



**VILLAGE COUNCIL REGULAR MEETING AGENDA  
MEETING TO BE HELD VIA ZOOM TELECONFERENCE  
TAOS SKI VALLEY, NEW MEXICO  
TUESDAY, FEBRUARY 28, 2023 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 JANUARY 24, 2023 VILLAGE COUNCIL REGULAR MEETING**
- 5. 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)
- 6. COMMITTEE REPORTS**
  - A. Planning & Zoning Commission
  - B. Public Safety Committee
  - C. Firewise Community Board
  - D. Parks & Recreation Committee
  - E. Lodger's Tax Advisory Board
- 7. REGIONAL REPORTS**
- 8. MAYOR PRO TEM'S REPORT**
- 9. STAFF REPORTS**
  - A. Administrator Avila
  - B. Finance Director Griesedieck
  - C. Public Safety Director Vigil
  - D. Building Official Bowden
  - E. Planning Director Nicholson
  - F. Public Works Director Martinez
  - G. Clerk Wooldridge
- 10. OLD BUSINESS**
- 11. NEW BUSINESS**
  - A. Consideration to Approve **Resolution No. 2023-528** Requesting Acceptance and Approval of the FY2022 Final Audit
  - B. Council Discussion of Auditor's suggested Utility Rate Increases and Direction to Perform a Rate Analysis to ensure Compliance with Debt Agreements
  - C. Consideration to Approve **Resolution No. 2023-527** Requesting a Permanent Budget Adjustment (BAR) to the FY2023 Budget, Increasing Transfers into (01) Water Enterprise, and Increasing Transfers out of the General Fund (03)
  - D. Consideration to Publish and Post **ORDINANCE NO. 2022-72** AN ORDINANCE PURSUANT TO NMSA 1978, SECTION 1-22-3.1 (2018) TO OPT IN FOR THE ELECTION OF THE MUNICIPAL OFFICERS OF THE VILLAGE OF TAOS SKI VALLEY IN THE NEXT REGULAR LOCAL ELECTION
  - E. Consideration to Approve **Resolution No. 2023-529** A RESOLUTION OF THE VILLAGE OF TAOS SKI VALLEY APPROVING AMENDMENT NO. 2 TO THE ENCHANTED CIRCLE COUNCIL OF GOVERNMENTS JOINT POWERS AGREEMENT
  - F. Consideration to Approve and Acknowledge the annual Capital Improvements Advisory Committee (CIAC) Report
  - G. Consideration to Approve Adoption of formal Council Procedures for Appeal Hearings of Planning and Zoning Commission Decisions
  - H. Discussion of Use of Fire Funds

**I. Consideration to Approve Credits for Water Fixed Rates**

**J. Consideration to Approve an Updated Credit and Collection Policy with Prerequisite of Installation of a Customer Remote-read Metering System before Application for Leak Credit**

**12. CLOSED SESSION**

**A. Discussion of Threatened or Pending Litigation.** This matter may be discussed in closed session under Open Meetings Act exemption 10-15-1(H) (7)

**B. Discussion of the Purchase, Acquisition, or Disposal of Real Property.** This matter may be discussed in closed session under Open Meetings Act exemption 10-15-1(H) (8)

**13. MISCELLANEOUS**

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

**15. ADJOURNMENT**

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



**VILLAGE COUNCIL REGULAR MEETING DRAFT MINUTES  
TO BE HELD VIA ZOOM TELECONFERENCE  
TAOS SKI VALLEY, NEW MEXICO  
TUESDAY, JANUARY 24, 2023 2:00 P.M.**

**1. CALL TO ORDER AND NOTICE OF MEETING**

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

**2. ROLL CALL**

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

**Governing Body Present:**

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 Caldwell **PASSED:** 4-0

**4. APPROVAL OF THE MINUTES OF THE DECEMBER 27, 2022 VILLAGE COUNCIL REGULAR MEETING**

**MOTION:** To approve the minutes of the December 27, 2022 Village Council Regular Meeting

**MOTION:** Councilor Stagg **SECOND:** Councilor Knox **PASSED:** 4-0

**5. 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)

**A. Homeowner Ben Cook** read a statement of thanks to Public Works Director Martinez and his crew for working tirelessly to restore water service to the upper Village properties, staying late at night many times over the holidays. He said the he and his wife urge the Village leadership to take measures to upgrade the Village's water system, including raising rates if necessary, to enact water conservation measures, and to improve emergency communication frequency and methods.

**B. Homeowner Mike Fitzpatrick** reported on the activities of the CIAC related to concerns over the financial solvency of the Village, and concerns about whether the Village is meeting the requirements of the USDA loan for the adequacy of rates to cover debt service. He also discussed the potential for a referendum vote on the new Firehouse purchase. He said that they have the sufficient number of signatures to file the petition.

**TSVI's Peter Talty** said that a community meeting would be held on the status of the Firehouse and Mogul Medical projects, to take place on Saturday January 28, 2023 at 3:00 pm in the Lake Fork Room by the hockey rink. Mr. Talty will present a history of the project, including the idea of the benefit of conglomerating municipal and public safety facilities in one area. Chaz Rockey will present some different funding opportunities, and Doug Patterson from Living Designs Group will explain the design of the buildings and the requirements mandated for such facilities.

**Trudy DiLeo** asked about the status of appointment of a mayor. Mayor Pro Tem Wittman said that a Mayor will be elected in the next election if no appointment is made before that time.

**6. COMMITTEE REPORTS**

**A. Planning & Zoning Commission:** The next scheduled meeting will be held on February 6, 2023. A public hearing will be held on a conditional use permit for the proposed Hotel St. Bernard.

B. Public Safety Committee Chairperson DiLeo reported that the sub-committee is making progress working on moving the overhead power lines to underground. She read a statement urging Village leaders to take action to improve the municipal water system. She said that they also urged taking action to initiate an ordinance requiring a water shut-off valve be installed at each residence, the location of which is known to the Public Works Department. She said that the Committee also urged discontinuation of the practice of giving credits for water leaks, and that a protocol should be initiated to notify all water users in the Village if there is a water emergency, and that residents should be encouraged to monitor water usage at their home via installation of a private meter.

C. Firewise Community Board- see above

D. Parks & Recreation Committee – no report

E. Lodger's Tax Advisory Board - no report

## 7. REGIONAL REPORTS

Administrator Avila said that the NCRTD is expanding the Green Line bus route which includes bringing more frequent rides to Taos Ski Valley.

## 8. MAYOR PRO TEM'S REPORT

### A. Discussion of Water Issues

Mayor Pro Tem Wittman reported that the water issues remaining are at one house in Pioneer Glade, and at four houses on Cliffhanger Loop. Capital Outlay requests for water system improvements have been submitted in the amount of \$5 million. He said that homeowners should contact the Village concerning items such as installing or locating water shut-off valves. Public Works Director Martinez said that the leak on Cliffhanger may have been located. Mayor Pro Tem Wittman thanked the Public Works Department staff for their hard work. Councilor Caldwell reported that TSVI was in the process of purchasing and installing seven master meters to better monitor water loss. Work on repairing and replacing water lines will also be funded by an existing \$750,000 capital outlay and by TIDD funds.

## 9. STAFF REPORTS

Staff reports were included in the Council packet and are posted on the Village website.

A. Administrator Avila

B. Finance Director Griesedieck

C. Public Safety Director Vigil

D. Building Official Bowden

E. Planning Director Nicholson

F. Public Works Director Martinez

G. Clerk Wooldridge

1. Consideration to Select a Representative to the Holy Cross Hospital Nominating Committee

**MOTION:** To appoint Trudy DiLeo as the Village's representative to the Holy Cross Hospital Nominating Committee

**MOTION:** Mayor Pro Tem Wittman    **SECOND:** Councilor Caldwell    **PASSED:** 4-0

## 10. OLD BUSINESS

## 11. NEW BUSINESS

A. Council Acknowledgement of the FY2023 2<sup>nd</sup> Quarter Financial data for submission to the Department of Finance, Local Government Division by January 31, 2023

As per the Department of Finance (DFA), Local Government Division, it is required to have the quarterly financial information submitted no later than 30 days after the close of each quarter. The summary report to be submitted to DFA by January 31, 2023, and the Profit and Loss from July 1-December 31, 2022 were presented. The Village ended the 2nd quarter of FY2023 with a net operating loss of -\$705,877. Staff is submitting this report to the Council for its review and acknowledgement of the financial status of the Village as of December 31, 2022.

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

**MOTION:** To Acknowledge the FY2023 2<sup>nd</sup> Quarter Financial data for submission to the Department of Finance, Local Government Division by January 31, 2023

**MOTION:** Councilor Stagg   **SECOND:** Councilor Caldwell   **PASSED:** 4-0

**B. Consideration to Approve Resolution 2023-225 Approving an Extension for the NM DOT MAP Program**

Director Martinez explained that this extension was necessary to make the best use of the NM DOT MAP funds.

**MOTION:** To Approve Resolution 2023-225 Approving an Extension for the NM DOT MAP Program

**MOTION:** Councilor Caldwell   **SECOND:** Councilor Knox   **PASSED:** 4-0

**C. Consideration to Approve a Professional Services Agreement with the Rocky Mountain Youth Corps for Construction and Design of Recreational Trails within the Village Trail System**

In partnership with the RMYC, a Trails Plus grant has been awarded by the NM State Outdoor Recreation Division for development of five Village trail segments with linkages to adjacent established US Forest Service trails. Detailed trail assessments and field work occurred this fall in preparation for trail development and build-out activities this summer. Wayfinding signs and environmental education kiosks adjacent to the Kachina wetlands trail and other trail locations are included in the project grant.

The Professional Services Agreement will allow the Village to contract with Rocky Mountain Youth Corps for sixteen (16) weeks to perform the scope of work outlined in the grant award. Project work will be funded with Development Impact Fees and is an approved Capital Improvement Project.

Total grant budget is \$224,899, while the Village cost share is \$35,001.

This Project will add approximately 6,500 feet of connector trails throughout the Village, honoring the generosity of property owners who donated land to the Village for recreational purposes. Trail reconstruction and development will occur on five (5) distinct segments - see attached VTSV Connector Trails Map.

**MOTION:** To Approve a Professional Services Agreement with the Rocky Mountain Youth Corps for Construction and Design of Recreational Trails within the Village Trail System

**MOTION:** Councilor Caldwell   **SECOND:** Councilor Knox   **PASSED:** 4-0

## **12. MISCELLANEOUS**

**A.** Janet Ratliff and Bob Thomas at 122 Twining Road asked whether the immediate expenditures of funds on water lines would preclude expenditures going forward and Mayor Pro Tem Wittman answered that it would not.

**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 regular meeting on February 28, 2023 at 2:00 p.m. via Zoom.

**14. ADJOURNMENT: MOTION:** To adjourn

**MOTION:** Councilor Stagg   **SECOND:** Councilor Caldwell   **PASSED:** 4-0

The meeting was adjourned at 3:05 p.m.

**ATTEST:** \_\_\_\_\_

\_\_\_\_\_  
Tom Wittman, Mayor Pro Tem

\_\_\_\_\_  
Ann Wooldridge, Village Clerk

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

**John Avila**  
**Village Administrator**  
**Village of Taos Ski Valley Council**  
**Monthly Briefing**  
**February 28, 2023**



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

**COVID -19 - Pandemic Emergency:**

Village Offices are following the NM Department of Health Order and are OPEN for visitors and hours of operation are still **9AM -4PM M-F**. Staff work in office and Staff no longer remote schedule without prior approval for medical issues.

**Symptomatic employees are directed to COVID Testing if symptomatic or with exposure. If ill, an employee must be approved to return to work by medical note or negative COVID test.**

When NMDOH dropped mask requirements happened last year cases surged especially during the winter months. Taos region case **rates** change drastically with the influx of visitors as our population changes Vs the resident base. There is overall less test reporting, but New Mexico has had high positivity rates in December and over 668,677 cases and 9,020 deaths by 2/28/23. Regional entities are not including a mandatory in person meeting in their OMA documents to keep safety options open.

The COVID-19 Federal declaration of Public Health Emergency is supposed to expire on April 16, 2023. If the declaration is not extended it likely will bring down the increased federal spending related to the pandemic. International concerns with relaxed precautions are not focused only on the financial costs but on prevention of virulence and generally argue to maintain pandemic caution. The impact of China's reduced containment requirement may not be known but are expected to increase infection rates.

**Public Health Order 12/1/2022; because of increase of Influenza, RSV (respiratory syncytial virus), COVID and the impact on limited medical resources, that increased precautions are implemented: Have Covid Symptoms? Stay HOME, get tested. "Wear masks when in indoor public settings" Updated on 12/19/22** COVID infections in NM have risen to over 655,000 ...and taken lives of over 8,700 New Mexicans". However, as precautions have proven effective the Secretary ordered that "All public Health Emergency Orders adopted in relation to the COVID-19 public health emergency are hereby rescinded, and only those directives stated herein shall remain in effect until otherwise amended or rescinded." Most directives relate to health, and residential institutions. Attached

Village requirements are to be evaluated with each DOH amendment. The Village still recommends distancing, masks and sanitized surfaces in common areas, to allow some percentage of protection against impact of variants and to protect individuals with compromised health.

The corrections to the Wastewater Treatment Plant train 2 that were started mid-October have functioned correctly for the end of year demand and will receive continued evaluation through the Spring Season. Ovivo had been on site to examine the upgrades in comparison to Ovivo product and were negotiating with IWS. Additional testing of the two different systems during Spring Break will provide more evidence for correction. The Village is working with the contractors to pursue the funds needed to make further corrections and we have an agreement to prosecute should Ovivo default. Currently Integrated Water Systems is at risk for the improvements to half the plant and has asked the Village to help with costs for completing the other half of the correction (approximately \$500,000). Their engineers and technicians are addressing system operations issues including monitoring programs, ceramic plate performance, improving the ultraviolet treatment, tank upkeep and injector.

## **Water**

A water leak emergency discovered prior to Christmas is still a problem as some homes still don't have full service. With leak detections expected the repairs of the emergency leaks repairs are done but the line replacement that is required to correct the water line deterioration is scheduled again for spring. An agenda item to credit the proportional charge for missed service days is considered today.

Additional Water Distribution lines below Kachina Tank will also need to be constructed along with replacement of lines and hydrant installation. House Bill 2 has \$5M for Taos County Projects from Apportionment Contingency Fund Appropriation of which \$750,000 grant funding has been identified for Village Water line repair. The funding must be utilized by June 2025 and the agreement is approved and signed with the Department of Finance. These are Federal Funds that will have different reporting standards than State Capital outlay.

Ensuring that the water delivery is optimum, Public Works has reviewed the onsite status of operating systems for the Kachina Tank including water delivery. The project will not be accepted as final until conditions to correct segregation valves are met. Because of COVID product lead times and work demands, the engineers have not yet secured the valves for correction, but they will be included in the contractor's agreement. The correction of segregation valves is at no additional cost to the Village.

An important line replacement to fix a line leak on Upper Twinning was completed satisfactorily. Capital outlay of \$200K is included for initial plans and hydrant installation, to be ready for construction in the summer. Until the permanent Water Booster Station is built, the temporary pump station upgrades allow for remote automatic operation between the pumps and tank equipment. Funding documents were received signed from the Secretary to start with NOA and NTP. The temporary pump station is again operational with help of a replacement pump after damage during dry pumping. Plummer contract was approved for design work on the Booster Station for purchase of a pumping system.

## **Village Complex**

There is increased interest among employees for housing at the Village Complex, but the operation is an enterprise fund and must produce enough revenue to cover expenses or be part of compensation. 100% occupancy of available units is possible this summer including employee housing.

The damage from the snow gale to units Nine, Ten and One is assessed, after the insurance adjuster and the engineer visited the site. The Village appealed the loss valuation and the additional loss was under SIF consideration with an additional payment of yet to be received. Because of the structural damage, repair estimates were received and an agreement procured. The Village has procured repair of the units

Nine, Ten and One, so negotiation between the insurance and contractor have competed and the SIF has approved starting repair of the units. Initial mobilization can start mid-March.

The appraisal services to establish a base line market value of the Village Complex at 1346 NM150 is one measure of value and the insurance replacement cost is another. The market for individual units is yet to be determined. The previous recommendation for workforce condominiums in the apartment units and using the front of property for Public Safety may have gained traction with Staff as the most cost-effective use of the property. Because the apartment units alone will require over 2,000 Ft Sq for parking the site would not be optimal for moving all Village offices to the site. But the site does have room for Public Safety Administration offices. Some considerations for converting the apartment to Condominiums are, Review by Planning and Zoning and recommendation to Council for approval of the property status. After the Village completes condominium conversion, the Village Council would transact the sale of the units through ordinance.

The Village is currently making use of the property as the Building Inspector, Public Safety Housing EMS/Fire, Police and Fire Administration Offices are currently housed in Village Apartment units. The use of the units as office space and EMS bunking rather than as apartment housing, has reduced the average cost per unit of sewage pumping and utilities budget to \$10,000 annually. The office for the Police Department replaced their past 20 year assignment to a construction trailer.

### **Facility Undergrounding**

Kit Carson Electric issued a letter to customers, explaining that there may be extended delay for equipment and supplies. In follow up calls the Village learned that wait times could be 80 weeks but that contractors that are able to provide their own equipment could make progress on projects.

*Reminder: Once the underground service is available near a property, the 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 a *service 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,

We recommend getting private access along the frontage of NM 150, if we don't have a report of progress with NMDOT/KCEC after many attempts and we have informed them of efforts to get private easement taking form. The Public Safety Committee has had Amizette residents contact their neighbors to get easement forms submitted to KCEC. The Village excavation contractor is waiting approval to start work on NM 150.

Additional efforts to educate Amizette residents about KCECUG is being planned with the help the Public Safety Committee. Most of the Amizette properties on NM150 riverside are owned either by multiple owners and/or by a Limited Liability Company. Other forms of acknowledgment will be needed for trusts (signature by trustee) and for LLCs (signature by an authorized officer).

Village GIS mapping is pending an update to show those properties that are within reach of connection to underground but have not yet made the connection. When completed, this mapping will show the properties that are required to make underground connection to KCEC.

Other KCEC priority underground projects completed are underground for the alleyway between Gusdorf and Emma in Amizette, the joint trench installation of underground electricity with gas line expansion from Coyote – Phoenix. Delayed last year by shortages in qualified operators and KCEC material shortages. Initial coordination of the VTSV, KCEC and NM Gas allowed a plan for a joint trench installation for both electricity and gas lines on Coyote, Chipmunk and 500 ft. of Phoenix. This



project will eventually allow for several sections of overhead electrical line to be installed to underground as well as bring the NM gas facilities near properties along the route for connection in 2023. Estimate for Twinning Road Gas extension is \$177,000

The trenching project for Upper Twinning could not be completed this season as KCEC could not guarantee materials. Pandemic supply issues, hurricane and international conflict were reasons given for the shortages. We are left to plan the project for next construction season. Additional underground installation is being accomplished with the TIDD Entryway projects in the parking lot, near Thunderbird Road and Firehouse Lane. These are predicted to allow removal of some overhead poles on Twinning Road.

## **TIDD**

**The Tax Increment Development District** is the mechanism that certain economic development investments by the designated developer (TSVI) are to be funded by tax revenues from the Village, County and the State. The tax is charged in most areas of the Village for project funding and correction for the misdirected payments is now addressed immediately. TIDD is a separate political subdivision of the State and the Board has fiduciary responsibility for oversight of those taxpayer dollars that pay the Tax Increment Bonds. The FY22 TIDD audit is complete and has been provided for TIDD Board review and release.

The planning documents, Village Water Study, the first amendment Water Line Repair Plan and second amendment for Master Meters installation are expected as TIDD eligible projects. TIDD eligible projects are intended to be dedicated after completed. Three of four facility projects were accepted for dedication by the Village and the record is forwarded to the TIDD Board for future review and approval for reimbursement of the TSVI developer. TSVI has entered into an MOU with the Village to conduct water study and engineering and is progressing with equipment purchase and installation project to start April 2023.

### **Entry Road:**

Pending TIDD project; Entry Road development by Taos Ski Valley Inc. has been presented to the Village at the Council Work Shop. Questions and comments are provided to TSVI for their application to US Forest Service permit. The Village gave support to the USFS Master Development Plan submission by resolution. USFS has indicated that the project has approval.

## **Items**

### **Public Safety Grants:**

**NMDHS EM** required for the Unified Hazard Mitigation Assistance Programs specifically regarding the Taos County Hazard Mitigation Plan Update for Taos County. The Village of Taos Ski Valley will be an active participant in the Taos County multi-jurisdictional Hazard Mitigation Plan.

