M. Wooldridge, Village Clerk