



VILLAGE COUNCIL REGULAR MEETING AGENDA
COLUMBINE INN CONFERENCE CENTER
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, JANUARY 6, 2015 2:00 P.M.

1. **CALL TO ORDER AND NOTICE OF MEETING**
2. **ROLL CALL**
3. **APPROVAL OF THE AGENDA**
4. **APPROVAL OF THE MINUTES OF THE DECEMBER 2, 2014, THE DECEMBER 4, 2014, THE DECEMBER 12, 2014 VILLAGE COUNCIL MEETINGS AND THE DECEMBER 18, 2014 VILLAGE COUNCIL WORKSHOP**
5. **CITIZEN'S FORUM – Limit to 5 minutes per person (please sign in)**
6. **FINANCIAL REPORTS**
7. **COMMITTEE REPORTS**
 - A. Planning & Zoning Commission
 - B. Public Safety Committee
 - C. Parks & Recreation Committee
 - D. Lodgers' Tax Advisory Board
8. **REGIONAL AND STATE REPORTS**
9. **MAYOR'S REPORT**
10. **STAFF REPORTS**
11. **OLD BUSINESS**
12. **NEW BUSINESS**
 - A. Introduction of **Resolution #2015-274** Approving the TIDD Operating Plan
 - B. Introduction of **Resolution #2015-275** APPROVING THE PETITION AND APPLICATION OF TAOS SKI VALLEY, INC., A NEW MEXICO CORPORATION AS AGENT FOR TWINING DEVELOPMENT LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND SANTANDER HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, TOGETHER WITH TWINING, LLC AND TSV, INC. AND THEIR RESPECTIVE SUCCESSORS, ASSIGNS AND DESIGNEES, FOR FORMATION OF THE TAX INCREMENT DEVELOPMENT DISTRICT (THE "TIDD") PURSUANT TO THE TAX INCREMENT FOR DEVELOPMENT ACT, SECTIONS 5-15-1 THROUGH 5-15-28, NMSA 1978; DETERMINING THAT THERE IS A NEED FOR THE TIDD TO FINANCE PUBLIC INFRASTRUCTURE NECESSARY TO SUPPORT CURRENT AND FUTURE DEVELOPMENT OF THE VILLAGE; MAKING FINDINGS IN CONNECTION WITH THE PETITION AND SUPPORTING DOCUMENTATION REQUESTING APPROVAL OF THE FORMATION OF THE DISTRICT; DETERMINING THE REAL PROPERTY TO BE INCLUDED WITHIN THE DISTRICT AND THE PURPOSES FOR WHICH THE DISTRICT IS BEING FORMED; APPROVING THE APPLICATION, PETITION, AND FEASIBILITY STUDY AND MASTER DEVELOPMENT AGREEMENT FOR IMPLEMENTATION OF THE DISTRICT; RATIFYING THE TAX INCREMENT

DEVELOPMENT PLAN APPROVED FOR CONSIDERATION IN CONNECTION WITH THE FORMATION OF THE DISTRICT; DEDICATING 75% OF THE GROSS RECEIPTS TAX INCREMENT REVENUE AND 75% OF THE *AD VALOREM* PROPERTY TAX INCREMENT REVENUE GENERATED WITHIN THE TIDD FOR THE FINANCING OF PUBLIC INFRASTRUCTURE FOR THE DISTRICT, AS PROVIDED IN THE DEVELOPMENT AGREEMENT; RATIFYING THE SUBMITTAL OF AN APPLICATION TO THE STATE BOARD OF FINANCE FOR A DEDICATION OF 75% OF THE STATE GROSS RECEIPTS TAX INCREMENT REVENUE GENERATED WITHIN THE TIDD; ESTABLISHING PARAMETERS FOR THE ISSUANCE OF TAX INCREMENT BONDS BY THE DISTRICT; PROVIDING FOR GOVERNANCE OF THE DISTRICT THROUGH THE APPOINTMENT OF MEMBERS OF THE GOVERNING BODY OF THE DISTRICT; PROVIDING THAT TAX INCREMENT REVENUE BONDS OF THE DISTRICT AND OTHER OBLIGATIONS OF THE DISTRICT SHALL NOT BE OBLIGATIONS OF THE VILLAGE OF TAOS SKI VALLEY; CALLING FOR AN ELECTION ON THE QUESTIONS OF FORMATION OF THE TIDD AND APPROVING FORMS OF NOTICE OF AND PROCEDURES FOR HOLDING THE ELECTION; RATIFYING CERTAIN ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTIONS INCONSISTENT WITH THIS RESOLUTION

- C. **PUBLIC HEARING:** Consideration to Approve Resolution #2015-275
- D. Consideration to Approve Resolution #2015-274
- E. Consideration to Approve Resolution #2015-276 a Resolution Concerning Governing Body Meetings and Public Notice Required
- F. Consideration of Appeal and Discharge for Lodgers' Tax late charge penalties in FY 2014.

- 13. **MISCELLANEOUS**
- 14. **ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING OF THE VILLAGE COUNCIL**
- 15. **CLOSED EXECUTIVE SESSION:** Possible Pending Litigation Regarding Snow Storage
- 16. **ADJOURNMENT**



VILLAGE OF TAOS SKI VALLEY NOTICE OF MEETINGS

NOTICE IS HEREBY GIVEN of the following meetings of the Village of Taos Ski Valley, New Mexico and the dates, times and locations of the meetings:

7 Firehouse Road
PO Box 100
Taos Ski Valley NM 87525

(575) 776-8220
(575) 776-1145 Fax

E-mail: vtsv@vtsv.org
Web Site: www.vtsv.org

MAYOR:
Neal King

COUNCIL:
Kathleen V. Bennett
J. Christopher Stagg
Barbara L. Wiard
Thomas P. Wittman

**VILLAGE
ADMINISTRATOR:**
Mark G. Fratrack

FINANCE DIRECTOR:
Nancy M. Grabowski

VILLAGE CLERK:
Ann M. Wooldridge

MEETING	DATE & TIME	LOCATION
LODGER'S TAX ADVISORY BOARD	Monday December 29, 2014 1:30 p.m.	Snakedance Condominiums
PLANNING & ZONING MEETING PUBLIC HEARING: Consideration of an application for Conditional Use Permit and Certificate of Compatibility for MIXED- USE Development at Parcel D (Lots 2 & 3, Block H, O.E. Pattison Subdivision)	Monday January 5, 2014 1:00 p.m.	Edelweiss Lodge & Spa Club Room 1st floor
VILLAGE COUNCIL PUBLIC HEARING: Consideration to Adopt a Resolution relating to the formation of the Taos Ski Valley Tax Increment Development District	Tuesday January 6, 2015 2:00 p.m.	Columbine Inn Conference Center
TSV CHAMBER OF COMMERCE	Wednesday January 14, 2015 3:00 p.m.	Edelweiss Lodge & Spa Club Room 1st floor
FIREWISE COMMUNITY BOARD	Monday February 2, 2015 10:00 a.m.	Village Admin Office 7 Firehouse Road 2 nd floor
PUBLIC SAFETY	Monday February 2, 2015 10:00 a.m.	Village Admin Office 7 Firehouse Road 2 nd floor
PARKS & REC	TBA	Edelweiss Lodge Club Room

These meetings will be public meetings to consider various items of business. A copy of the agenda for each meeting will be available for inspection 72 hours prior to the meeting. Persons wishing to comment on items listed on the proposed agendas may submit written comments to the Village offices on or before 5:00 P.M. on the day prior to the meeting. Persons with disabilities may request accommodations no later than 5:00 P.M. on the day prior to the meeting. This notice shall be posted at the Village offices, Taos Ski Valley, Inc. Lost and Found, Village Message Board in the TSV Resort Center and three other public places within the municipality as provided by Section 3-1-2 NMSA 1978.

/s/ Ann M. Wooldridge, Village Clerk



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**VILLAGE COUNCIL REGULAR MEETING MINUTES
EDELWEISS LODGE AND SPA CLUB ROOM
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, DECEMBER 2, 2014, 2:00 P.M.**

1. CALL TO ORDER & NOTICE OF MEETING

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

Ann Wooldridge, Village Clerk, called the roll and a quorum was present.

Governing body present:

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

Village staff present:

Village Administrator Mark Fratrack
Village Finance Director Nancy Grabowski
Village Clerk Ann Wooldridge
Public Works Director Ray Keen
Community Development Director Don Schieber
Planner Matthew Foster
Attorney Dennis Romero

3. APPROVAL OF THE AGENDA

Councilor Stagg asked to have an item added under Miscellaneous, A. Introduction to a Memorandum of Understanding for Parcel D Consolidation

MOTION: To approve the agenda as amended

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

4. APPROVAL OF THE MINUTES OF THE NOVEMBER 5, 2014 AND THE NOVEMBER 28, 2014 VILLAGE COUNCIL MEETINGS

Councilor Wittman requested a correction for November 5, 2014 in Section 7.A. Planning and Zoning Commission: "The developers will create the application to be submitted to P&Z the Village Council in December."

MOTION: To approve the minutes from the November 5, 2013 (as amended) and the November 28, 2014 Village Council meetings

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

5. CITIZEN'S FORUM – No one spoke at the Citizen's Forum.

6. FINANCIAL REPORTS

Finance Director Grabowski reported that \$3,000 was collected in back Lodgers' Tax. The GRT/Lodgers' Tax Collection Summary and the Profit and Loss Comparison Summary were distributed. The Financial Report was accepted into the minutes.

7. COMMITTEE REPORTS

A. Planning and Zoning Commission

Councilor Wittman reported that the Commission will meet on December 8, 2014 at 1:00 p.m. at the Looking Glass in Tenderfoot Katie's Cafeteria. The main item for discussion will be the conditional use permit for Parcel D. (Note: this meeting was later postponed until January 5, 2015.)

B. Public Safety Committee and Firewise Community BOD

Councilor Bennett reported on the Monday, December 1, 2014 meetings.

- TSV, Inc. Guest Services are doing a good job of directing skiers to the new drop off at Thunderbird Road. There are concerns about people from driving Thunderbird Road.
- The location of AEDs located throughout the Village was discussed.
- The beginning of the firearms ordinance will be e-mailed to Attorney Romero.
- The emergency operations plan will be reviewed in March.

The Firewise Community BOD met immediately after the Public Safety committee meeting.

- The last HIZ assessments will be done in the spring, when the snow is gone.
- The application for the Village to become a Firewise Community was mailed to Dan Ware, State Forestry Division, on November 17, 2014 for his approval. If approved, the application will go to the federal level in Washington, D.C.
- Planner Foster and Councilor Bennett will attend a meeting with Taos County regarding the writing of a CWPP (Community Wildfire Protection Plan) on December 11, 2014. Planner Foster and Chief Wallace will check on grants (2 have been previously rejected) for writing the Village CWPP.

The next meeting of both committees is scheduled for February 2, 2015.

C. Parks & Recreation Committee – No report

D. Lodgers' Tax Advisory Board – No report

8. REGIONAL AND STATE REPORTS

Councilor Wiard reported on various meetings.

Taos Regional Landfill Board (11/12/14)

- RFP for new cell construction
 - Update on permit modification – acceptance of sludge
- Intergovernmental Council (IGC) of the Enchanted Circle (11/12/14)

- Passed a resolution on renewable energy
- Finalized legislative priorities

2015 Legislative Session

- 60 day session; begins Tuesday, January 20 at noon; ends Saturday, March 21 at noon
- January 21 – Enchanted Circle Day
- February 24 – NMML Legislative Reception
- February 25 – NMML Municipal Day at the Legislature and NMML Board meeting

National League of Cities

Councilor Wiard represented the Village at the National League of Cities (NLC) Congress of Cities in Austin, TX in November.

9. MAYOR'S REPORT

Mayor King reported on his work on revenue collections spreadsheets with the Leak Policy Tiger Team. He attended the dedication of the new Taos County Central Dispatch Center, which he said was impressive.

10. STAFF REPORTS

Administrator Fratrack reported on various updates:

- Townsite Act – There is no new information.
- Discharge of weapons in Village limits – Councilor Bennett will forward the Angel Fire Ordinance to Attorney Romero.
- TIDD – There have been many meetings with the developers.
- Slash pile – The pile has been eliminated. An MOA with TSV, Inc. regarding the Burn Boss is being drafted.
- Y8 well – Staff is trying to reinstate an old well in the resort area to maintain the water rights. It amounts to 3 acres of water rights. An application has been submitted to the State Engineering Department.

Planner Foster reported on work on the TIDD, development plans, and the Firewise Community Protection Plan.

Director Wallace was out of town.

Director Keen reported that upgrades to the WWTP are being installed. A valve stuck in the water tank on the return trail. Staff fixed the valve and apologized to TSV, Inc. for the overflow.

11. OLD BUSINESS

A. Consideration to Approve Amendments to the Revenue Collection Policy

A Leak Policy Tiger Team (LPTT) was formed that consisted of Village staff, elected officials and residents, to update and rewrite the leak policy which is part of the Village Revenue Collection Policy. The goal was to create a fair, standardized policy that discourages ignoring water leaks, discourages excessive water usage, encourages fixing leaks, and is relatively easy for staff to research and explain. The recommended policy was presented and discussed.

MOTION: To approve the Amendments to the Revenue Collection Policy

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

12. NEW BUSINESS

A. Presentation and Discussion by Taos Ski Valley, Inc. regarding Financing Alternatives for Village Infrastructure Upgrades and Core Village Re-Development

Chaz Rockey, representative for TSV, Inc. developers, gave a presentation regarding a Tax Increment Development District (TIDD) which is a mechanism to support economic development and job creation, by providing gross receipts tax financing and property tax financing for public infrastructure. Twining Development, LLC and Taos Ski Valley, Inc. have submitted a plan to the Village for revitalization through various redevelopment and improvements projects. Rockey explained that a TIDD is a reimbursement mechanism that comes from growth. 75% of the increased GRT would go into the TIDD and the Village would receive the remaining 25%. The TIDD boundaries would exclude agricultural land within the Village boundaries, about 1200 acres. Property owners and registered voters will vote on whether to approve formation of the TIDD. Voting procedures will be determined with the vote scheduled for January 30, 2015.

B. Consideration to Approve Resolution #2015-272 for the Village of Taos Ski Valley's Intent to Form a Tax Increment District (TIDD)

The Village has submitted a preliminary application to the State requesting that a portion of the incremental State GRT go to the TIDD to help fund various infrastructure projects. The Resolution of Intent is the starting point to pursue establishing a TIDD within the Village, if deemed necessary and beneficial. The Resolution will ratify the application previously submitted to the State.