NM DFA the Village of Taos Ski Valley is not eligible for many grants including the Local Planning Development Grant because the Village Median Household Income is far above the limit as well as

having small population size. However, if a LEDA ordinance is adopted by the Village, the requirements can be waived. The P&Z Board may want to review example of the Ordinance for recommendation to the Council. Attached

NM Assistance to Firefighters Grants \$200K

CWRF Loan/Grant program as advised by DEC

NM EMS Vehicle Purchase Program \$300K w/\$75K

NM Fire Grant for equipment and Fire Bay 1M

USDA Federal Facilities Grant Fire: \$3M and Water repair

FEMA BRIC Building Resilient Infrastructure and Community under Unified Hazard Mitigation Assistance Program \$2M Public Safety Building

### **Regional reports**

USFS:

Requesting Feed Back by March 6 on General project information for Taos Ski Valley Gondola and other improvement projects:

<https://www.fs.usda.gov/project/?project=61390> After briefing by USFS they wanted to be sure projects have public comment.

Other





## Scoping Figure

### Taos Ski Valley Gondola and Other Improvements Project



#### Proposed

- Base-to-Base Gondola
- Existing Lift To Be Replaced
- New/Upgraded Facility
- Hiking Trail

- Water Tank/Booster Station
- Nordic and Snowshoe Area

#### Existing

- Lift
- SUP Boundary

March 2022  
Prepared By:

**SE GROUP**

0 500 1,000'





File Code: 1950

Date: April 1, 2022

Dear Interested Party,

The Carson National Forest (CNF) is seeking comments on a proposal to improve existing facilities and infrastructure, install new infrastructure, and develop new recreational amenities at Taos Ski Valley (Taos). Specifically, Taos is proposing to install a new base-to-base gondola, replace two existing lifts, construct a water tank and booster station, develop Nordic and snowshoe trails, construct a new restaurant near existing Lift 7, and replace and relocate the Whistlestop Café. For more information, please visit the project website at: <https://www.fs.usda.gov/project/?project=61390>.

All proposed projects would be within Taos' existing special use permit (SUP) area—administered by the Carson National Forest—or would be on adjacent private lands within the Village of Taos Ski Valley (VTSV), approximately 20 miles northeast of Taos, New Mexico. A map of the proposed projects is included within this letter. These projects are identified in the 2021 Taos Master Development Plan (MDP), which was accepted by the Carson National Forest in October of 2021, and are hereafter referred to as the *Taos Ski Valley Gondola and Other Improvements Project*.

The 1986 CNF Land and Resource Management Plan (1986 Forest Plan) allocated the Taos SUP area as *Management Area 16 – Recreation Sites*. The description of Management Area 16 in the 1986 Forest Plan states, “*These are areas of concentrated recreation use. People have been and will continue to be attracted to these areas because: There is a scarcity of water in the Southwest and thus people are attracted to water environments. The areas provide climatic relief and a high degree of scenic quality. Campgrounds attract people and roads provide access.*” It is anticipated that these projects would be compliant with this management area direction as well as other direction provided in the 1986 Forest Plan. The CNF is currently revising the 1986 Forest Plan. The CNF estimates that a final decision will be issued in summer of 2022. Should a revised forest plan be accepted during this project process, the projects will be analyzed for compliance with the new forest plan.

### What is Being Proposed and Why is this Work Needed?

In accordance with the terms of their SUP, Taos completed a MDP in 2021 to outline its plans for future development and improvements on NFS lands within its SUP area. Various public engagement and outreach meetings occurred during the planning process of the 2021 MDP to develop and refine concepts for improvements at Taos. These concepts focus on addressing connection issues between the Frontside base area and Kachina Basin base area of the mountain, improving the guest on-mountain experience, and expanding the types of recreation opportunities offered at Taos.

The purpose of the currently proposed projects from the 2021 MDP is to expand and improve the recreational offerings within the Taos SUP area, while simultaneously optimizing ski area operations and promoting sustainability on NFS and adjacent lands. Taos has specifically identified the following objectives for this project proposal:

- Improve winter out-of-base lift capacity and guest dispersal across the mountain,
- Increase non-vehicular transportation between the Frontside and Kachina Basin base areas,



- Address the deficiency of indoor on-mountain restaurant seating and increase on-mountain guest service space,
- Increase storage and pump pressure of water on the Frontside for snowmaking and fire suppression purposes, and
- Increase the variety of nature-based, non-Alpine skiing recreation opportunities available at Taos.

To meet these objectives, Taos is proposing the following projects from its recently accepted MDP.

There is a need to address existing capacity and circulation constraints, deficiencies associated with on mountain facilities, inefficiencies with the snowmaking system, provide an additional means of fire suppression, and to expand existing recreation opportunities. The conditions driving each of these needs is also further described in the following paragraphs.

### ***Base-to-Base Gondola***

The Kachina Basin base area is currently accessed via Twining/Kachina Road, which was originally built as a maintenance road. Guests now use this road regularly and park on the road or near the base of Lift 4, which is the current out of base lift of the Kachina Basin base area. The road was not designed to support the traffic it experiences, is often congested, and requires frequent maintenance. To address this issue, and improve the overall circulation and guest arrival experience, a gondola is proposed to connect the Frontside base area to the Kachina Basin base area. This lift would improve general connectivity between the two base areas during the summer and winter seasons and would also improve skier circulation to terrain served by Lifts 4 and 7. This aerial connection is expected to alleviate traffic and road congestion that occurs, while also reducing the amount of maintenance needed on this roadway. The gondola would also reduce pressure on Lift 1 as guests wouldn't need to use this lift to access the beginner and intermediate terrain served by Lifts 4 and 7. The lift would also provide direct repeat-skiing on the Rubenzahl trail, which would be able to be used by the ski school for teaching. This lift could be used in the evenings to connect the two base areas and their respective lodging and restaurants, and in the summer to improve access to summer activities from the main base area. The proposed base-to-base gondola would be located within the existing SUP area and adjacent non-NFS lands. Both terminals of the base-to-base gondola would be located on NFS lands; however, a segment of alignment would pass through VTSV lands. In order for this alignment to pass through VTSV lands, an easement would be needed from VTSV. VTSV is aware of this needed easement, and at this time supports the advancement of environmental review of this project. To allow access from the terminal of the gondola to the Kachina Basin base area on private land, Taos would construct a skier/pedestrian bridge that would cross over the small stream located nearby. The portion of the bridge located on NFS lands would generally be within the footprint of gondola terminal and would be designed to minimize stream impacts.

The gondola would be approximately 7,300 feet long and would have a vertical rise of approximately 800 feet. It would operate at a capacity of approximately 1,800 people-per-hour (pph) and would have 8-person gondola cabins. Grading would be required at both the gondola terminals well as intermittently along the lift corridor to install tower footings. Tree clearing would be required within the gondola corridor to allow for passage of the gondola cabins. To provide space for gondola cabin maintenance and summer storage, a small maintenance facility would be constructed adjacent to the Kachina terminal of the gondola. This facility would not require a disturbance footprint of its own, and would be located within the broader area of disturbance associated with the terminal.

### ***Replacement of Lift 2***

Lift 2 serves Taos' expert-only hike-to terrain and provides access to terrain served by Lifts 4 and 7. It also provides access to the mountain summit. It was installed in 1995 and is a fixed grip quad lift, nearing

the end of its operational life. It is currently approximately 3,200 feet long and operates at a capacity of 1,800 pph. The lift would be upgraded to either a detachable or fixed grip quad lift that would operate at a maximum capacity of 2,400 pph depending on the configuration of the proposed lift. This would provide quicker and more efficient access to the mid-mountain and summit of Taos. Minor realignments and/or adjustments may be needed to the lift during the replacement process to improve skier circulation or lift function. Grading would be required to install the top and bottom terminals as well as the tower footings along the lift alignment. Intermittent tree clearing would be required along the lift corridor to widen it as necessary.

### ***Replacement of Lift 8***

Lift 8 was installed in 1991 and is a fixed-grip quad lift that services approximately 1,200 vertical feet of primarily beginner and intermediate terrain on the western side of the Frontside. It is also used extensively in conjunction with Lift 2 by skiers/riders repeat-skiing the expert terrain off West Basin Ridge and is used by ski racers to access the race venue and terrain. It is currently approximately 4,400 feet long and operates at a capacity of 1,800 pph. This lift is also nearing the end of its operational life and needs to be replaced in the near future.

The existing fixed-grip lift would be replaced with a detachable or fixed grip quad that would operate at a maximum capacity of 2,400 pph to reduce lift ride time and lift lines. In conjunction with the Lift 2 replacement described in the previous paragraph, the replacement of Lift 8 would enhance access to Taos' beginner and intermediate terrain, improve return access to the summit for expert skiers skiing the West Basin Ridge, and improve ski racer access to the ski racing terrain. Minor realignments and/or adjustments may be needed to the lift during the replacement process to improve skier circulation or lift function. Grading would be required to install the top and bottom terminals as well as the tower footings along the lift alignment. Intermittent tree clearing would be required along the lift corridor to accommodate larger, modern infrastructure that would be installed.

### ***Water Tank and Booster Station***

To improve snowmaking operations and provide fire suppression capabilities on the Frontside of the mountain and around Lift 2 specifically, a new booster station, water tank, and additional snowmaking pipe to connect the proposed booster station to the existing snowmaking system are proposed. It is important to note that these projects will not increase the current water uptake from the Rio Hondo. Taos will continue to hold a diversionary right of 200 acre-feet, or 65.2 million gallons of water from the Rio Hondo annually.

The new booster station would be installed adjacent to the base of Lift 2. This location was selected based on its elevation and placement within the SUP area, as it would provide sufficient water pressure for the snowmaking system to serve the greatest portion of the SUP area. A water storage tank of approximately 5 million gallons and maintenance bay are proposed to be constructed adjacent to the proposed booster station. The maintenance bay would provide space to support the snowmaking operations as well as other mountain maintenance operations. Together, these upgrades would increase water availability for snowmaking, improve the efficiency of the snowmaking system, and enhance the ability to pump water up the Frontside of the mountain. This upgraded snowmaking system would also provide enhanced fire suppression capabilities on the Frontside of the mountain, which could serve as a first line of defense against a wildfire approaching through the canyon. Until the proposed booster station is installed, minor upgrades to the two existing booster stations (Booster and BooHoo) may be necessary to provide adequate water to the area. Because these upgrades represent an improvement in the efficiency of the snowmaking system and not an expansion, they would not change water use of the system or require a change in Taos' water rights. Grading and vegetation clearing would occur within all project footprints, including for the water tank, booster station, associated snowmaking piping, and any upgrades to the two

existing booster stations. The water storage tank would be approximately 150 feet in diameter and approximately 50 feet tall. To reduce its visual impact, the tank would be located below average grade, and a vegetative screen would be maintained to the greatest extent possible. The proposed tank would be sited in a natural, dry swale that would allow for construction and maintenance access while providing natural topographic screening from the surrounding area.

### ***Nordic and Snowshoe Trails***

A snowshoe and Nordic trail area would be developed at the northern end of Taos' SUP area, adjacent the existing maintenance facility. This area would be approximately 33 acres in size. Taos would install approximately 3 miles of Nordic trails. Specific snowshoe trail alignments have not been developed yet but would occur within the same 33-acre area. Optimum trail widths vary based on the purpose of the trail and the grooming equipment to be used and would be approximately 16 to 20 feet wide to allow room for both a single skating lane and a single classic track. Grading would be required in select locations for Nordic trails to make the trail passable on Nordic skis and to allow a snowcat through for grooming.

This area was previously analyzed and approved as a snowshoe zone in the 2012 Taos MDP – Phase 1 Projects Environmental Impact Statement and Final Record of Decision (ROD). The current project includes snowshoe trails as well as Nordic trails. Nordic trails require different disturbance than snowshoe trails, as they often need grading and a wider trail prism to accommodate grooming and provide an ideal user experience. Some snowshoe trails would also be included within the currently proposed area. The 2012 Taos MDP – Phase 1 Projects Final ROD also approved an adventure center for snowshoeing. This proposal includes a similar small facility of approximately 750 square feet to support the snowshoeing and Nordic activities, but most operations would be based out of the Rio Hondo Learning Center. Grading and vegetation clearing would be required for the construction of this facility. Due to the inclusion of Nordic trails and other minor modifications to the configuration of this area, these projects are proposed to be reanalyzed under the current environmental review.

This area has been previously disturbed through the 2018 Highway 150 Corridor Wildland Urban Interface Project, where mechanical thinning was performed by tracked vehicles to decrease the fuel loads within the area. It is anticipated that this previous project work would reduce the amount of disturbance necessary to implement the proposed snowshoe and Nordic trails.

### ***Lift 7 Restaurant***

A restaurant near the top of Lift 7 is proposed to provide additional on-mountain food service space. Given its centralized location within Taos, the restaurant would serve as a main mid-mountain facility for guests to purchase food and use restrooms. The facility would be designed to provide full restaurant service with a variety of seating and, in conjunction with the proposed upgraded and relocated Whistlestop Café (discussed in following paragraph), would greatly expand the on-mountain food service space at Taos. The facility would be approximately 7,000 square feet in size and would require grading within and adjacent to this footprint. Electricity for the proposed restaurant would likely be trenched in from the top of Lift 7 along an existing access road. Water and sewer would be provided from either trenching pipelines within existing ski trails and access roads or manually hauling these utilities in and out.

### ***Whistlestop Café Replacement and Relocation***

Existing on-mountain guest service facilities are limited to the existing Whistlestop Café, which is undersized and interrupts skier flow in its current location. The café was constructed in 1986 and is outdated and underutilized due to its aging infrastructure. The replacement and relocation of the Whistlestop Café would increase its size, restaurant offerings, and quantity of bathrooms. The new

location of the Whistlestop Café would be in the vicinity of the existing location but would not be within the footprint of the existing building. The current facility is approximately 1,900 square feet and would be upgraded to be approximately 4,000 square feet. Grading would occur within and adjacent to this footprint.

### ***Lift 4 Hiking Trail***

A hiking trail would be constructed in the vicinity of Lift 4 that generally follows the existing Hunziker ski trail. This trail would be approximately 2 miles long and would provide users an intermediate, high alpine hiking experience with access to the amenities of the Kachina Basin base area. This trail, which would be located entirely within Taos' existing SUP, would provide an additional option for hiking alongside the popular Williams Lake Trail. The intent of this trail is to relieve some pressure on the Williams Lake Trail and the adjacent Wheeler Peaks Wilderness. Further, this proposed trail would complement the existing suite of summer activities at Taos, as well as those that are previously approved but not yet implemented in the Kachina area.

### ***Construction Access and Staging Areas***

It is anticipated that construction access for the existing lift replacements, new/upgraded facilities, and water tank and booster station would occur within existing cleared ski trails and rely almost entirely on the existing mountain road network. The replacement of Lifts 2 and 8 would be accessed via the existing mountain roads and by traversing the existing cleared lift alignment. In steeper sections, spider hoes and helicopters may be used to remove lift towers and install new foundations and towers. The Whistlestop Café is currently located adjacent to a mountain road and construction access to the replacement would be provided by this road. The Lift 7 restaurant would also be constructed adjacent to an existing mountain road, which would be adequate for construction access. Access to the water tank and booster station would be provided by the existing access road to the bottom terminal of Lift 2. A short construction access road may be developed to access the specific site of the water tank and booster station; however, it is likely this access road would be within the overall footprint of the proposed site.

Additional construction access roads would likely be needed for the base-to-base gondola and Nordic/snowshoe trail area. Specific access road alignments will be identified in the future environmental analysis document.

Staging would occur primarily in the existing parking lots at the Frontside and Kachina Basin base areas; however, some staging of smaller project components may occur within existing ski trail and access road alignments.

### ***Why Have I Received this Proposal?***

We are asking whether you may have any issues, concerns, or questions regarding the proposed action. Based on a preliminary assessment, we expect to analyze the projects under an environmental assessment (EA), as indicated by 36 Code of Federal Regulations (CFR) § 220.7 that covers actions that are not categorically excluded from documentation (§ 220.6) and for which the need of an environmental impact statement (EIS) has not been determined (§ 220.5). A complete resource analysis, documented in an EA, would determine whether these projects require an EIS.

We are informing you of a 30-day scoping comment period, beginning on April 7, 2022, for the proposed action. Comments will be most helpful if received by close of business on May 6, 2022. Scoping comments will assist the CNF in refining the proposed action and identifying resources to be included in the analysis. Note that there will be an additional comment period alongside the release of the



Draft EA. The responsible official (decision-maker) for this project will be the Carson National Forest Supervisor, James Duran.

### How Do I Submit Comments?

Written comments can be submitted to:

James Duran, Forest Supervisor  
c/o Paul Schilke, Winter Sports Coordinator  
P.O. Box 110  
Questa, NM 87556

To schedule a hand-delivery of comments to the ranger station, please call 575-586-0520. The Questa Ranger Station at 184 State Route 38, just east of Eagle Rock Lake, in Questa, is still closed due to COVID-19.

Electronic comments can be submitted through the CNF project website at

<https://cara.fs2c.usda.gov/Public/CommentInput?Project=61390>.

Comments can also be submitted by fax to (575) 586-2010.

Please include *Taos Ski Valley Gondola and Other Improvements Project* in the subject line of the email and/or letter. Comments received, including names and addresses, will be part of the public record and available for public inspection. Comments submitted anonymously will be accepted and considered; however, those who submit anonymous comments will not receive subsequent project information.

### Questions?

If you have questions about the project, contact Paul Schilke, Winter Sports Coordinator at 575-587-2255 or [paul.schilke@usda.gov](mailto:paul.schilke@usda.gov).

Sincerely,



JAMES D. DURAN  
Forest Supervisor



Forest Service  
U.S. DEPARTMENT OF AGRICULTURE

Carson National Forest

## Forest Service News Release

Contact: Zach Behrens, Public Affairs Officer

(575) 758-6303

[zachary.behrens@usda.gov](mailto:zachary.behrens@usda.gov)

[www.fs.usda.gov/carson](http://www.fs.usda.gov/carson)

### **Talpa Foothills Working Group to Meet Feb. 27**

**TAOS, NM, Feb. 22, 2023** — The Talpa Foothills Working Group will have its second meeting next week at 5:30 p.m. on Mon., Feb. 27. It will be held at the Sagebrush Conference Center, 1508 Paseo Del Pueblo Sur, Taos, NM, 87571.

Working group members will present their trail proposals for the Talpa Foothills area, followed by discussions. Following the meeting, members will individually evaluate the proposals using a scoring matrix based on [interests](#) identified during the [first meeting](#).

The last two working group meetings will be held March 9 at the Sagebrush Conference Center and April 24 at Bataan Hall.

Meetings are open to public observation but not participation. The public can submit comments to working group members by contacting them directly, filling out a comment card at the meeting, attending an upcoming community feedback event (see below), emailing them at [talpatrailsfeedback@gmail.com](mailto:talpatrailsfeedback@gmail.com) or mailing a letter to Talpa Foothills Working Group, 208 Cruz Alta Rd., Taos, NM 87571.

The public may participate in two community feedback events, one in person on March 30 at the Sagebrush Conference Center and the other virtual on April 6. Times, dates and locations are listed on the [Talpa Foothills Working Group webpage](#).

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Forest Service  
U.S. DEPARTMENT OF AGRICULTURE

Carson National Forest

## Forest Service News Release

Contact: Zach Behrens, Public Affairs Officer

(575) 758-6303

[zachary.behrens@usda.gov](mailto:zachary.behrens@usda.gov)

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### Public Comments Sought for Four Projects Across Forest

**TAOS, NM, Feb. 22, 2023** — Carson National Forest planners are seeking scoping comments for four proposed projects related to infrastructure. The projects, as currently proposed, are considered categorical exclusions under the National Environmental Policy Act, and comments are sought to help daylight any unknown issues.

“Communities around Carson National Forest are exceptionally engaged in public land management,” said Collaborations Staff Officer Leeann Murphy. “Although these are smaller projects, we want to make sure the public is aware of them.”

The projects are [listed online](#) and below:

#### **Forest Road 439 Bridge Repairs/Maintenance, Camino Real Ranger District**

The Forest is seeking to repair and maintain an existing bridge on Forest Road 439. Work would include replacing surface wearing components, reshaping the approaches at a determined runout length with new surfacing and installing upstream and downstream protection with riprap placement along abutments and wingwalls.

Ask a question/submit a comment: Morgan Aguirre at [morgan.aguirre@usda.gov](mailto:morgan.aguirre@usda.gov) or 575-758-6200.

