



**VILLAGE COUNCIL REGULAR MEETING AGENDA
MEETING TO BE HELD VIA ZOOM TELECONFERENCE
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, JULY 26, 2022 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 JUNE 28, 2022 VILLAGE COUNCIL REGULAR MEETING**
- 5. CONSIDERATION TO APPROVE APPOINTMENT OF VILLAGE OF TAOS SKI VALLEY PUBLIC SAFETY DIRECTOR VIRGIL VIGIL**
- 6. CONSIDERATION TO APPROVE APPOINTMENT OF VILLAGE OF TAOS SKI VALLEY EMS DIRECTOR RAY GONZALES**
- 7. CITIZEN'S FORUM** –for non-agenda items only. Limit to 5 minutes per person (please email awooldridge@vtsv.org to sign up)
- 8. COMMITTEE REPORTS**
 - A. Planning & Zoning Commission
 - B. Public Safety Committee
 - C. Firewise Community Board
 - D. Parks & Recreation Committee
 - E. Lodger's Tax Advisory Board
- 9. REGIONAL REPORTS**
- 10. MAYOR'S REPORT**
- 11. STAFF REPORTS**
 - A. Administrator Avila
 - B. Finance
 - C. Police Chief Vigil
 - D. Fire Chief Molina
 - E. Building Official Bowden
 - F. Planning Director Nicholson
 - G. Public Works Director Martinez
 - H. Clerk Wooldridge
 - I. Attorney Baker
- 12. OLD BUSINESS**
- 13. NEW BUSINESS**
 - A. Announcement of Special Meeting Friday, July 29, 2022 at 2:00 p.m. via Zoom
 - B. Discussion of Draft 4th Quarter FY 2022 Financial Report for the Year ending June 30, 2022
 - C. Discussion of Draft FY2023 Final Budget
 - D. Discussion and Direction to Village Administrator to Proceed with Contract Preparation for Rocky Mountain Youth Corps and \$35,000 Contribution
 - E. Consideration to Charge the Cost of Village Time and Materials for Excavation Permit in the Right-of-Way for Private construction and Utility Extensions
 - F. Consideration to Approve Purchase of State Police Vehicles
 - G. Consideration to Approve Contract for an Avalanche Study Contract with Wilbur Engineering/Arthur Mears
- 14. MISCELLANEOUS**
- 15. ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING OF THE VILLAGE COUNCIL**
- 16. ADJOURNMENT**



Village of Taos Ski Valley
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**VILLAGE COUNCIL REGULAR MEETING
MINUTES
VIA ZOOM TELE CONFERENCE
TAOS SKI VALLEY, NEW MEXICO
TUESDAY, JULY 26, 2022 2:00 P.M.**

1. CALL TO ORDER & NOTICE OF MEETING

The regular meeting of the Village of Taos Ski Valley Council was called to order by Mayor Pro Tom Wittman at 2:00 p.m. Notice of the meeting was properly posted. Tom Wittman will run the meeting at Mayor King's request. and Mayor King will not make motions or vote.

2. ROLL CALL

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

Governing body present:

Mayor Neal King
Councilor Henry Caldwell
Councilor Brent Knox
Councilor Chris Stagg
Councilor Tom Wittman, Mayor Pro Tom

Staff present:

Village Administrator John Avila
Village Clerk Ann Wooldridge
Public Works Director Anthony Martinez
Police Chief Virgil Vigil
Fire Chief Roberto Molina
Planning Director Patrick Nicholson
Village Attorney Susan Baker

3. APPROVAL OF THE AGENDA:

MOTION: To approve the agenda as written

Motion: Councilor Caldwell Second: Councilor Knox

Passed: 4-0

4. APPROVAL OF THE MINUTES OF THE VILLAGE COUNCIL REGULAR MEETING

Councilor Caldwell suggested that the minutes be amended in Section 6. E.Lodgers Tax Advisory Board report that the budget for Taos Air of \$300,000.00 was approved. because it was the best use of the funds.

MOTION: To approve the minutes with the suggested amendment

Motion: Councilor Stagg Second: Councilor Caldwell

Passed: 4-0

5. Consideration to Approve Appointing Virgil Vigil to Public Safety Director

Mayor Pro Tom Wittman said that after considerable discussion with Mayor King, it's been decided to go back to having a Public Safety Department with a Public Safety Director.

Mayor King said that the current structure is not conducive to good order and getting things done. He said that there is a need for a Public Safety Director to oversee the Police, Fire, and EMS Departments.

MOTION: To approve appointing Virgil Vigil Public Safety Director for the Village of Taos Ski Valley

Motion: Councilor Stagg Second: Councilor Knox

Passed: 4-0

6. **Consideration to Approve Appointing Ray Gonzales to EMS Director**
 Mayor Pro Tom Wittman said that Ray Gonzales is the only paid staff member working as a Village EMT currently. Mayor King said that the Council could circle back in six months or so to review this position.
MOTION: To approve appointing Ray Gonzales to EMS Director for the Village of Taos Ski Valley
Motion: Councilor Stagg Second: Councilor Knox Passed: 4-0
7. **CITIZENS' FORUM** – Limit to 5 minutes per person (please sign in)
 No one spoke at the Citizen's Forum
8. **COMMITTEE REPORTS**
 - A. **Planning and Zoning Commission:** Commission Chair Wittman reported on the July 11th, 2022 P&Z meeting. There were two items of business: a Public Hearing on the Conditional Use Permit (CUP) for a Multi-Family Unit in a Single-Family Zone at 3 Coyote Lane, and discussion of the ICIP. At the CUP Public Hearing, four people spoke in favor of the conditional use and three spoke against. Five Commissioners voted and the motion to approve was passed 3-2, with Commissioners Klinkmann and Stagg recusing themselves. The annual ICIP was presented and discussed. The Commission made a motion to recommend approval by the Council.
 The new Avalanche Hazard Assessment was discussed under Miscellaneous.
 The next Planning and Zoning meeting will be held on September 12, 2022 at 1:00, as the first Monday of September is Labor Day.
 - B. **Public Safety Committee:** Committee Chair Kathy Bennett announced that the Public Safety and Firewise Board did not meet in July due to the holiday. On July 4th the Firewise Board handed out coloring books, crayons, and stickers for children. Brochures were handed out to adults about Firewise standards and keeping private property in compliance. Chair Bennett thanked the Woodards for helping with this. The next meeting will be held August , 2022 at 10:00 for Public Safety and at 11:00 for Firewise.
 - C. **Firewise Community Board of Directors:**
 - D. **Parks & Recreation Committee:** Intern Scotney Blackburn reported working with Rocky Mountain Youth Corps on a grant for trails with the NM Outdoor Recreation Division. The next meeting has not been scheduled.
 - E. **Lodger's Tax Advisory Board:**
9. **REGIONAL REPORTS:** There were no Regional reports
10. **MAYOR'S REPORT:** Mayor King thanked Mayor Pro Tom Wittman for his extra work in conducting meetings for him. Mayor King said that he has been actively working on special reporting for water and sewer on what works and does not work to allow the Village to forecast. He will report back on this as soon as he has more information that is beneficial.
11. **STAFF REPORTS:**

Administrator John Avila: Reported that he would like to let people know about the NFL grants that Building Official Bowden is conducting since Official Bowden was not able to attend the meeting today. Administrator Avila said that the Covid protection guidance for indoors is that people wear masks. It is the hope that testing results will help with negotiations on work at the wastewater treatment plant. The valve will be repaired at the Kachina Water tank. The funds are not available yet, but when they are they will be utilized toward this project. The police vehicle that was damaged at the Village Complex has been repaired. An appraisal of the Village Complex property will be discussed at the August Council meeting. For electrical undergrounding, there is a project started at Phoenix and Coyote for a joint trench for natural gas and electrical undergrounding. Administrator Avila thanked the Village Public Works Department for marking and assisting with getting this project done. TIDD projects are expected in August regarding the Village Entry Road design, which will go to Council for approval. The hold up with Highway 150 in undergrounding is in obtaining the necessary permits. If the Village doesn't get the green light from the US Forest Service, one option is to get easements from citizens to allow the Village to get on the frontage of Highway 150 to get the electric lines installed. These requests will be sent out to property owners.

Finance: There will be interviews held next week for the Finance Director vacant position. Eight of the eleven applicants will be interviewed by Administrator Avila, Mayor Pro Tem Wittman, and Interim Finance Director Madrid.

Building Official Bowden: Intern Scotney Blackburn said that the NFL Grant would be discussed with the Firewise Board of Directors in August. Bids for contractors to conduct the firewise thinning are being taken through the Village website. The deadline is August 4, 2022. Bowden and Blackburn are in the final stages of selecting properties in the Fire Mitigation Corridor. Once they have the contractors in line, there will be more information. The total number of private applicants that have applied are 56, to equal 83 parcels of private property. This is about 39 acres of private land, she said. The total Village parcels are 27, which equals 28 acres of Village-owned property. Properties are being evaluated as applications are received, but not all properties have been evaluated yet.

Clerk Wooldridge: At the next Council meeting, a voting delegate for the annual Municipal League conference Resolutions Committee should be selected. The Village has hired a Deputy Clerk/Public Works Administrative Assistant, Marlene Salazar.

10. OLD BUSINESS:

11. NEW BUSINESS

A. A Special Council Meeting will take place Friday, July 29, 2022 at 2:00 p.m. for the Final Budget Approval. The deadline for the submission to DFA is July 31, 2022.

B: Discussion of Draft 4th Quarter FY 2022 Financial Report: The 4th quarter report has not yet been drafted.

C: Discussion of Draft FY 2023 Final Budget: this will be completed by Friday, July 29, 2022.

D: Discussion and Direction to Village Administrator to Proceed with Contract Preparation for Rocky Mountain Youth Corps and \$35,000.00 Contribution

This is the grant that Intern Blackburn has been working on. \$35,000.00 will be required from the Village if the grant is awarded to the Rocky Mountain Youth Corps. No contract will be drawn up until news of the grant is received. Rocky Mountain Youth Corps is seeking assurance that if they do get the grant, that the Village will proceed with the funding to match the contribution. There is additional information needed as this is in process in order to answer additional questions.

E. Consideration to Charge the cost of Village time and materials for Excavation Permit in the Right-of-way for Private Construction and Utility Extensions

Administrator Avila has announced that for public utilities there is a charge for time and material, but that this is not the case for private utilities such as Century Link and others that are in the Village right of way. When these companies make excavations in the right of way and not on private property, they should be held to the same standard as everybody else, said Administrator Avila. This is to ensure that time and materials are paid for, when a project in the right of way is conducted. The Village needs to make sure that the roads are put back in the same condition.

MOTION: To approve charging the cost of Village time and materials for Excavation Permit in the Right-of-way for Private Construction and Utility Extensions

Motion: Councilor Stagg

Second: Councilor Knox

Passed: 4-0

F. Consideration to Approve the Purchase of State Police Vehicles

Chief Vigil reported that he had looked around at other police departments and the Governor's office for state vehicles. He has found three vehicles at \$12,000.00 each and an unmarked vehicle for \$17,000.00. The vehicles will come equipped and with radars. The vehicles have quite a bit of mileage on them, but the Village's mechanic has inspected them. The Village will be able to make any necessary repairs. Chief Vigil thinks that these are good deals.

MOTION: To approve the Purchase of State Police Vehicles

Motion: Councilor Stagg

Second: Councilor Knox

Passed: 4-0

G. Consideration to approve Contract for an Avalanche Study-Contract with Wilbur Engineering/ Arthur Mears Administrator Avila said that a bid was posted for the Avalanche study. There was one response and qualified bidder, which was Wilbur Engineering. The contract will need to be drawn up and agreed upon. Administrator Avila said that the study will show updated zones that indicate avalanche dangers. This information will be used going forward with construction projects. Buildings or housing will be made to be protected if they are not outside

of the avalanche zone. The entire Village will be included in the study. The last avalanche study was conducted over 20 years ago.

MOTION: To approve a Contract for an Avalanche Study-Contract with Wilbur Engineering/ Arthur Mears

Motion: Councilor Stagg

Second: Councilor Knox

Passed: 4-0

12. MISCELLANEOUS

A. Councilor Caldwell thanked Public Works Director Martinez for finding the leak on Coyote that will save millions of gallons annually would like to inform everyone about the report from Anthony talking about the millions of gallons of water that were saved by repairing some lines in July. Kudos to Public Works Director Martinez.

13. ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING OF THE VILLAGE COUNCIL

The next meeting of the Village Council will be the Special Council Meeting on Friday July 29, 2022 at 2:00 p.m. via Zoom. The next meeting of the Village Council Regular Meeting will be Tuesday August 23rd at 2:00 p.m.