A lengthy discussion followed with many questions and answers. It was determined that there will be a special meeting of the Village Council on December 12, 2014, at 4:00 p.m., at the Edelweiss Conference Room to discuss the TIDD operating plan, and the State Board of Finance waiver requests.. In addition, a Village Council workshop on an overall finance plan will be planned for December 18, 2014, at 5:30 at the Edelweiss Conference Room (later changed to the Columbine Inn Conference Room). The public is urged to attend all of these meetings.

MOTION: To approve Resolution #2015-272, for the Village of Taos Ski Valley's intent to form a Tax Increment Development District (TIDD).

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

C. Consideration to give approval for the Village to apply to the Defense Logistics Agency 1033 State Plan of Operation and to establish an MOU or MOA with other agencies and Sierra 4 Consulting.

The DLA-1033 program is designed for state and local law enforcement to be able to acquire surplus military equipment at no cost, to be utilized for public safety, or public works, purposes. Mike Waring, retired NM State Police Captain, has his own consulting firm to assist agencies in implementation of this program. Taos County, Town of Taos, Village of Questa, and Village of Taos Ski Valley are working together. The total training cost is \$12,000, with VTSV paying \$4,000. Once Questa is able to pay its share, the other three entities will be reimbursed the appropriate amount.

MOTION: To participate in the program at a cost of \$4,000

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

D. Consideration and approval of Resolution #2015-273, a resolution requesting a Permanent Budget Adjustment for FY 2015.

This resolution is necessary based on the vote in Item C, above, whereby \$4,000 needs to be moved from the General Account to Law Enforcement Operating for Outside Contractors.

MOTION: To approve Resolution #2015-273, a Resolution requesting a Permanent Budget Adjustment for FY 2015.

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

13. MISCELLANEOUS

A. Introduction of MOU re: Parcel D with consolidation as requested by Councilor Stagg

The attorney on land issues for TSV Inc., Joe Canepa, spoke about the wetlands that had been moved a few years ago from the Parcel D area to the Kachina area. The wetlands mitigation is working well. Canepa informed the Council that in the near future an MOU will need to be discussed concerning a transfer of land between Parcel D and the Village for snow storage, as well the lot line adjustment for Parcel D. No action was necessary or taken.

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

The next regular meeting of the Village Council is scheduled for Tuesday, January 6, 2015, at 2:00 p.m. at the Edelweiss Conference Room (this was later changed to the Columbine Inn Conference Room).
A Special Village Council meeting will be held on December 4, 2014 at the VTSV Administrative Office at 2:00 p.m. for a Public Hearing for transfer of location of the Taos Mesa Small Brewer Off-site License, and on December 12, 2014 at 4:00 p.m. at the Edelweiss Lodge Club Room to discuss the operating plan and consider the SBOF waiver requests. A Village Council workshop regarding the VTSV overall finance plan will be held on December 18, 2014, at 5:30 p.m. at the Edelweiss Conference Room (note: this was later changed to the Columbine Inn Conference Center).

15.

ADJOURNMENT

MOTION: To Adjourn.

Motion: Councillor Witman

Second: Councillor Bennett

Passed: 4-0

Neal King, Mayor

Ann Wooldridge, Village Clerk



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**VILLAGE COUNCIL SPECIAL MEETING MINUTES
VILLAGE ADMINISTRATION OFFICE
TAOS SKI VALLEY, NEW MEXICO
THURSDAY, DECEMBER 4, 2014, 2:00 P.M.**

I. CALL TO ORDER & NOTICE OF MEETING

The Special 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.

II. ROLL CALL

Ann Wooldridge, Village Clerk, called the roll and a quorum was present.

Governing body present:

Mayor Neal King

Councilor Kathy Bennett

Councilor/Mayor Pro Tem Barb Wiard (via telephone conference call)

Councilor Tom Wittman (via telephone conference call)

Absent:

Councilor Chris Stagg

Staff present:

Village Administrator Mark Fratrack

Village Clerk Ann Wooldridge

III. APPROVAL OF THE AGENDA

MOTION: To approve the agenda as submitted

Motion: Councilor Wittman **Second:** Councilor Bennett **Passed:** 3-0

IV. NEW BUSINESS

A. PUBLIC HEARING: Consideration to approve Liquor License Application #931436, Musich Entertainment, LLC, dba Taos Mesa Brewing, for Transfer of Location of Small Brewer Off-site License #67034

Mayor King opened the Public Hearing. Speaking FOR the approval of the liquor license was Gary Feuerman of Taos Mesa Brewing, who stated that this was not a renewal but an application for a transfer of his license to another location within the Village core area, as part of the improvements to the Village. No one spoke AGAINST the approval of the liquor license. The Mayor closed the Public Hearing and asked if there was any further discussion from the Council. (Meeting was temporarily discontinued during power outage and continued when power was restored.)

MOTION: To approve the Liquor License Application #931436, Misich Entertainment, LLC, dba Taos Mesa Brewing, for Transfer of Location of Small Brewer Offr-site License #67034

Motion: Councilor Bennett **Second:** Councilor Wittman **Passed:** 3-0

V. MISCELLANEOUS - None

VI. 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 Friday, December 12, 2014 at 4:00 p.m. at the Edelweiss Lodge Club Room.

VII. ADJOURNMENT

Motion: To adjourn the meeting

Motion: Councilor Wiard **Second:** Councilor Wittman **Passed:** 3-0

Neal King, Mayor

Ann Wooldridge, Village Clerk



Village of Taos Ski Valley
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**VILLAGE COUNCIL SPECIAL MEETING MINUTES
EDELWEISS LODGE AND SPA CLUB ROOM
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, DECEMBER 12, 2014, 4:00 P.M.**

I. CALL TO ORDER & NOTICE OF MEETING

The Special Meeting of the Village of Taos Ski Valley Council was called to order by Mayor King at 4:00 p.m. The notice of the meeting was properly posted.

II. ROLL CALL

Ann Wooldridge, Village Clerk, called the roll and a quorum was present.

Governing body present:

Mayor, Neal King
Councilor Kathy Bennett
Councilor Chris Stagg
Councilor/Mayor Pro Tem Barb Wiard (via telephone conference call)
Councilor Tom Wittman

Staff present:

Village Clerk Ann Wooldridge
Community Development Director Don Schieber
Planner Matthew Foster

III. APPROVAL OF THE AGENDA

MOTION: To approve the agenda as submitted

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

IV. NEW BUSINESS

A. Consideration to Ratify State Board of Finance TIDD Application Request for Waivers

This is a request to the State Board of Finance for a time waiver, and two other minor waivers, so that the TIDD application may be considered during the 2015 legislative session.

MOTION: To approve ratifying the waivers as presented

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

V. MISCELLANEOUS

Discussion was held regarding a community-wide plan for snow removal if the Village assumes Sutton Place as a Village road. The installation of a natural gas line was also discussed.

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

The next meeting of the Village Council will be a workshop on Thursday, December 18, 2014 at 5:30 p.m. at the Columbine Inn Conference Center.

VII. ADJOURNMENT

Motion: To adjourn the meeting

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

Neal King, Mayor

Ann Wooldridge, Village Clerk



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**VILLAGE COUNCIL WORKSHOP MINUTES
COLUMBINE INN CONFERENCE CENTER
TAOS SKI VALLEY, NEW MEXICO
THURSDAY, DECEMBER 18, 2014, 5:30 P.M.**

I. CALL TO ORDER & NOTICE OF MEETING

The Workshop of the Village of Taos Ski Valley Council was called to order by Mayor King at 5:35 p.m. The notice of the meeting was properly posted.

II. ROLL CALL

Ann Wooldridge, Village Clerk, called the roll and a quorum was present.

Governing body present:

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

Staff present:

Village Administrator Mark Fratrack
Village Finance Director Nancy Grabowski
Village Clerk Ann Wooldridge
Public Safety Director Dave Wallace
Public Works Director Ray Keen
Community Development Director Don Schieber
Planner Matthew Foster
Attorney Dennis Romero

III. APPROVAL OF THE AGENDA

MOTION: To approve the agenda as submitted

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

IV. NEW BUSINESS

WORKSHOP: Village of Taos Ski Valley/Tax Increment Development District Overall Finance Plan

Chaz Rockey of TSVI presented a PowerPoint presentation on the TIDD and the VTSV Overall Finance Plan. The audience was able to ask many questions of Mr. Rockey.

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

The next meeting of the Village Council will take place on January 6, 2015 2:00 p.m. at the Columbine Inn Conference Center.

VII. ADJOURNMENT

Motion: To adjourn the meeting

Motion: Councilor Wittman **Second:** Councilor Stagg **Passed:** 4-0
(The workshop was adjourned at approximately 7:35 p.m.)

Neal King, Mayor

Ann Wooldridge, Village Clerk

VILLAGE OF TAOS SKI VALLEY

GROSS RECEIPTS & LODGER'S TAX COLLECTION SUMMARY

GROSS RECEIPTS

Gross Receipts Tax

CURRENT RATE = 8.6875%

	July	August	September	October	November	December	January	February	March	April	May	June
FY 2004	\$20,566.44	\$34,043.50	\$15,191.41	\$28,273.33	\$29,002.11	\$20,860.01	\$48,444.77	\$140,188.17	\$123,238.07	\$145,698.66	\$146,464.92	\$50,739.12
YTD	\$20,566.44	\$54,609.94	\$69,801.35	\$98,074.68	\$127,076.79	\$147,936.80	\$196,381.57	\$336,569.74	\$459,807.81	\$605,506.47	\$751,971.39	\$802,710.51
FY 2005	\$18,444.87	\$25,597.99	\$15,662.64	\$33,671.55	\$23,150.44	\$109,521.52	\$36,226.68	\$165,894.58	\$169,225.24	\$227,373.93	\$199,839.98	\$58,211.52
YTD	\$18,444.87	\$44,042.86	\$59,705.50	\$93,377.05	\$116,527.49	\$226,049.01	\$262,275.69	\$428,170.27	\$597,395.51	\$824,769.44	\$1,024,609.42	\$1,082,820.94
FY 2006	\$33,641.60	\$22,262.09	\$25,181.86	\$31,212.23	\$62,459.42	\$47,324.74	\$43,923.25	\$139,874.26	\$112,375.79	\$110,299.40	\$165,260.42	\$27,589.18
YTD	\$33,641.60	\$55,903.69	\$81,085.55	\$112,297.78	\$174,757.20	\$222,081.94	\$266,005.19	\$405,879.45	\$518,255.24	\$628,554.64	\$793,815.06	\$821,404.24
FY 2007	\$49,871.45	\$34,078.55	\$36,243.65	\$49,758.67	\$39,527.57	\$35,791.82	\$34,561.38	\$149,069.79	\$134,953.15	\$155,909.24	\$169,491.55	\$43,203.86
YTD	\$49,871.45	\$83,950.00	\$120,193.65	\$169,952.32	\$209,479.89	\$245,271.71	\$279,833.09	\$428,902.88	\$563,856.03	\$719,765.27	\$889,256.82	\$932,460.68
FY 2008	\$20,214.64	\$49,552.50	\$30,529.91	\$18,716.47	\$24,225.26	\$23,499.17	\$50,734.80	\$146,293.94	\$160,211.63	\$167,362.79	\$212,589.13	\$20,102.55
YTD	\$20,214.64	\$69,767.14	\$100,297.05	\$119,013.52	\$143,238.78	\$166,737.95	\$217,472.75	\$363,766.69	\$523,978.32	\$691,341.11	\$903,930.24	\$924,032.79
FY 2009	\$5,978.98	\$31,604.97	\$36,411.72	\$34,168.28	\$36,755.21	\$36,869.62	\$81,443.70	\$194,410.32	\$178,012.59	\$176,315.78	\$191,892.82	\$36,332.99
YTD	\$5,978.98	\$37,583.95	\$73,995.67	\$108,163.95	\$144,919.16	\$181,788.78	\$263,232.48	\$457,642.80	\$635,655.39	\$811,971.17	\$1,003,863.99	\$1,040,196.98
FY 2010	\$32,800.00	\$38,773.70	\$39,381.43	\$61,759.08	\$56,887.02	\$54,858.12	\$42,174.35	\$223,797.16	\$189,376.01	\$176,576.34	\$221,448.63	\$59,190.36
YTD	\$32,800.00	\$71,573.70	\$110,955.13	\$172,714.21	\$229,601.23	\$284,459.35	\$326,633.70	\$550,430.86	\$739,806.87	\$916,383.21	\$1,137,831.84	\$1,197,022.20
FY 2011	\$31,002.86	\$62,982.96	\$26,127.83	\$33,610.96	\$60,913.74	\$74,949.02	\$42,282.39	\$171,246.82	\$139,053.09	\$142,336.03	\$154,287.41	\$27,928.23
YTD	\$31,002.86	\$93,985.82	\$120,113.65	\$153,724.61	\$214,638.35	\$289,587.37	\$331,869.76	\$503,116.58	\$642,169.67	\$784,505.70	\$938,793.11	\$966,721.34
FY 2012	\$64,073.01	\$26,203.38	\$23,181.89	\$42,430.30	\$60,186.45	\$32,954.89	\$47,797.29	\$207,267.40	\$162,805.78	\$182,358.83	\$200,924.87	\$42,673.54
YTD	\$64,073.01	\$90,276.39	\$113,458.28	\$155,888.58	\$216,075.03	\$249,029.92	\$296,827.21	\$504,094.61	\$666,900.39	\$849,259.22	\$1,050,184.09	\$1,092,857.63
FY 2013	\$36,835.14	\$20,863.12	\$45,705.38	\$27,699.69	\$66,674.98	\$48,677.59	\$50,727.81	\$178,549.60	\$163,125.28	\$166,032.40	\$203,817.88	\$21,818.85
YTD	\$36,835.14	\$57,698.26	\$103,403.64	\$131,103.33	\$197,778.31	\$246,455.90	\$297,183.71	\$475,733.31	\$638,858.59	\$804,890.99	\$1,008,708.87	\$1,030,527.72
FY 2014	\$32,785.51	\$20,399.76	\$33,382.63	\$32,521.83	\$42,153.17	\$47,625.85	\$41,859.55	\$187,697.06	\$165,940.26	\$157,119.60	\$217,538.39	\$33,070.40
YTD	\$32,785.51	\$53,185.27	\$86,567.90	\$119,089.73	\$161,242.90	\$208,868.75	\$250,728.30	\$438,425.36	\$604,365.62	\$761,485.22	\$979,023.61	\$1,012,094.01
FY 2015	\$50,101.37	\$20,302.81	\$45,180.40	\$67,963.83	\$54,978.94	\$102,903.79						
YTD	\$50,101.37	\$70,404.18	\$115,584.58	\$183,548.41	\$238,527.35	\$341,431.14	\$341,431.14	\$341,431.14	\$341,431.14	\$341,431.14	\$341,431.14	\$341,431.14

Current month GRT collections reflects money generated 2 months prior.

