



**VILLAGE COUNCIL MEETING  
MINUTES  
EDELWEISS LODGE AND SPA CLUB ROOM  
TAOS SKI VALLEY, NEW MEXICO**

**TUESDAY, OCTOBER 2, 2012 2:00 P.M.**

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**MAYOR:**  
Neal King

**COUNCIL:**  
Kathleen V. Bennett  
J. Christopher Stagg  
Barbara L. Wiard  
Thomas P. Wittman

**VILLAGE ADMINISTRATOR:**  
Mark G. Fratrack

**CLERK/TREASURER:**  
Vanessa N. Chisholm

**I. CALL TO ORDER & NOTICE OF MEETING**

Mayor King called the meeting to order at 2:00 p.m. The notice of the meeting was properly posted.

**II. ROLL CALL**

Mayor King, Councilors Stagg, Wiard, and Wittman were present. Council Bennett was absent, recovering from eye surgery. Staff members present were: Mark Fratrack, Vanessa Chisholm, and Don Schieber.

**III. APPROVAL OF THE AGENDA**

**MOTION: To approve the agenda as submitted.**

**Motion:** Councilor Wittman **Second:** Councilor Wiard

**Passed:** 3-0.

**IV. APPROVAL OF THE MINUTES OF THE SEPTEMBER 4, 2012  
AND THE SEPTEMBER 18, 2012 VILLAGE COUNCIL  
MEETINGS**

**MOTION: To approve the minutes from the September 4, 2012 and the September 18, 2012 Village Council meetings.**

**Motion:** Councilor Wiard

**Second:** Councilor Wittman

**Passed:** 3-0.

**V. CITIZENS FORUM**

Keith Wellman, 3 Coyote Lane, handed out a one page statement commenting on several items: "5 minute limit" on citizen forum; visions and goals for our Village; non-stop noise from construction heavy equipment every day; blinding, choking dust on Twining Road; hazardous signage in the Village; Village projects not cleaned up and the fact that property owners are apathetic. Wellman asked where the communication with part-time and full-time residents is. He wondered how the property tax rate hike was communicated to the residents.

The Mayor and Council addressed Wellman and stated that there were opportunities for residents to come to the budget workshop and public hearings that the Village held to become informed about property tax as well as everything on the budget. Mayor King reported that staff posts notices in six to eight places in the Village as well as on the Village website, Facebook, twitter and sends out emails with the agenda items for meetings.

Councilor Wittman asked if Mr. Wellman had called or stopped by the Village office to inquire about any of these issues.

Nancy Wellman, 3 Coyote Lane, and also representing Holly Burger, asked about the property tax hike. She stated that she did not know about it until she read it in the Taos News. Wellman asked how was this information communicated to the Village residents? She feels the Village needs a better communication plan, possibly a list serve to notify residents.

**VI. FINANCIAL REPORTS**

Vanessa Chisholm reported the annual audit of the Village financials has been completed. Once the auditor has received official word from the State Auditor's office, that the Village's audit is complete and has been accepted, they will attend the Council meeting and present the audit report. Councilor Wiard, Administrator Fratrack and Treasurer/Clerk Chisholm attended the exit conference for the audit.

Chisholm reported although GRT is down for the year it was up for the month of September. Lodgers' Tax is down for the month and the year.

The Financial reports were accepted into the minutes.

**VII. COMMITTEE REPORTS****A. Planning and Zoning Commission**

Councilor Wittman reported the Commission met October 1, 2012, at 1:00 p.m. Wittman stated that Keith Wellman, 3 Coyote Lane, presented the Commission with slides that he felt showed the need to clean up areas of the Village. Councilor Wittman encouraged residents contact or go to the Village office if they have any questions regarding the Village. Staff is always willing to help.

The two agenda items: A. "Draft – Impact Fee Needs Assessment Report" and B. "Discussion – Revision of Ordinance 12-30, Section 22, Development Impact Fees in Order to Conform with Impact Fee Needs Assessment Report" were discussed.

