



**VILLAGE COUNCIL REGULAR MEETING AGENDA  
MEETING TO BE HELD VIA ZOOM TELECONFERENCE  
TAOS SKI VALLEY, NEW MEXICO  
TUESDAY, FEBRUARY 23, 2021 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 JANUARY 19, 2021 VILLAGE COUNCIL BUDGET WORKSHOP and the JANUARY 26, 2021 VILLAGE COUNCIL REGULAR MEETING**
- 5. PRESENTATION BY THE NEW MEXICO STATE FIRE MARSHALL**
- 6. CITIZEN'S FORUM** –for non-agenda items only. Limit to 5 minutes per person (please email [awooldridge@vtsv.org](mailto:awooldridge@vtsv.org) to sign up)
- 7. COMMITTEE REPORTS**
  - A. Planning & Zoning Commission
  - B. Public Safety Committee
  - C. Firewise Community Board
  - D. Parks & Recreation Committee
  - E. Lodger's Tax Advisory Board
  - F. Capital Advisory Infrastructure Committee
- 8. REGIONAL REPORTS**
- 9. MAYOR'S REPORT**
- 10. STAFF REPORTS**
  - A. Administrator Avila
  - B. Finance Director Grabowski
  - C. Police Chief Trujillo
  - D. Fire Chief Molina
  - E. Building Official Bowden
  - F. Planning Director Nicholson
  - G. Public Works Director Martinez
  - H. Clerk Wooldridge
  - I. Attorney Baker
- 11. OLD BUSINESS**
- 12. NEW BUSINESS**
  - A. Introduction: **Ordinance 2021-09** An Ordinance of the Village of Taos Ski Valley Amending Ordinance 2002-09 to Update and Adopt the New Mexico Uniform Traffic Ordinance
  - B. Consideration to Approve **Resolution No. 2021-467**, A Resolution Authorizing the Application for Financial Assistance from the New Mexico State Highway and Transportation Department FY2022 NM LGRF Co-op
  - C. Consideration to Approve **Resolution No. 2021-468** A Resolution Authorizing the Application for Financial Assistance from the New Mexico State Highway and Transportation Department FY2022 NM Municipal Arterial Program (MAP)
  - D. Consideration to Approve a Memorandum of Understanding with the NM Department of Public Safety and Taos Ski Valley Police Department
  - E. Direction Regarding Acquisition of Real Property (to follow Closed Session)
- 13. MISCELLANEOUS**
- 14. CLOSED SESSION**
  - A. Discussion of the Acquisition of Real Property

This matter may be discussed in closed session under Open Meetings Act exemption 0-15-1(H) (8)

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

**16. ADJOURNMENT**

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



Village of Taos Ski Valley  
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**VILLAGE COUNCIL MEETING  
BUDGET WORKSHOP  
DRAFT MINUTES  
VIA ZOOM TELECONFERENCE  
TAOS SKI VALLEY, NEW MEXICO  
TUESDAY, JANUARY 19, 2021 9:00 A.M.**

**1. CALL TO ORDER & NOTICE OF MEETING**

The Budget Workshop of the Village of Taos Ski Valley Council was called to order by Mayor Brownell at 9:00 a.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 Neal King  
Councilor Chris Stagg  
Councilor Tom Wittman, Mayor Pro Tem

**Staff present:**

Village Administrator John Avila  
Village Clerk Ann Wooldridge  
Finance Director Nancy Grabowski  
Public Works Director Anthony Martinez  
Planning Director Patrick Nicholson  
Building Official Jalmar Bowden  
Police Chief Sammy Trujillo

**3. APPROVAL OF THE AGENDA**

**MOTION:** To approve the agenda as presented

**Motion:** Councilor Wittman

**Second:** Councilor King

**Passed:** 4-0

**4. BUDGET WORKSHOP**

Village Administrator Avila and Finance Director Grabowski discussed the mid-year budget spreadsheets of Village financial activity. Fund activity beginning with 01 and 02, water and sewer, showed revenues well below budgeted amounts. Councilor Stagg said that it wouldn't be reasonable to consider raising utility rates enough to cover the shortfall, as business might be back to normal again within six months. Administrator Avila said that if funds were moved from reserve funds to cover operating expenses, then the Village should make a plan for re-payment of the funds back to Village reserves. An inquiry will be made to the USDA concerning the possibility of a delay in re-payment of debt funds on the Wastewater Treatment Plant loan.

The Council suggested looking into government assistance programs, making cost-saving cuts even if painful, and doing short-term transfers from other funds if needed. Outside contractor work will be evaluated for necessity, Mayor Brownell said that the Village did not want to lay off staff members.

Director Grabowski said that some budget adjustment requests would be made to avoid leaving negative fund balances in some enterprise funds, such as sewer operating 02. Any budget adjustment is similar to a loan, so these will be made in the lowest amount needed. Mayor Brownell expressed his interest in hiring a paid EMS/Fire staff person.

The Council decided to wait on taking any action at this time. This will be discussed at the following week's Council meeting.

**5. ADJOURNMENT**

**MOTION: To Adjourn.**

**Motion: Councilor Wittman**

**Second: Councilor King**

**Passed: 4-0**

The workshop was adjourned at 10:20 a.m.

\_\_\_\_\_  
Christof Brownell, Mayor

ATTEST: \_\_\_\_\_  
Ann M. Wooldridge, Village Clerk



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**VILLAGE COUNCIL REGULAR MEETING  
DRAFT MINUTES  
VIA ZOOM TELE CONFERENCE  
TAOS SKI VALLEY, NEW MEXICO  
TUESDAY, JANUARY 26, 2021 2:00 P.M.**

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**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. 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 Neal King

Councilor Chris Stagg

Councilor Tom Wittman, Mayor Pro Tem (joined the meeting during item 9.)

**Staff present:**

Village Administrator John Avila

Village Clerk Ann Wooldridge

Finance Director Nancy Grabowski

Building Official Jalmar Bowden

Public Works Director Anthony Martinez

Police Chief Sam Trujillo

Planning Director Patrick Nicholson

Village Attorney Susan Baker

**3. APPROVAL OF THE AGENDA**

**MOTION:** To approve the agenda as presented

**Motion:** Councilor Stagg

**Second:** Councilor King

**Passed:** 3-0

**4. APPROVAL OF THE MINUTES OF THE DECEMBER 22, 2020 VILLAGE COUNCIL REGULAR MEETING**

**MOTION:** To approve the minutes as presented

**Motion:** Councilor King

**Second:** Councilor Kern

**Passed:** 3-0

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

A. TSVI Chaz Rockey thanked the Council for the opportunity to speak. He said that he had reviewed the Village's audit and had participated in the previous week's budget workshop, which was more like a mid-year financial update than a discussion of the budget, he commented. Mr. Rockey urged the Council to develop a financial plan to assist in long-term planning, as well as in making short-term decisions. He encouraged the Council to develop a plan of finance by the end of the fiscal year, and to outsource this work if necessary.

B. TSVI David Norden addressed the Council, urging everyone to get outside and to enjoy the great weather and new snow. He also thanked the Village for its collaboration in maintaining Covid-safe activity in the Village. Mr. Norden pointed out that the solar-powered sign board at the Village entrance, the personnel giving out masks at the base area, and the follow-up on Covid-safe regulations were all making a difference for a safe ski season. He

reported that over 1,000 Covid tests had been administered to community staff by Mogul Medical at the Martini Tree, all of which had produced negative results. He urged the community to stay the course and not let down its guard.

6. **COMMITTEE REPORTS**

A. **Planning and Zoning Commission** –Director Nicholson reported that no meeting had taken place in January. The next meeting will be held on February 1, 2021 via Zoom.

B. **Public Safety Committee** – no meeting in January. Next meeting is scheduled for February 1 2021.

C. **Firewise Community Board of Directors** – no meeting in January. Next meeting is scheduled for February 1, 2021.

D. **Parks & Recreation Committee** – Committee Chair Kett reported that they had not met in January but would meet on February 9, 2021. She thanked TSVI for a well-organized parking lot this ski season.

E. **Lodger's Tax Advisory Board** – there was no report.

F. **Capital Infrastructure Advisory Committee** – Director Nicholson reported that the Committee had met and reviewed land use assumptions. Meetings are scheduled every two weeks moving forward.

7. **REGIONAL REPORTS**

Director Nicholson reported on the recent Northern Regional Transportation Planning Organization meeting.

8. **MAYOR'S REPORT**

Mayor Brownell reported that he had attended the Landfill Board meeting, as well as the IGC meeting. Recycling possibilities are being considered though options are costly.

A. Consideration to Appoint a Representative to the Holy Cross Hospital Board Nominating Committee

**MOTION: To appoint Councilor Kern to the Holy Cross Nominating Committee**

**Motion: Councilor King                      Second: Councilor Stagg                      Passed: 3-0**

9. **STAFF REPORTS**

Staff reports were included in the Council packet and were posted to the web site.

Councilor Stagg thanked the Public Works Staff for working through the intricacies of operating the new wastewater treatment plant.

10. **OLD BUSINESS**

11. **NEW BUSINESS**

A. Consideration to Approve **Resolution No. 2021-463** Requesting a Permanent Budget Adjustment (BAR) Transferring Funds out from the General Fund Reserve (43) and into the Sewer Enterprise Fund (02) Covering the Negative Ending Fund Balance in the FY2021 2nd Quarter

The FY2021 budget was submitted assuming sufficient revenues to cover expenses. However, with increases in insurance, electricity, and debt service, and decreases in sales, revenues have not been sufficient to cover these increases, creating a negative ending 2<sup>nd</sup> quarter fund balance of -\$12,621. Quarterly reports cannot be submitted to the Department of Finance with a negative balance unless it is a reimbursable grant. Therefore, staff requests a transfer out of General Fund Reserves (43) and a transfer into the Sewer Fund (02) of \$15,000.

**MOTION: To Approve Resolution No. 2021-463 Requesting a Permanent Budget Adjustment (BAR)**

**Transferring Funds out from the General Fund Reserve (43) and into the Sewer Enterprise Fund (02) Covering the Negative Ending Fund Balance in the FY2021 2nd Quarter**

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

**B. Consideration to Approve Resolution No. 2021-464 Requesting a Permanent Budget Adjustment (BAR) Transferring Funds from the General Fund Reserve (43) into the Water Depreciation Fund (41) Covering the Negative Ending Fund Balance in the FY2021 2nd Quarter**

The budget was submitted assuming sufficient revenues in the Water Depreciation Fund (41) including scheduled transfers from General Reserves and General Fund Gross Receipts tax, system development revenues, along with awarded grant funds. Through the 2<sup>nd</sup> Quarter budgeted transfers, system development fees and the beginning balance total \$241,700. Transfers from the General Fund GRT have totaled approximately \$36,000. The entire budget transfer from General Reserves included in the original FY2021 budget of \$200,000 has already been transferred.