14. ADJOURNMENT

MOTION: To Adjourn

Motion: Councilor Knox

Second: Councilor Caldwell

Passed: 4-0

The meeting adjourned at 3:00 p.m.



Mayor Pro Tem Tom Wittman

ATTEST:



Ann M. Wooldridge, Village Clerk

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: PUBLIC HEARING: Consideration to Approve Mayor King Appointment of: Chief Virgil Vigil to Village of Taos Ski Valley Public Safety Director and EMT Ray Gonzales to Village of Taos Ski Valley Emergency Medical Services Director

DATE: July 26, 2022

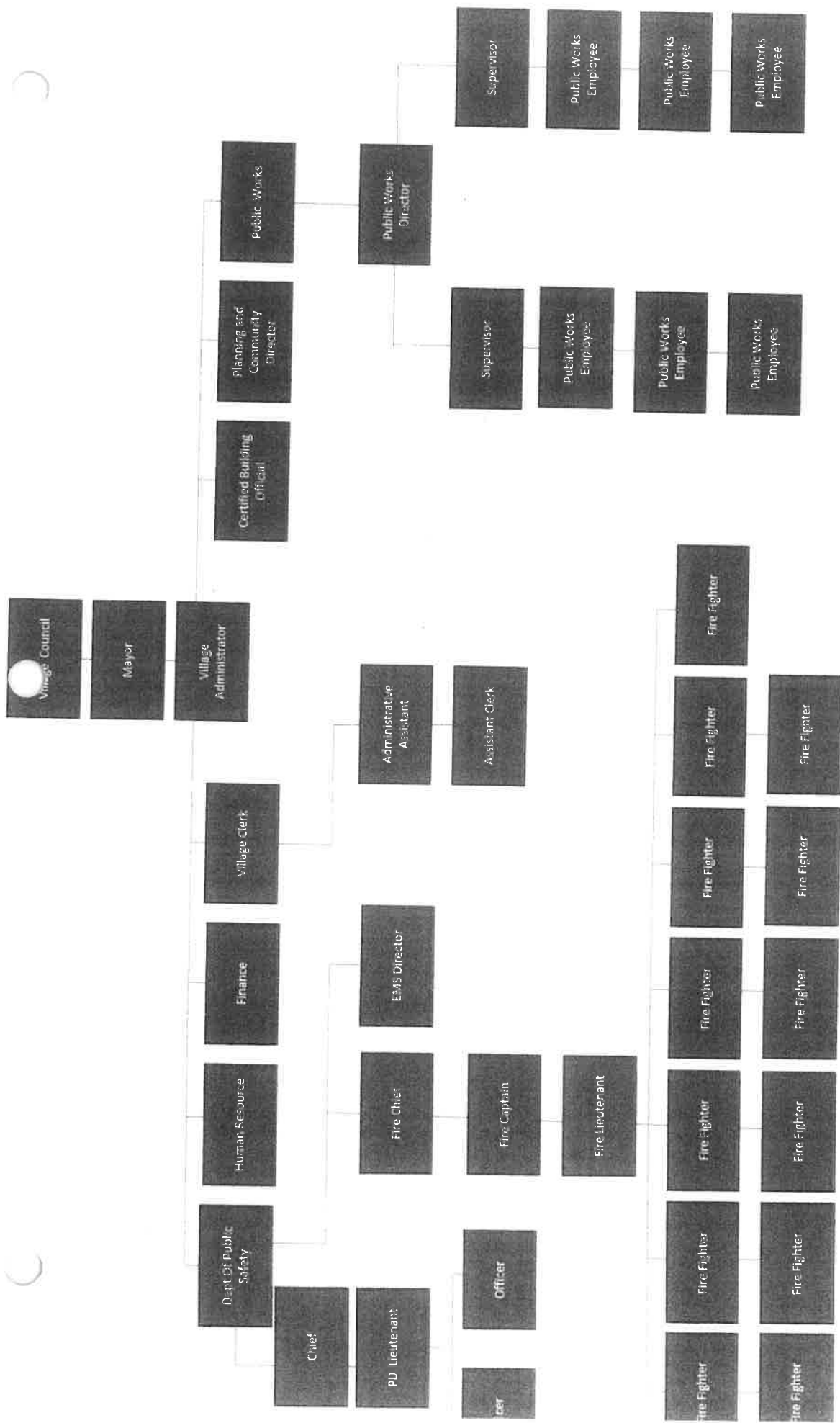
PRESENTED BY: Mayor Pro Tem Tom Whitman

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION:

With reorganization of the Fire Department, EMS Department the further reorganization to an assignment of a Public Safety Director in charge of Police Department, Fire Department and EMS department is now desired. Mayor King has appointed EMT Ray Gonzales to head the EMS Department. And Chief Virgil Vigil has been appointed Public Safety Director to supervise the three departments of Police, Fire and EMS. Both have begun to serve in these capacities in the interim.



John Avila
Village Administrator
Village of Taos Ski Valley Council
Monthly Briefing
July 26, 2022



*** Ongoing & Past Projects ***

COVID -19 - Pandemic Emergency:

In Taos County:

Covid-19 remains a presence in our community.

After peaking in mid-June, cases are now declining in Taos County and New Mexico while they continue to rise nationally. With underreporting being a problem nationally and severe disease and resource drain, our main concerns hospitalizations are ever more relevant. Encouraging then that hospitalizations in Taos County and New Mexico are also declining. Of the states that continue to report, NM continues to show on the daily report of states with high COVID death count, although we maintain some of the lowest rates of infection.

Despite this news, Covid remains at a level in our community that the CDC categorized as High last week. With two of the three variables just over the threshold in the CDC's Community Levels rating system. At this level the CDC recommends that **everyone mask up indoors in public**. The next determination of our community level will be released this Thursday, given the trend of the last few days there is a chance Taos County will be categorized at a lower level.

Symptomatic employees should be directed to Rapid Testing, but it is not appropriate for asymptomatic people - it is best to get a Rapid test after 24 hours and up to 5 days of symptoms. Consortium says: Have Covid Symptoms? Stay HOME, get tested at the Sagebrush Inn (M-F), Holy Cross Hospital or the Youth & Family Center

Village requirements are to be evaluated with each DOH amendment. Village restrictions will be reevaluated for any changes on a monthly basis. Although NMDOH dropped mask requirements again, this happened last year and cases surged. The Village still requires masks in common areas, to allow some percentage of protection until against impact of Variants and to protect individuals with compromised health.

Village Offices are following the NM Department of Health Order and are still OPEN for visitors and operations 9AM -4PM M-F under mask and hygiene restrictions. Staff with work accountability can still request remote Work at Home.

WWTP

The ongoing work for the Waste Water Treatment Plant included corrections for optimized efficiency of the Ovivo System. The Integrated Water Systems engineers and technicians are in contact to address system operations issues including monitoring programs, ceramic plate performance, improving the ultraviolet treatment and injector corrections. A letter addressing issues including monitoring programs,

ceramic performance, improving the ultraviolet treatment and plumbing corrections was delivered to Ovivo to address bond requirements. The temporary treatment was in place while testing is being completed to find the failure point of the current membranes, but it still is on site. These test results will be provided as evidence to Ovivo and the bond company as well as Plummer engineering for proof of product performance.

To meet the needs for system expansion the Waste Water Treatment Plant is designed to process additional peak to protect the water conditions of the area. In order to increase the capacity needed within limited space and funding, a mechanical system was selected by Village for the Waste Water System RFP. This system standard has many times the productivity capacity and requires more technical care. The design engineer must review and approve correction of outstanding issues with Ovivo before final plant completion can be accepted. The Village has not accepted the plant as complete considering the continued required corrections to the system by the manufacturer, Ovivo. The IWS temporary plant was being used for testing solutions without interfering with regular production in the plant. The lack of cooperation and performance required that we notify the Bonding company; that we will be enforcing the bond for correction of the issues.

Kachina Water Tank

Ensuring that the water delivery is optimum, Public Works has reviewed the onsite status of operating systems for the Kachina Tank including water delivery. The project will not be accepted as final until conditions to correct segregation valves are met. Because of COVID product lead times and work demands, the correction is unlikely before end of summer 2022. The correction of segregation valves is at no additional cost to the Village. We have designated our minimal ARPA funding for the purchase of the valve to complete that requirement as well.

Until the permanent Water Booster Station is built, the temporary pump station upgrades allow for remote automatic operation between the pumps and tank equipment. Funding documents were received signed from the Secretary to start with NOA and NTP. The temporary pump station is operational and can receive remote commands through the fiber installation. The temporary pump station has a limited useful life but will suffice until the permanent Kachina Water Booster Station is constructed for service of the Kachina Water Tank. Construction of the pump system should begin in FY 2023 when funding for this project is encumbered. Plummer under TO 26 has started the design process in preparation for construction spring of 2023.

Additional Water Distribution lines below Kachina Tank will also need to be constructed along with replacement of lines. House Bill 2 has \$5M for Taos County Projects from Apportionment Contingency Fund Appropriation of which \$750,000 grant funding has been identified for Village Water line repair. The funding must be utilized by June 2025 and Department of Finance Authority may channel funds through Taos County as the fiscal agent. These are Federal Funds that will have different reporting standards to State Capital outlay.

Village Complex

There is increased interest among employees for housing at the Village Complex, but the operation is an enterprise fund and must produce enough revenue to cover expenses or be part of compensation. 75% occupancy of units is possible this summer including employee housing. The possibility of sale of the property can be done as condominiums or in the entirety the legal requirements would need to first be met. An appraisal has been ordered and expected this month.

The damage from the snow gale to units 9 and 10 was assessed, after the insurance adjuster and the engineer visiting the site. The Village will appeal the loss valuation if it less than needed for repair and an estimate for repair cost is requested of Unit 1, Unit 10 is estimated at under \$290K.

The Building Inspector, Public Safety Housing, EMS office, records retention, Fire Administration, Police Offices are currently housed in Village Apartment units. The Police Department Office is an improvement over the previous 20year assignment to a construction trailer.

The trailer was surplus and removed. The Village Offices at the "Taos Mountain Lodge" location are housed in separate units. The Ambulance shed package is being stored there temporarily.

Additional claims for damage after two more wind events sent surrounding trees into the buildings, are filed with the NM Self Insured Fund. A police vehicle was also damaged and a claim was filed and recently paid for \$12,000.

Facility Undergrounding

- Delayed last year by the economic effects of COVID including shortages in qualified operators and KCEC material shortages. Coordination of the VTSV, KCEC and NM Gas allowed a plan for a joint trench installation for fiber, electricity and gas lines on Coyote, Chipmunk and Phoenix. This project will eventually allow for several sections of overhead electrical line to be installed to underground as well as bring the NM gas facilities near properties along the route
- Additional underground installation is being accomplished with the TIDD Entryway projects in the parking lot, near Thunderbird Road and Firehouse Lane. These are predicted to allow removal of some overhead poles on Twinning Road. An underground connection for the Vehicle Maintenance Facility along with the Waste Water Treatment plant will allow removal of more overhead lines on NM150 once the construction is complete.
- The alleyway between Gusdorf and Emma is another project in the Queue with Kit Carson material and plan secured.
- The project to underground KCEC on upper Twining has been requested of KCEC and an opportunity to utilize joint trenching for improvement of Water and Gas facilities is under consideration.
- The KCEC material and facilities have been purchased for the planned NM150 riverside expansion, however, permitting issues with USFS continue. The option to ask for utility easement along the private frontage on the southside of NM150 may be the only way to get access to the underground cable If the USFS does not permit. *Attached*

Reminder: Once the underground service is available near a property, the steps to connecting underground are:

The Owner to engage a contract electrician for work on their property,

Then together contact Kit Carson Electrical Cooperative with the meter number and request an upgrade to an underground service, KCEC and the electrician will contact the Village for underground permitting and start credit request for public Right of Way work,

Proceed with underground work and connect to the underground service,

Make the credit application for the portion of work done in the public ROW. If the property is undeveloped, the request is for a new service.

Kit Carson Electric Cooperative is again awaiting an answer from the USFS after receiving no permission from NMDOT for access on the south side of the highway. We recommend getting private access along the frontage of NM150 if we don't have a report of progress with NMDOT/KCEC after

many attempts this month. The Village excavation contractor is waiting approval to start work on NM 150.

Village GIS mapping was requested to show those properties that are within reach of connection to underground but have not yet made the connection. This mapping will show the properties that are required to make underground connection to KCEC.

