



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

**TUESDAY, MAY 8, 2012 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

**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 Dave Wallace. Dennis Romero, Village Attorney, was also present.

**III. APPROVAL OF THE AGENDA**

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

**Motion:** Councilor Wittman

**Second:** Councilor Wiard

**Passed:** 4-0.

**IV. APPROVAL OF THE MINUTES OF THE APRIL 17, 2012  
VILLAGE COUNCIL MEETING**

**MOTION: To approve the minutes from the April 17, 2012 Village Council meetings.**

**Motion:** Councilor Wittman

**Second:** Councilor Bennett

**Passed:** 4-0.

**V. CITIZENS FORUM – Limit to 5 minutes per person (please sign in)**

Kerrie Pattison asked about the timeline for cleaning up Deer Lane and also wanted to know who was responsible for the port-a-potties at Hiker Parking. Administrator Fratrack said he would research both concerns and get back to Kerrie as soon as possible.

**VI. FINANCIAL REPORTS**

Chisholm reported that GRT and Lodgers' Tax look good for this month. She submitted the State of NM Department of Finance and Administration Quarterly reports to the Council. The Financial reports were accepted into the minutes.

**VII. COMMITTEE REPORTS**

**A. Planning and Zoning Commission**

Councilor Wittman reported the Commission did not meet this month. The next meeting is . . . . . scheduled for June 11, 2012, at 1:00 p.m., at the Edelweiss Lodge & Spa Conference room.

**B. Public Safety Committee**

Councilor Bennett reported she attended the Holy Cross Hospital Nominating Committee (HCH) meeting. Councilor Chris Stagg was nominated by the HCH committee for election to the Board

of Directors for Holy Cross Hospital. Bennett is planning a meeting to discuss the July 4<sup>th</sup> festivities. She requested that Parks and Recreation committee chair, John Halley, attend the initial meeting.

**C. Parks and Recreation Committee**

John Halley reported that the Village clean-up will take place from June 8 to June 14, 2012. This will be followed by a BBQ, June 14, 12:00 p.m. at the Chisholm picnic area (at the Village Administration Office).

**D. Arts and Entertainment Committee**

John Halley reported on the upcoming entertainment schedules for four summer weekends. The venue will take place at the Bavarian, the Stray Dog, and the new stage at the Beachfront (chairlift #1). Labor Day will be the final weekend of entertainment. Halley is working on the winter schedule.

**E. Lodgers' Tax Advisory Board**

There was no report. The next scheduled meeting is June 14, 2012 at 10:00 a.m. at the Snakedance Condominiums.

**VIII. REGIONAL AND STATE REPORTS**

Councilor Wiard reported on the May meetings of the Intergovernmental Council (IGC) of the Enchanted Circle and the Taos Regional Landfill Board. The Landfill Board approved the 2012-2013 Budget and approved the bids for the compactor and the tire baler shelter. The next meeting of the IGC and Landfill Board is Thursday, June 21, 2012. Councilor Wiard said she attended the NMML District 2 meeting in Red River and the Governor's DWI Grant Council in Santa Fe, both meetings in April. Future meetings that Councilor Wiard will attend are the NMML Advanced Municipal Officials Leadership Institute (MOLI) and the NMML Budget Committee meeting, both in May. She will attend the June NMML Board Meeting and the NMML Policy Meeting.

**IX. MAYOR'S REPORT**

Mayor King stated he and the Village Staff participated in a conference call with the EPA regarding nitrogen levels from the year 2009. The EPA was reassured that this had been taken care of some time ago. EPA will require a bi-monthly progress report. The progress reports will inform the Agency on progress that will take place at the Village regarding land acquisition, engineering report, funding and overall compliance.

Staff wished to thank Mayor King for single-handedly picking up trash on Route 150 from the old cattle guard to the Village. (8 miles in each direction).

Mayor King declared June 18, 2012 to be "Ride to Work Day" and to encourage scooter and motorcycle riders to ride to work on that day.

