



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

**MONDAY, APRIL 15, 2013 2:00 P.M.**

7 Firehouse Road  
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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, Village Clerk/Treasurer, called roll and a quorum was present.

**Those present were:**

Mayor, Neal King  
Councilor, Kathy Bennett  
Councilor, Chris Stagg  
Councilor, Barbara Wiard  
Councilor, Tom Wittman

**Also present were:**

Village Administrator, Mark Fratrack  
Village Clerk/Treasurer, Vanessa Chisholm  
Community Development Director, Don Schieber  
Public Works Director, Ray Keen  
Public Safety Director, David Wallace  
Planner 1, John Miller  
Village Attorney, Dennis Romero

**3. APPROVAL OF THE AGENDA**

Councilor Wiard requested that Item 12.A. be moved to follow Item 4, Approval of Minutes.

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

**Motion:** Councilor Wiard

**Second:** Councilor Wittman

**Passed:** 4-0

**4. APPROVAL OF THE MINUTES OF THE APRIL 9, 2013 VILLAGE COUNCIL MEETING**

**MOTION: To approve the minutes from the April 9, 2012 Village Council Meeting.**

**Motion:** Councilor Wiard

**Second:** Councilor Wittman

**Passed:** 4-0.

Councilor Wittman expressed his thanks to the Mayor and Council for accommodating his schedule during the past few weeks.

**MOTION: To approve the minutes from the February 5, 2013 Village Council Meeting**

**Motion:** Councilor Wiard

**Second:** Councilor Wittman

**Passed:** 4-0.

**12. NEW BUSINESS**

**A. Update on Taos Health Systems, Inc. (Holy Cross Hospital) by Peter Hofstetter.**

Peter Hofstetter, CEO, Holy Cross Hospital, Taos, New Mexico, gave an update on their funding, both historical and pending, and their plans for expanding the hospital. He spoke about new medical personnel that will be joining the hospital team. He talked about both Federal and State funding, and a lack thereof. He said in previous years they have received 9.2 million in funding, but only 2.2 million this year. They are receiving a USDA grant/loan of \$13 million for building additions. Hofstetter is requesting towns and cities in the Holy Cross area to budget some funding to help subsidize the hospital's indigent fund.

**5. CITIZENS FORUM**

No one spoke at the Citizen's Forum.

**6. FINANCIAL REPORTS**

Chisholm reported that GRT is \$28,000 below last year's YTD and Lodgers' Tax is down by \$27,000 YTD. An RFP is required every three years for the yearly audit services. Four companies responded to the RFP, including the auditors the Village has used for the last three years. The Village may rehire the current auditors. The financial Reports were accepted into the meeting minutes.

**7. COMMITTEE REPORTS**

**A. Planning and Zoning Commission**

Councilor Wittman reported the Commission met on March 14, 2013. They are working on an updated snow removal policy. The next meeting is TBA.

**B. Public Safety Committee**

Councilor Bennett reported the Committee met on March, 7, 2013. There was a quorum, but Dave Wallace could not make the meeting. The Committee reviewed one Special Events Application which was a request for a block party on Thunderbird Road on the last day of Ski Season, 4/7/13.

Other discussions involved Spring Break possible problems, AED maintenance and training, adopting a fire hydrant dilemma, and the need for another person to join the Public Safety Committee. A letter from the Committee will be in a Fall Water/Sewer Bill asking that people in the community please help by shovel out the nearest hydrant. The Evacuation Plan and document on bears will be sent out with the monthly water/sewer bills. The next Public Safety Committee meeting is TBA.

**C. Parks and Recreation Committee**

It was reported that playground equipment has been purchased. According to Councilor Staff, it will be located at the base of Chair 5. Thanks and appreciation goes to Taos Ski Valley Inc. for the space.

**D. Arts and Entertainment Committee**

Mayor King announced that John Haley and his wife Diane have resigned from the Arts and Entertainment Committee. They have not yet notified Mayor King about their participation in the Parks and Recreation Committee. Mayor King thanked John and Diane for all their hard work on the Arts and Entertainment Committee.

**E. Lodgers' Tax Advisory Board**

No report.

**8. REGIONAL AND STATE REPORTS**

Councilor Wiard Councilor Wiard reported there was no meeting of the IGC or the Regional Landfill Board. The next meetings are TBD. She talked about her trip to Washington D.C., for the National League of Cities Congressional Conference in March. She attended a March meeting of the NCNMEDD in Santa Fe and the April meeting of the NMML District 2 meeting in Angel Fire. She reported on the actions taken during the Legislative session, including the "Hold Harmless" that will be phased out over the coming years. This will drastically impact municipalities with populations over 100,000. Councilor Wiard has been on the Governor's DWI Grant Council for five years and finds that it is a very interesting and productive group to work with. She will attend the Water Trust Board Meeting with Mark Fratrack on April 24 in Santa Fe. May meetings she will attend include the NMML Budget Committee, NMML Municipal Officials Leadership Institute (Advanced). June includes the NMML Board Meeting, Policy Committee Meetings, and the NMML Resolutions Committee.