Other KCEC priority underground projects are underground for the alleyway between Gusdorf and Emma in Amizette, Upper Twining joint trench and the joint trench installation of underground electricity with gas line expansion from Coyote – Phoenix.

TIDD

The Tax Increment Development District is the mechanism that certain economic development investments by the designated developer (TSVI) are to be funded by tax revenues from the Village, County and the State. The tax is charged in most areas of the Village for project funding and correction for the misdirected payments is now addressed immediately. TIDD is a separate political subdivision of the State and the Board has fiduciary responsibility for oversight of those taxpayer dollars that pay the Tax Increment Funds Bond. Construction is completed and landscaping along the project for Thunderbird/Ernie Blake Roads with designated snow storage. Public Safety signage is installed for this TIDD project.

Entry Road:

Pending TIDD project; Entry Road development by Taos Ski Valley Inc. has been presented to the Village at the Council Work Shop. Questions and comments are provided to TSVI for their application to US Forest Service permit. The Village gave support to the US Forest Service Master Development Plan submission resolution. The Village is waiting for final drainage drawings and Q&A for the project design to be approved by Council.

The planning documents, Village Water Study and the amendment Water Line Repair Plan are anticipated as TIDD eligible projects. TIDD eligible projects are part to the MDA plan of finance list. Three of four facility projects were accepted for dedication by the Village and the record is forwarded to the TIDD Board for review and approval for reimbursement of the TSVI developer.

Items

Entry Road:

Staff review of design drawings generated some questions for a TIDD project Q&A. Page 3 of the plans shows which part of the project is TIDD eligible. It should be noted that the plans should be considered as 90% Construction Documents as minor adjustments are still being made. Staff working with TSVI have complete Q&A and a recommendation for accepting the Entry Road project design and we expect that Council will have the approval of road design on the Agenda for August.

Plan of Finance

While search for Finance Director continues (interviews in August), work is supported by increased tasks undertaken by Contract Accounting and the recent hire of Morris Madrid as the Finance Officer. Mr. Madrid is filling a part time position but will be available for some full time effort in the next two months. Due to tasks required during transition between Fiscal Year accounting, along with staff departure some leeway for DFA entries is requested but we are required to meet our deadlines such as entering final budget on time.

Traffic Control notice for the Village of Taos Ski Valley residents:

Traffic Control notice for the period of July 25 through August 15, 2022 for the required underground installation of Kit Carson Electric Cooperative facilities.

The KCEC Coyote/Phoenix underground project, delayed from last year, is scheduled to start as early as this week with material and equipment mobilization. *Attached photos*

The project will mean closure of portions of Phoenix Switchback, Chipmunk and Coyote lanes for periods of about 3 days at a time. During these closures you will be asked to use an alternate route. *Attached design maps*

The project is scheduled; to start at the intersection of Phoenix/Kachina in the first week, Start down Chipmunk the second week, And down Coyote in the third week

A more defined work schedule will be distributed at project start and notice of lane closure with alternate routes to be announced as the project proceeds. *Use Coyote/Chipmunk while lanes are restricted on Phoenix*

We hope to limit the traffic inconvenience that is part of trenching projects. This project is a joint trench project so that Fiber, Electric and NM Gas facilities can be placed at the same time for efficiency and coordination.

The Village may fix some water and drainage issues as needed in the project proximity. As the joint trench is planned for 500 feet/installation, there is some opportunity to examine Village drainage, water and sewer lines. *Attached*

This project has some inherent complications and may take a few more steps to complete, so we appreciate your patience and cooperation. For additional information on KCEC underground projects please see monthly reports on the Village web site:



VTSV Joint Use Trench
Analysis 06/08/2021

- Natural Gas Concept Alignment
- building footprint
- Parcel

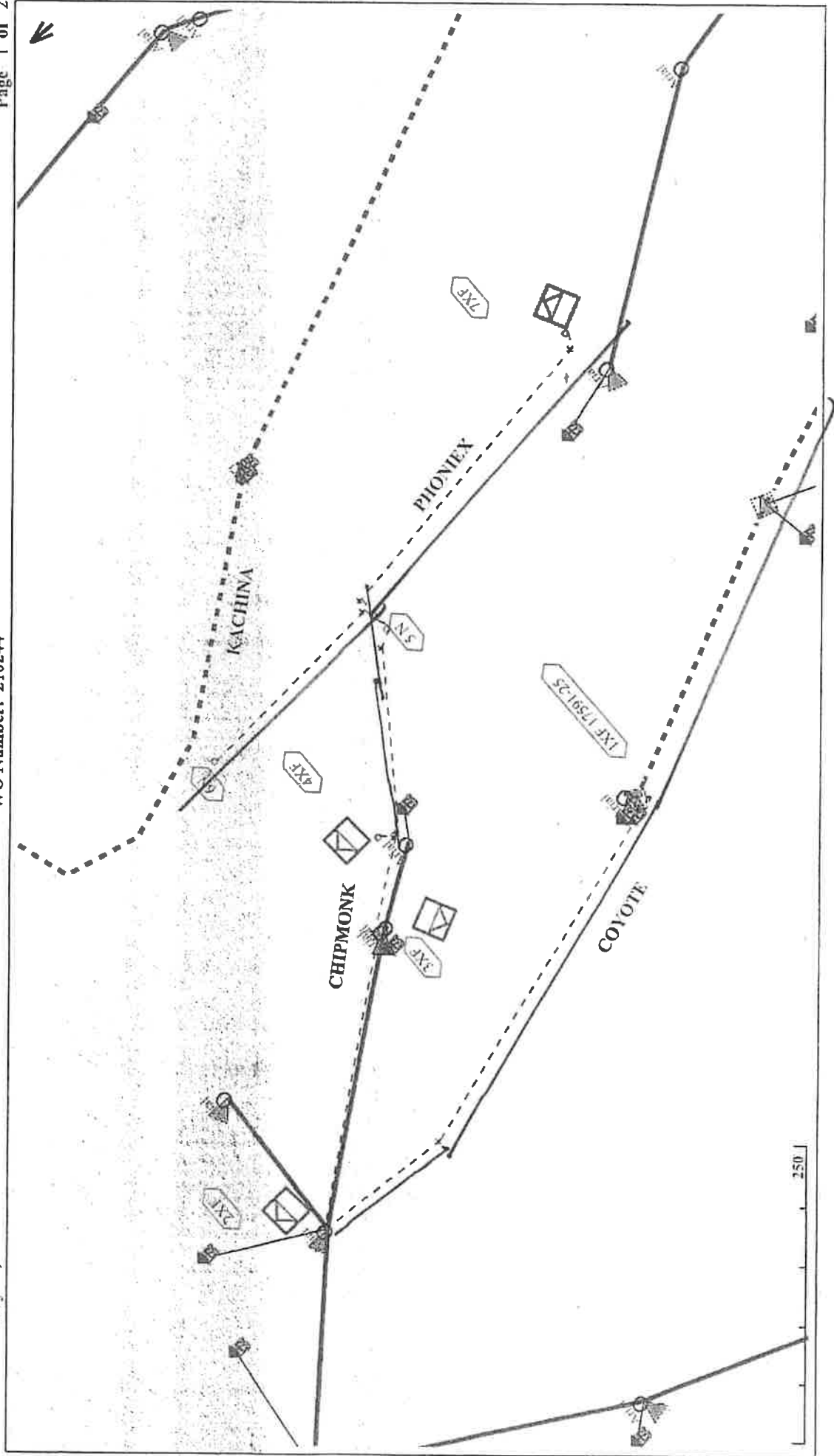
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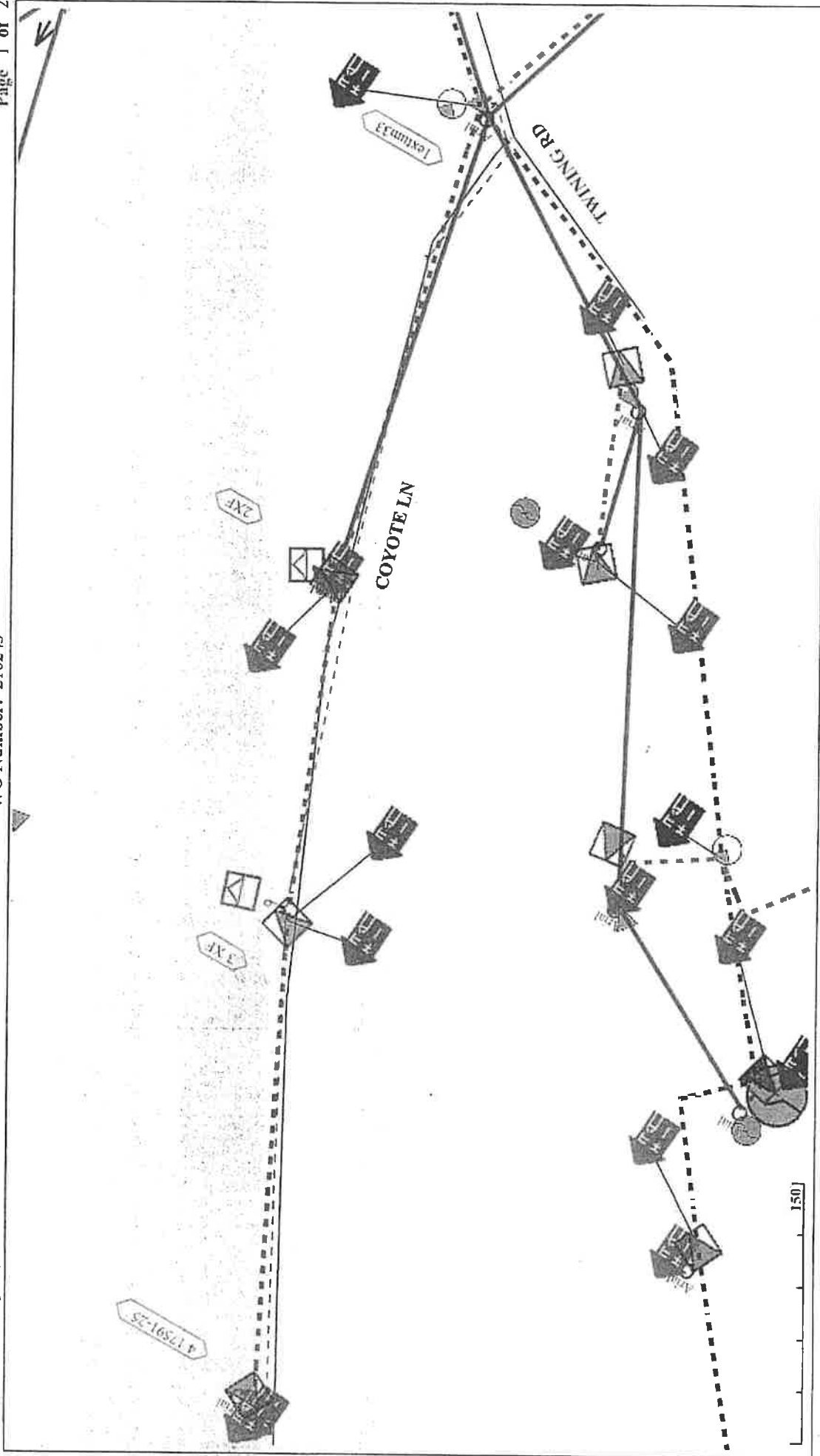
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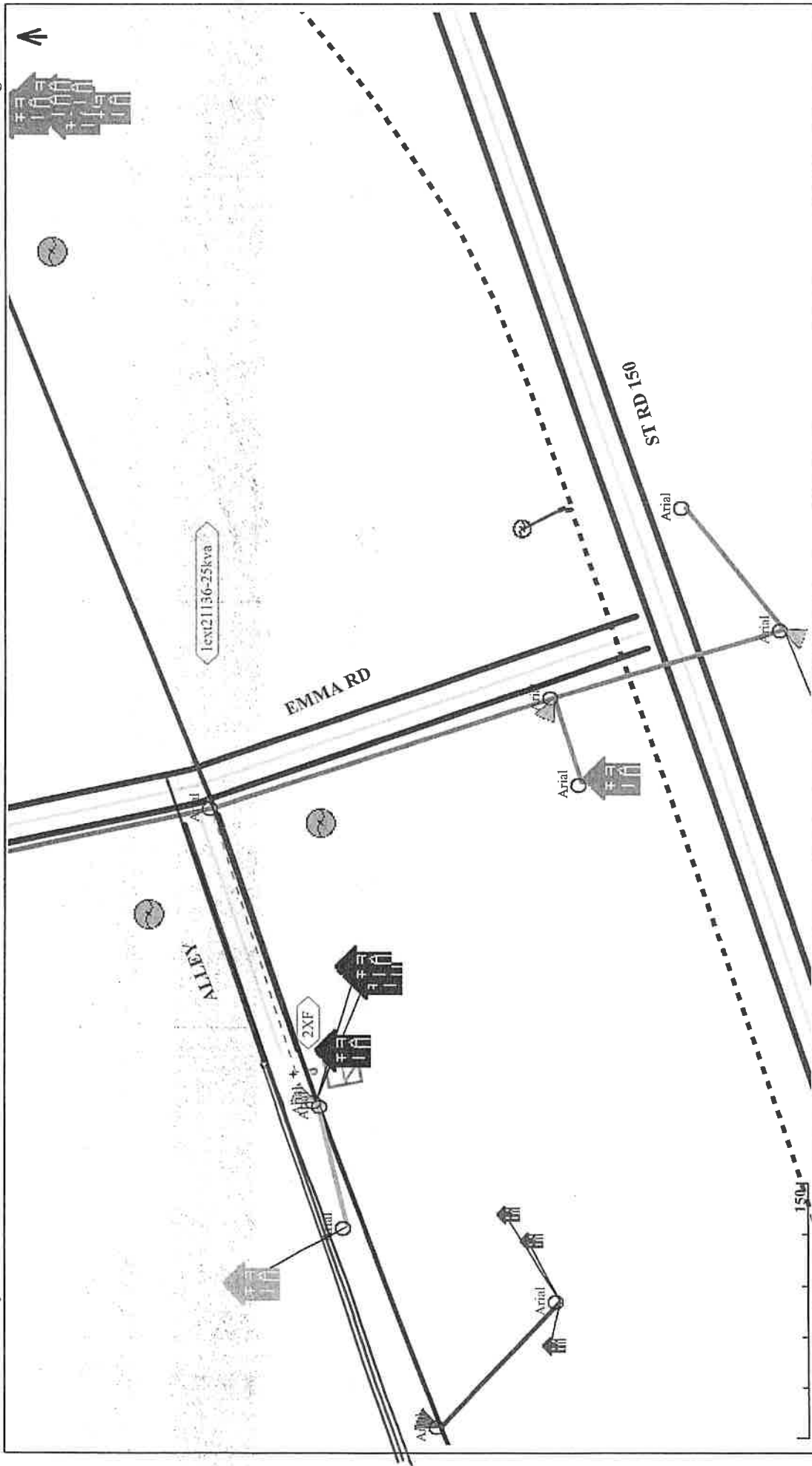
Feet