Wittman explained that Impact Fees were first discussed in 2003 and a schedule was set up in 2004. The impetus at the time was great anticipation for development in the Kachina area. Discussion was held and will continue at the next meeting when a vote will be taken. Wittman stated the Commission plans on doubling the impact fees. This means that a 3,600 sq. ft. residential home would be charge impact fees of about \$16,000. That does not include water and sewer connections, add that in and it would cost about \$50,000 total.

The next meeting of the Planning and Zoning Commission is scheduled for Monday, November 5, 2012 at 1:00 p.m., at the Edelweiss Lodge and Spa Conference room.

**B. Public Safety Committee**

No report.

**C. Parks and Recreation Committee**

No report.

**D. Arts and Entertainment Committee**

No report.

**E. Lodgers' Tax Advisory Board**

Councilor Stagg reported the Lodgers' Tax Advisory Board met on September 24, 2012. The Board discussed allowing two grant request and funding cycles, since the ending balance in the Lodgers' Tax fund was greater than was budgeted. It was noted that the proceeds from the tax shall be used within two years of the close of the fiscal year in which they were collected. The Council has approved \$76,000 for community proposals in the FY2013 budget. The Board would like to suggest using \$40,000 of that for an additional grant request application and funding cycle, with the emphasis placed on new projects.

This additional cycle would be beneficial for summer projects that need to advertise by March.

The Board will meet again on October 10, 2012, at 10:00 a.m., at the Snakedance to discuss surplus money.

#### **VIII. REGIONAL AND STATE REPORTS**

Councilor Wiard reported that the IGC will meet Thursday, November 15, 2012 (quarterly meetings). The Regional Landfill Board met Thursday, September 27, 2012. No major votes were taken. Jim Fambro, newly hired Questa Village Administrator, reported Questa is looking at a transfer station and is consulting with Taos County and Red River. The Landfill Board discussed loads of trash being tarped. They are considering a \$15 to \$20 fee if a load is not tarped (tarp will be given with the fee). This is not an income source for the Board, rather to make a cleaner environment for the County. Rate increases were discussed. Tipping fees were set prior to 2000 for what was projected for the next ten years. A decision will need to be made before January, 2013. The Board is also considering whether to close on Saturdays during the winter.

Wiard attended the Enchanted Circle EMS Conference held in Red River. Other Village attendees were: Neal King, Kathy Bennett, Dave Wallace and April Bender. Councilor Wiard attended the Governor's DWI Grant Council. She also met with NMML Executive Director, Bill Fulginiti to discuss the Village's stance on the changes to the PERA plan that they signed up for.

Future meetings that Wiard will attend are the NMML Board of Directors Meeting, the NMML Advanced Municipal Officials Leadership Institute (MOLI), and the NM Infrastructure Conference to be held in the Town of Taos from October 23-25.

#### **IX. MAYOR'S REPORT**

Mayor King said he attended the Enchanted Circle EMS Conference. He acknowledged that Councilor Bennett had eye surgery and is unable to come to Taos Ski Valley for a few weeks because of the altitude.

#### **X. STAFF REPORTS**

Mark Fratrack, Village Administrator, stated he contacted Village Attorney, Dennis Romero, regarding the property tax question. NM State Statutes allow a municipality to legally raise the tax mill rate to \$7.65 per \$1,000, for general purpose uses. Anything above that rate would have to be for a specific purpose and would require a vote by the residents of the Village. Fratrack noted that the public had the opportunity to discuss the property tax rate hike at the Budget workshop and at the public hearing held at the May Council meeting. Councilor Wittman reiterated that there were several Council meetings and workshops for citizens to speak up. The numbers were laid out for everyone to see.

Fratrick also reported on the chlorination station. Construction continues but will not be finished before the start of ski season. The Kachina water lines that will support the Kachina water tank are going in. This will provide additional water storage for the Village, but more importantly support appropriate fire suppression for the Kachina area. Fratrack also discussed working with G.K. Baum on Village projects and funding, reviewing and reassessing the financial pro forma.

Accolades were given to staff member, Ann Wooldridge, for a great job following up and tracking down overdue water bills for foreclosed properties. Over \$5,000 in back water bills were collected from two properties.

There was a discussion regarding the dust issues. Staff suggested several possible solutions and suggested a town hall meeting at a future date. Ray Keen has looked at a new organic sugar based dust control for the roads. It is a stabilizer and dust suppressant. The vendor is interested in coming to the council to present this product. The Council requested that staff present them with recommendations at a later date.