Expenses were budgeted to include the final payment to RMCI for the Kachina Water tank, engineering work on new projects, and legal fees. Through the 2<sup>nd</sup> Quarter FY2021 total expenses in the Water Depreciation fund are \$261,000.

Expenses exceed collected revenues and transfers leaving a negative fund balance of (\$19,230). Quarterly reports cannot be submitted to the Department of Finance with a negative balance unless it is a reimbursable grant. Therefore, staff requests a transfer out of General Fund Reserves (43) and a transfer into the Water Depreciation Fund (41) of \$25,000. The Council pointed out that it was preferable to use funds from the General Fund and Reserve accounts rather than to raise the water and sewer rates, at this time.

**MOTION: To Approve Resolution No. 2021-464 Requesting a Permanent Budget Adjustment (BAR) Transferring Funds from the General Fund Reserve (43) into the Water Depreciation Fund (41) Covering the Negative Ending Fund Balance in the FY2021 2nd Quarter**

**Motion: Councilor King**

**Second: Councilor Stagg**

**Passed: 4-0**

**C. Consideration to Approve Resolution No. 2021-465 Requesting a Permanent Budget Adjustment (BAR) to move the Small Equipment Expense in the CARES Act Grant Fund (65) to Transfers and Increasing the Transfer out from CARES into the Village Apartments Enterprise Fund (70) to Pay Rent to use Apartments at the Complex for Emergency Village Offices**

At the October 27, 2020 Council meeting, Resolution No. 2021-450 was passed to add the CARES Act Grant award revenue of \$97,875 to the Village budget. An estimated expense budget was also created and approved by the Council. Now that the grant period has ended, the line-item budget to actual expenses had to be reconciled. Several items were over the original estimations and several line items had not been used. An internal BAR has been done to move the budgeted expenses to the actual expenses per Exhibit A as of 12/31/2020.

The current Village offices are small and have accommodated up to 8 staff at one time, along with other staff coming for meetings, checking mail, and other needs. Since apartments were available at the Village complex it was determined that a good use for them would be to spread out staff to keep them and the community safer. The Police and Building Department have moved to complex apartments as a safety precaution, allowing other staff to utilize the main office on Firehouse Road. However, that does not come without costs including, but not limited to, gas and electric, phones, septic pumping, snow plowing, and maintenance. It was determined that rent would be paid from the CARES Act grant for these initial costs. The line item for Small Equipment had not been used, and it was determined that this could be moved to the transfer out expense. Once the transfer out could be budgeted, funds could be transferred to the Village Apartments to cover the rent expense.

The Council noted that a long-term plan for Village staffing and Fire Department needs is necessary.

**MOTION: To Approve Resolution No. 2021-465 Requesting a Permanent Budget Adjustment (BAR) to move the Small Equipment Expense in the CARES Act Grant Fund (65) to Transfers and Increasing the Transfer out from CARES into the Village Apartments Enterprise Fund (70) to Pay Rent to use Apartments at the Complex for Emergency Village Offices**

**Motion: Councilor King**

**Second: Councilor Kern**

**Passed: 4-0**

**D. Consideration to Approve Extension of Contract for Legal Services for 2021 with Susan C. Baker Esq.**

The Village issued an RFP for Contract Legal Services in August 2018, and Susan Baker Law was recommended by the Committee and hired under contract, renewable for three additional years. Susan Baker Law has provided services under the contract in 2019, 2020, and after review is prepared to continue service in 2021. All legal issues will go through Attorney Baker, Administrator Avila explained. He said that additional attorneys would not be contacted, except for a specialized use such as water law. Administrator Avila noted that an indemnification clause was removed from the contract.

**MOTION: To Approve Extension of Contract for Legal Services for 2021 with Susan C. Baker Esq.**

**Motion: Councilor Stagg**

**Second: Councilor King**

**Passed: 4-0**

**E. Consideration to Approve Renewal of the GIS Services Contract and Authorization for the Village Administrator to Negotiate Terms of the Contract**

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 alike.

Staff recommends a one-year renewal of Sage GIS, LLC as the Village GIS services firm and to authorize the Village Administrator to negotiate terms and execute renewal of the contract. The contract will be reduced by 25% of the amount of this year's contract, as a cost-saving measure.

**MOTION: To Approve Renewal of the GIS Services Contract and Authorization for the Village Administrator to Negotiate Terms of the Contract**

**Motion: Councilor King**

**Second: Councilor Kern**

**Passed: 4-0**

**F. Discussion and Direction of Midyear Budget Review**

Administrator Avila said that the Village, as part of the Financial Calendar requirements, held a public meeting for budget review on January 19, 2021. Financial Reports were provided for Council and public review. The Budget Workshop had opportunity for public input and information during the scheduled Question and Answer period. As the meeting was lightly attended, providing another opportunity for further review will allow the public a better understanding of the Village financial status and budget process.

Mr. Avila said that staff recommends discussion of the budget review and further direction by Council.

The Council agreed that the reserves being expended this year, as needed, will be replenished when possible. Expenses are easier to predict than income, especially for water and sewer revenue. Administrator Avila said that he is searching for local government assistance funds. Two large capital projects were completed within the last year, which has added \$300,000 to debt service responsibilities in public works, noted Director Grabowski. Some of the loan payment money is dedicated from Hold Harmless GRT, but the remainder is supposed to be available from water and sewer sales revenue. System Development Fee revenue for capital improvements has not proven to be adequate to assist with re-payments, she said.

**12. MISCELLANEOUS**

A. Director Grabowski reported that the TIDD Board had met and had reviewed and approved the TIDD audit. Councilor Kern congratulated the TIDD Board for its successful audit.

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

The next meeting of the Village Council will be the Council Regular Meeting on Tuesday, February 23, 2020 at 2:00 p.m. via Zoom.

**14. ADJOURNMENT**

**MOTION: To Adjourn**

**Motion: Councilor King**

**Second: Councilor Kern**

**Passed: 4-0**

The meeting adjourned at 3:00 p.m.

\_\_\_\_\_  
Christof Brownell, Mayor

ATTEST: \_\_\_\_\_  
Ann M. Wooldridge, Village Clerk



**John Avila**  
**Village Administrator**  
**Village of Taos Ski Valley Council**  
**Monthly Briefing**  
**February 23, 2021**



### **\* Ongoing & Past Projects \***

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

It is critical that we continue to enforce the Health Orders. Taos County is on the verge of moving to the Green stage in time for Spring Break and the efforts of responsible Village businesses, residents and staff are paying off. The immediate and ripple effect of the precautionary measures and vigilance of the community have helped control infection and maintain operations. However, there is the danger of complacency reversing our success, with the extra draw of the spring season and more accessibility in the Green Stage.

Despite the efforts of the Chamber Commerce, volunteers and responsible businesses, there are indications that not all businesses are following the requirements of the Health Order and enforcement investigation is pending.

Managers responsible for the properties in question will need to make sure their employees show up for onsite testing, or get verification that they have with done so with the Department of Health

With more visitors anticipated businesses are encouraged to focus activities outdoors, to the extent possible. And continue to follow the local and state health orders. Volunteers for "Mask Up" friendly reminder patrol can contact the Fire Department at 575-770-7435 or Chambers of Commerce at 512-569-8943, or simply volunteer on the Google document:

<https://docs.google.com/spreadsheets/d/1MuW7awVCUqQZN1sXm5r4Z-RJcbJP0gRI/edit#gid=915860688>

Taos County information to be updated this week:

- Nationally, cases were down 22% in the last seven days, cases in New Mexico were down 16%, and in Taos County by 18%.
- The average daily case count in NM declined to 439 cases per day last week. Down from 525 the previous week.
- Current hospitalizations continue to decline gradually, the 7-day average is 375 . Down from a high of 932 on Dec 8.
- Average deaths per day in NM increased slightly to 18 per day. Having peaked at 36 on Dec 17.
- There were two deaths reported among Taos County residents last week. The total increased to 48 for the pandemic.
- Cases in Taos County decreased to 14 last week, down from 17 the previous week. Cases averaged 2.0 per day for the last week. To meet the Red-to-Green case rate criteria the weekly count has to remain below 18, equivalent to 2.64 per day.
- Testing in Taos County has stabilized at around 1,200 tests per week for the last four weeks. There were 1,146 tests reported last week.
- The crude 14-day positivity rate continued to decline to 1.3%. The crude case rate is at 2.2 cases per day (14-day avg), now below the gating target of 2.64. If this situation persists and is confirmed by NMDoH next week Taos County would turn green. The next NM DoH Red-to-Green data update will be published on Wednesday, February 24.

Notice to local business is being sent out again, before enforcement review of required COVID safe documentation. Under the health order, the following is required to conduct business during the COVID pandemic:

- **Village businesses must provide record that be Safe Certified by November 15, 2020**
- **Village businesses must provide record that all employees have taken the Taos Ski Valley COVID Safe Pledge**
- **Village businesses must provide record that all employees are tested within a week of beginning work.**
- **Village businesses must provide record that all employees complete COVID screening daily.**
- **Village businesses must provide record that all employees are tested randomly during the season (15%/2weeks).**
- **All lodging business must provide record that guests have been screened and informed of the New Mexico's Public Health Mandate.**

The Chamber facilitated screening and testing fills most of the requirements of the Health Orders and simplifies the records requirement for Village review.

We will continue to monitor the New Mexico County COVID status map as it updated every two weeks. When a county moves to a less restrictive level, it may begin operating at that level immediately upon the update to the map. If a county moves back to a more restrictive level, it will begin operating at that level of restriction within 48 hours after the update to the map.

Counties at the RED level are those with a new COVID-19 case incident rate of greater than eight (8) cases per 100,000 inhabitants during the most recent two-week period *and* an average percent of positive COVID-19 test results over the most recent 14-day period greater than 5%.

### **Facility Undergrounding**

The Kit Carson Electric Cooperative have scheduled mid-April to start undergrounding electric and fiber into the Village provided conduit along project roads in Amizette. The permit for trenching on the south side of NM150 submitted to NM Department of Transportation by KCEC has been under review with US Forest Service before our contractor can start work. Recent conversations with KCEC have the April construction season as the target date to meet with the Village for a public presentation of the electric undergrounding project and projections to start for the summer construction season.

Although residents are free to use Village contractors, they should be engaged independently 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 the private use of services.

Alternatively, once the underground service is available near a property, the five steps to connecting underground are:

**The Owner** to engage a contract electrician for work on their property,

**Then together** contact Kit Carson Electrical Cooperative 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 Right Of Way work,

**Proceed** with underground work and connect to the underground service,

**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.

## **WWTP**

As of last reporting, ongoing work for the Waste Water 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 including monitoring programs, improving the ultra violet treatment and plumbing corrections. Optimizing system pressure to handle the swing in volume produced at different times of the season.

The upgraded Waste Water Treatment Plant was needed for system expansion, protecting the water conditions of the area. This is required for the increased demands on the system.

