



7 Firehouse Road
Post Office Box 100
Taos Ski Valley
New Mexico 87525

(575) 776-8220

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

PLANNING & ZONING

COMMISSION:

Henry Caldwell
Bob Corroon
Richard Duffy
Yvette Klinkmann
Susan Nichols
Thomas P. Wittman
Jim Woodard

VILLAGE ADMINISTRATOR:

Chief Virgil Vigil, Interim

VILLAGE CLERK:

Ann Marie Wooldridge, CMC

PLANNING & ZONING COMMISSION REGULAR MEETING AGENDA

Monday, June 3, 2024 1:00 P.M.

Via Zoom TeleConference

See www.vtsv.org for information to attend the meeting

TAOS SKI VALLEY, NEW MEXICO

AGENDA

- I. **CALL TO ORDER & ROLL CALL**
- II. **APPROVAL OF THE AGENDA**
- III. **APPROVAL OF THE MINUTES OF THE JANUARY 8, 2024 and the MAY 6, 2024 P&Z COMMISSION MEETINGS**
- IV. **NEW BUSINESS**
 - A. Consideration to recommend to the Village Council Approval of a License to Install, Complete, Operate, and Maintain a Private Water Line within a Public Right of Way to Roger Pattison
- V. **MISCELLANEOUS**
- VI. **ANNOUNCEMENT OF THE DATE, TIME, AND PLACE OF THE NEXT MEETING**
- VIII. **ADJOURNMENT**



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**PLANNING & ZONING
COMMISSION:**

Thomas P. Wittman, Chair
Henry Caldwell
Richard Duffy
Yvette Klinkmann
Susan Nichols
Jim Woodard

VILLAGE ADMINISTRATOR:
John Avila

**DIRECTOR OF PLANNING &
COMMUNITY DEVELOPMENT:**
Patrick Nicholson

VILLAGE CLERK:
Ann Marie Wooldridge

PLANNING & ZONING COMMISSION DRAFT REGULAR MEETING MINUTES

Monday, January 8, 2024 1:00 P.M.

Via Zoom TeleConference

See www.vtsv.org for information to attend the meeting
TAOS SKI VALLEY, NEW MEXICO

MINUTES

I. CALL TO ORDER & ROLL CALL:

Commission Chair Tom Wittman called the meeting to order at 1:00 p.m. Roll call was taken, and a quorum was established. Commission members present: Henry Caldwell, Bob Corroon, Yvette Klinkmann, Tom Wittman, and Jim Woodard.

CommissionerS Absent: Richard Duffy, and Susan Nichols

II. APPROVAL OF THE AGENDA

MOTION: To approve the agenda as written

MOTION: Commissioner Caldwell **SECOND:** Commissioner Woodard **PASSED:** 5-0

III. APPROVAL OF THE MINUTES OF THE AUGUST 7, 2023 P&Z COMMISSION MEETING

MOTION: To approve the minutes of the August 7, 2023 P&Z Commission meeting.

MOTION: Commissioner Woodard **SECOND:** Commissioner Klinkmann **PASSED:** 5-0

IV. NEW BUSINESS

A. Discussion on Proposed **Amendment to Ordinance 2015-51**, Requiring Underground Electrical Service, Clarifying Roles and Responsibilities to Better Enable Implementation. Director Nicholson explained that the Ordinance had been drafted by the Public Safety Committee and taken before the Village Council. Further community discussion was recommended. After discussion, one item was removed from the Ordinance which entailed a \$100.00 a day fine to improve compliance.

MOTION To recommend approval by Council of the updated and amended **Ordinance 2015-51** in sections 2-3, and 2.1

MOTION: Commissioner Caldwell **SECOND:** Commissioner Klinkmann **PASSED:** 5-0

V. MISCELLANEOUS

VI. ANNOUNCEMENT OF THE DATE, TIME, AND PLACE OF THE NEXT MEETING: The next meeting of the Planning and Zoning Commission will be February 5, 2024 at 1:00 p.m. via Zoom. (Note: this meeting was later cancelled.)

VII. ADJOURNMENT

MOTION: To adjourn the meeting

MOTION: Commissioner Caldwell **SECOND:** Commissioner Klinkmann **PASSED:** 5-0

Commission Board Chair Wittman Attest: _____
Village Clerk, Ann Marie Wooldridge

The meeting was adjourned at 2:00 pm.