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The remaining three projects are based on applications from non-Forest entities. After reviewing their proposals, the Carson National Forest is proposing to authorize the following:

#### **Abeyta-Trujillo Acequia Pipeline Installation, El Rito Ranger District**

The Abeyta-Trujillo Acequia off the Rio Chama is proposing the reconstruction and construction of buried pipe located within and next to its permit area right of way. It also seeks to authorize a secondary access road and gate for construction and maintenance. The project’s purpose is to increase the flow of water, improve efficiency, support wildlife and decrease maintenance needs.

Ask a question/submit a comment: Dana Boruch at [dana.boruch@usda.gov](mailto:dana.boruch@usda.gov) or 575-758-6204.

**Holman Hill Fiber, Camino Real Ranger District**

La Jicarita Rural Telephone Cooperative is seeking to cross National Forest System lands to connect fiber optic lines between Mora and Taos counties. The proponent would bore a minimum of 36 inches underneath the Carson National Forest in three locations via directional boring between private land parcels. All surface access points and junction boxes would be located on private land and will result in approximately 3,000 feet of pipe through the Forest.

Ask a question/submit a comment: Paul Schilke at [paul.schilke@usda.gov](mailto:paul.schilke@usda.gov) or 575-587-2255.

**Miranda Canyon Road Use Permit, Camino Real Ranger District**

The purpose of this project is to provide safe, adequate access to private land by crossing a short section of National Forest System Land. The crossing will use an existing route, which minimizes environmental effects.

Ask a question/submit a comment: Ricardo Leon at [ricardo.leon@usda.gov](mailto:ricardo.leon@usda.gov) or 575-586-0520.

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## Council Notes for February 28, 2023 Meeting:

### Revenues January 2023:

GRT: This month last year: \$101,812

This month this Year: \$142,616

Last Year YTD: \$628,940

This Year YTD: \$633,304

### Lodgers Tax:

This month last year: \$110,392

This Month this year: \$117,615

YTD Last year: \$262,982

YTD This year YTD: \$268,241

### REVENUES:

- We received **\$23,683** in hold harmless GRT revenue in January which has been transferred to the USDA fund for monthly loan payments and reserves for the WWTP.
- Fiscal YTD GRT up approximately 0.7% from last year.
- Fiscal YTD Combined Water and sewer sales are up approximately 4% from last year.
- Fiscal YTD Lodger's tax collections are up 2% from last year.
- Fiscal YTD Building permits actual are up 354% from last year. The actual YTD Building Permit revenue this FYTD is \$56,513.
- Village received **\$208,477** in property tax collections in January 2023 for a YTD total of \$419,432. YTD Collections are up 60% from last year.
- The TIDD received **\$207,789** in GRT in January.

- **EXPENSES:**

- Outside contractors FY23 through January 2023 vs the same period last year is up \$212%. FY22 July-Jan did not have substantial Outside Contractor payments. FY23 July – Jan higher amount is accountable to the following:
  - Reported amounts on January 24 Council Meeting Financial report. No substantial additions occurred in Jan 2023.
- Capital expenses YTD consist of those previously reported. None were added in January.

### ***January Events***

The Budget calendar adopted in December continues to be followed in January.

Coordination for transition to Caselle Accounting Software with a start date of 7/1/23 is underway.

Loan #CWSRF 052 final payment made on Jan 19, 2023.

### **Fiscal Year 2022 Audit Progress**

The FY22 Audit was accepted by the NM Office of the State Auditor on January 23, 2023, and final approval by the council is on the agenda.

**VILLAGE OF TAOS SKI VALLEY**  
**Preliminary Statement of Revenue & Expenses**  
 July 2022 through January 2023

	Jul '22 - Jan 23	Jul '21 - Jan 22	\$ Change	% Change
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
4014 · Revenue - NM TRD Cannabis Exise	0.00	0.00	0.00	0.0%
4016 · Revenue - GRT ITG Telecom	86.90	148.49	-61.59	-41.5%
4017 Revenue GRT Comp Tax	3,084.10	8,196.76	-5,112.66	-62.4%
4012 · REVENUE -Water Sales	99,944.95	100,422.13	-477.18	-0.5%
4013 · Revenue - Sewer	399,779.75	382,344.24	17,435.51	4.6%
4018 · REVENUE- GRT HB 6	0.00	253.34	-253.34	-100.0%
4019 · REVENUE-Hold Harmless GRT	112,786.35	85,209.35	27,577.00	32.4%
4020 · REVENUE - GRT MUNICIPAL	355,927.12	422,625.89	-66,698.77	-15.8%
4021 · REVENUE - GRT- STATE	237,488.91	193,451.05	44,037.86	22.8%
4025 · REVENUE -LIQUOR LICENSES	0.00	1,250.00	-1,250.00	-100.0%
4026 · REVENUE - BUSINESS LICENSE	7,545.00	4,305.00	3,240.00	75.3%
4027 · REVENUE - OTHER	265,683.21	47,872.47	217,810.74	455.0%
4028 · REVENUE - GASOLINE TAX	3,061.47	3,143.11	-81.64	-2.6%
4029 · REVENUE - LODGER'S TAX	268,240.71	262,981.68	5,259.03	2.0%
4031 · REVENUE - PARKING FINES	1,747.00	35.00	1,712.00	4,891.4%
4032 · REVENUE - ANIMAL LICENSE	107.50	0.00	107.50	100.0%
4034 · REVENUE - MOTOR VEHICLE FEES	12,440.23	10,305.67	2,134.56	20.7%
4035 · REVENUE - BUILDING PERMITS	4,847.21	12,298.48	-7,451.27	-60.6%
4036 · REVENUE -Licenses/Permits Other	10.00	760.00	-750.00	-98.7%
4037 · REVENUE - GENERAL GRANTS	54,304.50	28,104.50	26,200.00	93.2%
4046 · REVENUE - SOLID WASTE FEE	40,451.24	40,342.97	108.27	0.3%
4047 · REVENUE - OTHER OPERATING	5,161.26	4,705.53	455.73	9.7%
4049 · REVENUE - FIRE GRANTS	119,296.00	106,403.50	12,892.50	12.1%
4050 · REVENUE - IMPACT FEES	334,747.43	0.00	334,747.43	100.0%
4051 · REVENUE - IMPACT FEE ADMIN 3%	10,353.02	0.00	10,353.02	100.0%
4058 · Plan Review Fees	19,198.13	1,323.77	17,874.36	1,350.3%
4059 · Proceed NMFA Issuance of Debt	0.00	454,115.50	-454,115.50	-100.0%
4060 · WTB FY2016 revenue	4,950.07	0.00	4,950.07	100.0%
4100 · Miscellaneous Revenues				
4110 · Misc Revenue- TIDD reimburse	2,647.91	3,806.56	-1,158.65	-30.4%
<b>Total 4100 · Miscellaneous Revenues</b>	<b>2,647.91</b>	<b>3,806.56</b>	<b>-1,158.65</b>	<b>-30.4%</b>
4190 · Rental Fees	0.00	6,000.00	-6,000.00	-100.0%
7004 · REVENUE - FINANCE CHARGE ON W/S	528.57	2,037.70	-1,509.13	-74.1%
7005 · REVENUE - INTEREST INCOME	78,428.78	4,081.13	74,347.65	1,821.7%
7006 · REVENUE -INVESTMENT INTEREST	4,124.88	254.27	3,870.61	1,522.2%
7007 · REVENUE - INTEREST IMPACT FEES	187.44	32.16	155.28	482.8%
7010 · REVENUE - AD VALOREM TAX	419,432.32	262,592.26	156,840.06	59.7%
9000 · BEG. BALANCE	0.00	0.00	0.00	0.0%
<b>Total Income</b>	<b>2,866,591.96</b>	<b>2,449,402.51</b>	<b>417,189.45</b>	<b>17.0%</b>
<b>Gross Profit</b>	<b>2,866,591.96</b>	<b>2,449,402.51</b>	<b>417,189.45</b>	<b>17.0%</b>
<b>Expense</b>				
8433 · NMFA FY2022 Fire Loan Interest	190.33	0.00	190.33	100.0%
8432 · NMFA FY2022 Fire loan Principal	28,047.05	0.00	28,047.05	100.0%
4082 · DEBT SERV - 2007 WWTP LOAN PRIN	95,422.70	95,422.70	0.00	0.0%
4083 · DEBT SERV. - 2007 WWTP LOAN INT	5,864.43	5,864.43	0.00	0.0%
6100 · Salary and Benefits				
6112 · SALARIES - STAFF	680,122.92	598,193.21	81,929.71	13.7%
6113 · SALARIES - ELECTED	15,446.64	19,696.05	-4,249.41	-21.6%
6115 · Overtime salaries	14,637.00	9,088.70	5,548.30	61.1%
6121 · WORKER'S COMP INSURANCE	6,918.00	20,612.00	-13,694.00	-66.4%
6122 · HEALTH INSURANCE	126,495.42	122,222.57	4,272.85	3.5%
6125 · FICA EMPLOYER'S SHARE	43,337.29	38,174.14	5,163.15	13.5%
6126 · WORKMAN'S COMP PERSONAL ASSESS	184.90	159.10	25.80	16.2%
6127 · SUTA STATE UNEMPLOYMENT	964.57	645.48	319.09	49.4%
6128 · PERA Employer Portion	67,854.41	53,790.68	14,063.73	26.2%
6130 · HEALTH INCENTIVE - SKI PASS/GYM	700.00	600.00	100.00	16.7%
6133 · Life Insurance	593.74	550.31	43.43	7.9%
6134 · Dental insurance	8,457.16	7,888.20	568.96	7.2%
6135 · Vision Insurance	1,451.57	1,385.49	66.08	4.8%
6136 · FICA -EMPLOYER SHARE MEDICARE	10,135.33	8,927.85	1,207.48	13.5%
<b>Total 6100 · Salary and Benefits</b>	<b>977,298.95</b>	<b>881,933.78</b>	<b>95,365.17</b>	<b>10.8%</b>
6220 · OUTSIDE CONTRACTORS	999,698.28	320,157.42	679,540.86	212.3%
6225 · ENGINEERING	0.00	2,064.92	-2,064.92	-100.0%
6230 · LEGAL SERVICES	53,820.75	43,306.55	10,514.20	24.3%
6242 · ACCOUNTING	28,141.44	10,097.88	18,043.56	178.7%
6244 · AUDIT	24,811.25	24,811.25	0.00	0.0%
6251 · WATER PURCHASE, STORAGE	250.52	216.46	34.06	15.7%
6252 · INTERNET	5,955.90	5,004.48	951.42	19.0%
6253 · ELECTRICITY	34,570.37	45,303.37	-10,733.00	-23.7%
6254 · PROPANE	752.47	0.00	752.47	100.0%

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**VILLAGE OF TAOS SKI VALLEY**  
**Preliminary Statement of Revenue & Expenses**  
**July 2022 through January 2023**

	Jul '22 - Jan 23	Jul '21 - Jan 22	\$ Change	% Change
6256 · TELEPHONE	11,393.80	9,579.43	1,814.37	18.9%
6257 · RENT PAID	0.00	750.00	-750.00	-100.0%
6258 · WATER CONSERVATION FEE	216.17	159.34	56.83	35.7%
6259 · Natural Gas	9,647.81	6,165.82	3,481.99	56.5%
6270 · LIABILITY & LOSS INSURANCE	116,633.28	87,390.04	29,243.24	33.5%
6310 · Advertising	6,288.55	2,971.02	3,317.53	111.7%
6312 · CHEMICALS & NON DURABLES	9,756.46	8,076.06	1,680.40	20.8%
6313 · MATERIAL & SUPPLIES	41,492.95	59,761.03	-18,268.08	-30.6%
6314 · Dues/fees/registration/renewals	4,660.55	5,773.05	-1,112.50	-19.3%
6315 · BANK CHARGES	1,645.80	1,358.36	287.44	21.2%
6316 · Software	11,041.95	6,293.99	4,747.96	75.4%
6317 · Personal Protective Equipment	1,760.38	4,017.34	-2,256.96	-56.2%
6318 · Postage	1,313.57	1,045.00	268.57	25.7%
6320 · EQUIPMENT REPAIR & PARTS	15,515.30	2,608.26	12,907.04	494.9%
6321 · BUILDING MAINTENANCE	206.91	55.80	151.11	270.8%
6322 · SMALL EQUIP & TOOL PURCHASES	52,672.73	30,849.69	21,823.04	70.7%
6323 · SYSTEM REPAIR & PARTS	6,768.56	1,618.50	5,150.06	318.2%
6331 · OUTSIDE TESTING SERVICES	3,642.98	1,938.43	1,704.55	87.9%
6332 · EQUIPMENT RENTALS	80,031.25	47,139.02	32,892.23	69.8%
6417 · VEHICLE MAINTENANCE	4,033.22	9,507.73	-5,474.51	-57.6%
6418 · FUEL EXPENSE	21,528.92	10,901.12	10,627.80	97.5%
6432 · TRAVEL & PER DIEM	1,470.75	1,634.54	-163.79	-10.0%
6434 · TRAINING	13,262.08	2,458.98	10,803.10	439.3%
6435 · Training Elected Officials	0.00	349.64	-349.64	-100.0%
6560 · Payroll Expenses	0.00	0.00	0.00	0.0%
6570 · Other Operations Expenses	14,439.44	14,237.99	201.45	1.4%
6712 · LAB CHEMICALS & SUPPLIES	9,292.80	4,996.99	4,295.81	86.0%
6713 · LAB MATERIALS & SUPPLIES	0.00	0.00	0.00	0.0%
6714 · LAB EQUIPMENT REPAIR & PARTS	50.00	0.00	50.00	100.0%
6715 · LAB SMALL EQUIP & TOOL PURCHASE	6,184.57	0.00	6,184.57	100.0%
6716 · LAB TESTING SERVICES	3,942.70	4,743.33	-800.63	-16.9%
6720 · LAB OUTSIDE CONTRACTORS	0.00	0.00	0.00	0.0%
8322 · CAPITAL EXPENDITURES	55,677.36	38,522.50	17,154.86	44.5%
8325 · EQUIPMENT & TOOL PURCHASE	33,914.36	0.00	33,914.36	100.0%
8421 · NMFA Interest TML #TAOS55	19,131.50	19,446.30	-314.80	-1.6%
8422 · CWSRF 052 Principal	71,679.88	70,829.92	849.96	1.2%
8423 · CWSRF 052 Interest	860.16	1,710.12	-849.96	-49.7%
8428 · Debt Service GRT FY2020 repay	18,176.55	18,176.55	0.00	0.0%
8430 · USDA FY20 Interest Expense	99,366.95	95,523.84	3,843.11	4.0%
8431 · USDA FY20 Principal Expense	67,779.05	71,622.16	-3,843.11	-5.4%
<b>Total Expense</b>	<b>3,070,303.73</b>	<b>2,076,395.13</b>	<b>993,908.60</b>	<b>47.9%</b>
<b>Net Ordinary Income</b>	<b>-203,711.77</b>	<b>373,007.38</b>	<b>-576,719.15</b>	<b>-154.6%</b>
<b>Other Income/Expense</b>				
Other Expense				
9001 · TRANSFER TO (IN) FUND	-1,146,339.87	-936,874.35	-209,465.52	-22.4%
9002 · TRANSFER FROM (OUT) FUND	1,146,339.87	936,874.35	209,465.52	22.4%
<b>Total Other Expense</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>
<b>Net Other Income</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>
<b>Net Income</b>	<b>-203,711.77</b>	<b>373,007.38</b>	<b>-576,719.15</b>	<b>-154.6%</b>

## **January 2023 GRT rate reduction for VTSV location**

**GRT rates for VTSV went from 9.4375% to 9.3125% for the period of July – December 2022.**

This reduction of 0.125% is due to state legislation lowering the state portion of the total from 5.125% to 5%. The portion of the state piece allotted to the Village remains unchanged @ 1.225% of the total. The reduction comes entirely out of the portion that goes to the state. Previously it was 3.9%. In this period, it is reduced to 3.775%.

The total % going to the Village is the municipal 2.4375% (Village ordinances total including Hold Harmless) plus the state piece allotted to municipalities of 1.225% = 3.6625%. This is the same % the Village was previously receiving before this period's reduction in overall rate.

**GRT rates for VTSV went from 9.3125% to 8.8125% for the period of Jan – June 2023.**

This reduction of 0.5% is due to the sunseting of a Taos County higher education tax. This reduction only affects the county portion. The village municipality does not receive any of the county portion at this time, and so the total % to VTSV is unaffected by this period's rate reduction.



# VILLAGE OF TAOS SKI VALLEY

## GROSS RECEIPTS & LODGER'S TAX COLLECTION SUMMARY

Gross Receipts Tax  
CURRENT RATE = 9.3125%

## GROSS RECEIPTS

	July	August	September	October	November	December	January	February	March	April	May	June
FY 2012	\$64,073.01	\$26,203.38	\$23,181.89	\$42,430.30	\$60,186.45	\$32,954.89	\$47,797.29	\$207,267.40	\$162,805.78	\$182,358.83	\$200,924.87	\$42,673.54
YTD	\$64,073.01	\$90,276.39	\$113,458.28	\$155,888.58	\$216,075.03	\$249,029.92	\$296,827.21	\$504,094.61	\$666,900.39	\$849,259.22	\$1,050,184.09	\$1,092,857.63
FY 2013	\$36,835.14	\$20,863.12	\$45,705.38	\$27,699.69	\$66,674.98	\$48,677.59	\$50,727.81	\$178,549.60	\$163,125.28	\$166,032.40	\$203,817.88	\$21,818.85
YTD	\$36,835.14	\$57,698.26	\$103,403.64	\$131,103.33	\$197,778.31	\$246,455.90	\$297,183.71	\$475,733.31	\$638,858.59	\$804,890.99	\$1,008,708.87	\$1,030,527.72
FY 2014	\$32,785.51	\$20,399.76	\$33,382.63	\$32,521.83	\$42,153.17	\$47,625.85	\$41,859.55	\$187,697.06	\$165,940.26	\$157,119.60	\$217,538.39	\$33,070.40
YTD	\$32,785.51	\$86,567.90	\$119,089.73	\$119,089.73	\$161,242.90	\$208,868.75	\$250,728.30	\$438,425.36	\$604,365.62	\$761,485.22	\$979,023.61	\$1,012,094.01
FY 2015	\$50,101.37	\$20,302.81	\$45,180.40	\$67,963.83	\$54,978.94	\$102,903.79	\$88,137.83	\$228,895.80	\$200,123.07	\$208,944.00	\$231,566.84	\$70,845.96
YTD	\$50,101.37	\$70,404.18	\$115,584.58	\$183,548.41	\$238,527.35	\$341,431.14	\$429,568.97	\$658,464.77	\$858,587.84	\$1,067,531.84	\$1,299,098.68	\$1,369,944.64
FY 2016	\$37,891.82	\$20,239.04	\$97,742.38	\$25,839.07	\$197,397.64	\$95,985.99	\$224,614.99	\$103,161.00	\$166,682.00	\$180,838.00	\$201,624.53	\$38,366.93
YTD	\$37,891.82	\$58,130.86	\$155,873.24	\$181,712.31	\$379,109.95	\$475,095.94	\$699,710.93	\$802,871.93	\$969,553.93	\$1,150,391.93	\$1,352,016.46	\$1,390,383.39
FY 2017	\$119,909.94	\$55,423.48	\$87,873.13	\$142,357.47	\$41,995.22	\$148,618.10	\$142,636.32	\$187,613.18	\$204,129.97	\$165,451.68	\$208,890.93	\$76,774.96
YTD	\$119,909.94	\$175,333.42	\$263,206.55	\$405,564.02	\$447,559.24	\$596,177.34	\$738,813.66	\$926,426.84	\$1,130,556.81	\$1,296,008.49	\$1,504,899.42	\$1,581,674.38
FY 2018	\$29,864.17	\$48,702.07	\$58,630.68	\$75,354.62	\$89,599.77	\$118,550.59	\$207,717.57	\$250,972.85	\$212,959.98	\$187,022.24	\$243,419.70	\$35,925.42
YTD	\$29,864.17	\$78,566.24	\$137,196.92	\$212,551.54	\$302,151.31	\$420,701.90	\$628,419.47	\$879,392.32	\$1,092,352.30	\$1,279,374.54	\$1,522,794.24	\$1,558,719.66
FY 2019	\$54,483.94	\$55,106.22	\$86,640.50	\$136,554.40	\$141,644.03	\$189,464.82	\$258,317.57	\$323,305.93	\$301,671.26	\$252,340.78	\$319,694.92	\$86,838.09
YTD	\$54,483.94	\$109,590.16	\$196,230.66	\$332,785.06	\$474,429.09	\$663,893.91	\$922,211.48	\$1,245,517.41	\$1,547,188.67	\$1,799,529.45	\$2,119,224.37	\$2,206,062.46
FY 2020	\$73,181.77		\$83,775.61		\$88,409.53	\$146,106.99	\$125,934.38	\$319,335.98	\$239,931.17	\$274,561.13	\$264,594.35	\$36,980.50
YTD	\$73,181.77	\$73,181.77	\$156,957.38	\$156,957.38	\$245,366.91	\$391,473.90	\$517,408.28	\$836,744.26	\$1,076,675.43	\$1,351,236.56	\$1,615,830.91	\$1,652,811.41
FY 2021	\$68,159.90	\$74,233.88	\$46,486.94	\$82,049.26	\$89,940.38	\$149,265.06	\$122,193.28	\$251,925.28	\$236,440.15	\$214,210.24	\$289,075.34	\$55,873.27
YTD	\$68,159.90	\$142,393.78	\$188,880.72	\$270,929.98	\$360,870.36	\$510,135.42	\$632,328.70	\$884,253.98	\$1,120,694.13	\$1,334,904.37	\$1,623,979.71	\$1,679,852.98
FY 2022	\$68,717.19	\$41,194.60	\$84,767.28	\$114,462.17	\$87,852.52	\$130,134.55	\$101,812.08	\$288,224.10	\$264,254.52	\$288,432.00	\$387,016.42	\$60,037.50
YTD	\$68,717.19	\$109,911.79	\$194,679.07	\$309,141.24	\$396,993.76	\$527,128.31	\$628,940.39	\$917,164.49	\$1,181,419.01	\$1,469,851.01	\$1,856,867.43	\$1,916,904.93
FY 2023	\$54,648.70	\$35,075.40	\$68,454.10	\$80,723.22	\$126,212.90	\$125,573.69	\$142,615.65					
YTD	\$54,648.70	\$89,724.10	\$158,178.20	\$238,901.42	\$365,114.32	\$490,688.01	\$633,303.66	\$633,303.66	\$633,303.66	\$633,303.66	\$633,303.66	\$633,303.66

Current month GRT collections reflects money generated 2 months prior.