In order to increase capacity needed within limited space and funding, a mechanical system was selected by Village for the Waste Water System upgrade. This system has many considerations beyond that of the traditional plant. Ensuring that sewer waste entering the system is protected against grease deposits also will help the efficiency of the MBR system. This may require updating the ordinances so that any likely source of grease contaminants is excluded from the system

Sauder Miller and Associates have been contracted as emergency backup for certified staffing and have completed review and training preparation. Along with periodic review of plant operations the introduction to the Village system allows them to respond in an emergency.

Also, pending is the requirement for Arts in Public Places, that is a condition of our funding sources.

*Anthony Martinez, Director of Public Works (field report)*

## **Kachina Water Booster Station**

The temporary pump station upgrades allow for remote automatic operation between the pumps and tank equipment. The temporary pump station is operational and can receive remote commands through the fiber installation. The temporary pump station has an expected life of less than two year and a permanent Kachina Water Booster Station is required for use of the Kachina Water Tank.

Efforts to secure funding for the Kachina Water Boosting Station are of primary importance for any future use of the Kachina Water Tank. We had some success in obtaining legislative capital funding for planning and design last year and that Request for Proposals is being reviewed for posting in March. Additionally Reauthorization of unused Gunsite planning award is requested to be moved to the construction of the Kachina Water Booster station construction and a request for additional outlay is before the state legislature for the Kachina Water Booster Station construction and another for the water distribution lines in Kachina

*Anthony Martinez, Director of Public Works (field report)*

## **Village Hall Complex –**

The Public Safety Office is a workable start to further developing Village Offices at the “Taos Mountain Lodge” location. The advantages of having an Office for Fire/EMS Administration located on site are multi-symbiotic. Beyond increasing the certified staff available to respond to fires, the administration staff is able to inspect building for compliance and investigate fire emergencies. Housing the Fire Administrative Office on site allows the Main Fire Station to have overnight bunking for staff near the equipment. Fire Department staffing and training leads to better Insurance Services Office ratings for the community.

Additionally with the establishment of an Administrative Office there is opportunity for additional Fire Grant funding next fiscal year. This is funding that can be used for training, equipment and buildings which all count to improving the Village ISO rating.

Dealing with the COVID restrictions has demonstrated that temporary offices can be operational in the previous EMT unit, which would allow bunking at the station again. The Building Inspector and Police Offices are currently housed in Village units. The Village office is operating with a fraction of personnel under the latest restrictions and some apartment units are doubling as temporary remote offices to allow for distancing.

The long sought after, Certificate of Occupancy has been obtained from Construction Industries Division for a change of occupancy classification (Hotel Lodging) to (Apartments)

**TIDD** – Progress of the TIDD project - Thunderbird/Ernie Blake Roads nears completion with some adjustments to drainage work needing to wait for the spring. Project Meetings are on hold until April. Follow up on other TIDD project remains before final review and dedication action.

*Patrick Nicholson; Director of Planning and Community Development (field report)*

## **Items**

- Following the fiscal mid-year Budget Review in January, we have consulted the Village Financial Advisor for input to create a Financial Plan model. We should have an understanding of how a reduced season opening translates into revenue and expenses for estimating Village operational status for the rest of the fiscal year. The model should allow for different assumptions to be input for testing projects and plans by allowing changes in financial information and project plans.

**Council Notes for February 23 ,2021 Meeting:**

**Revenues:**

**GRT** : This month last year: 319,336 This month this Year: \$251,925

Last Year YTD: \$836,774 This Year YTD: \$884,254

**The TIDD received \$36,546 in February for December collections**

**Lodgers Tax:**

This month last year: \$100,415 This Month this year: \$55,290

YTD Last year: \$ 201,969 YTD This year YTD: \$129,319

**REVENUES:**

- We received \$ 28,223.93 in hold harmless GRT revenue in February which will be transferred to the USDA fund for monthly loan payments on WWTP. Note that we did not receive GRT in August or October of 2019, so the comparison is skewed. GRT is only being posted in the general fund.
- Combined Water and sewer sales continue down 10- 15%.
- Lodger's tax collections are down 36%
- Solid Waste collections are down 3.8%
- Village received \$17K in property tax collections in February. YTD collections \$360,757. Up 36%. Since limited data is sent from the county it is difficult to determine the reason. It could be more people paid in full...or it could relate to the evaluation of property value increases kicking in.

**EXPENSES:**

- Salary expenses and related payroll expenses are down. PW assistant position is unfilled and on-call architect has not been used.
- Audit expenses are up. The annual FY2020 audit expense has increased with new auditors along with the special audit that was done for the USDA federal funding which was \$9K.
- Internet is up because the account code was new in December 2019 but is now being actively used for KCEC and TaosNet redundant service.
- Electric expense is up 230% because of increased expense at the treatment plant
- Natural Gas expense is up 88%. More locations are on natural gas now...and several units at Village complex are occupied.
- Due and fees are up 30%. NMML dues went up \$600 this year along with other membership increases.
- Software expense up. However, this increase is partially artificial since prior to this account being created many of these charges were going to outside contractors or materials and supplies. We are now getting these charges into the software code so we can more closely monitor these expenses.
- PPE is up because of additional safety supplies for covid protection
- Small equipment is up because of purchase of fire department radios
- Equipment and tool purchase includes the radio frequency equipment and the new fire department building
- Debt service for GRT and USDA are newer and had no comparison to last fiscal year at this time.

**NOTE: We are operating at a (\$183,000) Loss ending January 31, 2021**

**OTHER:**

NA

# 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 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	\$969,553.93	\$1,150,391.93	\$1,352,016.46	\$1,390,363.39
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	\$1,279,374.54	\$1,522,794.24	\$1,558,719.66
FY2019	\$54,483.94	\$55,106.22	\$86,640.50	\$136,554.40	\$141,644.03	\$189,484.82	\$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		\$83,775.61		\$88,409.53	\$146,106.99	\$125,934.38	\$319,335.98	\$239,931.17	\$274,561.13	\$264,594.35	\$36,980.50
YTD	\$73,181.77	\$73,181.77	\$156,957.38	\$156,957.38	\$245,366.91	\$391,473.90	\$517,408.28	\$836,744.26	\$1,076,675.43	\$1,351,236.56	\$1,615,830.91	\$1,652,811.41
FY2021	\$68,159.90	\$74,233.88	\$46,486.94	\$82,049.26	\$89,940.38	\$149,265.06	\$122,193.28	\$251,925.28				
YTD	\$68,159.90	\$142,393.78	\$188,880.72	\$270,929.98	\$360,870.36	\$510,135.42	\$632,328.70	\$884,253.98				

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

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 2010	\$6,555.17	\$6,692.88	\$6,626.34	\$2,464.04	\$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	\$53,736.46	\$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	\$16,682.78	\$100,415.47	\$111,589.79	\$111,413.82	\$68,226.73	\$472.24	\$-453.54
YTD	\$9,107.40	\$32,284.16	\$51,210.16	\$69,748.95	\$84,870.31	\$101,553.09	\$201,968.56	\$313,558.35	\$424,972.17	\$493,198.90	\$493,671.14	\$493,217.60
FY2021	\$8,171.37	\$15,170.58	\$12,836.91	\$17,194.52	\$14,423.38	\$6,232.00	\$55,290.11					
YTD	\$8,171.37	\$23,341.95	\$36,178.86	\$53,373.38	\$67,796.76	\$74,028.76	\$129,318.87					



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Cash Basis

**VILLAGE OF TAOS SKI VALLEY**  
**Profit & Loss Prev Year Comparison**  
**July 2020 through January 2021**

	Jul '20 - Jan 21	Jul '19 - Jan 20
<b>Ordinary Income/Expense</b>		
<b>Income</b>		
4012 · REVENUE -Water Sales	90,093.90	100,698.25
4013 · Revenue - Sewer	342,328.35	402,790.27
4018 · REVENUE- GRT HB 6	380.00	253.32
4019 · REVENUE-Hold Harmless GRT	95,142.56	89,044.06
4020 · REVENUE - GRT MUNICIPAL	218,399.22	202,037.88
4021 · REVENUE - GRT- STATE	388,397.19	183,173.41
4022 · REVENUE - GRT - ENVIRONMENT	0.00	9,344.38
4023 · REVENUE - GRT - INFRASTRUCTURE	0.00	37,379.43
4025 · REVENUE -LIQUOR LICENSES	215.00	250.00
4026 · REVENUE - BUSINESS LICENSE	3,010.00	735.00
4027 · REVENUE - OTHER	53,949.14	49,528.05
4028 · REVENUE - GASOLINE TAX	3,091.33	3,147.22
4029 · REVENUE - LODGER'S TAX	129,318.83	201,968.56
4031 · REVENUE - PARKING FINES	610.00	420.00
4034 · REVENUE - MOTOR VEHICLE FEES	10,111.17	9,724.04
4035 · REVENUE - BUILDING PERMITS	26,840.57	12,199.55
4036 · REVENUE -Licenses/Permits Other	90.00	60.00
4037 · REVENUE - GENERAL GRANTS	381,223.75	21,800.00
4040 · REVENUE - WATER CONNECTION FEES	4,699.36	0.00
4041 · REVENUE - SEWER CONNECTION FEES	3,784.18	0.00
4046 · REVENUE - SOLID WASTE FEE	37,388.37	38,854.08
4047 · REVENUE - OTHER OPERATING	1,906.07	17,151.37
4049 · REVENUE - FIRE GRANTS	101,958.80	97,736.80
4050 · REVENUE - IMPACT FEES	6,873.40	0.00
4053 · REVENUE - GRT MUN CAP OUTLAY1/4	0.00	37,379.43
4056 · REVENUE - LEGISLATIVE APPROPRI.	0.00	1,316,022.16
4058 · Plan Review Fees	6,535.92	3,674.47
4060 · WTB FY2016 revenue	0.00	461,437.95
4100 · Miscellaneous Revenues		
4101 · Sale of Fixed Assets	0.00	26,591.00
4110 · Misc Revenue- TIDD reimburse	5,036.88	7,333.07
<b>Total 4100 · Miscellaneous Revenues</b>	<b>5,036.88</b>	<b>33,924.07</b>
4190 · Rental Fees	9,450.00	0.00
7004 · REVENUE - FINANCE CHARGE ON W/S	1,704.13	1,291.86
7005 · REVENUE - INTEREST INCOME	6,933.11	69,005.36
7006 · REVENUE -INVESTMENT INTEREST	6,282.52	3,501.46
7007 · REVENUE - INTEREST IMPACT FEES	35.29	181.39
7010 · REVENUE - AD VALOREM TAX	360,757.96	263,446.99
9000 · BEG. BALANCE	0.00	0.00
<b>Total Income</b>	<b>2,296,547.00</b>	<b>3,668,160.81</b>
<b>Gross Profit</b>	<b>2,296,547.00</b>	<b>3,668,160.81</b>
<b>Expense</b>		
4082 · DEBT SERV - 2007 WWTP LOAN PRIN	94,291.21	93,173.13
4083 · DEBT SERV. - 2007 WWTP LOAN INT	6,995.92	8,114.00
6100 · Salary and Benefits		
6112 · SALARIES - STAFF	611,345.52	679,619.92
6113 · SALARIES - ELECTED	21,009.12	21,009.12
6114 · SALARIES - PART TIME	3,055.00	0.00
6115 · Overtime salaries	4,792.85	12,139.91
6121 · WORKER'S COMP INSURANCE	20,514.44	18,724.00
6122 · HEALTH INSURANCE	118,929.98	118,844.72
6125 · FICA EMPLOYER'S SHARE	39,049.85	53,742.02
6126 · WORKMAN'S COMP PERSONAL ASSESS	167.70	184.90
6127 · SUTA STATE UNEMPLOYMENT	522.40	710.27
6128 · PERA Employer Portion	56,800.65	57,459.34
6130 · HEALTH INCENTIVE - SKI PASS/GYM	600.00	1,551.88
6133 · Life Insurance	567.97	571.31
6134 · Dental Insurance	7,613.67	7,534.46
6135 · Vision Insurance	1,342.83	1,252.13

