



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

**TUESDAY, SEPTEMBER 2, 2014, 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

**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**

Vanessa Chisholm, Clerk/Treasurer, called the roll and a quorum was present.

**Governing body present:**

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

**Staff present:**

Village Administrator Mark Fratrack  
Village Clerk/Treasurer Vanessa Chisholm  
Public Works Director Raymond Keen  
Community Development Director Don Schieber  
Public Safety Director David Wallace  
Village Attorney Dennis Romero

**3. APPROVAL OF THE AGENDA**

Councilor Wiard requested item 12.A. under New Business be moved up on the agenda to follow the Financial Reports.

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

**Motion:** Councilor Wittman

**Second:** Councilor Wiard

**Passed:** 4-0

**4. APPROVAL OF THE MINUTES OF THE August 5, 2014 and August 13, 2014 VILLAGE COUNCIL MEETINGS.**

**MOTION: To approve the minutes from the August 5, 2014 and August 13, 2014 Village Council Meetings**

**Motion:** Councilor Wittman

**Second:** Councilor Stagg

**Passed:** 4-0

**5. CITIZENS FORUM**

Jeff Johnson, Facilitator/Consultant from VIACOM, is working with AT&T, Verizon, T-Mobile, and ComNet to improve wireless communications in the Village. Johnson presented the three phase plans regarding coverage, capacity and reliability. Phase 1 (this year) is the Village core area. Phase 2 will include Amizette and Phase 3 is State Road 150 to the Village.

**6. FINANCIAL REPORTS**

Treasurer Chisholm reviewed the Financial Reports. GRT and Lodger's Tax are doing well. The Financial Report was accepted into the minutes.

As Human Resources Director, Chisholm reported on the interview and hiring process for the two open positions of Finance Director and Planner/Community Development Director Assistant.

**12. NEW BUSINESS****A. Briliam Engineering: Comprehensive Performance Evaluation**

Patrick O'Brien, Briliam engineer, presented the Comprehensive Performance Evaluation on the wastewater treatment plant. The recommended improvements will maintain capacity for a few years and then a new plant will be needed. It will be possible to incorporate the improvements in a new plant. Within the next five years the Council will need to consider if the Townsite Act through the Columbine Hondo Wilderness Act or directly with the local Forest Service is the best approach to acquiring the land.

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

Councilor Wittman reported that the Commission did not meet. The next meeting is scheduled for Monday, October 6, 2014 at 1:00 p.m. at the Edelweiss Lodge and Spa Club Room.

**B.** Councilor Bennett reported that the Committee met on Monday, August 11, 2014. Safety issues regarding the coming ski season traffic, autos and pedestrians, directing traffic, staffing, and Thunderbird Road were discussed. No decisions or recommendations were made. Because Thunderbird Road is a Village road, it is important that TSV, Inc. keep the Village informed on their plans.

The Firewise Community BOD meeting followed. Members were assigned blocks of property to be assessed. Another meeting was held on Monday, September 1, 2014 to gather the completed assessments. Mayor King will enter the results into his GIS mapping system, depicting the severity of each property in color. The Firewise education tent will not be at the Oktoberfest event, as there is nowhere to put it due to construction. Chris Cote, Taos County Wildland Coordinator and Deputy Chief of the Latir Volunteer Fire Department, attended the meeting. He explained that grant money is more readily available if property owners coordinate and address ten acres together rather than individual properties. The committee will distribute information to property owners.

The next meeting of the Public Safety Committee and the Firewise Community BOD is scheduled for Monday, October 20, 2014 at 2:00 p.m. at the Village Office. Future meetings will be held every first Monday of the month at 10:00 a.m. at the Village Office.

**C. Parks and Recreation Committee**

No Report.

**D. Lodgers' Tax Advisory Board**

No report.

**E. Committee Appointments – Planning & Zoning Commission – Jim Woodard**

The Mayor recommended Jim Woodard be appointed to serve on the Planning and Zoning Commission.

**MOTION: To approve the Mayor's appointment of Jim Woodard to the Planning & Zoning Commission replacing Elisabeth Brownell.**

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

The Council thanked Elisabeth Brownell for her many years of service on the Commission. Brownell has been named Commissioner Emeritus for the Planning and Zoning Commission, a non-voting position.

