



**VILLAGE COUNCIL REGULAR MEETING AGENDA  
MEETING TO BE HELD VIA ZOOM TELECONFERENCE  
TAOS SKI VALLEY, NEW MEXICO  
TUESDAY, AUGUST 23<sup>rd</sup> at 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 JULY 26, 2022 VILLAGE COUNCIL REGULAR MEETING and the JULY 29, 2022 VILLAGE COUNCIL SPECIAL MEETING**

**5. CONFIRMATION OF THE PERSONS WHO SHALL BE EMPLOYED BY THE MUNICIPALITY INCLUDING THE APPOINTED OFFICES**

**6. PRESENTATION OF CERTIFICATE OF APPRECIATION**

**7. 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)

**8. COMMITTEE REPORTS**

- A. Planning & Zoning Commission
- B. Public Safety Committee
- C. Firewise Community Board
- D. Parks & Recreation Committee
- E. Lodger's Tax Advisory Board

**9. REGIONAL REPORTS**

**10. MAYOR'S REPORT**

**11. STAFF REPORTS**

- A. Administrator Avila
- B. Interim Finance Director Morris Madrid
- C. Police Chief Vigil
- D. Fire Dept
- E. Building Official Bowden
- F. Planning Director Nicholson
- G. Public Works Director Martinez
- H. Clerk Wooldridge
- I. Attorney Baker

**12. OLD BUSINESS**

- A. Consideration to Accept the Water Repair Plan by TSVI for 100% performance of the Water Study MOU Amendment
- B. Discussion of Village Complex Appraisal and Public Use of Property at 1346 NM 150 with Direction of the Village Council for Disposition
- C. Consideration to Approve and Authorize Plumbing Material Purchase from Roger Pattison

**13. NEW BUSINESS**

- A. Consideration to Approve Resolution No. 2023-517 the Village of Taos Ski Valley 2024-2028 Infrastructure & Capital Improvements Plan (ICIP)
- B. Consideration to Approve Contract for a Grant Writer to Complete Requests for Water and Wastewater Funding
- C. Consideration to Approve the Village of Taos Ski Valley Health Incentive Policy
- D. Consideration to Approve Adjusting Village Staff Entry Level Pay

**14. MISCELLANEOUS**

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

**16. ADJOURNMENT**



Village of Taos Ski Valley  
PO Box 100, 7 Firehouse Road, Taos Ski Valley, NM 87525  
(575) 776-8220 (575) 776-1145 Fax  
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**VILLAGE COUNCIL REGULAR MEETING  
DRAFT MINUTES  
VIA ZOOM TELE CONFERENCE  
TAOS SKI VALLEY, NEW MEXICO  
TUESDAY, JULY 26, 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 Tom Wittman 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 Neal King  
Councilor Henry Caldwell  
Councilor Brent Knox  
Councilor Chris Stagg  
Councilor Tom Wittman, Mayor Pro Tom

**Staff present:**

Village Administrator John Avila  
Village Clerk Ann Wooldridge  
Public Works Director Anthony Martinez  
Police Chief Virgil 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 Passed: 4-0

**4. APPROVAL OF THE MINUTES OF THE VILLAGE COUNCIL REGULAR MEETING**

**MOTION:** Council Caldwell announces he would like the minutes Section E: Lodgers Tax Advisory Board to reflect that the budget for Taos Air of \$300,000.00 was approved. Funds were available but that was not the reason it was approved. He would like to note that it was approved because it was the best use of the funds.

First: Council Stagg Second: Council Caldwell Passed: 4-0

**5. Consideration to Approve appointing of Virgil Vigil Public Safety Director-VTSV**

Mayor Pro Tom Whittman announced that after considerable discussions with the mayor they have decided for the department to go back to how it used to be and have a public safety director.

Discussion: Mayor Neil King discusses that they way things are at the moment are not conducive to good order and getting things done. We do need essentially a public safety director to oversee the three entities that make up public safety and this is the recommendation.

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

**6. Consideration to approve appointing of Ray Gonzales to EMS Director-VTSV**

Mayor Pro Tom Whittmann states he would like everyone to realize that Ray Gonzales is the only EMT at the time. Council Chris Stagg also states that Ray is the only Full-Time paid Staff in the EMS dept.

Discussion: Mayor Neil King states that we should all bear in mind that this is a position, and it was not advertised in the newspapers. We should also consider in 6 months or so to review and or advertising for the knowledge of everyone. Tom Whittman states this is good advice but is not a part of the motion. The motion is to approve the appointing of:

**First: Council Stagg Second: Council Knox Passed: 4-0**

5. **CITIZENS' FORUM** – Limit to 5 minutes per person (please sign in)  
Counselor Tom Whitman asked for any Citizen inquiries: Zero inquiries this meeting

6. **COMMITTEE REPORTS**

A. **Planning and Zoning Commission:** Mayor Pro Tom Whittmann states they did have a planning and zoning meeting on July 11<sup>th</sup>, 2022. There were two items of business to pass: 1. Public Hearing on the conditional use permit. 2. ICIP. The results of the Public Hearing were: 4 people that spoke in favor for the conditional use and 3 were opposed it. There were 5 planning and zoning commissioners that voted. The motion was passed as 3-2. ICIP Yearly meeting was also discussed: the commission made a motion to recommend to the council to adopt the ICIP.

One miscellaneous item brought up (avalanche hazardous assessment) to be discussed in this meeting further on. The next planning and zoning meeting will be September 12, 2022 at 1:00. NOT the first Monday of September as this is Labor Day.

B. **Public Safety Committee:** Cathy Bennett announced that the public safety and Firewise Board of Directors did not meet in July due to the holiday. On the 4<sup>th</sup> of July the Board of Directors did hand out coloring books, crayons, stickers etc. for children. Brochures were handed out to the adults about Firewise and keeping your property that way. Special thanks to Jim and Joan Woodard for helping with this. The next meeting will be held August 1<sup>st</sup>, 2022 at 10:00 for Firewise and 11:00 for Public Safety.

C. **Firewise Community Board of Directors:** no discussion this round

D. **Parks & Recreation Committee:** Scotney Blackburn spoke and discussed working with Rocky Mtn Youth Corp on a grant for trails with the NM outdoor recreation division. The next meeting will be determined in the next few days and will be sent out then.

E. **Lodger's Tax Advisory Board:** No discussion this round

7. **REGIONAL REPORTS:** No Regional reports reported this meeting

8. **MAYOR'S REPORT:** Mayor Neil King thanked Mayor Pro Tom Whittman for extra work conducting the meeting today. He (Mayor Neil King) has been actively working on special reporting for water and sewer on what works and does not work to allow us to forecast as well. He will report back on this as soon as he has more information that is beneficial.

9. **STAFF REPORTS:**

**Administrator John Avila:** Reported that he would like to let people know about the NFL grants that Jalmar is conducting since Jalmar was not able to attend the meeting today. Also, the change in protection guidance for indoors is recommending that people indoors are masking up. The waste water treatment plant: we are still waiting for information from ( alpha ) for test results hoping that this will help with negotiations with work at the waste water treatment plant. Kachina Water tank the valve will be repaired. We are tasked with using funds from the ( ) The funds are not available yet, but when they are they will be utilized toward this project. Regarding the Village complex: there is information back on a police vehicle that was damaged. There should be an appraisal shared with how to use this? property to be discussed on the August meeting. As far as facility underground, there is a project started on the "Phoenix Coyote" which is a joint trench project that will get 3 utilities in the ground. Thank

you public works for marking and observing and assisting with getting this project done. TIDD projects are expected in August regarding the entry road development and will go in front of the council for approval of the design. As far as the underground work, there are projects to be considered. The hold up with 150 is permitting. If we don't get the green light from the US Forest Service, one option to us is to get easements from citizens to allow us to get on the frontage with 150 so we can get power in this way. These requests will be sent out to property owners if we can't go through the mountain.

**Finance:** There will be interviews held next week for the Finance Dept position. Out of 11 applicants we will be interviewing 8. These interviews will be conducted by John Avila, Tom Whittmann, and Morris Madrid.

**Police Chief Vigil:** No reports at this time

**Fire Chief Molina:** No reports at this

**Building Official Bowden:** (Jalmar Bowden out for training) Speaking on his behalf will be Scotney Blackhorn. The NFL Grant will be discussed with the Firewise Board of Directors at the August 1st meeting. They are taking bids for Contractors through the village website. The deadline is the 4<sup>th</sup> of August. They are also in the final stages of selecting properties in the Fire Mitigation Corridor. Once they have the contractors in line, there will be more information. The total # of private applicants that have applied are 56 to equal 83 parcels of private property. This is about 39 acres of private land. The total village parcels are 27 that equals 28 acres of village property. Mayor Pro Tom Whittmann asks Scotney how many Contractors have applied? Scotney response: 1. Cathy Bennett also asked Scotney if they have called any of the previous contractors that were on the original mitigation list? Scotney replied they have been working with the contractors list and sending out request for new interested contractors as well.

Council Caldwell asks: If Jalmar is still out evaluating properties? Scotney response: they have been evaluating properties since they have been getting applications. However, there are some properties that they have not been able to get to due to the properties being remote and they need assistance from the land owners. They also have received a few applications this week, but they are out of the application waiting period.

**Planning Director Nicholson:** No reports at this time (Out of Office)

**Public Works Director Martinez:** No reports at this time

**Clerk Wooldridge:** The next meeting we would like to select the council for a voting delegate for the annual municipal league conference resolutions committee. It is often an elected official if you would like to think about it. We have also hired a new deputy clerk that has started two weeks ago and is still in training.

**Attorney Baker:** No reports at this time

10. **OLD BUSINESS:** Council Caldwell asked when the drop-dead date for the Forest Service Permit in Amizette will be ready. When will we be able to move forward with the easement? John Avila response: If we don't get an answer by next week he will go down to ( ) If they don't approve the permit. We will then start to ask citizens for easements.

11. **NEW BUSINESS**

**A.** Special Meeting Friday July 29<sup>th</sup>, this is for the final budget approval for The deadline for this is July 31<sup>st</sup>, 2022.

**B:** Discussion of Draft 4<sup>th</sup> Quarter FY 2022 Financial Report: The 4<sup>th</sup> quarter report has not yet been drafted yet.

**C:** Discussion of Draft FY 2023 Final Budget: There shall be reports for an interim budget and Final Budget, this is all being completed. Morris will have these reports ready by Friday July 29<sup>th</sup>. No concerns at this time and is looking very good.

**D:** Discussion and Direction to Village Administrator to Proceed with contract Preparation for Rocky Mtn Youth Corp and \$35,000.00 Contribution- this is the grant that Scotney referred to earlier. On this budget document \$35,000.00 will be required from the Village if the grant is awarded. It is not a contract right now. Rocky Mtn Youth Corp does need some assurance if they do get the grant that the village will proceed with the funding to match the contribution. One question that was asked by Administrator Avila "is there capital expenses that can be spent on this versus the breakdown on the budget"? Rocky Mtn Youth Corp has not responded at this time. Just to be clear if we

do get the grant the \$35,000.00 is to be matched by the Village of Taos Ski Valley. This grant will be conducted next spring, if it approved. It was also asked by Cathy Bennett if this contribution would go against the anti-donation clause? Per Attorney Susan Baker she will need to get with administrator Avila regarding the anti-donation clause. There is additional information needed as this is in process in order to answer additional questions.

**E. Consideration to charge the cost of Village time and materials for Excavation Permit in the Right-of-way for private construction and utility extensions:** Administrator Avila has announced that for public utilities there is a charge for time and material, but this is not the case for private utilities such as Century Link and others that our in the village right of way. When these companies do make excavations in the right of way and not on private property which is a different story, they should be held to the same standard as everybody else is held to as far as public, in making sure that their time and materials are paid for, when they do a project in the right of way. This is to ensure that these expenses are being covered. This will ensure that it gets out to our utilities and private contractors that are in the public right-of-way. This will make a big impact on our community. We want to make sure that our folks are observing and making sure that the roads are being put back where they should be etc.

**F. Consideration to approve purchase of State Police Vehicles:** Virgil Vigil reports that he has looked around at other police departments and the governor's office for state vehicles. He has found 3 vehicles at \$12,000.00 each and an unmarked vehicle for \$17,000.00. They already will come caged and with radars. They do however have a lot of miles, but they were inspected by our local mechanic, and he did state that they were in good condition. They will also be able to fix them inhouse if anything goes out. Being the cost of vehicles now a days Chief Vigil feels that this is a good deal. This shall keep the police department on their feet for at least the next 3 years as they currently have two officers sharing one unit. They also do not have any back up vehicles. Administrator Avila states that this will be brought to the council attention and voted on and if approved it will be moved forward. Council Caldwell asks how many vehicles do we need? If we purchase 4 vehicles, how many spares will we have? Chief Vigil's stated that officer Justin vehicle is on its last leg and this vehicle will probably be faded out. This would leave us with one extra. Chief Vigil also mentioned that this would come out of the Law Enforcement Protection Fund which would come out of a grant and not a Village Fund. He thinks at least 3 vehicles are needed at this time. Council Caldwell appraised Chief Vigil for finding used vehicles, although he was thinking it may be better to just buy two new vehicles to combine with the vehicles we have already. Administrator Avila does mention that when new vehicles are purchased, sometimes the equipment needed costs as much as the vehicle.

Councilor Stagg would like to proceed to make a motion to further discuss the purchase of these vehicles.

First: Council Stagg

Second: Council Knox

Discussion: Council Stagg discussed that he would like to purchase new vehicles for the police officers, and he understands the cost of equipping them and he would like to applaud Chief Virgil on finding used vehicles. He think this would be a good option for a year or two. But he would really like to see as a village, we come up with a plan to purchase these new vehicles for the department and the village will be taken care of. Council Caldwell also agrees with council Stagg. He mentions one of his concerns was the water truck purchase and he feels like we spent a lot of money on this purchase. He would like to see these issues carefully handled so we don't wind up spending to much money on a misfit. Mayor Pro Tom Whittman then calls for a vote on the approval of purchasing these vehicles. Council Stagg reiterates the motion that this will be to approve the administration to pursue this purchase not actually purchase the vehicles. Vote is passed 4-0

**G. Consideration to approve Contract for an Avalanche Study-Contract with Wilbur Engineering/ Arthur Mears:** Administrator Avila states that a bid was posted for the Avalanche study and was extended a little bit. There was one response and qualified bidder, who was Wilbur Engineering. Wilbur Engineering has been awarded with the bid, but not the contract. The contract will need to be signed off on. Discussion: Council Caldwell would like to know what the study will encompass. Administrator Avila states that the study will show the updated zone that indicates avalanche dangers. We will be able to rely on this information going forward with construction projects, any buildings or housing will be protected and or outside of the avalanche zone. Council Caldwell asks what will happen with existing housing and people that live with in the avalanche zone. "Will they be notified"? Administrator Avila states that with the avalanche study being conducted this will be a part of the record and report. If someone is in this zone the building inspector can inform the people. But this wont affect people that already have a building in place. Council Stagg would like to know what the scope of this study is? Would this be to look at our current

planning and zoning, avalanche zones being updated, and what happens in other parts of the village or is this just updating current avalanche zones. Administrator Avila responds that he believes this will update all avalanche zones and will show where avalanches have more of a probability. They are not excluding any part of the village. Mayor Pro Tom Whitten also mentions that this study was conducted about 20 years ago using the same company. Vote is passed 4-0.

