

**VILLAGE COUNCIL REGULAR MEETING
DRAFT MINUTES
EDELWEISS LODGE CLUB ROOM
TAOS SKI VALLEY, NEW MEXICO**

TUESDAY, FEBRUARY 3, 2015, 2:00 P.M.

1. CALL TO ORDER & NOTICE OF MEETING

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

2. ROLL CALL

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

Governing Body Present:

Mayor Neal King
Councilor Kathy Bennett
Councilor Chris Stagg
Councilor/Mayor Pro-Tem Barb Wiard
Councilor Tom Wittman

Village Staff Present:

Administrator Mark Fratrack
Finance Director Nancy Grabowski
Clerk Ann Wooldridge
Administrative Assistant Renee Romero
Public Works Director Ray Keen
Public Safety Director Dave Wallace
Planning Director Don Scheiber
Planner Matthew Foster
Attorney Dennis Romero

3. APPROVAL OF THE AGENDA

Councilor Wittman requested an addition to be added under 13. Miscellaneous.

MOTION: To approve the agenda as amended

Motion: Councilor Wittman **Second:** Councilor Bennett **Passed:** 4-0

4. APPROVAL OF THE MINUTES OF THE JANUARY 6, 2015, AND THE JANUARY 13, 2015, VILLAGE COUNCIL WORKSHOP

MOTION: To approve the minutes of the January 6, 2015 and the January 13, 2015 Village Council Meetings

Motion: Councilor Wiard **Second:** Councilor Wittman **Passed:** 4-0

5. CITIZEN'S FORUM

Jeff Johnson gave the Council an update on the improvements being made to cell phone service by T-Mobile, AT&T, and Verizon. No one else spoke at the Citizen's Forum.

6. FINANCIAL REPORTS

Director Grabowski reported that GRT is up due to construction and Lodger's Tax is down. Ad Valorem tax receipts are up \$12,000. She will be taking a five week class in order to become a Certified Purchasing Officer (CPO) which is now a required position for each municipality to have. Budget preparation will start at the end of February. The Financial Report was accepted into the minutes.

7. **COMMITTEE REPORTS**

A. Planning and Zoning Commission

Councilor Wittman reported on the February 2, 2015 P&Z Commission meeting:

- The Village Master Plan will be reviewed by Planner Foster, taking 12-18 months to complete. The Plan was last adopted in 2010. It will include the improvement plans for Ernie Blake Road.
- Attorney Romero discussed the Water Ordinance which will be voted on at the next meeting.
- The Village Snow Removal and Storage Ordinance will also be revised by Planner Foster.

The next meeting is scheduled for March 2, 2015 at 1:00 p.m. at the Edelweiss conference room.

B. Public Safety Committee

Councilor Bennett reported on the February 2, 2015 Public Safety and Firewise Board meetings.

Public Safety:

- Chief Wallace will update the All Hazard Emergency Operations Disaster Plan with an outline at the May meeting.
- The Firearms/hunting ordinance is in progress.
- An AED availability project is in progress.
- Snow removal and unsafe slick sidewalks were discussed.
- Councilor Bennett will contact Dick Kinkaid (TSV, Inc.) about the icy conditions of State Rd 150.
- There were suggestions to place yield signs for cross traffic at the top of Ernie Blake Road and top of Chipmunk Road. This will be further researched.
- A recommendation was made to the Council to cancel the 4th of July parade due to construction.

The next meeting is scheduled for Monday, March 2, 2015 at 10:00 a.m. Location TBD

Councilor Wittman raised his concerns about many illegally parked cars between the Bavarian and the Phoenix and in front of the fire department substation. Hiker Parking was empty, except for his car. Staff will work with TSV, Inc. on solutions.

The Firewise Community Board of Directors met immediately after the Public Safety Meeting:

- Planner Foster will write the CWPP (Community Wildfire Protection Plan) instead of applying for grant funding for someone else to do it. It is doubtful the Village would be awarded the grant.
- Review of the Action Plan was postponed to the next meeting.

The next meeting is scheduled for Monday, March 2, 2015 at 11:00 a.m. Location TBD.

C. Parks & Recreation Committee – No report

D. Lodgers' Tax Advisory Board – No report

8. **REGIONAL AND STATE REPORTS**

Mayor Pro Tem Wiard reported on several meetings:

- Taos Regional Landfill Board (1/15/15) – The mid-permit review and permit modification to accept sludge was discussed. The meeting was followed by the NM Environment Department Public Hearing (5:30-10:00pm).
- Intergovernmental Council (IGC) of the Enchanted Circle (1/21/15) – Enchanted Circle Day at the Legislature was successful even with the hazardous road conditions.

Future meetings:

- February 24, 2015 – Santa Fe. NMML Legislative Reception
- February 25, 2015 – Santa Fe. Municipal Day at the Legislature and NMML Board meeting
- March 7-11, 2015 – Washington D.C. NLC Annual Congressional City Conference
- April 7, 2015 – Eagle Nest NMML District 2 – Conflicts with April VTSV Council meeting.
- April 28, 2015 – Santa Fe. DWI Grant Council

2015 Legislative Session

- Began on January 20 and will end on March 21
- Distribution of information from the NMML Legislative Bulletin on Senate Bill 274, Hold Harmless and Fund Deduction Changes (GRT on food)

9. **MAYOR'S REPORT**

Mayor King reported he has been busy on projects pertaining to the TIDD. He presented Attorney Romero with a framed picture (Taos News) of Romero shoveling snow with a cast on his foot. Dick Duffy discussed the Architectural Recommendation Committee. The members include five business owners and two residents, including Duffy.