This data is from New Mexico Gas Company. it represents conceptual alignment from Twining Road to Bull of the Woods Rd via Coyote and Chipmunk Roads. The calculated GIS length of this line is 1932.17'.

NG Alignment Coyote-Chipmunk-Phoenix Switchback







RIGHT - OF- WAY EASEMENT

For: _____

We, the undersigned, for valuable consideration n, the receipt of which is acknowledged, grant to the Village of Taos Ski Valley, ("Village"), Taos New Mexico, and to its successors to assigns, the right to enter upon the lands of the undersigned situated in Taos County, New Mexico:

And to trench, construct , reconstruct, rephrase, repair , operate and maintain on , across and under the lands or streets, roads or highways abutting said lands, an electric transmission or distribution line or fiber optic system or water line or sewer line to cut, trim and control the growth by machinery or otherwise of trees and shrubbery located within _____ feet of the centerline of the line or system (including any control of growth of other vegetation in the right of way which may incidentally and necessarily result from the means of control employed); and to license, permit or otherwise agree to the joint use of occupancy of the line or system by any other person , association or corporation for electrification , telephone purpose or cable television.

We covenant that we are the owners of the described lands and that the lands are free and clear of all encumbrances and liens except those held by the following persons:

We agree that all poles, wires and other facilities including any main service entrance equipment, installed at the "Village" expense shall remain the property of the Village, removable at the option of the Village, upon termination of the service to or on the lands.

In granting this easement, it is understood that the location of the poles or conduit will be such as to form the least possible to land use, so long as it does not materially increase the cost of construction.

Legal Signature

Address

Printed Name

Legal Signature

Address

Printed Name Witness:

State of New Mexico)

)

County of Taos)

The foregoing instrument was acknowledged before me this ____ day of _____

2021 by _____
Notary Public

My commission expires: _____

DRAFT

RIGHT-OF-WAY EASEMENT REQUIREMENTS

All necessary and required easements will be obtained by the consumer.

Each easement must be signed with the proper legal signature and mailing address of the person granting the easement. The name of the person granting the easement must be printed below the signature line.

Each easement should contain a correct property legal description, it may include but not limited to the name of the Grant or Grants, projected Section, Section, Township, Range, Tract number, Map number and Survey number. When available a survey Plat should also be made available to the Village.

Grant or Grants

Section Number

Township Number

Range Number

Tract Number

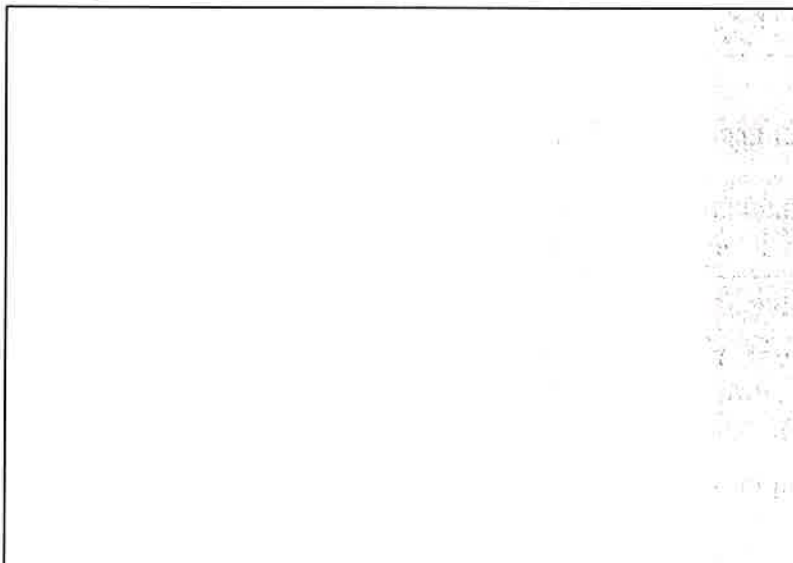
Map Number

Survey Number

Sketch in, the direction of the Utility Easement to be within your property

N

W



E

DRAFT

Monthly Public Safety Report

Jun-22

Law Enforcement

	R. Salazar	J Gladeu	J. Hutter	V. Vigil	Totals	Last Year
Animal Offense - Adult					1	1
Animal Calls			1		1	1
Assists to other Agencies		1			1	5
B&E /Burglary		1			1	1
Business Alarm	2		1		3	1
Citizen Assists/Contacts	60	65	40	30	195	24
Foot Patrol Hours	30	30	20	15	95	57
Harassment	1				1	0
Health Orders			1		1	0
Law Unknown/Information		1	1	1	3	0
Missing Adult/Person		1			1	1
MVC's	1				1	0
Parking Citations		2			2	1
Private Property Crash	1				1	0
Residential Alarm	1	1	1		3	2
Suicide Subject		1			1	0
Suspicious Persons/Vehicles	2	2			4	3
Traffic Enforcement Hours	28	24	25	15	92	46
Traffic Hazard	12	7			19	1
Traffic Stops	1	2	1		4	12
Trespass Warnings		1			1	0
Verbal Warnings	1	2	1	2	6	20
Welfare Check	1				1	0
Fire/EMS				1	1	1

Monthly Accomplishments for June 2022

- Operation plans were established for the Car show on fourth of July weekend and for the Fourth of July events.
- I was able to get in contact with Mr. Jerry Romero from the New Mexico State Governor's Office regarding purchasing police units since we are in desperate need Police Units. Mr. Romero contacted the New Mexico State Police Chief, and he was able to have his Fleet coordinator, Sgt. Maggard contact me. Sgt Maggard was able to offer 3 equipped used Police units at a cost of \$12k a piece. Arrangements were made to inspect the units in Santa Fe New Mexico on July 17,2022.
- As a voting Board Member with the E911 Board we were able to establish a pay matrix and present it to the Taos County Official's. This was done in efforts to combat the drastic turnover of Taos Central Communications Dispatchers. Taos Dispatch is at a critical employee shortage that would affect the ability for the Taos County to receive Police/Fire or Ems Services if it is unable to have Dispatchers for shifts. I had Officer Gladeau help cover a few shifts at Dispatch, so the Taos Central Dispatch wouldn't have to shut done causing a major interruption in emergency services for Taos County.

Items In progress

- The final supply list from JD Electric and his subcontractor was obtained, and the Warning Sirens should be installed soon.
- Officer Salazar and I were able to obtain a Venue for the Two Active shooter courses that will be on July 27,2022 and July 28, 2022 for 1-5 pm. These courses will be offered to Village of Taos ski Valley employees and Village residence and surrounding business.
- Speed Enforcement will be in force to combat speeding and other traffic violation in the Village of Taos Ski Valley
- Officer Hutter is in his final weeks of the Emergency Medical Response Training, and I believe he will be passing the State Exam to receive his license shortly after.

Report for Taos Ski Valley Fire Rescue

Month of June

Calls

- Fire Calls
 - 1 Public Information on the Fire Restriction
- EMS/SAR
 - 2 MVA
 - 1 EMS assist of Taos County Ambulance

Total of 4 calls for the month of June

Total calls year to date are 52

Council report through July 21, 2022

Inspections performed residential: 3

Inspection in response to complaint: 0

Enforcement actions: 0

Inspections performed multi-family and commercial: 5

Permits issued since last council meeting:

2_ new residential building.

5_ residential repair/remodel

0_ residential demolition

0_ new commercial buildings permitted.

3_ commercial or multifamily repair/remodel permitted.

0_ demolition commercial permitted.

2_ Projects currently in application or submission review.

1_ Commercial projects in discussion of pending submission.

Narrative of other activities:

1. Village employee housing and office uses are currently occupying all undamaged units at the Village Complex.
2. Update of the Non-Federal Lands Grant. Robust response from landowners in the Village has garnered applications for 106 parcels, private and public.. Preliminary assessments have been performed on all properties meeting the application deadline except for 2 remote parcels. Requests for contractors has been published and a form is on Village website for qualified contractors, the deadline is August 4th . Referrals may be directed there, to my office or to the Village Administrator, John Avila. The State Forester, Jack Carpenter was able to make a visit to the Village. He studied some of our GIS mapping provided by Sage GIS, familiarized himself with our risk rating system and then toured the Village. Agreement was reached on locations of mitigation corridors that may provide firefighters opportunity to manage smaller areas should the Village experience a large-scale event. The community is to be commended for participation and patience while this process progresses. Significantly the Firewise Board will be consulted on August 1 with specifics from our ratings activities for their input, assistance and guidance. Compiling analysis reports for those who applied.
3. Earthwork and site preparation for the new Mogul Medical and Firehouse/Admin buildings on Firehouse Rd is in progress.

4. Re-scheduling removal of the tree that fell on Village Complex during April 22 wind event was required due to covid transmission involving the crew, the new date is July 27.
5. A qualified contractor is preparing contracts for repair of the building damage to the Village Complex although his numbers are not yet definitive \$300,000 for repair of each event is likely.



NCRTD LONG RANGE STRATEGIC PLAN



Where will the Blue Bus go next?

The NCRTD has initiated a Long Range Planning effort and needs your help. Please join us in an interactive workshop designed to define the future of NCRTD and its iconic Blue Bus service.

Taos



DATE: August 3, 2022



TIME: 3:00 PM - 4:30 PM



LOCATION:

El Taoseno Room - Town Council Chambers, 120 Civic Plaza Dr, Taos, NM 87571

Española



DATE: August 4, 2022



TIME: 11:30 AM - 1:00 PM



LOCATION:

NCRTD Board Room - 1327 N Riverside Dr, Española, NM 87532

Los Alamos



DATE: August 15, 2022



TIME: 5:00 PM - 7:30 PM



LOCATION:

Training Room - 101 Camino Entrada Los Alamos, NM 87544

Santa Fe



DATE: August 16, 2022



TIME: 5:00 PM - 7:30 PM



LOCATION:

Santa Fe Public Library - 145 Washington Ave Santa Fe, NM 87501

Visit us online at: www.ncrtd-lrsp.com

Appetizers, refreshments, and fun will be served.

For more information or for those who require accommodation for disabilities or a language interpreter, including hearing impaired please contact 505-629-4725. The facility is ADA accessible.