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Cash Basis

**VILLAGE OF TAOS SKI VALLEY**  
**Profit & Loss Prev Year Comparison**  
**July 2020 through January 2021**

	Jul '20 - Jan 21	Jul '19 - Jan 20
6136 · FICA -EMPLOYER SHARE MEDICARE	9,132.60	0.00
Total 6100 · Salary and Benefits	895,444.58	973,343.98
6220 · OUTSIDE CONTRACTORS	601,497.55	5,608,007.88
6225 · ENGINEERING	80,544.04	120,332.39
6230 · LEGAL SERVICES	79,986.44	54,267.76
6242 · ACCOUNTING	8,092.47	8,655.16
6244 · AUDIT	33,441.25	19,088.42
6251 · WATER PURCHASE, STORAGE	194.92	196.39
6252 · INTERNET	1,877.26	175.30
6253 · ELECTRICITY	50,632.10	15,150.43
6254 · PROPANE	0.00	1,678.27
6256 · TELEPHONE	10,170.11	10,468.44
6257 · RENT PAID	0.00	4,358.60
6258 · WATER CONSERVATION FEE	225.97	300.67
6259 · Natural Gas	1,851.41	982.28
6270 · LIABILITY & LOSS INSURANCE	88,542.83	65,446.56
6310 · Advertising	592.35	476.31
6312 · CHEMICALS & NON DURABLES	7,898.41	9,458.75
6313 · MATERIAL & SUPPLIES	69,386.90	44,853.59
6314 · Dues/fees/registration/renewals	5,653.31	4,277.04
6315 · BANK CHARGES	1,175.74	1,352.61
6316 · Software	6,367.56	1,162.70
6317 · Personal Protective Equipment	9,971.71	1,491.50
6318 · Postage	1,342.90	1,152.25
6319 · Election Expense	0.00	516.42
6320 · EQUIPMENT REPAIR & PARTS	21,291.32	7,613.89
6321 · BUILDING MAINTENANCE	45.14	21.84
6322 · SMALL EQUIP & TOOL PURCHASES	24,083.30	9,922.87
6323 · SYSTEM REPAIR & PARTS	0.00	135.10
6331 · OUTSIDE TESTING SERVICES	2,941.70	67.65
6332 · EQUIPMENT RENTALS	5,585.00	0.00
6417 · VEHICLE MAINTENANCE	10,484.88	23,127.77
6418 · FUEL EXPENSE	10,671.02	15,805.99
6432 · TRAVEL & PER DIEM	0.00	3,743.25
6433 · Travel & PD Elected Officials	0.00	478.43
6434 · TRAINING	1,138.41	3,234.51
6435 · Training Elected Officials	0.00	350.00
6560 · Payroll Expenses	0.00	0.00
6570 · Other Operations Expenses	11,469.42	9,789.60
6712 · LAB CHEMICALS & SUPPLIES	6,025.49	4,904.80
6714 · LAB EQUIPMENT REPAIR & PARTS	0.00	334.00
6715 · LAB SMALL EQUIP & TOOL PURCHASE	0.00	1,162.94
6716 · LAB TESTING SERVICES	3,794.21	4,878.83
6720 · LAB OUTSIDE CONTRACTORS	0.00	1,171.00
8322 · CAPITAL EXPENDITURES	29,166.78	3,436,933.16
8323 · Capital Assets \$1000-\$4999	0.00	2,993.88
8325 · EQUIPMENT & TOOL PURCHASE	19,056.35	0.00
8421 · NMFA Interest TML #TAOS55	19,719.74	19,965.28
8422 · CWSRF 052 Principal	69,990.04	69,160.12
8423 · CWSRF 052 Interest	2,550.00	3,379.92
8425 · Hold Harmless Bond Interest pay	0.00	63,000.00
8427 · Net Revenue Bond Interest pay	0.00	42,000.00
8428 · Debt Service GRT FY2020 repay	18,176.55	0.00
8430 · USDA FY20 Interest Expense	102,557.77	0.00
8431 · USDA FY20 Principal Expense	64,588.23	0.00
Total Expense	2,479,512.29	10,772,655.66
Net Ordinary Income	-182,965.29	-7,104,494.85
Other Income/Expense		
Other Expense		
9001 · TRANSFER TO FUND	-1,070,425.01	-1,131,209.16
9002 · TRANSFER FROM FUND	1,070,425.01	1,131,209.16

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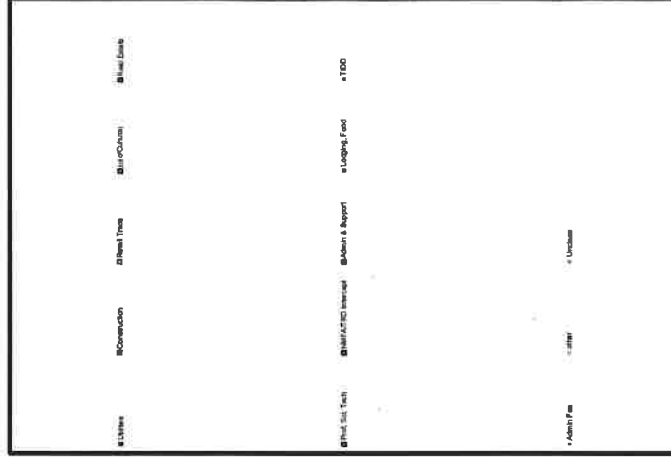
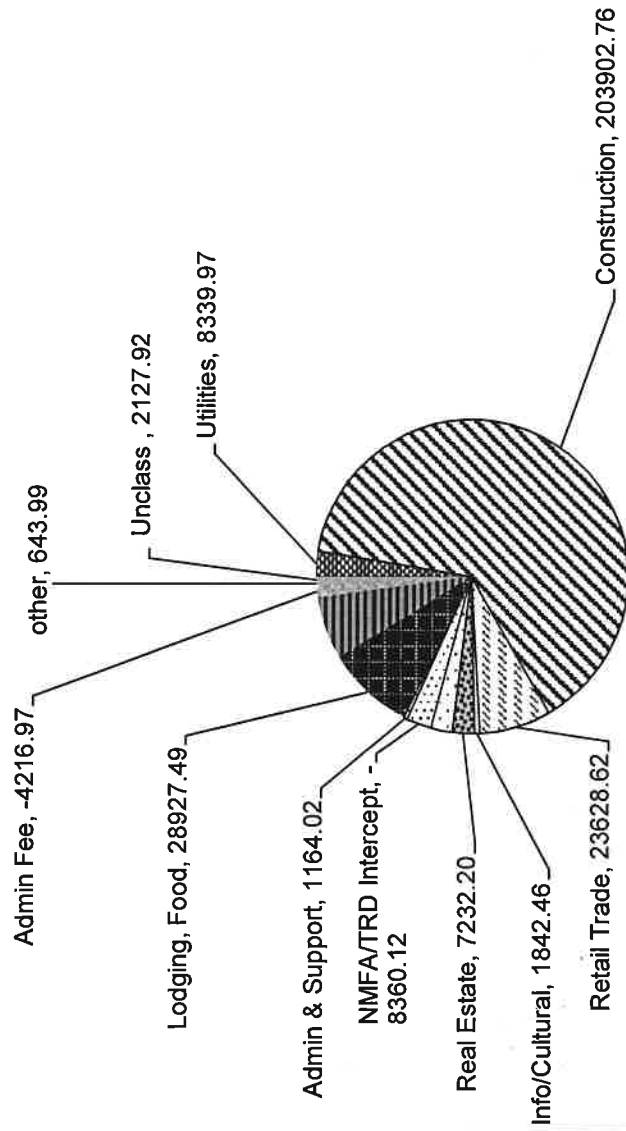
Cash Basis

**VILLAGE OF TAOS SKI VALLEY**  
**Profit & Loss Prev Year Comparison**  
**July 2020 through January 2021**

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	Jul '20 - Jan 21	Jul '19 - Jan 20
Total Other Expense	0.00	0.00
Net Other Income	0.00	0.00
Net Income	-182,965.29	-7,104,494.85

# Village of Taos Ski Valley Gross Receipts Distribution February, 2021



FY2021 TIDD GRT Distribution

Date	VTSV Increment	State Increment	Admin Fees	Pay Backs	Total TIDD	NMFA Offset	Hold Harmless GRT	VTSV Cash Received/with HH GRT (NOT offset)
7/15/2019	-	-	-	(36,366.03)	-	5,763.47	5,858.88	73,181.77
8/15/2019	272,687.44	215,661.55	(4,212.13)		447,770.83	0	8,105.89	
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	111,503.60	111,911.70	(2,017.63)		251,397.67		12,227.32	
11/15/2019	108,856.25	86,091.61	(1,552.12)		193,395.74	5,763.47	22,260.26	88,409.53
12/15/2019	128,456.56	101,593.02	(1,831.61)		228,217.97	5,763.47	28,259.38	146,106.99
1/15/2020	42,657.99	33,737.63	(608.24)		75,787.38	5,763.47	17,729.60	125,934.38
2/15/2020	173,971.75	137,687.40	(2,479.55)		309,179.60	5,763.47	50,171.94	319,335.98
3/15/2020	161,252.97	127,558.09	(2,298.94)		286,512.12	5,763.47	40,865.62	239,931.17
4/15/2020	164,971.45	130,471.77	(2,352.25)		293,090.97	5,763.47	46,099.11	274,561.00
5/16/2020	-	-	-		-	5,763.47	25,126.64	264,594.35
6/15/2020	68,174.02	53,918.50	(972.05)	(39,298.71)	81,821.76	5,763.47	11,264.55	36,980.50
<b>TOTAL FY20</b>	<b>1,292,797.15</b>	<b>1,022,567.11</b>	<b>(18,756.06)</b>	<b>(75,664.74)</b>	<b>2,220,943.46</b>	<b>57,634.70</b>	<b>280,222.27</b>	<b>1,652,811.28</b>