**12. MISCELLANEOUS:** Council Caldwell would like to inform everyone about the report from Anthony talking about the millions of gallons of water that were saved by repairing some lines in July, Kudos to Anthony.

**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 Special Council Meeting on Friday July 29, 2022 at 2:00 p.m. via Zoom. The next meeting of the Village Council Regular Meeting will be Tuesday August 23<sup>rd</sup> at 2:00 p.m.

**14. ADJOURNMENT**

**MOTION: To Adjourn**

**Motion: First: Councilor Knox**

The meeting adjourned at 2:58 p.m.

**Second: Councilor Caldwell**

**Passed: 4-0**

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Mayor Neal King

ATTEST:

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Ann M. Wooldridge, Village Clerk



**VILLAGE COUNCIL SPECIAL MEETING  
VIA ZOOM TELECONFERENCE  
DRAFT MINUTES  
TAOS SKI VALLEY, NEW MEXICO  
FRIDAY, JULY 29, 2022 2:00 P.M.**

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1. **CALL TO ORDER AND NOTICE OF MEETING:** The special meeting of the Village of Taos Ski Valley Council was called to order by Mayor Pro Tem Wittman. He will run the meeting at Mayor King's request.

Village Clerk Wooldridge asked the Council members to check their emails for the latest version of the meeting packet.

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

3. **APPROVAL OF THE AGENDA:**

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

**Motion:** Councilor Stagg

**Second:** Councilor Knox

**Passed:** 4-0

4. **NEW BUSINESS:**

**A.** Consideration to Approve **Resolution No. 2022-514** Requesting a Permanent Budget Adjustment (BAR) to the FY2022 Budget, Increasing Transfer into (63) USDA Loan, and Increasing Transfer out from General Fund (03) to Increase Budgeted Amount of Transfers to meet Hold Harmless GRT Revenues

Village Administrator Avila reported that the transfer is due to the Village collecting more Hold Harmless funds than budgeted. The Village received more GRT that needs to be transferred for the Hold Harmless fund.

**MOTION:** To approve **Resolution No. 2022-514** for the budget adjustment and transfer

**Motion:** Councilor Stagg

**Second:** Councilor Knox

**Passed:** 4-0

**B.** Consideration to Approve **Resolution No. 2022-515**, Approving the Fourth Quarter Fiscal Year 2022 Financial Report for the year ending June 30, 2022.

Village Administrator Avila said that the Fourth Quarter Fiscal Year Report for 2022 is being finalized today. The LGBMS report will be finalized in a few days. The DFA required a statement of electronic payment policy. A policy is being made available.

Councilor Caldwell inquired if there were any changes in the Final Financial Report reported a week ago at the regular Council meeting. Interim Finance Director Madrid reported that there have been changes that are listed in the new updated report. The final cash balances all changed to actual, and some of the transfers have changed for

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things that had not been recorded for June.

**MOTION:** To approve Resolution No. 2022-515, Approving the Fourth Quarter Fiscal Year 2022 Financial Report for the year ending June 30, 2022.

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

C. Consideration to Approve Resolution No. 2023-516, a Resolution requesting Approval of the Fiscal Year 2023 Final Budget:

Interim Finance Director Madrid reported that the ending balances in the FY 2022 Financial report total \$8,369,996.54. This is also the beginning balance of the budget for FY 2023. These two balances are very critical. If the two balances do not match up the budget will automatically be rejected. There are four negative ending balance projections, which is not allowed. The Village would like to elaborate on the transfers that need to be incorporated in the motion, so that the Council is authorizing these in the final documents.

1. Water Fund: Needs to be cured by reducing the amount transferred from the water fund into reserves.

2. Sewer: Transfer of \$180,000.00 from the general fund

3. EMS Dept: Transfer of \$26,000.00 from the general fund

4. Parks & Rec: Transfer of \$1,000.00 from the general fund

The transfers are required in order to get the budget approved.

**MOTION:** approve the budget FY 2023 and the recommended transfer of Funds

**Motion:** Councilor Stagg      **Second:** Councilor Caldwell

Councilor Caldwell requested that it be noted that these transfers have occurred out of the general fund.

**The vote was called.**      **Passed:** 4-0

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

Administrator Avila reported there were two contracts the Village was not able to report on in the last Council meeting. These contracts are NTE ( Not to Exceed) amounts for:

1. The Chamber of Commerce Contract

2. Waste Management Contract: automatic renewal

The increases on these contracts are far less percentage than the actual expense.

(Revenue over Expense) which was about 20% higher last year. The Village has room for a 6% increase this year.

**MOTION:** To Approve the Renewal of Village Annual Outside Contractor Agreements

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

Administrator Avila stated that the increase on the Waste Management contract is 6%, not to exceed \$75,000.00 total. Last year the Village did better than 20% revenue vs expense.

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5. **ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING OF THE VILLAGE COUNCIL:** The next meeting of the Village Council will be held on August 23, 2022 at 2:00 pm via Zoom.
6. **ADJOURNMENT**

Meeting packet can be viewed on the Village web site at  
<https://www.vtsv.org/village-government/village-council/meetings-agendas-minutes/>

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

Village of Taos Ski Valley  
Village Council  
Agenda Item

**AGENDA ITEM TITLE: Confirmation of the Persons Who Shall be Employed by the Municipality including the Appointed Offices**

DATE: August 23, 2022

PRESENTED BY: Ann M. Wooldridge, Village Clerk

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

**BACKGROUND INFORMATION:** After an election, the governing body must hold an organizational meeting. The Mayor Pro Tem was appointed and confirmed at the April 15, 2022 meeting and it is now necessary for the Council to confirm the appointive offices of the municipality, as well as to confirm the names of persons who shall be employed by the municipality.

The Governing Body should appoint and affirm staff to the offices of Clerk, Treasurer, Police Chief, and Manager. These are Ann Wooldridge as Clerk, Carroll Griesedieck, a new hire, as Treasurer, Virgil Vigil as Police Chief, and John Avila as Village Administrator. NMSA 3-11-5A, in part states "the mayor shall submit for confirmation by the governing body, the names of persons who shall fill the appointive offices of the municipality and the names of persons who shall be employed by the municipality."

Besides Carroll Griesedieck as Treasurer, other recent new hires include Marlene Salazar as Deputy Clerk/Public Works Administrative Assistant, Mitch Daniels as Firefighter, and Justin Arellano as Public Works Laborer/Equipment Operator. The slate of employees is attached.

**RECOMMENDATION:**

A motion and vote are needed to confirm the names of persons who shall fill the appointive offices of the municipality and the names of persons who shall be employed by the municipality. The appointed employees will take their oaths of office following the Council meeting.

## **Ann Marie Wooldridge**

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**From:** Anthony Martinez  
**Sent:** Thursday, August 18, 2022 4:54 PM  
**To:** John Avila  
**Cc:** Ann Marie Wooldridge  
**Subject:** New hire - Justin Arellano

John,

I received an application for Public Works Utility Worker that had been advertised. Through an interview process conducted with Gabe Vasquez, Kevin Cisneros, and me, we believe that Mr. Justin Arellano would be a good assist for the Village of Taos Ski Valley. Mr. Arellano has experience with heavy equipment and is very familiar with the Village of Taos Ski Valley. Mr. Arellano will be hired for a full-time position of 40 hours at \$15.00 an hour. Your consideration on Mr. Arellano's employment would be greatly appreciated. Thank you

Anthony J. Martinez  
Public Works Director  
Village of Taos Ski Valley  
Office: (575) 776-8220 Ext. 7  
Cell : (575) 776-4620

## Ann Marie Wooldridge

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**From:** Virgil Vigil  
**Sent:** Thursday, August 18, 2022 1:54 PM  
**To:** John Avila; Ann Marie Wooldridge  
**Cc:** Lisa Olsen RMM; groupsales@snakedancecondos.com  
**Subject:** New hire

**Categories:** Red Category

Hello john, I received an application for the Firefighter position that had been advertised. I feel it would be a good decision if we hire the applicant, Mr. Mitch Daniels,. Mr. Daniels if a former VTSV Fire Chief and would bring a great deal of knowledge and experience to the VTSV-Fire Department. Mr. Daniels has also agreed to assist on administration duties. Mr. Daniels will be hired on 20 hours a week at \$25.00 an hour and his position will be reevaluated in six month after his probation period. I'm requesting Mr. Daniels be hired effective on 8/18/2022 since he has been interviewed and background is clear. Your consideration on this matter is greatly appreciated..

## VILLAGE OF TAOS SKI VALLEY EMPLOYEE LIST

Employee	Job Title
Archuleta, Pablo K	Labor Equipment Operator
Arellano, Justin	Labor Equipment Operator
Avila, John A	Administrator
Bowden, Jalmar	Building Inspector
Cisneros, Kevin G	Labor/Equip operator
CRAVEN, DAMEAN R	Laborer/Equipment Op
Daniels, Mitch	Firefighter
Gladeau, Jimmy R	Police Officer
Gonzales, Ray	EMT/Fire
Griesedieck, Carroll	Finance Director
Hutter, Justin W	Police Officer
Martinez, Anthony J	PW Director
Nicholson, Patrick D	Planner
Romero, Adam L	Labor equipment operator
ROMERO, RENEE S	Admin Assistant
Salazar, Marlene Y	Deputy Clerk/PW Admin Assistant
Salazar, Robert B.	Police Officer 2
Sanchez, Fabian I	Labor/Equipment Operator
Vasquez, Gabriel	Mechanic-Equipment operator
Vigil, Virgil T	Public Safety Director
WOOLDRIDGE, ANN MARIE	Village Clerk



**MUNICIPAL CLERKS: PLEASE DISTRIBUTE COPIES TO YOUR  
ENTIRE GOVERNING BODY**

TO: MAYORS/GOVERNING BODY MEMBERS  
FROM: A.J. Forte, Executive Director  
SUBJECT: 2022 ANNUAL CONFERENCE VOTING DELEGATES  
DATE: July 25, 2022

The 65<sup>th</sup> Annual Conference of the NM Municipal League will be held August 31<sup>st</sup> through September 2<sup>nd</sup> in Albuquerque.

At the Annual Business Meeting on Thursday, August 1<sup>st</sup>, a President Elect, Vice President, Treasurer and three Directors-at-Large for a 2-Year Term will be elected. Also, the *Annual Statement of Municipal Policy and Annual Resolutions* will be adopted.

Each member municipality in good standing that is registered and attending the Annual Conference shall be entitled to one delegate vote in electing officers, deciding municipal policy and voting upon all other questions at the Annual Business Meeting. A municipality in good standing means that at least one-half of the municipality's current League annual dues must have been paid prior to or at the Conference. The vote of the municipality is cast by the Voting Delegate (or in her/his absence, the Alternate) who is selected by the governing body of the municipality.

The Annual Business Meeting will be conducted in accordance with Robert's Rules of Order Revised, and the Annual Business Meeting Rules and Procedures, which shall govern the actions and deliberations of the League membership assembled in convention. Attached for your information are the *Policy Process Outline and the Annual Business Meeting Rules and Procedures*.

Please place the selection of a Voting Delegate and Alternate on the agenda of your next official governing body meeting. The Voting Delegate and Alternate must be persons planning to attend the Conference. Once they are selected, enter the names and titles of the Voting Delegate and Alternate for your municipality and return this form to the League Office no later than Friday, August 26, 2022.

This is not an official registration form for the Annual Conference for either the Voting Delegate or the Alternate. Delegates must register for the Conference online.

Voting Delegates & Alternates must check in with NMML Staff at the Credential's Desk at the Conference.

Municipality: \_\_\_\_\_

Voting Delegate: \_\_\_\_\_ Title: \_\_\_\_\_

Alternate: \_\_\_\_\_ Title: \_\_\_\_\_

Approved By: \_\_\_\_\_

**RETURN BY AUGUST 26, 2022 to:**

Jackie Portillo, Support Services Coordinator  
NM Municipal League  
P.O. Box 846 - Santa Fe, NM 87504  
jportillo@nmml.org  
Fax: 505-984-1392

**John Avila**  
**Village Administrator**  
**Village of Taos Ski Valley Council**  
**Monthly Briefing**  
**August 23, 2022**



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

**COVID -19 - Pandemic Emergency:**

The Village offices are open Monday- Friday and staff will be present since the caution to distance and the option to work from home are not needed.

Although the COVID pandemic continues to take a toll, the CDC and NM DOH have relaxed prevention and rely on the vaccination rate to maintain safety standards. Masks indoors are not required, although wearing mask for consideration and caution is understood.

“CDC acknowledges that high levels of immunity from vaccines and infections, along with the availability of other preventive tools, have reduced the risk of severe illness from COVID-19.

Individuals should understand their risk factors and what is the best way to keep themselves safe. The CDC is moving away from the emphasis on social distancing and focusing on providing information on treatment options, better ventilation practices and knowing high risk environments. Individuals are also encouraged to stay up to date with their vaccinations and boosters to provide the best level of protection.

For those exposed to COVID:

- Immediately take precautions, like wearing a mask, for 10 full days.
- Take a test 5 days after your exposure, regardless of symptoms. If negative, continue precautions for 5 days. If positive, follow isolation guidance.
- Quarantining, regardless of vaccination status, is no longer required.

For those who test positive for COVID-19:

- If you do not have symptoms, day 0 is the day you were tested, and you should stay home and isolate for at least 5 days.
- If symptoms develop, the isolation time resets to 0 on the day symptoms begin and you must isolate for at least 5 days.
- If you experience moderate or severe illness such as shortness of breath, difficult breathing, need to be hospitalized, or are immunocompromised, isolation should be through day 10.
- Following isolation period, masks should be worn until day 10 or until you test negative twice with 48 hours in between tests”.

## Facility Undergrounding

Plans, Traffic Notice and updates are available on the Village Website:

The completion of the joint trenching from Phoenix Switchback, down Chipmunk, through Coyote Lane is nearing completion. This link for KCEC is supposed to allow several overhead lines to be made redundant once nearby properties are connected. Mapping of the project is available on the Village web site.

The next KCEC underground trench is planned for the Emma – Gusdorf ally way to connect several homes on the north side of NM150 in Amizette. The KCEC fees have been paid and the contractor awaits Notice to Proceed.

The latest status on Kit Carson Electric Perimition through US forest Service and NM Department of Transportation has been “Under Consideration” in the USFS offices no date for approval is expected. Access to dig the trenches is the last hurdle, as the fee to KCEC is paid and the contractor is waiting Notice To Proceed. To that end private utility easements may be the only way to get the project underway this year.

The project to finish undergrounding KCEC on Upper Twinning is the other project to be completed. KCEC fees have been paid and the contractor is waiting Notice to Proceed.

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. 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

A plan for mitigating the issues with the equipment at the Wastewater Treatment Plant is being finalized by Integrated Water Solutions for the Ovivo plant and to be ready for the Council to consider at the next Council meeting

## Kachina Water Tank –

An item on the Agenda to accept a plan for installing meters to guage more accurately possible loss locations on the water system and prioritizing repair projects also, helps inform the Asset Management Plan, The Water Conservation Plan and the Kachina Tank distribution. Initial planning for the pump



station is started through our On Call Contractor and expected in time to procure construction in the Spring

### **Village Hall Complex –**

Removal of fallen Trees and mitigation against weather and animal damage had to be completed. The insurance adjuster has recently visited the site for assessment of the damage and we understand that the NM Self Insured Fund Adjuster will have a ruling on the cost for repair by middle of September.