* NOTE: Feb 2007 through Sept. 2012: Includes money for NMFA loan payment deduction

Lodger's Tax

LODGERS' TAX

CURRENT RATE = 5%

7/01/04 thru Current the tax rate is 5%; 2/97 thru 6/04 tax rate was 4.5%

	July	August	September	October	November	December	January	February	March	April	May	June
FY 2004	\$2,564.71	\$6,705.27	\$4,754.28	\$3,015.01	\$1,675.92	\$2,256.29	\$34,250.34	\$33,085.46	\$41,912.82	\$37,225.82	\$12,789.12	\$1,691.02
YTD	\$2,564.71	\$9,269.98	\$14,024.26	\$17,039.27	\$18,715.19	\$20,971.48	\$55,221.82	\$88,307.28	\$130,220.10	\$167,445.92	\$180,235.04	\$181,926.06
FY 2005	\$2,832.30	\$7,588.51	\$5,203.48	\$4,124.45	\$2,832.11	\$4,332.58	\$55,041.04	\$39,212.37	\$62,834.16	\$76,144.97	\$12,691.81	\$2,417.33
YTD	\$2,832.30	\$10,420.81	\$15,624.29	\$19,748.74	\$22,580.85	\$26,913.43	\$81,954.47	\$121,166.84	\$184,001.00	\$260,145.97	\$272,837.78	\$275,255.11
FY 2006	\$5,206.63	\$8,230.49	\$4,246.58	\$3,341.34	\$4,065.97	\$5,272.32	\$35,863.33	\$30,737.46	\$49,273.73	\$47,301.01	\$5,461.46	\$27,578.36
YTD	\$5,206.63	\$13,437.12	\$17,683.70	\$21,025.04	\$25,091.01	\$30,363.33	\$66,226.66	\$96,964.12	\$146,237.85	\$193,538.86	\$199,000.32	\$226,578.68
FY 2007	\$2,598.88	\$3,062.11	\$6,699.35	\$4,995.65	\$2,000.12	\$5,337.46	\$40,954.80	\$41,957.59	\$67,487.55	\$72,949.07	\$9,581.32	\$4,404.89
YTD	\$2,598.88	\$5,660.99	\$12,360.34	\$17,355.99	\$19,356.11	\$24,693.57	\$65,648.37	\$107,605.96	\$175,093.51	\$248,042.58	\$257,623.90	\$262,028.79
FY 2008	\$2,722.84	\$5,440.23	\$4,285.04	\$2,754.53	\$3,901.84	\$577.12	\$51,173.76	\$59,427.24	\$69,853.67	\$77,642.16	\$6,257.25	\$6,805.31
YTD	\$2,722.84	\$8,163.07	\$12,448.11	\$15,202.64	\$19,104.48	\$19,681.60	\$70,855.36	\$130,282.60	\$200,136.27	\$277,778.43	\$284,035.68	\$290,840.99
FY 2009	\$2,308.21	\$17,029.81	\$4,613.37	\$1,998.89	\$2,683.42	\$2,329.41	\$69,821.07	\$48,658.30	\$64,074.56	\$63,514.05	\$2,163.00	\$1,019.51
YTD	\$2,308.21	\$19,338.02	\$23,951.39	\$25,950.28	\$28,633.70	\$30,963.11	\$100,784.18	\$149,442.48	\$213,517.04	\$277,031.09	\$279,194.09	\$280,213.60
FY 2010	\$6,555.17	\$6,692.88	\$6,626.34	\$2,464.04	\$3,071.98	\$3,065.62	\$58,358.23	\$53,226.27	\$63,632.42	\$73,788.32	\$5,154.71	\$2,591.00
YTD	\$6,555.17	\$13,248.05	\$19,874.39	\$22,338.43	\$25,410.41	\$28,476.03	\$86,834.26	\$140,060.53	\$203,692.95	\$277,481.27	\$282,635.98	\$285,226.98
FY 2011	\$3,799.08	\$5,779.40	\$4,203.94	\$4,540.58	\$826.80	\$4,048.19	\$48,139.08	\$38,771.02	\$56,737.62	\$53,736.46	\$1,376.99	\$1,907.76
YTD	\$3,799.08	\$9,578.48	\$13,782.42	\$18,323.00	\$19,149.80	\$23,197.99	\$71,337.07	\$110,108.09	\$166,845.71	\$220,582.17	\$221,959.16	\$223,866.92
FY 2012	\$5,123.77	\$5,559.34	\$7,292.78	\$3,573.23	\$2,125.17	\$25,832.86	\$57,242.46	\$54,829.42	\$66,115.91	\$72,972.48	\$6,978.68	\$4,665.17
YTD	\$5,123.77	\$10,683.11	\$17,975.89	\$21,549.12	\$23,674.29	\$49,507.15	\$106,749.61	\$161,579.03	\$227,694.94	\$300,667.42	\$307,646.10	\$312,311.27
FY 2013	\$3,611.20	\$6,647.21	\$6,362.49	\$6,914.30	\$3,587.06	\$4,412.71	\$41,548.72	\$58,051.35	\$69,819.08	\$65,779.34	\$2,387.53	\$1,223.37
YTD	\$3,611.20	\$10,258.41	\$16,620.90	\$23,535.20	\$27,122.26	\$31,534.97	\$73,083.69	\$131,135.04	\$200,954.12	\$266,733.46	\$269,120.99	\$270,344.36
FY 2014	\$2,832.98	\$7,754.90	\$7,045.56	\$19,777.25	\$4,319.60	\$4,888.83	\$54,643.19	\$58,342.34	\$68,032.70	\$67,580.97	\$4,688.03	\$1,953.28
YTD	\$2,832.98	\$10,587.88	\$17,633.44	\$37,410.69	\$41,730.29	\$46,619.12	\$101,262.31	\$159,604.65	\$227,637.35	\$295,218.32	\$299,906.35	\$301,859.63
FY 2015	\$2,412.55	\$6,804.83	\$15,377.68	\$9,451.74	\$6,196.45	\$7,739.68						
YTD	\$2,412.55	\$9,217.38	\$24,595.06	\$34,046.80	\$40,243.25	\$47,982.93	\$47,982.93	\$47,982.93	\$47,982.93	\$47,982.93	\$47,982.93	\$47,982.93

Current month LT collections reflects money generated in the previous month.

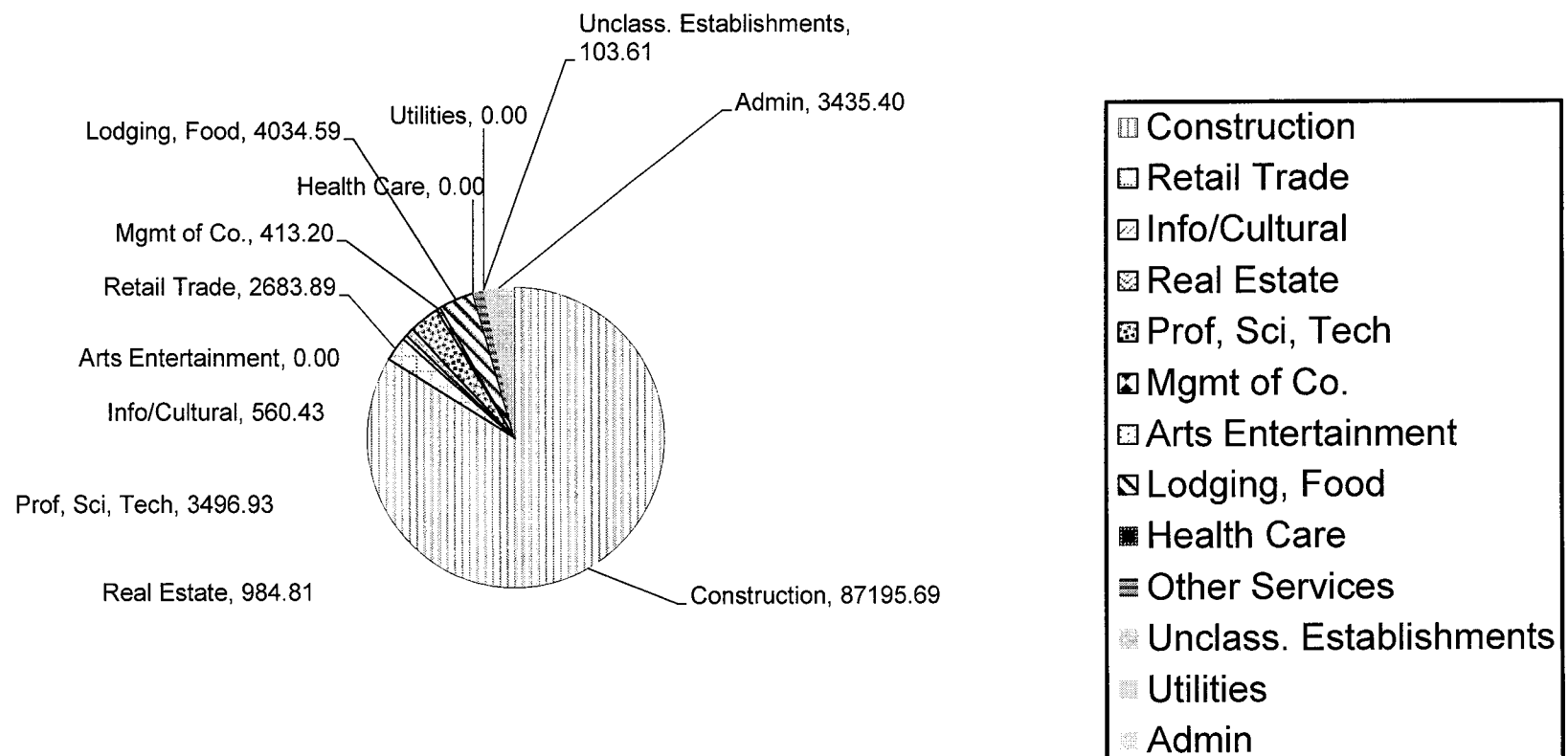
VILLAGE OF TAOS SKI VALLEY
Profit & Loss Prev Year Comparison
July through December 2014

	Jul - Dec 14	Jul - Dec 13	\$ Change	% Change
Ordinary Income/Expense				
Income				
4012 · REVENUE - Combined Water-Sewer	262,893.66	269,112.24	-6,218.58	-2.3%
4020 · REVENUE - GRT MUNICIPAL	155,122.40	94,821.44	60,300.96	63.6%
4021 · REVENUE - GRT- STATE	129,152.81	78,973.10	50,179.71	63.5%
4022 · REVENUE - GRT - ENVIRONMENT	6,350.85	3,896.71	2,454.14	63.0%
4023 · REVENUE - GRT - INFRASTRUCTURE	25,402.54	15,588.75	9,813.79	63.0%
4025 · REVENUE - LICENSES and PERMITS	0.00	1,090.00	-1,090.00	-100.0%
4026 · REVENUE - BUSINESS LICENSE	0.00	805.00	-805.00	-100.0%
4027 · REVENUE - OTHER	42,145.14	15,260.76	26,884.38	176.2%
4028 · REVENUE - GASOLINE TAX	2,540.94	2,665.46	-124.52	-4.7%
4029 · REVENUE - LODGER'S TAX	48,063.31	46,619.12	1,444.19	3.1%
4031 · REVENUE - PARKING FINES	245.00	180.00	65.00	36.1%
4032 · REVENUE - ANIMAL LICENSE	0.00	30.00	-30.00	-100.0%
4034 · REVENUE - MOTOR VEHICLE FEES	7,391.43	7,339.77	51.66	0.7%
4035 · REVENUE - BUILDING PERMITS	0.00	1,144.25	-1,144.25	-100.0%
4036 · REVENUE - Licenses/Permits	25,288.09	0.00	25,288.09	100.0%
4037 · REVENUE - GENERAL GRANTS	70,399.00	74,693.60	-4,294.60	-5.8%
4040 · REVENUE - WATER CONNECTION FEES	24,022.00	0.00	24,022.00	100.0%
4041 · REVENUE - SEWER CONNECTION FEES	16,947.89	900.00	16,047.89	1,783.1%
4046 · REVENUE - SOLID WASTE FEE	25,535.39	28,265.14	-2,729.75	-9.7%
4047 · REVENUE - OTHER OPERATING	5,797.28	2,702.00	3,095.28	114.6%
4049 · REVENUE - FIRE GRANTS	89,561.00	85,778.00	3,783.00	4.4%
4050 · REVENUE - IMPACT FEES	37,331.56	0.00	37,331.56	100.0%
4052 · REVENUE - NMFA INFRASTRUCT LOAN	0.00	599,471.25	-599,471.25	-100.0%
4053 · REVENUE - GRT MUN CAP OUTLAY1/4	25,402.54	15,588.75	9,813.79	63.0%
7004 · REVENUE - FINANCE CHARGE ON W/S	1,688.05	1,709.78	-21.73	-1.3%
7005 · REVENUE - INTEREST INCOME	1,146.81	734.12	412.69	56.2%
7007 · REVENUE - INTEREST IMPACT FEES	18.87	39.27	-20.40	-52.0%
7010 · REVENUE - AD VALOREM TAX	165,855.53	160,997.99	4,857.54	3.0%
9000 · BEG. BALANCE	0.00	0.00	0.00	0.0%
Total Income	1,168,302.09	1,508,406.50	-340,104.41	-22.6%
Gross Profit	1,168,302.09	1,508,406.50	-340,104.41	-22.6%
Expense				
4082 · DEBT SERV - 2007 WWTP LOAN PRIN	77,398.59	72,955.59	4,443.00	6.1%
4083 · DEBT SERV. - 2007 WWTP LOAN INT	32,953.29	37,396.29	-4,443.00	-11.9%
6112 · SALARIES - STAFF	416,468.21	360,744.09	55,724.12	15.5%
6113 · SALARIES - ELECTED	17,069.91	17,069.94	-0.03	0.0%
6121 · WORKER'S COMP INSURANCE	16,688.00	9,407.50	7,280.50	77.4%
6122 · HEALTH & LIFE INSURANCE	84,951.68	77,945.65	7,006.03	9.0%
6123 · MPPP PENSION/EMPLOYEE	10,274.08	9,307.34	966.74	10.4%
6125 · FICA EMPLOYER'S SHARE	32,592.66	28,295.76	4,296.90	15.2%
6126 · WORKMAN'S COMP PERSONAL ASSESS	139.90	124.70	15.20	12.2%
6127 · SUTA STATE UNEMPLOYEMENT	1,236.54	995.44	241.10	24.2%
6128 · PERA Employer Portion	25,374.94	20,975.49	4,399.45	21.0%
6130 · HEALTH INCENTIVE - SKI PASS/GYM	1,802.16	1,282.16	520.00	40.6%
6220 · OUTSIDE CONTRACTORS	242,418.73	174,955.03	67,463.70	38.6%
6225 · ENGINEERING	35,384.17	30,014.28	5,369.89	17.9%
6230 · LEGAL SERVICES	28,301.54	104,259.81	-75,958.27	-72.9%
6242 · ACCOUNTING	1,499.47	1,609.25	-109.78	-6.8%
6244 · AUDIT	21,346.51	19,865.29	1,481.22	7.5%
6251 · WATER PURCHASE, STORAGE	142.08	501.10	-359.02	-71.7%
6253 · ELECTRICITY	9,338.26	8,116.00	1,222.26	15.1%
6254 · PROPANE	10,174.44	6,237.77	3,936.67	63.1%
6256 · TELEPHONE	8,443.25	8,117.86	325.39	4.0%
6257 · RENT PAID	513.00	513.00	0.00	0.0%
6258 · WATER CONSERVATION FEE	106.73	117.45	-10.72	-9.1%
6260 · LEASE/FIRE SUBSTATION/TSV,INC.	0.00	5,000.00	-5,000.00	-100.0%
6270 · LIABILITY & LOSS INSURANCE	63,460.95	36,835.37	26,625.58	72.3%
6312 · CHEMICALS & NON DURABLES	26,126.99	25,021.35	1,105.64	4.4%
6313 · MATERIAL & SUPPLIES	102,267.54	61,727.13	40,540.41	65.7%
6314 · Dues/fees/registration/renewals	8,597.56	10,708.71	-2,111.15	-19.7%
6315 · BANK CHARGES	0.00	-22.70	22.70	100.0%
6320 · EQUIPMENT REPAIR & PARTS	5,056.97	5,862.89	-805.92	-13.8%
6321 · BUILDING MAINTENANCE	0.00	1,427.11	-1,427.11	-100.0%
6322 · SMALL EQUIP & TOOL PURCHASES	10,795.13	2,368.75	8,426.38	355.7%
6331 · OUTSIDE TESTING SERVICES	264.05	270.03	-5.98	-2.2%
6332 · EQUIPMENT RENTALS	163.91	0.00	163.91	100.0%
6335 · FINANCE CHARGE & MISCEL. TAX	9.82	79.69	-69.87	-87.7%
6417 · VEHICLE MAINTENANCE	28,710.91	5,151.96	23,558.95	457.3%