7/15/2020	33,001.75	26,100.24	(470.56)		58,631.43	5,763.47	10,955.34	68,159.90
8/15/2020	91,310.13	72,214.82	(1,301.95)		162,223.00	5,763.47	17,351.58	74,233.88
9/15/2020	4,754.39	3,760.14	(67.80)		8,446.73	5,763.47	5,914.84	46,486.94
10/15/2020	-	-	-		-	5,763.47	9,054.12	82,049.26
11/15/2020	41,033.88	32,452.60	(585.07)	(5,287.34)	67,614.07	5,763.47	13,955.88	89,940.88
12/15/2020	42,857.41	33,894.84	(611.07)		76,141.18	5,763.47	20,107.93	149,265.05
1/15/2021	25,691.54	19,586.12	(366.32)		45,643.98	5,763.47	15,674.26	122,193.28
2/16/2021	20,570.43	16,268.94	(293.30)		36,546.07	5,763.47	28,223.93	251,925.28
<b>TOTAL FY21</b>	<b>259,219.53</b>	<b>204,277.70</b>	<b>(3,696.07)</b>	<b>(5,287.34)</b>	<b>455,246.46</b>	<b>46,107.76</b>	<b>121,237.88</b>	<b>884,254.47</b>

<b>TOTAL FY2016-FY2021</b>	<b>4,216,091.37</b>	<b>3,317,054.40</b>	<b>(61,951.89)</b>	<b>(80,952.08)</b>	<b>7,390,974.44</b>	<b>321,162.61</b>	<b>828,501.16</b>	<b>8,625,221.85</b>
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Village Baseline

Month GRT is Generated	Month GRT is Reported to State	Mth 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
<b>Total</b>			<b>2,349,811.54</b>	<b>1,275,028.17</b>	<b>1,074,783.36</b>

# Monthly Public Safety Report

Jan-21

Law Enforcement	Hutter	Vigil	Trujillo	Totals
911 Hang Up		1		1
Abandoned Vehicle				
Alcohol Offense - Adult	1			1
Animal Calls	2			2
Arrests				
Assists to other Agencies		2	1	3
B & E / Burglary		1		1
Battery or Assault				
Business Alarm			1	1
Citizen Assists/Contacts	155	250	24	429
Civil Stand-by/Civil Complaint			1	1
Disorderly	1			1
Domestic Calls				
Embezzlement				
Foot Patrol Hours	15	72	36	123
Found/Lost Property				
Fraud Complaint				
Harassment		1		1
Health Orders		1		1
Larceny				
Law Unknown/Information	2			2
Missing Adult/Person				
MVC's	1	1	1	3
Narcotics Adult				
Parking Citations	2	3	7	12
Private Property Crash	1	1		2
Property Damage				
Reckless Driver	1	2		3
Suspicious Persons/Vehicles				
Theft				
Traffic Enforcement Hours	36	30	17	83
Traffic Hazard	2			2
Traffic Stops	4	6	5	15
Tresspass Warnings		1		1
Vehicle Theft				
Verbal Warnings	4	6	5	15
Welfare Check	3	2		5
Written Citations	1			1
Fire Alarm		1		1
Fire Calls	1	1		2
Fire/EMS	1	1		2

SAR

\*\*\* I will be reviewing the Uniform Traffic Ordinance (UTO) for council approval if any council intersted in veiwing the UTO it can be found in the NMML web site under the Publications scroll to UTO for viewing. Thank You \*\*\*

# Report for Taos Ski Valley Fire Rescue

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## Month of January

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### Calls

- Fire Calls
  - 2 Camp Fire
  - 6 Fire/CO alarm
  - 2 Elevator Rescue
- EMS/SAR
  - 2 Calls for EMS

Total of 12 calls for the month of January

### Community Outreach

- The department continues supply information and PPE for COVID-19.
- Assisting on the plaza for safe COVID-19 practices.

### Taos Ski Valley Fire Rescue Administration Office

In a conversation with John Avila and the New State Fire Marshal's Office, we talked about adding an administrative office to the Fire Department. Austin Meuli from the NMSFMO he stated that it would be possible to be approved if we have the following in place. This could possibly increase our funds from the state by about \$60-\$80,000 per year.

- Partnership agreement with NMSFMO for the department to conduct inspections and investigations.
- Two paid positions
- Certified Fire Inspector
- Certified Fire Arson Investigator
- A separate office away from the fire station.

Another way to increase our fire funds from the state is by lowering the ISO rating. Below is a list of the needed item to lower ISO rating

### ISO

- Upgrading apparatus to facilitate protection during fires and EMS calls.
- Continue training of current and new members to the fire department.
- Paid positions that will allow for faster response times to the call.
- Upgrading equipment for the protection of the members of the fire department.
- Upgrading/Expansion of fire stations to have the needed storage for the apparatus need.
- Upgrade of hydrant system and hydrants at the Amizette area.

Inspections performed residential; 5

Inspection in response to complaint: 1

Inspections performed multi-family and commercial; 5

Permits issued since last council meeting:

1 new residential building

1 remodel/repair residential

0 new commercial buildings

0 commercial repair/remodel (2 pending)

2 new residential pending

1 preliminary inquiry

Construction Industries Division of State of New Mexico issued the permanent Certificate of Occupancy for change of Occupancy classification from Residential Classification 3; hotel, lodging to Residential classification 2; apartment, for the Village Complex rear buildings.



**PUBLIC WORKS UPDATE**  
February 23, 2021

- Water:
  - Monthly sampling
  - Water Sold
    - Total 2,334,110 gallons
    - Residential 374,250 gallons
    - Commercial 1,959,860 gallons
    - From last month, sales were up 139.67% by 1,360,250 gallons.
    - By-pass flows
    - Village Flows (hydrants, WWTP, Office)
  - Staff has changed out several meters
- Wastewater:
  - Compliance report for January 2021
    - Had an exceedance of Total Nitrogen for two monitoring samples.
      - Isolated a Membrane Stack in MBR Basin Train #1 due to an elevated turbidity reading
      - Possible bad O-ring or cracked membrane caused the problem.
      - Will work with OVIVO to troubleshoot the cause of the failure

Date	BOD Data		pH	TSS		NH <sub>3</sub> (Ammonia)		Total P		Flow, MGD	E.Coli	Fecal	Total N: mg/L	Total N: lb/d
	mg/L	lb/d		mg/L	lb/d	mg/L	lb/d	mg/L	lb/d	Daily	CFU	CFU	TKN + NO <sub>3</sub> + NO <sub>2</sub>	TKN + NO <sub>3</sub> + NO <sub>2</sub>
4			7.12							0.0563	1.00	1.00	0.00	0.00
5	6.20	2.91	7.21	0.77	0.36	0.36	0.17	0.12	0.06	0.0562			13.47	6.32
13			7.40			0.36	0.07	0.13	0.03	0.0242			15.44	3.12
19	7.50	2.57	7.57	1.22	0.42	0.36	0.12	0.30	0.10	0.0410	1.00	1.00	5.15	1.76
27			7.51			0.36	0.13	0.38	0.14	0.0426			5.48	1.95
Total		5.47			0.78		0.49		0.32	1.345			Total Nitrogen	
7 Day Avg (AVG)	7.50	2.91	7.61	1.22	0.42	0.36	0.17	0.38	0.14	0.060	1.00	1.00	15.44	6.32
Min	6.20	2.57	6.98	0.77	0.36	0.36	0.07	0.12	0.03	0.024	1.00	1.00	mg/L	lb/d
30 Day Avg (AVG)	6.85	2.74		1.00	0.39	0.36	0.12	0.23	0.08	0.043	1.00	1.00	9.89	3.29

Percent Removal      95.12                      99.61

- Plant Update
  - Ovivo worked on a couple of issues.
    - Working on increased air flow from the Air Relief/ Air Vacuum combo unit
    - Getting spare parts for UV system
  - Preformed Membrane maintenance clean on Train #1
    - Improved Trans-Membrane Pressure (TMP) reading
- Roads:
  - Snow removal
  - Maintaining drainage along the roadway
- Equipment
  - Routine equipment maintenance
- General Work
  - Shoveled out fire hydrants and PRV vaults
  - Removed Public Safety Trailer by the office
  - Housekeeping in the buildings





Village of Taos Ski Valley  
Village Council Meeting  
Clerk's Report

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**1. Municipal Election option:**

The Village has the option to participate in the Local Government Election Day run by Taos County for the next Municipal Election, if the Mayor and Council desire to pass an Ordinance to opt-in. This election would be conducted in November 2021. Terms for elected officials would need to be either shortened or extended.

If no action is taken, the Village Clerk will run the Municipal Election in March 2022.

Attached are a sample draft ordinance, as well as an opt-in election calendar.

Direction from the Mayor and Council in the next couple of months is requested.

City/Town/Village of \_\_\_\_\_, New Mexico  
ORDINANCE # \_\_\_\_\_

AN ORDINANCE PURSUANT TO NMSA 1978, SECTION 1-22-3.1 (2018) TO OPT IN FOR THE ELECTION OF THE MUNICIPAL OFFICERS OF THE CITY/TOWN/VILLAGE OF \_\_\_\_\_ IN THE NEXT REGULAR LOCAL ELECTION.

**WHEREAS**, on July 1, 2018 the Local Election Act went into effect as Chapter 1, Article 22, NMSA 1978 establishing the Regular Local Election, a consolidated election day for non-partisan local government bodies on the first Tuesday after the first Monday in November of each odd-numbered year; *and*

**WHEREAS**, the Local Election Act also established the Municipal Officer Election Day on the first Tuesday in March of even-numbered years; *and*

**WHEREAS**, the Local Election Act provides the option for each municipality to determine if its elective officers shall be elected on the Municipal Officer Election Day on the first Tuesday of March in even numbered years or at the Regular Local Election on the first Tuesday after the first Monday in November of odd numbered years; *and*

**WHEREAS**, the City/Town/Village of \_\_\_\_\_ has considered the issues related to opting in to the Regular Local Election Act, including uniformity of procedure and convenience for the voters.

**NOW, THEREFORE, BE IT ORDAINED** BY THE GOVERNING BODY OF THE CITY/TOWN/VILLAGE OF \_\_\_\_\_, NEW MEXICO that:

**SECTION 1. MUNICIPAL OFFICERS TO BE ELECTED AT THE REGULAR LOCAL ELECTION**  
Pursuant to Subsection B of Section 1-22-3.1 NMSA 1978, the City/Town/Village of \_\_\_\_\_ opts in to the election of its municipal officers in the November Regular Local Election.

**SECTION 2. ADJUSTMENT OF TERMS TO CORRESPOND WITH NEW ELECTION DATE**

**OPTION 1:**

To begin with the Regular Local Election in November 2021, the terms of office for the current municipal office holders shall be adjusted, so that:

(A) municipal officers elected or appointed to a term ending in 2020 shall serve until December 31, 2021, the new term of the position shall be elected at the regular local election in November 2021, and the new term shall commence January 1, 2022; *and*

(B) municipal officers elected or appointed to a term ending in 2022 shall serve until December 31, 2021, the new term of the position shall be elected at the regular local election in November 2021, and the new term shall commence January 1, 2022.

