



Village of Taos Ski Valley
PO Box 100, 7 Firehouse Road, Taos Ski Valley, NM 87525
(575) 776-8220 (575) 776-1145 Fax
E-mail: vtsv@vtsv.org Website: www.vtsv.org

**VILLAGE COUNCIL REGULAR MEETING
DRAFT MINUTES
VIA ZOOM TELE CONFERENCE
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, JUNE 22, 2021 2:00 P.M.**

1. CALL TO ORDER & NOTICE OF MEETING

The regular meeting of the Village of Taos Ski Valley Council was called to order by Mayor Brownell at 2:00 p.m. Notice of the meeting was properly posted.

2. ROLL CALL

Ann Wooldridge, Village Clerk, called the roll and a quorum was present.

Governing body present:

- Mayor Christof Brownell
- Councilor Jeff Kern
- Councilor Neal King
- Councilor Chris Staggs
- Councilor Tom Wittman, Mayor Pro Tem

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 with the amendment to remove item 12. F, Introduction of Development Impact Fee Update Study

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

4. APPROVAL OF THE MINUTES OF THE MAY 25, 2021 VILLAGE COUNCIL REGULAR MEETING

MOTION: To approve the minutes as presented

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

5. CONSIDERATION TO APPOINT ROBERT SALAZAR AS A POLICE OFFICER 2 FOR THE VILLAGE OF TAOS SKI VALLEY

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

MOTION: To approve the appointment of Robert Salazar as Police Officer 2 for the Village of Taos Ski Valley

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

The officer will take his oath of office in person in the next few days.

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

A. TSVI CFO Chaz Rockey expressed his concern that the Village doesn't have a plan of finance. He said that TSVI could take the lead and work with advisors at Stifel as well as with Village staff to develop a plan. Mr. Rockey said that TSVI could also assist in reviewing items for the CIP, projecting out for 10 years. He said that this could prove to be mutually beneficial.

7. COMMITTEE REPORTS

A. Planning and Zoning Commission –Commission Chair Wittman reported that the Commission met on June 7, 2021. The consideration to recommend to Council approval of the draft utility connection ordinance failed by a vote of 4-2. The update to the Development impact fee study was presented and discussed. In Miscellaneous matters, administrative approval has been granted for a deck at Alpine Village Suites. The next meeting is planned for July 12, 2021, which may be a joint meeting of the Planning & Zoning Commission and the Council to discuss the development impact fee study and the draft utility connection ordinance.

B. Public Safety Committee – Chairman Neal King reported on Public Safety Committee and Firewise Board activity, such as discussion of sending a letter to the community communicating the need to be aware of bears near or in the Village. More discussion took place about hiring two paid part-time EMS/Fire personnel. A Firewise resolution is still being developed. There was some concern about the size of the possible new fire truck as there are several tight spaces for turning around on Village roads.

C. Firewise Community Board of Directors -see above
The next meetings will take place on Monday July 12, 2021 at 10:00 a.m. and 11:00 a.m., respectively.

D. Parks & Recreation Committee – The Committee has installed the volleyball court by the Bavarian and is working on other summer projects, including a new restroom at Hiker Parking.

E. Lodger's Tax Advisory Board –Co-Chair Stagg reported that the Board had not met but that there had been a request from the Village and the Chamber to approve \$20,000 of lodger's tax money for summer shuttle service for 6 days during the summer, including the July 4th weekend. The Board had discussed this at a previous meeting and voted by email to approve the expenditure. The next meeting date has not been set.

F. Capital Infrastructure Advisory Committee – Director Nicholson reported that he CIAC had completed its work and had approved a draft development impact fee schedule and accessory report. This will be presented soon. The next meeting of the CIAC will occur on July 7, 2021.

8. REGIONAL REPORTS

Director Nicholson reported that application was made to the Regional Transportation Board for \$3.7 million for the Twining Road project and the project was ranked second. Details of a possible award should be forthcoming later in the summer.

Mayor Brownell reported that the Landfill Board had not been in agreement with a plan. Eagle Nest will not participate, so Mayor Brownell recommended that the Village develop its own recycling program, perhaps working with TSVI.

At the IGC meeting, information on methods to implement regulations for cannabis sales and growth were presented.

9. MAYOR'S REPORT

A. Proclamation for the Village of Taos Ski Valley's 25th Anniversary.

Mayor Brownell read his Proclamation for the July 4th celebration and the Village's 25th anniversary. He said that it should be a busy holiday and encouraged the community to attend and celebrate.