Fratrick also discussed the Town Site Act. It is tied up with the Wilderness designation for the wastewater treatment plant. The optic line trenching was discussed at a meeting between Fratrack and Luis Reyes, Kit Carson Electric Cooperative. Fratrack reported that a meeting was scheduled with the Town of Taos to discuss the 15 passenger van.

Fratrick noted that he had received a letter from a resident regarding areas in the Village that needed to be cleaned up. Council Stagg felt it was appropriate to have staff write a letter to ask what the property/business owner is going to do to clean up their area. Council Wittman agreed and thought it showed responsiveness by Council to address these issues.

Fratrick reported on a vehicle that had been sabotaged at the Kandahar. Village police are sending samples of what was put in the vehicle's engine to a lab to determine what the substance was.

Don Schieber reported on community developments. He stated that the chlorination station was wrapping up for the winter. The concrete has caused some issues and has the engineers scrambling. The sewer lift station project has been completed. There was a discussion on how the lift station was paid for (by a NMFA GRT loan). Originally it was going to be assessed to the users of the lift station. Schieber said that the parking lot paving was almost complete. He stated that the Pioneers Glade subdivision was going to be paved. The developers are going to pay for the paving. The Village had to have everything in the road (water, sewer and electric). Schieber reported that four employees will be trained on the GPS/GIS system. This will be instrumental for locating water and sewer lines and meter cans.

## **XI. OLD BUSINESS**

None

## **XII. NEW BUSINESS –**

### **A. Consideration to Approve NMFA Loan #2073-PP Pay Off Settlement**

This loan was originally taken out in October, 2007, in the amount of \$865,358.00 and was originally earmarked to be used to plan, design and construct a multi-purpose public safety building. The loan was re-authorized to be used on wastewater projects and a total of about \$476,111.04 was spent. As part of the loan process, a monthly intercept (payment) was set up in the amount of \$9,368.82 (\$112,426.08 per year).

The funding had a three year spending deadline; in October, 2011 the Village requested an additional year extension to utilize more funds. \$364,679.90 of the loan is unspent and is set to expire in October, 2012.

At present time, the Village could pay off the outstanding amount and close out the loan for \$47,581.22, which includes G.K. Baum's processing fee. In doing so the Village would recoup the \$47,581.22 in five months, and by year's end have saved an additional \$28,106.52 in payments. In light of the financial position of the Village at this time, the intercept payments saved each month would have a positive affect to shore up reserve accounts and the budget in general.

**MOTION: To approve the NMFA Loan #2073-PP Pay Off Settlement.**

**Motion:** Councilor Stagg

**Second:** Councilor Wittman

**Passed:** 3-0

**XIII. MISCELLANEOUS:**

Councilor Wittman stated that 14 years ago the Village was using Magnesium Chloride on the roads and it seemed to work. There was some question as to the damage to trees. Councilor Stagg said that what we are doing is not working. The base course gravel used on the roads is not good. Charlie Kleiner said that the gravel has helped a lot, traction is the problem. Kleiner also noted that this has been one of the driest summers in a long time.

**XIV. CLOSED EXECUTIVE SESSION – Pending Litigation**

Not needed. Agenda item skipped.

**XV. ANNOUNCEMENT OF THE DATE, TIME AND PLACE OF THE NEXT MEETING OF THE VILLAGE COUNCIL.**

The next meeting of the Village Council will be held on Wednesday, November 7, 2012, 2:00 p.m., at the Edelweiss Lodge and Spa Conference Room.

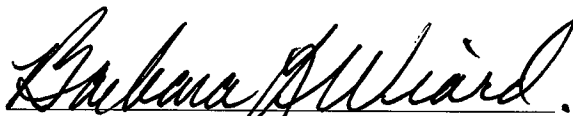
**XVI. ADJOURNMENT**

**Motion: To adjourn the meeting.**

**Motion:** Councilor Stagg

**Second:** Councilor Wittman

**Passed:** 3-0.

  
Barbara L. Wiard, Mayor Pro Tem

  
Vanessa Chisholm, Village Clerk