**OPTION 2:**

Please send municipality Opt-in ordinances via email to your County Clerk and to the SOS to: [sos.elections@state.nm.us](mailto:sos.elections@state.nm.us)

To begin with the Regular Local Election held in November 2021, the terms of office for the current municipal office holders shall be adjusted, so that:

(A) municipal officers elected or appointed to a term ending in 2020 shall serve until December 31, 2021, the new term of the position shall be elected at the regular local election in November 2021, and the new term shall commence January 1, 2022; and

(B) municipal officers elected or appointed to a term ending in 2022 shall serve until December 31, 2023, the new term of the position shall be elected at the regular local election in November 2023, and the new term shall commence January 1, 2024.

### **SECTION 3. FILING WITH SECRETARY OF STATE**

Following approval of this ordinance, the Municipal Clerk shall file a copy of the ordinance with the Secretary of State no later than June 30, 2021.

**PASSED, APPROVED, AND ADOPTED** on this \_\_\_\_ day of \_\_\_\_, 2020.

\_\_\_\_\_  
The Hon. NAME

Mayor of City/Town/Village of \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
NAME, Municipal Clerk

# 2021 Opt-In Election Calendar

Election to be held Tuesday, November 2, 2021

Note: Bolded dates are deadlines for Municipal Clerk. Blank lines below timeframes are for your targeted dates for completion (if different from the deadline dates)

TIME FRAME	DATE	ACTION	STATUTE
By 15 days before meeting to adopt		Publish Notice of Public Hearing for Ordinance to opt-in.	3-17-3
	<b>Between April 1, 2020 and June 15, 2021</b>	Adopt Opt-In Ordinance. Ordinance determines if the terms of office of the current office holders will be shortened or lengthened. NOTE: A municipality may change its charter by ordinance or as otherwise provided by the municipality to conform its election schedule with the requirements of this section. (1-22-3.2B)	1-22-3.1B
	<b>Between April 2, 2020 and June 16, 2021</b>	Publish adopted ordinance	3-17-5B
	<b>By January 30, 2021</b>	Deadline to request an alternate early voting site in the municipality from the County Clerk NOTE: If requested, municipality must provide the Ballot on Demand (BOD), supplies and staff to operate the site.	1-22-19C
	<b>By June 30, 2021</b>	Send a copy of Opt-In Ordinance to the Secretary of State & County Clerk	1-22-3.1B
Between 120-150 days prior	<b>Between June 5, 2021 and July 5, 2021</b>	Municipality must notify the Secretary of State of all municipal positions to be filled at the next local government election. [Recommend this be done by resolution]	1-22-4B
On 90th day	On August 4, 2021	Secretary of State issues resolution (proclamation) for a regular local election	1-22-4A
Prior to 70th day		Municipality must adopt any ordinances and/or resolutions to establish ballot questions NOTE: See the corresponding statutes for the timelines for the type of question being considered (GRT, Bond, Liquor, etc)	

TIME FRAME	DATE	ACTION	STATUTE
By 70th day	By August 24, 2021	Deadline for County Clerk to submit any ballot questions to the Secretary of State for the Local Elections Ballot.	1-16-8
On 70th day	On August 24, 2021 9:00 AM and 5:00 PM	Candidate Filing Day - candidates file declaration of candidacy with the County Clerk NOTE: To be a candidate, a person must be registered to vote in the district on the date the proclamation calling a local election is filed in the office of the secretary of state [August 7, 2019] (1-22-3B)	1-22-7A
On 63rd day	On August 31, 2021 9:00 AM and 5:00 PM	Write-In Candidate Filing Day - candidates file declaration of candidacy with County Clerk NOTE: To be a candidate, a person must be registered to vote in the district on the date the proclamation calling a local election is filed in the office of the secretary of state [August 7, 2019] (1-22-3B)	1-22-8.1C
By 63rd day	By August 31, 2021	Last day to withdraw candidacy	1-22-9
By 60th day	By September 3, 2021 By 5:00 PM	Deadline for County Clerk to certify candidate and place name on ballot	1-22-10A
23rd day before until the Saturday before the election	Between October 10, 2019 to October 30, 2021	Early voting	1-6-5.7
By 7th day	By October 26, 2021	Deadline for any group of three candidates to file a written notice to appoint watchers for the election	1-22-13A
	<b>November 2, 2021</b>	<b>Local Government Election Day</b>	1-22-3A
Between 6th day after and 10th day after	Between November 8, 2021 and November 12, 2021	Local Canvassing Board will meet to canvass election	1-13-13
No sooner than 24 days after	Starting November 26, 2021	Secretary of State issues certificates of election to the winning candidates and certifies the passage or defeat of any bond question	1-13-16B
	<b>On January 1, 2022</b>	Term of Office begins for newly elected candidates Note: The oath of office shall be issued before the candidate may enter upon the duties of the office.	1-22-18

Blackout periods for Special Elections (1-12-71)



TIME FRAME

DATE

ACTION

STATUTE

70 days prior to or following any statewide election

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

AGENDA ITEM TITLE: **Introduction: Ordinance 2021-09 An Ordinance of the Village of Taos Ski Valley Amending Ordinance 2002-09 to Update and Adopt the New Mexico Uniform Traffic Ordinance**

DATE: February 23, 2021

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 this Item is to adopt the current N.M. Uniform Traffic Ordinance (UTO) so that it may become effective within the Village of Taos Ski Valley in March 2021. The UTO changes every several years depending on legislative action. There are a few penalty assessment changes, deleted items and formatting changes in this most recent version, which is the 2019 amendment to the 2010 Uniform Traffic Code. Please see the attached NMML memo.

Uniform Traffic Ordinance adoption maintains safety in the community by giving Law Enforcement guidance on revised changes to traffic laws and penalties.

Due to the large number of pages of the document, please see <https://nmml.org/publications/order-forms/> to view the Code by section.

STAFF RECOMMENDATION: As this is the introduction of this Ordinance, no action is necessary at this time. **Ordinance 2021-09** will be considered for adoption after a Public Hearing at the March 2021 Regular Village Council meeting.

**VILLAGE OF TAOS SKI VALLEY  
ORDINANCE NO. 2021-09**

**AN ORDINANCE OF THE VILLAGE OF TAOS SKI VALLEY AMENDING  
ORDINANCE NO. 2002-09 TO UPDATE AND ADOPT THE NEW MEXICO  
UNIFORM TRAFFIC ORDINANCE, SECTIONS 66-7-1 THROUGH 66-7-513,  
NMSA**

**BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF TAOS SKI  
VALLEY AS FOLLOWS:**

**SECTION I. ADOPTION BY REFERENCE.**

Village Ordinance No. 2002-09 is hereby amended as set forth herein.

The New Mexico Uniform Traffic Ordinance, comprising Sections 66-7-1 through 66-7-513, NMSA is hereby adopted in full by this Ordinance.

**SECTION II. CITATION.**

This Ordinance may be cited as The Village of Taos Ski Valley Traffic Code (hereinafter "The Code") and shall refer to the New Mexico Traffic Ordinance, and all subsequent amendments thereto, as they may be promulgated and adopted by the State of New Mexico, and such additions and modifications as the Village may adopt.

A copy of the Traffic Code is available to the public at the Village Clerk's Office.

**SECTION III. EFFECTIVE DATE.**

This amended Ordinance shall take effect upon passage after a second reading, and necessary publication.

**PASSED, APPROVED AND ADOPTED on this \_\_\_\_\_ day of March 2021.**

\_\_\_\_\_  
**Mayor Christof Brownell**

\_\_\_\_\_  
**Attest: Ann Marie Wooldridge,  
Village Clerk**

Date: February 10, 2020

To: Municipal Clerks

From: Randy Van Vleck, General Counsel  
Tasha Martinez, Director of Communications

Subject: 2019 **NEW** Changes the Uniform Traffic Ordinance

Attached are the **NEW** 2019 changes to the 2010 Compilation of the Uniform Traffic Ordinance. These new changes are intended to replace the changes we recommended to you in our August 15, 2019 memorandum. The reason for these latest changes are that the insertion of two new sections has caused unintended problems with computer databases in many courts. Note that the numbering change suggested in the August 2019 memorandum is being withdrawn and the new sections are numbered differently to accommodate the software requirements.

There were changes in three of the UTO Articles. We have included a list of the articles that were amended and show the amendments in legislative style (underlined, bold and blue for new material and [—] bracket and strikethrough for deleted material). Please note that neither the Index nor the Parallel Tables changed. The highlighted portions are changes SINCE the August 2019 memorandum.

**NOTE:**

1. Section 12-6-12.3 DRIVING WHILE INTOXICATED WITH A MINOR IN THE VEHICLE has been **RE-NUMBERED** to **12-6-12.2A**
2. Section 12-6-12.7 UNLAWFUL USE OF LICENSE; DRIVING WHEN PRIVILEGE TO DO SO HAS BEEN SUSPENDED OR REVOKED has been **RESTORED** to its previous number **12-6-12.6**.
3. Section 12-6-12.8 DRIVING WHILE LICENSE ADMINISTRATIVELY SUSPENDED has been **RE-NUMBERED** to **12-6-12.7A**.
4. Sections 12-9-9 and 12-10-6.1 remain as they were in the August 2019 memorandum
5. With the exception of **NEW** sections 12-6-12.2A and 12-6-12.7A **ALL** sections must be renumbered as they were in 2019 prior to the changes suggested in the August 2019 memorandum.

**If your municipality does not use the UTO, please ignore this memo.**

NOTE: Like last year we are including a revised local 2020 Penalty Assessment Ordinance for adoption with additional changes. One is highlighted with the new penalties and the second is a clean copy. The titles will reflect this. Please keep in mind that these changes and the new Penalty Assessment Ordinance MUST be adopted by ordinance for them to become effective. This is the reason we send the amendments to the municipal clerk as that is the person who initiates the ordinance adoption process. We ask that upon making these changes, that the municipal clerk forward copies of the changes to the court for insertion into its process. **IF** you have already adopted the changes to the UTO as suggested in the August 2019 memorandum, the re-numbering suggested by this memorandum does not have to go back through the adoption process. It is simply a re-numbering of ordinance provisions and not a substantive change.

Our recommendation is to replace the entire Articles listed below as formatting has changed page numbers. We hope this makes it easier. All articles will be available online in a downloadable pdf format. Any article titles that end with "amended" should be printed, but if it does not, no need to reprint the Article unless you want the updated formatting.