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Susan Nichols
Thomas P. Wittman
Jim Woodard

VILLAGE ADMINISTRATOR:
Chief Virgil Vigil, Interim

VILLAGE CLERK:
Ann Marie Wooldridge, CMC

PLANNING & ZONING COMMISSION REGULAR MEETING DRAFT MINUTES

Monday, May 6, 2024 1:00 P.M.

Via Zoom TeleConference

See www.vtsv.org for information to attend the meeting
TAOS SKI VALLEY, NEW MEXICO

MINUTES

I. CALL TO ORDER & ROLL CALL:

Commission Chair Tom Wittman called the meeting to order at 1:00 p.m. Roll call was taken, and a quorum was established. Commission members present: Henry Caldwell, Bob Corroon, Yvette Klinkmann, Tom Wittman, and Jim Woodard.

Commission members Absent: Richard Duffy and Susan Nichols

II. APPROVAL OF THE AGENDA

Commission Board Chair Wittman asked that the agenda be amended to exclude approval of the minutes of the January 8, 2024 meeting until the next meeting of the P&Z Commission.

MOTION: To approve the agenda as amended

Commissioner Woodard **SECOND:** Commissioner Klinkmann

PASSED: 5-0

**III. APPROVAL OF THE MINUTES OF THE JANUARY 8, 2024 P&Z
COMMISSION MEETING**

IV. NEW BUSINESS

A. Discussion of Possible Amendments to Ordinance 2022-15, Planning & Zoning Commission Membership, Selection, Appointment, Terms of Office and Removal from Office; Establishing Duties and Powers of the Commission
Commission Chair Wittman explained that NM State Statute requires that Commissioners serve terms of two years, not four or six years, as Ordinance 2022-15 states. This item may be brought to Council for revision soon.

V. MISCELLANEOUS

A. Commission Chair Wittman said that if any Commissioners would like to step down from Commission membership to please let him know.

VI. ANNOUNCEMENT OF THE DATE, TIME, AND PLACE OF THE NEXT MEETING: The next meeting of the Planning and Zoning Commission will be June 3, 2024 at 1:00 p.m. via zoom.

VII. ADJOURNMENT

MOTION: To adjourn the meeting

MOTION: Commissioner Caldwell **SECOND:** Commissioner Woodard

PASSED: 5-0

Commission Board Chair Wittman Attest: _____
Village Clerk, Ann Marie Wooldridge

Village of Taos Ski Valley
Planning and Zoning Commission

Agenda Item

Agenda Item Title: Consideration to recommend to the Village Council a License to Install, Complete, Operate, and Maintain a Private Water Line within a Public Right of Way to Roger Pattison.

DATE: June 3, 2024

PRESENTED BY: John Appel and Tom Wittman

STATUS OF AGENDA ITEM: New Business

CAN THIS AGENDA ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: Roger Pattison is attempting to provide water from an existing well supplied to two lots he owns in Amizette. He has been communicating effectively with the P&Z Chairman and the Village Attorney on his intent and the exact location of the required crossings of Emma Road. A previous Excavation Permit was granted Administratively by the Village Planning Department. Currently the excavation has occurred to the edge of the Emma Road Right-of-Way. Roger Pattison has verbally accepted the License to Install Agreement that is attached (Atch. 1).

RECOMMENDATION: The Staff recommends that the Commission agree to make a Recommendation to the Village Council to approve the "License to Install" Agreement.

**LICENSE TO INSTALL, COMPLETE, OPERATE AND MAINTAIN A PRIVATE
WATER LINE WITHIN PUBLIC RIGHT OF WAY**

The Village of Taos Ski Valley, a New Mexico municipal corporation (hereinafter “VTSV”), grants to Roger Pattison, a single resident of the State of New Mexico (hereinafter “Pattison”), whose mailing address is P.O. Box 272, Elephant Butte, NM 87935, as developer of a community well share, and to his heirs, successors, and assigns (collectively, the “Licensees”), a license to install, complete, operate and maintain a private water line crossing the Emma Street public right of way (ROW) no more than two (2) times in order to service two (2) parcels of private land from a well located on a third parcel, all located within VTSV.