The disposition of the Village Complex property is an agenda item and the appraisal of market value with all the repairs completed is attached for that item.

Meanwhile, the Village staff have come to depend on the facility; from Public Safety Offices to the ongoing use for emergency and employee housing.

### **TIDD –**

The Completed Master Meter Plan for repair of system losses is an agenda item for action. It is anticipated that TSVI will submit the project as a TIDD eligible expense.

The Entryway Road, is also a anticipated TIDD eligible project that is expected to start with underground KCEC electricity trenching,

### **Items**

- A letter of support for Kit Carson Electric to apply for grant funding of electric fueling stations is requested of the Village (KCEC is asking for your help in applying for funding for level 3 EV fast chargers in the Enchanted Circle)
- The yearly agreement for subsidizing North Central Regional Transportation District routes to the Village is pending for the upcoming Ski Season. The proposal will be heard at the NCRTD next month. Past years have included Town and County contributions and need to be approved for this year.

## Taos Ski Valley 341 Winter FY 2022

### Expenses

Daily bus Service (100 days)	\$150,140
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### Income

RTGRT, 5311 Contribution (NCRTD)	\$63,000
VTSV Contribution	\$87,140
Town of Taos Contribution	\$0
Taos County Contribution	\$0
<b>Total</b>	<b>\$150,140</b>

- NCRTD invitation to new facility:

The North Central Regional Transit District respectfully invites you to join us and officials from the Federal Transit Administration on Thursday, September 15 at 11:30 AM as we celebrate the dedication of our new \$11 million maintenance facility, wash bay and fueling station with a ribbon cutting, lunch and music in Española. This ribbon cutting represents the culmination of a 9-year endeavor in achieving this milestone.



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](mailto:vtsv@vtsv.org) Website: [www.vtsv.org](http://www.vtsv.org)

**Mayor:** Neal King  
**Council:** Brent Knox, J. Christopher Stagg,  
Henry Caldwell, Thomas Wittman  
**Administrator:** John Avila  
**Clerk/Treasurer:** Ann M. Wooldridge

To: Whom It May Concern  
From: John Avila,  
Village Administrator  
Date: August 22, 2022  
Re: Support KCEC for ARPA

I am writing to express my support of Kit Carson Electric Cooperative, Inc.'s (KCEC) submission in response to the New Mexico Department of Transportation (NMDOT) – American Rescue Plan Act of 2021 – Installation of Electric Vehicle (EV)

DC Fast Charging stations across New Mexico Under the NMDOT Level 3 Direct Current Electric Vehicle Charging Station Grant Program (DC Fast EV Charging Grant Program) with a minimum of 50kW per port while simultaneously charging.

The installation of EVs would be a major benefit for northern New Mexico. KCEC's service territory and visitors will enjoy cleaner air. The positive environmental and human health impacts of deploying electric vehicles in northern New Mexico will be improved by the fact that EVs will run on 100% solar energy during the day. KCEC's energy mix is currently 60% solar during peak sunlight hours, and several solar array and battery storage projects are underway, putting KCEC on track to achieve their goal of 100% daytime solar by the end of August.

Owners of electric vehicles will benefit from lower operating costs, the convenience of not having to refuel gas daily, lower maintenance costs, and smoother, and quieter rides for passengers. KCEC has already installed 18 solar arrays and 26 electric vehicle (EV) charging stations in the Enchanted Circle. In April 2021 KCEC created a Beneficial Electrification Plan Work Group to draft an EV transportation Plan and find ideal charging station locations throughout northern New Mexico. There was a lot of interest by the group to consider installation of EV charging stations. By the end of 2022 KCEC will have installed 50 EV charging stations. The installation of EV DC Fast Charging stations is an exciting opportunity for our community with a daily average of 10,000 visitor reducing the impact is critical and we look forward to the expansion of zero-emission vehicles.

Thank you in advance for your consideration of KCEC's application. I fully support KCEC's efforts and application for the New Mexico Department of Transportation Level 3 Direct Current Electric Vehicle Charging Station Grant Program Application and look forward to the implementation EV DC Fast Charging stations and the benefits it will bring to our rural communities.

Sincerely,

John Avila

# VILLAGE OF TAOS SKI VALLEY

## Profit & Loss Prev Year Comparison

### July 2022

Ordinary Income/Expense	Jul 22	Jul 21	\$ Change	% Change
<b>Income</b>				
4016 · Revenue - GRT ITG Telecom	25.53	0.00	25.53	100.0%
4017 Revenue GRT Comp Tax	325.70	0.00	325.70	100.0%
4012 · REVENUE -Water Sales	14,533.88	7,808.87	6,725.01	86.1%
4013 · Revenue - Sewer	58,135.50	31,235.52	26,899.98	86.1%
4018 · REVENUE- GRT HB 6	0.00	126.67	-126.67	-100.0%
4019 · REVENUE-Hold Harmless GRT	6,426.90	10,081.12	-3,654.22	-36.3%
4020 · REVENUE - GRT MUNICIPAL	22,317.32	68,454.60	-46,137.28	-67.4%
4021 · REVENUE - GRT - STATE	35,514.46	0.00	35,514.46	100.0%
4026 · REVENUE - BUSINESS LICENSE	275.00	1,855.00	-1,580.00	-85.2%
4027 · REVENUE - OTHER	18,283.29	22,766.88	-4,483.59	-19.7%
4028 · REVENUE - GASOLINE TAX	417.00	417.00	0.00	0.0%
4029 · REVENUE - LODGER'S TAX	17,692.23	18,245.95	-553.72	-3.0%
4031 · REVENUE - PARKING FINES	0.00	25.00	-25.00	-100.0%
4034 · REVENUE - MOTOR VEHICLE FEES	3,131.86	1,514.15	1,617.71	106.8%
4035 · REVENUE - BUILDING PERMITS	24,488.16	1,740.00	22,748.16	1,307.4%
4036 · REVENUE -Licenses/Permits Other	10.00	0.00	10.00	100.0%
4037 · REVENUE - GENERAL GRANTS	0.00	6,304.50	-6,304.50	-100.0%
4046 · REVENUE - SOLID WASTE FEE	5,516.33	2,772.49	2,743.84	99.0%
4047 · REVENUE - OTHER OPERATING	1,990.15	1,371.45	618.70	45.1%
4058 · Plan Review Fees	3,289.90	302.25	2,987.65	988.5%
4059 · Proceed NMFA Issuance of Debt	0.00	454,115.50	-454,115.50	-100.0%
4100 · Miscellaneous Revenues	0.00	3,806.56	-3,806.56	-100.0%
4110 · Misc Revenue- TIDD reimburse	0.00	3,806.56	-3,806.56	-100.0%
<b>Total 4100 · Miscellaneous Revenues</b>	0.00	3,806.56	-3,806.56	-100.0%
4190 · Rental Fees	0.00	1,000.00	-1,000.00	-100.0%
7004 · REVENUE - FINANCE CHARGE ON W/S	95.72	54.20	41.52	76.6%
7005 · REVENUE - INTEREST INCOME	0.00	556.02	-556.02	-100.0%
7006 · REVENUE -INVESTMENT INTEREST	0.00	7.81	-7.81	-100.0%
7010 · REVENUE - AD VALOREM TAX	10,828.51	5,661.76	5,166.75	91.3%
9000 · BEG. BALANCE	0.00	0.00	0.00	0.0%
<b>Total Income</b>	223,297.44	640,223.30	-416,925.86	-65.1%
<b>Gross Profit</b>	223,297.44	640,223.30	-416,925.86	-65.1%
<b>Expense</b>				
6100 · Salary and Benefits	81,107.22	77,253.45	3,853.77	5.0%
6112 · SALARIES - STAFF	2,626.14	2,626.14	0.00	0.0%
6113 · SALARIES - ELECTED	2,206.84	102.70	2,104.14	2,048.8%
6115 · Overtime salaries	18,054.82	17,766.65	288.17	1.6%
6122 · HEALTH INSURANCE	5,227.07	4,853.00	374.07	7.7%
6125 · FICA EMPLOYER'S SHARE	125.84	91.90	33.94	36.9%
6127 · SUTA STATE UNEMPLOYEMENT	3,829.31	7,308.93	-3,479.62	-47.6%
6128 · PERA Employer Portion				

# VILLAGE OF TAOS SKI VALLEY

## Profit & Loss Prev Year Comparison

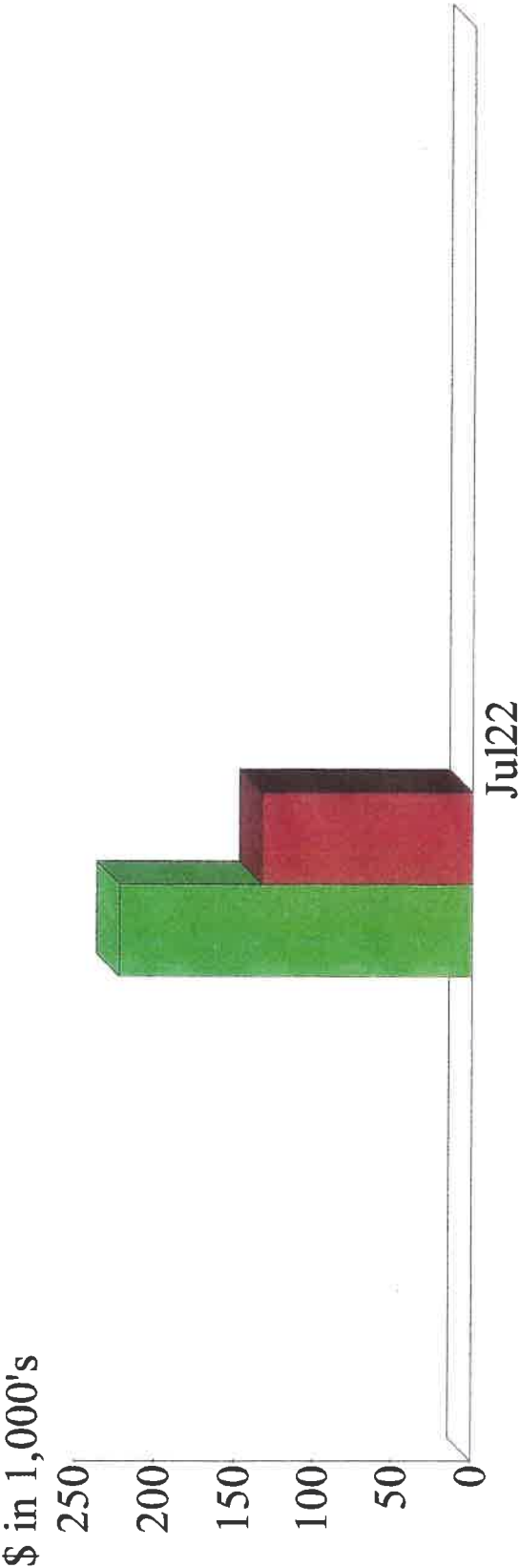
### July 2022

	Jul 22	Jul 21	\$ Change	% Change
6130 · HEALTH INCENTIVE - SKI PASS/GYM				
6133 · Life Insurance	0.00	300.00	-300.00	-100.0%
6134 · Dental Insurance	79.56	79.58	-0.02	0.0%
6135 · Vision Insurance	1,182.75	1,140.73	42.02	3.7%
6136 · FICA -EMPLOYER SHARE MEDICARE	207.50	200.35	7.15	3.6%
	1,222.45	1,134.99	87.46	7.7%
Total 6100 · Salary and Benefits	115,869.50	112,858.42	3,011.08	2.7%
6220 · OUTSIDE CONTRACTORS				
6230 · LEGAL SERVICES	52.53	29,819.58	-29,767.05	-99.8%
6251 · WATER PURCHASE, STORAGE	0.00	1,779.94	-1,779.94	-100.0%
6252 · INTERNET	0.00	93.53	-93.53	-100.0%
6253 · ELECTRICITY	537.94	711.84	-173.90	-24.4%
6256 · TELEPHONE	20.00	6,485.05	-6,465.05	-99.7%
6257 · RENT PAID	606.76	1,236.31	-629.55	-50.9%
6258 · WATER CONSERVATION FEE	0.00	750.00	-750.00	-100.0%
6259 · Natural Gas	0.00	76.20	-76.20	-100.0%
6270 · LIABILITY & LOSS INSURANCE	0.00	396.56	-396.56	-100.0%
6310 · Advertising	0.00	5,418.00	-5,418.00	-100.0%
6312 · CHEMICALS & NON DURABLES	551.57	0.00	551.57	100.0%
6313 · MATERIAL & SUPPLIES	0.00	2,421.97	-2,421.97	-100.0%
6314 · Dues/fees/registration/renewals	174.00	735.69	-561.69	-76.4%
6315 · BANK CHARGES	0.00	1,253.81	-1,253.81	-100.0%
6316 · Software	0.00	195.26	-195.26	-100.0%
6317 · Personal Protective Equipment	37.19	0.00	37.19	100.0%
6318 · Postage	0.00	-262.80	262.80	100.0%
6322 · SMALL EQUIP & TOOL PURCHASES	0.00	165.00	-165.00	-100.0%
6417 · VEHICLE MAINTENANCE	357.42	0.00	357.42	100.0%
6418 · FUEL EXPENSE	-12,253.01	143.88	-12,396.89	-8,616.1%
6432 · TRAVEL & PER DIEM	106.41	646.35	-539.94	-83.5%
6434 · TRAINING	0.00	0.00	0.00	0.0%
6570 · Other Operations Expenses	371.69	0.00	371.69	100.0%
6716 · LAB TESTING SERVICES	1,249.86	1,585.08	-335.22	-21.2%
8322 · CAPITAL EXPENDITURES	0.00	1,393.05	-1,393.05	-100.0%
8428 · Debt Service GRT FY2020 repay	0.00	0.00	0.00	0.0%
8430 · USDA FY20 Interest Expense	2,596.65	2,596.65	0.00	0.0%
8431 · USDA FY20 Principal Expense	13,986.69	14,210.94	-224.25	-1.6%
	9,891.31	9,667.06	224.25	2.3%
Total Expense	134,156.51	194,377.37	-60,220.86	-31.0%
Net Ordinary Income	89,140.93	445,845.93	-356,705.00	-80.0%
Other Income/Expense				
Other Expense				
9001 · TRANSFER TO (IN) FUND	-28,548.93	-57,379.19	28,830.26	50.3%
9002 · TRANSFER FROM (OUT) FUND	28,548.93	57,379.19	-28,830.26	-50.3%
Total Other Expense	0.00	0.00	0.00	0.0%

**VILLAGE OF TAOS SKI VALLEY**  
**Profit & Loss Prev Year Comparison**  
**July 2022**

	Jul 22	Jul 21	\$ Change	% Change
Net Other Income	0.00	0.00	0.00	0.0%
Net Income	89,140.93	445,845.93	-356,705.00	-80.0%