VILLAGE OF TAOS SKI VALLEY
Profit & Loss Prev Year Comparison
July through December 2014

	<u>Jul - Dec 14</u>	<u>Jul - Dec 13</u>	<u>\$ Change</u>	<u>% Change</u>
6418 · FUEL EXPENSE	10,884.83	15,311.09	-4,426.26	-28.9%
6432 · TRAVEL & PER DIEM	3,577.17	3,909.77	-332.60	-8.5%
6434 · TRAINING	1,832.75	1,030.00	802.75	77.9%
6550 · EXPENSE - IMPACT FEES	17,502.72	0.00	17,502.72	100.0%
6560 · Payroll Expenses	618.84	0.00	618.84	100.0%
6712 · LAB CHEMICALS & NONDURABLES	3,500.86	0.00	3,500.86	100.0%
6713 · LAB MATERIALS & SUPPLIES	0.00	1,021.10	-1,021.10	-100.0%
6715 · LAB SMALL EQUIP & TOOL PURCHASE	1,150.02	0.00	1,150.02	100.0%
6716 · LAB TESTING SERVICES	4,830.47	3,643.72	1,186.75	32.6%
6720 · LAB OUTSIDE CONTRACTORS	1,236.00	1,413.00	-177.00	-12.5%
7100 · MISC REFUNDS	5,880.00	1,174.16	4,705.84	400.8%
8100 · DEBT SERVICE - LOADER/PLOW	0.00	15,524.10	-15,524.10	-100.0%
8322 · CAPITAL EXPENDITURES	219,331.70	693,383.65	-474,051.95	-68.4%
8325 · EQUIPMENT & TOOL PURCHASE	86,105.56	2,800.18	83,305.38	2,975.0%
Total Expense	<u>1,676,522.89</u>	<u>1,884,447.85</u>	<u>-207,924.96</u>	<u>-11.0%</u>
Net Ordinary Income	<u>-508,220.80</u>	<u>-376,041.35</u>	<u>-132,179.45</u>	<u>-35.2%</u>
Other Income/Expense				
Other Expense				
9001 · TRANSFER TO FUND	-165,968.87	-179,797.04	13,828.17	7.7%
9002 · TRANSFER FROM FUND	165,968.87	179,797.04	-13,828.17	-7.7%
Total Other Expense	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.0%</u>
Net Other Income	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.0%</u>
Net Income	<u><u>-508,220.80</u></u>	<u><u>-376,041.35</u></u>	<u><u>-132,179.45</u></u>	<u><u>-35.2%</u></u>

Village of Taos Ski Valley Gross Receipts Distribution December 2014



**STATE DIRECTORY****State Purchasing Division****Active Bids and Proposals****Chief Procurement Officer****Chief Procurement Officer List****Chief Procurement Officer Registration****Chief Procurement Officer Training****Debarment Notices****Online Procurement****Resources and Information****Statewide Price Agreements****Sole Source/Emergency Procurements****Submit Forms Online****Training****FAQ's****Contact Us****Chief Procurement Officer Training**

The New Mexico State Purchasing Division has partnered with the National Association of State Procurement Officials (NASPO), and Chemeketa Community College, located in Salem, Oregon, to deliver online CPO certification training to comply with NMSA Section 13-1-95.2.

The cost of this program is \$293.95 which includes textbook. Under this program, CPOs must register and are responsible for payment of the registration fees. W-9's were attached to the email sent to registered CPO's in the email sent on December 5, 2014 which will need to be filled out and submitted to DFA at Vendor.Relations@state.nm.us. For questions regarding submitting your w-9, call vendor relations at 505-827-3626. Upon successful completion of the course, CPO registrants will be reimbursed for the class. For reimbursement, the following must be submitted: Certification of successful completion and a receipt of payment to Paula Salazar at Paula.Salazar@state.nm.us. For questions regarding reimbursement call Paula at 505-827-0474.

Registered CPO's will be receiving, by way of email from Chemeketa, details on how to register/enroll in Chemeketa as a student and then subsequently enroll in the actual CPO Certification course itself. This process is easy and can be accomplished in a short period of time on any computer with internet access. For the course work, you can study on any computer available to you. Enrollment begins December 9, 2014 for classes beginning January 12, 2015. Currently, 14 classes (limited to 35 students per class) with class duration of 4 weeks each, will be offered to meet the July 2015 deadline for completion of certification requirements. Registration is on a first come, first enrolled basis.

The curriculum consists of 4 learning modules (with content ranging from: how to solicit bids/offers, handling protests, to code of conduct and ethics). Each module will have a duration of 1 week with the fifth week devoted to review and taking of the certification exam. The curriculum itself has been designed so prior procurement experience is not required. The modules, study materials and study guides are all online, easy to access and each will end with a sample quiz. Included in the program cost is a hardcopy textbook which will be mailed once registration is complete and payment made. This textbook will be for the student to keep.

The course will involve use of online message boards and collaborative methods designed to address a common procurement subject. This process will foster interaction among students from various disciplines, backgrounds, experiences, and locations around the state.

The certification exam (to be taken in the last week) will be 50 questions (multiple choice and true/false), open book, with test time limited to 2.0 hours in duration. The exam questions will be lifted directly from the course materials in each learning module.

Finally, the State of NM is currently accepting reciprocity of NMSU's NM Edge program in lieu of the Chemeketa program, so CPOs having a completion certificate from NM Edge, need only provide their certificate to receive CPO certification status from the State Purchasing Division.

To access the training certification web site [CLICK HERE](#)

General Services Department

John F. Simms Building // PO Box 6850 // Santa Fe, NM 87502 // (505) 827-2000
If you have any questions or problems with the website please send an e-mail to:
GSDWebmaster



Mark G. Fratrack
Village Administrator
Village of Taos Ski Valley Council
Monthly Briefing
January 1, 2014



*** Ongoing & Past Projects ***

1. **Townsite Act** – Update – Columbine Hondo Wilderness Act passed and signed by the President. Staff will begin working with the Forest Service on the administration process to acquire the Waste Water Treatment Plant property (approximately 5 acres that was part of the Act).
2. **Developer Meeting** – Good discussions and meetings concerning the TIDD.
3. **Burn Boss** – Town of Taos has contacted the staff and would like to lease the Burn Boss for the Landfill.
4. **The TIDD** – A very large portion of staff time has been in reviewing, working/talking with TSV, Inc. in regards to the various required supporting documents for the TIDD formation and the TIDD election for formation and bonding.
 - The initial State Board of Finance presentation went very well. Formal presentation on January 20th.
5. **Chief Wallace** – NM Senate Confirmation to NM Public Safety Advisory Commission.
6. **Water Trust Board** – Submitted two applications. One for the Kachina Water Tank and the other for development of the Gunsite Spring. Sent documentation in the Office of State Engineer as the second step in the process. Will be presenting the required Resolution to the council next month which will authorize staff to formally submit an application at the appropriate time. Next deadline for more support documentation is February 2nd.
7. **Cell Service** – The Village has been receiving calls about poor cell service. Why hasn't it improved? There seems to be issues hooking up to, and the fiber optic working correctly. Forecasted fix date is now April 2015.
8. **Zap's House** – Has been sold. Worked a deal where it should be removed by the end of summer 2015.
- 9.

*** Department Briefs ***

1. **Dept. of Public Safety Update:** (Chief Wallace)
2. **Community Development/Planning Update:** (Don, Community Development Director)
3. **Public Utilities Dept. Update:** (Ray, Public Works Director)

Village of Taos Ski Valley

Agenda Item

AGENDA ITEM TITLE: Consideration and Approval of **Resolution #2015-274** Approving the TIDD Operating Plan.

DATE: January 6, 2015

PRESENTED BY: Mark G. Fratrack

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not recommended

BACKGROUND INFORMATION:

A Tax Increment Development District (TIDD) allows a private entity to upgrade old and/or put in new infrastructure to support the development of community growth. Once the infrastructure projects are completed, the private entity then transfers ownership of the infrastructure to the municipality. It then becomes the municipality's responsibility to assure its' operation and to perform maintenance on the infrastructure. A Public Infrastructure Operating Plan is required. As part of working through the Tax Increment Development Districts' (TIDD) formation process, Taos Ski Valley, Inc. worked with the Village of Taos Ski Valley to put together an Operating Plan. This plan forecasts and outlines the possible future costs to operate and maintain the various infrastructure projects. This plan has been reviewed by Village Staff.

RECOMMENDATION: Staff Recommends Approval

**THE VILLAGE OF TAOS SKI VALLEY
RESOLUTION NO. 2015-274
APPROVING THE TIDD OPERATING PLAN**

WHEREAS, Taos Ski Valley, Inc., a New Mexico Corporation ("TSV, Inc., as agent for Twining Development LLC, a Delaware limited liability company ("Twining"), and Santander Holdings, LLC, a Delaware limited liability company ("Santander" and together with Twining, LLC and TSV, Inc. and their respective successors, assigns and designees, "TSVI") have submitted to the Village of Taos Ski Valley (the "Village") a plan for the revitalization of the Village through the redevelopment of portions thereof, the construction of roadway, pedestrian, river crossing, water, wastewater and other utility improvements and upgrades necessary to support future development of the Village as a world-class, four-season resort destination (the "Revitalization Project"); and

WHEREAS, TSVI has submitted to the Village a petition and application (the "Application") for the formation of a tax increment development district (the "TIDD"), in conjunction with which the Village will apply to the State Board of Finance for a dedication of 75% of the State Gross Receipts Tax Increment Revenue generated within the tax increment development district; and

WHEREAS, the Application includes an operating plan (the "Operating Plan", a copy of which is attached to this Resolution as Exhibit A) which identifies components of public infrastructure to be dedicated to, owned, operated and maintained by the Village, the anticipated costs of such ownership, operation and maintenance, and the sources of revenue anticipated to be available to meet those costs; and

WHEREAS, the Village, in consultation with its Financial Advisor, George K. Baum & Co., and counsel to the Village, has reviewed the Operating Plan and has determined that it adequately evaluates the costs of operating and maintaining the infrastructure to be financed by the TIDD and dedicated to the Village, and revenue sources available to meet such costs.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE VILLAGE OF TAOS SKI VALLEY:

Section 1. Findings.

A. The costs associated with the ownership, operations and maintenance of the public infrastructure to be financed by the TIDD and dedicated to the Village are adequately identified and estimated in the Operating Plan.

B. The revenue sources available to the Village to meet the costs of associated with the ownership, operations and maintenance of the public infrastructure to be

financed by the TIDD and dedicated to the Village are adequately identified and estimated in the Operating Plan.

C. Based upon the Operating Plan, the Application and additional financial analysis and projections provided to the Village and reviewed and confirmed by the Village's Financial Advisor, the Village will be able to meet the costs associated with the ownership, operations and maintenance of the public infrastructure to be financed by the TIDD and dedicated to the Village and will be able to fund basic services such as law enforcement and public health and safety within the TIDD and the Village.

Section 2. Approval of the Operating Plan. The Village hereby approves the Operating Plan.

Section 3. Amendment of the Operating Plan. The Operating Plan shall be subject to amendment by appropriate action of the Village Council.

