



Village of Taos Ski Valley
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**VILLAGE COUNCIL REGULAR MEETING
DRAFT MINUTES
VIA ZOOM TELE CONFERENCE
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, JANUARY 25, 2022 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 Stagg
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
Interim Police Chief Vigil
Fire Chief Roberto Molina
Planning Director Patrick Nicholson
Village Attorney Susan Baker

3. APPROVAL OF THE AGENDA

MOTION: To approve the agenda with the amendment to table appointing a Holy Cross Hospital Nominating Committee member until after the March 1, 2022 election.

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

4. CONSIDERATION TO APPROVE APPOINTMENT OF VILLAGE OF TAOS SKI VALLEY POLICE OFFICER GLADEAU

Mayor Brownell appointed James Gladeau to Police Officer 2.

MOTION: To approve appointing Police Officer James Gladeau

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

5. APPROVAL OF THE MINUTES OF THE DECEMBER 14, 2021 VILLAGE COUNCIL REGULAR MEETING, the DECEMBER 20, 2021 VILLAGE COUNCIL EMERGENCY MEETING, the JANUARY 10, 2022 VILLAGE COUNCIL SPECIAL MEETING, and the JANUARY 10, 2022 VILLAGE COUNCIL SPECIAL WORKSHOP

MOTION: To approve the four sets of minutes

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

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

A. TSVI David Norden reported that State officials had contacted him again looking for big ideas for public-private partnerships which involve clean energy transportation, outdoor equity for trails, campgrounds, and bike paths, for watershed management and land stewardship, and to improve roadways. The State said that there is a potential \$6 million available for funding such a project. Mr. Norden said that funds for repairing the Village’s water system could be included in use of the funds. He thanked the Mayor and Council for its support. In response to the potential initiative, TSVI has hired a Director of Private-Public Partnerships, Carlos Hernandez.

B. Homeowner Francie Parker read a statement from the TSV Neighborhood Association questioning eligibility of voters on the voting roster.

C. TSVI John Kelly reported on TSVI’s response to the December 15, 2021 weather event that resulted in many downed trees in the Kachina area. Mr. Kelly said that TSVI is using special equipment to stack the trees for potential use later. They are already ahead of their schedule to clean up in concern of beetle infestation, increased risk of wildfire, and protecting the Village’s water source.

D. TSVI Chamber Director Courtney Tucker asked for the community’s continued patience as the Chamber works towards getting the post office and visitor center going.

E. Homeowner Mike Fitzpatrick said that he will be requesting information from the Village which he hopes to get posted on the web.

7. COMMITTEE REPORTS

A. Planning and Zoning Commission –Commission Chair Wittman reported that the Commission met on January 10, 2022. There was a TSVI presentation on a proposed “Civic Node” on Firehouse Road. Mogul Medical will move to a new building next to the existing Firehouse, with ambulance access and skier access. A new building on the other side of the current Firehouse will be a joint TSVI-Village project to build a new Firehouse and TSVI offices.

The next meeting will take place on February 7, 2022 at 1:00 p.m. via Zoom.

B. Public Safety Committee – Chairman Neal King reported that the Committees had not met but would plan to meet again on February 7, 2022. Chairman King said that Firewise initiatives are moving forward. Committee member Kathy Bennett successfully renewed the Firewise Community designation for the Village.

C. Firewise Community Board of Directors -see above

D. Parks & Recreation Committee – Chair Kett reported that the Committee had been working on mapping existing and possible future trails. They met on January 20, 2022 at 3:30 p.m. at the Village Office at 7 Firehouse Road and plan to meet on the third Thursday of every month. The next meeting is scheduled for February 17, 2022 at 3:30 p.m. at the Village Office.

E. Lodger’s Tax Advisory Board – no report

8. REGIONAL REPORTS

No reports.

9. MAYOR’S REPORT

A. Consideration to Appoint a Representative to the Holy Cross Hospital Nominating Committee
This item had been tabled earlier.

B. Consideration to Approve Appointment of Planning & Zoning Commissioners
Mayor Brownell re-appointed the previous seven P&Z Commissioners. Based on continuing staggered terms, Commissioners Caldwell, Duffy, Klinkmann, and Stagg now have a one-year term, and Commissioners Nichols, Wittman, and Woodard now have two-year terms.

C. Darlene Trujillo Thanks to Elected Officials

Mayor Brownell read a card of thanks to the elected officials from Darlene Trujillo, Sammy Trujillo’s wife.

10. STAFF REPORTS

Staff reports were included in the Council packet and were posted to the Village web site. Administrator Avila highlighted parts of his report. He noted that Covid testing is being conducted for free for employees on Tuesdays at the Taos Tent. There is no mandate in place from the Village or the State that all businesses require masking. Work

is being done concerning the wastewater treatment plant inefficiencies. A temporary treatment plant is currently being used as a back-up. Emergency services office are in place at the Village Complex. The Village Plan of Finance by consultants Stifel was presented on January 10, 2022. KCEC Undergrounding is proceeding with plans for initiatives moving forward in Amizette and in the Village this spring.

11. OLD BUSINESS

A. PUBLIC HEARING: Consideration to Approve Amended Ordinance 2022-71 Establishing a Local Cannabis License and Adopting Regulations Regarding Cannabis

Attorney Baker explained that the proposed Ordinance establishes a local license for cannabis establishments within the Village limits. It also creates general regulations regarding the use of cannabis and cannabis infused products. The Village Council previously adopted this Ordinance in August 2021, with a sunset provision effective January 31, 2022.