# Income and Expense by Month July 2022



## Income Summary July 2022

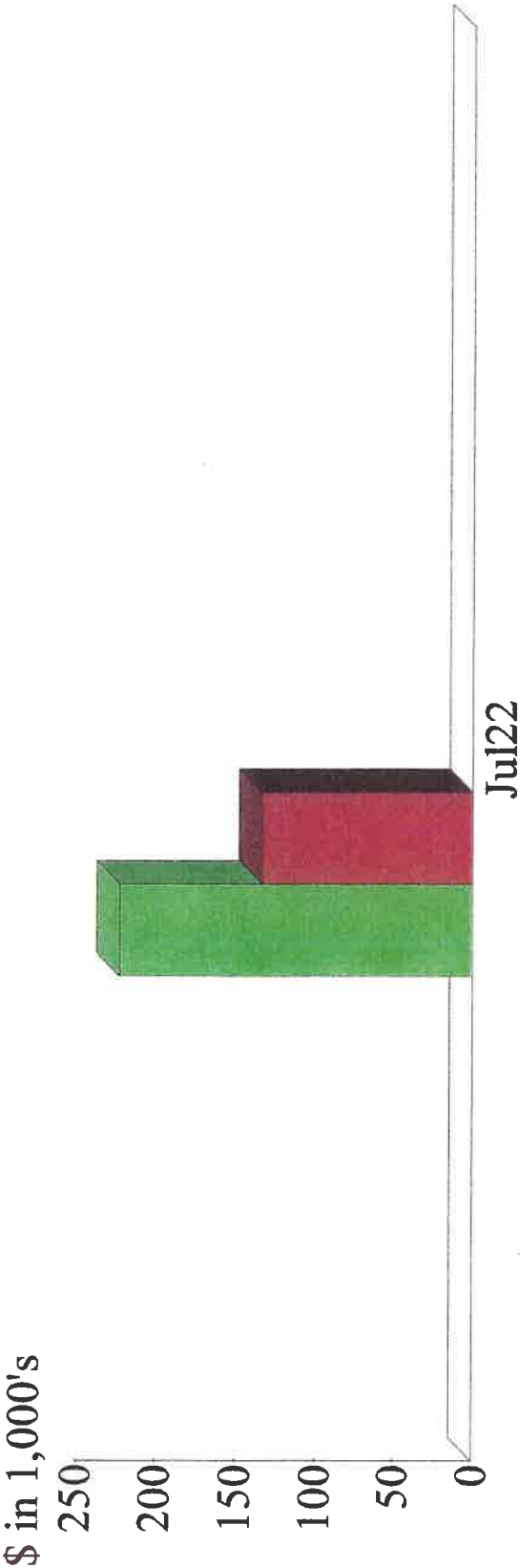


4013 · Revenue - Sewer	26.04%
4021 · REVENUE - GRT- STATE	15.90
4035 · REVENUE - BUILDING PER	10.97
4020 · REVENUE - GRT MUNICIPAL	9.99
4027 · REVENUE - OTHER	8.19
4029 · REVENUE - LODGER'S TAX	7.92
4012 · REVENUE - Water Sales	6.51
7010 · REVENUE - AD VALOREM T.	4.85
4019 · REVENUE-Hold Harmless GR	2.88
4046 · REVENUE - SOLID WASTE F.	2.47
Other	4.28
Total	\$223,297.44

By Account

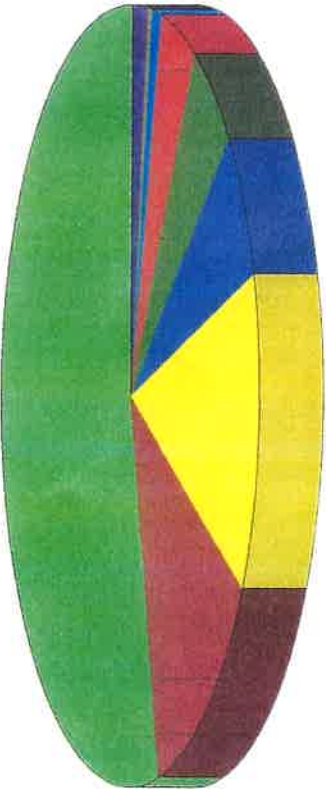
# Income and Expense by Month

## July 2022



# Expense Summary

## July 2022



By Account

6100 · Salary and Benefits	66.23%
9001 · TRANSFER TO (IN) FL	\$-28,548.93
9002 · TRANSFER FROM (OUT) FL	16.32
8430 · USDA FY20 Interest Expense	7.99
6417 · VEHICLE MAINTENA	\$-12,253.01
8431 · USDA FY20 Principal Expense	5.65
8428 · Debt Service GRT FY2020 repa	1.48
6570 · Other Operations Expenses	0.71
6256 · TELEPHONE	0.35
6310 · Advertising	0.32
Other	0.95
Sub-Total	\$134,156.51



# ANNUAL FINANCIAL AUDIT OF THE VILLAGE OF TAOS SKI VALLEY

## **Why do we do an annual audit?**

The State Auditor is required by New Mexico Law to conduct annual financial audits of all governmental agencies in New Mexico. The State Auditor is responsible for ensuring the competency of audit firms and quality of audit reports submitted for review. An audit is neither official nor public until the State Auditor reviews and certifies the report for release. Copies of each audit are then sent to the Secretary of the Department of Finance and Administration and the Legislative Finance Committee.

## **What is an audit?**

An audit is a thorough examination of the financial accounts and transactions of an entity that is conducted by an independent public body. The State Audit Act further specifies that the audit "shall be conducted in accordance with generally accepted auditing standards and rules issued by the State Auditor".

## **What are the possible results of the audit?**

The Independent Public Accountant (IPA) will express an opinion on the results of the audit. There are three types of opinions:

1. Unmodified – The financial statements present fairly, in all material respects, the position and results of operations. This is highest level of opinion.
2. Modified – There are two types of Modified Opinions:
  - a. Qualified – The financial statements are presented fairly "except for the effects of certain items" which will be identified and presented within the audit report.
  - b. Adverse – The financial statements "do not present fairly the position and results of operations".
3. Disclaimer Opinion – The IPA is unable to obtain enough good audit evidence to express an opinion on the financial position and results of operations.

**Audit Findings:** If the IPA identifies conditions or issues that may be of concern, but do not affect the overall opinion of the audit, the IPA may issue "findings" to be noted in the audit report. Entities are allowed to respond to findings and expected to address these concerns in subsequent years.

## EXAMPLES OF LOCAL GOVERNMENT FINANCE AND ADMINISTRATION

1. NMSA 6-6-2 Local Government Act allows the New Mexico Department of Finance and Administration (DFA) to require each local public body to file a proposed interim budget and final budget for the next fiscal year. Both approvals by DFA are legally binding documents and compliance with them is mandatory. Interim budgets must be submitted by June 1<sup>st</sup> and final budgets are due July 31<sup>st</sup>. Failure to meet either deadline will result in an audit finding.
2. On a daily basis, the Chief Financial Officer is responsible for the Village compliance with NMSA 1.4.1.1 The State Procurement Code. The Code defines the legal thresholds and regulations for the procurement of goods and services by a government entity in the State of New Mexico. This is determined by the dollar amount and type of goods and/or services required. Non-compliance is grounds for an audit finding and, depending on the severity, may be considered a prosecutable offense.
3. NMSA 2.42.2.1 The Mileage and Per Diem Act governs the payment of per diem rates and mileage and the reimbursement of all expenses for officers and employees of local public bodies. Again, non-compliance with the Act will result in an audit finding.
4. NMSA 2.2.2.1 The State Audit Act establishes requirements for contracting and conducting audits for governmental entities of the State of New Mexico. Local public bodies, and the New Mexico State Auditor, are responsible for compliance with the Act.
5. NMSA 2.60.4.1 Regulates the Investment, deposit, and collateral requirements for public bodies in the State of New Mexico. Compliance of this statute is monitored by both the Department of Finance and Administration and the Independent Public Auditor.

Monthly Public Safety Report

Jul-22

Law Enforcement	R. Salazar	J Gladeau	J. Hutter	V. Vigil	Totals	Last Year
911 Hang up			1			1
Abandoned Vehicle						0
Alcohol Offense - Adult						1
Animal Calls	1					4
Arrests			1			0
Assists to other Agencies	1	2	1		3	7
B&E /Burglary						0
Battery or Assault						0
Business Alarm	1					4
Citizen Assists/Contacts	83	80	32		45	39
Civil Stand-by/Civil Complaint						0
Disorderly /Disturbance					1	1
Domestic Calls						0
Embezzlement						0
Foot Patrol Hours	25	30	12		20	58
Found/Lost Property						0
Fraud Complaint						1
Harassment						0
Health Orders						0
Larceny						0
Law Unknown/Information						0
Missing Adult/Person						1
MVC's	1		1			2
Narcotics Adult						0
Natural Diasters						0
Parking Citations	1	1				0
Private Property Crash						0
Reckless Driver	2					0
Residential Alarm	1	2	1			1
Shots Fired						1
Suicide Subject						0
Suspicious Persons/Vehicles	2					8
Theft						0
Traffic Enforcement Hours	28	24	24			61
Traffic Hazard	4					3
Traffic Stops	17	21	7			12
Tresspass Warnings						1
Vehicle Theft						0
Verbal Warnings	4	14	6			19
Welfare Check						3
Written Citations	5	6	2			0
Written warnings	12	1	1			6
Fire/EMS		1	2	3		2

### **Monthly Accomplishments for July 2022**

- Operation plans were established and executed for the Car show on fourth of July weekend and for the Fourth of July events. The events went without incident, however a vehicle rollover with minor injuries occurred at about mile marker 11 on State Road 150 on the 4 of July. Taos County Sheriff's Office handled the call, but we assisted on traffic control.
- Sgt Maggard was able to offer 3 equipped used Police units at a cost of \$12k a piece. Arrangements were made to inspect the units in Santa Fe New Mexico on July 17,2022. Our Village of Taos Ski valley Fleet mechanic and myself inspected and drove the vehicles and we found to be in good shape. Arrangements from the Village Council to purchase the vehicle from the LEPF Grant Fund was obtained and approved.
- Appointment as the Director of Public Safety was established and accepted at the Village Council Meeting on 7/26/2023

### **Items In progress for August**

- As Director of Public Safety, I will work on rebuilding the EMS/ Fire Department and regain better communications with Taos Ski Valley Inc. and Mogul Medical to gain better trust from the community. I will meet with the supervisors to let them know what my plans are and to get information on how we can improve these departments to better serve the community.
- Officer Salazar and I were able to obtain a Venue for the Two Active shooter courses that will be on July 27,2022 and July 28, 2022 for 1-5 pm., however these courses were rescheduled for august 10 and 11 due to staffing issues. These courses will be offered to Village of Taos ski Valley employees and Village residents and surrounding business.
- Speed Enforcement was in force to combat speeding and other traffic violation in the Village of Taos Ski Valley. Multiple citation for traffic violation were issued.
- Officer Hutter passed his Emergency Medical Response Training Course this month, and will be taking the State Exam to receive his license.

# Report for Taos Ski Valley Fire Rescue

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## Month of June

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### Calls

- Fire Calls
  - 1 wildland 1-gas leak on twining
- EMS/SAR
  - 1 MVA
  - 3 EMS assist of Taos County Ambulance

Total of 5 calls for the month of June

Total calls year to date are 57

Council report through August 18, 2022

Inspections performed residential: 12

Inspection in response to complaint: 0

Enforcement actions: 2

Inspections performed multi-family and commercial: 14

Permits issued since last council report:

1\_ new residential building.

3\_ residential repair/remodel

0\_ residential demolition

0\_ new commercial buildings permitted.

3\_ commercial or multifamily repair/remodel permitted.

0\_ demolition commercial permitted.

9\_ Projects currently in application or submission review.

1\_ Commercial projects in discussion of pending submission.

Narrative of other activities:

1. In discussion with contractor to schedule repair of 2 unit building at Village Complex. The tree was removed from Unit 1 on July 27 as rescheduled. It was visited Thursday August 18 by insurance adjuster. Initial verbal report is that unit is a total loss. Repair would be stripping it to slab for rebuild.
2. Update of the Non-Federal Lands Grant. Contractor response was good with most willing to participate during September and October. Viewing of properties by contractors will be progressing through this last week of August and beginning mitigation activities first week of September.
3. Foundation work is in progress at the new Mogul Medical and shoring activities are complete at Firehouse/Admin building site.
4. Re-scheduling removal of the tree that fell on Village Complex during April 22 wind event was required due to covid transmission involving the crew, the new date is July 27.
5. Scotney Blackburn will be completing her term of Americorps service with the Village. As many in the Village are aware she has been instrumental in the success to this point of the NFL Grant and has contributed in several other positive ways to further the goals of the Village.

**Planning & Community Development Department**  
**Monthly Report to the Village Council**  
**August 2022**

Projects Updates and Key Initiatives:

**Twining Road Reconstruction Project** - Construction funding request presentation to the Northern Pueblos Regional Transportation Planning Organization (NPRTPO) in May. Project ranked 2<sup>nd</sup> overall by vote of regional municipalities, tribes, and counties. Awaiting results of the application package submitted to the NM DOT for construction funding, under their newly designated Transportation Project Fund.

Preliminary engineering and design completed. Field surveyors were on site in early August to acquire additional information needed for final design. Geo-technical investigations to proceed in September. Intent remains to have all engineering and design work completed during FY 2023. Drainage, utility, and grade improvements are significant project components. Construction phase costs are estimated to be approximately \$8M.

**Avalanche Hazard Assessment & Mapping Update** - Contract awarded at the July VCouncil meeting. Preliminary field work to occur during September 15-16. The report would provide a detailed review and update to the village's avalanche hazard maps and the existing avalanche hazard zoning ordinance. The current avalanche hazard maps are based on a 2001 Study by Arthur I. Mears, P.E. Since 2001, notable advances in avalanche science and new snow and avalanche data will lead to improvements in the Village's understanding and better land use regulations to protect the public's health, safety, and welfare.

**Water Master Plan** - Recently completed Water Study, in collaboration with the Ski Corporation, provided a concise summary of VTSV's water supply across time and various expected climatic conditions and the projected water demand into the near and medium-term future. Report delineated how much water supply remains to serve new and projected development.

The Water Master Plan (WMP) will expand upon the Study recommendations and include a focus on how to implement and sequence system expansion efforts during the next 20 years for both projected 20% growth in current service area plus proposed expansion into Snowshoe Area and Amizette. The WMP will describe in detail the Village water distribution system, replacement and upgrade program for critical water works infrastructure including storage tanks, water mains, pumps, PRV, and other associated infrastructure. It will further address the acquisition and development of Gunsite and Bull of the Woods Springs into a viable Village water source.

**Development Impact Fee Assessments** - Payment of required Development Impact Fees (DIF) for three TSVI projects - Mogul Medical, Administration Building, and Warehouse facility remain in escrow. The Developer has submitted a letter requesting a substantial reduction in assessed fees, a nearly 90% discount. Credit may be applied to assigned fees, once a direct financial contribution to projects listed on the Council ratified Capital Improvement Project list is provided to the Village.

**Recreational Trail Grant** - In partnership with RMYC, an application to the NM Outdoor Recreation Division for a Trail Plus grant has been submitted. The \$225,000 grant request would enable substantial development of five Village trail segments and linkages to adjacent established US Forest Service trails. If awarded and accepted, trail development improvements could begin this Fall and would continue into next summer.