Section 4. Effective Date. This Resolution shall be effective upon its passage by the Village Council.

Section 5. Submittal of this Resolution to the State Board of Finance. The Village Administrator is hereby authorized and directed to submit a copy of this Resolution to the State Board of Finance, which is intended to comply with Section 2.61.3.9(A)(7) NMAC.

ADOPTED THIS 6th DAY OF JANUARY, 2015.

Neal King, Mayor

Date

ATTEST:

Ann Marie Wooldridge, Village Clerk

(SEAL)

EXHIBIT A

OPERATING PLAN

(attached)

Village of Taos Ski Valley
Public Infrastructure Operating Plan
December 18, 2014

Note: While the Village has financial responsibility for the operation and maintenance of any dedicated improvement listed below it is assumed operation and maintenance of all plaza space adjacent to Parcels D & G along with the riverwalk from West Burrough Crossing to Sutton Crossing will be outsourced to TSV, Inc. All utilities, roads & crossings will be maintained directly by the Village.

Improvement & Delivery Date	SF or LF	\$/SF or LF	Baseline Cost	2016	2017	2018	2019	2020+	Comment
Core Village Improvements				\$ 1.00	\$ 1.03	\$ 1.06	\$ 1.09	\$ 1.13	<i>inflation factor of 3%</i>
Public Spaces (2016-2017)									
Plaza Plantings & Seasonal	28,000	\$ 0.75	\$ 21,000		\$ 21,630	\$ 22,279	\$ 22,947	\$ 23,636	labor & supplies
Plaza Snowmelt	28,000	\$ 2.00	\$ 56,000	\$ 14,000	\$ 28,840	\$ 59,410	\$ 61,193	\$ 63,028	natural gas
Plaza Maintenance	28,000	\$ 1.00	\$ 28,000	\$ 7,000	\$ 14,420	\$ 29,705	\$ 30,596	\$ 31,514	labor, supplies, inspections, electricity
Riverwalk - Clean/Clearing	1,760	\$ 6.00	\$ 10,560		\$ 10,877	\$ 11,203	\$ 11,539	\$ 11,885	labor & supplies
Riverwalk - Maintenance	1,760	\$ 8.00	\$ 14,080		\$ 14,502	\$ 14,937	\$ 15,386	\$ 15,847	culverts, physical repairs & reserve
Equipment - Skid steer w/brush			\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	
Equipment - Gator/Toro			\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	
			\$ 133,640	\$ 25,000	\$ 94,269	\$ 141,535	\$ 145,661	\$ 149,911	
Utilities									
Water (2015)									
Hydrant Flushing			\$ 5,000	\$ 5,000	\$ 5,150	\$ 5,305	\$ 5,464	\$ 5,628	assumes 1x more than current
General Maintenance			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	nothing incremental
Sanitary & Storm Sewer (2015)									
Jetting lines			\$ 5,000	\$ 5,000	\$ 5,150	\$ 5,305	\$ 5,464	\$ 5,628	assumes 1x more than current
General Maintenance			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	nothing incremental
WWTP - new (2018)			\$ 25,000	\$ -	\$ -	\$ -	\$ 27,318	\$ 28,138	Incremental from current facility
			\$ 35,000	\$ 10,000	\$ 10,300	\$ 10,609	\$ 38,245	\$ 39,393	
Roads & Crossings (2015-2018)									
Sutton Place Crossing	500	\$ 7.00	\$ 3,500	\$ 3,500	\$ 3,605	\$ 3,713	\$ 3,825	\$ 3,939	clearing & maintenance
W Burroughs Crossing	500	\$ 7.00	\$ 3,500			\$ 3,713	\$ 3,825	\$ 3,939	clearing & maintenance
Strawberry Hill Crossing	500	\$ 7.00	\$ 3,500				\$ 3,825	\$ 3,939	clearing & maintenance
Ernie Blake & Thunderbird Roads	1,400	\$ 7.00	\$ 9,800			\$ 10,397	\$ 10,709	\$ 11,030	clearing & maintenance
Twining Road to Pioneers	2,000	\$ 7.00	\$ 14,000				\$ 15,298	\$ 15,757	clearing & maintenance
Road to Kachina	8,000	\$ 7.00	\$ 56,000				\$ 61,193	\$ 63,028	snow clearing & maintenance
Route 150/Village Entry	1,000	\$ 10.00	\$ 10,000		\$ 10,300	\$ 10,609	\$ 10,927	\$ 11,255	plantings/seasonal/signage/maint
Annual reserve - equipment			\$ 12,500			\$ 13,261	\$ 13,659	\$ 14,069	Assume 8 yr life for 2-\$50k plow trucks
			\$ 112,800	\$ 3,500	\$ 13,905	\$ 41,693	\$ 123,260	\$ 126,957	
Total Core Village				\$ 38,500	\$ 118,474	\$ 193,837	\$ 307,166	\$ 316,261	
Kachina Improvements (2018-2019)									
Fiber Optic									utility co. responsibility
Natural Gas									utility co. responsibility
Waterline (Beaver Pond to CV)									
Water tank			\$ 15,000					\$ 16,883	controls, pumps/valves, cleaning
Public Parking Facility			\$ 10,000					\$ 11,255	general maintenance
Total Kachina			\$ 25,000	\$ -	\$ -	\$ -	\$ -	\$ 28,138	
TOTAL OPERATING COSTS			\$ 306,440	\$ 38,500	\$ 118,474	\$ 193,837	\$ 307,166	\$ 344,399	

Village of Taos Ski Valley

Agenda Item

AGENDA ITEM TITLE: Consideration and Approval of **Resolution #2015-275** for formation of a Tax Increment Development District.

DATE: January 6, 2015

PRESENTED BY: Mark G. Fratrack

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not recommended

BACKGROUND INFORMATION:

Tax Increment Development Districts (TIDD) are mechanisms to support economic development and job creation by providing gross receipts tax financing and property tax financing for public infrastructure. Twining Development, LLC ("Twining") and Taos Ski Valley, Inc. ("TSVI" and, together with Twining, the "Applicant") have submitted to the Village of Taos Ski Valley (the "Village") a plan for the revitalization of the Village through various redevelopment and improvements projects. As part of this process, VTSV has submitted a preliminary application to the State requesting a portion of the State GRT to help fund various infrastructure projects. The Village of Taos Ski Valley must now pass a Resolution on the formation of the TIDD, which includes the application, petition, feasibility study, and master development agreement. By passing this resolution, the Village commits to implementing the Formation of a TIDD outlined by the supporting documentation. An election is required to be held, ending on January 30, 2015, with approval of more than 50% of the voters, in order to form the district.

RECOMMENDATION: Staff Recommends Approval

**THE VILLAGE OF TAOS SKI VALLEY
RESOLUTION NO. 2015-275**

APPROVING THE PETITION AND APPLICATION OF TAOS SKI VALLEY, INC., A NEW MEXICO CORPORATION AS AGENT FOR TWINING DEVELOPMENT LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND SANTANDER HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, TOGETHER WITH TWINING, LLC AND TSV, INC. AND THEIR RESPECTIVE SUCCESSORS, ASSIGNS AND DESIGNEES, FOR FORMATION OF THE TAX INCREMENT DEVELOPMENT DISTRICT (THE "TIDD") PURSUANT TO THE TAX INCREMENT FOR DEVELOPMENT ACT, SECTIONS 5-15-1 THROUGH 5-15-28, NMSA 1978; DETERMINING THAT THERE IS A NEED FOR THE TIDD TO FINANCE PUBLIC INFRASTRUCTURE NECESSARY TO SUPPORT CURRENT AND FUTURE DEVELOPMENT OF THE VILLAGE; MAKING FINDINGS IN CONNECTION WITH THE PETITION AND SUPPORTING DOCUMENTATION REQUESTING APPROVAL OF THE FORMATION OF THE DISTRICT; DETERMINING THE REAL PROPERTY TO BE INCLUDED WITHIN THE DISTRICT AND THE PURPOSES FOR WHICH THE DISTRICT IS BEING FORMED; APPROVING THE APPLICATION, PETITION, AND FEASIBILITY STUDY AND MASTER DEVELOPMENT AGREEMENT FOR IMPLEMENTATION OF THE DISTRICT; RATIFYING THE TAX INCREMENT DEVELOPMENT PLAN APPROVED FOR CONSIDERATION IN CONNECTION WITH THE FORMATION OF THE DISTRICT; DEDICATING 75% OF CERTAIN GROSS RECEIPTS TAX INCREMENT REVENUE GENERATED WITHIN THE DISTRICT AND 75% OF THE AD VALOREM PROPERTY TAX INCREMENT REVENUE GENERATED WITHIN THE DISTRICT FOR THE FINANCING OF PUBLIC INFRASTRUCTURE FOR THE DISTRICT, AS PROVIDED IN THE DEVELOPMENT AGREEMENT; RATIFYING THE SUBMITTAL OF AN APPLICATION TO THE STATE BOARD OF FINANCE FOR A DEDICATION OF 75% OF THE STATE GROSS RECEIPTS TAX INCREMENT REVENUE GENERATED WITHIN THE DISTRICT; ESTABLISHING PARAMETERS FOR THE ISSUANCE OF TAX INCREMENT BONDS BY THE DISTRICT; PROVIDING FOR GOVERNANCE OF THE DISTRICT THROUGH THE APPOINTMENT OF MEMBERS OF THE GOVERNING BODY OF THE DISTRICT; PROVIDING THAT TAX INCREMENT REVENUE BONDS OF THE DISTRICT AND OTHER OBLIGATIONS OF THE DISTRICT SHALL NOT BE OBLIGATIONS OF THE VILLAGE OF TAOS SKI VILLAGE; CALLING FOR AN ELECTION ON THE QUESTION WHETHER THE DISTRICT SHOULD BE FORMED AND THE QUESTION WHETHER PROPERTY TAX INCREMENT BONDS SHOULD BE ISSUED; APPROVING FORMS OF NOTICE OF AND PROCEDURES FOR HOLDING THE ELECTION; RATIFYING CERTAIN ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTIONS INCONSISTENT WITH THIS RESOLUTION.

WHEREAS, the Legislature of the State has enacted the Tax Increment for Development Act, Sections 5-15-1 through 5-15-28 NMSA 1978, as amended (the "TIDD Act"), pursuant to which the governing body of a municipality may adopt a resolution authorizing the formation of a tax increment development district (a "TIDD") following a public

hearing and based upon certain findings required pursuant to Section 5-15-7 of the TIDD Act.; and

WHEREAS, pursuant to Section 5-15-4(B) of the TIDD Act, the Village Council may, upon its own motion, adopt a resolution declaring its intent to form a tax increment development district based on its finding that a need exists for the formation of a TIDD; and

WHEREAS, pursuant to Section 5-15-6 of the TIDD Act, upon adoption of a resolution indicating an intent to form a TIDD, the governing body of a municipality shall set a date no sooner than 30 days and no later than 60 days after the adoption of the resolution for a public hearing regarding the formation of the TIDD; and

WHEREAS, Taos Ski Valley, Inc., a New Mexico Corporation ("TSV, Inc., as agent for Twining Development LLC, a Delaware limited liability company ("Twining"), and Santander Holdings, LLC, a Delaware limited liability company ("Santander" and together with Twining, LLC and TSV, Inc. and their respective successors, assigns and designees, "TSVI") have submitted to the Village of Taos Ski Valley (the "Village") a plan for the revitalization of the Village through the redevelopment of portions thereof, the construction of roadway, pedestrian, river crossing, water, wastewater and other utility improvements and upgrades necessary to support future development of the Village as a world-class, four-season resort destination (the "Revitalization Project"); and

WHEREAS, TSVI has submitted to the Village a petition and application for the formation of the TIDD (the "TIDD Application"), in conjunction with which the Village will apply to the State Board of Finance for a dedication of 75% of the State Gross Receipts Tax Increment Revenue generated within the tax increment development district; and

WHEREAS, the Application includes a proposed tax increment development plan for the TIDD, including a map of the TIDD (the "TIDD Plan") pursuant to Section 5-15-5 of the Act, which TIDD Plan has been updated with a revised Plan of Finance (attached as Exhibit 2 to the TIDD Plan) and, as amended, has been filed with the Village Clerk; and

WHEREAS, the Application includes the analysis of the feasibility, the financing and the estimated costs of improvements, services and benefits to result from the formation of the proposed TIDD (the "Feasibility Study"); and

WHEREAS, the proposed boundaries of the TIDD encompass the land within the Village on which commercial, retail, construction and other tax-generating activities are expected to occur and increase as a result of the Revitalization Project, and excludes land within the Village on which such activities are not expected to occur; and

WHEREAS, the Village shall consider formation of the TIDD for purposes of financing of public infrastructure serving the TIDD and the Village as a whole (the "Public Infrastructure Project"), including, without limitation, the following improvements to the core Village, Amizette, and Kachina areas of the Village: relocation and improvement of the Mountain Park Entrance area, public plaza improvements, upgrades to existing public parking areas and

recreational vehicle parking, river walkway and stream protection and restoration improvements ("Public Space Improvements"), water, sanitary sewer and storm sewer improvements ("Water and Wastewater Improvements"), road, river crossing and intersection crossing improvements, consisting of bridge construction on Parcel D-G, Sutton Place Crossing, West Burroughs Crossing, Strawberry Hill Crossing, upgrades to Ernie Blake Road and Thunderbird Road, paving improvements to Twining Road and the main road to the Kachina area of the Village, improvements to Strawberry Hill Access Road, improvement of Highway 150 at Village entry, street lights and signage ("Road Improvements"); electric, natural gas and telecommunication utility improvements, including trenching and installation of transmission and distribution lines from the terminal point location in Arroyo Seco to locations within the Village ("Offsite Utility Improvements"); and

WHEREAS, the Applicant has informed the Village that it intends to apply for the formation of the Taos Ski Valley Public Improvement District (the "PID") pursuant to Sections 5-11-1 through 5-11-27 NMSA 1978, as amended (the "PID Act"), for the purpose of financing portions of the Public Infrastructure Project which will not be financed by the TIDD; and

WHEREAS, the Public Infrastructure Project will enable the development of, among other uses, hotel, condominium and vacation rental units subject to the Lodgers' Tax imposed by the Village pursuant to Section 3-38-15 NMSA 1978 at the rate of 5% of the gross taxable rent generated within the Village, of which sixty percent (60%) of the incremental proceeds may be used, as provided in Section 3-38-21 NMSA 1978 by the Village; and

WHEREAS, the Village and TSVI anticipate that a portion of the Project Infrastructure will be financed by the TIDD's issuance of tax increment revenue bonds, in one or more series, as provided in the Act (the "TIDD Bonds"), payable from gross receipts tax increment revenue (including, the incremental revenue of both Village-enacted Gross Receipts Taxes, the State-shared Gross Receipts Tax and, dedicated by the State, the State Gross Receipts Tax) and *ad valorem* property tax revenue generated within the TIDD (collectively, "Tax Increment Revenue"); and

WHEREAS, the Village and TSVI anticipate that, upon formation, the TIDD will be responsible for notifying the State Taxation and Revenue Department and Taos County as provided in the Act and the TIDD Plan, and that the cost of administering the TIDD, including any required reimbursements to the Taos County Treasurer, will be an operating cost of the TIDD, which may be eligible for reimbursement from Tax Increment Revenue, and that Tax Increment Revenue amounts in excess of the debt service payments on the TIDD Bonds will be used to finance Project Infrastructure and the costs associated with formation of the TIDD, to the extent permitted by law; and

WHEREAS, the areas to be included within the TIDD, as proposed, are described in the TIDD Plan which was filed with the Village Clerk and presented in connection with a resolution of intent considered by the Village Council on December 2, 2014; and

WHEREAS, on December 2, 2014 the Village Council, on its own motion as authorized by Section 5-15-4(B) NMSA 1978, adopted Resolution No. 2015-272 declaring its intent to form the TIDD; and

WHEREAS, the Village Council has conducted a public hearing as provided by Sections 5-15-6 and 5-15-7 of the Act, and has determined that the formation of the TIDD promotes the interests, convenience or necessity of the owners and residents of the TIDD and citizens of the Village.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE VILLAGE OF TAOS SKI VALLEY:

Section 1. Definitions. The following terms shall have the meanings assigned as provided in this Section 1 unless the context clearly requires otherwise. In addition, capitalized terms not defined herein shall have the meanings assigned to such terms in the Master Development Agreement.