MOTION: To Approve Amended Ordinance 2022-71 Establishing a Local Cannabis License and Adopting Regulations Regarding Cannabis

Motion: Councilor Wittman

Second: Councilor King

Passed: 4-0

12. NEW BUSINESS

A. Review and Consideration to Publish and Post Ordinance No.2022-30 Amending Ordinance No. 22-30, Sections 6.22 and 6.37, and Repealing and Replacing Sections 13.4 and 23, to Establish Procedures for the Adoption and Implementation of Revised Development Impact Fees

The proposed Ordinance updates existing provisions in the Village's Zoning Ordinance No. 22-30 to better comply directly with the New Mexico Development Fees Act. The Ordinance defines how the Village may assess development impact fees on new development. It also specifically addresses refunds and credits of development impact fees as set forth in the Act. The appendix attached to the Ordinance establishes proposed development impact fees following the Council's previous adoption of the Land Use Assumptions and Capital Improvements Plan.

MOTION: To Publish and Post Ordinance No.2022-30 Amending Ordinance No. 22-30, Sections 6.22 and 6.37, and Repealing and Replacing Sections 13.4 and 23, to Establish Procedures for the Adoption and Implementation of Revised Development Impact Fees

Motion: Councilor Kern

Second: Councilor King

Much discussion followed. Attorney Baker said that the fees had to be related to the Land Use Assumptions and to the Capital Improvement Plan. Suggestions were made to move forward with the Ordinance but to keep the existing fees in place, or to reduce some of the higher fees by 20% or another percentage. Questions were asked about the total fee structure and whether water and sewer connection fees would also be assessed in addition to the development impact fees.

AMENDED MOTION: To Publish and Post Ordinance No.2022-30 Amending Ordinance No. 22-30, Sections 6.22 and 6.37, and Repealing and Replacing Sections 13.4 and 23, to Establish Procedures for the Adoption and Implementation of Revised Development Impact Fees, with notice to omit the fees section, Exhibit A.

Motion: Councilor Kern

Second: Councilor King

Passed: 4-0

B. Consideration to Acknowledge and Approve 2nd Quarter Report for Submission to DFA

Director Grabowski presented the summary report to be submitted to DFA, along with the Profit and Loss from July 1-December 31, 2021. She said that the Village ended the 2nd quarter of FY2022 with a net operating loss of \$308,315. Staff is submitting this report to the Council for its review and acknowledgement of the financial status of the Village as of December 31, 2021.

MOTION: To Acknowledge and Approve the 2nd Quarter Report for Submission to DFA

Motion: Councilor Wittman

Second: Councilor King

Passed: 4-0

C. Review and Consideration to Enter in a Project Participation Agreement with TSVI to Construct Offices and a Village Fire House

TSVI proposes subdividing its 20-acre property around Firehouse Road to construct a two-story building on a 0.5-acre lot. The proposed building would be divided into two condominiums, one owned by the Village and the other by TSVI.

The Village portion of the building would be on the first floor and would house the Fire Department, as well as other municipal activity. TSVI's condo is planned to be upstairs on the second floor and intended for company office space. The proposed Agreement formalizes collaboration between TSVI and the Village to seek construction of a Village Fire House on TSVI property located adjacent to the existing Village offices. The collaboration proposal was initiated so that Fire Department equipment and facilities may be housed appropriately on-site and developed for months toward that opportunity.

MOTION: To Enter in a Project Participation Agreement with TSVI to Construct Offices and a Village Fire House

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

D. Consideration to Approve the Renewal of Village Annual Outside Contractor Contract

The contract with Attorney Susan Baker is running from December to December which is outside the fiscal year period. Staff is requesting renewal of this contract for 5 months through June 30, 2022, at which time the contract would be grouped with other annual contract renewals request in July.

Susan C. Baker 2/1-6/30/2022 Legal Services (NTE) \$100,000

MOTION: To Approve Renewal of Contract for Susan Baker

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

E. Acknowledgment of the Requirement for the Village of Taos Ski Valley Mayor and Councilors to Submit Outside Employment Disclosure Forms on an Annual Basis

Director Grabowski said that there is a requirement to comply with Section 10-16-4.2 NMSA Governmental Conduct Act, as follows: Pursuant to 10-16-4.2, a public officer or employee shall disclose in writing, all employment engaged in by the officer or employee other than the employment with the state.

Accordingly, on an annual basis, the Mayor and Councilors are required to and shall submit outside employment disclosure forms to acknowledge any employment other than their Board membership.

She asked that the completed forms be returned to her.

13. MISCELLANEOUS

A. Councilor Wittman asked whether the Village should sell the Taos Mountain Lodge property as well as the ½ acre of land at the top of the Bull-of-the-Woods Road. Councilor Stagg commented that the Taos Mountain Lodge property seemed to be neither here nor there and should either be utilized or sold.

B. Councilor King asked Mayor Brownell and Village Administrator Avila to ensure that Council agendas and packets were distributed earlier than they have been recently.

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 Council Meeting on a Special Meeting and Workshop scheduled for January 10 2022 at 10:00 a.m. Via Zoom. (Note: An Emergency Meeting was held on December 20, 2021 because of an extreme weather event on December 15, 2021.)

15. ADJOURNMENT

MOTION: To Adjourn

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

The meeting adjourned at 3:40 p.m.

Christof Brownell, Mayor

ATTEST: _____
Ann M. Wooldridge, Village Clerk