**Infrastructure & Capital Improvement Projects (ICIP)** - Preparation of the annual submission of the Village ICIP to the NM DFA was completed by staff. The Planning Commission, following a presentation at their regular July meeting, reviewed the ICIP and recommended adoption by the Village Council. Adoption by Resolution of the 2024-28 ICIP is an item on the August Village Council agenda.

**Development Review Permits** - Several minor land development related permits were issued this month including:

- 4 Excavation & Grading Permits
- 2 Certificates of Compatibility
- 1 Administrative Variance
- 2 Sign Permit
- 3 Tree Removal Permits

**Planning GIS Office** - The Village contractor has declined to renew his contract with the Village for FY '23. The process to solicit and select a new GIS services contractor will begin shortly. Ongoing task/project work includes continued coordination on E911 NexGen Compliance and address updating, Village trail system mapping and dashboard development, staff training on GIS functionality and to improve workflow efficiency, and wildland fire rating system development.

**AmeriCorps Program Coordination** - The service year for our AmeriCorps member is ending on August 31. Scotney Blackburn began her community service term with the Village back in October 2021. Since then, she has assisted the Village Park & Recreation Committee on numerous tasks and activities such as trail design and construction, signage, special events, and community outreach. In addition, she supported the FireWise Committee on wildfire mitigation measures and Village-wide property fire hazard assessments as well as expanding the Village's social media



presence. Her work on updating the Village Community Wildfire Prevention Plan has been particularly noteworthy.

**Planning Commission Meetings** - No September Commission meeting. Next scheduled meeting is October 3, 2022, which will tentatively include a Conditional Use Permit request for the reconstruction of the Hotel Saint Bernard, amongst other items.

# PUBLIC WORKS UPDATE

August 23, 2022

- Water:
  - Monthly sampling
  - New Mexico Environmental Department collection of samples for the three (3) year cycle
    - Heavy Metals, Cyanide, Nitrate-Nitrite, Fluoride, Synthetic Organic Compounds and Volatile Organic Compounds
  - Maintenance and Repairs
    - Water usage was up 13.26% from last year for the month of July.
  - Site visits with engineers to discuss the water system repairs
    - Visit with Taos Ski Valley Inc. to discuss issues and planning once funds are released for water system improvement.
- Wastewater:
  - Plant Operations
    - No permit excursions
    - Cleaning sewer collection lines
  - Received Notice of an Administrative Order (AO) from US Environmental Protection Agency (EPA)
    - Audit of our permit excursions that have been reported to Council and EPA throughout this year.

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	Influent F MG
	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>	
12	2.00	0.80	7.19	0.48	0.19	0.36	0.14	0.13	0.05	0.048			3.91	1.57	0.02
14			7.13							0.045	1.00	1.00	0.00	0.00	0.02
27			7.14							0.030	1.00	1.00	0.00	0.00	0.02
Total		0.80			0.19		0.14		0.05	1.254			Total Nitrogen		1.0323E
7 Day Avg (MAX)	2.00	0.80	7.39	0.48	0.19	0.36	0.14	0.13	0.05	0.048	1.00	1.00	3.91	1.57	0.02
Min	2.00	0.80	7.00	0.48	0.19	0.36	0.14	0.13	0.05	0.015	1.00	1.00	mg/L lb/d		0.0033E
30 Day Avg (AVG)	2.00	0.80		0.48	0.19	0.36	0.14	0.13	0.05	0.040	1.00	1.00	3.91	1.57	0.0333E
Removal %	97.94%			99.76%											

- Staff
  - We still have one open position in Public Works department, and we have extended an offer to the top candidate
- Plant and Collections Update
  - Compared to the flow in 2021, we are down 14.86% for the month of July.
- Roads:
  - Continue to maintain drainage along the roadway
    - Cleaning of the Drop Inlets (DI's) and bar ditch maintenance
  - Maintenance to Road
    - Road Grading
      - Reshaping of road grade due to heavy rain fall
    - Compaction
      - Stabilization of road material
    - Tree removal along side the road from the December 2021 wind event
- Equipment
  - Routine equipment maintenance
- General Public Work tasks
  - Site visits for electrical and gas undergrounding on Phoenix Switchback, Chipmunk and Coyote Roads with Kit Carson Electric, NM Natural Gas and Anchor Built.
  - Housekeeping in the buildings
  - Housekeeping around the Wastewater Treatment Plant
  - Hauling slash pile for residence use

**VILLAGE OF TAOS SKI VALLEY**  
**Village Council**  
**Agenda Item**

---

**AGENDA ITEM TITLE:** Consideration to Accept the Water Repair Plan by TSVI for 100% performance of the Water Study MOU Amendment

**DATE:** August 23, 2022

**PRESENTED BY:** John Avila

**STATUS OF AGENDA ITEM:** Old Business

**CAN THIS ITEM BE RESCHEDULED:** Not Recommended

**BACKGROUND INFORMATION:**

An Agreement between the Village and TSVI to conduct the Water Study and Master Plan work was approved by Council at its March 23, 2022 meeting. The firms of GGI and Dennis Engineering were engaged to conduct work by TSVI for the MOU. Regular meetings were conducted once the study was underway, including evaluating probable growth and demand for water. The work was completed for submission for peer and Staff review. TSVI completed its responsibilities under the MOU.

The Village and TSVI amended the MOU so that a plan of repair could be further developed for use in funding and construction at the Village Council's June 28, 2022 meeting. TSVI has presented the plan for acceptance by the Village for ongoing mitigation of the Village Water System.

**Staff Recommendation:**

Formally accept the amended plan of repair (Water Master Meter Plan) provided by TSVI, as required in the amended MOU. Act on the recommended mitigation, seeking funding, and continue developing the Water Master Plan including the required elements needed by oversight and funding agencies, such as the NM Water Trust Board, Office of the State Engineer, etc. Continue to follow the recommendations for the plan and actively prepare for the environmental probabilities and further climate change including more severe drought conditions.

# VILLAGE OF TAOS SKI VALLEY

## MASTER METERS

# 90% CONSTRUCTION DRAWINGS

### INDEX OF SHEETS

COVER SHEET	GI001
UTILITY MAP, CONTROL POINT AND PROJECT COORDINATE LISTS	GI002
SUMMARY OF QUANTITIES AND MISCELLANEOUS QUANTITIES	GC001
GENERAL NOTES, ENVIRONMENTAL NOTIFS, AND LEGEND	GC002
SITE UTILITY PLAN	CS101/2
GREYR TANK MASTER METER PLAN	CU101
MASTER METER PLANS	CU102
UPPER TWINING ROAD WATERLINE REPIACEMENT PLAN & PROFILE	CU103
UTILITY DETAILS	CU501
UTILITY DETAILS	CU502
UTILITY DETAILS	CU503
UTILITY DETAILS	CU504
UTILITY DETAILS	CU505
TOTAL NUMBER OF SHEETS	13

### LOCATION MAP



**TAOS**

TAOS SKI VALLEY, INC.  
APPROVED FOR CONSTRUCTION

DATE



VILLAGE OF TAOS SKI VALLEY  
APPROVED FOR CONSTRUCTION

DATE

### ENGINEER'S CERTIFICATE

I CERTIFY THAT THESE PLANS WERE PREPARED UNDER MY DIRECT SUPERVISION AND THAT I AM LICENSED AS A PROFESSIONAL ENGINEER IN THE STATE OF NEW MEXICO.

GARY H. BERNARD, P.E. #2787

NOTICE OF LICENSED PROFESSIONAL ENGINEER  
THIS CERTIFICATE ALLOWS THE ENGINEER TO MAKE  
ANY CHANGES TO THE PLANS WITHOUT THE  
NEED FOR AN UNDERSIGNED REQUEST FOR VARIATION

SHEET  
GI001

NOT FOR CONSTRUCTION  
(SCALE)

COVER SHEET

DEC  
DESIGN ENGINEERING COMPANY

VILLAGE OF TAOS SKI VALLEY  
MASTER METERS

DESIGNED BY  
DRAWN BY  
CHECKED BY  
DATE: 12/12/2022  
REV.  
BY  
DATE









## GENERAL NOTES DON'T

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








MODEL NO. \_\_\_\_\_

- LINE TYPE LEGEND**
- |   |                                 |  |
|---|---------------------------------|--|
|  | SURVEY MONUMENT - BALD RETAR    | WATER LINE (APPROXIMATE LOCATION)                          |
|  | SURVEY MONUMENT - CHIPPED RETAR | SEWER LINE (APPROXIMATE LOCATION)                          |
|  | SURVEY MONUMENT - NAIL          | UNDERGROUND TELECOMMUNICATIONS LINE (APPROXIMATE LOCATION) |
|  | STORM PIPE                      | UNDERGROUND ELECTRIC LINE (APPROXIMATE LOCATION)           |
|   |                                 | UNDERGROUND GAS LINE (APPROXIMATE LOCATION)                |

## LINETYPE LEGEND

- 
- Diagram illustrating the cross-section of a cable system, showing various layers and their approximate locations:
- WATER LINE (APPROXIMATE LOCATION)
  - SEWER LINE (APPROXIMATE LOCATION)
  - UNDERGROUND TELECOMMUNICATIONS LINE (APPROXIMATE LOCATION)
  - UNDERGROUND ELECTRIC LINE (APPROXIMATE LOCATION)
  - UNDERGROUND GAS LINE (APPROXIMATE LOCATION)
  - GUARD RAIL
  - CONCRETE MAJOR
  - CONCRETE MINOR

## PROJECT SYMBOLS LEGEND

- |                                |   |  |
|--------------------------------|---|--|
| VEGETATION                     |  |  |
| WATER VALVE                    |  |  |
| FIRE HYDRANT                   |  |  |
| COMBINATION AIR VALVE          |  |  |
| WATER METER                    |  |  |
| ELECTRIC METER                 |  |  |
| SANITARY SEWER MANHOLE         |  |  |
| RISER PIPE                     |  |  |
| CAP                            |  |  |
| TELECOMMUNICATIONS VAULT       |  |  |
| ELECTRIC BOX                   |  |  |
| HORIZONTAL CONTROL             |  |  |
| SURVEY MONUMENT - BALD RETAR   |  |  |
| SURVEY MONUMENT - CAPPED RETAR |  |  |
| SURVEY MONUMENT - NAIL         |  |  |
| STORM PIPE                     |  |  |
| VEGETATION                     |  |  |
| METAL ORATE                    |  |  |
| CONCRETE                       |  |  |
| ROCK                           |  |  |
| STRUCTURE                      |  |  |
| WALL                           |  |  |

TITLE  
GENERAL NOTES,  
ENVIRONMENTAL NOTES,  
AND LEGEND



DENNIS ENGINEERING COMPANY

VILLAGE OF TAOS SKI VALLEY  
MASTER METERS

T O P I C

(see also)

1345

GC002

NOTICE OF EXTENDED PAYMENT PROVISION - THIS CONTRACT ALLOWS THE OWNER TO MAKE PAYMENT WITHIN 45 DAYS AFTER SUBMISSION OF AN INDISPURSED REQUEST FOR PAYMENT.

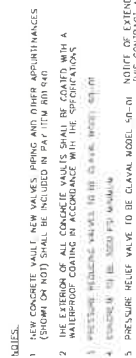




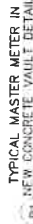










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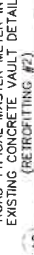
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(b)(2)



A2 (REWORKING #2)

**LEAN FILL ENCASEMENT DETAIL**

**LEAN FILL ENCASEMENT DETAIL**





**VILLAGE OF TAOS SKI VALLEY**  
**Village Council**  
**Agenda Item**

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**AGENDA ITEM TITLE: PUBLIC HEARING:** Discussion of appraised market value and public use of the property with Direction of the Council for disposition

**DATE:** August 23, 2022

**PRESENTED BY:** John Avila, Village Administrator

**STATUS OF AGENDA ITEM:** Old Business

**CAN THIS ITEM BE RESCHEDULED:** Not Recommended

**BACKGROUND INFORMATION:**

The Council Meeting of February 22, 2022 included discussion of steps to consider for sale of Public Property (TML) Village Complex and other Village properties.

Staff recommended creating a formal process for evaluating properties for public use Vs Market value and the steps required for sale of Public Property. Acknowledging that the Village now has Public use of Village Complex for: Police Administration (replaces a utility trailer used for 20 years by the police department), Fire Administration Office (An Agreement with the State Fire Marshal Office provides for almost \$100,000/year to be awarded for keeping this office) EMS Office (Administration and Contingency Emergency Housing for EMT), Building Official and record storage (Office shared with P&Z has relocated to the Village Complex along with Records Storage reducing space in the main office and paid storage), Employee Housing (compensation for duties and as emergency and contractor use). Future Village uses are dependent on Council Direction and ability to obtain funding. Following direction to obtain a market value, appraisal for the Village Complex was completed.

Expense to recreate the same Public Facilities is approximately \$150,000/year for the Village and the loss \$100,000/year grant funding.

**STAFF RECOMMENDATION:** Staff recommends Discussion of appraised market value Vs public use of the property and Direction of the Council for a process of Village property disposition.

# NEW MEXICO PUBLIC REGULATION COMMISSION

## **COMMISSIONERS**

DISTRICT 1 CYNTHIA B. HALL  
DISTRICT 2 JEFFERSON L. BYRD, VICE CHAIR  
DISTRICT 3 JOSEPH M. MAESTAS  
DISTRICT 4 THERESA BECENTI-AGUILAR  
DISTRICT 5 STEPHEN FISCHMANN, CHAIR



P.O. Box 1269  
Santa Fe, NM 87504-1269

## **STATE FIRE MARSHAL DIVISION**

**John Kondratick**  
**Interim State Fire Marshal**  
Phone (505) 470-1044  
Fax (505) 476-0100

## **CHIEF OF STAFF**

Wayne Propst

April 22, 2021

Roberto Molina

Taos Ski Valley, Fire Chief

PO Box 100 City

Taos Ski Valley, New Mexico 87525

Ref: Administration Office FY' 2022 Funding Cycle

Chief Molina,

In response to your request and the information contained in a report recently submitted by Austin Meuli, of this Office and the filling of the required documentation, please be advised that records in this Office have been changed to reflect that the Taos Ski Valley Fire Department now maintains and operates one (1) main station, one (1) Sub- Station and (1) Administration Office.

As an ISO Class 5 department the Taos Ski Valley Fire Department is eligible to receive annual fire protection funding for the newly certified Administration Office for this upcoming Fiscal Year 2022.

If you should have any additional questions or need any assistance with this process, please contact me directly at 505-709-8150.