"Act" or "TIDD Act") means the Tax Increment For Development Act, Sections 5-15-1 through 5-15-28 NMSA 1978, as amended from time to time.

"Applicant" means Taos Ski Valley, Inc., a New Mexico Corporation ("TSV, Inc., as agent for Twining Development LLC, a Delaware limited liability company ("Twining")), and Santander Holdings, LLC, a Delaware limited liability company ("Santander" and together with Twining, LLC and TSV, Inc. and their respective successors, assigns and designees, "TSVI").

"Application" means the documents submitted in support of the application and petition for formation of the Village of Taos Ski Valley Tax Increment Development District and documentation incorporated by reference in the application and petition and submitted to the Village pursuant to the Act.

"Bond Election" means the election to determine whether the TIDD shall be authorized to issue Property Tax Increment Revenue Bonds, to be held pursuant to the Act.

"Bond Resolution" means a resolution authorizing issuance of TIDD Bonds in an aggregate principal amount not to exceed the costs of Public Infrastructure serving the TIDD, for the purpose of financing the TIDD Infrastructure and containing certain provisions set forth in Section 6 of this Formation Resolution.

"Bonds" or "TIDD Bonds" means tax increment revenue bonds issued by the TIDD, collectively or individually in accordance with the Act, which Bonds may be secured by Municipal GRT Increment revenue, Property Tax Increment revenue and, if applicable, State GRT Increment revenue.

"Clerk" means the Clerk of the Village of Taos Ski Valley, New Mexico.

"County" means Taos County, New Mexico.

"County GRT Increment" means the portion of gross receipts tax increment dedicated by the County, as shall be provided, if applicable, in a resolution of the Board of County Commissioners.

"County Property Tax Increment" means the portion of County Property Tax increment dedicated by the County, as shall be provided, if applicable, in a resolution of the Board of County Commissioners.

"Date of Formation" means the date on which it has been officially determined that a majority of votes were cast at the Formation Election in favor of the formation of the District, as evidenced by an executed certificate of canvass or a certificate of Election results.

"Developer" means Taos Ski Valley, Inc., a New Mexico Corporation ("TSV, Inc."), as agent for Twining Development LLC, a Delaware limited liability company ("Twining") and Santander Holdings, LLC, a Delaware limited liability company ("Santander" and together with Twining, LLC and TSV, Inc. and their respective successors, assigns and designees, "TSVI").

"District" means, as the context requires, the Taos Ski Valley Public Improvement District or the Village of Taos Ski Valley Tax Increment Development District.

"Election" means the Bond Election and/or the Formation Election.

"Expenses" means the Village's costs of reviewing the Petition and Application and other documentation related to the Application, including legal fees, financial advisory fees and any other costs and expenses reasonably related to the review of the Application.

"Feasibility Study" means the study of the estimated costs and financing methods of the Project Infrastructure submitted by the Applicant in connection with its Petition for formation of the Village of Taos Ski Valley Tax Increment Development District.

"Formation Documents" means, as the context requires, the PID Formation Documents or the TIDD Formation Documents.

"Formation Resolution" means this resolution adopted by the Village in connection with its approval of the formation of the District.

"Formation Election" means the election to be held to determine whether the TIDD shall be formed pursuant to the TIDD Act.

"Governing Body" means the Village Council and the Mayor of the Village, unless the context requires otherwise (i.e. unless in reference to the directors of the TIDD).

"Gross Receipts Tax Increment" means, collectively, the Village GRT Increment, if and when dedicated by the State, State GRT Increment, and if and when dedicated by the County, County GRT Increment.

"Landowner" means an owner of a fee simple interest in one or more taxable parcels land within the TIDD.

"Legislature" means the Legislature of the State.

"Master Development Agreement" means the Master Development Agreement by and between the Applicant, the Village, the Taos Ski Valley Public Improvement District upon its formation, and the Village of Taos Ski Valley Tax Increment Development District upon its formation.

"Petition" means the application and petition for formation of the TIDD submitted pursuant to the Act.

"PID" means the Taos Ski Valley Public Improvement District.

"Project Infrastructure" means the public and private infrastructure necessary or desirable to redevelop the core area of the Village, to serve new, planned development of commercial, retail and residential uses within the Village, to enhance the viability and visibility of the Village and the Taos Ski Valley as a year-round destination resort, which will promote tourism and economic development from sources outside the State, and job creation and revenue enhancement at the local level.

"Property Tax Increment" means 75% of the *ad valorem* Village property tax generated within the TIDD, which property tax is currently imposed by the Village at the rate of \$7.65 per \$1,000 of taxable property value within the Village.

"Public Infrastructure Project" means the public infrastructure improvements eligible for financing by the PID and/or the TIDD, which specifically includes the Core Village Improvements, the Offsite Utility Improvements and Related Costs.

"Real Property" means the real property described in the TIDD Boundary Map.

"Reimbursable Costs" means all items of expense directly relating to the cost of the acquisition and construction of Eligible Infrastructure components and the incidental costs and expenses relating thereto including, but not limited to: engineering expenses, legal expenses, printing, posting, publication and mailing expenses, fees and expenses incurred in making surveys, studies and estimates of costs, testing expenses, construction management expenses, and such other costs and expenses eligible for payment from the proceeds of bonds issued by the PID under the PID Act or the TIDD under the TIDD Act and the Indenture related to the District issuing the bonds, and to pay all incidental expenses related to the construction and acquisition of the Eligible Infrastructure components, including Related Costs.

"Related Costs" means, without limitation, costs incurred in the formation of a District, planning, design, engineering, surveying, testing, environmental compliance, construction, construction contingencies, pre-completion stabilization, maintenance and inspections, construction management not to exceed ten percent (10%) of the contract price, permit and

inspection fees, gross receipts taxes or acquisition of such infrastructure, plus amounts to be used to fund debt service reserves, capitalized interest, credit enhancement, costs of issuance and sale, and other costs normally associated with the issuance of bonds.

"Resident Qualified Elector" means a person who resides within the boundaries of the TIDD and who is qualified to vote in the general elections held in the state pursuant to Section 1-1-4 NMSA 1978.

"State" means the State of New Mexico.

"State GRT Increment" means 75% of the incremental revenues of the State Gross Receipts Tax, which State Gross Receipts Tax is currently imposed at the rate of 5.125% of the taxable gross receipts in the TIDD.

"TIDD" means the Village of Taos Ski Valley Tax Increment Development District.

"TIDD Bonds" means the Tax Increment Revenue Bonds payable from Village GRT Increment, State GRT Increment, or Property Tax Increment.

"TIDD-Eligible Infrastructure" means Public Infrastructure Project components eligible for financing or reimbursement from proceeds of TIDD Bonds or, to the extent permitted by applicable law, Tax Increment Revenues.

"TIDD Formation Documents" means this Village Resolution No. 2015-275 approving the formation of the TIDD and the documents and exhibits approved in connection therewith including, without limitation, the TIDD Plan, this Agreement, the Resolution of the Village calling for a Formation and Bond Election and the Certificate of Canvass of the Election and, if applicable, the State Gross Receipts Tax Increment Dedication Documents.

"TIDD Plan" means the tax increment development plan for the TIDD, as amended, including a map depicting the boundaries of the TIDD, as required by Section 5-15-5 of the Act.

"Village" means the Village of Taos Ski Valley, a New Mexico municipality.

"Village GRT Increment" means 75% of the incremental revenues of the following gross receipts taxes enacted (or, the case of the State-shared gross receipts tax described in subparagraph (ee) of this definition, received) by the Village:

(aa) the general purposes municipal gross receipts taxes referenced in §5-15-15(B)(1) of the TIDD Act (the "General Purposes GRT"), currently imposed at the rate of 1.50% of the taxable gross receipts in the TIDD;

(bb) the municipal environmental services gross receipts tax referenced in Section 5-15-B(2) (the "Environmental GRT"), currently imposed at the rate of 0.0625% of the taxable gross receipts in the TIDD;

(cc) the municipal infrastructure gross receipts taxes referenced in §5-15-15(B)(3) of the TIDD Act (the "Municipal Infrastructure GRT") currently imposed at the rate of 0.25% of the taxable gross receipts in the TIDD;

(dd) the municipal capital outlay gross receipts taxes referenced in §5-15-15(B)(4) of the TIDD Act (the "Municipal Capital Outlay GRT") currently imposed at the rate of 0.25% of the taxable gross receipts in the TIDD; and

(ee) the State-shared gross receipts taxes distributed to the Village pursuant to §7-1-6.4 NMSA 1978, as provided in §5-15-15(B)(6) of the Act, currently imposed at the rate of 1.225% of the taxable gross receipts in the TIDD which, together with the General Purposes GRT, the Municipal Infrastructure GRT and the Municipal Capital Outlay GRT, is equal to an aggregate 3.2875% of the taxable gross receipts in the TIDD.

Section 2. Findings. The Village hereby declares that it has considered the Application, including the Petition and all other relevant information and data, and hereby makes the following findings:

A. TIDD Bonds proposed to be issued by the TIDD will be the obligations solely of the TIDD, and will not be backed by the faith, credit, general funds or resources of the Village in any manner, and will not impair any outstanding obligations of the Village.

B. The TIDD Plan reasonably protects the interests of the Village in meeting its goals to support: (i) job creation, (ii) economic development, (iii) the long-term sustainability of public infrastructure serving the Village.

C. The TIDD Plan demonstrates elements of innovative planning techniques, including mixed-use, transit-oriented development, traditional neighborhood design or sustainable development techniques that are deemed by the Village to benefit community development, as follows:

(1) The TIDD Plan will assist in the implementation of the Master Plan for the Village Core. Implementation of the Master Plan will create a significantly more comprehensive and integrated development than incremental and piecemeal approach that has occurred in the past.

(2) The Master Plan sets a priority on redevelopment and infill, saving precious natural resources and allocating more land to open space and a network of green infrastructure. Density transfers will promote the preservation of open space, shared parking ratios for mixed-use developments, and underground parking structures to create a "park once" experience and to encourage walking throughout the Village core.

(3) The connections between the riverwalk, Plaza and new river crossings will all contribute to much better pedestrian travel and experience.

D. The TIDD Plan incorporates the following sustainable development considerations:

(1) There will be major riparian area restoration to include native plants, with nature/riverwalk trails. The TIDD will also incorporate alternative energy where possible for heating of public spaces and snow removal.

(2) The shuttle service from the Town of Taos to the Village will be expanded through private investment in shuttle service within the Village, between Town of Taos and the Village, and the Sunport and Taos Regional Airport and the Village, which will all assist in reducing vehicle traffic, pollution, dust, and noise, and contribute to more sustainable energy consumption.

E. As described in Subsections C(1) and (2) of this Section 2, the TIDD Plan conforms to the general or long-term planning of the Village.

F. The financing of the Project Infrastructure is feasible and, based upon the Feasibility Study, will not impose an undue burden on the future owners of property located within the TIDD or served by the Project Infrastructure.

G. The financing of the Project Infrastructure will enable the TIDD to construct those improvements in a cost-effective manner.

H. The TIDD is planned and will be implemented in a manner which provides for the Expenses to be paid by the TIDD.

I. The TIDD shall not impose an operating tax levy which would otherwise be authorized by Section 5-15-13 of the TIDD Act.

Section 3. Approval of Application and Formation Documents; Conditional Formation of District.

A. TIDD Formation. The TIDD is hereby formed, subject to the approval of a majority of votes cast in favor of formation at the Election, which shall be held as provided in Section 9 of this Resolution.

B. Application and Petition. The Application and Petition are hereby accepted and approved.

C. TIDD Plan and Development Agreement.

(i) The TIDD Plan, which was previously approved for purposes of Section 5-15-4(C) of the Act and subject to further proceedings of and necessary approvals by the Village, is hereby ratified. The TIDD shall include the Real Property as shown in the TIDD Boundary Map attached to the TIDD Plan and incorporated by reference in this Formation Resolution.

(ii) The Feasibility Study is hereby accepted and approved.

(iii) The Master Development Agreement is hereby accepted and approved. The Mayor is authorized and directed to execute the Master Development Agreement on behalf of the Village, with such changes as are consistent with the provisions of this Formation Resolution.

(iv) The TIDD shall have the powers necessary and convenient to finance, construct, purchase, or reimburse the Applicant for the cost of the TIDD Infrastructure Improvements as provided in the TIDD Plan, Feasibility Study, Master Development Agreement, as those documents may be amended or modified with the approval of the Village. The Applicant, TIDD and the Village shall be bound by the terms thereof.