\*Funds in this sheet are recorded as cash received

Lodger's Tax

CURRENT RATE = 5%

7/01/04 thru Current the tax rate is 5%; 2/97 thru 6/04 tax rate was 4.5%

LODGERS' TAX

	July	August	September	October	November	December	January	February	March	April	May	June
FY 2012	\$5,123.77	\$5,559.34	\$7,292.78	\$3,573.23	\$2,125.17	\$25,832.86	\$57,242.46	\$54,829.42	\$66,115.91	\$72,972.48	\$6,978.68	\$4,665.17
YTD	\$5,123.77	\$10,683.11	\$17,975.89	\$21,549.12	\$23,674.29	\$49,507.15	\$106,749.61	\$161,579.03	\$227,694.94	\$300,667.42	\$307,646.10	\$312,311.27
FY 2013	\$3,611.20	\$6,647.21	\$6,362.49	\$6,914.30	\$3,587.06	\$4,412.71	\$41,548.72	\$58,051.35	\$69,819.08	\$65,779.34	\$2,387.53	\$1,223.37
YTD	\$3,611.20	\$10,258.41	\$16,620.90	\$23,535.20	\$27,122.26	\$31,534.97	\$73,083.69	\$131,135.04	\$200,954.12	\$266,733.46	\$269,120.99	\$270,344.36
FY 2014	\$2,832.98	\$7,754.90	\$7,045.56	\$19,777.25	\$4,319.60	\$4,888.83	\$54,643.19	\$58,342.34	\$68,032.70	\$67,580.97	\$4,688.03	\$1,953.28
YTD	\$2,832.98	\$10,587.88	\$17,633.44	\$37,410.69	\$41,730.29	\$46,619.12	\$101,262.31	\$159,604.65	\$227,637.35	\$295,218.32	\$299,906.35	\$301,859.63
FY 2015	\$2,492.93	\$6,804.83	\$15,377.68	\$9,451.74	\$6,196.45	\$7,739.68	\$48,605.50	\$66,074.56	\$67,834.16	\$75,221.00	\$5,450.60	\$1,138.28
YTD	\$2,492.93	\$9,297.76	\$24,675.44	\$34,127.18	\$40,323.63	\$48,063.31	\$96,668.81	\$162,743.37	\$230,577.53	\$305,798.53	\$311,249.13	\$312,387.41
FY 2016	\$3,159.70	\$22,368.20	\$9,450.74	\$5,746.17	\$4,197.87	\$9,297.58	\$53,807.00	\$72,513.85	\$76,593.23	\$71,244.05	\$3,250.86	\$2,501.47
YTD	\$3,159.70	\$25,527.90	\$34,978.64	\$40,724.81	\$44,922.68	\$54,220.26	\$108,027.26	\$180,541.11	\$257,134.34	\$328,378.39	\$331,629.25	\$334,130.72
FY 2017	\$3,312.79	\$6,428.45	\$20,520.20	\$6,104.38	\$4,731.31	\$5,975.60	\$52,006.45	\$57,922.20	\$70,032.91	\$81,036.07	\$5,683.84	\$3,145.21
YTD	\$3,312.79	\$9,741.24	\$30,261.44	\$36,365.82	\$41,097.13	\$47,072.73	\$99,079.18	\$157,001.38	\$227,034.29	\$308,070.36	\$313,754.20	\$316,899.41
FY 2018	\$26,463.06	\$13,960.76	\$11,225.88	\$8,960.06	\$6,207.19	\$6,521.15	\$71,990.70	\$56,655.53	\$68,454.45	\$74,080.27	\$1,667.88	\$3,332.25
YTD	\$26,463.06	\$40,423.82	\$51,649.70	\$60,609.76	\$66,816.95	\$73,338.10	\$145,328.80	\$201,984.33	\$270,438.78	\$344,519.05	\$346,186.93	\$349,519.18
FY2019	\$8,692.23	\$17,791.85	\$15,936.00	\$15,977.48	\$11,905.77	\$18,255.86	\$89,403.18	\$100,794.38	\$105,205.05	\$122,892.45	\$12,426.36	\$5,097.57
YTD	\$8,692.23	\$26,484.08	\$42,420.08	\$58,397.56	\$70,303.33	\$88,559.19	\$177,962.37	\$278,756.75	\$383,961.80	\$506,854.25	\$519,280.61	\$524,378.18
FY2020	\$9,107.40	\$23,176.76	\$18,926.00	\$18,538.79	\$15,121.36	\$16,682.78	\$100,415.47	\$111,589.79	\$111,413.82	\$68,226.73	\$472.24	-\$453.54
YTD	\$9,107.40	\$32,284.16	\$51,210.16	\$69,748.95	\$84,870.31	\$101,553.09	\$201,968.56	\$313,558.35	\$424,972.17	\$493,198.90	\$493,671.14	\$493,217.60
FY2021	\$8,171.37	\$15,170.58	\$12,836.91	\$17,194.52	\$14,423.38	\$6,231.96	\$55,290.11	\$42,558.56	\$84,760.20	\$96,555.93	\$10,267.66	\$7,219.30
YTD	\$8,171.37	\$23,341.95	\$36,178.86	\$53,373.38	\$67,796.76	\$74,028.72	\$129,318.83	\$171,877.39	\$256,637.59	\$353,193.52	\$363,461.18	\$370,680.48
FY2022	\$18,245.95	\$38,815.26	\$26,765.37	\$22,996.72	\$22,728.29	\$23,037.99	\$110,392.10	\$131,470.22	\$148,831.28	\$158,043.82	\$17,101.43	\$6,264.48
YTD	\$18,245.95	\$57,061.21	\$83,826.58	\$106,823.30	\$129,551.59	\$152,589.58	\$262,981.68	\$394,451.90	\$543,283.18	\$701,327.00	\$718,428.43	\$724,692.91
FY2023	\$17,714.27	\$29,642.49	\$26,135.01	\$29,754.45	\$25,300.02	\$22,079.15	\$117,615.32					
YTD	\$17,714.27	\$47,356.76	\$73,491.77	\$103,246.22	\$128,546.24	\$150,625.39	\$268,240.71	\$268,240.71	\$268,240.71	\$268,240.71	\$268,240.71	\$268,240.71

Current month LT collections reflects money generated in the previous month.

FY2022 & FYTD2023 TIDD GRT Distribution

Date	VTSV Increment	State Increment	Admin Fees	Pay Backs	Total TIDD	NMFA & DS	Hold Harmless	VTSV Cash
7/15/2021	22,594.97	17,869.77	(425.27)		40,039.47	8,360.12	10,081.12	68,717.19
8/15/2021	22,292.78	36,146.76	(413.32)		58,026.22	8,360.12	10,960.32	41,194.66
9/15/2021	32,826.02	51,922.38	(617.83)		84,130.57	8,360.12	13,044.53	84,767.28
10/15/2021	15,512.90	24,537.46	(291.97)		39,758.39	8,360.12	14,367.03	114,462.17
11/15/2021	16,468.83	25,649.56	(312.79)		41,805.60	8,360.12	11,695.48	87,852.52
12/15/2021	(21,530.95)	(34,056.60)	405.24		(55,182.31)	8,360.12	13,823.32	130,134.55
1/15/2022	1,860.66	2,940.96	(35.03)	(4,766.59)	-	8,360.12	11,237.56	101,812.08
2/16/2022	86,951.83	137,535.92	(1,636.55)	(50,415.72)	172,435.48	8,360.12	39,743.87	288,224.10
3/22/2022	80,796.27	127,813.98	(1,520.59)		207,089.66	8,360.12	36,620.19	264,254.52
4/20/2022	140,825.42	222,750.52	(2,650.52)		360,925.42	8,360.12	44,637.00	288,432.59
5/21/2022	132,368.07	210,669.88	(2,482.17)		340,555.78	8,360.12	53,829.95	387,016.42
6/16/2022	82,974.24	131,244.40	(1,561.68)		212,656.96	8,360.12	15,439.93	60,037.50
<b>TOTAL FY22</b>	<b>613,941.04</b>	<b>955,024.99</b>	<b>(11,542.48)</b>	<b>(55,182.31)</b>	<b>1,502,241.24</b>	<b>100,321.44</b>	<b>275,480.30</b>	<b>1,916,905.58</b>

7/18/2022	(17,240.41)	(27,906.36)	319.99	-	(44,826.78)	8,360.12	6,426.90	54,648.70
8/22/2022	36,658.10	57,852.94	(689.95)	(44,826.78)	48,994.31	8,360.12	14,070.55	35,075.40
9/21/2022	37,758.59	57,866.32	(710.67)	-	94,914.24	8,360.12	17,588.79	68,454.10
10/19/2022	15,202.78	24,597.60	(276.99)	-	39,523.39	8,360.12	10,637.18	80,723.22
11/17/2022	133,817.63	204,886.92	(2,518.62)	-	336,185.93	8,360.12	25,992.53	126,212.90
12/15/2022	3,251.75	4,949.84	(61.40)	-	8,140.19	8,360.12	13,992.93	125,573.69
1/19/2023	128,084.88	81,208.10	(1,503.67)		207,789.31	8,360.12	24,077.47	142,615.65
2/15/2023								
3/15/2023								
4/15/2023								
5/15/2023								
6/15/2023								
<b>TOTAL FY23</b>	<b>337,533.32</b>	<b>403,455.36</b>	<b>(5,441.31)</b>	<b>(44,826.78)</b>	<b>690,720.59</b>	<b>58,520.84</b>	<b>112,786.35</b>	<b>633,303.66</b>
<b>TOTAL FY2016-FY2023</b>	<b>5,268,005.49</b>	<b>4,755,661.73</b>	<b>(80,816.31)</b>	<b>(180,961.17)</b>	<b>9,762,622.38</b>	<b>534,218.57</b>	<b>1,303,985.13</b>	<b>11,970,980.44</b>

Village Baseline

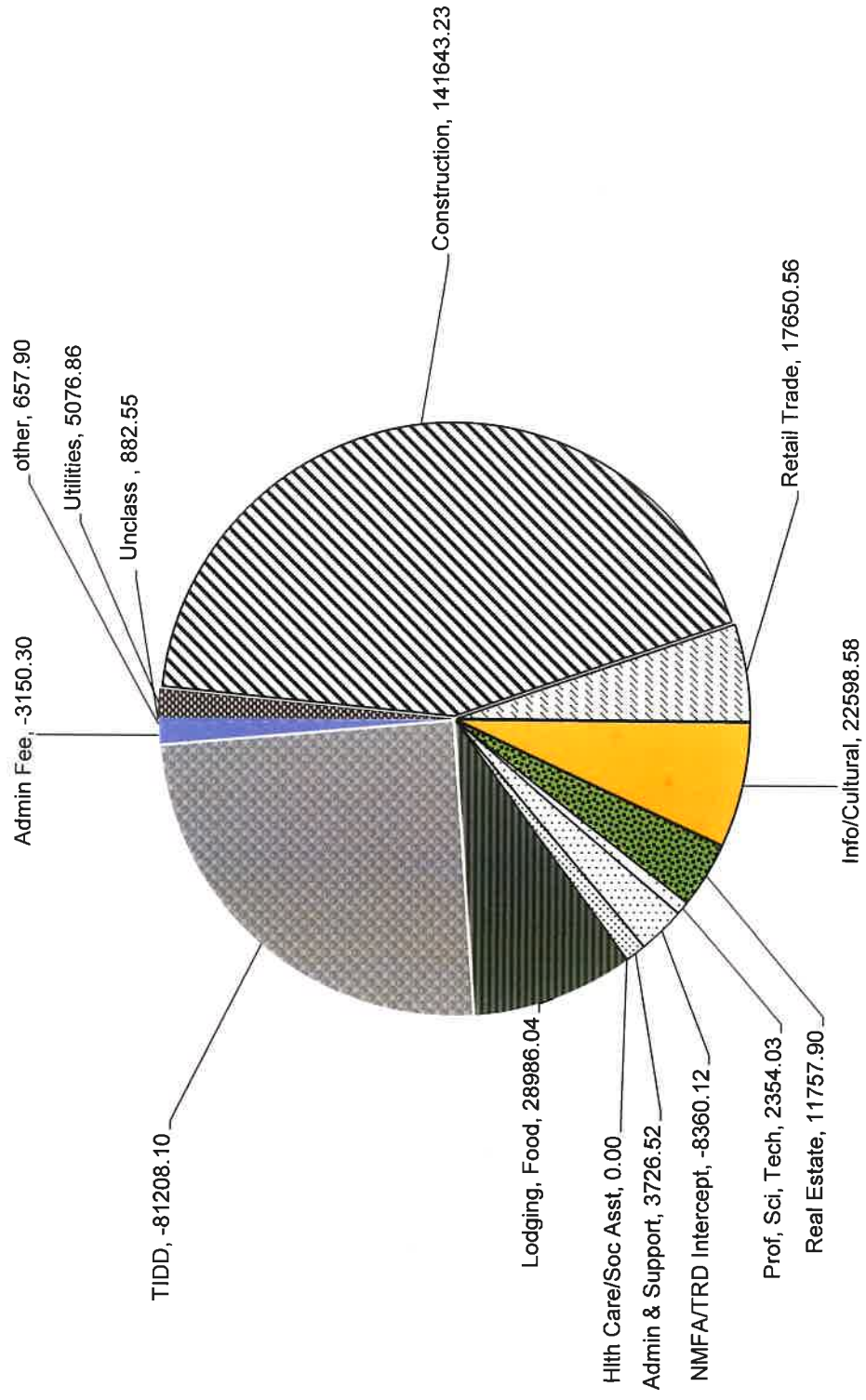
Month GRT is Generated	Month GRT is Reported to State	Month GRT is fr State to Entities	Total	State	Village
December	January	February	371,622.37	201,645.53	169,976.84
January	February	March	328,741.64	178,378.07	150,363.57
February	March	April	310,404.18	168,428.01	141,976.17
March	April	May	429,910.95	233,273.42	196,637.53
April	May	June	64,234.89	34,854.41	29,380.48
May	June	July	93,353.53	50,654.43	42,699.09
June	July	August	40,142.02	21,781.41	18,360.61
July	August	September	89,560.14	48,596.11	40,964.03
August	September	October	134,697.23	73,087.89	61,609.34
September	October	November	108,590.92	58,922.38	49,668.54
October	November	December	204,035.98	110,711.70	93,324.28
November	December	January	174,517.70	94,694.82	79,822.88
<b>Total</b>			<b>2,349,811.54</b>	<b>1,275,028.17</b>	<b>1,074,783.36</b>



# Village of Taos Ski Valley

## Gross Receipts Distribution collected for November 2022

### recieved in January 2023



Monthly Public Safety Report

Jan-23

Law Enforcement	R. Salazar	J Gladeau	J. Hutter	V. Vigil	Totals	Last Year
911 Hang up		0	0	0	0	1
Abandoned Vehicle		0	1	0	1	0
Alcohol Offense - Adult		0	1	0	1	1
Animal Calls		0	0	1	1	0
Arrests		0	0	0	0	0
Assists to other Agencies	4	3	2	1	10	4
B&E /Burglary		0	0	0	0	0
Battery or Assault		0	0	0	0	3
Business Alarm		1	1	0	2	1
Citizen Assists/Contacts	32	40	30	20	122	165
Civil Stand-by/Civil Complai	1	0	1	0	2	0
Disorderly /Disturbance		0	0	0	0	2
Domestic Calls		0	0	0	0	0
Embezzlement		0	0	0	0	0
Foot Patrol Hours	24	35	7	15	81	102
Found/Lost Property		0	0	0	0	2
Fraud Complaint		0	0	0	0	1
Harassment		0	1	0	1	0
Health Orders		0	0	0	0	0
Larceny		0	0	0	0	1
Law Unknown/Information		0	0	0	0	3
Missing Adult/Person		2	0	1	3	0
MVC's	1	3	0	0	4	3
Narcotics Adult		0	0	0	0	0
Natural Diasters		0	0	0	0	0
Parking Citations		7	9	2	18	3
Private Property Crash	1	3	0	0	4	7
Reckless Driver	2	0	1	2	5	1
Residential Alarm		2	0	0	2	0
Shots Fired		0	0	0	0	0
Suicide Subject		0	0	0	0	0
Suspicious Persons/Vehicles	1	0	1	0	2	2
Theft		0	0	0	0	2
Traffic Enforcement Hours	24	20	38	15	97	42
Traffic Hazard	4	0	1	1	6	3
Traffic Stops	1	4	37	1	43	6
Tresspass Warnings		0	0	1	1	3
Vehicle Theft		1	0	0	1	0
Verbal Warnings	1	0	0	5	6	10
Welfare Check		0	3	0	3	0
Written Citations		0	12	0	16	1
Written warnings		0	24	0	24	1
Fire/EMS	6	3	5	5	19	5

## Monthly Accomplishments for January 2023

### Police Department Chief / Director Virgil Vigil

- We executed our operation plan for New Year's activities. We had multiple emergencies calls in the early hours of New Year's and the added schedules for Police/Ems was very effective. We also executed an operation plan for Martin Luther Kings Day that was also effective.
- Attended the Public Safety/Firewise meeting and updated them on the progress of the Fire/Police/EMS developments, calls, and future plans.
- I also got with the Public Works Assistant and were ordered tow away signs for out dedicated parking on Ocean Boulevard. This will allow us to issue improper parking citations for people parking in our dedicated spots.
- Lt. Salazar and I were able to finish designing, ordering and placing the Police decals on our units (two black trucks) to make them personalized to our Police Department.
- Lt. Salazar and I spoke with the Rio County Sheriff, and he offered to possibly donate or sake us several Police units and a very discounted price.
- A siren test was conducted and one sign was not functioning properly (The Bavarian siren). I will reach out to the contractor, JD Electric and make arraignment to fix the siren issue.

### Emergency Water updates

- We placed a 500-hundred-gallon expansion tank with a cattle heater (to keep the tank from freezer), from the Fire Department at building # 4, at the Wheeler Peaks Condos. This water tank is still placed at this location and is continued to be monitored by the Police Department. This tank will be there in case of an emergency until the water issued is fixed.

### Items In progress for February

- Were Working on operation plans for Presidents Day and for Spring break that should have a lot of visitor to the Ski Resort.
- I'm still working with Chief Rogers to get with a pharmacy to license the narcotics in the EMS Department. We are working also on establishing a secure office with locked doors, bars, security etc....for the narcotic

on inventory.