**X. STAFF REPORTS**

Fratrick updated Council on the last Forest Service meeting concerning the Town Site Act and the property for the Treatment Plant. The Wilderness proposal contains the five acres for the wastewater treatment plant. Regarding optic line trenching, Fratrack spoke with the Gas Company and Luis Reyes, Kit Carson Electric Cooperative. They are putting a plan together. The Water Trust Board Application was turned down and was deleted from the 2013 budget. Staff selected Daniels Insurance from a list of four RFP's and has begun preliminary work to

get a better rate on health insurance. Fratrack had no new information on MAP funding for roads. Fratrack also spoke about PERA and possible changes to the retirement program.

Dave Wallace reported on a simulated school bus crash mass casualty incident drill that will be held in Angel Fire this weekend. Wallace will be the overseer and will critic the drill. Wallace also spoke about wildland fire issues.

## **XI. OLD BUSINESS**

### **A. Public Hearing: Ordinance #2012-33 Adopting Amendments to the Personnel Policy Ordinance #03-33 (Revisions as suggested by the Personnel Policy Review Committee)**

A review committee consisting of Tom Wittman, Mark Fratrack, Vanessa Chisholm, Sheila Duffy, Olaf Mingo and Sammy Trujillo has been working for several months reviewing the Personnel Policy Ordinance. Changes have been made to simplify the ordinance as well as protect both the Village and the employees.

Mayor King opened the Public Hearing. No one spoke either for or against the Ordinance. The Mayor closed the Public Hearing.

**MOTION: To approve Ordinance #2012-33, Amendments to the Personnel Policy as suggested by the review Committee.**

**Motion:** Councilor Wittman

**Second:** Councilor Wiard

**Passed:** 4-0

### **B. Public Hearing: Ordinance #2012-14 Adopting Amendments to Lodgers' Tax Ordinance #04-14, Amending Section 9.A.(1) (to add a Duly Licensed Attorney Acting on behalf of the Village to this section.)**

Fratrack had Dennis Romero, Village Attorney, review the enforcement section of the Lodgers' Tax Ordinance. Romero concluded that section 9.A.(1): Enforcement, should be amended to read "a duly licensed attorney acting on behalf of the Village, the Attorney General or the District Attorney in the county of jurisdiction." This will allow the Village better enforcement of the Lodgers' Tax Act.

Mayor King opened the Public Hearing. No one spoke either for or against the Ordinance. The Mayor closed the Public Hearing.

**MOTION: To approve the amendments to the Lodgers' Tax Ordinance #2012-14, Adopting Amendments to Lodgers' Tax Ordinance #04-14, Amending Section 9.A.(1) (to add a Duly Licensed Attorney Acting on behalf of the Village to this section.)**

**Motion:** Councilor Stagg

**Second:** Councilor Wittman

**Passed:** 4-0

## **XII. NEW BUSINESS –**

### **A. Public Hearing: Consideration to Approve FY2013 Budget and consideration to Approve Resolution 2012-230: A Resolution to Adopt FY2013 Budget**

Fratrack stated that two items from the budget workshop were asked to be amended. First, an increase for paving improvements of \$20,000 was added to the Roads expenditures. Second, a request to reduce the salaries of the elected officials was declined, keep at

\$34,140 (because a change requires an amendment to the ordinance and current elected officials would keep same salary until their term expires.)

Due to updated information from the Water Trust Board, that funding was not approved, the revenues and expenditures for the Kachina water tank have been deleted.

Mayor King opened the Public Hearing. No one spoke either for or against the FY2013 Budget. The Mayor closed the Public Hearing.

**MOTION: To approve Resolution #2012-230, a resolution to adopt the FY2013 Budget and increase the ad valorem tax from 4.00 to 7.65.**

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

Councilor Wittman stated the raise of Ad Valorem tax is an important issue. The Council and Staff plan to use this money wisely and make certain it goes into reserves.

**XIII. MISCELLANEOUS:**

None

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

**MOTION: To go to executive session to discuss pending litigation.**

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

**MOTION: To return to open session. Nothing was discussed except pending litigation and no votes were taken.**

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

**XV. 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, June 12, 2012, at 2:00 p.m., at the Edelweiss Lodge and Spa Conference Room.

**XVI. ADJOURNMENT**

**Motion: To adjourn the meeting.**

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

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Neal King, Mayor

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Vanessa Chisholm, Village Clerk