10. STAFF REPORTS

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

Clarification of the one quarter of GRT that was unidentified on the pie chart is a new “professional and scientific” category.

Chief Molina said that the US Forest Service has placed stage 1 fire restrictions but is allowing campfires in the developed campgrounds. If Taos County places fire restrictions, the Village may consider placing restrictions also, but not at this time.

Director Martinez explained that adjustments are still being made on the operations at the Wastewater Treatment Plant, but he feels that eventually the workings can be fine-tuned.

Attorney Baker explained that she is working with Director Nicholson to develop regulations for licensing cannabis growing and sales establishments.

11. OLD BUSINESS

12. NEW BUSINESS

A. Consideration to Approve Agreement with the NM Department of Transportation for FY 2022 Local Government Road Fund Cooperative Agreement (COOP) Award

Village Administrator Avila said that the Village has applied annually for the NMDOT COOP/LGRF grant to address roads and road infrastructure. The Village Council passed Resolution No. 2021-467 at its February 23, 2021 Council meeting approving making application for funding. Improvements to Village-wide roads were listed in the application resolution. Any number of improvements and maintenance are fundable with the NMDOT COOP grant. The funding is for pavement rehabilitation/improvements, drainage improvements, and blading and shaping various Village roads as described. Drainage and dust control remain high priority tasks for Village roads.

The project will need funding in the Village FY 2022 budget in order to meet the Village required match. The project has been awarded \$75,003, with the NMDOT share of \$56,252, and the Village matching share of \$18,751.

MOTION: To Approve Agreement with the NM Department of Transportation for FY 2022 Local Government Road Fund Cooperative Agreement (COOP) Award

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

B. Consideration to Approve Agreement with the NM Department of Transportation for 2022 (MAP) Municipal Arterial Program Award

The Village of Taos Ski Valley applied for the NMDOT MAP cooperative grant and has been awarded a project intended for Twining Road of \$124,444. The Village required match is \$31,111 and NMDOT share is \$93,333.

The project is in line with the Twining Road design concept from Huitt Zollar, as the preliminary study information was used to apply for the grant funding. The project is anticipated to address, but is not limited to, design and construction of roadway facilities to address drainage issues at the lower end of Twining Road. It also may address the transition from the proposed “Bison” entry road.

The project will need funding in the Village FY 2022 budget in order to meet the Village required match. Application for NMDOT funding was approved by the Council at its February 23, 2021 meeting by Resolution 2-21-468.

MOTION: To Approve the Agreement with the NM Department of Transportation for 2022 (MAP) Municipal Arterial Program Award

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

C. Consideration to Approve Resolution No. 2021-477 Authorizing the Execution and Delivery of a Loan Agreement and Intercept Agreement by and between the Village of Taos Ski Valley, New Mexico and the New Mexico Finance Authority for a Fire Department Apparatus and Related Equipment

At the regular Council meeting held on May 25, 2021, Council approved Resolution No. 2021-476 approving the application for an NMFA loan of \$454,115.50 for a Fire Department apparatus and related equipment, to be paid by State Fire Grant Funds. The Finance Authority Board of Directors approved the loan to the Village on May 27, 2021.

This Resolution is a required document that allows the Village to enter a debt obligation with the NMFA. It provides all details of the agreements and loan including the revenue pledge for the loan, which are Fire Fund Revenues, the intercept agreement, which allows the NMFA to be paid directly from the state treasurer, it also approves the terms and interest rates, amongst other necessary actions in connection with the execution and delivery of the loan agreement and intercept agreement. The interest rate is 0.62%.

MOTION: To Approve Resolution No. 2021-477 Authorizing the Execution and Delivery of a Loan Agreement and Intercept Agreement by and between the Village of Taos Ski Valley, New Mexico and the New Mexico Finance Authority for a Fire Department Apparatus and Related Equipment

Motion: Councilor Wittman Second: Councilor King

Further discussion took place. Concerns were expressed about whether a new truck was actually needed, but if so, would this really be the right truck.

**The vote was called.
The affirmative.**

**Tied: 2-2 (Councilors King and Stagg voted nay.) Mayor Brownell voted in
Passed 3-2**

It was clarified that approving the loan is not approval to purchase the equipment. This would have to be done separately.