Respectfully,

Randy Varela  
Deputy Fire Marshal  
Fire Service Support Bureau  
New Mexico State Fire Marshal's Office

**POLICE**

6



3:41 PM  
02/02/22

## VILLAGE OF TAOS SKI VALLEY Job Actual Cost Detail

January 13, 2002 through February 3, 2022

6136 FICA -EMPLOYER SHARE MEDICARE	1000 CASH-CENTINEL #4014340	0.21	
6127 SUTA STATE UNEMPLOYEMENT	1000 CASH-CENTINEL #4014340	0.05	
6112 SALARIES - STAFF	1000 CASH-CENTINEL #4014340	15.22	
6125 FICA EMPLOYER'S SHARE	1000 CASH-CENTINEL #4014340	0.89	
6136 FICA -EMPLOYER SHARE MEDICARE	1000 CASH-CENTINEL #4014340	0.21	
6127 SUTA STATE UNEMPLOYEMENT	1000 CASH-CENTINEL #4014340	0.05	
6112 SALARIES - STAFF	1000 CASH-CENTINEL #4014340	45.66	
6125 FICA EMPLOYER'S SHARE	1000 CASH-CENTINEL #4014340	2.65	
6136 FICA -EMPLOYER SHARE MEDICARE	1000 CASH-CENTINEL #4014340	0.62	
6127 SUTA STATE UNEMPLOYEMENT	1000 CASH-CENTINEL #4014340	0.00	
6112 SALARIES - STAFF	1000 CASH-CENTINEL #4014340	34.54	
6125 FICA EMPLOYER'S SHARE	1000 CASH-CENTINEL #4014340	2.14	
6136 FICA -EMPLOYER SHARE MEDICARE	1000 CASH-CENTINEL #4014340	0.50	
6127 SUTA STATE UNEMPLOYEMENT	1000 CASH-CENTINEL #4014340	0.11	
6112 SALARIES - STAFF	1000 CASH-CENTINEL #4014340	30.44	
6125 FICA EMPLOYER'S SHARE	1000 CASH-CENTINEL #4014340	1.77	
6136 FICA -EMPLOYER SHARE MEDICARE	1000 CASH-CENTINEL #4014340	0.41	
6127 SUTA STATE UNEMPLOYEMENT	1000 CASH-CENTINEL #4014340	0.09	
6112 SALARIES - STAFF	1000 CASH-CENTINEL #4014340	116.04	
6125 FICA EMPLOYER'S SHARE	1000 CASH-CENTINEL #4014340	6.99	
6136 FICA -EMPLOYER SHARE MEDICARE	1000 CASH-CENTINEL #4014340	1.63	
6127 SUTA STATE UNEMPLOYEMENT	1000 CASH-CENTINEL #4014340	0.36	
6112 SALARIES - STAFF	1000 CASH-CENTINEL #4014340	51.96	
6125 FICA EMPLOYER'S SHARE	1000 CASH-CENTINEL #4014340	3.04	
6136 FICA -EMPLOYER SHARE MEDICARE	1000 CASH-CENTINEL #4014340	0.71	
6127 SUTA STATE UNEMPLOYEMENT	1000 CASH-CENTINEL #4014340	0.16	
6112 SALARIES - STAFF	1000 CASH-CENTINEL #4014340	31.36	
6125 FICA EMPLOYER'S SHARE	1000 CASH-CENTINEL #4014340	1.82	
6136 FICA -EMPLOYER SHARE MEDICARE	1000 CASH-CENTINEL #4014340	0.43	
6127 SUTA STATE UNEMPLOYEMENT	1000 CASH-CENTINEL #4014340	0.10	
6112 SALARIES - STAFF	1000 CASH-CENTINEL #4014340	29.88	
6125 FICA EMPLOYER'S SHARE	1000 CASH-CENTINEL #4014340	1.80	
6136 FICA -EMPLOYER SHARE MEDICARE	1000 CASH-CENTINEL #4014340	0.42	
6127 SUTA STATE UNEMPLOYEMENT	1000 CASH-CENTINEL #4014340	0.00	
6112 SALARIES - STAFF	1000 CASH-CENTINEL #4014340	21.51	
6125 FICA EMPLOYER'S SHARE	1000 CASH-CENTINEL #4014340	1.29	
6136 FICA -EMPLOYER SHARE MEDICARE	1000 CASH-CENTINEL #4014340	0.30	
6127 SUTA STATE UNEMPLOYEMENT	1000 CASH-CENTINEL #4014340	0.00	20,876.02
		973,940.93	973,940.93
		973,940.93	
		973,940.93	

<b>NMFA Payoff March 15, 2022</b>	<b>1,131,310.73</b>
<b>TOTAL TML SALE PRICE</b>	<b>2,105,251.66</b>

TAOS SKI VALLEY, VILLAGE OF  
 LOAN # PPRF-3452 TAOS 55 / 2017 F SUB  
 PAYOFF ON 3/15/2022; PREPARED ON 2/2/2022

Principal Balance		Next Interest Due	Number of Days	Per Diem	Interest Due	
\$	1,116,726.00	CURRENT PRINCIPAL BALANCE	135	104.933	\$ 14,165.96	NOV 30 DEC 30 JAN 30 FEB 30 MAR 1/ 135
\$	1,116,726.00	Admin Fees Due	135	3 102	\$ 418.77	
		PRINCIPAL DUE				
		INTEREST DUE				
		ADMIN FEES DUE				
<b>TOTAL PAYOFF</b>		<b>\$ 1,131,310.73</b>				
		D/S ACCOUNT BAL				
		RESERVE ACCOUNT BAL				
		TOTAL CASH				
<b>Total Due</b>		<b>1,022,681.78</b>				

B		C		N		O		P		Q	
1		Village Apartments-70 (Fund 52800)									
2											
3		Accounts		Description		FY2021		FY2021 YTD		FY2021 YTD	
4		Revenue:				PROPOSED		Actual		% of budget	
5								6/30/2021			
6		4190	Beginning Balance			2,616	\$	2,616			27,770
7		7005	Rental Revenue			75,000	\$	14,550.00		19%	12,000
8			Revenue-Interest Income							#DIV/0!	
9		9002	TRANSFERS IN:								
10			Tenant deposits								
11		9002	Transfer in from police fund/\$1000 mo			6,000	\$	6,000.00			12,000
12		9002	Transfer in from general fund/rent \$1000 mo			24,000	\$	6,000.00			12,000
13		9002	Transfr in from general fund/short falls								10,000
14		9002	Transfer in CARES ACT FUNDING/DEC BAR			7,750	\$	7,750.00			
15		9002	Transfer in from CARES ACT FUNDING			750	\$	750.00			
16		Total Revenues:									
17		Expense:				116,116	\$	37,666		32%	73,770
18		6220	Outside Contractors								
19		6230	Legal			73,000	\$	6,507.61		9%	30,000
20		6252	Internet			500	\$	348.77		70%	500
21		6253	Electric			1,200	\$	679.42			1,000
22		6259	Natural Gas			10,000	\$	470.20		5%	2,500
23		6220	Telephone-report in 6220 FY2020			5,000	\$	1,457.68		29%	3,500
24		6256	Telephone								
25		6313	Supplies			2,000	\$	385.00		19%	600
26		6321	Building Maintenance			2,000	\$	46.83		2%	2,000
27		6580	Outside Contractors/Rental Mng expense			5,000				0%	10,000
28						5,000				0%	
29											
30		Total Expenses:				\$ 103,700	\$	9,895.51			\$ 50,100
31											
32		Net Income:				\$ 12,416	\$	27,770.34			\$ 23,670

## Understanding the Anti-donation Clause: A Historical Perspective<sup>1</sup>

Alan Hall

Rodey, Dickason, Sloan, Akin & Robb, P.A.,  
Albuquerque, New Mexico

*Disclaimer: The law and legal rules are subject to continual revision and change. This article is dated May 23, 2014. No attempt has been made to update this article to reflect pertinent changes or developments in the law, if any, since that date.*

### Part 1: Early Railroad Finance

In theory, the Anti-donation Clause of the New Mexico Constitution forbids, with a few specific and limited exceptions, all state and local government subsidies:

Neither the state, nor any county, school district, or municipality ... shall directly or indirectly lend or pledge its credit, or make any donation to or in aid of any person, association, or public or private corporation ....

At first blush, this may seem reasonable, and even satisfying. Surely, public monies should be spent for public purposes, and not private ones. But when one starts to consider specific aspects of our mixed economy, things become much more complicated. For example, public funding of college scholarships has long been considered to be a violation of the Clause. Does this mean that the popular lottery scholarship program is unconstitutional? The state builds highways to support vehicles weighing ten times as much as ordinary automobiles. Isn't this an obvious, and illegal, subsidy of the trucking industry? How about below-market rentals of public facilities to charitable and civic organizations like the Kodak Albuquerque International Balloon Fiesta®, or to profit-making ones like triple-A baseball teams? How about Albuquerque's free graffiti removal program?

Deciding what is or is not an illegal "donation" is in fact very difficult. The question has confounded the New Mexico courts since statehood, and the worst may still be ahead. How can one make sense of the Anti-donation Clause?

It is clear that the Clause cannot be comprehended from its mere terms; they are far too broad. Rather, the best way to understand the Clause (and perhaps the only way) is to understand the history of the evil that the Clause was intended to counter. This requires a diversion into the amazing world of nineteenth-century railroad finance.

It is hard for the modern mind to fully appreciate the difficulties of transportation in the eastern U.S. prior to railroads. For the most part, cities and towns along the coast had practicable communications, but people living in the interior were economically isolated. Overland transportation meant wagons pulled by horses or oxen, but maintained roads rarely extended

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<sup>1</sup>An earlier version of this article was published as a four-part series in the *Albuquerque Tribune* on January 22, January 29, February 5 and February 12, 2001.

**2018 New Mexico Statutes**

**Chapter 3 - Municipalities**

**Article 54 - Sale or Lease of Property**

**Section 3-54-1 - Authority to sell or lease municipal utility facilities or real property; notice; referendum.**

**Universal Citation:** NM Stat § 3-54-1 (2018)

**3-54-1. Authority to sell or lease municipal utility facilities or real property; notice; referendum.**

A. A municipality may lease or sell and exchange any municipal utility facilities or real property having a value of twenty-five thousand dollars (\$25,000) or less by public or private sale or lease any municipal facility or real property of any value normally leased in the regular operations of such facility or real property, and such sale or lease shall not be subject to referendum.

B. A municipality may lease or sell and exchange any municipal utility facilities or real property having an appraised value in excess of twenty-five thousand dollars (\$25,000) by public or private sale or lease, subject to the referendum provisions set forth in this section. The value of municipal utility facilities or real property to be leased or sold and exchanged shall be determined by the appraised value of the municipal utility facilities or real property and not by the value of the lease. An appraisal shall be made by a qualified appraiser and submitted in writing to the governing body. If the sale price is less than the appraised value, the governing body shall cause a detailed written explanation of that difference to be prepared, and the written explanation shall be made available to any interested member of the public upon demand.

C. If a public sale is held, the bid of the highest responsible bidder shall be accepted unless the terms of the bid do not meet the published terms and conditions of the proposed sale, in which event the highest bid that does meet the published terms and conditions shall be accepted; provided, however, a municipality may reject all bids. Terms and conditions for a proposed public sale or lease shall be published at least twice, not less than seven days apart, with the last publication no less than fourteen days prior to the bid opening, and in accordance with the provisions of Subsection J of Section 3-1-2 NMSA 1978.

D. Any sale or lease of municipal utility facilities or real property entered into pursuant to Subsection B of this section shall be by ordinance of the municipality. Such an ordinance shall be effective forty-five days after its adoption, unless a referendum election is held pursuant to this section. The ordinance shall be published prior to adoption pursuant to the provisions of Subsection J of Section 3-1-2 NMSA 1978 and Section 3-17-3 NMSA 1978 and shall be published after adoption at least once within one week after adoption pursuant to the provisions of Subsection J of Section 3-1-2 NMSA 1978. Such publications shall concisely set forth at least:

- (1) the terms of the sale or lease;
- (2) the appraised value of the municipal utility facilities or real property;
- (3) the time and manner of payments on the lease or sale;



- (4) the amount of the lease or sale;
- (5) the identities of the purchasers or lessees; and
- (6) the purpose for the municipality making the lease or sale.

E. In order to call for a referendum election on a sale or lease ordinance, a petition shall be filed with the municipal clerk:

- (1) no later than thirty days after the adoption of the sale or lease ordinance;
- (2) containing the names, addresses and signatures of at least fifteen percent of the qualified electors of the municipality; and
- (3) containing the following heading on each page of the petition reprinted as follows:

"PETITION FOR A REFERENDUM

We, the undersigned registered voters of \_\_\_\_\_ (insert name of municipality) petition the governing body of \_\_\_\_\_ (insert name of municipality) to conduct a referendum election on ordinance number \_\_\_\_\_. Ordinance number \_\_\_\_\_ would cause a \_\_\_\_\_ (insert "sale" or "lease") of municipal \_\_\_\_\_ (insert "real property" or "utility facilities").

Date Name (printed) Address Signature".

F. Section 3-1-5 NMSA 1978 shall apply to all petitions filed calling for a referendum election on a sale or lease ordinance.

G. If the municipal clerk certifies to the municipal governing body that the petition does contain the minimum number of valid names, addresses and signatures required to call a referendum election on the sale or lease ordinance, the municipal governing body shall adopt an election resolution within fourteen days after the date the clerk makes such certification, calling for a referendum election on the sale or lease ordinance. The election resolution shall be adopted and published pursuant to the provisions of the Local Election Act [Chapter 1, Article 22 NMSA 1978] and shall also concisely set forth:

- (1) the terms of the sale or lease;
- (2) the appraised value of the municipal utility facilities or real property;
- (3) the time and manner of payments on the lease or sale;
- (4) the amount of the lease or sale;
- (5) the identities of all purchasers or lessees; and

(6) the purpose for the municipality making the lease or sale.

H. The referendum election on the sale or lease ordinance shall be held not later than ninety days after the election resolution is adopted. Such election shall be held at a special or regular local election and shall be conducted pursuant to the provisions of the Local Election Act. Any qualified elector of the municipality may vote in such a referendum election.

I. If a majority of the votes cast is to approve the sale or lease ordinance, the sale or lease ordinance shall be effective after the election results have been canvassed and certified. If a majority of the votes cast is to disapprove the sale or lease ordinance, the ordinance shall not be effective.

**History:** 1953 Comp., § 3-54-1, enacted by Laws 1983, ch. 115, § 1; 1985, ch. 208, § 119; 1999, ch. 134, § 1; 2018, ch. 79, § 69.

#### **ANNOTATIONS**

**Repeals and reenactments.** — Laws 1983, ch. 115, § 1, repealed former 3-54-1 NMSA 1978, relating to authority to sell or lease municipal utility or real property used for municipal purposes, and enacted a new 3-54-1 NMSA 1978.

**Cross references.** — For lease of parking facilities, *see* 3-50-8 and 3-51-8 NMSA 1978.

**The 2018 amendment**, effective July 1, 2018, provided that the Local Election Act governs both the adoption and publishing of election resolutions calling for a referendum election on a sale or lease ordinance and referendum elections on a sale or lease ordinance; in Subsection G, after "pursuant to the provisions of the", deleted "Municipal Election Code governing special elections" and added "Local Election Act"; and in Subsection H, after "special or regular", deleted "municipal" and added "local", and after "shall be conducted", deleted "as a special election in the manner provided in the Municipal Election Code" and added "pursuant to the provisions of the Local Election Act".

**Temporary provisions.** — Laws 2018, ch. 79, § 174 provided that references in law to the Municipal Election Code and to the School Election Law shall be deemed to be references to the Local Election Act.

**The 1999 amendment**, effective June 18, 1999, substituted "forty-five days" for "seventy days" in Subsection D; and, in Subsection E, substituted "shall" for "must" in the introductory language and "thirty days" for "sixty days" in Paragraph (1).