PUBLIC WORKS UPDATE

July 26, 2022

- Water:
 - Monthly sampling
 - Maintenance and Repairs
 - Water usage was up 71.12% from last year for the month of June.
 - Site visits with engineers to discuss the water system repairs
 - Visit with Taos Ski Valley Inc. to discuss issues and planning once funds are released for water system improvement.
 - Water Repair on July 7, 2022
 - Repaired and replaced 2 service lines on Coyote (bad galvanized pipe on service lines)
 - Estimated leak of 10 gallons per minute at 70 psi
 - 14,400 gallons per day
 - 432,000 gallons per month
 - Repaired main water leak near the service line repairs. Found bell end of the PVC pipe was not sealed properly
 - Estimated leak of 55.56 gallons per minute at 70 psi
 - 80,006 gallons per day
 - 2,400,192 gallons per month
 - Water loss
 - Percentage of water loss for the month of June is 84.77%
 - Based off the estimated calculated totals, we can account for approximately 3,492,172 gallons of the 4,333,145 gallons that we diverted from the Phoenix Spring which would be a difference of 19.41%. We will monitor these next couple months.
- Wastewater:
 - Plant Operations
 - No permit excursions
 - Cleaning sewer collection lines

Date	BOD Data		pH	TSS		NH ₃ (Ammonia)		Total P		Flow, MGD	E.Coli	Fecal	Date	Total N: mg/L	Total N: lb/d	Influent F
	mg/L	lb/d		mg/L	lb/d	mg/L	lb/d	mg/L	lb/d	Daily	CFU	CFU		TKN + NO ₃ + NO ₂	TKN + NO ₃ + NO ₂	
8	5.00	2.45	7.34	0.23	0.11	0.36	0.18	0.12	0.06	0.059		1.00	8	2.79	1.36	0.04
9			7.34							0.058	1.00		9	0.00	0.00	0.04
28			7.28							0.038	1.00	1.00	28	0.00	0.00	0.03
Total		2.45			0.11		0.18		0.06	1.219			Total	Total Nitrogen		1.20
7 Day Avg (MAX)	5.00	2.45	7.48	0.23	0.11	0.36	0.18	0.12	0.06	0.054	1.00	1.00	7 Day Avg	2.79	1.36	0.05
Min	5.00	2.45	7.27	0.23	0.11	0.36	0.18	0.12	0.06	0.021	1.00	1.00	Min	mg/L	lb/d	0.02
30 Day Avg (AVG)	5.00	2.45		0.23	0.11	0.36	0.18	0.12	0.06	0.041			30 Day Avg	2.79	1.36	0.04023
Removal %		87.80%		99.71%												

- Staff
 - We still have two open positions in Public Works department, and we have extended offers to the top candidates
 - IWS support
 - Temporary treatment facility for system backup is offline and available for future use if needed.
- Plant and Collections Update
 - Compared to the flow in 2021, we are down 23.80% for the month of June.
- Roads:
 - Continue to maintain drainage along the roadway
 - Cleaning of the Drop Inlets (DI's) and bar ditch maintenance
 - Maintenance to Road

- ***Dust control application was applied on July 13, 2022.***
 - Road Grading
 - Reshaping of road grade due to snow plowing operations
 - Compaction
 - Stabilization of road material
- Equipment
 - Routine equipment maintenance
- General Public Work tasks
 - Meetings and site visits for electrical and gas undergrounding on Phoenix Switchback, Chipmunk and Coyote Roads with Kit Carson Electric, NM Natural Gas and Anchor Built.
 - Housekeeping in the buildings
 - Housekeeping around the Wastewater Treatment Plant
 - Hauling slash pile for residence use

DMR Copy of Record

Permit Permit #: NM0022101 Major: Yes		Permittee: Permittee Address: TAOS SKI VALLEY, VILLAGE OF 7 FIREHOUSE RD. 38 OCEAN BLVD. TAOS SKI VALLEY, NM 87525		Facility: Facility Location: TAOS SKI VALLEY, VILLAGE OF 7 FIREHOUSE RD. 38 OCEAN BLVD. TAOS SKI VALLEY, NM 87525										
Permitted Feature: 001 External Outfall		Discharge: 001-A TREATED MUNICIPAL WASTEWATER TO THE RIO HONDO		Status: NM DMR Validated										
Report Dates & Status Monitoring Period: From 06/01/22 to 06/30/22 Considerations for Form Completion		DMR Due Date: 07/15/22		Telephone: 575-776-8220										
Principal Executive Officer First Name: Anthony Last Name: Martinez No Data Indicator (NODI)		Title: Public Works Director												
Form NODI:														
Code	Parameter Name	Monitoring Location	Season g	Permit NODI	Qualifier	Value 1	Qualifier	Value 2	Qualifier	Value 3	Units	# of Ex.	Frequency of Analysis	Sample Type
00310	BOD, 5-day, 20 deg. C	1 - Effluent Gross	1	--	Sample Permit Req. Value NODI	2.45	=	2.45	=	5.0	19 - mg/L	0	0130 - Monthly	24 - COMP24
					Sample Permit Req. Value NODI	23.8 30DA AVG	<=	35.7 7 DA AVG	<=	45.0 7 DA AVG	19 - mg/L	0	0130 - Monthly	24 - COMP24
00400	pH	1 - Effluent Gross	0	--	Sample Permit Req. Value NODI		=		=	7.48	12 - SU	0	0500W - 5 Days Every Week	GR - GRAB
					Sample Permit Req. Value NODI		=		=	6.6 MINIMUM	12 - SU	0	0500W - 5 Days Every Week	GR - GRAB
00530	Solids, total suspended	1 - Effluent Gross	1	--	Sample Permit Req. Value NODI	0.11	=	0.11	=	0.23	19 - mg/L	0	0130 - Monthly	24 - COMP24
					Sample Permit Req. Value NODI	23.8 30DA AVG	<=	35.7 7 DA AVG	<=	45.0 7 DA AVG	19 - mg/L	0	0130 - Monthly	24 - COMP24
00600	Nitrogen, total [as N]	1 - Effluent Gross	1	--	Sample Permit Req. Value NODI	1.36	=	1.36	=	2.79	19 - mg/L	0	0130 - Monthly	24 - COMP24
					Sample Permit Req. Value NODI	46.55 30DA AVG	<=	68.8 7 DA AVG	<=	41.2 7 DA AVG	19 - mg/L	0	0130 - Monthly	24 - COMP24
00610	Nitrogen, ammonia total [as N]	1 - Effluent Gross	1	--	Sample Permit Req. Value NODI	0.18	=	0.18	=	0.36	19 - mg/L	0	0130 - Monthly	24 - COMP24
					Sample Permit Req. Value NODI	5.34 30DA AVG	<=	5.34 7 DA AVG	<=	12.7 7 DA AVG	19 - mg/L	0	0130 - Monthly	24 - COMP24
00665	Phosphorus, total [as P]	1 - Effluent Gross	1	--	Sample Permit Req. Value NODI	0.06	=	0.06	=	0.12	19 - mg/L	0	0130 - Monthly	24 - COMP24
					Sample Permit Req. Value NODI	1.6 30DA AVG	<=	2.4 7 DA AVG	<=	1.5 7 DA AVG	19 - mg/L	0	0130 - Monthly	24 - COMP24
50050	Flow, in conduit or thru treatment plant	1 - Effluent Gross	0	--	Sample Permit Req. Value NODI		=		=	0.041	03 - MGD	0	0101 - Daily	TM - TOTALZ
					Sample Permit Req. Value NODI		=		=	Req Mon 7 DA AVG	03 - MGD	0	0101 - Daily	TM - TOTALZ
50060	Chlorine, total residual	1 - Effluent Gross	0	--	Sample Permit Req. Value NODI		=		=	19.0 INST MAX	28 - ug/L	0	0500W - 5 Days Every Week	GR - GRAB
					Sample Permit Req. Value NODI		=		=	9 - Conditional Monitoring - Not Required This Period				
51040	E. coli	1 - Effluent Gross	0	--	Sample Permit Req. Value NODI		=		=	1.0	CFU/100mL	0	0230 - Twice Per Month	GR - GRAB
					Sample Permit Req. Value NODI		=		=	126.0 30DAVGEQ	CFU/100mL	0	0230 - Twice Per Month	GR - GRAB



**MUNICIPAL CLERKS: PLEASE DISTRIBUTE COPIES TO YOUR
ENTIRE GOVERNING BODY**

TO: **MAYORS/GOVERNING BODY MEMBERS**
FROM: A.J. Forte, Executive Director
SUBJECT: **2022 ANNUAL CONFERENCE VOTING DELEGATES**
DATE: July 25, 2022

The 65th Annual Conference of the NM Municipal League will be held August 31st through September 2nd in Albuquerque.

At the Annual Business Meeting on Thursday, August 1st, a President Elect, Vice President, Treasurer and three Directors-at-Large for a 2-Year Term will be elected. Also, the *Annual Statement of Municipal Policy and Annual Resolutions* will be adopted.

Each member municipality in good standing that is registered and attending the Annual Conference shall be entitled to one delegate vote in electing officers, deciding municipal policy and voting upon all other questions at the Annual Business Meeting. A municipality in good standing means that at least one-half of the municipality's current League annual dues must have been paid prior to or at the Conference. The vote of the municipality is cast by the Voting Delegate (or in her/his absence, the Alternate) who is selected by the governing body of the municipality.

The Annual Business Meeting will be conducted in accordance with Robert's Rules of Order Revised, and the Annual Business Meeting Rules and Procedures, which shall govern the actions and deliberations of the League membership assembled in convention. Attached for your information are the *Policy Process Outline and the Annual Business Meeting Rules and Procedures*.

Please place the selection of a Voting Delegate and Alternate on the agenda of your next official governing body meeting. **The Voting Delegate and Alternate must be persons planning to attend the Conference.** Once they are selected, enter the names and titles of the Voting Delegate and Alternate for your municipality and **return this form to the League Office no later than Friday, August 26, 2022.**

This is ***not*** an official registration form for the Annual Conference for either the Voting Delegate or the Alternate. Delegates must register for the Conference online.

Voting Delegates & Alternates must check in with NMML Staff at the Credential's Desk at the Conference.

Municipality: _____

Voting Delegate: _____ Title: _____

Alternate: _____ Title: _____

Approved By: _____

RETURN BY AUGUST 26, 2022 to:

Jackie Portillo, Support Services Coordinator
NM Municipal League
P.O. Box 846 – Santa Fe, NM 87504
jportillo@nmml.org
Fax: 505-984-1392

**Village of Taos Ski Valley
Village Council
Agenda Item**

AGENDA ITEM TITLE: Draft Fourth Quarter discussion for Fiscal Year 2022.

DATE: July 26, 2022

PRESENTED BY: John Avila Village Administrator and Morris Madrid, Interim Finance Officer

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: In preparation for the upcoming FY2023 Final Budget submission the Village is also required to submit to the Department of Financial Administration a FY2022 Q4 financial report for the year ending June 30, 2022. Attached is the FY2022 Q3 report for discussion of changes that are expected for review and discussion to produce the FY2022 Q4 report. The FY 2022 Fourth Quarter Report is reliant on the ending balances of FY2022, final determination of the ending cash balances needs to be complete before submitting the Fourth Quarter Report. The Fourth Quarter Report will be prepared for the special meeting of July 29 in order to finish entering the submission to the State Local Government Business Management System by end of month July 31, 2022.

Possible Discussion items:

Revenue sources and expectations

Expense expectations

RECOMMENDATION: Staff requests discussion of the FY2022 Fourth Quarter Report.