D. Introduction: Ordinance No. 2022-10 Amending Village Ordinance No. 2020-10, to Update the Building and Construction Codes to Include the 2018 New Mexico Energy Conservation Codes

Building Official Bowden explained that Village Ordinance No. 2020-10 became effective June 1, 2020, and now needs amendment to include the updated version of the 2018 New Mexico Energy Conservation Codes. At the time of the previous Ordinance, the State of New Mexico Construction Industries Division had in effect the 2009 New Mexico Energy Conservation Code. The 2009 International Energy Conservation Code (IECC) is the model code adopted under that authority.

This Ordinance will be brought to the next Regular Council meeting to be voted on following a Public Hearing.

E. Discussion of Proposed *Draft* Village Ordinance No. 2021-70, Repealing Resolution No. 2007-128 and Resolution No. 04-88, and Establishing Connection Fees for the Village Water and Sewer Systems

In 2019, the Village of Taos Ski Valley started the process of correcting ordinances and resolutions to better align with State statute by separating connection fees from system development fees. An Ordinance establishing connection fees, was presented at the Council Meeting of May 14, 2019 and was remanded by Council to the Planning and Zoning Commission for discussion and recommendation. This proposed Ordinance was revised and presented to the Planning and Zoning Commission on May 3 and June 7, 2021, as Ordinance 2021-70.

The connection fee is related to the hydraulic capacity of the water system and represents the contributive share of the fixed cost to operate the facilities. Director Martinez said that connection fees are designed to recover the materials and labor cost of connecting a customer to the nearest water or sewer line and that the fees cover the cost of connecting to the existing water and sewer systems, including administrative surcharges. The fee is charged for the customer to buy into what is already in the ground.

The fees themselves have been adjusted downwards since presentation to the P&Z Commission, and language has been removed implementing an annual increase of 3% to the fees.

These are different than system development charges, which are designed to cover the costs of capital outlay for future development.

Councilors expressed concern about the process and not knowing how all the new fees would fit together.

Councilors were urged to give direction to Village staff. If a new Ordinance is required, it was suggested that the current fees be adopted by Ordinance. Other concerns about agreements that may be in place were expressed.

F. Introduction of Development Impact Fee Update Study

This item had been removed from the agenda.

G. Discussion of Final VTSV 2021-2022 Budget Including Direction for Budget Changes Anticipated for Fiscal Year 2022

Village Administrator Avila explained that the Village of Taos Ski Valley may include changes to its FY22 budget before final budget approval at the July Council meeting. Direction to make recommended changes, such as to decrease expenses in Capital Expense from \$230,000 to \$30,000 Fund 03, Outside Contractor Expense from \$256,000 to \$156,000 Fund 03, and Outside Contractor Expense from \$300,000 to \$100,000 Fund 44, could be approved. Also, an increase in expenses to cover the Village match requirements of \$18,751 for NMDOT COOP, and \$31,111 for NMDOT MAP agreements.

The new EMS/Fire positions should be considered for funding at the 20-30-hour range, as the requirements to have an additional certified Fire Inspector and Fire Investigator will require more hours for duties. Duties will include primarily EMT/Fire tasks and training but must also include training and certification as either a Fire Inspector or Fire Investigator. Without providing staffing for Fire Inspector or Fire Investigator duties, the Village will lose the approximately \$80,000 funding each year. Adding another \$20,000 to the 09-EMS budget is recommended.

Changes are also required to accurately reflect the costs of employees being compensated with housing as that value must be reported and recorded as if it were salary. The market value of the housing benefit will mean that approximately \$15,000 to \$20,000 dollars is added to an employee's salary. Even a part time employee will have additional salary reporting and most likely have benefit costs associated with their compensation due to the cumulative value of the housing and salary benefit.

Discussion took place on the various items.

13. MISCELLANEOUS

A. Councilor King suggested that the Village hold a “Jean Mayer Day” at some point soon.

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

The next meeting of the Village Council will be a joint meeting with the P&Z Commission on July 12, 2021. (This was later changed to a Special Council Meeting with P&Z Commissioners encouraged to attend.) The Council Regular Meeting will be held on Tuesday, June 22, 2021 at 2:00 p.m. via Zoom.

15. ADJOURNMENT

MOTION: To Adjourn

Motion: Councilor Wittman

Second: Councilor King

Passed: 4-0

The meeting adjourned at 3:47 p.m.

Christof Brownell, Mayor

ATTEST: _____
Ann M. Wooldridge, Village Clerk