**8. REGIONAL AND STATE REPORTS**

Councilor Wiard reported on the July 16, 2014 meetings of the Taos Regional Landfill Board and the Intergovernmental Council (IGC) of the Enchanted Circle. Both will meet again on Wednesday, September 17, 2014. Other meetings consisted of the NMML Resolution Committee and the NCNMEDD Board of Directors. She, Administrator Fratrack, and Councilor Wittman attended the NMML Annual Conference in Albuquerque. October meetings include the NMML BOD and the DWI Grant Council. She will attend the National League of Cities annual conference in November in Austin, TX.

**9. MAYOR'S REPORT**

Mayor King spoke about the possibility of forming an Architectural Advisory Committee. Dick Duffy has offered to create a proposal for this committee and perhaps come up with a charter. Extensive discussion followed on whether there was a need for this committee.

**10. STAFF REPORTS**

Administrator Fratrack reported on:

- Townsite Act – There is no update on the Columbine Hondo Wilderness Act. The Council will need to consider if the Townsite Act through the Columbine Hondo Wilderness Act or directly with the local Forest Service is the best approach to acquiring the land.
- Chlorination Station – The Village is continuing to work with the previous engineer on possible fixes to the Chlorination Station. An attempt at plugging the weeping did not work. Another method and attempt will be performed in the next week or two. The biggest concerns include the infiltration gallery low flow problem.
- Burn Boss – The Burn Boss should arrive in the near future. Fratrack will meet with the Forest Service regarding a community burn area for the incinerator.
- Utility Line Trenching – A Public Improvement District (PID) will be established to reimburse entities that fund the project. Natural gas franchise agreement may fund a portion of the PID. A meeting is planned with TSV, Inc. and KCEC.

Director Chisholm reported on the interviews for a Financial Director. The annual audit begins Monday, September 15, 2014.

Director Wallace summarized the August Public Safety Report:

- Law Enforcement – Five citizen assists, three animal calls, two downed trees, one vehicle collision, one burglary, one domestic violence, one residential alarm, 16 hours of traffic enforcement, twelve traffic stops, eleven verbal warnings, one written warning, and one vehicle impound.
- EMS – Two calls responding to one injured ankle and one altitude sickness
- Fire – One residential fire alarm and two search and rescue missions
- High Mountain Hideout Music Festival at the Bavarian – There were no incidents. Councilor Wiard stated that campers at Williams Lake reported that the music continued until 3 a.m. and she requested that this be considered when issuing Special Event Permits.

Director Schieber reported on:

- Beaver Pond Dredging – to be done prior to ski season.
- Hotel St. Bernard Deck – there are plans for a new and expanded fire-rated deck.
- Bavarian and Twining Road Sewer Lines – A low spot in the sewer line was discovered and has been fixed.
- San Juan Chama Water Rights – Utilize the Beaver Pond usage on the water consumption report.

Director Keen reported that the Public Works Department is now fully staffed.

## 11. OLD BUSINESS

### A. Discussion and Consideration: Roger Pattison, Hunting Permits, Discharge of Firearms.

Mr. Pattison is pursuing the sale of hunting permits on private property. It was believed that a variance would be required for discharging firearms within Village limits. Through staff research, it has been discovered that there are no Village regulations prohibiting discharge of firearms. A variance is not required if there are no regulations.

Councilor Bennett reported that the Public Safety Committee discussed this issue and it was the consensus that a firearms ordinance is necessary. The committee will discuss this at the October meeting. After consulting with Director Wallace and Attorney Romero, recommendations will be presented to the Council.

### B. Consideration to Approve Amendments to Revenue Collection Policy

Fratrick reminded Council that at the last meeting there was discussion of the policy, especially the section “Disputed Bills”. Recently, a customer ran a hose for many hours/days resulting in excess of 12,000 gallons of their normal water bill. Upon review of our Revenue Collection Policy, staff feels that the wording is such that we don’t address this issue competently. Staff presented changes to the section in the Revenue Collection Policy addressing disputed bills. Staff would like to change the wording to be more inclusive and specific to additional possibilities, such as hoses used for watering flowers, lawns, etc. Discussion followed with input from the audience.