- I plan on attending Public Safety/Firewise, E911 board, Lepc, Dwi Council, Chief Conference and Village Council Meeting this month.
- I also plan on meeting with the current Taos County Sheriff, Steve Miera and establish the ongoing mutual assistance between our departments and also possible getting cross commission to assist on State Road 150 with traffic issues from mile marker 8 to Village City limits.

### **From VTSV Fire Department Chief Eddy Wisdom**

For the Monthly report of February, I'm working with volunteer recruitment in communicating with Taos ski Valley inc. Carley Hagert and put in the monthly newsletter for any new potential FTYR employees for startup volunteer ship.

We have received a shipment of 5 Ince Storz supply hose along with 1 ½ fire hose which will conveniently work for the new tactical tender. Also, I have been communicating with Jeff Wood of HME for the final specs on the tactical tender and at some point a time line for completion in conjunction with Mitch and in speaking with Peter Talty to coordinate a certificate of occupancy to the new fire station.

### **From EMS Department Chief Matt Rogers**

Chief,

This past month I:

Completed UNM School of Medicine Diploma in Mountain Medicine ~100 hours of course work & 16 field days

Met with Pharmacist to pre-plan Board of Pharmacy Inspection

Started 23/24 Budget

Submitted EMS Fund Act application

Will continue to work on getting EMS service registered and Pharmacy Board approval

EMS drills for volunteers

Leland is moving forward with SAR:

Working on MOU for Tsv Inc and VTSV

Looking at grants

Looking at training and testing criteria for sar teams

Up coming

Talk to Careflight on training for summer and winter operations.

Talk to state SAR coordinators.

Matt Rogers  
Village of Taos Ski Valley  
Department of Public Safety  
EMS Division Chief  
C: 575-776-7693

**From TSVFD Fire Administrator Mitch Daniels**

Director Vigil

Jalmar and I are still fine tuning the CWPP.

I am working with our new NM Fire Marshal Fire Department Inspector, Josh Duran, getting him up to speed on what we have been doing since August. We will not have an ISO for at least another year or possibly two.

Worked on a budgets for Fire & EMS, when there is time I will do a run through with Chiefs Wisdom and Rogers.

All the paperwork is submitted for the credit and purchase of the new tanker apparatus. NM Fire Marshal and NMFA have been kept advised of the progress.

Worked with John Avila and Sarah Barnett on the FEMA grant for fire fighters. You sat in on some calls/meetings as well.

Attended Community meeting set by TSVI, Peter Talty & Chaz Rocky.

Mitch Daniels  
Village of Taos Ski Valley  
Department of Public Safety  
Fire/EMS Division Administrator



Council report through February 24 - 2023

Inspections performed residential: 4

Inspection in response to complaint: 0

Enforcement actions: 0

Inspections performed multi-family and commercial: 7

Permits issued since last council report:

0\_ new residential building.

0\_ residential repair/remodel

0\_ residential demolition

0\_ new commercial buildings permitted.

1\_ commercial or multifamily repair/remodel permitted.

0\_ demolition commercial permitted.

0\_ Projects currently in application or submission review.

1\_ Commercial project in discussion of pending submission.

Narrative of other activities:

1. Update of the Non-Federal Lands Grant. Work plan is complete with mapping and additional edits. Submitted for review of Work Plan submission by J. R. Logan, Taos County WUI Coordinator, prior to delivery to State Forestry and State Legal review.

2. Attended the NCRTD February Board meeting. Presentations included a mid-year financial summary showing strength, a sustainability report regarding progress toward use of alternative fuels and bus electrification, and their zero emissions plan. An action item of note was their vote to submit a Raise Grant application for battery electric infrastructure and buses for the planned Taos maintenance facility.

3. Continuing review of resolution 2020-425 Building Permit Fees.

4. Completed map additions to the CWPP. The document is in final review stages by Village Administrator and Mitch Daniels. Expected to be shared with Public Safety Committee and Firewise Board in early March for presentation and ratification by Council.

5. Conferred with Architects and Contractor regarding permit submissions for foundations of The St. Bernard Lodge portion of the Hotel project.

**Planning & Community Development Department**  
**Monthly Report to the Village Council**  
**February 2023**

Projects Updates and Key Initiatives:

**Twining Road Reconstruction Project** - Preliminary (30%) engineering and design completed. Field survey confirmed that no additional Right-of-Way acquisition is required and all improvements are contained within the existing 30 ft. ROW. Final design work is on-going and anticipated to be completed late summer 2023. A Community Open House to review 60% plan set and garner public input is scheduled for March 18, between 2-5p at the Lake Fork Room. Refreshments will be served.

In collaboration with the NCNMEDD, a federal RAISE grant application is being prepared to fund in entirety the approx. \$10.5M cost to construct. Application deadline is February 28, 2023. Awardees will be notified early July 2023. Drainage, utility, and grade improvements are all significant project components. Of note is an additional \$1M in TIDD funds allocated to this project.

**Water Master Plan** - A comprehensive Water Master Plan continues to be necessary to properly plan and budget for the maintenance and growth of the entire Village water system. This winter's water service loss only further amplified this point. Whereas, the recently completed Water Study significantly aided the Village's understanding of the local water supply across time and under various expected climatic conditions and analyzed projected water demand into the near and medium-term future, additional work remains to address the current status of the delivery system and any projected system expansion.

Task reassigned to the Public Works Director. Expected completion date September 2023.

**Avalanche Hazard Assessment & Mapping Update** - Fieldwork and draft report for Northside completed. Comprehensive Village draft report, avalanche maps, and preliminary Ordinance draft expected before the end of February. The report will provide a detailed review and update to the village's avalanche hazard maps and new 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.

**Development Impact Fee Assessments** - The DIF assessment for the proposed reconstruction of the Hotel Saint Bernard was provided to the applicant, TSVI. The total assessed amount is \$1,865,560, which is due prior to issuance of a foundation and/or building permit. No credits nor discounts have been requested by the Ski Corporation to date. Fees collected for FY '23, after adoption of the revised DIF Ordinance, total \$334,747. The Capital Improvements Advisory Committee (CIAC) will present its annual report to the Village Council during the February meeting.

**Village Recreational Trails Master Plan** - In partnership with the Rocky Mountain Youth Corps (RMYC), a Trails Plus grant has been awarded by the NM State Outdoor Recreation Division for development of five Village trail segments with linkages to adjacent established US Forest Service trails. Detailed trail assessments and field work occurred this Fall in preparation for trail development and built-out activities next summer. Wayfinding signs and environmental education kiosks adjacent to the Kachina wetlands trail and other trail locations are included in the project grant.

Coordination with local and regional partners continues. Development of an integrated Trail Plan has risen in priority after the recent award of the trail building grant from the State Outdoor Recreation Division. The intent is to coordinate present and future trail development and expansion, branding including signage, and funding with key stakeholders such as the USFS, ETCA, Northside Ranch, TSVI, RMYC, and others.

**Planning Commission Meetings** - At the February 6<sup>th</sup> regular meeting, a Conditional Use Permit request for the reconstruction of the Hotel Saint Bernard property was granted without conditions. However, three separate appeals, including nearly two dozen residents, were filed to request that the Village Council reconsider the Planning Commission's decision. The date for the required public hearing has yet to be determined.

The March 6<sup>th</sup> meeting agenda tentatively includes a review of the updated Avalanche Study, maps, and Ordinance.

# PUBLIC WORKS UPDATE

February 28, 2023

- Water:
  - Monthly sampling
  - Maintenance and Repairs
    - Water usage was up 6.19% from last year for the month of January.
    - Leak detection for the cause of the Water outage starting the week of December 16, 2022
      - Isolated Cliffhanger Loop after that section of line was located. The Village staff will repair the line once the leak location is located.
      - Several leaks were identified on this line and the entire section will need to be replaced. Approximately 900 ft of 4" PVC pipe will be replaced with fusible HDPE pipe.
      - Calculations of exact amount of water loss due to the leaks will be determined once we have the numbers for the month of January.
    - Frozen water
      - One on Porcupine Road
      - One on Kachina Road
      - Two on Upper Twining Road
- Wastewater:
  - Plant Operations
    - Permit excursions
      - Ammonia
      - Total Nitrogen
        - Low dilution of the influent due to water outage above Cliffhanger Loop Road.
        - Following weeks, the system was operating normally with the majority of the Village having water service.

Date	BOD Data		pH	TSS		NH <sub>3</sub> (Ammonia)		Total P		Flow, MGd	E.Coli	Fecal	Date	Total N: mg/L	Total N: lb/d	Influ
	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>	
4	2.00	1.32	6.98	0.26	0.17	8.40	5.56	0.23	0.15	0.079	1.00	1.00	4	13.30	8.80	
11			7.03			2.70	1.09	0.09	0.04	0.049			11	9.50	3.85	
18	2.10	1.12	7.03	0.40	0.21	2.00	1.07	0.10	0.05	0.064	1.00	1.00	18	8.39	4.48	
25			6.94			1.40	0.64	0.14	0.06	0.055			25	6.94	3.17	
Total		2.45			0.39		8.36		0.30	1.763			Total	Total Nitrogen		
7 Day Avg (AVG)	2.10	1.32	7.20	0.40	0.21	8.40	5.56	0.23	0.15	0.083	1.00	1.00	7 Day Avg	13.30	8.80	
Min	2.00	1.12	6.88	0.26	0.17	1.40	0.64	0.09	0.04	0.032	1.00	1.00	Min	mg/L	lb/d	
30 Day Avg (AVG)	2.05	1.22		0.33	0.19	3.63	2.09	0.14	0.08	0.057	1.00	1.00	30 Day Avg	9.53	5.08	0.0

- Staff
  - Fully staffed
- Plant and Collections Update
  - Compared to the flow in 2021, we are up 12.39% for the month of January.
- Roads:
  - Snow plowing
  - Maintenance to Road
- Equipment
  - Routine equipment maintenance
  - Maintenance on all the snow equipment

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

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**AGENDA ITEM TITLE:** Consideration to Approve Resolution No. 2023-528 Requesting Acceptance and Approval of the FY2022 Final Audit

**DATE:** February 28 ,2023

**PRESENTED BY:** Carroll Griesedieck/Southwest Accounting Solutions Geoff Mamerow

**STATUS OF AGENDA ITEM:** New Business

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

**BACKGROUND INFORMATION:** The fiscal year 2022 audit was submitted to the State Auditor's office on November 8, 2022. The audit has now been approved and released by the Office of the State Auditor with their letter dated January 23, 2023. Copies of the audit have been distributed to the Pro Tem Mayor and Council along with the letter from the auditors with a discussion of the financial status of the Village of Taos Ski Valley. A copy of the release letter from the State Auditor is included as Exhibit A. The Village received an unmodified opinion with findings.

**RECOMMENDATION:** Motion to approve **Resolution No. 2023-528** to accept and approve the final FY2022 audit.

BRIAN S. COLÓN, ESQ. CFE  
STATE AUDITOR



Liza Kerr, CPA, CISA, CIA Elena  
Tercero, CPA, CGFM, CGMA  
CO-DEPUTY STATE AUDITORS

State of New Mexico  
Office of the State Auditor

CONSTITUENT SERVICES  
(505) 476-3821

Via: Email

1/23/2023  
John Avila, Administrator  
javila@vtsv.org  
Village of Taos Ski Valley

OSA Ref No. 6171

Re: Authorization to Release 2022 Village of Taos Ski Valley Audit Report

The Office of the State Auditor (OSA) received the audit report for your agency on 1/23/2023. The OSA has completed the review of the audit report required by Section 12-6-14(B) NMSA 1978 and any applicable provisions of the Audit Rule. This letter is your authorization to make the final payment to the Independent Public Accountant (IPA) who contracted with your agency to perform the financial and compliance audit. In accordance with the audit contract, the IPA is required to deliver to the agency the number of copies of the report specified in the contract.

Pursuant to Section 12-6-5 NMSA 1978, the audit report does not become a public record until five days after the date of this release letter, unless your agency has already submitted a written waiver to the OSA. Once the five-day period has expired, or upon the OSA's receipt of a written waiver:

- the OSA will send the report to the Department of Finance and Administration, the Legislative Finance Committee and other relevant oversight agencies;
- the OSA will post the report on its public website; and
- the agency and the IPA shall arrange for the IPA to present the report to the governing authority of the agency, per the Audit Rule, at a meeting held in accordance with the Open Meetings Act, if applicable.

The IPA's findings and comments are included in the audit report on page 82-83. It is ultimately the responsibility of the governing authority of the agency to take corrective action on all findings and comments.

Sincerely,

A handwritten signature in blue ink, appearing to be "B. Colón", is written over a horizontal line.

Brian S. Colón, Esq. CFE  
State Auditor

cc. Southwest Accounting Solutions

*Exhibit A*

## RESOLUTION NO. 2023-528

Ann M. Wooldridge , Village Clerk

**Village of Taos Ski Valley  
Council Meeting  
Agenda Item**

AGENDA ITEM TITLE: **Council Discussion of Auditor's suggested Utility Rate Increases and Direction to Perform a Rate Analysis to ensure Compliance with Debt Agreements**

DATE: February 28, 2023

PRESENTED BY: Carroll Griesedieck, Finance Director

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: In the FY2022 Audit the Village received a finding for noncompliance regarding the debt covenants requiring utility rates to be adequate to produce revenues annually to pay the annual operation and maintenance of the utility system plus 100% of both the principal and interest on the system revenue bonds and other parity system lien bonds. This is the second consecutive year for this finding.

RECOMMENDATION: Staff recommends approval to follow the audit (page 83) recommendation to perform a water and sewer rate analysis, and consideration of suggested rate increases to address the shortfalls. **See Exhibit A.**



**FY 22 Debt Service Shortfall rate increase calculation**

Audit page

Debt Service All loans Joint Utility	495,339.00	P.30
DS Bond B financed 8% GRT	157,548.00	P.52
<b>Net DS financed by joint utility</b>	<b>337,791.00</b>	

<b>Multiply DS by Debt Ratio 120% (per Auditor)</b>	<b>405,349.20</b>	
Net cash provided FY 22 Joint Utility Operations	310,967.00	P.30
<b>DS Shortfall</b>	<b>94,382.20</b>	

Joint Revs FY22	909,000.00	P.29
<b>Rate increase needed to meet DS shortfall</b>	<b>10.38%</b>	

<b>Consumer Price Index % to use (per Auditor)</b>	<b>5.00%</b>
<b>Total Rate increase advised to cover Debt service shortfall and CPI</b>	<b>15.38%</b>

Above Suggestions for rate increase conference with Auditor at Audit exit interview Nov 29, 2022 attended by John, Tom, Carroll, Robert & Geoff

<b>To create a reserve for system replacement</b>	250,000.00	500,000.00
Additional % needed	27.50%	55.01%
<b>Total rate increase for all</b>	<b>42.89%</b>	<b>70.39%</b>

STATE OF NEW MEXICO  
Village of Taos Ski Valley  
Statement of Revenues, Expenses, and Changes in Net Position  
Proprietary Funds  
For the Year Ended June 30, 2022

Exhibit D-2

	Joint Utility	Solid Waste	Total
<b>Operating revenues:</b>			
Charges for services	\$ 909,990	\$ 67,955	\$ 977,945
<b>Total operating revenues</b>	<u>909,990</u>	<u>67,955</u>	<u>977,945</u>
<b>Operating expenses:</b>			
Depreciation and amortization	453,377	-	453,377
Personnel services	365,015	4,428	369,443
Contractual services	18,846	43,136	61,982
Supplies	14,092	180	14,272
Maintenance and materials	2,875	-	2,875
Utilities	120,806	5,903	126,709
Miscellaneous	46,004	254	46,258
<b>Total operating expense</b>	<u>1,021,015</u>	<u>53,901</u>	<u>1,074,916</u>
<b>Operating income (loss)</b>	<u>(111,025)</u>	<u>14,054</u>	<u>(96,971)</u>
<b>Non-operating revenues (expense):</b>			
Interest income	2,708	-	2,708
Other Income	10,904	-	10,904
Interest expense	(180,196)	-	(180,196)
Miscellaneous revenue (expense)	(6,329)	-	(6,329)
<b>Total non-operating revenues (expense)</b>	<u>(172,913)</u>	<u>-</u>	<u>(172,913)</u>
<b>Income (loss) before contributions and transfers</b>	<u>(283,938)</u>	<u>14,054</u>	<u>(269,884)</u>
Transfers in	377,733	-	377,733
<b>Total contributions and transfers</b>	<u>377,733</u>	<u>-</u>	<u>377,733</u>
<b>Change in Net Position</b>	<u>93,795</u>	<u>14,054</u>	<u>107,849</u>
Net Position - beginning of the year	<u>8,918,994</u>	<u>291,092</u>	<u>9,210,086</u>
<b>Net Position - end of the year</b>	<u>\$ 9,012,789</u>	<u>\$ 305,146</u>	<u>\$ 9,317,935</u>

See Independent Auditors' Report and Notes to Financial Statements

Adenda item exhibit 29 A p. 2

**STATE OF NEW MEXICO**  
**Village of Taos Ski Valley**  
**Statement of Cash Flows**  
**Proprietary Funds**  
**For the Year Ended June 30, 2022**

Exhibit D-3

	Joint Utility	Solid Waste	Total
<b>Cash flow from operating activities:</b>			
Cash received from customers	\$ 904,430	\$ 69,179	\$ 973,609
Cash payments to employees for services	(365,858)	(4,428)	(370,286)
Cash payments to suppliers for goods and services	(227,605)	(52,517)	(280,122)
<b>Net cash provided by operating activities</b>	<b>\$ 310,967</b>	<b>\$ 12,234</b>	<b>\$ 323,201</b>
<b>Cash flow from noncapital financing activities:</b>			
Miscellaneous	\$ 10,904	\$ -	\$ 10,904
Transfers	1,270,528	-	1,270,528
<b>Net cash flows provided by noncapital financing activities</b>	<b>\$ 1,281,432</b>	<b>\$ -</b>	<b>\$ 1,281,432</b>
<b>Cash flows from capital and related financing activities:</b>			
Interest paid	\$ (181,249)	\$ -	\$ (181,249)
Principal payments	(314,090)	-	(314,090)
Acquisition of capital assets	(13,611)	-	(13,611)
<b>Net cash provided (used) by capital and related financing activities</b>	<b>\$ (508,950)</b>	<b>\$ -</b>	<b>\$ (508,950)</b>
<b>Cash flows from investing activities:</b>			
Proceeds from sale (purchase) of investments	\$ 192,907	\$ -	\$ 192,907
Interest income	2,708	-	2,708
<b>Net cash provided by investing activities</b>	<b>\$ 195,615</b>	<b>\$ -</b>	<b>\$ 195,615</b>
<b>Net increase (decrease) in cash and cash equivalents</b>	<b>\$ 1,279,064</b>	<b>\$ 12,234</b>	<b>\$ 1,291,298</b>
Cash & cash equivalents - beginning of year	1,896,616	293,543	2,190,159
<b>Cash &amp; cash equivalents - end of year</b>	<b>\$ 3,175,680</b>	<b>\$ 305,777</b>	<b>\$ 3,481,457</b>
<b>Reconciliation of operating income (loss) to net cash provided (used) by operating activities</b>			
Operating income (loss)	\$ (111,025)	\$ 14,054	\$ (96,971)
<b>Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities</b>			
Pension expense	8,453	-	8,453
Depreciation	453,377	-	453,377
<b>Changes in assets &amp; liabilities:</b>			
Receivables	(5,560)	1,224	(4,336)
Prepaid expense	(1,575)	-	(1,575)
Inventory	(22,911)	-	(22,911)
Accounts payable	(496)	(3,044)	(3,540)
Accrued salaries and benefits	(7,791)	-	(7,791)
Compensated absences	(1,505)	-	(1,505)
<b>Net cash provided (used) by operating activities</b>	<b>\$ 310,967</b>	<b>\$ 12,234</b>	<b>\$ 323,201</b>

See Independent Auditors' Report and Notes to Financial Statements

**STATE OF NEW MEXICO**  
**Village of Taos Ski Valley**  
**Notes to the Financial Statements**  
**For the Year Ended June 30, 2022**

**NOTE 7. Long-term Debt (continued)**

**Business-Type Activities (continued)**

**USDA Series 2020 B Joint Utility Sewer and Water Revenue Bond**

On June 12, 2020 the Village issued \$4,065,704 of revenue bonds to the USDA for the purpose of constructing, enlarging, improving and extending, betterment, repair and other improvements to the Villages waste water system. The bonds bear interest at 2.42%. Payments on the bonds are due each month on the 12<sup>st</sup> in the amount of \$13,129 and the bonds will fully mature on June 12, 2060. Revenues pledged to service this loan are municipal gross receipts imposed by the Village ordinance No. 2020-64 pursuant to Section 7-19D-9 NMSA 1978. Revenues pledged total \$5,986,546 at June 30, 2022, which is 8% of the gross receipt revenues at their current rate. During the year ended June 30, 2022 the Village recognized \$257,915 in pledged GRT revenues, and retired \$157,593 in loan principal and interest.