**9. MAYOR'S REPORT**

Mayor King, awarded letters of commendation and thanks to Ray Keen and Joey Apodaca from the Public Works Department for their hard work and extraordinary efforts in plowing the roads at 1:30 in the morning, during an extremely heavy snow fall that would have crippled everyone the next morning. Mayor King also awarded a letter of commendation and thanks to Dick and Sheila Duffy for opening their home and serving hot coffee to the snowplow drivers during that night.

**10. STAFF REPORTS**

Administrator Fratrack reported there has been no movement in Congress on the Wilderness Area/Town Site Act. He said the Forest Service requested additional documents/drawings for clarification and said the Forest Service is in the process of working with their Regional Office for final determination of acceptance. He met with representatives from Questa and the Town of Taos about the Emergency Communication Center. Fratrack thanked the staff for their major focus on the FY 2014 Budget over the last month.

The Village and Chamber collaborated on the Clean and Beautiful Grant for this year's grant submission. Fratrack said Aly Hyder, Chamber of Commerce, did an outstanding job putting together the grant application. Employee training consisted of a Retirement Solutions review of retirement options and investments with employees, and safety training. Employees took a CPR class.

The Water Trust Board's request for additional and updated information was submitted. He discussed the new grant application.

The NMML District 2 meeting highlights were discussed. House Bill 73, Convention Center Act, allows municipalities of any size to raise funding to support convention centers with a lodging room fee. Annual audits can be arduous for smaller communities. There is discussion of requiring audits every other year. VTSV pays approximately \$22,000/year for an audit.

Fratrack met with interested parties for developing in the Kachina area. One developer was hoping to have available funds to provide a match for the Water Trust Board funds but cannot give the Village his support now. Fratrack also met with Jerome de Bontin's group regarding core area development.

Ray Keen reported that the wastewater treatment plant went through the ski season well. Fratrack announced that the Village was awarded "Water System of the Year – Medium Systems" by the

New Mexico Rural Water Association. Congratulations to Keen and the Public Works staff for a job well done. The awards banquet is this Wednesday.

Don Schieber talked about a “unique” single family home that will be built on Lot 16, Block 1.

**11. OLD BUSINESS**

None

**12. NEW BUSINESS**

**B. Introduction of FY2014 Budget**

Administrator Fratrack introduced the FY2014 Budget. A Public Hearing will be held at the April 30, 2013 Village Council Meeting.

**C. Consideration to Approve a Memorandum of Understanding and Agreement between Rio Hondo Holding, LLC and the Village of Taos Ski Valley regarding a Wetland Mitigation Conservation Site for development of “Parcel D” in the Village’s Core Village Zone.**

A Memorandum of Understanding was presented by Joe Canepa, attorney for the Rio Hondo Holdings, LLC and the Village of Taos Ski Valley regarding a wetland mitigation conservation site (Lot 7B, Kachina Village), for development of “Parcel D” in the Village’s core village zone. This memorandum shall transfer ownership of the 0.46 acre mitigation site to the Village upon completion of wetland mitigation and monitoring for 5 years by Rio Hondo Holdings, LLC. With this, the Village agrees to perpetually preserve, protect, and maintain this wetland mitigation site as open space with appropriate conservation easement-type restrictions on its use. This relocation and mitigation of the wetlands is required by the Army Corps of Engineers prior to development, and is in preparation for starting the construction of buildings within Parcel D (the Thunderbird Chalet site and the Pizza Shack/Ski Mastery site, combined.)

After the presentation a lengthy discussion ensued.

**MOTION: To approve the Memorandum of Understanding between Rio Hondo Holdings, LLC, and the Village of Taos Ski Valley regarding the Wetlands Mitigation area on Lot 7B, Kachina, area in lieu of development of Parcel D in the village Core Village Zone area.**

**Motion:** Councilor Stagg

**Second:** Councilor Wiard

**Passed:** 4-0.

**13. MISCELLANEOUS: None**

**14. 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 Tuesday, April 30, 2013, at 2:00 p.m., at the Edelweiss Lodge and Spa Club Room. The Public is encouraged to attend the public hearing for the FY2014 Village Budget.

**15. CLOSED EXECUTIVE SESSION:**

**MOTION: To proceed to closed executive session for discussion on pending litigation (LCI2 vs VTSV) and possible litigation regarding lodgers’ tax.**

**Motion:** Councilor Stagg

**Second:** Councilor Wittman

**Passed:** 4-0

**MOTION: To proceed to open session. No decisions or motions were made during closed session.**

**Motion:** Councilor Wiard

**Second:** Councilor Wittman

**Passed:** 4-0

**16. ADJOURNMENT**

**Motion: To adjourn the meeting.**

**Motion:** Councilor Wittman

**Second:** Councilor Bennett

**Passed:** 4-0.

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Neal King, Mayor

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Vanessa Chisholm, Village Clerk