**MOTION: To approve the wording changes in the Disputed Bills Section of the Revenue Collection Policy**

**Motion:** Councilor Wiard      **Second:** Councilor Stagg      **Failed:** 1-3  
(Bennett, Stagg, and Wittman against)

Mayor King requested staff to form a Tiger Team to address this issue.

**12. NEW BUSINESS**

**B. Consideration to Approve Joint Powers Agreement Establishing the Taos Emergency Communications Center (TT-15-62)**

This is a JPA for central dispatch services. It establishes the Taos Emergency Communications Center. The JPA creates a Board of Directors and the duties of that Board. Per Article III, Finances, Section B, the initial budget requires the Village of Taos Ski Valley to pay \$10,000 annually, or the pro-rata portion thereof for a partial fiscal year, such payments to be allocated to a reserve account. This is less than the current amount of about \$11,000. Future payment agreements will be analyzed for percentage of usage.

**MOTION: To approve the JPA for Central Dispatch Services**

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

**C. Introduction: Ordinance No. 2015-37, Amendments to Ordinance 2003-37, an Ordinance Adopting Regulations for Septic Tanks and Sewer Use Within the Village of Taos Ski Valley**

Fratrick presented the draft sewer ordinance revisions for mandatory connection to the Village Sewer System. Ten years ago many new sewer lines were installed throughout the Village. Staff initially persuaded a majority of the residences to hook up to the system without incorporating mandatory connections. Incentives were offered to hook up at a reduced rate, based upon a tiered system over a period of three years. This incentive program ended in 2009. There are currently twelve homes that could connect to the Village system and would be affected by a change to this ordinance. There are seven additional homes that will be able to connect upon negotiating easements to facilitate a gravity sewer connection. Staff recommends that the Council adopt the revised ordinance to mandate the connection of the twelve residences able to connect to the Village system adjacent to their property. Staff also recommends that the additional seven homes be allowed to use an incentive program once the necessary easements are in place. This was an introduction of the ordinance amendments and a Public Hearing will be held at the Council meeting on October 7, 2014.

**D. Introduction: Ordinance No 2015-52, an Ordinance Creating the Office of Finance Director**

Director Chisholm reported that senior staff has discussed the best way to move forward regarding her retirement and filling the Clerk/Treasurer position. It has been decided to split the duties into two positions, creating a position of Finance Director and Village Clerk. The Finance Director would also serve as the HR Director and possibly the Deputy Village Clerk. A second ordinance would create the position of the Village Clerk. Ordinance #1997-06 created the position of

Village Clerk/Treasurer. Staff recommends keeping that ordinance in place since it uses the wording “one person may be appointed to perform the duties of both the offices of Village Clerk and Village Treasurer”. This allows for any future changes in any of these positions. This is the first reading and a Public Hearing will be held at the Council meeting on October 7, 2014.

**E. Introduction: Ordinance No 2015-53, an Ordinance Creating the Office of Village Clerk**

Director Chisholm said this ordinance also pertains to the ordinance in Section D above. Since Staff would like to split the two positions, this ordinance would create a position of Village Clerk. Councilor Stagg questioned the necessity of the action for both ordinances. While Attorney Romero believes this is the most effective approach, he will review the topic and make recommendations. This is the first reading and a Public Hearing will be held on October 7, 2014 at the next Council meeting.

**13. MISCELLANEOUS**

Councilor Bennett expressed her thanks and appreciation to the members of the Firewise Community Board of Directors for all of their hard work. Members are April Bender, Jim Woodard, Sheila Duffy, and Roger Pattison.

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

The next meeting of the Village Council is scheduled for Tuesday, October 7, 2014, 2:00 p.m. at the Edelweiss Lodge and Spa Club Room.

The November Village Council meeting will be held on Wednesday, November 5, 2014, as Tuesday, November 4, 2014 is the General Election Day.

**16. ADJOURNMENT**

**Motion: To adjourn the meeting.**

**Motion:** Councilor Stagg

**Second:** Councilor Wittman

**Passed:** 4-0.

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Neal King, Mayor

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Vanessa Chisholm, Village Clerk