**Remove pages:**

**Replace with new pages (three-hole punched)**

**2018 Cover Page and Preface**

**Replace with 2019 Cover Page and Preface**

**Remove Article VI in its entirety**

**Replace with new Article VI**

**Remove Article IX in its entirety**

**Replace with new Article IX**

**Remove Article X in its entirety**

**Replace with new Article X**

Please do not hesitate to contact either Randy or Tasha if you have any questions concerning the new amendments of the UTO.

Village of Taos Ski Valley  
Village Council  
Agenda Item

AGENDA ITEM TITLE: Consideration to Approve **Resolution No. 2021-467**, A Resolution Authorizing the Application for Financial Assistance from the New Mexico State Highway and Transportation Department FY2022 NM LGRF Co-op

DATE: February 23, 2021

PRESENTED BY: Anthony Martinez, Public Works Director

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: The Village Council needs to approve a Resolution for State Highway and Transportation Department application for funding. The LGRF funding would be used for drainage and surface improvements to the Village roadways. The Village requests that NMDOT contribute \$75,000 with the Village to match or exceed \$25,000 for a total contract price of \$100,000 which is consistent with recent funding applications with NMDOT.

The project scope of work: drainage structures, culverts, blading, reshaping, hauling, disposal, placement, and compaction of all materials. The Village also plans to continue applying base course and dust control materials throughout the Village to build up roads due to material loss from erosion.

RECOMMENDATION: Approval of **Resolution No. 2020-467**, a Resolution authorizing the application for financial assistance from the New Mexico State Highway and Transportation Department

**VILLAGE OF TAOS SKI VALLEY  
RESOLUTION NO. 2021-467**

**Consideration to Approve Resolution No. 2021-467, A Resolution Authorizing the Application for Financial Assistance from the New Mexico State Highway and Transportation Department FY2022 NM LGRF Co-op**

**WHEREAS**, The Village of Taos Ski Valley has been invited to participate in the FY 2021/2022 Local Government Road Program

**WHEREAS**, The Grant funding requires a 25% match funding that the Village intends to meet with in kind costs

**WHEREAS**, the Village of Taos Ski Valley has identified public road projects that are needed to protect the public good and convenience and will serve the public of the municipality and the list is as follows:

Village of Taos Ski Valley COOP Project Roadway List FY 2021/2022

	Road Project	Scope of Work	Cost
1	Zaps Road: regrade, with drainage	Change slope of the road, Current road has an out-slope layout but needs to change to an in-slope profile with a ditch directing storm water to a drop inlet, Drop inlet would drain to a sediment catch basins accessible for backhoe maintenance	\$100,0
2	Cliffhanger Roadside Drainage	Develop drop inlet and sediment catch basins for backhoe maintenance	\$60,0
3	Upper Twining Roadside Drainage	Develop drop inlet and sediment catch basins for backhoe maintenance	\$60,0
4	Bull of Woods Roadside Drainage	Develop drop inlet and sediment catch basins for backhoe maintenance	\$60,0
5	Snow Shoe Roadside Drainage	Develop drop inlet and sediment catch basins for backhoe maintenance	\$60,0
5	Big Horn Roadside curb and gutter	Develop drainage system on roadside to include curb and gutter	\$500,0
7	Twining Road curb and gutter	Develop drainage system on roadside to include curb and gutter	\$500,0
8	Phoenix Switchback curb & gutter	Develop drainage system on roadside to include curb and gutter	\$500,0
9	Cliffhanger Road curb and gutter	Develop drainage system on roadside to include curb and gutter	\$500,0
0	Dolcetto Lane curb and gutter	Develop drainage system on roadside to include curb and gutter	\$500,0
1	Coyote Lane curb and gutter	Develop drainage system on roadside to include curb and gutter	\$500,0
2	Porcupine Road resurface	Resurface to Village standards: base course roadway and re-slope	\$30,0
3	Village Wide Boulder removal	Removal of Boulders that protrude in the road way and resurface	\$300,0
4	Village Wide Road Resurface	Resurface to Village standards base course roadway and re-slope	\$300,0
5	Village Wide Road Surface Treatment	Road Surface Improvements – Slurry seal and soil stabilization	\$25,0
5	Bluejay Ridge	Resurface to Village standards: base course roadway, re-slope, blading and shaping	\$100,0

**WHEREAS, NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING  
BODY OF THE VILLAGE OF TAOS SKI VALLEY AS FOLLOWS:**

1. Council Directs the Mayor to submit a letter of intent to Paul Brasher, District 5 Acting/Engineer before March 15, 2021 requesting to be included in the FY2021/2022 Local Government Road Program

**PASSED, APPROVED AND ADOPTED THIS 23<sup>rd</sup> DAY OF February 2021.**

\_\_\_\_\_  
Mayor Christof Brownell

ATTEST:

\_\_\_\_\_  
Ann Marie Wooldridge  
Village Clerk



Village of Taos Ski Valley  
Village Council  
Agenda Item

AGENDA ITEM TITLE: Consideration to Approve **Resolution No. 2021-468**, A Resolution Authorizing the Application for Financial Assistance from the New Mexico State Highway and Transportation Department FY2022 NM Municipal Arterial Program (MAP)

DATE: February 23, 2021

PRESENTED BY: Anthony Martinez, Public Works Director

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: The Village Council needs to approve a Resolution for State Highway and Transportation Department application for funding. The MAP funding would be used for the construction of Twining Road that is being engineered under the New Mexico Department of Transportation Local Government Transportation Project Fund Grant, Contract No. D18422. At this point, the estimated construction of Twining Road is \$5,000,000, with a Village match of 25%, or \$1,250,000. This would be a phased project due to the limited building season.

Monies from the MAP program would be used for the construction of Twining Road per engineering specifications.

RECOMMENDATION: Approval of **Resolution No. 2020-468**, a Resolution authorizing application for financial assistance from the New Mexico State Highway and Transportation Department MAP program.

**VILLAGE OF TAOS SKI VALLEY  
RESOLUTION NO. 2021-468**

**A Resolution Authorizing the Application for Financial Assistance from the New Mexico State Highway and Transportation Department FY2022 NM Municipal Arterial Program (MAP)**

**WHEREAS**, The Village of Taos Ski Valley has been invited to participate in the FY 2022 New Mexico Department of Transportation Municipal Arterial Program (MAP)

**WHEREAS**, The Grant funding requires a 25% match funding that the Village intends to meet with in kind costs; and

**WHEREAS**, the Village of Taos Ski Valley has identified Twining Road Improvement Project (phase two – construction) as a necessary and essential project to improve the health, safety, and welfare of the community; and

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE VILLAGE OF TAOS SKI VALLEY AS FOLLOWS:**

1. Village of Taos Ski Valley Governing Body directs Staff to submit an application and commits Village funds for the required 25% match for the NM Department of Transportation Municipal Arterial Program (MAP) projects during FY 2022.

**PASSED, APPROVED AND ADOPTED THIS 23<sup>rd</sup> DAY OF February 2021.**

**THE VILLAGE OF TAOS SKI VALLEY**

\_\_\_\_\_  
Mayor Christof Brownell

ATTEST:

\_\_\_\_\_  
Ann Marie Wooldridge  
Village Clerk

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

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**AGENDA ITEM TITLE: Consideration to Approve a Memorandum of Understanding with the NM Department of Public Safety and Taos Ski Valley Police Department**

DATE: February 23, 2021

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 this Memorandum of Understanding (MOU) with the NM Department of Safety (DPS) is for the electronic transfer of approved Uniform Crash Report data for agencies using the DPS TraCS Hosted Service to the New Mexico Department of Transportation.

It will also facilitate participation in the TraCS Record Management System, which allows agencies to share common information data (person, vehicle, location) with, and received from, other participating law enforcement agencies.

The Taos Ski Valley Police Department (TSV PD) has determined that Public Safety and accurate law enforcement data will be enhanced by having DPS provide the TraCS application through the DPS TraCS hosted Service.

**STAFF RECOMMENDATION:** Staff recommends approval of an MOU with DPS and TSV PD.

**INTER-GOVERNMENTAL SERVICE AGREEMENT BETWEEN  
NEW MEXICO DEPARTMENT OF PUBLIC SAFETY  
AND  
[Taos Ski Valley Police Department]**

**THIS AGREEMENT** is entered into by and between the NM Department of Public Safety, hereinafter referred to as "DPS", and **[Taos Ski Valley Police Department]**, hereinafter referred to as the "Agency" and collectively "the Parties".

**WHEREAS**, DPS is charged with allowing search and retrieve functionality for the electronic Traffic & Criminal Software (TraCS) data stored for agencies using the DPS TraCS Hosted Service;

**WHEREAS**, DPS is charged with the electronic transfer of approved Uniform Crash Report (UCR) data for agencies using the DPS TraCS Hosted Service to the New Mexico Department of Transportation (NMDOT) nightly in accordance with state statute §66-7-207 NMSA 1978;

**WHEREAS** DPS will also facilitate participation in the TraCS Record Management System (RMS), which will allow Agency to share common information data (person, vehicle, location) with, and received from, other participating law enforcement agencies when they run an RMS query on the TraCS form, if Agency chooses to opt into the TraCS RMS program;

**WHEREAS**, Agency agrees to use the DPS TraCS Hosted Service to provide electronic UCR reports to NMDOT through the DPS network; and

**WHEREAS**, the Agency has determined that public safety and accurate law enforcement data will be enhanced by having DPS provide the TraCS application through the DPS TraCS Hosted Service.

**NOW THEREFORE**, in consideration of the promises and mutual obligations herein, the parties hereto do mutually agree as follows:

**1. GENERAL PROVISIONS**

DPS shall organize and provide the TraCS application to law enforcement agencies throughout the State of New Mexico for the purposes of submitting electronic law enforcement data to the DPS TraCS Hosted Service for search and retrieval purposes of the Agency as well as electronic submission of approved UCR to the NMDOT on behalf of the Agency.

DPS shall allow access to the TraCS RMS if Agency opts into the program.

TraCS Records are defined as information originating from data supplied by the participating DPS Hosted TraCS agencies, which includes, but is not limited to:

- Person information
- Vehicle information
- Location information Violation Information

TraCS RMS raw contributor data will be compiled into information that can be shared, searched, and queried to support investigations.

Ownership of data shared in the TraCS RMS remains with the originating agency. The TraCS RMS will provide an individual's name, report number(s) and vehicle information. Any agency seeking further information must contact the originating agency. The originating agency will control what data to share, who can access it, and under what circumstances the data can be accessed.