The annual requirements to amortize the above 2020B gross receipts tax revenue bonds including interest payments as of June 30, 2022 are as follows:

Fiscal Year Ending June 30,	Principal	Interest	Total Debt Service
2023	\$ 64,653	\$ 92,895	\$ 157,548
2024	66,205	91,342	157,547
2025	67,795	89,753	157,548
2026	69,423	88,125	157,548
2027	71,090	86,458	157,548
2028-2032	381,887	405,853	787,740
2033-2037	429,987	357,752	787,739
2038-2042	484,147	303,593	787,740
2043-2047	545,128	242,611	787,739
2048-2052	613,791	173,949	787,740
2053-2057	691,101	96,638	787,739
2058-2062	455,578	16,792	472,370
	<u>\$ 3,940,785</u>	<u>\$ 2,045,761</u>	<u>\$ 5,986,546</u>

A summary of the above Joint Utility 2020A and 2020B bonds at June 30, 2022 are as follows:

Description	Date of Issue	Maturity Date	Interest rate	Issue Amount	Balance June 30, 2022	Current Portion
USDA Series 2020 A	6/12/2020	6/12/2060	2.42%	3,326,485	\$ 3,224,345	\$ 52,898
USDA Series 2020 B	6/12/2020	6/12/2060	2.42%	4,065,704	3,940,787	64,653
					<u>\$ 7,165,132</u>	<u>\$ 117,551</u>

At June 30, 2022 the Village held restricted cash in the following accounts as required by the USDA 2020 A and B Revenue Bonds:

Account Type	Amount
Asset reserve account	\$ 95,467
Debt Service Account	200,908
Debt service reserve account	336,902
Operations and maintenance reserves	3,071
	<u>\$ 636,348</u>

**STATE OF NEW MEXICO**  
**Village of Taos Ski Valley**  
**Schedule of Findings and Responses**  
**June 30, 2022**

**SECTION I – SUMMARY OF AUDIT RESULTS**

**Financial Statements:**

Type of auditor report issued:	Unmodified
Internal control over financial reporting:	
Material weakness Identified	No
Significant deficiencies identified	No
Noncompliance material to the financial statements identified	No

**SECTION II – PRIOR YEAR AUDIT FINDINGS**

**2021-001 – Compliance with Protective Debt Covenants – Other Non – Compliance – Repeated - Modified**

**SECTION III – Audit Findings**

**2022-001 (2021-001) – Compliance with Protective Debt Covenants – Other Non - Compliance**

**Condition:** The Village's operating income for the Water and Sewer funds are \$(111,025) and total debt service during the year was \$493,339. The debt covenants require rates and amounts to be sufficient to produce revenues annually to pay the annual operation and maintenance of the system and 100% of both the principal and interest on the system revenue bonds and other parity system lien bonds.

Further, this was a previous year audit finding and the Village has not take adequate corrective action

**Criteria:** Village Ordinance NO. 2020-64 Section 32. Protective Covenants, states the following: Rates for all services rendered by the System shall be reasonable and just, taking into account and consideration the cost and value of the System and the proper and necessary allowances for the depreciation thereof and the amounts necessary for the retirement of the System Revenue Bond and all other Parity System Lien Bonds, accruing interest thereon, and reserves therefor and there shall be charged against all purchasers of service, including the Village, such rates and amounts as shall be adequate to meet the requirement of this and the preceding Sections hereof, and which shall be sufficient to produce revenues annually to pay the annual operation and maintenance expenses of the System and one hundred per cent (100%) of both the principal of (including mandatory sinking fund redemption amounts) and interest on the System Revenue Bond and other Parity System Lien Bonds (excluding the reserves therefor), all of which revenues, including those received from the Village, shall be subject to distribution to the payment of the cost of operating and maintaining the System and the payment of principal of (including mandatory sinking fund redemption amounts) and interest on all obligations payable from the revenues of the System, including reasonable reserves thereof.

**STATE OF NEW MEXICO**  
**Village of Taos Ski Valley**  
**Schedule of Findings and Responses**  
**June 30, 2022**

**Effect:** The Village is not in compliance with the Debt Covenants of the USDA Series 2020 A sewer and water system revenue bonds.

**Cause:** The Village rates in Water and Sewer are not adequate to produce revenues annually to pay annual operation and system maintenance expenses and 100% of the principal and interest of the system loans and bonds outstanding which are detailed in Note 7 on pages 48-51.

**Auditor Recommendation:** We recommend the Village perform a rate analysis to ensure all protective covenants of bonds and notes outstanding are in compliance with debt agreements and revenues are sufficient to ensure the long-term viability of the Village's utility operations.

**Management Progress:** As this was a prior year Finding, progress was not adequate to remove finding.

**Management Response:** Management will recommend a rate increase to governance to be in compliance with debt covenants. In addition, Management will see if it is feasible to pay down the debt to a suitable level.

**Responsible Party:** Village Governance

**Timeline:** Fiscal year 2023

# ANCHORBUILT INC.

Construction from the Ground Up

Phone : (505) 342-2452

Fax : (505) 268-2612

NM State License 81458

**SERVING NEW MEXICO AND TEXAS**

## INVOICE 19976

Date	2/14/2023
PO	Emergency Svc
Project	UN23002
Terms	Net 30 Days
Due Date	3/16/2023

**Bill To:**

Taos Ski Valley, Village of  
Attn: John Avila  
PO Box 100  
Taos Ski Valley, NM 87525

**Service For:**

Village of Taos Ski Valley  
Emergency Waterline Repairs  
Taos Ski Valley, NM 87525

Qty	Description	Amount
	Emergency Waterline Repairs - 100%	
1.00	Mobilization	2,500.00
1.00	120' x 4' x 7' Cliff Hanger 4' Frost Line	9,266.00
1.00	6' x 15' x 20' Cliff Hanger LP 4' Frost Line	2,962.00
1.00	11' x 4' x 30 John burrows 4' Frost Line	3,155.00
1.00	Steel Track Excavator 138	7,510.00
1.00	Snow Chains for Pickups	1,850.00
1.00	Dump Truck Delivered / Returned	2,870.00
1.00	Skid Steer 270 Chains	4,360.00
1.00	Labor to Find Leaks	8,640.00
1.00	(2) Leak Detection / ABQ Leak Detector	6,307.00
1.00	Traffic Control	3,260.00
1.00	Blankets / Cold Weather Protection	1,500.00
1.00	(8) 8' Concrete Jersey Barriers Delivered	5,620.00

**Thank you for your business!**

Please remit payment to PO Box 27688, Albuquerque, NM 87125

Subtotal	\$	59,800.00
Sales Tax 9.31	\$	5,568.88
<b>Total Due</b>	<b>\$</b>	<b>65,368.88</b>

*Azenda Item Exhibit - B*

**WWTP costs**

date range of search 7/1/16-6/30/22

6220 Outside Contractors	5,600,410.57
6225 Engineering	1,352,981.11
6230 Legal	95,589.11
6315 Bank Charges	24,184.23
8322 Capital Expenses	3,146,699.39
8325 Equip Purchase	20,977.84
Combined Loan Interest accnts	329,714.42
subtotal	<b>10,570,556.67</b>

A

interest owed on outstanding USDA loan 2023-2062

Bond A	1,673,871.00	paid w jount utility revs
Bond B	2,045,761.00	paid w HH revs

Total cost **14,290,188.67** C

<b>Loan proceeds</b>	
USDA	<b>7,392,189.12</b>
CWSRF 52	<b>350,000.00</b>
Capital Outlay awards	<b>1,337,000.00</b>

Total proceeds from outside sources **9,079,189.12** B

total supported by Village	<b>5,210,999.55</b>	C minus B
cash supplied by VTSV to date	<b>1,491,367.55</b>	A minus B

*Agenda Item exhibit C*



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

---

AGENDA ITEM TITLE: Consideration to Approve **Resolution No. 2023-527** Requesting a Permanent Budget Adjustment (BAR) to the FY2023 Budget, increasing transfers into (01) Water Enterprise, and increasing transfers out of the General Fund (03)

DATE: February 28, 2023

PRESENTED BY: Carroll Griesedieck, Finance Officer

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: The Village submitted its fiscal year 2022-2023 budget in July of 2022. The funds scheduled to be transferred from General Fund 03 to support Fund 01 (Water Enterprise) due to expenses regularly exceeding revenue were underestimated. And the recent emergency repairs have resulted in current & anticipated future increased expenses.

General Fund (11000/03)	Transfer Out (9002/61200)	\$ 100,000.00
Water Enterprise (50100/01)	Transfer In (9001/61100)	(\$100,000.00)

**RECOMMENDATION:**

Staff recommends approval of **Resolution No. 2023-527** to amend the budget for FY2023 increasing the transfers from the General Fund (03) to the Water Enterprise Fund (01) to support ongoing increased expenses.

**VILLAGE OF TAOS SKI VALLEY  
RESOLUTION NO. 2023-257**

**A RESOLUTION REQUESTING A PERMANENT BUDGET ADJUSTMENT TO THE FY2023 BUDGET (BAR) TO INCREASE THE TRANSFERS OUT OF THE GENERAL FUND (03) AND INCREASE THE TRANSFERS INTO THE WATER ENTERPRISE FUND (01) DUE TO UNEXPECTED INCREASED EXPENSES IN FY23 NOT CURRENTLY FUNDED BY WATER ENTERPRISE REVENUE.**

**WHEREAS**, it is hereby resolved that the Village of Taos Ski Valley having met in a regular meeting on February 28, 2023 proposes to make an adjustment to the Fiscal 2022-2023 budget as follows:

<u>FUND</u>	<u>ACCOUNT/DESCRIPTION</u>	<u>AMOUNT</u>
General Fund (11000/03)	Transfer Out (9002/61200)	\$ 100,000.00
Water Enterprise (50100/01)	Transfer In (9001/61100)	(\$ 100,000.00)

**WHEREAS**, at the regular meeting of the Village of Taos Ski Valley Governing body on February 28, 2023, it considered adjustments to its budget for the Fiscal Year 2022-2023; and

**WHEREAS**, said budget was developed based on need and through cooperation with all user departments, elected officials and other department supervisors; and

**WHEREAS**, the official meetings for the review of said documents were duly advertised and posted in compliance with the State of New Mexico Open Meetings Act; and

**WHEREAS**, it is the majority opinion of this Council that the proposed budget adjustments meet the requirements as currently determined for Fiscal Year 2022-2023.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the governing body of the Village of Taos Ski Valley, State of New Mexico hereby approves authorizes and directs that the Village of Taos Ski Valley budget for Fiscal Year 2022-2023 be amended accordingly.

PASSED, APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023

THE VILLAGE OF TAOS SKI VALLEY

By: \_\_\_\_\_  
Tom Wittman, Mayor Pro Tem

(Seal)

ATTEST:

\_\_\_\_\_  
Ann M. Wooldridge, Village Clerk

VOTE: For \_\_\_\_\_ Against \_\_\_\_\_

Village of Taos Ski Valley  
Village Council  
Agenda Item

AGENDA ITEM TITLE: Consideration to Publish and Post **ORDINANCE NO. 2023-72** AN ORDINANCE PURSUANT TO NMSA 1978, SECTION 1-22-3.1 (2018) TO OPT IN FOR THE ELECTION OF THE MUNICIPAL OFFICERS OF THE VILLAGE OF TAOS SKI VALLEY IN THE NEXT REGULAR LOCAL ELECTION

DATE: February 28, 2023

PRESENTED BY: Ann M. Wooldridge, Village Clerk

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

**BACKGROUND INFORMATION:**

The Local Election Act of 2018 provides the option for each municipality to determine if its elective officers shall be elected on the Municipal Officer Election Day on the first Tuesday of March in even numbered years or at the Regular Local Election on the first Tuesday after the first Monday in November of odd numbered years.

**RECOMMENDATION:**

If the Council wishes to move forward with joining the Regular Local Election in November of odd-numbered years, then a motion to Publish and Post this Ordinance should be made. If this happens, then the Ordinance will be brought to the March Council meeting for consideration to adopt.

**VILLAGE OF TAOS SKI VALLEY  
ORDINANCE NO. 2023-72**

**AN ORDINANCE PURSUANT TO NMSA 1978, SECTION 1-22-3.1 (2018) TO OPT IN FOR THE ELECTION OF THE MUNICIPAL OFFICERS OF THE VILLAGE OF TAOS SKI VALLEY IN THE NEXT REGULAR LOCAL ELECTION.**

***WHEREAS*, on July 1, 2018 the Local Election Act went into effect as Chapter 1, Article 22, NMSA 1978 establishing the Regular Local Election, a consolidated election day for non-partisan local government bodies on the first Tuesday after the first Monday in November of each odd-numbered year; *and***

***WHEREAS*, the Local Election Act also established the Municipal Officer Election Day on the first Tuesday in March of even-numbered years; *and***

***WHEREAS*, the Local Election Act provides the option for each municipality to determine if its elective officers shall be elected on the Municipal Officer Election Day on the first Tuesday of March in even numbered years or at the Regular Local Election on the first Tuesday after the first Monday in November of odd numbered years; *and***

***WHEREAS*, the Village of Taos Ski Valley has considered the issues related to opting in to the Regular Local Election Act, including uniformity of procedure and convenience for the voters.**

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE VILLAGE OF TAOS SKI VALLEY, NEW MEXICO that:**

**SECTION 1. MUNICIPAL OFFICERS TO BE ELECTED AT THE REGULAR LOCAL ELECTION**

**Pursuant to Subsection B of Section 1-22-3.1 NMSA 1978, the Village of Taos Ski Valley opts in to the election of its municipal officers in the November Regular Local Election.**

**SECTION 2. ADJUSTMENT OF TERMS TO CORRESPOND WITH NEW ELECTION DATE**

**To begin with the Regular Local Election in November 2023, the terms of office for the current municipal office holders shall be adjusted, so that:**

**(A) municipal officers elected or appointed to a term ending in 2024 shall serve until December 31, 2023, the new term of the position shall be elected at the regular local election in November 2023, and the new term shall commence January 1, 2024; *and***

**(B) municipal officers elected or appointed to a term ending in 2026 shall serve until December 31, 2025, the new term of the position shall be elected at the regular local election in November 2025, and the new term shall commence January 1, 2026.**

**SECTION 3. FILING WITH SECRETARY OF STATE**

**Following approval of this ordinance, the Municipal Clerk shall file a copy of the ordinance with the Secretary of State no later than June 30, 2023.**

**PASSED, APROVED, AND ADOPTED on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

\_\_\_\_\_  
**The Hon. Thomas P. Wittman**  
**Mayor Pro Tem, Village of Taos Ski Valley**

**ATTEST:**

\_\_\_\_\_  
**Ann Marie Wooldridge, Municipal Clerk**

**(Seal)**

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

---

**AGENDA ITEM TITLE: Consideration to Approve Resolution 2023-529 for (ECCOG) Enchanted Circle Council of Governments to allow Taos Pueblo to become a member of ECCOG.**

DATE: February 28, 2022

PRESENTED BY: John Avila, Village Administrator

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

**BACKGROUND INFORMATION:**

On November 2, 2022, at the Enchanted Circle Council of Governments (ECCoG) meeting, Resolution 22-02 was adopted by the ECCoG members approving Amendment No. 2 to the Enchanted Circle Council of Governments Joint Powers Agreement. According to ECCoG Resolution 22-02, each ECCoG board of directors is to direct their staff to prepare and submit to their governing body a resolution approving JPA Amendment No. 2 to allow Taos Pueblo to join the ECCoG. Upon receiving the resolutions and signed JPAs from each entity, these documents will be forwarded to the Department of Finance and Administration for final approval. The Village Council has before them the resolution to approve Taos Pueblo as a member of the ECCoG

**Pursuant to ECCoG Resolution 22-02 Item No. 3**

**The ECCoG Board of Directors hereby directs staff to prepare and submit to the governing body of each ECCoG member a properly prepared amendment to the JPA (herein attached as ATTACHMENT No. 2 and identified as ECCoG JPA AMENDMENT No. 2) for the approval of each governing body by Resolution, to be signed and returned to the ECCoG Chairperson by each entity for submission to NM DFA for final approval of the amended Joint Powers Agreement. The ECCoG Chairperson shall then provide each member with a fully executed copy, once approved by DFA.**

**STAFF RECOMMENDATION:** Staff recommends Approval of the Council Resolution to agree inclusion of Taos Pueblo in the ECCOG.

## **VILLAGE OF TAOS SKI VALLEY**

### **RESOLUTION 2023-529**

#### **A RESOLUTION OF THE VILLAGE OF TAOS SKI VALLEY APPROVING AMENDMENT NO. 2 TO THE ENCHANTED CIRCLE COUNCIL OF GOVERNMENTS JOINT POWERS AGREEMENT**

**WHEREAS**, the Enchanted Circle Council of Governments (hereafter “the ECCoG”), has been formed through a JPA approved by the State of New Mexico, through the NM Department of Finance Administration, as a legal inter-governmental entity for the purposes of promoting and enhancing regional economic development; and

**WHEREAS**, the Village of Taos Ski Valley Governing Body recognizes the importance of active representation and participation by Taos Pueblo and its other members in the ECCoG and on the ECCoG Board of Directors; and

**WHEREAS**, the ECCoG Board of Directors at its November 2, 2022, meeting approved the membership of Taos Pueblo to the ECCoG Board, with full voting privileges; and

**WHEREAS**, allowing this adjustment in the ECCoG Joint Powers Agreement, the board’s composition shall be comprised of the Town of Taos, Taos County, Village of Taos Ski Valley, Town of Red River, Village of Questa, Village of Eagle Nest, Village of Angel Fire, Colfax County and Taos Pueblo;

**WHEREAS**, membership and voting privileges of the ECCoG Board shall be as specified in the ECCoG JPA Amendment No. 2 (Exhibit A).

#### **NOW, THEREFORE, BE IT RESOLVED that:**

1. The Village of Taos Ski Valley Governing Body hereby declares by this resolution to approve a change to the ECCoG JPA, as its State approved enabling document, to be herein identified as ECCoG JPA Amendment No. 2, that shall amend the defined membership to include Taos Pueblo.
2. The Village of Taos Ski Valley Governing Body authorizes the Mayor to sign ECCoG JPA Amendment No. 2 (Exhibit A) and return it to the ECCoG Board for submission to the Local Government Division of the Department of Finance and Administration.
3. The Village of Taos Ski Valley Governing Body respectfully requests approval of ECCoG Joint Powers Agreement Amendment No. 2 from the Local Government Division of the Department of Finance and Administration.

**PASSED, ADOPTED, AND APPROVED** this 28th day of February 2023, at the Regular Meeting of the Village Council by the following vote:

**VILLAGE OF TAOS SKI VALLEY**

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**Tom Wittman, Mayor Pro-Tem**

**ATTEST:**

**APPROVED AS TO FORM:**

---

**VillageClerk**

---

**John Appel, Village Attorney**





**JOINT PARTNERSHIP AGREEMENT  
ENCHANTED CIRCLE COUNCIL OF GOVERNMENTS**

**AMENDMENT No. 2**

1. Article II ORGANIZATION OF THE ECCoG, Section A. BOARD OF DIRECTORS, Paragraph 3. Composition of the Board, shall be amended to read as follows:
  2. Composition of the Board. The Board is comprised of:
    - a. Taos County: County Commission Chairperson (County Commission Vice-Chair if the County Commission Chair is unable to attend) and County Manager
    - b. Colfax County: County Commission Chairperson or County Commissioner from Colfax County District 3 and County Manager
    - c. Town of Taos: Mayor (Mayor Pro Tem if the Mayor is unable to attend) and Town Manager
    - d. Red River: Mayor (Mayor Pro Tem if the Mayor is unable to attend) and Town Manager
    - e. Taos Ski Valley: Mayor (Mayor Pro Tem if the Mayor is unable to attend) and Village Manager
    - f. Questa: Mayor (Mayor Pro Tem if the Mayor is unable to attend) and Village Manager
    - g. Eagle Nest: Mayor (Mayor Pro Tem if the Mayor is unable to attend) and Village Administrator
    - h. Angel Fire: Mayor (Mayor Pro Tem if the Mayor is unable to attend) and Village Administrator
    - i. Taos Pueblo: Two members as appointed and determined by Taos Pueblo
2. Article III FINANCES, Section A. FINANCIAL PARTICIPATION, Paragraph 6. Voting, shall be amended to read as follows:
  6. Voting. Each Party to the JPA shall have one vote. All voting shall be by majority vote of the nine member Board for or against the proposal. The vote shall be cast by the elected official representing the party. In the absence of the elected official, the manager/administrator for that party may be designated by proxy of the elected official as the person entitled to cast the vote. Votes to recommend amendments to the by-laws and the annual budget may only be cast by the elected official.