VTSV hereby grants to Licensees a License to make two (2) cuts across Emma Street in order to deliver community water service to 115 Emma (Lot 6, Block 3) and 120 Emma (Lot 1B, Block 6), from the well located on 110 Emma (Lot 1A, Block 6). The line will start at the well located in the southeast corner of 110 Emma (Lot 1A, Block 6), go to the western boundary of 110 Emma (Lot 1A, Block 6), and cross Emma Street over to 115 Emma (Lot 6, Block 3) west of the Emma Street ROW and travel north along and inside of the eastern boundary of 115 Emma Street (Lot 6, Block 3), until it arrives at a Y about 130 feet north from the beginning. The line then splits and goes east to 120 Emma (Lot 1B, Block 6), crossing Emma Street the second time. Other than these two crossings of the ROW, the water line shall run on privately owned property, approximately as shown on the map, attached hereto as Exhibit “A” and hereby made a part hereof.

Pattison shall hire a licensed contractor licensed to do business in the State of New Mexico who has the knowledge and ability to install and complete the said waterline as described herein. The water line shall be buried to a specified depth of at least six (6’) feet, and shall meet all VTSV design specifications for public water lines located in the public ROW, including but not limited

to bedding and fill materials, insulation, etc., and all plumbing materials used for the water line shall meet the specifications and standards as set forth by VTSV. VTSV and its Public Works Department and Department of Public Safety shall be notified at least one week in advance of any and all work to be conducted in the public ROW, and shall have authority to observe and monitor all construction activity. Traffic control and diversion, to the extent necessary, shall at all times be conducted in accordance with all applicable New Mexico Department of Transportation and VTSV policies and standards. These provisions shall be applicable at all times that any work is done in the public ROW, whether during initial installation or at any subsequent time that maintenance or repair of the water line may be needed.

Pattison, or his heirs, successors and assigns (the Licensees), shall incur all costs of installation, relocation, repair and maintenance of this community line for the term of this license.

Pattison hereby agrees to hold VTSV harmless, to the maximum extent permitted by Law, if the contractor, while installing this line hits another utility line while doing all this installation, VTSV shall not be responsible for any damage to existing utility lines in the area. Licensees further agree to indemnify and hold harmless VTSV and its officers, agents, representatives, employees, contractors and subcontractors from any liability or costs that may be incurred at any time while the license granted herein remains in effect, from any damages or costs incurred as a consequence of failure, leakage, subsidence, or any other costs that may be incurred, of any nature whatsoever, as a consequence of the presence of the private water line in the public ROW, whether such costs be due to negligent installation, material failure, or any other cause whatsoever. Licensees further agree to repair, reconstruct, replace, or relocate the water line if at any future time such action is needed to accommodate any utility installation or other public work within the Emma Street ROW, such repair, reconstruction, replacement, or relocation to be conducted at Licensees' sole cost. In

the event that VTSV incurs any costs due to failure of Licenses to comply with any provision of this license agreement, such costs shall be a lien upon the above described properties, to wit, 115 Emma (Lot 6, Block 3), 120 Emma (Lot 1B, Block 6), and 110 Emma (Lot 1A, Block 6), enforceable in accordance with Sections 3-36-1 to 3-36-7, NMSA 1978.

As a condition for the granting of this license by VTSV, Pattison shall pay an administrative fee to VTSV of Five Hundred and no/100 dollars (\$500.00) and a license fee of Two Thousand Five Hundred and no/100 dollars (\$2,500.00) for the twenty-five year license term, due and payable prior to the commencement of any work on the installation of the water line.

The license granted herein shall run for a period of twenty-five (25) years from the date of execution of this license agreement. The license granted herein may be extended for an additional term of up to twenty-five (25) years by mutual agreement of VTSV and Licensees, and upon payment of an additional license fee to be determined by the parties as a condition for such extension.

The license granted herein shall bind and inure to the benefit of the parties hereto and their successors and assigns and shall run with the land for the entire duration of the license granted herein, including any extensions thereof.

WITNESS my hand and seal this _____ day of _____, 2024.

DRAFT—NOT FOR SIGNATURE

Roger Pattison

STATE OF NEW MEXICO)
) SS.
COUNTY OF _____)

This instrument was acknowledged before me on _____, 2024 by Roger Pattison, as his own free act and deed.

Notary Public
My Commission Expires: _____

DRAFT—NOT FOR SIGNATURE

Village of Taos Ski Valley

STATE OF NEW MEXICO)
) SS.
COUNTY OF _____)

This instrument was acknowledged before me on _____, 2024 by _____, as _____ of the Village of Taos Ski Valley, New Mexico, as their own free act and Deed on behalf of the Village of Taos Ski Valley.

Notary Public
My Commission Expires: _____

EXHIBIT "A"

Exhibit A:

