

Administrator Avila explained that the Governor's Office announced changes under the NMHOH Health Order on August 17, 2021 in response to the increase in COVID cases not only nationally but in New Mexico. The Village of Taos Ski Valley is committed to follow the State Order but also may take further action and is authorized under Emergency Resolution 2020-428. At this time, the change to mandatory masks for indoor public spaces is the primary requirement, with safety precautions being the watch word.

The community-wide support for precautions and safety requirements was instrumental in keeping COVID cases from completely closing the Ski Season of 2020/2021. Preparation for the coming season includes COVID precautions that may be more stringent than those require in the NMDOH Heath Order.

Discussion took place with the elected officials agreeing that at a minimum the Village should follow State requirements.

C. Discussion of US Postal Service Options in the Taos Ski Valley and Direction to assist the USPS to keep postal delivery within the Village of Taos Ski Valley

Administrator Avila said that the Taos US Postal Office contacted Mayor Brownell with news that the Village would lose Post Office Service in September and that Post Office cluster mailboxes were permitted and purchased to install outside the Village. The USPS has received permission from the NM Department of Transportation to install cluster boxes at the base of the canyon at NM 150 Mile Marker 7, the old cattle guard. The cluster boxes for the Village mail are ordered and are due before the end of the month. Installation of boxes outside the Village was presented as being imminent.

The Mayor and Administrator Avila were able to meet with Taos Postmaster Leyba to understand plans for the Taos Ski Valley mail. Taos USPO met with Denver Region Leasing Agent on Monday for confirmation of planning. It is understood that negotiation for a Post Office site was in the works with Taos Ski Valley Inc. (TSVI). However, the Taos PO did not have an agreement and are continuing with their plan to install the cluster boxes.

The USPO had an opportunity to visit the Village Complex to review as a Plan B option to placing boxes outside the Village and they considered the location better than at the NM 150 MM 7. While an indoor Village PO is preferred, the USPS is looking for a long-term agreement to avoid moving a temporary installation.

Discussion took place on the possibility of continuing some form of Village post office with limited service, otherwise the option is installation of group boxes. TSVI said that they are willing to assist. A location would have to be temporary and then could be moved to the new building on Firehouse Road when it is completed. Homeowner Kathy Bennett said that she would work with TSVI to try and find a solution.

D Discussion of Zoning Options for Marijuana Establishments

Attorney Baker explained that Staff needs feedback from the Council regarding zoning for marijuana establishments. According to the New Mexico Cannabis Regulation Act ("the Act"), the Village has the authority to regulate the "time, place and manner" of marijuana uses within the Village's jurisdictional limits. The Act does not specify limitations on the Village's authority, except that the Village cannot require a marijuana establishment to be located more than three hundred (300) feet from a school, and marijuana establishments cannot be prohibited.

Marijuana establishments are to be treated essentially the same as other businesses and are somewhat analogous to liquor establishments. However, marijuana uses create more odors and are still offensive to sectors of the population, because they remain illegal in some states and under federal law.

Staff is proposing two options for a commercial overlay district for marijuana retail establishments. In this overlay district, such establishments would become a use by right; in other words, they would not be subject to a conditional use permit process. What is being considered at this time is having the Amizette commercial areas be included in the overlay zone and possibly the addition of a portion of the Village Core Zone. A map of each area was presented.

If the Core is included, should there be distance limits on allowing establishments to locate adjacent to residential homes, condos or hotels.

This will be taken to the Planning & Zoning Commission for a recommendation to Council.

E. Consideration to Approve Resolution No. 2022-482, A Resolution to Approve the Disposal of Capital Assets owned by the Village of Taos Ski Valley

In fiscal year 1997 the Village acquired a 1994 Atwood Modular building from Capital Modular in Bernalillo County, NM. It was placed at 7 Firehouse Road next to the Village Office to be utilized as a police station. Staff has not been able to locate a capital folder nor a bill of sale, so the building purchase price is unknown. Staff estimates the expense at \$25,000 based on the current pricing of these types of units. The Police Offices have now been relocated to the Village Complex and the modular building is not in use.

Staff will dispose of the building via surplus auction, but if unable to sell it, it will be disposed of as scrap. Estimated salvage value of the building is \$500.

MOTION: To Approve Resolution No. 2022-482, A Resolution to Approve the Disposal of Capital Assets owned by the Village of Taos Ski Valley

Motion: Councilor King

Second: Councilor Wittman

Passed: 4-0

F. Consideration to Approve Resolution No. 2022-483, the Village of Taos Ski Valley 2023-2027 Infrastructure & Capital Improvements Plan (ICIP)

Director Nicholson explained that the Village ICIP is prepared annually for submission to the NM Department of Finance & Administration. It establishes Village policy and project funding priorities for the five-year period FY 2023-27. Unlike the Capital Improvements Plan (CIP), the ICIP contains a vast assortment of desirable and necessary projects proposed by Village department directors and elected officials. Considerable work remains to identify and secure project funding, designate a Village project manager, coordinate project planning and development across departments, and eventually manage construction activities. Department directors developed, reviewed, and approved this year's ICIP submission.

Homeowner Kathy Bennett commented that the list should include provisions for funding EMS in the Village. It is hoped that next year more discussion ahead of time can take place on the list of projects.