**"Terms" defined.** — The word "terms", as used in Paragraph (1) of Subsection D, refers to the amount, time and manner of payments. *City of Clovis v. Southwestern Pub. Serv. Co.*, 1945-NMSC-030, 49 N.M. 270, 161 P.2d 878.

**Am. Jur. 2d, A.L.R. and C.J.S. references.** — 56 Am. Jur. 2d Municipal Corporations, Counties, and Other Political Subdivisions §§ 549 to 559.

Right to lease or convey park, square, or common, 18 A.L.R. 1259, 63 A.L.R. 484, 144 A.L.R. 486.

Sufficiency of compliance with condition of sale or lease by municipality of public utility plants, 52 A.L.R. 1052.

Mortgage or pledge of property or income therefrom, 71 A.L.R. 828.

Lease or sale of municipal plant, or contract therefor, as affecting right of municipality to compete, 118 A.L.R. 1030.

Implied or inherent power of municipal corporation to sell its real property, 141 A.L.R. 1447.

Constitutional prohibition of municipal corporation lending its credit or making donation as applicable to sale or leasing of its property, 161 A.L.R. 518.

Off-street public parking facilities, 8 A.L.R.2d 373.

Granting or taking of lease of property by municipality as within authorization of purchase or acquisition thereof, 11 A.L.R.2d 168.

Maintenance by municipal corporations of tourist or trailer camps, motor courts or motels, 22 A.L.R.2d 774.

Conveyance by municipality as carrying title to center of highway, 49 A.L.R.2d 982.

Power of municipality to sell, lease, or mortgage public utility plant or interest therein, 61 A.L.R.2d 595.

Ordinance as to sale or other disposition of municipal property as within operation of initiative and referendum provisions, 72 A.L.R.3d 1030.

63 C.J.S. Municipal Corporations § 962.

## **Local Regulations and Procedures for review of Real Estate transaction**

### **ADMINISTRATIVE REVIEW:**

Prior to making the determination that a piece of real property is not essential for a municipal purpose, the Administrative Real Property Review Board shall analyze said property and make a recommendation regarding whether the property is essential for a municipal purpose to the person who shall make the determination, as provided for in this article. The Administrative

Real Property Review Board shall be composed of the Village Administrator, Director of the Department of Finance, the Public Works Director, the Village Attorney, the Director of the Planning Department and, if appropriate, a representative of the Department by which the property in question was to have been used. The Review Board shall consider the adopted Village Comprehensive Plan and related master plans and community needs as a basis for their recommendation. The Review Board shall transmit a written analysis with their recommendation to Mayor and Council.

- For real property owned by the Village having a value of not more than \$5,000, the determination that the real property is not essential for a municipal purpose shall be made by the Mayor.
- For real property owned by the Village having a value of more than \$5,000, the determination that the real property is not essential for a municipal purpose shall be made by the Council

#### **PROCEDURE FOR DISPOSAL OF REAL PROPERTY NOT ESSENTIAL FOR A MUNICIPAL PURPOSE.**

Prior to the sale, exchange, or donation of real property belonging to the Village, such real property shall be determined to be not essential for a municipal purpose as provided herein. After such a determination has been made, the real property may be disposed of by the Mayor in the following manner:

(A) Prior to disposal of real property, the Mayor shall cause an appraisal to be made by the Property Management Division or a qualified private appraiser. No real property shall be sold or exchanged for less than whichever is greater; 100% of its appraised value, or Asset Record of capital investment of the Village, as to not violate the *Anti-donation Clause of the NM Constitution*.

(B) Real property having a value of not more than \$500 may be sold for cash at a public or private exchange without notice.

(C) Real property having a value of more than \$500 may be:

(1) Sold at a public or private sale to the highest bidder meeting the published terms and conditions of the sale after publishing a notice of such sale in a local newspaper of general circulation once each week for two consecutive weeks prior to the sale.

(2) Exchange at a public or private exchange after publishing a notice of such exchange in a local newspaper of general circulation once each week for two consecutive weeks prior to the exchange.

(D) Real property of any value may be sold to, exchanged with or donated to the state, any of its political subdivisions or to the Federal government after a determination by the Mayor or Council as provided herein that such sale, exchange or donation is in the best interests of the Village.

(E) Real property acquired by the Village through lien or mortgage foreclosure may not in the discretion of the Mayor or his designated representative be subject to this article in the event the sale of the property is to the foreclosure owner of same, and it is or was the owner's residence, and provided further than any such sale shall be for not less than the principal and interest due.

(F) Contracts for disposal of Village real property pursuant to divisions (C) and (D) of this section shall be submitted to the Council by the Mayor at the first regularly scheduled Council meeting after their execution when the value of the real property is more than \$25,000. Procedure shall be as follows:

(1) All contracts which are submitted to the Council in accordance with the requirements of this section shall be supported by the Asset Record and current appraisal relied upon to determine the value of the Village property, the Council's determination that the property is not essential for a municipal purpose, and a description of the disposal process and the other offers received.

(2) The Council may approve, take no action or disapprove the contract.

(3) If the Council disapproves by majority vote of the members present and voting, the contract shall be void.

(4) The Mayor may withdraw the contract at any time from the Council or may present revisions thereof. In the event of withdrawal, the contract shall be a nullity. In the event of revision, the provisions of this section shall apply to the same extent as if a new contract were being submitted.

Village of Taos Ski Valley  
Village Council  
Agenda Item

**AGENDA ITEM TITLE:** Consideration to Approve and Authorize Plumbing Material Purchase from Roger Pattison

**DATE:** August 23, 2022

**PRESENTED BY:** Anthony Martinez, Public Works Director  
John Avila, Village Administrator

**STATUS OF AGENDA ITEM:** Old Business

**CAN THIS ITEM BE RESCHEDULED:** Not Recommended

**BACKGROUND INFORMATION:** The purpose of this discussion is to consider the purchase of plumbing material for the Village's maintenance and operation of Village water infrastructure.

In the past, there was an understanding that the Village had access to the plumbing materials of Mr. Pattison's, stored on Village property. In conversations with the former Village Administrator and Public Works Director, it seemed that the intention was that the Village would purchase this inventory from Mr. Pattison for the Village's inventory.

Through conversation with Mr. Pattison, an amicable price on the material was resolved. The original list price when Mr. Pattison purchased the materials was \$70,438.63. This has now been reduced, due to age of the material, to \$35,219.32. The bulk of the purchase is the eight (8) inch ductile iron pipe.

Staff recommendation is to approve the purchase of:

- 6" Bell end pipe joints - Schedule 50
- 6" Gate valves
- 6" Straight couplers
- 6" 45° couplers
- 6"x6"x6" T couplers
- 6" Fire hydrant
- 8" Bell end pipe joints - Schedule 50
- 8" Straight end pipe joints - Schedule 50
- 8" Bell end pipe joints - Schedule 52
- 8" Gate valves
- 8" Straight couplers
- 8" 90° couplers
- 8" 45° couplers
- 8" 22.5° couplers
- 8" 11.25° couplers

8"x8"x6" T couplers  
8"x8"x8" T couplers  
Corp stop risers sections  
Round valve cover  
Oval valve cover  
Corp stop caps

**RECOMMENDATION:** Consideration to Approve the purchase of plumbing material supplies from Roger Pattison, pending sufficient Village funding for the purchase.

PO Box 272, Elephant Butte, NM 87935  
575-770-9371

INV #:	1001
DATE:	3/10/2022

Village of Taos Ski Valley
PO Box 100
Taos Ski Valley, NM 87525

On-site - VTSV

Net 10 days

QTY.	DESCRIPTION	PRICE	AMOUNT
	Sale of surplus plumbing materials - Village of TSV		
	Sale Items:		
36 (2)	6" Bell end pipe joints - Schedule 50	\$548.28	
4	6" Gate valves	\$1,900.00	
11	6" Straight couplers	\$668.25	
1	6" 45< couplers	\$84.70	
2	6"x6"x6" T couplers	\$261.80	
31	6" Fire hydrant	\$4,920.00	
22	8" Bell end pipe joints - Schedule 50	\$20,088.00	
1080 (60)	8" Straight end pipe joints - Schedule 50	\$17,744.40	
954 (53)	8" Bell end pipe joints - Schedule 52	\$7,030.80	
378 (21)	8" Gate valves	\$3,775.00	
5	8" Straight couplers	\$6,352.50	
77	8" 90< couplers	\$270.60	
2	8" 45< couplers	\$121.00	
1	8" 22 5< couplers	\$1,089.00	
9	8" 11 25< couplers	\$2,299.00	
19	8"x8"x6" T couplers	\$1,347.50	
7	8"x8"x8" T couplers	\$437.80	
2	Corp stop risers sections	\$495.00	
7	Round valve cover	\$735.00	
1	Oval valve cover	\$105.00	
3	Corp stop caps	\$165.00	
		TOTAL PURCHASES	\$70,438.63
		Purchases Sub Total (50%)	\$35,219.32
	Thank you.	TOTAL DUE	\$35,219.32



**VILLAGE OF TAOS SKI VALLEY**  
**Village Council**  
**Agenda Item**

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**AGENDA ITEM TITLE:** Consideration to Approve **Resolution No. 2023-517**, the Village of Taos Ski Valley 2024-2028 Infrastructure & Capital Improvements Plan (ICIP).

**DATE:** August 23, 2022

**PRESENTED BY:** Patrick Nicholson, Director of Planning & Community Development

**STATUS OF AGENDA ITEM:** New business

**CAN THIS ITEM BE RESCHEDULED:** Not Recommended due to submission deadline.

**BACKGROUND INFORMATION:** 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 2024-28. 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.

**RECOMMENDATION:** Staff recommends the Village Council approve **Resolution No. 2023-517** approving the Village of Taos Ski Valley 2024-2028 Infrastructure & Capital Improvements Plan.



**RESOLUTION No. 2023-517**

**ADOPTING THE 2024-2028  
INFRASTRUCTURE & CAPITAL IMPROVEMENTS PLAN**

**WHEREAS**, the Village of Taos Ski Valley recognizes that the financing of public capital projects is a major concern in New Mexico and nationally; and

**WHEREAS**, in times of scarce resources, it is necessary to find new financing mechanisms and maximize the use of existing resources; and

**WHEREAS**, systematic capital improvements planning is an effective tool for communities to define their development needs, establish priorities and pursue concrete actions and strategies to achieve necessary project development; and

**WHEREAS**, this process contributes to local and regional efforts in project identification and selection in short and long-range capital planning efforts.

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL**, that:

1. The Village Council adopts the attached FY 2024-2028 Infrastructure & Capital Improvement Plan, and
2. It is intended that the Plan be a working document and is the first of many steps toward improving rational, long-range capital planning and budgeting for the Village of TSV and New Mexico's infrastructure.

**PASSED, ADOPTED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**THE VILLAGE OF TAOS SKI VALLEY**

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Village Clerk

Vote: For \_\_\_\_\_ Against \_\_\_\_\_

2024-2028 VTSV INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN

FY Year & Priority	Project Name	Total Cost	Funded	Unfunded	2024	2025	2026	2027	2028
24.1	Water Line Repairs Kachina and System Wide	\$ 2,000,000	\$ 750,000	\$ 1,250,000	\$ 400,000	\$ 500,000	\$ 500,000		
24.2	Renovate and Expand Primary Fire Station #1	\$ 2,500,000	-	\$ 2,500,000	\$ 1,500,000		\$ 500,000	\$ 250,000	
24.3	Wastewater Treatment Plant Expansion Adjustments	\$ 2,000,000	-	\$ 2,000,000	\$ 500,000				
24.4	New Village Hall Complex - location TBD	\$ 3,350,000	\$ 1,200,000	\$ 2,150,000	\$ 1,850,000	\$ 300,000			
24.5	Twining Rd. Improvements - Construction	\$ 7,800,000	-	\$ 7,800,000	\$ 2,800,000	\$ 2,500,000	\$ 2,500,000		
24.6	Kachina Distribution Lines	\$ 500,000	-	\$ 500,000	\$ 275,000	\$ 225,000			
24.7	Acquire Snow Storage Land & Easements	\$ 1,500,000	-	\$ 1,500,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000
24.8	Multi-Purpose Trails (Amizette to Kachina) Planning, Acquisition, and Development	\$ 750,000	-	\$ 750,000	\$ 275,000	\$ 250,000			
25.1	Acquire Community Space in TSVI Adm/Firehouse Bldg	\$ 500,000	-	\$ 500,000	\$ 500,000				
25.2	Fire Sub-station #2 Expand and Renovate	\$ 1,500,000	-	\$ 1,500,000	\$ 750,000	\$ 750,000			
25.3	Public Safety Building Land Acquisition	\$ 400,000	-	\$ 400,000	\$ 400,000				
25.4	Springs Property Acquisition & Easements (Phoenix, Gunsile, and BoW)	\$ 350,000	-	\$ 350,000	\$ 200,000				
25.5	Gunsile Springs Engineering, Design, Construction and Distribution Lines	\$ 1,750,000	-	\$ 1,750,000	\$ 1,750,000				
25.6	Public Safety Bldg. (Plan, Design, and Construction)	\$ 2,650,000	-	\$ 2,650,000	\$ 1,500,000	\$ 1,150,000	\$ 1,250,000		
25.7	Water Line Upgrades and Expansion - Bull of the Woods	\$ 1,000,000	-	\$ 1,000,000	\$ 1,000,000				
25.8	WasteWater Line Upgrades and Expansion - Bull of the Woods	\$ 750,000	-	\$ 750,000	\$ 750,000				
25.9	Purchase EMS Medical Unit	\$ 250,000	-	\$ 250,000	\$ 250,000				
25.10	Purchase Police Vehicles and Equipment	\$ 150,000	-	\$ 150,000	\$ 150,000				
25.11	Road Grader (PW)	\$ 250,000	-	\$ 250,000	\$ 250,000				
25.12	Electric Vehicle Charging Station	\$ 75,000	-	\$ 75,000	\$ 75,000				
26.1	Pumper Tender (Fire Dept.)	\$ 500,000	-	\$ 500,000			\$ 500,000		
26.2	Kachina Road Improvements	\$ 3,289,150	-	\$ 3,289,150			\$ 1,750,000	\$ 1,538,150	
26.3	Porcupine and Zaps Road Improvements	\$ 2,706,700	-	\$ 2,706,700			\$ 1,500,000	\$ 1,206,700	
26.4	Public Restrooms and Recreational Structures	\$ 350,000	\$ 75,000	\$ 275,000			\$ 200,000	\$ 75,000	
26.5	Solar Energy Collection and Panel Installation	\$ 175,000	-	\$ 175,000			\$ 175,000		
26.6	Purchase Village Adm. Vehicles	\$ 150,000	-	\$ 150,000			\$ 150,000		
26.7	Recycling Facility - Planning, Design, & Construction	\$ 300,000	-	\$ 300,000			\$ 50,000	\$ 250,000	\$ 250,000
26.8	Kachina Welland Park Improvements	\$ 300,000	-	\$ 300,000			\$ 300,000		
26.9	Public Transit (NCRD) Stops/Pull-outs/Shellers (match)	\$ 150,000	-	\$ 150,000			\$ 150,000		
27.1	WasteWater Line Upgrades and Expansion - Amizette	\$ 6,694,584	-	\$ 6,694,584				\$ 4,694,584	\$ 4,000,000
27.2	Water Line Upgrades and Expansion - Amizette	\$ 2,750,000	-	\$ 2,750,000				\$ 1,750,000	\$ 1,000,000
27.3	Fire Rescue Truck	\$ 400,000	-	\$ 400,000				\$ 400,000	
27.4	Helipad Site Acquisition & Development	\$ 750,000	-	\$ 750,000				\$ 400,000	\$ 350,000
27.5	Dumptruck (PW)	\$ 125,000	-	\$ 125,000				\$ 125,000	
27.6	Purchase Water Truck (PW)	\$ 100,000	-	\$ 100,000				\$ 100,000	
27.7	Pumper Replacement Fire Engine	\$ 475,000	-	\$ 475,000				\$ 470,000	
27.8	Pumper Vector Truck - Purchase and Equip (PW)	\$ 175,000	-	\$ 175,000				\$ 175,000	
27.9	Public Safety Repeater Building	\$ 150,000	-	\$ 150,000				\$ 150,000	
27.10	Phoenix Spring Redevelopment & Repair (Planning, Engineering, & Construction)	\$ 500,000	-	\$ 500,000				\$ 250,000	\$ 250,000
28.1	Hiker Parking Lot Expansion or Additional Location and Improvements	\$ 350,000	-	\$ 350,000					\$ 350,000
28.2	Public Works Material & Vehicle Storage Building	\$ 750,000	-	\$ 750,000				\$ 750,000	\$ 750,000
28.3	Snow Dragon (snow melt)	\$ 150,000	-	\$ 150,000					\$ 150,000
28.4	Surface Water Treatment Plant Gunsile Spring (Plan, Engineer, Design, & Construction)	\$ 1,500,000	-	\$ 1,500,000					\$ 1,500,000
28.5	MultiHog Attachment - Triley Sweeper (PW)	\$ 70,000	-	\$ 70,000					\$ 70,000
28.6	Ladder Truck (Fire Dept.)	\$ 2,250,000	-	\$ 2,250,000					\$ 2,250,000
	SubTotal (excluding funded projects)	\$ 53,110,434			\$ 8,100,000	\$ 10,100,000	\$ 10,075,000	\$ 13,385,434	\$ 11,220,000
	Funded Projects:	\$ 2,025,000	\$ 2,025,000	\$ 53,110,434					
	Total all Projects from 2024 to 2028	\$ 55,135,434	\$ 2,025,000	\$ 53,110,434					
	* CIP projects noted in green; contributions eligible for DIF credit								
	** Public Safety includes Police, Fire, & EMS								