SUMMARY FUND BALANCE FY2022									
A	B	AB	AC	AD	AE	AF	AG		
FUND NAME	FUND #	Ending Fund BAL FY2021	FY2022 PROPOSED BUDGET REVENUE	FY2022 YTD ACTUAL REVENUE & TRANSFER IN	FY2022 PROPOSED BUDGET EXPENSE	FY2022 YTD ACTUAL EXPENSE & TRANSFER OUT	BUDGETED ENDING Fund Bal @ 3/31/22		
6 Water-01	01	4,297.65	257,600	164,667	249,042	152,036	16,928.12		
7 Sewer-02 (New Fund FY2019)	02	16,653.23	1,029,185	518,744	961,595	520,065	15,331.66		
8 Water Depreciation Reserve	41	91,584.63	457,723	88,662	469,977	3,846	176,400.40		
9 Reserve for CWSRF	62	206,674.45	325	0	60	0	206,674.45		
10 USDA Debt Service and Reserve	63	518,372.54	368,308	279,749	287,800	214,902	583,219.95		
11 Sewer Depreciation Reserve	42	180,819.99	398,878	100,000	428,829	179,504	101,316.00		
12 Roads/Streets	05	199,611.00	674,952	257,268	830,280	290,151	166,727.88		
13 General/Administration	03	1,790,846.20	2,288,500	1,881,726	3,042,455	1,707,723	1,964,848.41		
14 UG Electric-General Res	44	568,522.34	65,000	54,851	100,000	33,452	589,921.91		
15 General Reserve	43	1,247,980.90	254,900	150,077	375,100	20,000	1,378,058.28		
16 Law Enforcement Operating	04	0.00	445,779	234,744	445,779	234,744	0.00		
17 Law Enforcement Capital	14	17,617.79	21,800	21,800	39,418	10,395	29,022.83		
18 Solid Waste Enterprise Fund	77	293,544.57	64,020	52,399	302,700	38,497	307,446.97		
19 Fire Cap	18	249,931.74	84,279	667,327	626,357	370,693	546,566.24		
20 Fire Reserve	38	164,758.46	20,000	20,000	0	0	184,758.46		
21 Volunteer Fire Donation	28	15,580.40	600	600	16,000	376	15,804.70		
22 EMS	09	10,003.54	262,700	85,000	263,340	48,142	46,861.61		
23 Volunteer EMS Donation	29	34,209.49	700	5,500	25,000	451	39,258.25		
24 Parks and Recreation	10	21,659.39	45,000	23,225	50,800	39,994	4,889.98		
25 Lodgers' Tax	15	445,300.30	450,000	543,283	609,541	396,735	591,848.73		
26 O&M Reserves	32	377,349.67	50,000	0	10,000	0	377,349.67		
27 TOTAL:		6,455,318.28	7,240,249	5,149,623	9,134,073	4,261,706	7,343,234.50		
28									
29 Village Apartments	70	26,270.63	46,000	24,000	50,100	3,927	47,343.85		
30									
31 Grants/(separate funds)									
32 FRF Grant/American Rescue	66		6,305	6,305	6,305		6,304.50		
34 NFL Grant/NEW FY2022	64		300,000		300,000		0.00		
35									
36 IMPACT FEES							0.00		
37 Parks & Rec	50	90,628.87	3,015	5,96	30,000	20,225	70,409.83		
38 Gen Impact	53	246,585.52	25	18.51	230,000		246,604.03		
39 Safety Impact	54	183,101.86	5,020	13.74	50,000	0	183,115.60		
40 Roads Impact	55	124,351.32	16,025	9.33	55,000	0	124,360.65		
41		644,667.57	24,085	48	365,000	20,225	624,490.11		
42		7,126,256.48	7,310,333.99	5,179,974.71	9,549,173.50	4,285,858.23	8,021,372.96		

**Village of Taos Ski Valley
Village Council
Agenda Item**

AGENDA ITEM TITLE: Draft Budget discussion for Fiscal Year 2023.

DATE: July 26, 2022

PRESENTED BY: John Avila, Village Administrator and Morris Madrid, Interim Finance Officer

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: In preparation for the upcoming FY2023 budget, staff has attached a draft FY 2023 budget for review and discussion. The FY 2023 budget is reliant on the ending reconciled cash balances of FY2022, final determination of the ending balances needs to be complete before submitting the Final Budget Resolution. This Draft Budget contains the anticipated revenues and expenses and an estimate of beginning cash balance for review and discussion of the FY2023 budget request. The Final Budget will be prepared for the special meeting of July 29th for submission to the State Department of Finance and Administration, and upload to Local Government Business Management System by end of year July 31, 2022.

Possible Discussion items:

Budget Calendar requirements and related processes

Revenue sources and expectations

Expense expectations

RECOMMENDATION: Staff requests discussion of the FY2023 budget.

	A	B	AB	AC	AD	AE	AF	AG
1	DRAFT FY 2023 VILLAGE OF TAOS SKI VALLEY BUDGET REQUEST							
2								
3			Ending Fund	FY2023	FY2022	FY2023	FY2022	BUDGETED ENDING
4	FUND NAME	FUND #	BAL FY2022	PROPOSED BUDGET REVENUE	ACTUAL REVENUE & TRANSFER IN	PROPOSED BUDGET EXPENSE	EXPENSE & TRANSFER OUT	Fund Bal @ 6/30/23
5								
6	Water-01	01	81,320.00	213,904	195,519	267,502	186,957	27,722.00
7	Sewer-02 (New Fund FY2019)	02	222,065.00	789,100	722,171	1,002,831	687,995	8,334.00
8	Water Depreciation Reserve	41	139,664.00	1,005,031	88,662	917,480	40,572	227,215.00
9	Reserve for CWSRF	62	206,745.00	325	0	60	0	207,010.00
10	USDA Debt Service and Reserve	63	537,868.00	368,308	306,032	287,800	286,536	618,376.00
11	Sewer Depreciation Reserve	42	98,432.00	398,678	100,000	428,829	182,388	68,481.00
12	Roads/Streets	05	94,336.00	831,596	261,720	844,550	381,248	81,382.00
13	General/Administration	03	2,532,931.00	2,288,500	2,778,836	3,076,245	2,070,540	1,745,186.00
14	UG Electric-General Res	44	545,894.00	65,000	85,765	96,000	108,393	514,894.00
15	General Reserve	43	1,378,049.00	254,900	150,077	375,100	20,000	1,257,849.00
16	Law Enforcement Operating	04	0.00	429,115	395,779	429,115	360,106	0.00
17	Law Enforcement Capital	14	10,921.00	49,079	60,000	21,800	28,496	0.00
18	Solid Waste Enterprise Fund	77	293,544.57	64,020	69,130	302,700	56,945	54,864.57
19	Fire Cap	18	517,531.00	200,000	667,478	626,357	399,879	91,174.00
20	Fire Reserve	38	184,758.00	20,000	20,000	0	0	204,758.00
21	Volunteer Fire Donation	28	15,148.00	600	600	15,500	376	248.00
22	EMS	09	45,193.00	262,700	110,000	302,049	118,519	5,844.00
23	Volunteer EMS Donation	29	38,862.00	700	5,500	25,000	848	14,562.00
24	Parks and Recreation	10	9,975.00	45,000	23,225	50,800	39,994	4,175.00
25	Lodgers' Tax	15	691,124.00	450,000	722,708	609,541	476,384	531,583.00
26	O&M Reserves	32	375,817.00	50,000	0	10,000	0	415,817.00
27	TOTAL:		6,455,302.00	6,977,507	6,538,467	9,130,073	5,281,641	6,079,474.57
28								
29	Village Apartments	70	42,150.00	46,000	22,500	50,100	5,620	59,030.00
30								
31	Grants/(separate funds)							
32	FIRE Grant/American Rescue	66	-	6,305	0	6,305		0.00
34	NFL Grant/NEW FY2022	64		6,305		300,000		0.00
35								
36	IMPACT FEES							0.00
37	Parks & Rec	50	70,411.00	3,015	8.00	30,000	20,225	50,194.00
38	Gen Impact	53	246,610.00	25	25.00	230,000	0	246,635.00
39	Safety Impact	54	183,120.00	5,020	18.00	50,000	0	183,138.00
40	Roads Impact	55	124,363.00	16,025	12.00	55,000	0	124,375.00
41			624,504.00	24,085	63	365,000	20,225	604,342.00
42			7,121,956.00	7,047,592.00	6,561,030.00	9,545,173.00	5,307,486.00	6,742,846.57

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: PUBLIC HEARING: Discussion and Direction to Village Administrator to proceed with contract preparation for Rocky Mountain Youth Corps and \$35,000 Village contribution.

DATE: July 26, 2022

PRESENTED BY: PARC Chair, Katherine Kett with Scotney Blackburn, ECC Community Engagement and John Avila, Village Administrator

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION:

The Park and Recreation Commission along with the Community Development Department, have asked that; a NM Outdoor Recreation Division trails grant application be pursued by Rocky Mountain Youth Corps, for Connector Trail development within the Village of Taos Ski Valley. The RMYC will apply for a grant for a project cost of \$224,899 of which the Village match share is \$35,001. The grant is not yet awarded but a commitment from the Village of \$35,000 for a contract with RMYC is needed, should the grant be awarded. Letters of support for the Grant application will be submitted for the grant along with supporting documentation from the Park and Recreation Committee and a determination letter from Village Administrator, CPO that the Village contribution of \$35,000 is an appropriate use of Development Impact Fees.

STAFF RECOMMENDATION: Staff recommend Discussion of grant application and Direction to proceed with preparation of application requirements



Rocky Mountain Youth Corps
PO Box 1960
Ranchos de Taos, NM 87557

Date:

Crew quote prepared for:
NM Outside Trails +

VTSV Connector Trail

	RMYC In Kind	AmeriCorps	VTSV	NM Outside Trails +	Total
Salary / Labor / Benefits	Match	Leverage	Costs	Costs	Est. Value
Crew Member (CM) stipend	\$74,899	\$ 4,512	\$ 10,528	\$ 30,080	\$ 120,019
Asst. Crew Leader (ACL) stipend		\$ 784	\$ 1,829	\$ 5,227	\$ 7,840
Crew Supervisor Wage		\$ 1,020	\$ 2,380	\$ 6,800	\$ 10,200
Project Coordinator		\$ 821	\$ 1,915	\$ 5,471	\$ 8,206
Project Manager		\$ 498	\$ 1,162	\$ 3,320	\$ 4,981
Training Staff		\$ 402	\$ 939	\$ 2,682	\$ 4,023
Taxes / Benefits		\$ 1,970	\$ 4,596	\$ 13,131	\$ 19,697
Subtotal Salary/Labor/Benefits	\$ 74,899	\$ 10,007	\$ 23,349	\$ 66,711	\$ 174,966
Travel/Transportation					
Food/Per Diem		\$ 358	\$ 836	\$ 2,389	\$ 3,584
RENTAL Crew Vehicle		\$ 720	\$ 1,680	\$ 4,800	\$ 7,200
Gasoline/insurance/repairs		\$ 56	\$ 131	\$ 374	\$ 562
Travel/Transportation		\$ 1,135	\$ 2,647	\$ 7,564	\$ 11,346
Supplies/Tools/Gear					
GPS/Comm. Devices		\$ 64	\$ 151	\$ 428	\$ 643
Supplies/Materials (PPE, consumables, gear, tools)		\$ 213	\$ 496	\$ 1,417	\$ 2,125
Project Materials (materials that stay on site)		\$ 500	\$ 1,167	\$ 3,333	\$ 5,000
Miscellaneous Supplies		\$ 40	\$ 93	\$ 267	\$ 400
Supplies/Tools/Gear		\$ 817	\$ 1,907	\$ 5,445	\$ 8,168
Other					
Contractor		\$ -	\$ -	\$ -	\$ -
Crew Mobilization/orientation/recruiting/reporting		\$ -	\$ -	\$ -	\$ -
Background checks/driver records		\$ -	\$ -	\$ -	\$ -
Training - CMs		\$ 183	\$ 427	\$ 1,220	\$ 1,830
Training - Staff		\$ 67	\$ 156	\$ 447	\$ 670
Other		\$ 250	\$ 583	\$ 1,667	\$ 2,500
Total Direct Charges	\$ 74,899	\$ 12,208	\$ 28,486	\$ 81,386	\$ 196,979
Indirect Cost Rate: 22.87% of All Costs		\$ 2,792	\$ 6,515	\$ 18,613	\$ 27,920
Total Charges	\$ 74,899	\$ 15,000	\$ 35,001	\$ 99,999	\$ 224,899

ADDITIONAL NOTES

* RMYC Crew work schedule:

16 Week(s) of crew work will be scheduled for a crew of 8 people (1 Crew Leader, 1 Assistant Crew Leader, and 6 Corpsmembers).

*Crews will travel to work site on a daily basis, working 8-10 hours/day, including travel to/from the work site.

*CAMPING (or "Spike") crews typically work 8 straight days, 10 hours per day, followed by 6 days off.

*DAY crews typically work 8- or 9-hour days, 4 or 5 days per week, with weekends off; exact schedule can vary by season.

*Crews participate in weekly "Life Skills" trainings as part of their normal work week. These are led by the RMYC Training Department.

*RMYC risk management protocol includes a stretch/safety circle before beginning work.

*Crews will take one 30-minute lunch break and two 15-minute breaks; all breaks will be taken on project site.

* RMYC supplies all labor and general hand tools for project, including all camping gear.

* Explanation of matching funds: Since RMYC crews are made up of AmeriCorps members, defined as volunteers, RMYC can offer the difference in member stipends and the value of a volunteer.

* Project Partner will provide all project materials that will remain on site.