D. Purpose of TIDD. The purpose of the TIDD shall be to provide financing of the TIDD-eligible Infrastructure set forth in the TIDD Plan and the Master Development Agreement.

E. Maximum Authorized Amount and Interest Rates of Bond Financing.

(i) The maximum aggregate principal amount of TIDD Bonds issued by the TIDD shall not exceed the lesser of (i) Reimbursable Costs, plus amounts to be used to fund debt service reserves, capitalized interest, credit enhancement, costs of issuance and sale, and other costs normally associated with the issuance of TIDD Bonds as permitted by the Act, or (ii) \$40,000,000, plus the amount determined as the increase in the cost of constructing public infrastructure improvements by applying the Construction Cost Index applicable to the Albuquerque region published in ENR.com by the McGraw-Hill Companies (or, in the event such index is no longer published at the applicable time, such other index of construction costs as the TIDD and the Village Administrator or successor in function mutually determine is acceptable for purposes of this Agreement and the Formation Documents).

(ii) As required by the Act, prior to the issuance of TIDD Bonds by the TIDD, the Applicant or its designee shall have contributed at least 20% of the initial estimated cost of the TIDD-Eligible Infrastructure to be reimbursed from proceeds of the TIDD Bonds, which contribution may be reimbursed from the proceeds of TIDD Bonds, as permitted by the Act.

H. Additional Documents. The officers, agents and employees of the Village are hereby authorized and empowered to take all actions necessary and to execute and deliver all documents relating to or requested by the TIDD to carry out and comply with the provisions of the Formation Documents.

I. TIDD Board Initial Meeting. The TIDD Board shall hold a public meeting within 60 days following the Date of Formation. At that meeting, the TIDD Board shall adopt an open meetings policy pursuant to the Open Meetings Act, Sections 10-15-1 through 10-15-4, NMSA 1978 and Bylaws for the TIDD, shall enter into the Master Development Agreement by authorizing its execution and delivery by the Chair of the TIDD Board, and shall take such other

action, toward or in connection with the issuance of Bonds by that TIDD, as authorized by this Formation Resolution.

Section 4. Dedication of Village GRT Increment. The Village hereby approves the dedication of the Village GRT Increment, which dedication shall be effective on the Date of Formation.

Section 5. Dedication of *Ad Valorem* Property Tax Increment. The Village hereby approves the dedication of the Property Tax Increment, which dedication shall be effective on the Date of Formation.

Section 6. Request for Dedication of State GRT Increment; Pledge of Increment. The Village hereby ratifies the application to the State Board of Finance, on behalf of the TIDD, for a dedication of the State GRT Increment. The TIDD shall be authorized to pledge the State GRT Increment for payment of TIDD Bonds, as provided in the approval by the State Board of Finance of the dedication and the appropriation by the Legislature of the State GRT Increment.

Section 7. Issuance of Tax Increment Revenue Bonds. For the purpose of reimbursing the Applicant for Reimbursable Costs of TIDD-eligible Infrastructure, the eligible costs of the Public Infrastructure Project actually incurred by the Applicant, the TIDD shall be authorized to issue multiple series of revenue bonds secured by the Village GRT Increment, the Village Property Tax Increment and, to the extent available, the State GRT Increment (collectively, "Tax Increment Revenue Bonds"). The TIDD may issue short-term Tax Increment Revenue Bonds, which shall mature not less than 1 day nor more than 30 days following issuance, on a periodic basis secured by non-recurring Village GRT Increment and, if dedicated, State GRT Increment generated by construction within or allocated to the TIDD. The TIDD may issue longer-term Tax Increment Revenue Bonds at such times that recurring Tax Increment Revenues are sufficient to secure the payment of debt service thereon. The issuance of TIDD Bonds pursuant to the Formation Documents remains subject to the requirements and limitations of the TIDD Act.

Section 8. TIDD Governance.

A. The TIDD's Board shall initially be five directors, composed of four members appointed by the Village and the fifth member of the five-member board is the Secretary of Finance and Administration of the State of New Mexico or the Secretary's designee (the "DFA Director").

B. Tom Wittman and Chris Stagg shall serve 6-year terms.

C. Neal King and Chaz Rockey shall serve 4-year terms.

D. The DFA Director shall be a permanent director and in the event that any specific person filling the DFA Director position shall die, resign or otherwise vacate the board position, the TIDD shall apply to the Secretary of Finance and Administration for the designation of a new director to fill the DFA Director position. If a vacancy occurs on the

board because of the death, resignation or inability of the director to discharge the duties of the director, the TIDD Board shall appoint a director to fill the vacancy, and the director shall hold office for the remainder of the unexpired term until a successor is appointed or elected. At the end of the initial term of any director other than the DFA Director, the TIDD either shall hold an election of new directors by majority vote of owners and qualified resident electors in accordance with the Act, or governance of the TIDD shall revert to the Village.

- E. Pursuant to Section 5-15-11 of the TIDD Act, the Village of Taos Ski Valley Clerk, currently Ann Marie Wooldridge, is appointed clerk of the TIDD and Chaz Rockey is appointed treasurer of the TIDD.

Section 9. Formation and Bond Election Procedures.

A. Votes by Landowners. As provided in Section 5-15-8(M) NMSA 1978, each Landowner shall have the right to cast the number of votes or portion of votes equal to the number of acres or portion of acres rounded upward to the nearest one-fifth of an acre owned in the TIDD by that Landowner on each question on the ballot in the Election. A Landowner with a fractional undivided interest in a parcel of land (e.g. community property or joint tenancy) shall share the number of votes or portions of votes equal to the number of acres or portions of acres rounded upward to the nearest one-fifth of an acre, in proportion to that Landowner's fractional undivided interest in the parcel. A Landowner who is also a Resident Qualified Elector shall have the right to vote only as a Landowner. The following examples are provided for illustration purposes:

(1) Landowner A owns 20.3 acres. Landowner A may cast 20.4 votes (1 vote per acre x 20 acres, plus .3 acres rounded up to the nearest 1/5 acre = 0.4 acres).

(2) Married couple B owns 1 acre as community property. Each spouse has an undivided 50% ownership interest in the property and each may therefore cast 0.5 votes.

(3) Owner C owns a condominium in a 10-unit condominium complex located on 1.5 acres. All 10 condominium units are the same size. 1.5 acres rounded to the nearest 1/5 acre = 1.6 acres, or 1.6 votes. Owner C may cast 0.16 votes (1.6 votes / 10).

B. Votes by Resident Qualified Electors. A Resident Qualified Elector shall have the right to cast one vote on each question on the ballot in the Election.

C. Call and Notice for Formation and Bond Election. The Village Clerk shall provide a call for Formation and Bond Election by notice to be posted in at least three (3) public places within the TIDD and published in full once a week for at least two (2) consecutive weeks before the date of the Election in the *Albuquerque Journal* and *Taos News* or another newspaper of general circulation within the TIDD. The Notice of Formation and Bond Election shall be in substantially the following form:

(Form of Notice of Formation and Bond Election)

NOTICE OF FORMATION AND BOND ELECTION

**VILLAGE OF TAOS SKI VALLEY
TAX INCREMENT DEVELOPMENT DISTRICT
FORMATION AND BOND ELECTION**

ELECTION DATE: JANUARY 30, 2015

LOCATION OF THE ELECTION: OFFICE OF THE VILLAGE CLERK, 7 FIREHOUSE ROAD, VILLAGE TAOS SKI VALLEY, NEW MEXICO 87525

SUBMITTAL OF BALLOTS: BALLOTS MAY BE DELIVERED BY HAND TO THE OFFICE OF THE VILLAGE CLERK DURING REGULAR BUSINESS HOURS (8 A.M.-5.P.M. MONDAY THROUGH FRIDAY) BEGINNING JANUARY 20, 2015 UNTIL JANUARY 30, 2015. BALLOTS MAY BE RETURNED BY U.S. MAIL AT THE ADDRESS LISTED ABOVE. BALLOTS MUST BE RECEIVED NO LATER THAN 7:00 P.M. ON THE DATE OF THE ELECTION, JANUARY 30, 2015.

PURPOSE OF THE VILLAGE OF TAOS SKI VALLEY TAX INCREMENT DEVELOPMENT DISTRICT: The Village of Taos Ski Valley Tax Increment Development District ("TIDD") is part of a plan for the revitalization of the Village through the redevelopment of portions thereof, the construction of roadway, pedestrian, river crossing, water, wastewater and other utility improvements and upgrades necessary to support future development of the Village as a world-class, four-season resort destination.

PURPOSES FOR WHICH BONDS WILL BE ISSUED: The TIDD shall issue bonds for purposes of financing of public infrastructure serving the TIDD, including, without limitation, relocation and improvement of the Mountain Park Entrance area, public plaza improvements, upgrades to existing public parking areas and recreational vehicle parking, river walkway and stream protection and restoration improvements, water, sanitary sewer and storm sewer improvements, road, river crossing and intersection crossing improvements, consisting of bridge construction on Parcel D-G, Sutton Place Crossing, West Burroughs Crossing, Strawberry Hill Crossing, upgrades to Ernie Blake Road and Thunderbird Road, paving improvements to Twining Road, improvements to Strawberry Hill Access Road, improvement of Highway 150 at Village entry, street lights and signage; electric, natural gas and telecommunication utility improvements, including trenching and installation of transmission and distribution lines from the terminal point location in Arroyo Seco to locations within the Village.

MAXIMUM AMOUNT OF TAX INCREMENT REVENUE BONDS TO BE ISSUED:
\$40,000,000.

VILLAGE OF TAOS SKI VALLEY TAX INCREMENT DEVELOPMENT DISTRICT PLAN AND BOUNDARIES: The approved TIDD Plan is on file with the Village Clerk. The boundaries of the TIDD are set forth in the map below and attached to the TIDD Plan on file with the Village.

CONTACT INFORMATION FOR THE VILLAGE CLERK: Village Clerk, Village of Taos Ski Valley, 7 Firehouse Road, Taos Ski Valley New Mexico 87525, Tel. (575) 776-8220, Ext. 3#

(End of Form)

A. Date of Election. The date of the Election shall be January 30, 2015 from 8 a.m. to 7 p.m.

B. Request to County Assessor. The Village Clerk shall request that the County Assessor provide to the Village Clerk a list of the names and addresses of the owners of real property in the District on the current property tax assessment roll.

C. List of Registered Electors. The Village Clerk shall prepare a voter list of registered electors residing within the TIDD and owners of property within the TIDD from the lists provided by the County Clerk and County Assessor.

D. Ballot. The Village Clerk shall prepare and provide a form of ballot containing an impartial description of the TIDD PLAN and a brief description of arguments for and against the formation of the tax increment development district. The ballot shall be in substantially the following form:

(Form of Ballot)

BALLOT

VILLAGE OF TAOS SKI VALLEY TAX INCREMENT DEVELOPMENT DISTRICT FORMATION AND BOND ELECTION

Each owner of real property located in the Village of Taos Ski Valley Tax Increment Development District ("TIDD"), located in the Village of Taos Ski Valley, New Mexico and each resident qualified elector, if any, residing in the TIDD (collectively, the "Voters") may vote for formation of the TIDD. Completed ballots, including mailed ballots, will be accepted at the Office of the Village Clerk, 7 Firehouse Road, Taos Ski Valley, New Mexico 87525. Ballots may be delivered by U.S. mail or by hand, and will be accepted in person during regular business hours (8 a.m.-5 p.m. Monday-Friday) beginning January 20, 2015. Ballots must be received by 7:00 p.m. on January 30, 2015.

PURPOSE OF THE VILLAGE OF TAOS SKI VALLEY TAX INCREMENT DEVELOPMENT DISTRICT: The Village of Taos Ski Valley Tax Increment Development District ("TIDD") is part of a plan for the revitalization of the Village through the redevelopment of portions thereof, the construction of roadway, pedestrian, river crossing, water, wastewater and other utility improvements and upgrades necessary to support future development of the Village as a world-class, four-season resort destination.

PURPOSES FOR WHICH BONDS WILL BE ISSUED: The TIDD shall issue gross receipts tax increment revenue and/or property tax increment revenue bonds for purposes of financing of public infrastructure serving the TIDD, including, without limitation, relocation and improvement of the Mountain Park Entrance area, public plaza improvements, upgrades to existing public parking areas and recreational vehicle parking, river walkway and stream protection and restoration improvements, water, sanitary sewer and storm sewer improvements, road, river crossing and intersection crossing improvements, consisting of bridge construction on Parcel D-G, Sutton Place Crossing, West Burroughs Crossing, Strawberry Hill Crossing, upgrades to Ernie Blake Road and Thunderbird Road, paving improvements to Twining Road, improvements to Strawberry Hill Access Road, improvement of Highway 150 at Village entry, street lights and signage; electric, natural gas and telecommunication utility improvements, including trenching from the terminal point location in Arroyo Seco to locations within the Village.

The formation of the TIDD will not result in the imposition of any new property taxes or gross receipts taxes within the Village of Taos Ski Valley. If formed, the TIDD will issue revenue bonds secured by gross receipts tax increment revenue, which is gross receipts tax revenue generated in excess of the gross receipts tax revenue generated within the Village in the calendar year prior to the year in which the TIDD is formed.

If property tax increment revenue bonds are approved at the Election, such bonds will be payable from property tax increment revenue, which property tax revenue generated in excess of the property tax revenue generated within the Village in the calendar year prior to the year in which the TIDD is formed.

FORMATION ELECTION QUESTION SUBMITTED:

Shall the Village of Taos Ski Valley Tax Increment Development District be formed?

DISTRICT: _____[YES] _____[NO]

BOND QUESTION SUBMITTED:

Shall the Village of Taos Ski Valley Tax Increment Development District be authorized to issue Property Tax Increment Bonds in a principal amount not to exceed \$40,000,000?

BONDS: _____[YES] _____[NO]

(End of Form)

F. Voter Affidavit. Any person casting a ballot by mail or in person as a resident qualified elector or property owner shall sign an affidavit that the person is an elector of the TIDD. The affidavit shall be on a form that contains in substance the following:

(Form of Affidavit)

VILLAGE OF TAOS SKI VALLEY TAX INCREMENT DEVELOPMENT DISTRICT FORMATION AND BOND ELECTION

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My Commission Expires:

(End of Form)

G. Completed Ballots Deadline. Completed ballots, whether delivered by hand or U.S. Mail, must be received by January 30, 2015 at 7 p.m. at the Office of the Village Clerk. Within thirty (30) days after the Election, the Board shall meet and canvass the returns, determining the number of votes properly cast by the owners and resident qualified electors. The ballots shall be counted and results tallied in the Office of the Village Clerk, 7 Firehouse Road, Taos Ski Valley, New Mexico.

