



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

**TUESDAY, JANUARY 8, 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 Neal 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  
Councilmember, Kathy Bennett  
Councilmember, Chris Stagg  
Councilmember, Barbara Wiard  
Councilmember, Tom Wittman

**Also present were:**

Village Administrator, Mark Fratrack  
Village Clerk/Treasurer, Vanessa Chisholm  
Community Development Director, Don Schieber  
Public Safety Director, Dave Wallace  
Village Attorney, Dennis Romero

**3. APPROVAL OF THE AGENDA**

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

**Motion:** Councilor Wittman

**Second:** Councilor Bennett

**Passed:** 4-0

**4. APPROVAL OF THE MINUTES OF THE DECEMBER 4, 2012 VILLAGE COUNCIL MEETING AND THE DECEMBER 4, 2012 DUST WORKSHOP**

**MOTION: To approve the minutes from the December 4, 2012 Village Council Meeting and the December 4, 2012 Dust Workshop as presented.**

**Motion:** Councilor Wiard

**Second:** Councilor Wittman

**Passed:** 4-0.

**5. CITIZENS FORUM**

No one spoke.

**6. FINANCIAL REPORTS**

Vanessa Chisholm presented the Council with the gross receipts tax collections and lodgers' tax collections for December. The collections for lodgers' tax, year to date, are down from last year. This is a result of delinquent accounts being paid last year, which increased the total amount. However, compared to previous years the collections are good. Gross receipts collections are just about even with last year's collections. The financial reports were accepted into the minutes.

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

Councilor Wittman stated the Commission met on January 7, 2013. An Open Meetings Act resolution was passed. A public hearing was held regarding Section 15 off of Blue Jay Ridge Road for Lake Fork Creek Holdings, LLC. Development will be on about 23.402 acres of 41.018 acres (17.616 acres are open space). The four lots are single family, zoned agricultural (a variance change will be needed). Three people spoke in favor and no one spoke against. A motion was made and passed. Wittman noted this was a culmination of a 15 year effort. There is a condition based on an agreement from 2011 regarding a water tank in the Kachina area within four years. An extension will be needed for another four years. The next Planning and Zoning Commission meeting is scheduled for Monday, February 4, 2013 at 1:00 p.m., at the Edelweiss Lodge and Spa Conference room.

**B. Public Safety Committee**

Councilor Bennett stated the Public Safety Committee met on December 12, 2012. They discussed the Special Events application. The committee is concerned about the EMS coverage for these events. They discussed whether or not to do a fund raiser for EMS and decided against it. The committee talked about AED maintenance and personnel training. The committee stated that planning ahead for the spring/summer months in the event of a dry winter is necessary. The Village Evacuation Plan is on the website and it was agreed upon by the committee that this document and another regarding bears should be made available for each rental unit, for all guests to see. Councilor Bennett will ask Village staff to include these documents in water/sewer bills before summer. The Public Safety Committee will meet again prior to spring break in March. Councilor Stagg made a suggestion that perhaps people sponsoring Special Events could donate some money to the EMS Department in lieu of paying volunteers.

**C. Parks and Recreation Committee**

No report.

**D. Arts and Entertainment Committee**

No report.

**E. Lodgers' Tax Advisory Board**

No report.

**8. REGIONAL AND STATE REPORTS**

Councilor Wiard reported that the IGC and Regional Landfill Boards did not meet over the holidays, but will meet on Thursday, January 17, 2013. The IGC discussions include the following Legislative priorities: Holy Cross Hospital funding, Enchanted Circle road repair funding, and tourism. The Taos Regional Landfill Board is addressing tipping fees, landfill hours, permit modifications, and the Town of Taos possible annexation of property surrounding the landfill. Wiard stated there is litigation with Parker and LCI2. Councilor Wiard met with Bill Fulginiti (NM Municipal League), Mark Fratrack, and the WTB (Water Trust Board) on December 14, 2012. Future meetings include the Water Trust Board meeting with Mark Fratrack in Santa Fe on January 19, 2013; North Central NM Economic Development District meeting on January 10, 2013, and the NMML Municipal Day reception, meeting, and Board meeting on February 19-20, 2013. Councilor Wiard spoke about the 2013 Legislative session which opens Tuesday, January 15, 2013 and is a 60 day session. Wiard stated everything is up for grabs and discussion. Priorities are municipal revenues and autonomy. She said she would have more details and an

update at the next Village Council meeting. Bill Sullivan inquired whether there will be any capital outlay available this year. Wiard answered that she has not heard of any, but it is possible there might be some on a regional level.

**9. MAYOR'S REPORT**

Mayor King reported he attended a meeting with Town of Taos officials regarding the proposed Command Center. This was a one on one meeting with various officials within Taos County. They presented their version of the new command center, but no additional money was mentioned.

King expressed his concerns regarding Holy Cross Hospital and hoped that the new Taos County Commission would address this subject as well.

**10. STAFF REPORTS**

Mark Fratrack reported that there has been no movement on the Hondo-Columbine Wilderness Area/Town Site act. Fratrack will contact Senator Heinrich's office regarding the status of the Town Site Act. He said an additional application will be submitted directly to the U.S. Forest Service manager, Buck Sanchez. The Village is asking for about 5 acres for the treatment plant. The Forest Service has thirty days to get back to us with a yes or no.

Fratrack stated a second package was assembled and submitted to the Water Trust Board (WTB) and New Mexico Finance Authority staff for the grant extension request. The WTB Chairman and Vice Chairman have been contacted in regards to this request. The meeting is scheduled for Wednesday, January 9, 2013, in Santa Fe. Fratrack thanked the staff for their hard work in preparing for this hearing.

Fratrack reported on the Terry Sports Condemnation. He received a notice of termination from the parties involved with the Village concerning the condemnation process. The process will be dropped due to the parties involved desire to withdraw from the condemnation litigation.

Other items discussed were: 1) met with developers for the Kachina area who have purchased property for 250 to 350 units; 2) received some feedback regarding the optic line/natural gas trenching. Staff is trying to crunch the numbers regarding the usage of propane gas in the Village; 3) the 15 passenger van is on the agenda for the Town of Taos approval, but still must be approved by the Department of Finance and Administration.

Dave Wallace, Public Safety Director, said it has been a busy few weeks. The Village EMS Medic 311 ambulance has helped out Mogul Medical when Taos County ambulances were unavailable. There was a fire at the Powderhorn Condos. There has not been a lot of activity in law enforcement, but New Year's Eve was a nightmare.

Ray Keen, Director of Public Works, stated the flows over the holidays were higher than before (140,000 up to 150,000 for 12 hours). The Public Works staff monitored the sewer plant for 24 hours around the clock over the holidays. A major problem was the centrifuge breaking due to the electrical outages and surges. Keen estimates that damage could be more than \$20,000 after he figures it all out. He will file a claim either with Kit Carson Electric Cooperative or the Village's property and liability insurance. Staff has been keeping up with the snow removal.

The Mayor thanked Ray and his staff and suggested an appreciation dinner to thank them.

Don Schieber reported he is dealing with some building code issues. The fire at the Powderhorn was caused by the gas fireplace. The gas has been shut off to all the fireplaces at the Powderhorn. Schieber stated that he found some structural issues at the Snakedance. Wallace and Schieber are investigating and will try to educate the owners and staff on these issues.

Fratrick stated the entire staff did an outstanding job over the holidays and thanked everyone for their hard work.

**11. OLD BUSINESS**

None

**12. NEW BUSINESS**

**A. Consideration and Approval: RESOLUTION #2013-240, a Resolution concerning Governing Body Meetings and Public Notice Required.**

This resolution is required annually by the State of New Mexico. This is the open meetings act that governs when and how meetings will be conducted.