10. STAFF REPORTS

Administrator Fratrack reported on:

- Townsite Act – Process is moving slowly with paperwork.
- TIDD – There was good participation on the TIDD vote. Clerk Wooldridge and Administrative Assistant Romero were praised for doing a great job juggling other work duties and projects and handling the voters.
- TIDD – Administrator Fratrack and Mayor King will attend a meeting with Taos County to discuss the County’s participation.
- Water Trust Board – The appropriate required documentation was submitted prior to the February 2 deadline for two projects, the Kachina Water Tank and the Gunsite Spring Development.

Director Wallace reported on the January activity regarding Law Enforcement, EMS, and Fire. This report is available on the Village website and at the Village office.

Director Keen reported on:

- Bavarian parking problems – Information was added to the concerns raised by Councilor Wittman. Safety is a major concern while plowing snow.
- Plant repairs – \$3900 was spent to repair blowers at the plant. It was necessary to do this prior to Spring Break.
- Snow blower – A snow blower needs to be purchased. One is available from Switzerland.
- Water testing – Passed. The Village has never failed the testing.

Director Scheiber reported on the TSV, Inc. summer construction. Every road will be affected. It is important that ingress/egress is available. There are no plans for new home construction.

Attorney Romero reported on the Y8 water well drilled in the mid-1950s. There are no records of the well producing any water. It was suggested that the Village contact Dan Kraybill (Zap) as he may have information about the well. If there are three acre feet of water rights associated with the well, it is worth pursuing.

11. OLD BUSINESS

A. Consideration of Appeal and Discharge for Lodgers’ Tax Late Charge Penalties in FY2014

This topic was introduced and discussed at the previous meeting. The FY 2014 Lodgers’ Tax audit found that one property owner owed \$400.00 in penalties for late filings. All actual Lodgers’ Tax amounts were paid, but not the late penalties. During some of the months in question, there were no rentals so no tax was owed. The property owner requested that the Village waive the late penalties. Staff is recommending a reduced penalty (\$50/month) for the three months without rentals.

MOTION: To follow the Staff recommendation

Motion: Councilor Wiard

Second: Councilor Wittman

Passed: 3-1

(Councilor Bennett voting Nay)

12. NEW BUSINESS

A. Consideration to Approve a Memorandum of Understanding and Agreement and Exhibits for Land Exchange, Lot Line Adjustments and for Development of “Parcel D” in the Core Village Zone between the Village of Taos Ski Valley and Taos Ski Valley, Inc., Santander Holdings, LLC, and Twining Development, LLC

TSV, Inc. Attorney John Canepa presented the MOU and Agreement with maps. The areas addressed in the MOU include the bottom of Ernie Blake Road, next to the Sierra del Sol office and in front of the previous Thunderbird Chalet. Discussion followed.

MOTION: To Approve the a Memorandum of Understanding and Agreement and Exhibits for Land Exchange, Lot Line Adjustments and for Development of “Parcel D” in the Core Village Zone between the Village of Taos Ski Valley and Taos Ski Valley, Inc., Santander Holdings, LLC, and Twining Development, LLC

Motion: Councilor Wiard **Second:** Councilor Wittman **Passed: 3-0**
(Councilor Stagg recused himself)

B. Consideration to Approve Resolution #2015-279, Authorizing and Approving Submission of a Completed Application for Financial Assistance and Project Approval to the Water Trust Board and New Mexico Finance Authority

In an effort to continue the Village Water System upgrade, one of the next priorities is to construct the below-grade two hundred and fifty thousand gallon water tank above the Kachina Village area. This tank and line system will provide the much needed fire suppression pressurization for Kachina Village. It will also allow for water chlorination contact time and water storage for the Village’s entire water system. Staff is also proposing to develop the Gunsite Spring. Discussion followed.

MOTION: To approve Resolution #2015-279 authorizing Staff to apply for funding through the Water Trust Board

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

C. Village of Taos Ski Valley Tax Increment Development District Formation and Bond Election Canvass of Election Returns

Clerk Wooldridge reported that 179 votes were cast. Councilor Bennett pointed out that there were 179 ballots cast, not votes. The TIDD election results are as follows:

- Shall the Village of Taos Ski Valley Tax Increment Development District be formed?
98% voted yes
- Shall the Village of Taos Ski Valley Tax Increment Development District be authorized to issue Property Tax Increment Bonds in a principal amount not to exceed \$40,000,000?
97% voted yes

FORM:	Votes Cast = 335.785	Yes = 328.365	98%	No = 7.421	2%
BOND:	Votes Cast = 335.785	Yes = 326.898	97%	No = 8.887	3%

MOTION: To approve the Certificate of Canvass with the correction of “ballots” instead of “votes”.

Motion: Councilor Wiard **Second:** Councilor Wittman **Passed: 4-0**

D. Consideration to Appoint a Representative to the Holy Cross Hospital Nominating Committee

Councilor Bennett has agreed to continue to serve as the Village’s representative on the nominating committee for the Holy Cross Hospital Board of Directors. Councilor Stagg said he may not continue to serve on the Hospital Board of Directors when his tenure expires and urged community members to contact Councilor Bennett if they would like to serve on the Board of Directors for Holy Cross Hospital.

13. MISCELLANEOUS

Councilor Wittman apologized because he believed he had accidentally breeched parliamentary rules at the last Council meeting.

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

The next meeting of the Village Council Meeting is scheduled for Tuesday, March 3, 2015 at 2:00 p.m. at the Edelweiss Conference Room.

15. ADJOURNMENT

MOTION: To adjourn

Motion: Councilor Bennett **Second:** Councilor Wittman **Passed: 4-0**