* All activities are compliant with non-supplantation, non-duplication and non-displacement policies.

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: PUBLIC HEARING: Consideration to charge the cost of Village time and materials within the excavation permit fee, for work in the Right-of-Way for private utility extensions and construction.

DATE: July 26, 2022

PRESENTED BY: John Avila, Village Administrator

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION:

Private utilities that have use of the Village Right-of-Way for facilities and when they make extensions they cause the Village to incur cost of time and material with each excavation. The project may require Village staff supervision and repair of roadways, bedding and other material is not covered by a minimal fee amount. Each project may be different and require different costs. A fee for the costs to Village can be charged with each permit to recover actual costs to the Village of the projects. This action also prevents anti-donation issues.

STAFF RECOMMENDATION: Accessing the actual cost of time and material to the Village within the fee for the excavation permit for private utilities digging within the Village Right-of-Way

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: PUBLIC HEARING: Consideration to approve purchase of State Police Vehicles

DATE: July 26, 2022

PRESENTED BY: Chief Virgil Vigil and John Avila, Village Administrator CPO

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION:

There is an increased need for Public Safety vehicles and cost of new vehicles is prohibitive to address the replacement of more than one properly equipped vehicle. Over many months, Chief Vigil has investigated many different sources of used vehicles and found the most suitable option with the NM State Police Fleet Office. The Village has the option to purchase directly from the NMSP three used vehicles at \$12,000 and one for \$17,000 using the Law Enforcement Protection Grant Funds. With installation of emergency vehicle equipment cost alone in the tens of thousands for each vehicle, the price per vehicle is within used valuation of \$25,000/car. These equipped vehicles are in high demand and the Village must answer the NMSP to reserve the vehicles:

- NMSP wait for a definite answer from VTSV for purchase
- NMSP will remove only that equipment that stays with the Department from unit.
- Title and Sale Invoice will be finalized for day of pickup
- Date of pickup, transfer vehicle, keys, title and purchase invoice when check is received.

STAFF RECOMMENDATION: Staff recommends approval to purchase NMSP offered vehicles as needed for the Public Safety Department

New Mexico Department of Public Safety

New Mexico State Police

4491 Cerrillos Road
Santa Fe, NM 87502



DATE July 20, 2022
Invoice # 7-20-22-1

Quote

Quote To:

Taos Ski Valley Department of Public Safety
Attn: Chief Virgil Vigil
7 Firehouse Rd.
PO Box 100
Taos Ski Valley, NM 87525

Comments or special instructions:

UNITS SOLD AS IS - NO WARRANTY

Description		AMOUNT
2016 Ford Expedition with emergency equipment VIN # 1FMJU1GT0GEF15507 with 143,410 miles	Unit 0448-16	\$ 12,000.00
2018 Dodge 1500 with emergency equipment VIN # 1C6RR7XT6JS136829 with 156,916 miles	Unit 0480-18	\$ 12,000.00
2018 Dodge 1500 with emergency equipment VIN # 1C6RR7KT3KS659296 with 161,832 miles	Unit 0496-19	\$ 12,000.00
TOTAL		\$ 36,000.00

If you have any questions concerning this quotation,
Contact: **Lou Garafolo, Fleet Manager, 505-827-9100, lou.garafolo2@state.nm.us**

THANK YOU FOR YOUR BUSINESS!

New Mexico Department of Public Safety

New Mexico State Police

4491 Cerrillos Road
Santa Fe, NM 87502



Quote

DATE July 20, 2022
Invoice # 7-20-22-2

Quote To:

Taos Ski Valley Department of Public Safety
Attn: Chief Virgil Vigil
7 Firehouse Rd.
PO Box 100
Taos Ski Valley, NM 87525

Comments or special instructions:
UNITS SOLD AS IS - NO WARRANTY

Description		AMOUNT
2013 Ford F-150 with emergency equipment VIN # 1FTFW1ET8DFA30710 with 167,755 miles	Unit 4469-13	\$ 17,000.00
TOTAL		\$ 17,000.00

If you have any questions concerning this quotation,
Contact: **Lou Garafolo, Fleet Manager, 505-827-9100, lou.garafolo2@state.nm.us**

THANK YOU FOR YOUR BUSINESS!

VILLAGE OF TAOS SKI VALLEY
Village Council
Agenda Item

AGENDA ITEM TITLE: PUBLIC HEARING: Consideration to approve Contract for an Avalanche Study Contract with Wilbur Engineering

DATE: July 26, 2022

PRESENTED BY: John Avila, Village Administrator CPO

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION:

An Avalanche Study to update the Village of Taos Ski Valley maps to be use in zoning evaluation. A request for Bids was issued and Wilbur Engineering was awarded the bid as the sole responsive bidder.

STAFF RECOMMENDATION: Staff recommends Approval of the contract with Wilbur Engineering as the sole responsive bidder

INVITATION FOR BID 2022-05 Avalanche Study

The Village of Taos Ski Valley is soliciting bids from qualified professional service providers to perform an Avalanche study. The Village is home to the Taos Ski Valley, a world class ski resort and tourism destination. The Village is located in northern New Mexico and has a fulltime population of 73 residents. However, during the ski season there can be as many as 5,000 daily visitors. The Village is responsible for the operations of Roads and Drainage as well as reviewing and permitting construction within its borders. The Village is also responsible for permitting and supplying utility infrastructure which supports extreme swings in seasonal visitors and weather conditions. The Village has conducted recent evaluations, planning for growth and development.

The Village anticipates obtaining professional services to develop an Avalanche study to support the management of the services and provide updated safety review. **The Bidder must be a qualified Engineer with demonstrated experience in preparing Avalanche Studies and Maps**

SCOPE: The study shall involve review and comment on the existing Village Avalanche hazard zoning maps and ordinance. The existing avalanche hazard maps are based on a 2001 Study by Arthur I. Mears, P.E., Inc.

Update the mapping using appropriate sources, including but not limited to; Village AHZ Maps and ordinance, Access to Village GIS maps, FEMA, USFS, USGS, Village Water Study, Village Source Water Protection Plan.

The work would include but is not limited to:

- Provide recommendations to update the existing Avalanche Hazard Zoning Ordinance
- Perform terrain analysis and aerial photo interpretation for the purpose of quantifying avalanche runout distance, frequency, and energy for the design magnitude avalanche.
- Prepare a Draft Avalanche Hazard Report and Maps for all lands within the village limits for review by departments. The draft report will describe methods, findings, and recommendations.
- Prepare a revised Draft Avalanche Hazard Report and Maps responding to VSTV staff review.
- Review the existing avalanche ordinance with Development Review Team and provide comments, information including safety structures, and recommendations, building requirements for updating the ordinance .
- Attend two (remote P&Z, Council) public meetings and present a summary of findings, maps, and recommendations.
- Prepare a final Avalanche Hazard Report and Maps.

The Village will provide the following:

Village Documents required for the Study including 2001 Study by Arthur I. Mears, P.E., Inc.

- Access to GIS maps
- Current Water Study Data
- Other reports and data requested by the contractor as deemed necessary for the Avalanche Hazard maps and report

The Village anticipates awarding the contract for acceptance by Village Council at their July 2022, meeting. Study results would be required no later than September 1, 2023.

Submit written proposals by email to: javila@vtsv.com

Or Mail to: Village of Taos Ski Valley
PO Box 100
Taos Ski Valley, NM
Attention: Purchasing/John Avila

Bid proposals must be received by ~~June 6, 2022~~, to the above email or mailing address. Deadline extended to July 1, 2022.

Reference: Avalanche Study Bid#2022-05

The Village of Taos Ski Valley reserves the right to accept or reject any or all quotes as to what may be in the Village's best interest.

June 29, 2022

John Avila, Purchasing
Village of Taos Ski Valley
PO Box 100
Taos Ski Valley, NM 87525
Via email

RE: Proposal for Bid 2022-05 Avalanche Study
Village of Taos Ski Valley, New Mexico

Dear Mr. Avila:

This proposal is in response to Bid #2022 Avalanche Study. The existing avalanche hazard maps are based on a 2001 Study by Arthur I. Mears, P.E., Inc. Since 2001, advances in avalanche science, new topographic maps, and new snow and avalanche data will allow for improvements in avalanche hazard assessment and mapping. In addition, the Village would like to update their avalanche hazard ordinance to guide development and protect public health and safety.

Wilbur Engineering, Inc. will be responsible for completion of the proposed scope of work described below. Arthur I. Mears, P.E., Inc. will provide consultation and review of the work as an insured subconsultant.

Proposed Scope

1. Review of weather and snowpack records and reports.
2. Make a site visit during snow-free conditions to observe terrain, vegetation and ground conditions.
3. Create a digital elevation model (DEM) using LiDAR data.
4. Utilize LiDAR data to evaluate vegetation heights and density.
5. Perform terrain analysis and aerial photo interpretation for the purpose of quantifying avalanche runout distance, frequency and energy for the design magnitude avalanche.
6. Apply the Swiss avalanche dynamics model RAMMS to assist in delineating the design-magnitude avalanche¹ limits and impact pressures.
7. Review the existing avalanche ordinance and provide information, comments and recommendations for updating the ordinance.
8. Prepare a Draft Avalanche Hazard Report and Maps for all lands within the village limits. The draft report will describe methods, findings and recommendations.

¹ The Design Avalanche for this proposal is defined to be approximately a "100-year" event or an event with an annual probability of 1 percent. Due to uncertainty, and the limited historical records and climate variability, the recurrence interval is more accurately defined by a range of 30 to 300 years or a 0.3 to 3 percent annual probability.

9. Attend two remote public meetings and present a summary of findings, maps and recommendations.
10. Consider and address comments from staff and the public on the Draft Avalanche Hazard Report and Maps, and prepare a final Avalanche Hazard Report and Maps. We will provide the document in pdf format with maps. We will also provide digital GIS software compatible shape files of avalanche zones projected onto State Plane or UTM coordinate systems.

Fees

The estimated total fees for the proposed scope of work is \$23,800.00 itemized in the table below. We will not exceed this amount, unless the scope of work changes.

		Rate	hours	subtotal
1	Review existing info	\$ 200.00	2	\$ 400.00
2	Field work w travel time (CW)	\$ 200.00	20	\$ 4,000.00
3	Field work w travel time (AIM)	\$ 250.00	20	\$ 5,000.00
4	Avalanche dynamics model	\$ 200.00	20	\$ 4,000.00
5	Avalanche map update	\$ 200.00	12	\$ 2,400.00
6	Ordinance Review	\$ 200.00	4	\$ 800.00
7	Remote Meetings w/ prep.	\$ 200.00	6	\$ 1,200.00
8	Draft Report	\$ 200.00	8	\$ 1,600.00
9	Final Report	\$ 200.00	4	\$ 800.00
10	Art Mears review	\$ 250.00	8	\$ 2,000.00
11	Travel Expenses - single trip	\$ 800.00	2	\$ 1,600.00
		TOTAL FEES		\$ 23,800.00

Schedule

The scope will be completed in a timely manner subject to receipt of information needed to complete the work and other factors beyond my company's control. The field work must be completed during snow-free conditions. If the field work is completed this summer or fall, a Draft report could be completed by January 31, 2023. Timing for a final report would be dependent on staff and public feedback with a preliminary target date of March 1, 2023.

Qualifications

The team of Wilbur Engineering, Inc. and Arthur I. Mears, P.E., Inc. is uniquely qualified for this project. Chris Wilbur, P.E. is a licensed civil engineer in New Mexico with local experience. Art Mears provided the existing 2001 VTSV Avalanche Hazard Maps. Both of us have worked more recently on VTSV avalanche paths including the Bavarian, Mine Slide, and Dog Leg. Attached is a summary of my qualifications. Mr. Mears qualifications are available at the website listed below.

If you have any questions, please contact me.

Sincerely,

Wilbur Engineering, Inc.

A handwritten signature in cursive script, appearing to read "CR Wilbur".

Chris Wilbur, P.E.

B. CHRISTOPHER WILBUR, P.E.

Education: B.S. Geological Engineering, Colorado School of Mines, 1984
M.S. Civil (Geotechnical) Engineering, University of Colorado, 1990

Registration: Professional Engineer (Civil), CO, UT, WA, ID, WY, AK & NM

Experience Summary:

Mr. Wilbur is an engineer with over 30 years of experience in earth sciences, geological and geotechnical engineering. Since 2006, Mr. Wilbur has specialized in mapping, structural defenses and risk assessments for snow avalanches. Mr. Wilbur has worked on more than 50 projects with Arthur I. Mears, P.E., author of the Colorado Geological Survey Bulletin 49, *Snow-Avalanche Hazard Analysis for Land-use Planning and Engineering* and co-editor of the *Technical Avalanche Protection Handbook*, published in 2014.

