



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

**TUESDAY, MARCH 27, 2012 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

**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 Bennett, Stagg, Wiard and Wittman were present. Staff members present included Mark Fratrack, Vanessa Chisholm and Don Schieber.

**III. APPROVAL OF THE AGENDA**

Councilor Wittman moved to amend the agenda by adding "Status of Personnel Policy Ordinance" under Miscellaneous.

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

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

**Passed:** 4-0.

**IV. APPROVAL OF THE MINUTES OF THE FEBRUARY 7, 2012, FEBRUARY 22, 2012 AND MARCH 8, 2012 VILLAGE COUNCIL MEETINGS**

**MOTION: To approve the minutes as amended for the February 7, 2012 Village Council meeting.**

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

**MOTION: To approve the minutes as amended for the February 22, 2012 Village Council meeting.**

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

**MOTION: To approve the minutes as amended for the March 8, 2012 Village Council meeting.**

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

**V. ELECTION OF MAYOR PRO-TEM AND APPOINTMENT OF OFFICERS**

**MOTION: To retain Councilor Barb Wiard as Mayor Pro-Tem.**

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

According to NMSA 3-11-5A, at the organization meeting of the governing body, the Mayor shall submit for confirmation by the governing body, the names of persons who shall fill the appointive offices of the municipality and the names of persons who shall be employed by the

municipality. Appointed Offices: Village Administrator, Mark Fratrack; Village Clerk/Treasurer, Vanessa Chisholm; Director of Public Safety, David Wallace. Employees of the Village: Joey Apodaca, Vanessa Chisholm, Mark Fratrack, Daniel Fresquez, Raymond Keen, Lawrence Lujan, Jessie Miera, Olaf Mingo, Eloy Montoya, Renee Romero, Donald Schieber, Ramey Stevens, Sammy Trujillo, David Wallace, Ann Wooldridge.

**MOTION: To confirm the appointments by the Mayor of Officers and Employees of the Village of Taos Ski Valley.**

**Motion:** Councilor Stagg

**Second:** Councilor Wiard

**Passed:** 4-0.

**VI. CITIZEN'S FORUM – Limit to 5 minutes per person (please sign in)**  
**No one spoke at the Citizen's Forum.**

**VII. FINANCIAL REPORTS**

Chisholm reported that the GRT received in March, 2012 is about \$1,000.00 greater than last year. Lodgers' Tax is doing better. Construction is still greater than half of the GRT. Chisholm presented the Financial Statements to the Council.

The financial reports were accepted into the minutes.

**VIII. COMMITTEE REPORTS**

**A. Planning & Zoning Commission**

Councilor Wittman said the Commission did not meet. The next meeting is scheduled for April 2, 2012, at 1:00 P.M., at the Edelweiss Lodge and Spa.

**B. Public Safety Committee – No report**

**C. Public Works Committee – No Report**

**D. Parks & Recreation Committee – No Report**

**E. Arts & Entertainment Committee – No Report**

**F. Lodgers' Tax Advisory Board**

Chairman, Roger Mariani, reported the Lodgers' Tax Advisory Board met on March 22, 2012. They reviewed the 2011-2012 Lodgers' Tax Budget, and agreed the \$61,000 budget item for Community Proposals is still a good number to work with. The minutes were distributed to the Village Council which contained the recommended funding the Grant Requests in the amount of \$58,361.00. The minutes had the breakdown of grants to be funded. Collections to date are \$161,579.03 plus February collections to date of \$33,034.28. March will most likely not show a big increase over last year. No changes are recommended to the 2012-2013 Budget Proposal.

Councilor Bennett asked for a detailed description of how grant money is allocated for these companies. Mariani stated each business submits an application for a grant and they specify why they are applying for this grant. They must provide copies of their advertisements, cancelled checks, invoices, etc., before the money is granted to them.

**IX. REGIONAL AND STATE REPORTS**

Councilor Wiard reported on the Intergovernmental Council (IGC) of the Enchanted Circle and the Taos Regional Landfill Board. Councilor Wiard was re-elected Chair of both Committees. She reported Rep. Bobby Gonzales gave an update of the Legislative session to the IGC; 77 bills were submitted but the majority failed. Councilor Wiard spoke about other meetings she attended such as the NMML Municipal Legislative Day and Board Meeting, the NMML Special Tax Task Force Meeting, and the National League of Cities Congressional City Conference held in Washington D.C. Wiard showed the 2013 Calendar published by the National League of Cities, and the Village of Taos Ski Valley is pictured for the month of December. Future meetings for Councilor Wiard include the NMML District 2 meeting in Red River and the Governor's DWI Grant Council in Santa Fe.

**X. MAYOR'S REPORT**

Mayor King presented award certificates to the election judges who dedicated their time and efforts to the local election held on March 6, 2012. These certificates were awarded to Sheila Duff, Lea and Lee Fulmer. Richard Duffy was presented a certificate of thanks for moderating the Candidate Forum. Mayor King has been working with staff on budget issues.