**TAOS COUNTY:**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

Seal

**VILLAGE OF EAGLE NEST:**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

Seal

**VILLAGE OF TAOS SKI VALLEY:**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

Seal

**TAOS PUEBLO:**

\_\_\_\_\_  
Governor

\_\_\_\_\_  
Clerk

Seal

**APPROVED:**

\_\_\_\_\_  
**Department of Finance and Administration**

**Date:** \_\_\_\_\_



**JOINT PARTNERSHIP AGREEMENT  
ENCHANTED CIRCLE COUNCIL OF GOVERNMENTS**

**AMENDMENT No. 2**

1. Article II ORGANIZATION OF THE ECCoG, Section A. BOARD OF DIRECTORS, Paragraph 3. Composition of the Board, shall be amended to read as follows:
  2. Composition of the Board. The Board is comprised of:
    - a. Taos County: County Commission Chairperson (County Commission Vice-Chair if the County Commission Chair is unable to attend) and County Manager
    - b. Colfax County: County Commission Chairperson or County Commissioner from Colfax County District 3 and County Manager
    - c. Town of Taos: Mayor (Mayor Pro Tem if the Mayor is unable to attend) and Town Manager
    - d. Red River: Mayor (Mayor Pro Tem if the Mayor is unable to attend) and Town Manager
    - e. Taos Ski Valley: Mayor (Mayor Pro Tem if the Mayor is unable to attend) and Village Manager
    - f. Questa: Mayor (Mayor Pro Tem if the Mayor is unable to attend) and Village Manager
    - g. Eagle Nest: Mayor (Mayor Pro Tem if the Mayor is unable to attend) and Village Administrator
    - h. Angel Fire: Mayor (Mayor Pro Tem if the Mayor is unable to attend) and Village Administrator
    - i. Taos Pueblo: Two members as appointed and determined by Taos Pueblo
2. Article III FINANCES, Section A. FINANCIAL PARTICIPATION, Paragraph 6. Voting, shall be amended to read as follows:
  6. Voting. Each Party to the JPA shall have one vote. All voting shall be by majority vote of the nine member Board for or against the proposal. The vote shall be cast by the elected official representing the party. In the absence of the elected official, the manager/administrator for that party may be designated by proxy of the elected official as the person entitled to cast the vote. Votes to recommend amendments to the by-laws and the annual budget may only be cast by the elected official.

EXHIBIT A

**TAOS COUNTY:**

\_\_\_\_\_  
\_\_\_\_\_  
County Commission Chairman  
Seal

\_\_\_\_\_  
County Clerk

**COLFAX COUNTY:**

\_\_\_\_\_  
County Commission Chairman  
Seal

\_\_\_\_\_  
County Clerk

**TOWN OF TAOS:**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

Seal

**TOWN OF RED RIVER:**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

Seal

**VILLAGE OF ANGEL FIRE:**

EXHIBIT A

\_\_\_\_\_  
Mayor  
Seal

\_\_\_\_\_  
Clerk

**VILLAGE OF QUESTA:**

\_\_\_\_\_  
Mayor  
Seal

\_\_\_\_\_  
Clerk

**VILLAGE OF EAGLE NEST:**

\_\_\_\_\_  
Mayor  
Seal

\_\_\_\_\_  
Clerk

**VILLAGE OF TAOS SKI VALLEY:**

\_\_\_\_\_  
Mayor  
Seal

\_\_\_\_\_  
Clerk

**TAOS PUEBLO:**

\_\_\_\_\_  
Governor

\_\_\_\_\_  
Clerk

Seal

**APPROVED:**

\_\_\_\_\_  
**Department of Finance and Administration**

**Date:** \_\_\_\_\_

2023 Annual Report from the Village of Taos Ski Valley's  
Capital Improvements Advisory Committee (CIAC)

Presented to the Village Council of the Village of Taos Ski Valley  
by the Capital Improvements Advisory Committee

February 2023

## Overview

The Village's Capital Improvements Advisory Committee (CIAC) is charged under Section 5-8-37 of the New Mexico Development Fees Act (hereafter, "Act") with producing an annual report assessing the implementation of development impact fees and the capital improvements plan. Specifically, the Act calls for the CIAC to file an annual report that considers:

- 1) Progress of the capital improvements plan (CIP); and
- 2) Any perceived inequities in implementing the CIP or imposing the impact fee.

The Act also calls for the CIAC to advise the Village of the need to update or revise the land use assumptions, CIP, and impact fee. The Act does not elaborate on what might constitute a "perceived inequity", so through discussion at its public meetings, the CIAC has agreed to interpret a "perceived inequity" to be a potential question about the fairness associated with the imposition of impact fees or the implementation of the CIP. In our context, examples of "perceived inequities" might include the following:

- 1) The perception that one type of development—e.g., residential—is paying more than its fair share through impact fees of the burden new development places on Village infrastructure; and
- 2) The perception that the Village is preferentially prioritizing infrastructure projects required for a certain geographic region and/or stakeholder(s) rather than making a holistic consideration of the infrastructure improvements needed for the broader Village community.

In 2021, the CIAC worked with Village staff and Willdan Financial Services consultants to develop recommended land use assumptions, a CIP, and an associated impact fee schedule. Village Council subsequently approved an impact fee ordinance at its January 2022 meeting and adopted a fee schedule in February 2022. In preparation for this annual report, CIAC held monthly public meetings in December 2022, January 2023, and February 2023.

The Act requires that the CIAC have at least five members, with no less than 40% of its members representative of the "real estate, development or building industries." All members must be approved by a majority of the municipality's governing body. The Village's CIAC currently has five members, all of whom were endorsed by the Village Council. Three of the CIAC's five members, or 60%, have significant experience in either the real estate, development, or building industries.

The remainder of this report summarizes our findings and recommendations. Notable conclusions are emphasized in italics.

## CIP Implementation Progress

Village staff briefed the CIAC on its progress raising funds for the CIP and implementing CIP projects. An annotated summary of the Village's status on the current CIP is shown in Table 1. As shown in Table 2, the current CIP had estimated project costs of \$32M as reported in the October 2021 Willdan Development Impact Fee Update study. In this study, Willdan estimated that future impact fee



recoveries from projected development would raise ~\$16M with the remaining ~\$16M of needed funds coming from other sources (e.g., grants).

The CIAC applauds staff efforts to secure grant funding but notes that the Village had limited success securing significant grant funds during the previous year. It was noted that the Village has limited resources to pursue grants, which likely contributes to its limited success in raising grant funds. The CIAC also notes that construction costs are escalating, and many cost estimates in the CIP are likely low. Some needed infrastructure improvements, such as Twining Road and water system upgrades, are completely absent from the approved CIP. These and other projects were included in the draft CIP documented in the May 2021 Willdan report, which listed almost \$60M of needed capital improvements identified by Village staff. The draft CIP was subsequently whittled down to the current list of \$32M of projects, and it is not clear how funding will be obtained for the projects that were removed from the CIP. CIAC also notes that the current CIP includes a few projects, for example the Gunsight Springs development, that now may not be required, but these projects represent a relatively small portion of the total CIP cost estimate.

The CIAC also discussed the relationship between the CIP and Tax Increment Development District (TIDD) projects. At our January 2023 meeting, TSVI representatives helped the CIAC appreciate the complementary nature of some TIDD projects, whose timely construction has been accelerated by the TIDD's upfront private financing from TSVI. One such example cited by TSVI representatives was the Sutton Place improvement. TSVI representatives also explained that the basis of the impact fee discounts allowed for under the Village-TSVI Master Development Agreement (MDA) is the reduced burden on the Village (and the CIP) resulting from the TIDD investments. A question was raised about the growing operational and maintenance expenses associated with TIDD projects and the financial constraints imposed upon the Village by its TIDD payments. Reassurance was provided by TSVI representatives that the Village's revenue should grow as its tax base expands through new development. It was also explained that the Village benefits through co-investment from the State and Taos County contributions to TIDD payments<sup>1</sup>.

*Overall, the CIAC senses that the CIP is underfunded and the Village will likely not be able to execute on priority projects in a timely fashion without a major injection of new funding. We do not see an immediate need to update the CIP, but it should be revisited periodically when the Village identifies major new infrastructure projects that will be required to support future development. We also note that the CIP only contains a subset of the projects on the Village's Infrastructure Capital Improvement Plan (ICIP), which likely faces similar funding challenges.*

### **Perceived Inequities in Implementing the CIP**

---

<sup>1</sup> For TIDD payments, the Village is obligated to contribute 75% of its incremental GRT revenues while the State contributes 50% of incremental GRT; from property taxes, the Village contributes 75% of its incremental revenue and the County provides 35%.

CIAC briefly discussed whether the current CIP projects broadly benefit Village residents. Geographic discrepancies in Village infrastructure support were discussed, with one notable example being the lack of Village water and sewer services in Amizette and some of the upper areas above the core Village commercial district. Village staff reminded the CIAC that the impact fee schedule fairly accounts for this service discrepancy by not assessing water and wastewater system impact fees to new development in unserved areas. A related question was raised about whether it is fair to current residents who do not have water and wastewater service for the Village to use funds from its general account to pay for the operational and maintenance costs of these services, rather than these costs being self-supported through water and wastewater rates.

Anticipating major infrastructure investments might be required to support planned development in the Kachina area, another question was raised about whether it would be equitable for the Village to include these projects in a future update of the CIP and finance them through impact fees uniformly assessed across all new development projects in the Village. A suggestion was made that the Village should consider implementing a differential fee structure through a special assessment district (SAD) if this situation arises in the Kachina area.

In the wake of the New Year's water outage, a question was asked at our January 2023 meeting about whether the CIP should include funds to upgrade the Village's leaking water system. Village staff explained that these would generally be considered operational and maintenance costs, and thereby cannot be funded under the CIP, which is limited to new infrastructure.

*At this time, the CIAC does not feel that there are any significant perceived inequities in the Village's implementation of the CIP. However, we are concerned that some major planned projects, such as the Twinning Road and water system upgrades, are not included in the CIP (and thereby aren't being financed through impact fees).*

### **Perceived Inequities in Imposing Impact Fees**

The CIAC was surprised to learn that the impact fee schedule adopted by the Village Council deviates from the fee schedule proposed by Willdan and discussed at the January 2022 public hearing. Specifically, the adopted fee schedule provides a 20% reduction for the nonresidential commercial and hotel fee categories as highlighted in Table 3.

The Willdan study provides a rational and defensible basis for the maximum impact fees the Village could reasonably impose. Under state statute, the Village Council can deviate from these recommended fees and adopt a different schedule. However, the CIAC can find no public record for the 20% commercial & hotel fee reduction other than comments recorded in meeting minutes for the January 2022 public hearing that "suggestions were made [in meeting discussion] to move forward with the [Impact Fee] Ordinance but to keep the existing fees in place, or to reduce some of the higher fees by 20% or another percentage." At the subsequent February 2022 Council meeting, a red-lined fee schedule with the 20% commercial reduction was presented to and approved by the Council.

The “higher” fees suggested by the Willdan study for commercial development were based on the documented higher impact that commercial development places on Village infrastructure (compared with residential development). The Council’s decision to reduce the commercial fees after the public hearing without any public record of their reason for doing so could be viewed as arbitrary or worse yet preferential.

Because commercial development is projected to significantly exceed residential development in the foreseeable future, commercial impact fee revenues were projected by Willdan to account for more than 90% of the Village’s impact fee revenues over the next 10 years. The 20% reduction for commercial and hotel fees results in an ~\$2M funding shortfall for the CIP. This fee revenue shortfall does not account for any impact fee discounts that might be requested by TSVI—currently the Village’s primary developer—which could result in an additional 25% or higher reduction in the assessed fees, and total to several or more \$M of additional lost fee revenues.

Village staff also briefed CIAC on assessed impact fees since the Council adopted the new fee schedule in February 2022. According to Village staff, impact fees collected over the past year were \$335k, significantly less than the ~\$1.5M/year projected in the Willdan study.<sup>2</sup> Based on the September 2022 Council minutes and information provided by Village staff, TSVI’s administration & firehouse complex, warehouse, and Mogul Medical projects paid a \$199K fee, reduced from the \$300K assessed fee (a \$101K discount, or a ~34% reduction from the fee that any other developer would have paid for the same project). The 34% discount is larger than the 25% minimum provided for in the MDA. A Village letter included in the September 2022 Council packet states that the discount was granted due to the contributions the TSVI project makes to the community at large, but no further detailed accounting was provided to the CIAC to explain the Village’s rationale for providing the additional discount.

*Without a public record documenting their rationale for doing so, the CIAC finds that the Council’s 20% reduction of commercial and hotel impact fees from the Willdan recommended fee schedule could be construed as a perceived inequity. Furthermore, the Council’s granting of additional discounts to TSVI projects (beyond the 25% automatically allowed under the MDA) could also be construed as perceived inequities without a detailed accounting of the basis for these reductions.*

## **Recommendations**

*Without action from the Council, the CIAC is very concerned that collected impact fees and grant revenue will not be sufficient to resource the CIP and meet the infrastructure needs of existing and future development in the Village. The lack of action by the Council will likely result in the Village falling far short of its aspiration to provide “infrastructure and services to a world-class ski resort community.”*

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<sup>2</sup> The CIAC recognizes that there is an inherent variability in the year-to-year fee revenue the Village will collect, so this past year may not be a good indicator of future fee revenue.

*To avoid perceived inequities in the assessment of impact fees, the CIAC encourages the Village to better document its rationale for reducing fees to certain construction categories and for providing fee discounts to developers like TSVI.*

*In addition to more aggressively pursuing grant funding, we encourage the Council and Village staff to consider one or more of the following strategies:*

- *Adopt the recommended Willdan fee schedule, removing the 20% selective reduction for commercial and hotel fee categories;*
- *Periodically increment fees by inflation;*
- *Revisit the MDA and its associated 25% minimum fee discount for the primary developer (when requested);*
- *Consider alternate funding mechanisms for any future major infrastructure projects, such as Special Assessment Districts.*

**Table 1: CIP Status**

**Village of Taos Ski Valley  
2021 Capital Improvement Plan - Approved  
Status Update - January, 2023**

<b><u>Capital Improvement Projects</u></b>	<b><u>Current Status</u></b>
<b><u>Public Safety Facilities</u></b>	
Fire Sub-station #2 Expand and Renovate	No Action
Fire Rescue Truck	Grant request unsuccessful; 2 <sup>nd</sup> attempt Fall of '23
Renovate and Expand Primary Fire Station	No funds committed nor secured, funding search on-going
Fire Hydrants Additional	\$200k - Capital Outlay FY '23
Pumper Tender (Fire Dept.)	Order ready by mid-summer '23; \$454K loan from the State Fire Marshall
<b><u>Transportation Facilities</u></b>	
Porcupine and Zaps Road	No Action
Kachina Road	No Action
Acquire Snow Storage Area/Land	No Action
<b><u>Parks &amp; Public Spaces</u></b>	
Multi-Purpose Trails (Amizette to Kachina)	\$225k - ORD Trails+ Grant
Hiker Parking Lot Expansion	No Action
Kachina Wetland Park Improvements	No Action
Public Restroom & Recreation Structures	\$30k DIF - Hiker Parking Lot RR
<b><u>Wastewater Facilities</u></b>	
Wastewater Treatment Plant	Completed; \$1.5M - additional funding required;
<b><u>Water Facilities</u></b>	
Gunsite Springs Development	No Action
Kachina Water Tank	Completed
Kachina Distribution Lines	\$50k - Capital Outlay '23
Surface Water Treatment Plant Gunsite	No Action

**Table 2: Full CIP project table and estimated costs (from 2021 Willdan study)**

**Appendix Table A.1: Impact Fee Project Summary**

<b>Capital Improvement Project</b>	<b>Estimated Total Cost</b>	<b>Offsetting Revenues</b>	<b>Net Project Cost</b>	<b>Cost Allocated to Impact Fee (2020 to 2030)</b>
<b><u>Public Safety Facilities</u><sup>1</sup></b>				
Fire Sub-station #2 Expand and Renovate	1,500,000	-	1,500,000	639,612
Fire Rescue Truck	400,000	-	400,000	170,563
Renovate and Expand Primary Fire Station #1	2,500,000	-	2,500,000	1,066,019
Fire Hydrants Additional (see note for locations)	250,000	-	250,000	106,602
Pumper Tender (Fire Dept.)	500,000	-	500,000	213,204
Total	\$ 5,150,000	\$ -	\$ 5,150,000	\$ 2,196,000
<b><u>Transportation Facilities</u></b>				
Porcupine and Zaps Road	\$ 2,706,700	\$ -	\$ 2,706,700	\$ 963,585
Kachina Road	3,289,150	-	3,289,150	1,170,937
Acquire Snow Storage Area/Land	1,500,000	-	1,500,000	534,000
Total	\$ 7,495,850	\$ -	\$ 7,495,850	\$ 2,668,523
(Less: Existing Fund Balance)				204,368
Net Cost				\$ 2,464,155
<b><u>Parks and Public Spaces</u><sup>1</sup></b>				
Multi-Purpose Trails (Amizette to Kachina)	\$ 750,000	\$ -	\$ 750,000	\$ 526,286
Hiker Parking Lot Expansion	350,000	-	350,000	245,600
Kachina Wetland Park Improvements	300,000	-	300,000	210,514
Public Restrooms and Recreational Structures	350,000	-	350,000	245,600
Total	\$ 1,750,000	\$ -	\$ 1,750,000	\$ 1,228,000
<b><u>Wastewater Facilities</u></b>				
Wastewater Treatment Plant	\$ 14,453,257	\$ 1,487,000	\$ 12,966,257	\$ 3,889,877
<b><u>Water Facilities</u></b>				
Gunsite Springs	\$ 1,750,000	\$ -	\$ 1,750,000	\$ 691,131
Kachina Water Tank	2,976,899	2,176,899	800,000	640,000
Kachina Distribution Lines	225,000	-	225,000	180,000
Surface Water Treatment Plant Gunsite	1,500,000	-	1,500,000	592,398
Total	\$ 6,451,899	\$ 2,176,899	\$ 4,275,000	\$ 2,103,529
<b>Total</b>	<b>\$ 35,301,006</b>	<b>\$ 3,663,899</b>	<b>\$ 31,637,107</b>	<b>\$ 11,881,561</b>

<sup>1</sup> Fee revenue allocated to individual projects based on each project's proportional share of total fee category costs.

Sources: Tables 3.4, 3.6, 4.4, 4.5, 5.3, 5.5, 6.4, 7.4.

**Table 3: Comparison of recommended and adopted impact fees**

**Fees recommended by Willdan at January 2022 public hearing:**

**Table E.1: Maximum Justified Development Impact Fees - per Square Foot**

Land Use	Public Safety Facilities	Transportation Facilities	Parks and Public Spaces	Wastewater System Development	Water System Development	Total - per Square Foot
<u>Residential</u>						
Single Family	\$ 1.57	\$ 0.68	\$ 1.46	\$ 3.22	\$ 1.65	\$ 8.58
Multifamily	\$ 3.22	\$ 0.96	\$ 3.00	\$ 6.55	\$ 3.36	\$ 17.09
<u>Nonresidential</u>						
Commercial	\$ 2.44	\$ 6.79	\$ -	\$ 11.04	\$ 5.66	\$ 25.93
<u>Accommodations</u>						
Hotel	\$ 5.53	\$ 1.65	\$ 5.15	\$ 11.41	\$ 5.85	\$ 29.59

Sources: Tables 3.6, 4.5, 5.6, 6.5 and 7.5.