**MOTION: To approve Resolution #2013-240, a resolution concerning governing body meetings and public notice required.**

**Motion:** Councilor Wiard

**Second:** Councilor Wittman

**Passed:** 4-0

**B. Consideration and Approval: RESOLUTION #2013-241, a Resolution concerning the Wastewater Treatment Plant Town site Act Application for 4.954 +/- Acres.**

At present, through the Hondo-Columbine Wilderness Designation (HCWD), the Village of Taos Ski Valley stands to acquire 4.954+/- acres for the wastewater treatment plant. However, legislation has not progressed and has not shown signs of moving forward for consideration and possible approval. With the timeline of the HCWD legislation uncertain, other avenues should be considered in how to acquire the land needed. In discussions with the Forest Service Superintendent, it was suggested that the Village initiate a standalone Town Site Act application for the property needed. This application is a separate request but would move on a parallel track with the HCWD legislation.

**MOTION: To approve Resolution #2013-241, a resolution which authorizes staff to utilize the Town Site Act to apply to the Forest Service in an effort to acquire property for the Wastewater Treatment Plant.**

**Motion:** Councilor Wittman

**Second:** Councilor Bennett

**Passed:** 4-0

**C. Consideration and Approval: RESOLUTION #2013-242, a Resolution Requesting a Permanent Budget Adjustment**

Two departments are requesting a permanent budget adjustment to the FY2013 budget passed by the Village Council in May 2012.

Law Enforcement purchased tires in late May, 2012. The tires were paid for using the procurement card. This purchase had been budgeted in the FY2012 but because the purchase in late May did not show up until the July statement, these funds were not anticipated for FY2013. The cost of the tires was \$2,311.56. In addition, Officer Steven's vehicle had a rear quarter window break over the holidays. This was an unforeseen accident and the cost to repair the window was \$598.50. Dave Wallace is requesting a budget adjustment in the amount of \$3,100.00 to cover these two expenses.

The EMS department has asked for a budget adjustment to purchase a gurney. There have been several instances where the old gurney (which was a good purchase and adequate for the time it was purchased) has not functioned the way it was meant to work, i.e., the legs don't come up and patients end up lying in the cold for several minutes while the EMT's try to make the gurney work. The EMS Volunteer Board unanimously agreed to purchase a new gurney for the Medic 311 vehicle. The Board decided the Stryker gurney, a hydraulic version that functions with the touch of one button, would be the best option for the Village. The cost is \$10,696.00 (after a discount). This includes the batteries and charger. It was noted that the EMS Volunteer Donations account has adequate funds with a cash balance of \$20,175 to make the purchase.

**MOTION: To approve Resolution #2013-242, a resolution requesting a permanent budget adjustment.**

**Motion:** Councilor Stagg

**Second:** Councilor Wiard

**Passed:** 4-0

**13. MISCELLANEOUS:**

Councilor Wiard relayed sad news about the death of a NMML member, Linda Lou Gaume Jaramillo of Albuquerque, NM. She passed away on December 18, 2012. She developed and directed a program for training elected municipal officials in the State of New Mexico. It included courses in ethics, leadership, and law. She named this program Municipal Officials Leadership Institute (MOLI) and into it she poured her passion for and knowledge of New Mexico culture, history and government.

Council asked the Mayor to write a letter of condolences to the family.

**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, February 5, 2013, 2:00 p.m., at the Edelweiss Lodge and Spa Conference Room.

**15. CLOSED EXECUTIVE SESSION:**

**MOTION: To proceed to closed executive session where discussion will be held on pending litigation.**

**Motion:** Councilor Stagg

**Second:** Councilor Wiard

**Passed:** 4-0

**MOTION: To proceed to open session and it is stated that no decisions or motions were made during closed session.**

**Motion:** Councilor Wiard

**Second:** Councilor Wittman

**Passed:** 4-0

**MOTION: To abandon the condemnation of the Terry Sports Building.**

**Motion:** Councilor Stagg

**Second:** Councilor Bennett

**Passed:** 4-0

**16. ADJOURNMENT**

**Motion: To adjourn the meeting.**

**Motion:** Councilor Wiard

**Second:** Councilor Bennett

**Passed:** 4-0.

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Neal King, Mayor

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Vanessa Chisholm, Village Clerk