**XI. STAFF REPORTS**

Village Administrator, Mark Fratrack, presented the results of his meeting with the Forest Service regarding the Townsite Act. The Village spoke to the Forest Service about acquiring the following land: 1) Sewer Treatment Plant property (4.0 acres), 2) Parking Lots, 3) Campgrounds at the Bull of the Woods trailhead, (2.4 acres), and 4) the Chlorination Station property in Kachina (this could be private property.) Discussion followed and the Forest Service basically approved the land where the Sewer Plant exists, but said no to everything else. Lengthy discussion followed by the Village Council. Fratrack said the Forest Service is worried about developers building condos; worried about parking for the trailheads and said a definite no to the triangle where the campground is. Councilor Wittman said that perhaps the Forest Service is ill-informed about what our intentions are. Councilor Staggs said we need the sewage plant property as a new sewer plant is our #1 priority; he is concerned about the appraised value of the total acreage being addressed at \$240 million. Parcel #3 (the triangle) seemed to be the Forest Services' main concern. Fratrack stated that another meeting with the Forest Service is scheduled.

Fratrack discussed the trenching for the optic lines, the website launch, and the rough draft of the budget. The Council should have a copy of the draft budget by April 9.

Dave Wallace, Public Safety Director, talked about activities in the Village as the end of the season approaches. He said three cars were vandalized; one burglary; three criminal trespassing warnings; two TSV domestic violence; one burglary at the Martini Tree and Rhoda's. Wallace purchased the Polaris with the grant money he received. Wallace talked about the Search and Rescue team that is now a part of the Village, but under State Police jurisdiction.

Don Schieber gave an update on the Sierra del Sol fire hazard fireplaces. He said most problems have been resolved.

Ray Keen, Public Works Director, said the speed signs have been delivered and will help with the dust and speed control during the summer months.

**XII. OLD BUSINESS - none****XIII. NEW BUSINESS****A. Consideration to Acknowledge Mike Williamson's Donation of Materials and Labor for Construction of the Wall on Twining Road.**

The wall on Twining Road and Phoenix Switchback costs were about \$50,000 and Mike Williamson donated materials and labor to the effort. He is asking the Council to please acknowledge his contributions and produce a document that could be used as a potential tax break.

**MOTION: To approve Mike Williamson's donations for the construction of the Wall on Twining Road.**

**Motion:** Councilor Wittman

**Second:** Councilor Bennett

**Passed:** 4-0

**B. Consideration to approve Rodey Law Firm – Bond Counsel Services Agreement.**

The Village has found it necessary to retain the services of Rodey, Dickason, Sloan, Akin & Robb, P.A. to provide Bond Counsel legal services as it is relative to certain capital and infrastructure improvement projects.

**MOTION: To approve a services agreement with Rodey Law Firm as Bond Counsel.**

**Motion:** Councilor Wiard

**Second:** Councilor Wittman

**Passed:** 4-0

**C. Consideration to Approve Resolution #2012-229, a resolution approving the sale and transfer of depreciated Gymnastics Equipment.**

A lease agreement was entered into on February 1, 2001 with an expiration of December 31, 2004, between the Village and Taos Gymnastics Academy. The purpose of the lease was for the Gymnastics Academy to lease equipment from the Village, purchased from a state grant and provide services to the Village using the equipment. It has been determined that the equipment purchased is beyond its useful life, its value is at or below the statutory amount of \$2500, allowing for private sale. (See NMSA Sec. 3-54-2). The Village seeks to transfer ownership of this equipment for the value received by the Village from the activities the Taos Gymnastics Academy for the years 2004 to 2011.

**MOTION: To approve Resolution #2012-229, A Resolution concerning the sale and transfer of depreciated Gymnastics Equipment.**

**Motion:** Councilor Stagg

**Second:** Councilor Wittman

**Passed:** 4-0

**XIV. MISCELLANEOUS:****A. Explanation of Status of New Personnel Policies – Councilor Wittman**

Councilor Wittman informed the Council that over the past many months, the Committee designated to address the Personnel Policies has made significant changes. This Personnel Policies document will be made available to the Council in April, with a Public Hearing scheduled for the May 1, 2012 Council Meeting. Councilor Wittman is also looking for approval of these policies after the Public Hearing.

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

**MOTION: To go to Executive Session to Discuss Pending Litigation.**

**Motion:** Councilor Wittman

**Second:** Councilor Bennett

**Passed:** 4-0.

**MOTION: To Return to Open Session.**

It was announced that nothing was discussed except pending litigation and no votes were taken.

**Motion:** Councilor Wiard

**Second:** Councilor Wittman

**Passed:** 4-0.

**XVI. 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 17, 2012, at 2:00 p.m., at the Edelweiss Lodge and Spa conference room. Prior to this meeting will be the Budget Workshop which will be held on April 17, 2012, at 9:00 a.m., at the Edelweiss Lodge and Spa conference room. The May meeting is scheduled for May 1, 2012, at 2:00 p.m., at the Edelweiss Lodge and Spa conference room.

**XVII. ADJOURNMENT**

**Motion: To adjourn the meeting.**

**Motion:** Councilor Stagg

**Second:** Councilor Wiard

**Passed:** 4-0.

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Neal King, Mayor

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Vanessa Chisholm, Village Clerk