H. Request for Ballot; Provisional Ballot. The Village shall mail ballots to all known owners of real property and all known resident qualified electors in the Village. Ballots may also be requested by contacting the Village Clerk, who shall make ballots available both by mail and at the Office of the Village Clerk to persons appearing on the voter list. The Village Clerk shall make a provisional ballot available both by mail and at the Office of the Village Clerk to any person who does not appear on the voter list, but who claims eligibility to vote as either a qualified resident elector or owner of property within the TIDD, as provided in Section 5-15-8(G) NMSA 1978.

I. Precinct and Election Judges. The Village shall constitute a single precinct for the Election. The Village Clerk is hereby appointed the election judge for the Election.

J. Absentee Ballots and Election Returns. Outer envelopes (ballots) from voters may be accepted by the Village Clerk by mail, and by hand beginning on January 20, 2015 until 7 p.m. on January 30, 2015 and the Village Clerk shall determine the number of ballots not received and execute the certificate of unreceived ballots.

K. Canvassing Results and Certificate of Canvassing. The Village Clerk shall canvass the returns within thirty days after the Formation and Bond Election, determining the number of votes properly cast by owners and resident qualified electors. A majority of the votes cast at the Election shall be required. The canvass may be continued for an additional period not to exceed thirty days at the Formation and Bond Election of the Village or district board for the purpose of completing the canvass. Failure of a majority to vote in favor of the matter submitted shall not prejudice the submission of the same or similar matters at a later election; provided that an election on the same question shall not be held within one year of the failure of a majority to vote in favor of that question.

Section 10. Amendments. This Formation Resolution may be amended or supplemented by ordinance or resolution adopted by the Village in accordance with the laws of the Village and the State.

Section 11. Repealer. All ordinances or resolutions, or parts thereof in conflict with the provisions of this Formation Resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

Section 12. Severability. If any section, paragraph, clause or provision of this Formation Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall in no manner affect any remaining provisions of this Formation Resolution.

Section 13. Publication of Notice of Adoption of Formation Resolution.

A. The Clerk is hereby directed to publish a notice of this Formation Resolution, in substantially the following form:

PUBLIC NOTICE
VILLAGE OF TAOS SKI VALLEY, NEW MEXICO
NOTICE OF MEETING AND PUBLIC HEARING

The Village of Taos Ski Valley, New Mexico (the "Village") hereby gives notice of its meeting scheduled for January 6, 2015 at 2 p.m. at the Columbine Conference Center, Taos Ski Valley, New Mexico, which is the regular meeting place of the Village. At such meeting, the Village will hold a public hearing concerning the adoption of a resolution relating to the formation of the Village of Taos Ski Valley Tax Increment Development District (the "District") pursuant to the Tax Increment for Development Act. The Village may consider and take other necessary action relating to the formation of the District and other business, which may come before the Council. The title of the proposed resolution is as follows:

APPROVING THE PETITION AND APPLICATION OF TAOS SKI VALLEY, INC., A NEW MEXICO CORPORATION AS AGENT FOR TWINING DEVELOPMENT LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND SANTANDER HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, TOGETHER WITH TWINING, LLC AND TSV, INC. AND THEIR RESPECTIVE SUCCESSORS, ASSIGNS AND DESIGNEES, FOR FORMATION OF THE TAX INCREMENT DEVELOPMENT DISTRICT (THE "TIDD") PURSUANT TO THE TAX INCREMENT FOR DEVELOPMENT ACT, SECTIONS 5-15-1 THROUGH 5-15-28, NMSA 1978; DETERMINING THAT THERE IS A NEED FOR THE TIDD TO FINANCE PUBLIC INFRASTRUCTURE NECESSARY TO SUPPORT CURRENT AND FUTURE DEVELOPMENT OF THE VILLAGE; MAKING FINDINGS IN CONNECTION WITH THE PETITION AND SUPPORTING DOCUMENTATION REQUESTING APPROVAL OF THE FORMATION OF THE DISTRICT; DETERMINING THE REAL PROPERTY TO BE INCLUDED WITHIN THE DISTRICT AND THE PURPOSES FOR WHICH THE DISTRICT IS BEING FORMED; APPROVING THE APPLICATION, PETITION, AND FEASIBILITY STUDY AND MASTER DEVELOPMENT AGREEMENT FOR IMPLEMENTATION OF THE DISTRICT; RATIFYING THE TAX INCREMENT DEVELOPMENT PLAN APPROVED FOR CONSIDERATION IN CONNECTION WITH THE FORMATION OF THE DISTRICT; DEDICATING 75% OF

CERTAIN GROSS RECEIPTS TAX INCREMENT REVENUE GENERATED WITHIN THE DISTRICT AND 75% OF THE *AD VALOREM* PROPERTY TAX INCREMENT REVENUE GENERATED WITHIN THE DISTRICT FOR THE FINANCING OF PUBLIC INFRASTRUCTURE FOR THE DISTRICT, AS PROVIDED IN THE DEVELOPMENT AGREEMENT; RATIFYING THE SUBMITTAL OF AN APPLICATION TO THE STATE BOARD OF FINANCE FOR A DEDICATION OF 75% OF THE STATE GROSS RECEIPTS TAX INCREMENT REVENUE GENERATED WITHIN THE DISTRICT; ESTABLISHING PARAMETERS FOR THE ISSUANCE OF TAX INCREMENT BONDS BY THE DISTRICT; PROVIDING FOR GOVERNANCE OF THE DISTRICT THROUGH THE APPOINTMENT OF MEMBERS OF THE GOVERNING BODY OF THE DISTRICT; PROVIDING THAT TAX INCREMENT REVENUE BONDS OF THE DISTRICT AND OTHER OBLIGATIONS OF THE DISTRICT SHALL NOT BE OBLIGATIONS OF THE VILLAGE OF TAOS SKI VILLAGE; CALLING FOR AN ELECTION ON THE QUESTION WHETHER THE DISTRICT SHOULD BE FORMED AND THE QUESTION WHETHER PROPERTY TAX INCREMENT BONDS SHOULD BE ISSUED; APPROVING FORMS OF NOTICE OF AND PROCEDURES FOR HOLDING THE ELECTION; RATIFYING CERTAIN ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTIONS INCONSISTENT WITH THIS RESOLUTION.

Complete copies of the proposed resolution are on file in the Office of the Village of Taos Ski Valley at the address stated above and are available for inspection during regular office hours.

The following information is provided pursuant to Section 5-15-6 NMSA 1978:

Information concerning alternative methods for submission of objections or comments:

The above-referenced meeting will be open to the public. Persons wishing to comment on the proposed resolution and the matters within its scope may provide comments in person at the meeting or may provide comments in writing, addressed to the Village Clerk, and actually received by the Village Clerk at least one business day before the date of the meeting.

The formation of the Village of Taos Ski Valley Tax Increment Development District is proposed.

Map showing the boundaries of the proposed TIDD is attached hereto as Exhibit A.

A tax increment development plan for the Village of Taos Ski Valley Tax Increment Development District is on file with the Village Clerk and may be reviewed upon request.

A summary of the subject matter of the Resolution is contained in its title. This Notice constitutes compliance with Section 5-15-6 NMSA 1978.

(End of Form of Summary of Resolution for Publication)

ADOPTED THIS 6th DAY OF JANUARY, 2015.

(SEAL)

Ann Marie Wooldridge, Village Clerk

ATTEST:

Date

Neal King, Mayor

Village of Taos Ski Valley
Agenda Item

AGENDA ITEM TITLE:

Consideration to Approve Resolution #2015-276, A Resolution Concerning Governing Body Meetings and Public Notice Required.

DATE: January 6, 2015

PRESENTED BY: Ann Wooldridge

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not recommended

BACKGROUND INFORMATION: Required annually by the State of New Mexico, this is the open meetings act that governs when and how meetings will be conducted.

RECOMMENDATION: Motion to approve Resolution #2015-276 A Resolution Concerning Governing Body Meetings and Public Notice Required.

-- Providing infrastructure & services to a World Class Ski Resort Community --

VILLAGE OF TAOS SKI VALLEY

RESOLUTION NO. 15-276

A RESOLUTION CONCERNING GOVERNING BODY MEETINGS AND PUBLIC NOTICE REQUIRED.

WHEREAS, Section 10-15-1(B) of the New Mexico Open Meetings Act, NMSA 1978 as amended, provides that "All meetings of a quorum of Village Council of any board, commission or other policy-making body of any state agency, or any agency or authority of any county, municipality, district or any political subdivision held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority or the delegated authority of such board, commission or other policy-making body, are declared to be public meetings open to the public at all times, except as otherwise provided in the constitution or the provisions of the Open Meetings Act"; and,

WHEREAS, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, regulation or formal action occurs shall be held only after reasonable notice to the public; and,

WHEREAS, Section 10-15-4, NMSA 1978 provides that "Any person violating any of the provisions of Section 10-15-1, NMSA 1978 is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than five hundred dollars (\$500) for each offense"; and,

WHEREAS, Section 10-15-1(D) of the Open Meetings Act requires the Village of Taos Ski Valley to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE BE IT RESOLVED by the governing body of the Village Of Taos Ski Valley, New Mexico that:

1. All meetings shall be held at the Edelweiss Lodge and Spa Club Room at 2 PM or as indicated in the meeting notice.
2. Unless otherwise specified, regular meetings shall be held each month on the first Tuesday. The agenda will be available at least seventy-two hours prior to the meeting from the Village Clerk/Treasurer whose office is located at 7 Firehouse Road, second floor, Taos Ski Valley, New Mexico. Notice of any other regular meetings will be given ten (10) days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.

3. Special meetings may be called by the Mayor or a majority of the Village Council upon three (3) days notice. The notice shall include an agenda for the meeting or information on how Village Council or the public may obtain a copy of the agenda. The agenda shall be available to the public at least twenty-four hours before any special meeting.
4. Emergency meetings will be called only under unforeseen circumstances which demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The Village of Taos Ski Valley will avoid emergency meetings whenever possible. Emergency meetings may be called by the Mayor or a majority of the Village Council upon twenty-four (24) hours' notice, unless threat of personal injury or property damage require less notice. The notice for all emergency meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda.
5. In addition to the regular meetings of the Village there are Briefings and Workshop Meetings at which no Council action will be taken, and are held principally as information and study sessions. When these meetings are scheduled Notice will be provided.
6. The notice requirements of Sections 1, 2, 3,4 and 5 of this Resolution are complied with if the proposed agenda with the meeting date, time and location is posted at the Village's offices above the Taos Ski Valley Firehouse, 7 Firehouse Road and at the Village Announcement Board located in the tunnel of the TSV, Inc. Resort Center and four other public places within the Village, as provided by Section 3-1-2 NMSA 1978. Revised agendas may be posted up to seventy-two (72) hours prior to the meeting. In addition, written notice of such meetings shall be mailed or hand delivered to federally licensed broadcast stations and newspapers of general circulation which have provided a written request for such notice.
7. Notwithstanding any other provisions of Sections 1 though 6 of this Resolution, the Mayor or Village Council may establish such additional notice requirements as may be deemed proper and advisable to comply with the provisions of the Open Meetings Act.
8. If any meeting is closed pursuant to exclusions contained in Section 10-15-1, Subsection H, NMSA 1978, such closed meetings called by the Mayor or Village Council shall not be held until public notice, appropriate under the circumstances, and in compliance with Sections 1 though 6 of this Resolution, has been given. In addition, such notice shall state the exclusion or exclusions in Section 10-15-1, Subsection H, NMSA 1978 of the Open Meetings Act, under which such closed meeting is permitted.

PASSED, ADOPTED AND APPROVED this 6th day of January, 2015.

THE VILLAGE OF TAOS SKI VALLEY

Mayor

Attest:

Village Clerk

Vote: For _____ Against _____

Village of Taos Ski Valley

Agenda Item

AGENDA ITEM TITLE: Consideration of appeal and discharge for Lodger's Tax late charge penalties in fiscal year 2014.

DATE: January 6, 2015

PRESENTED BY: Nancy Grabowski

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not recommended

BACKGROUND INFORMATION: Every year the auditors select several entities to audit for lodger's tax filings. After the audit for fiscal year 2014 was completed, a property owner was informed that \$400.00 was owed in penalties for late filings of four Lodger's tax reports during the previous year. During several of the months in question, no rent had been collected, so the report showed a zero amount due. All actual lodgers' tax amounts were paid, just not the penalties. The property owner is requesting that the Village waive these penalties. Based on Village ordinance # 2012-14, Section 10, A:

- A. Every vendor is liable for the payment of the proceeds of any occupancy tax that the vendor failed to remit to the municipality, whether due to his failure to collect the tax or otherwise. He shall be liable for the tax plus a civil penalty equal to the greater of 10 percent of the amount not remitted or one hundred dollars. (\$100). The Village Clerk shall give the delinquent vendor written notice of the delinquency, which notice shall be mailed to the vendor's local address.

The Village auditors have recommended that the Village follow its policy and that an appeal, on a case by case basis, should go to the Council for a decision.

RECOMMENDATION: Staff would like the Council to review this appeal.

Tuesday, December 02, 2014

Dear Mark:

I am writing to appeal the recent registered letter which my wife and I received informing us that we owe \$400 in penalties for late filings of Lodger's tax reports, dating back more than a year. The letter was the result of the audit that we went through in September. After spending the afternoon with the auditor, we confirmed that our records are self-consistent, and that we have paid all amounts owed for the Lodger's tax (actually we slightly overpaid, which is fine with us). We are individual homeowners, and we are strongly supportive of the Village of Taos Ski Valley and have diligently paid our taxes as owed, because we know that this is an important source of revenue for the Village. However, as individual homeowners, to us this penalty assessment seems overly punitive.

Three of the four late fees were for summer months when there were no rentals, and no taxes due. The other was late by a couple of days. Over the past year, we have been personally disrupted by a move and the extended sale of our primary residence. The late reports for the summer months came during this period. I would request that you waive the penalties assessed, recognizing our demonstrated good faith in the audit for paying all amounts due.

Thank you for your consideration.