MOTION: To Approve Resolution No. 2022-483, the Village of Taos Ski Valley 2023-2027 Infrastructure & Capital Improvements Plan (ICIP)

Motion: Councilor Wittman

Second: Councilor King

Passed: 4-0

G. Consideration to Approve Resolution No. 2022-484, Assignment of Designee to Sign Agreement with NMED Accepting the Reauthorized Capital Outlay to Plan, Design, Construct, Equip, and Install the Kachina Water Booster Station for the Kachina Water Tank and Distribution Lines

The Village of Taos Ski Valley had applied and received Capital Outlay funding for planning development of the Kachina Water Boosting Station, however funding was incomplete to start construction of the Permanent Kachina Water Boosting Station the immediate and critical need to fund the Kachina Booster station was partially resolved by Reauthorization of funds and the additional capital outlay is awarded for the updated agreement

The funding agreement for \$385,000 requires Council authorization for the Mayor to sign and also name the designated individual, the Village Administrator, to sign the agreement documentation

MOTION: To Approve Resolution No. 2022-484, Assignment of Designee to Sign Agreement with NMED Accepting the Reauthorized Capital Outlay to Plan, Design, Construct, Equip, and Install the Kachina Water Booster Station for the Kachina Water Tank and Distribution Lines

Motion: Councilor Wittman

Second: Councilor King

TSVI Peter Talty asked about a plan for connecting to the Booster Station and for connecting lines from the Kachina Tank to the rest of the Village. He also asked why the plan is to put the Booster Pump down at the green water tank instead of closer to the Kachina Tank. Mr. Talty said that TSVI has offered the land where the current booster pump is located, which is closer to the Kachina Tank. This would allow for less distance vertically as well as horizontally, he said. Director Martinez explained that if the pump were at the green tank, water from the Gunsite Springs could also be captured.

This resolution is to accept the funding. Design plans will be discussed separately, it was decided.

Mayor Brownell called for a vote.

Passed: 4-0

H. Consideration to Approve an Amendment and Renewal of the Contract between the Village of Taos Ski Valley and Willdan Financial Services for the Completion of the Impact Fee Study Report

Director Grabowski explained that the Village entered a contract with Willdan Financial to complete an Impact Fee Study. An RFP was done and Willdan Financial was the selected contractor. The original contract, No. 2020-09 was dated October 8, 2019, with a total amount not to exceed \$53,365.00 to complete the project.

Due to changes in the expense of estimated Village infrastructure needs, along with substantial input from the community, the project report has been revised several times. As of June 30, 2021, the total amount of the contract has been expended and the final report has not been completed because of these adjustments. Willdan Financial estimated that the additional services to complete the contract would not exceed an additional \$10,000. This would bring the total contract amount to \$63,365.00. Willdan Financial estimates that the Impact Fee Study report will be completed by December 31, 2021, however, should subsequent events occur that effect that, they requested an extension date of June 30, 2022.

Staff recommends authorization and approval to amend and renew the contract between the Village and Willdan Financial Services with an additional \$10,000 of services, to complete the final Impact Fee Study report no later than June 30, 2022.

MOTION: To Approve an Amendment and Renewal of the Contract between the Village of Taos Ski Valley and Willdan Financial Services for the Completion of the Impact Fee Study Report

Motion: Councilor Wittman Second: Councilor King

CIAC Member Mike Fitzpatrick said that he didn't like the methods that Willdan had used.

Mayor Brownell called for a vote. Passed: 3-1 (Councilor Kern voting nay)

I. Consideration to Approve the Memorandum of Agreement between the Village of Taos Ski Valley and the North Central Regional Transit District to provide Winter Transit Service to the Village of Taos Ski Valley
The North Central Rural Transportation Department has proposed to the Village of Taos Ski Valley, Town of Taos, Taos County a cost allocation to resume Winter Service to the Taos Ski Valley. The NCRTD proposed the expanded winter service for \$ 150,000, with cost allocation of \$60,000 for NCRTD, \$45,000 for the Village, \$25,000 for the Town, and \$20,000 for the County

The Village and NCRTD have previously made the agreement for service for the Winter Ski Season supported by Lodgers Tax and contributions from the Town and recently the County. The Town and County contributions follow the Village NCRTD agreement and those will be heard by Council before the NCRTD service starts.

Should conditions not allow the service this Winter, the NCRTD can discontinue service and as in the past when not able to complete the program the Village receives a prorated credit. Should funding not be available the Village may terminate the agreement. Notice of termination by either party shall be effective upon the date of receipt

The plan is to add two more routes to the Green Service schedule.

MOTION: To Approve the Memorandum of Agreement between the Village of Taos Ski Valley and the North Central Regional Transit District to provide Winter Transit Service to the Village of Taos Ski Valley

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

13. MISCELLANEOUS

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

The next meeting of the Village Council will be the Regular Meeting scheduled for September 28, 2021 at 2:00 p.m. via Zoom. (Note: A Special Council meeting was later added for September 9, 2021)

15. ADJOURNMENT

MOTION: To Adjourn

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

The meeting adjourned at 4:30 p.m.

Christof Brownell, Mayor

ATTEST: _____
Ann M. Wooldridge, Village Clerk