If Agency wishes to opt into sharing RMS data with all DPS Hosted TraCS agencies, Agency must submit a letter to DPS on Agency letterhead signed by an authorized representative. See Exhibit A – Sample Letter

## **2. DPS SHALL:**

- a) Maintain the TraCS application to provide a means of transferring electronic law enforcement data in accordance with the NMDOT license agreement with the National Model for the Statewide Application of Data Collection and Management Technology to Improve Highway Safety – Iowa Department of Transportation;
- b) Store TraCS data in accordance with CJIS minimum security requirements for search and retrieval capabilities for the Agency.
- c) Transfer approved UCR reports on behalf of the Agency in accordance with NMSA 1978, 66-7-207 which requires that all UCR reports be submitted to NMDOT as the State accident report repository.
- d) Provide the Agency with the TraCS software; initial training for the Agency's Administrative, Information Technology (IT), and officers; and
- e) Provide the Agency with IT Technical Support based on the following process:
  1. Officer reports problem to local Agency IT support.
    - Password resets

- Support for basic technical support issues. ▪ Installing software on laptops/desktops.
- 2. If the issue cannot be resolved, the Agency IT POC will escalate the issue to the DPS TraCS IT Support Team through an email to the [dps.servicedesk@state.nm.us](mailto:dps.servicedesk@state.nm.us) where a TraCS helpdesk ticket will be created and assigned.
  - Support personnel with specific TraCS knowledge will troubleshoot the issue and provide solutions for problems that cannot be handled at the agency level.
- 3. If no solution is available, the DPS TraCS Support Team will escalate the issue to the TraCS IT Consultants.
  - IT Consultants will attempt to duplicate problems and define root causes. ▪ Once a cause is identified, resolutions will be released and documented.
- 4. If the IT Consultant Team is unable to provide a resolution for any issue, the issue is escalated to the TraCS vendor, TEG, for outside support.

### **3. DPS MAY:**

- a) Provide additional support and training on a case-by-case basis if the Agency requests it in writing; and

### **4. AGENCY SHALL:**

- a) Pay for such equipment, installation of equipment and maintenance agreements for laptops/desktops, printers and scanners needed to use the TraCS application. Equipment must be compatible with the TraCS application and DPS infrastructure;
- b) Shall provide a point of contact for coordinating initial planning and installation of the TraCS application to work with DPS TraCS Project Manager;
- c) Shall complete the provided Agency Checklist, DPS credential sheets, NMDOT User Agreement, CJIS Security and Security Awareness training documentation and return the information to the DPS TraCS Project Manager to begin the TraCS project;
- d) Shall provide an IT point of contact with administrator rights to be trained on TraCS software installation and basic troubleshooting;
- e) Shall provide an Administrative point of contact to be trained on submission of UCR reports to the DPS TraCS Hosted Service in accordance with §66-7-207 NMSA 1978;
- f) Shall provide personnel for DPS TraCS training for IT, Administrative and Officers positions. Additional training will be the Agency's responsibility;

## **5. THE AGENCY MAY**

Do any other act as may be necessary to provide additional interfaces and forms to meet the Agency's needs; including, but not limited to, contracting with equipment vendors and service suppliers for the purpose of obtaining the benefit of technological developments which the Agency and DPS jointly agree is necessary to improve or enhance the quality and efficiency of service to be provided hereunder.

## **6. OPERATING EQUIPMENT AND ACCESS TO TRACS DATA**

- a) All of the DPS TraCS Hosted Service equipment presently installed and subsequently installed in DPS IT Data Center Facility shall remain in the facility and is presently or will become property of DPS upon termination of this Agreement.
- b) The Agency shall be responsible for acquiring, maintaining and replacing its own field and in-house equipment used to communicate with the TraCS application, which equipment is and shall remain the property of the Agency.
- c) The Agency shall provide the use of its internet within the individual officer's units for connectivity reasons.
- d) The Agency authorizes DPS access, for viewership purposes only, to databases deemed necessary by the DPS for the purpose of supporting users.
- e) The Agency shall pay all costs of accessibility from the DPS TraCS Hosted Service to the Agency's records management system and/or exports/imports to the Agency's network.
- f) DPS shall maintain the TraCS software for the computer at the Agency, and DPS will be the contact with the software company. DPS shall have full and final authority concerning all security issues for TraCS. DPS shall be responsible for maintaining all servers and storage within the DPS IT division in Santa Fe, and shall be responsible for all updates and changes.
- g) Each party shall have the responsibility of maintaining security on its own files and records. If any party ceases participation in this agreement, then DPS shall retain all TraCS records as long as DPS is utilizing the existing TraCS system. The records will be made available on a case-by-case basis as requested at that time. If either party requests a change

that shall benefit only one party, that party shall be responsible for the cost of the upgrade/change.

h) DPS shall be responsible for system maintenance on the TraCS servers.

h) Agency acknowledges and agrees that the DPS and each Agency utilizing TraCS owns its own data in TraCS. TraCS data can only be disclosed by the agency that entered it. In the event of a public record request for TraCS data which is not owned by it, the DPS or receiving Agency shall inform both the requestor and the other party within two business days that it is not the custodian of record for the requested data, and identify the entity that may be able to comply with the public record request.

## **7. THIRD PARTY BENEFICIARY CLAUSE**

The parties specifically agree that this Agreement is not intended to create in any way a thirdparty beneficiary in the public or any member thereof or to authorize anyone not a party to the Agreement to maintain a suit for wrongful death, bodily and/or personal injury to a person, damage to property, and/or any other claim(s) whatsoever.

## **8. ASSIGNMENT**

Neither party shall assign or transfer any interest in this Agreement without prior written approval of the other party.

## **9. RECORDS AND AUDIT**

The Agency and DPS agree to maintain all electronic TraCS data and other evidence pursuant to this Agreement and to make such materials available at their respective offices at all reasonable times for four (4) years after completion of the Project.

## **10. RELEASE**

The Parties agree to not purport to bind the other to any obligation not assumed herein by the other, unless the party has given express written authority to do so, and then only within the strict limitations of that authority.

## **11. LIABILITY**

By entering into this agreement, neither party shall be responsible for liability incurred as a result of the other party's acts or omissions in connection with this agreement. Any liability incurred in connection with this agreement is subject to the immunities and limitations of the New Mexico tort claims act, sections 41-4-1, *et seq.*, NMSA 1978, as amended. This paragraph is intended only



to define the liabilities between the parties hereto and is not intended to modify, in any way, the parties' liabilities as governed by the federal, state, local, or common law of the New Mexico tort claims act. The parties and their "public employees" as defined in the New Mexico tort claims act, do not waive sovereign immunity, do not waive any defense, and do not waive any limitation of liability pursuant to law. No provision in this agreement modifies or waives any provision of the New Mexico tort claims act.

Any privileges and immunities from liability, exemption from laws, ordinances and rules, all pension, and relief, disability, workers' compensation and other benefits which apply to the activity of the officers, agents or employees of either party to this Agreement when performing their respective functions within the territorial limits of their respective public agencies, shall apply to them to the same extent while engaged in the performance of any of their functions and duties extraterritorially.

## **12. APPLICABLE LAW**

This Agreement and the rights and duties of the parties hereto shall be governed by, and construed in accordance with, the laws of the State of New Mexico.

## **13. WAIVER OF JURY TRIAL**

To the extent permitted by law, the parties hereby irrevocably knowingly and expressly waive any right to trial by jury in any action or proceeding (a) to enforce or defend any rights under or in connection with this agreement or any amendment, instrument, document, or agreement delivered in connection herewith, or (b) arising from any dispute or controversy in connection with or related to this agreement and agree that any such action or proceeding shall be tried before a court and not before a jury.

## **14. SCOPE OF THE AGREEMENT**

This Agreement incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements, and understandings have been merged into this written Agreement. No prior agreements or understandings, verbal or otherwise, of the parties or their agents shall become valid or enforceable unless embodied in this Agreement.

## **15. CONSTRUCTION**

In construing this Agreement, all headings and titles are for the convenience of the parties only and shall not be considered a part of this Agreement. Words of any gender used in this Agreement shall be held and construed to include any other gender, and words in the singular number shall be held to include the plural, and vice versa, unless the context requires otherwise.

This Agreement shall not be construed as if prepared by one of the parties, but rather according to its fair meaning as a whole, as if all parties had prepared it.

## **16. COUNTERPARTS**

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same Agreement.

## **17. NOTICES**

Except as otherwise specified herein, all notices hereunder shall be in writing (including, without limitation, notice by facsimile) and shall be given to the relevant party at its address and facsimile number set forth below, or such other address or facsimile number as such party may hereafter specify by notice to the other given by courier, by United States certified or registered mail, by facsimile or by other telecommunication device capable of creating a written record of such notice and its receipt. Notices hereunder shall be addressed:

To the Agency at:

**[Taos Ski Valley  
Police**

**Department]**

Attn: Chief Sam

Trujillo

Address :P. O Box 100

Taos Ski Valley, NM, 87525

Fax 575-776-5748:

Email to: [strujillo@vtsv.org](mailto:strujillo@vtsv.org)

To DPS at:

New Mexico Dept. of Public Safety

New Mexico State Police

Attn: Kent Augustine

4491 Cerrillos Rd.

Santa Fe, NM 87504

Fax: 505-827-3345

[Kent.Augustine2@state.nm.us](mailto:Kent.Augustine2@state.nm.us)

Each such notice, request or other communication shall be effective (i) if given by facsimile, when such facsimile is transmitted to the facsimile number specified in this Section and a confirmation of such facsimile has been received by the sender, (ii) if given by mail, five (5) days after such communication is deposited in the mail, certified or registered with return receipt requested,

addressed as aforesaid or (iii) if given by any other means, when delivered at the addresses specified in this Section.

## 18. AMENDMENT

This Agreement shall not be altered, changed, or amended except by an instrument in writing and executed by the parties hereto.

## 19. TERMINATION OF AGREEMENT

This Agreement shall remain and continue in full force and effect, subject to amendments, until either party has terminated their participation in this agreement pursuant to this Agreement.

Either party's participation in this Agreement may be terminated by written notice from such party to the other party at least one hundred eighty (180) days prior to the effective date of the notice; provided, however, that all equipment shall remain in the consolidated communication center facility pursuant to section 6a of this Agreement and no funds shall be refunded to the Agency.

## 20. SEVERABILITY

If a one or more of the provisions contained in this agreement shall be for any reason held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect other provisions hereof, and this Agreement shall be construed as if such invalid, illegal or unenforceable provisions had never been a part hereof.

## 21. EFFECTIVE DATE

This Agreement shall be in full force and effect upon signature of both parties.

## 22. AUTHORITY

Each person signing this Agreement represents that they have been authorized to enter into this Agreement on behalf of their respective parties. **IN WITNESS WHEREOF**, the parties hereto have executed this Agreement which becomes effective as of the date of the last signature below.

## NEW MEXICO DEPARTMENT OF PUBLIC SAFETY

By: \_\_\_\_\_  
Tim Q. Johnson, Cabinet Secretary or designee

Date: \_\_\_\_\_

**Reviewed for legal form and sufficiency**

By: \_\_\_\_\_  
Elizabeth A. Trickey, General Counsel or designee

Date: \_\_\_\_\_

**[Enter Agency]**

By: \_\_\_\_\_  
**[Chief Sam Trujillo]**

Date: \_\_\_\_\_

**Reviewed for legal form and sufficiency**

By: \_\_\_\_\_  
**[Enter Agency]** Legal Counsel or designee

Date: \_\_\_\_\_