**VILLAGE OF TAOS SKI VALLEY**  
**Village Council**  
**Agenda Item**

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**AGENDA ITEM TITLE: Consideration to Approve Contract Agreement with Metrics Together LLC**

DATE: August 23, 2022

PRESENTED BY: John Avila, Village Administrator

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: The Village has the need for funding projects, most urgently being for assistance in water and wastewater projects. On direction of the Mayor, an RFQ was issued and the one responsive bidder, Metrics Together, was selected. Metrics Together has submitted a grant for fire funding and there is now an opportunity to enter into a contract for other grant writing opportunities. Last year Chief Trujillo started the process for FEMA mitigation grant funding. This process is open again this year and may be one of the applications pursued by the Village.

RECOMMENDATION: Staff recommends approval of the Metrics Together contract, to be finalized and engaged by the Village Administrator.



## SERVICES CONTRACT #

This contract is hereby made and entered into by and between the Village of Taos Ski Valley, a New Mexico Municipality (hereinafter "VILLAGE") and Metrics Together LLC (hereinafter CONTRACTOR") on this 16<sup>th</sup> day of August, 2022.

WHEREAS, the VILLAGE has found it necessary to retain the services of CONTRACTOR to provide contractor services to: provide on-going support and strategy for Village priorities that require grant funding.

WHEREAS, the VILLAGE desires to engage CONTRACTOR to provide said services; and

WHEREAS, CONTRACTOR desires to provide such service(s) under the terms and conditions of this contract;

**THEREFORE, IT IS HEREBY MUTUALLY AGREED** by and between the parties that:

1. Scope of Work. CONTRACTOR shall:

- Research grant prospects and federal and state programs after NTP by CPO. Metrics Together will advise on how to apply for programs and funding and assist in planning for use of funds.
- Strategic planning on use of funds and cross-leveraging funding opportunities.
- Work with staff to interpret guidelines, compile quantitative and qualitative information necessary for strong proposals.
- Write grant proposals as requested in time to meet deadlines, and prepare the proposal for submission.
- Attend meetings necessary to accomplish the required work.

2. Address & Phone Contact. The address and phone number of Contractor is:

Alison Turner  
Metrics Together LLC  
206 Girard Blvd NE  
Albuquerque, NM 87106

3. Term. This contract shall be effective from 8/15/22 and terminate on 8/15/23 unless sooner terminated pursuant to the termination provision below or by completion of said services. This contract shall not be effective until reviewed by Village legal, approved by the VILLAGE Council and signed by the Mayor.

4. Renewal. VILLAGE shall have the right, but is not obligated, to renew this contract subject to terms agreeable to both the VILLAGE and CONTRACTOR.
5. Compensation. The VILLAGE shall pay CONTRACTOR, under this contract, an hourly rate of \$150.00 per hour, not to exceed a sum of \$3000.00 per month plus applicable sales of .0925% using the TIDD CRS code #20-480 for filing. CONTRACTOR will keep track of time spent and submit an itemized invoice to the VILLAGE on a monthly basis. Billable hours will include all activities mentioned in the Scope of Services above, as well as process documentation, training, and telephone/video consultations. Time will be rounded to the nearest quarter hour. Invoice will be sent on the last day of the month with payment due within 14 days. Interest of 5% monthly late payment fee applies to all invoices not paid within 14 days. If an overage is paid by the Client, the remaining balance will be applied to the next month's invoice.
6. Release. CONTRACTOR agrees that, upon final payment of the amount due under this contract, CONTRACTOR releases the VILLAGE from all liabilities, claims and/or obligations whatsoever arising from, or under, this contract.
7. Appropriations. This contract is contingent upon there being sufficient appropriations available. The VILLAGE shall be the sole and final determiner of whether sufficient appropriations exist. If this contract encompasses more than one fiscal year, this contract is contingent upon continuing appropriations being available.
8. Annual Review. If this contract encompasses more than one fiscal year, this contract is subject to an annual review by the VILLAGE. If any deficiencies are noted during the review process, the Contractor shall be given a specified time, as per the Notice to Cure provision below, in which to cure said deficiency(ies).
9. Conflicts Provision. Should there be any conflict between any terms, condition or understanding between any term or condition contained in this contract and those documents incorporated by reference, the terms and conditions of this contract shall govern.
10. Work Product. Once the construction has been accomplished, the quality of work must be approved and accepted by the Village as complete. All work and work product produced under this contract shall be and remain the exclusive property of the VILLAGE and CONTRACTOR shall not use, sell, disclose or otherwise make available to anyone (individual, corporation or organization), other than the VILLAGE, any such work or work product or copies thereof. If applicable, the provision of Sec. 13-1-123(B), N.M.S.A. (1978 as amended) shall apply. Further, CONTRACTOR shall not apply for, in its name or otherwise, for any copyright, patent or other property right and acknowledges that any such property right created or developed remains the exclusive right of the VILLAGE.
11. Status of Contractor. CONTRACTOR acknowledges that it is an independent contractor and as such neither it nor its employees, agents or representatives shall be considered employees or agents of the VILLAGE nor shall they be eligible to accrue leave, retirement benefits, insurance benefits, use of VILLAGE vehicles, or any other benefits provided to VILLAGE employees.
12. Non-Agency. CONTRACTOR agrees not to purport to bind the VILLAGE to any obligation not assumed herein by the VILLAGE, unless the CONTRACTOR has express written approval and then only within the limits of that expressed authority.

13. Confidentiality. Any information learned, given to, or developed by CONTRACTOR in the performance of this contract shall be kept confidential and shall not be made available or otherwise released to any individual or organization without the prior written approval of the VILLAGE.
14. Worker's Compensation. CONTRACTOR acknowledges that neither it nor its employees, agents or representatives shall have any claim whatsoever to worker's compensation coverage under the VILLAGE's policy.
15. Taxes. CONTRACTOR acknowledges that it and it alone, shall be liable for and shall pay to the New Mexico Taxation & Revenue Department, the applicable gross receipts taxes on all monies paid to it under this contract and that the VILLAGE shall have no liability for payment of such tax. CONTRACTOR also acknowledges that it, and it alone, shall be liable to the State and Federal government(s) and/or their agencies for income and self-employment taxes required by law and that the VILLAGE shall have no liability for payment of such taxes or amounts.
16. Records-Audit. CONTRACTOR shall keep, maintain and make available, to the VILLAGE, all records, invoices, bills, etc. related to performance of this contract for a period of three (3) years after the date of final payment. If federal grant funds are used to pay under this contract, Contractor shall retain all records for the period of time under which OMB Circular 102-A shall apply. Said records shall be available for inspection, audit and/or copying by the VILLAGE or its authorized representative or agent, including federal and/or state auditors.
17. Indemnification. CONTRACTOR agrees to indemnify and hold harmless the VILLAGE from any and all claims, suits, and causes of action which may arise from its performance under this contract unless specifically exempted by New Mexico law. CONTRACTOR further agrees to hold harmless the VILLAGE from all personal claims for any injury or death sustained by CONTRACTOR, its employees, agents or other representatives while engaged in the performance of this contract. CONTRACTOR agrees to maintain liability insurance at least equal to the requirements of the New Mexico Tort Claims Act during the term of this contract.
18. Assignment & Subcontracting. CONTRACTOR shall not assign, transfer or subcontract any interest in this contract or attempt to assign, transfer or subcontract any claims for money due under this contract without the prior written approval of the VILLAGE.
19. Conflict of Interest. CONTRACTOR warrants that it presently has no interest or conflict of interest and shall not acquire any interest or conflict of interest which would conflict with its performance of services under this contract.
20. Non-Discrimination. CONTRACTOR agrees that it, its employee(s) and/or agent(s) shall comply with all federal, state and local laws regarding equal employment opportunities, fair labor standards, and other non-discrimination and equal opportunity compliance laws, regulations and practices.
21. Default by Contractor. In the event that CONTRACTOR defaults on any term or provision of this contract, the VILLAGE retains the sole right to determine whether to declare the contract voidable and/or CONTRACTOR agrees to pay the VILLAGE the reasonable costs, including court fees and attorney's fees and direct and indirect damages, incurred in the enforcement of this contract.

22. Efforts to Cure. If the VILLAGE elects to provide the Contractor with notice to cure any deficiency or defect, the Contractor may have the time specified in the written "Notice to Cure" Authorization. Failure, by the Contractor, to cure said deficiency or defect, within the authorized time, shall result in an immediate termination of this contract subject to the provision of No. 9 above.
26. Severability. In the event that a court of competent jurisdiction finds that any term or provision of this contract is void, voidable or otherwise unenforceable, all other terms and provisions shall remain intact and enforceable where not otherwise inconsistent with the Court's findings.
27. Scope of Agreement. This contract incorporates all of the agreements and understandings between the parties. No prior agreement(s) or understanding(s), verbal or otherwise, shall be valid or enforceable unless embodied in this contract.
28. Amendment(s) to This Contract. This contract shall not be altered, changed, modified or amended, except by instrument, in writing, executed by both parties.
29. Applicable Law. This contract shall be governed by the Laws of the State of New Mexico and the Ordinances, resolutions, rules and regulations of the VILLAGE. Any legal proceeding brought against the VILLAGE, arising out of this contract, shall be brought before the Eighth Judicial District Court, Taos County, State of New Mexico.
30. Illegal Acts. Pursuant to Sec. 13-1-191, N.M.S.A. 1978 (as amended), it shall be unlawful for any CONTRACTOR to engage in bribery, offering gratuities with the intent to solicit business, or offering or accepting kickbacks of any kind. All other similar act(s) of bribes, gratuities and/or kickbacks are likewise hereby prohibited.

IN WITNESS HEREOF, the parties have executed this Agreement as of the date first written above.

**CONTRACTOR**

\_\_\_\_\_  
\_\_\_\_\_  
CONTRACTOR'S GRT/CRS NUMBER or

\_\_\_\_\_  
CONTRACTOR'S FED. TAX ID NO. or SSN

**VILLAGE OF TAOS SKI VALLEY**

\_\_\_\_\_  
NEAL KING, MAYOR

**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 Village Health Incentive Policy for reimbursement

**DATE:** August 23, 2022

**PRESENTED BY:** John Avila

**STATUS OF AGENDA ITEM:** New Business

**CAN THIS ITEM BE RESCHEDULED:** Not Recommended

**BACKGROUND INFORMATION:** After the Village long-held practice of reimbursement for limited exercise program costs, a policy is now required to standardize the approved programs that can be reimbursed, and plan in advance for budgeting.

**Staff Recommendation:** Approval of the policy as described in the Administrative Clarification Letter.



To: Mayor King  
From: John Avila,  
Village Administrator  
Date: August 15, 2022  
Re: Health Incentive Pay Policy

**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](mailto:vtsv@vtsv.org) Website: [www.vtsv.org](http://www.vtsv.org)

**Mayor:** Neal Kingl  
**Council:** Brent Knox, J. Christopher Stagg,  
Henry Caldwell, Thomas Wittman  
**Administrator:** John Avila  
**Clerk/Treasurer:** Ann M. Wooldridge

The Village of Taos Ski Valley Administration over time may have created perception of entitlement to a paid benefit by the practice initially of subsidizing ski passes and then other exercise services such as gym membership. However, the requests for reimbursements have digressed to varied programs not initially contemplated when the Health Incentive Program was initiated. The ongoing efforts to codify practices into policies and provide standardization for the best effect, has resulted in the Administrative Clarification and the following recommended as a Policy:

In line with procurement statutory requirements and policy the employee seeking to be reimbursed for the Health Benefit Incentive will first create a Purchase Order through their supervisor. They may request reimbursement for up to \$500.00 paid within the Fiscal Year for Exercise Services; including Ski Passes, Gym Membership, Exercise Classes within Taos County. Within the Village of Taos Ski Valley, eligible activities also include; sporting events, programs and services by the Village, registered Village businesses and the Chamber of Commerce. For reimbursement the employee must produce a receipt of payment with the Purchase Order to the Supervisor for approval and payment.

Sincerely,

John Avila

**VILLAGE OF TAOS SKI VALLEY**  
**Village Council**  
**Agenda Item**

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**AGENDA ITEM TITLE:** Consideration to Approve Change in Village Entry Pay Level from \$15/Hour to \$17.50/Hour Minimum

**DATE:** August 23, 2022

**PRESENTED BY:** John Avila

**STATUS OF AGENDA ITEM:** New Business

**CAN THIS ITEM BE RESCHEDULED:** Not Recommended

**BACKGROUND INFORMATION:** The Village Staff have enjoyed the additional amount allowed by Council over the COLA rate of 4% locally and the Market Rates have also been increasing so that the \$15/Hour entry level pay is no longer competitive. A rate of \$17.50 is requested to compete with the market compression.

**Staff Recommendation:** Approval of the entry level pay minimum of \$17.50 and direction to continue developing the Village Grade and Pay matrix.