**Fees adopted in February 2022:**

**Exhibit A: Development Impact Fees - per Square Foot**

Land Use	Public Safety Facilities	Transportation Facilities	Parks and Public Spaces	Wastewater System Development	Water System Development	Total - per Square Foot
<u>Residential</u>						
Single Family	\$ 1.65	\$ 2.09	\$ 1.46	\$ 2.79	\$ 1.51	\$ 9.50
Multifamily	\$ 3.38	\$ 3.02	\$ 3.00	\$ 5.67	\$ 3.07	\$ 18.14
<u>Nonresidential</u>						
Commercial	\$ 4.12	\$ 5.95	\$ -	\$ 7.87	\$ 4.26	\$ 22.20
<u>Accommodations</u>						
Hotel	\$ 4.64	\$ 4.17	\$ 4.12	\$ 7.90	\$ 4.27	\$ 25.10

**Note 20% reduction from fee schedule presented at public hearing**

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

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**AGENDA ITEM TITLE:**     **Consideration to Approve Adoption of formal Village Council procedures for Appeal Hearings of Planning and Zoning Commission Decisions**

**DATE:** February 28, 2022

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

**STATUS OF AGENDA ITEM:** New Business

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

**BACKGROUND INFORMATION:**

The Village of Taos Ski Valley does not currently have an adopted written procedure for the Council to hear appeals. Any appeal of a Planning and Zoning Commission decision to the Council should have a formal, accepted procedure for all to understand in order to hold the hearing. Village Legal Counsel John Appel has researched and clarified procedures that provide due process for appeals heard by the Council and he has drafted a procedural outline document for Council review and approval.

**STAFF RECOMMENDATION:** Staff recommends Approval of Council procedures for hearing appeals of the Planning and Zoning Commission decisions.



# **VILLAGE OF TAOS SKI VALLEY**

## **PROCEDURES FOR APPEAL HEARING BEFORE THE VILLAGE COUNCIL FROM A DECISION OF THE PLANNING AND ZONING COMMISSION**

These written procedures are intended to provide due process to all parties appearing before the Village Council (the "Council"), the governing body of the Village of Taos Ski Valley (the "Village") on appeals from decisions of the Village's Planning and Zoning Commission. Application of these procedures need not be unduly rigid. Alternative procedures in particular cases may be appropriate based on circumstances, provided that all parties are given an opportunity to be heard and to present such testimony and evidence as they choose to provide.

### **1. Nature of Appeal Hearing**

The appeal hearing before Council will be *de novo*. The Council is not bound or limited by the decision of the Planning and Zoning Commission, and may reverse that decision, affirm that decision in its entirety, or partially affirm that decision with such conditions, modifications, and changes as the Council deems appropriate.

The Mayor or, in the Mayor's absence, the Mayor Pro Tem shall be the presiding officer at the appeal hearing.

Parties may appear either in person or through counsel. Parties who may present testimony and evidence at the hearing will include the applicant in the underlying matter, those appellants who have filed written appeals of the Planning and Zoning Commission matter on appeal, and persons directly and individually affected by the decision if the appellant is the applicant. Comments and testimony from other persons will not be heard, unless the person is called as a witness by the applicant, the appellant, or an affected party as provided in this paragraph.

The appeal hearing may be recorded or transcribed by a certified court reporter or other appropriate person, at the discretion of the Council or the presiding officer.

### **2. Record on Appeal**

All materials submitted into evidence before the Planning and Zoning Commission will be forwarded to Council along with the minutes or draft minutes of the Planning and Zoning Commission meeting at which the decision appealed from was made. Parties may also present testimony and may submit additional exhibits at the appeal hearing, in accordance with the procedures described in the following sections of this document.

### **3. Witnesses**

Each party shall submit to the Village Clerk a list of witnesses who will or may testify at the appeal hearing, no later than five (5) business days before the hearing date.

At the appeal hearing, all witnesses will be sworn in as required by *State ex rel. Battershell v. City of Albuquerque*, 1989-NMCA-045, 108 N.M. 658, 777 P.2d 386. Attorneys who are not parties need not be sworn in if they restrict themselves to legal argument, but shall be sworn in as witnesses if they choose to present factual or expert testimony. All witnesses will be subject to cross-examination, the sequence being: (1) direct examination or narrative testimony; (2) cross-examination; and (3) re-direct. Additional cross-examination or direct examination will not be permitted unless the presiding officer allows additional questioning or presentation because of new material presented on re-direct examination or for other just cause.

Testimony shall be pertinent and relevant to the subject matter at issue. However, the proceedings shall not be subject to the Rules of Civil Procedure or the Rules of Evidence of the New Mexico courts. The presiding officer in his or her discretion may limit testimony to avoid presentation of material that is irrelevant or that is unduly duplicative or cumulative.

All witnesses and parties shall remain present throughout the hearing unless excused by the presiding officer.

#### **4. Exhibits**

Parties may introduce new exhibits or other matter at the appeal hearing. Any such material that any party plans to submit shall be distributed to the Village Clerk and to all other parties no later than five (5) business days before the hearing date. The proponent of each exhibit shall be clearly identified and shall specifically introduce the exhibit at hearing. Each exhibit so introduced and accepted will become part of the hearing record.

All exhibits shall be relevant to the subject matter at issue. However, strict adherence to the Rules of Evidence of the New Mexico courts or any other body is not required.

#### **5. Prehearing Motions**

Any prehearing motions, including any objections to proposed witnesses, exhibits or documents, shall be filed with the Village Clerk no later than three (3) business days before the hearing date. Any such prehearing motions will be heard and ruled upon by the presiding officer at the commencement of the appeal hearing.

#### **6. Order of Presentation**

Unless modified for good cause shown, the order of presentation at the appeal hearing will be as follows:

##### **A. Opening Statements:**

At the discretion of the presiding officer, each party may be given the opportunity to make a brief opening statement outlining the gist of the party's case, the testimony and evidence that will be presented, and the party's desired outcome.

### **B. Appellant's Case:**

The appellant presents appellant's case. If there is more than one appellant, the appellants may agree among themselves as to which of them proceeds first, or in the absence of an agreement the presiding officer will determine the order of procedure. Each witness will be subject to cross-examination by the applicant (unless the appellant is the applicant) and by all other appellants or appellees, followed by re-direct examination on behalf of the appellant calling the witness. An appellant may testify as a witness on his or her own behalf.

### **C. Appellee's Response:**

The appellee presents appellee's case. If there is more than one appellee, the appellees may agree among themselves as to which of them proceeds first, or in the absence of an agreement the presiding officer will determine the order of procedure. Each witness will be subject to cross-examination by the applicant (unless the applicant is the appellee) and by all other appellants or appellees, followed by re-direct examination on behalf of the appellee calling the witness. An appellee may testify as a witness on his or her own behalf.

### **D. Appellant's Rebuttal:**

The appellant or appellants are then given an opportunity to present testimony or evidence to rebut any testimony, evidence or claims made by the appellee or appellees. Generally, rebuttal should be directed only to material that was addressed in the appellee's response. Appellant should not be permitted to introduce wholly new material that was not presented in Appellant's initial case. Each rebuttal witness will be subject to cross-examination by the applicant (unless the appellant is the applicant) and by all other appellants or appellees, followed by re-direct examination on behalf of the appellant calling the witness.

### **E. Closing Statements:**

At the discretion of the presiding officer, each party may be given the opportunity to make a brief closing statement outlining that party's interpretation of the testimony and evidence that has been presented, and the party's desired outcome.

## **7. Decision of the Council**

The Council may, on motion duly made, seconded and approved, go into executive (closed) session to deliberate on the testimony and evidence presented, in accordance with Section 10-15-1(H)(3) NMSA 1978. The Council's decision will be made on the record in open session. The Council's decision shall be made based on the testimony and evidence presented and shall be supported by substantial evidence in the record.

## **8. Findings of Fact and Conclusions of Law**

Within fifteen (15) days following the Council's decision, the presiding officer shall cause findings of fact and conclusions of law to be adopted reflecting the evidence supporting and the legal basis

for the Council's decision. The presiding officer may, but need not, request that the parties submit proposed findings of fact and conclusions of law for consideration by the Village on a date sufficiently early that they can be considered by the Village in the preparation and adoption of the findings of fact and conclusions of law required by this Section.

#### **9. Finality of Decision**

The decision of the Council shall be the final decision of the Village, and may be appealable to the Eighth Judicial District Court of the State of New Mexico in accordance with applicable statutes and rules of procedure of the New Mexico courts.

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

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**AGENDA ITEM TITLE:** Discussion of potential use of Fire Funds

**DATE:** February 28, 2023

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

**STATUS OF AGENDA ITEM:** New Business

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

**BACKGROUND INFORMATION:**

The Village of Taos Ski Valley has need of a Fire Department building to appropriately house Fire Department Vehicles and Equipment, as is required by the Office of the NM State Fire Marshal (OSFM). The Village and Taos Ski Valley Inc. inquired with the OSFM as to the appropriate use of the Village Fire Funds and found that use of funds to purchase Fire Department facilities as a condominium purchase is acceptable. The Village entered into an MOU with TSVI to seek funding to be able to purchase a Fire Department Building. The use of Fire Funds can be used for that purpose and a loan for purchase can be obtained using those same funds. Understanding how a Fire Fund Loan would proceed is important to understand before any procurement process for the Fire Department Building. The Village's Financial Advisor has done a preliminary review of the availability of fire funds for borrowing.

**STAFF RECOMMENDATION:** Staff recommends discussion of financial presentation material for a community understanding of the funding process. No decision or procurement direction is asked for at this time.



003

FIREHOUSE

SCALE: 3" = 1'-0"

DRAWN BY: JDS

LOG

NO. DATE DESCRIPTION

100% CDS

ISSUED FOR

1/27/2023 8:52:30

ISSUE DATE

2021/700

PROJ. NO.

TSVI

FIREHOUSE RD

VILLAGE OF TAOS SKI VALLEY, NM 87525

# TSV - FIREHOUSE & ADMIN.

LIVING DESIGNS GROUP  
ARCHITECTS





① FIREHOUSE - 1ST FLOOR  
3/32" = 1'-0"

PRESENTATION  
Brad Angst



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

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AGENDA ITEM TITLE: **Consideration to Approve Credits for Water Fixed Rates**

DATE: February 28, 2023

PRESENTED BY: John Avila, Village Administrator

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

**BACKGROUND INFORMATION:**

The Village of Taos Ski Valley suffered an emergency water loss that affected service availability. Most of the issues were in December and January. The Village sent a letter to customers requesting a report of the number of days without service and an estimate of a pro-rated service charge that might be credited. So far, the Village residents reporting lost service days is about 29. Some residents continued to have no water service in 2023 and they may still turn in requests.

**STAFF RECOMMENDATION:** Staff recommends approval of credits for days without service during the winter water emergency as mentioned in the Village letter of February 1, 2023 (attached). According to the evidence provided by the customer, the estimated total amount of the credits requested so far is \$2,304.70. Some properties continued without service beyond the New Year and would expect to also have credits for the outage dates. Approval for credits for days without service should still be approved in this fiscal year.



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:**  
**Council:** Henry Caldwell, Brent Knox,  
J. Christopher Stagg, Thomas Wittman

**Village of Taos Ski Valley Property Owners:**

The recent water issues experienced in the Village of Taos Ski Valley over the last month or more have been hard on many property owners, especially in the upper elevations of the Village.

We appreciate the community's support and patience, as the emergency was more of an imposition for some. Approximately 4,000,000 gallons of water were lost, while staff and the public were required to continue operations during the emergency.

It's believed that there are at least two large points of water loss on Cliffhanger Loop, and on Lily Lane in the Pioneer Glade Subdivision. The Village is working with an excavation company which has isolated the Cliffhanger Loop water line for identified replacements and repairs. The Lily Lane repairs will be started after Cliffhanger Loop. A third point has been identified for maintaining water pressure in the Village lines, so a valve will be installed to allow for a secondary water flow down to the Village Core on Twining Road. This can be used to ensure that water pressure will build up in all the lines, including at the Village's higher elevations. The most critical repairs are top priority, even though weather and safety conditions are not ideal for major corrections during ski season.

For some residents who did not have water for a period during the holidays, the Village is recommending a pro-rated discount on each property's fixed monthly charge from the January bill. This discount will appear on the February bill. The total amount of discounts will be presented to the Village Council for consideration and approval at the February 28, 2023 Regular Council meeting. If approved, the discounted amount will appear on the February 2023 utility bills. Though small consolation for the lack of water delivery expected during the season, a discount for the time without service is recommended. To assist the Village in determining the accurate time without service, please follow the below instructions:

Custom Charges:	0.00
Adjustments Total:	0.00
<b>Water/Sewer Fixed Chrg:</b>	<b>61.45</b>
Water/Sewer Usage Chrg	131.22
Trash Charge:	7.24
Tax	10.50
Current Bill Total:	209.91

To locate your monthly fixed charge on your bill, see **Water/Sewer Fixed Charge**

Take this number and divide by 30, for a daily fixed usage charge: \$ \_\_\_\_\_ /30 = \$ \_\_\_\_\_

Use this number to multiply by the number of days without water: \$ \_\_\_\_\_ \* \_\_\_\_\_ days  
= \$ \_\_\_\_\_ **Discount.**

Name: \_\_\_\_\_

Please submit this form to the Village as soon as possible, by mail, email at [vtsv@vtsv.org](mailto:vtsv@vtsv.org), or in person. Or send an email to [vtsv@vtsv.org](mailto:vtsv@vtsv.org) with the information

Thank you.

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

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**AGENDA ITEM TITLE: Consideration to Approve an updated Credit and Collection Policy with the Prerequisite for a Customer Remote-read metering system before application for a leak loss credit**

**DATE:** February 28, 2022

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

**STATUS OF AGENDA ITEM:** New Business

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

**BACKGROUND INFORMATION:**

The Village of Taos Ski Valley has procedures for allowing credits for water leak loss in the Revenue Collection Policy adopted in 2014. This practice was questioned by residents during the recent water leak emergency this winter. Recommendations for methods of better monitoring of water usage were offered. The Village had previously reviewed the collection policy with some of the same recommendations without a policy update. The change to the policy to encourage the use of remote read meters will hopefully motivate careful observation of water usage and water conservation on the private side of the water service line. This should also allow the customer to notify the Village if a leak is suspected even while the property is vacant.

**STAFF RECOMMENDATION:** Staff recommends approval of changes to the 2014 Credit and Collection Policy to include remote read monitoring before application for a leak loss credit. Approval now for implementation in the new fiscal year will allow property owners time to install the remote read meters.

## **REVENUE COLLECTION POLICY**

(Amended and adopted December 4, 2014)

This policy sets standards in billing and in follow up procedures, and ensures the timely collection of revenue which is due to the Village of Taos Ski Valley (VTSV).

This policy will apply to Non-Sufficient Fund (NSF) checks, delinquent utility billing accounts, trash billing, and other fees the VTSV is required to collect. This policy replaces any other policy, ordinance, or resolution in place concerning revenue collection.

It is deemed, that because of the time and effort involved in reprocessing payments, writing correspondence, contacting individuals or businesses by phone, and also the time involved in tracking of outstanding and delinquent accounts, the VTSV will leverage administration fees for the efforts involved with revenue collection.

- NSF Checks:
  - Any check that is presented to the VTSV for payment of a fee, tax, or debt, etc., returned from the bank for a NSF reason will be assessed a \$25.00 Village of Taos Ski Valley NSF administration fee, which will be added to the account balance or amount due.
- Lodgers Tax:
  - As per VTSV Ordinance 04-14 as it exists or is amended. Any fees above those outlined in NMSA 1978 are deemed administration fees and thus will be allocated to the VTSV general fund. Lodgers Tax liens may be placed on properties as stated in "Other Delinquent Accounts."
- Delinquent Utility Accounts:
  - An account will be deemed delinquent when it is not paid within the 30-day due period.
  - Any account or debt not paid within 30 days of billing notice will begin to accrue compound interest at the rate of 18% annually, or 1.5% monthly. Interest will continue to accrue on all past due amounts.
  - At 60 days after the original billing date, VTSV will send a letter advising the individual or business that the account is past due and will advise the owner that a red tag will be placed at the property. The letter and red tag will serve as notice that the water or other utility will be shut off in 15 days unless payment is made within the 15 days.
  - The individual or business will have 15 days from the date of the letter to make payment.
  - If no payment is made within this 15-day period:
    - The water or other utility will be shut off,
    - A \$150 shut off/turn on fee will be assessed, and  
(this fee is deemed to be an average of summer/winter labor and equipment costs to uncover and shut off/turn on a water valve)
    - A \$15 VTSV administration fee will also be charged.
  - If no payment is received within 120 days after the original statement date;
    - A lien will be placed on the property that corresponds to the amount due at the 120 day point,
    - Taos County lien placement/removal fee of \$50.00 and other costs will be included in the lien
    - A \$10.00 Village administration fee will be added,
    - Reasonable attorney fees will be added.
  - Once the account or debt is paid in full:
    - The lien will be removed from the property,

- The water or other utility service will be reinstated.
- Other Delinquent Accounts (Trash and/or other fees):
  - An account will be deemed delinquent when it is not paid within the 30 day notice period.
  - Any account or debt not paid within 30 days of notice will begin to accrue compound interest at the rate of 18% annually, or 1.5% monthly. Interest will continue to accrue on all past due amounts.
  - At 60 days after the original statement date, VTSV will send a letter advising the individual or business that the account is past due.
  - At 90 days after the original statement date, VTSV will send a letter advising the individual or business that, if the account is not paid within 30 days, a lien will be placed on the property.
  - If no payment is received by the 120-day point
    - A lien will be placed on the owner/business's property that corresponds to the amount due at the 120-day point,
    - Taos County lien placement/removal fee of \$50.00 will be billed to the owner/business, and
    - A \$10.00 Village administration fee will also be added.
  - For account balances of less than \$100.00, interest will accrue until such time that the balance is greater than \$100.00, and then the letter of intent to place a lien will be sent and VTSV will proceed as above.
  - If no payments are received to fulfill the debt, every six months an additional lien will be placed on the property in the amount accrued above the amount stated in the original lien. Taos County lien placement fees and Village administration fees will be applied each time a new lien is placed.
  - Once the account or debt is paid in full:
    - The lien(s) will be removed from the property,

## DISPUTED BILLS

- A. In the event the customer disputes the amount of a bill for services rendered, VTSV will make a complete investigation of the matter, and, if it is determined that the bill is accurate, use its best efforts to explain the bill to the customer. If the bill is in error, VTSV will submit a corrected bill to the customer as promptly as circumstances permit or give a credit on the bill rendered to the customer in the amount determined to be in error. VTSV is the final determiner of whether or not a customer bill is accurate.
- B. The customer will be required to pay any bill while it is under dispute, unless other payment arrangements have been made with VTSV.
- C. The amount of time allowed for a customer to protest the amount of any bill received from the Village is limited to six (6) months from the date of billing.
- D. VTSV will not adjust or credit utility bills when excess water is due to hoses left running, watering or irrigating flowers or lawns, or for power washers or similar water usages
- E. There is no distinction between water leaking on to the ground (not into the sewer system) or a water leak where the water goes back into the sewer system.
  - Proof of Leak: The Village will require the customer to first have installed a private remote read meter system, next present a licensed plumber's invoice/bill for verification of a leak and verification the leak was repaired. (This invoice shall also contain verbiage or attached report

citing the cause for failure. Remedies performed or suggested to avoid such failures shall be included and submitted to the Building Official.) If no certified plumber receipt is available, the Village will require a signed VTSV leak policy explanation form stating why no repair was required and no invoice/bill is required to be submitted with similar cause and remedy statements.

- Residences of VTSV are allowed one submission/request per calendar year for a credit on their water/sewer bills. A claim must be submitted within 30 days of receipt of bill and/or the discovery of the leak. If the leak is ongoing, occurring over multiple months, the Village will only allow an entity to go back three months on their claim. If a leak is identified and the customer does not take action, the Village will shut the water off to the property and will not turn the water back on until the Village received proof that the leak has been repaired. The Village does NOT have the responsibility to repair or contact/contract an entity to repair the leak.
- When a request for credit is submitted for the month/amount in question, the Village will look at the previous month, the month in question, and the next month, and back five years for the highest month in that timeframe. The highest month usage amount within that timeframe will be doubled. Any amount above the highest month usage doubled amount will be credited.
- For example, a resident makes a claim for a credit for high water usage in June 2014. The Village would then consider May, June, and July for the months, and then look five years back. Using the numbers below, the Village would take June of 2013 and double that amount, which is 1500 gallons. So the Village would then credit the resident for 500 gallons. The Village would then note that the water usage for June 2014 is now 1500 gallons.

	May	June	July
2014	525	2000	250
2013	350	750	600
2012	150	525	435
2011	625	738	512
2010	412	120	623

- Furthermore, the new established high would now be 1500 gallons for June 2014. If this customer made another claim in June 2015, the amount would have to be twice the new June 2014 established usage, or 3000 gallons. Anything less than 3000 gallons, no credit would be given.
- The Village of Taos Ski Valley highly recommends that all seasonal residents turn off the water when the property is not being utilized, and also set up a drain system that will allow for water in the home's piping to be drained.

F. Any request for a variance to the policy requires the person, or entity, to appeal to the Village Council.