



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, MAY 24, 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 Pro Tem Wittman 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 Neal King
Councilor Henry Caldwell
Councilor Brent Knox
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
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 as written

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

4. **APPROVAL OF THE MINUTES OF THE APRIL 24, 2022 VILLAGE COUNCIL REGULAR MEETING and the APRIL 24, 2022 VILLAGE COUNCIL BUDGET WORKSHOP**

MOTION: To approve the minutes as presented

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

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

A. TSV Chamber Director Courtney Tucker said that she will be stepping down as Chamber Director and is starting a new chapter in her life. She thanked the community for its support. She made note that the Chamber has some events planned for this summer, such as the summer music series and the Up & Over run.

6. **COMMITTEE REPORTS**

A. **Planning and Zoning Commission** –Commission Chair Wittman reported that the Commission had not met. The next meeting will take place on June 6, 2022 at 1:00 p.m. via Zoom.

B. Public Safety Committee – Chairman Kathy Bennett reported that the Committees had met on May 2, 2022 and on May 13, 2022. Discussion was held on various ongoing topics. The Evacuation Plan has been revised and distributed.

The next meetings will take place on June 6, 2022 at 10:00 a.m.

C. Firewise Community Board of Directors -see above

D. Parks & Recreation Committee – Committee Chair Katherine Kett thanked Timmy Teague for installing the disc golf course. The first basket is at the base of lift #1 next to the Plaza area. The volleyball court will be installed by June 21, 2022. Hanging flower baskets will be installed around June 21, 2022. Trash Clean-up Day will be held on May 26, 2022. A picnic will be held at noon at the Plaza after the trash pick-up in the morning.

Committee Chair Kett recommended sending hikers to the Kachina Vista Municipal Park.

The next meeting has not been planned.

E. Lodger's Tax Advisory Board – Councilor Stagg said that the Lodgers Tax Board would be meeting on June 1, 2022 via Zoom.

7. REGIONAL REPORTS

Director Nicholson said that the NCRPC met and prioritized projects. The Village's Twining Road project came in second in an extremely close rating. The project is projected to cost \$7.8 million. Next step is that the NMDOT will further prioritize projects before they are submitted to the State for funding. The Village is expecting the design to be complete on this project by December.

Administrator Avila reported that the ECCG met to conduct fire planning, and the Landfill Board met to finalize its budget.

8. MAYOR'S REPORT

Mayor King said that he has a doctor's visit at the end of the week where he may learn more about his treatments.

9. 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. The WWTP project is still in review by the bonding company. Testing is on-going until mid-June. Federal funds will be received for the Village's water system in the amount of \$750,000, with Taos County being the fiscal agent. Insurance funds for damage at the Village Complex in several different weather events have been applied for, with some having been already received. KCEC is again waiting for an answer from the USFS after receiving no permission from NMDOT for access on the south side of the highway in Amizette for undergrounding of the electric lines. Permission is needed and then also lead time to get the contractor in place to conduct the work.

Director Grabowski said that the draft balanced budget had been submitted.

Chief Vigil reported that the new police vehicles were coming soon.

Chief Molina reported that the new engine would be in service and that one of the older units would now go in for repair. He is going to get someone to monitor the USFS campgrounds with the recent fire restrictions.

Director Bowden reported that approximately 30 applications had been made f333 or the Non-Federal Land Grant Funding.

10. OLD BUSINESS

A. PUBLIC HEARING: Consideration to Approve **Ordinance No. 2022-70** Establishing Water and Sewer Connection Fees Based Upon the Cost of a Physical Connection

Attorney Baker explained that the proposed Ordinance establishes parameters for the physical connection to the Village's water and sewer system. It allows the Village to be reimbursed for the cost of a physical connection, including pipe, meters, trenching, and labor. It also gives the Council the right to adopt specific connection fees in the future by Resolution.

Connection fees are distinguishable from system development fees (impact fees) because connection fees are designed to recover all or a portion of the materials and labor cost of connecting a customer to the nearest water or sewer line.

System development fee charges are designed to cover the cost of capital outlay for future development, such as the expansion of major system components, including treatment plants and distribution lines.

System development fees are created by the New Mexico Development Fees Act. Under the Act and other established legal authority, connection fees cannot be charged as part of a system development fee, nor can a system development fee be assessed as part of a connection fee.