Representative Project Work:

Tri-State Electric Cooperative Transmission Line Avalanche Mitigation, Telluride to Durango, Colo., 2007. As a subconsultant to Arthur I. Mears, P.E., Inc., we assessed avalanche hazard probabilities and provided design avalanche loads to reinforce existing towers.

Avalanche Hazard Analysis and Mitigation Recommendations for MP 46.3 Avalanche Path, Sterling Highway, Kenai Borough, Alaska, 2019. As a subconsultant to R & M Engineers, we provided avalanche dynamics and hazard zone analysis for the highest hazard avalanche path on a planned reconstruction for AKDOT&PF's Sunrise to Skilak Lake Rd – Phase 1b Project.

WSDOT I-90 Snoqualmie Pass Avalanche Mitigation, Hyak Washington, 2007-16. As a subconsultant to URS/AECOM Seattle office, provided specialized technical support and recommendations for the design and layout avalanche prevention structures (snow nets) at the Slide Curve avalanche path. This 1150-meter installation is the largest of its type in the U.S. and will experience snow pressures that exceed those in Europe where the technology was developed. Artificial surface roughening was applied to reduce snow glide pressures. A custom instrumentation plan was designed for monitoring snow conditions and snow net performance parameters. We also provided technical support for a proposed 6-lane snow shed including static and dynamic loading parameters for the East Shed avalanche paths. We provided technical review for a 6-lane avalanche bridge structure (viaduct) designed by the contractor to replace the snowshed. We provided a quantitative risk assessment to assist WSDOT in evaluating the contractor's alternative avalanche mitigation measure.

Constantine Metal Resources, Inc., Palmer Mineral Exploration Project, Haines, Alaska, 2015-19. We provided snow avalanche mapping, structural avalanche mitigation design parameters and a preliminary avalanche risk assessment for a planned road and support facilities. Proposed avalanche mitigation structures include a geosynthetic reinforced soil (GRS) deflection structure to protect the exploration portal and a rockfill avalanche deflection dam to protect the road and settling ponds.

Avalanche Mapping, Bingham Canyon, Utah, 2020-present. As a subconsultant to AECOM, provided Avalanche Hazard Mapping services for 24 square miles of an industrial site and associated transportation and processing facilities.

Midas Gold, Inc., Golden Meadows Project, Stibnite, Idaho, 2014. Prepared snow avalanche hazard maps and recommendations for avalanche mitigation for a proposed mine re-development. Also provided information on avalanche defense structures and an Avalanche Hazard Index (AHI) for a proposed access road.

Publications:

1. Jamieson, Bruce, Jones, Alan & Wilbur, Chris, *Chapter 13, Structural Defenses - Methods for Assessing and Mitigating Snow Avalanche Risk*, Planning Methods for Assessing and Mitigating Snow Avalanche Risk, Bruce Jamieson, Editor, Canadian Avalanche Association, 2018.
2. Wilbur, Chris, *The 2019 Colorado Avalanche Cycle - an Engineer's Perspective* The Avalanche Review Vol. 38 No. 3, The American Avalanche Association, February, 2020.
3. Wilbur, Chris and Kraus, Sue, 2018, *Looking to the Future - Climate Change and Avalanches*, Proc. International Snow Science Workshop, Innsbruck, Austria
4. Wilbur, Chris, Art Mears, Stefan Margreth & Sue Burak, 2014 *Avalanche Dynamics Model RAMMS Applied in two North American Climates*, Proc. International Snow Science Workshop, Banff, Alberta, Canada
5. Wilbur, Chris, Mike Janes & Art Mears, 2012, *Avalanche Impact Performance of a Light-weight Diversion Structure, Snettisham Transmission Line, Southeast Alaska*, Proc. International Snow Science Workshop, Anchorage, AK.
6. Wilbur, C., A.I. Mears, D. LaRue, and Bill Glude, 2010, *A Light-weight Splitting Wedge to Protect Tower 4/6 Snettisham Transmission Line, Southeast Alaska*, Proc. International Snow Science Workshop, Squaw Valley, California, pp. 258-262.
7. Mears, A.I. and C. Wilbur, 2008, *A Case Study in Avalanche Risk Tolerance in Two Transmission Lines: 1) Colorado, USA and 2) Eastern Iceland*, Proc. International Snow Science Workshop, Whistler, British Columbia, pp. 209-214.

Website:

<http://www.mearsandwilbur.com>

Affiliations:

Associate Member, American Avalanche Association

Member, American Society of Civil Engineers

Winter Response Team Leader, La Plata County Search & Rescue (2014-2020)

SERVICES AGREEMENT

AN AGREEMENT between Wilbur Engineering, Inc. (CONSULTANT), and
Wage at Taos Ski Valley (CLIENT), is made and entered into
on this 1 day of August, 2022.

CONSULTANT hereby agrees to:

1. Provide SERVICES described in the attached 5-page proposal dated June 29, 2022.
2. Maintain current insurance coverage in the amounts shown in Exhibit A while engaged in the SERVICES.

CLIENT hereby agrees to the following:

1. CLIENT shall provide to CONSULTANT all records and documents, reports, drawings and other information pertinent to the proposed scope of work.
2. CLIENT grants CONSULTANT the right of access to the SITE necessary for the SERVICES

Payment

CLIENT agrees to pay CONSULTANT monthly invoices based on rates in Exhibit A. Total fees shall not exceed \$23,800.00 without prior written approval of CLIENT. Invoices are past-due thirty (30) days from invoice date. The CLIENT agrees to pay a finance charge of one percent (1.0%) compounded monthly on past-due accounts. All time spent and expenses incurred (including attorney's fees) in connection with collection of any delinquent amount will be paid by CLIENT to CONSULTANT per current fee schedules.

Termination

CLIENT or CONSULTANT may terminate the SERVICES under this Agreement without cause by providing written notification seven (7) days in advance of termination of the AGREEMENT. In the event of termination, CLIENT agrees to pay CONSULTANT for services and expenses incurred up to the date of termination.

Ownership of Instruments of Service

All reports, drawings, specifications, computer files, field data, notes and other documents and instruments prepared by the CONSULTANT as instruments of service shall remain the property of the CONSULTANT. The CONSULTANT shall retain all common law, statutory and other reserved rights, including, without limitation, the copyrights thereto. CLIENT shall have the right to use, reproduce and distribute the product documents only for the intended project, location and conditions.

Third Party Reliance

This work is intended solely for the Client(s) named. Any use which a third party makes of the work, or any reliance on or decisions to be made based on it, are the responsibility of such third parties. Decisions made or actions taken as a result of our work shall be the responsibility of the parties directly involved in the decisions or actions.

Contract Modifications

This Service Agreement may be modified to change scope of work should both CONSULTANT and CLIENT be in agreement on the extension. Additional work will not be done without amending the Service Agreement in writing.

Dispute Resolution

CLIENT and CONSULTANT agree that all disputes between them arising out of or relating to this Agreement or the Project shall be submitted to nonbinding mediation unless the parties mutually agree otherwise.

Warranty

CONSULTANT agrees in connection with SERVICES performed under this Agreement that such SERVICES are performed with the care and skill ordinarily exercised by members of the profession practicing under similar conditions at the same time and in the same or a similar locality. No other warranty, expressed or implied, is made or intended by rendition of consulting services or by furnishing oral reports or documents.

Limit of Liability

CLIENT agrees to limit the liability of CONSULTANT, to the extent allowed by law, to either the total fees paid to CONSULTANT or \$30,000.00, whichever is greater. The intent of this Limit of Liability is to make the total liability of CONSULTANT commensurate with CONSULTANT'S total fees. Increased limits are available for a negotiated fee intended to fairly allocate financial risks between CONSULTANT and CLIENT.

Severability

If any term or provision of this Agreement is held to be invalid or unenforceable under any applicable statute or rule of law, such holding shall be applied only to the provision so held, and the remainder of this AGREEMENT shall remain in full force and effect.

ACCEPTANCE OF AGREEMENT:

This Service Agreement shall be enforced in accordance with and performance hereof shall be governed by the laws of the State of Colorado. In witness whereof, the parties hereto have accepted and signed this agreement as of the dates shown below:



Aug. 9, 2022

CONSULTANT date

Chris Wilbur, President
Wilbur Engineering, Inc.



CLIENT

date

John Auley, Village Administrator
Name and Title



Regulatory Office

Dept: Regulatory
505 Eagleview Blvd., Suite 100
Exton, PA 19341-1120
Telephone: (800) 688-1840

Insurance Company Providing Coverage: XL Specialty Insurance Company

**Professional, Environmental And Network Security Liability Policy –
Architects, Consultants And Engineers Declarations**

THIS IS A "CLAIMS-MADE AND REPORTED" POLICY. THIS POLICY REQUIRES THAT A CLAIM BE MADE AGAINST THE INSURED DURING A POLICY YEAR AND REPORTED TO THE COMPANY, IN WRITING, DURING THAT POLICY YEAR OR AUTOMATIC EXTENDED REPORTING PERIOD.

CERTAIN STATES MANDATE SPECIFIC WARNINGS, EXCEPTIONS OR CONDITIONS MODIFYING THE TERMS AND CONDITIONS OF THIS POLICY. PLEASE READ THIS POLICY CAREFULLY, INCLUDING THE DECLARATIONS AND ALL ENDORSEMENTS.

THIS POLICY CONTAINS PROVISIONS THAT LIMIT THE AMOUNT OF CLAIM EXPENSES THE COMPANY IS RESPONSIBLE TO PAY IN CONNECTION WITH CLAIMS. CLAIM EXPENSES SHALL BE SUBJECT TO ANY APPLICABLE DEDUCTIBLE AMOUNT. THE PAYMENT OF CLAIM EXPENSES WILL REDUCE THE LIMITS OF LIABILITY STATED IN ITEM 3. OF THE DECLARATIONS.

Policy Number: DPS9987359
Renewal of: DPS9970224

1: NAMED INSURED: Wilbur Engineering, Inc.
Physical Address: 150 East 9th Street, Suite 201
City, State Zip Code: Durango, CO 81301

Mailing Address: 150 East 9th Street, Suite 201
City, State Zip Code: Durango, CO 81301

Contact Information:

Prefix: Mr.
First Name: B.
Middle Initial: Christopher
Last Name: Wilbur
Phone: 970-247-1488 Email: chriswilbur@bresnan.net

2: POLICY PERIOD:

Effective Date: 01/01/2022 Expiration Date: 01/01/2023
12:01 A.M. standard time at your mailing address shown in Item 1 above.

3: Limit of Liability (Inclusive of CLAIM EXPENSES):

3a. \$1,000,000 each CLAIM
3b. \$1,000,000 each POLICY YEAR Aggregate

4: Deductible (Inclusive of CLAIM EXPENSES):

4a. \$5,000 each CLAIM
4b. \$5,000 each POLICY YEAR Aggregate

5: Policy Premium:

Standard Gross Premium: \$3,036

Optional Endorsement Premium(s):

Dollar One Defense	# <u>LDD411 1116</u>	<u>Included</u>
Education Program Credit	# <u>N/A</u>	<u>N/A</u>
Limitation of Liability	# <u>LDD417 1116</u>	<u>(\$455)</u>
Cyber Suite for Design Professionals	# <u>N/A</u>	<u>N/A</u>
Employment Practices Liability for Design Professionals	# <u>N/A</u>	<u>N/A</u>
Other	# <u>N/A</u>	<u>N/A</u>

Total Net Premium \$2,581

6: **Retroactive Dates:** Coverage A: 01/01/1995
Coverage B: 01/01/1995
Coverage C: 01/01/1995

7: **Anniversary Date:** 01/01/2005

8: Endorsements Attached to this Policy at Time of Issuance:

PN CW 01 0719 Notice to Policyholders	LDD106 1116 Colorado Amendatory Endorsement
PN CW 02 0119 Notice To Policyholders	LDD163 0809 Important Notice To Colorado Policyholders
PN CW 03 0119 Notice To Policyholders	LDD417 1116 Limitation Of Liability Program Credit
PN CW 05 0519 Notice To Policy Holders	LDD444 1116 Technology Services Coverage
IL MP 9104 0915 XLS - In Witness Endorsement	LDD411 1116 Dollar One Defense Coverage Endorsement
LDD050_1116 Professional, Environmental & Network Security Liability Policy	

Producer: USI Colorado LLC Date Issued: 12/16/2021
Countersigned by: _____
Countersigned at: Greenwood Village, CO

(Authorized Representative)