Expedited adoption of the proposed Ordinance is essential prior to building season to ensure that the Village is not paying for the individual customer's pipes, meter or trenching needed to establish a physical connection to the system. **PUBLIC HEARING:** The Public Hearing was opened. No one spoke in favor or against the proposed Ordinance. The Public Hearing was closed.

MOTION: To Approve Ordinance No. 2022-70 Establishing Water and Sewer Connection Fees Based Upon the Cost of a Physical Connection

Motion: Councilor Stagg Second: Councilor Caldwell

Discussion followed. Attorney Baker explained that any credit request would be addressed individually.

Mayor Pro Tem Wittman called the question. Passed: 4-0

11. NEW BUSINESS

A. Consideration to Publish and Post Ordinance 2022-15 Updating and Revising Ordinance 1997-15, Establishing the Planning and Zoning Commission Membership, Selection, Appointment, Terms of Office, and Removal from Office
At the request and initiative of Planning and Zoning Commission Chairman Tom Wittman, an update to Ordinance 1997-15 establishing the general structure, powers, and duties of the Village Planning Commission was undertaken. Primary revisions include reconstituting the Commission in 2022 to adjust and lengthen the terms of office, establishing a section committee to recommend appointments, and updating conflict of interest provisions. Staff recommends consideration of the proposed revisions to Ordinance 1997-15 and a motion to publish and post Ordinance 2022-15.

MOTION: To Publish and Post Ordinance 2022-15 Updating and Revising Ordinance 1997-15, Establishing the Planning and Zoning Commission Membership, Selection, Appointment, Terms of Office, and Removal from Office

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

The Ordinance will be brought to the next Council meeting for a Public Hearing and a vote to approve.

B. Discussion, Acknowledgement, and Approval of the Village Interim Budget for Upcoming Fiscal Year FY2023

As per New Mexico State Statute and the Department of Finance and Administration, all municipalities are required to submit a preliminary annual budget due on June 1st and a final budget due on July 31st.

On April 26, 2022, the Village met in a special Council Budget Workshop to review the FY2023 budget. The following are the items which have been updated since that meeting:

Water (01) Enterprise: Increase beginning balance \$50K, Assuming a higher ending balance at FYE

Sewer (02) Enterprise: Increase beginning balance \$120K, Assuming a higher ending balance at FYE

At this time no other changes have been made to the interim budget for FY2023 and all funds have positive ending balances. Prior to submission of the final budget on July 31, 2022, additional changes can be made, and the ending balances will reflect the actual ending balance of each fund on June 30, 2022.

The interim budget will be submitted in a timely manner no later than June 1, 2022.

MOTION: To approve the Village Interim Budget for Upcoming Fiscal Year FY2023.

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

C. Consideration to Acknowledge and Approve Enchanted Circle Trails Association Regional and Local Trails Kiosk

The proposed kiosk is one of six kiosks that will be installed in the region to support the Enchanted Circle Trails Association and Rocky Mountain Youth Corps in building awareness about local and regional trails and recreational opportunities. Three of the Village's most easily accessible trails within the base area will be highlighted on this map along with major trails within the region. The Parks & Recreation Committee has funds to pay for the kiosk, which should cost around \$2,000. The kiosk will not be placed on Federal land.

MOTION: To Acknowledge and Approve Enchanted Circle Trails Association Regional and Local Trails Kiosk

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

12. MISCELLANEOUS

13. CLOSED SESSION

A. Discussion of Pending Litigation

This matter may be discussed in closed session under Open Meetings Act exemption 10-15-1(H) (7)

MOTION: To go to Closed Session

Motion: Councilor Caldwell

Second: Councilor Stagg

Passed: 4-0

MOTION: To go to Open Session

Motion: Councilor Stagg

Second: Councilor Knox

Passed: 4-0

No action was taken in Closed Session.

11. D. Consideration to Direct Village Attorney to Finalize Settlement documents

MOTION: To proceed with settlement agreement documents

Motion: Councilor Stagg

Second: Councilor Caldwell

Passed: 4-0

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 June 28, 2022 at 2:00 p.m. via Zoom.

15. ADJOURNMENT

MOTION: To Adjourn

Motion: Councilor Stagg

Second: Councilor Caldwell

Passed: 4-0

The meeting adjourned at 4.00p.m.

Mayor Neal King

ATTEST:_____
Ann M. Wooldridge, Village Clerk