



ROGER SWEET
Mayor

DAVID RYAN
Mayor Pro-Tem

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MANOLITO SANCHEZ

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BOB WILSON

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DR. JULIETTE SWEET

Trustee

AGENDA FOR THE REGULARLY SCHEDULED VILLAGE COUNCIL MEETING
AUGUST 15, 2018 AT 6:00 P.M. IN THE VILLAGE CONFERENCE ROOM

1. Call to Order

The meeting was called to order at 6:00 by Mayor Roger Sweet. Also present at the meeting were Trustees Ryan, Sanchez, and Wilson, Police Chief Nunez, Officers Donally and Torres, Clerk/Treasurer Yvonne Dickey, Antoinette Vigil from Sandoval County, Ms. Vigil's mother Antonia, Kathy Komoll from NM Hospitality Association, and residents Mike Nealeigh and Karen Knoll.

2. Pledge of Allegiance

The Mayor led the Pledge of Allegiance

3. Approval of Agenda

Mayor Pro Tem Ryan moved that the agenda be approved, moving "Discuss and Act on Air B & B/VRBO Issue) up to follow Ms. Christine Chandler. Trustee Wilson seconded, and the agenda with the change was unanimously approved.

4. Approval of Minutes from 7/18/18 and 7/25/18 Meetings

Mayor Pro Tem Ryan moved that the minutes from the 7/18 meeting be approved as written. Trustee Sanchez seconded, and the minutes were approved. Trustee Wilson moved that the minutes from the 7/25 meeting be approved. Trustee Sanchez seconded and the minutes were unanimously approved.

5. Guest-Ms. Christine Chandler

Ms. Chandler introduced herself as a candidate for the District 43 House of Representatives seat. Ms. Chandler wanted to come and listen to the issues we are currently facing, and expressed her willingness to work closely with the Village government if she is elected. Trustee Sanchez asked Ms. Chandler what her stance is on 2nd Amendment Rights and gun control. Ms. Chandler explained that she supports citizens' rights to own guns and advocates reasonable controls and background checks. Trustee Sanchez then asked Ms. Chandler how she planned to avoid partisanship. Ms. Chandler replied that it is true, at the state level, there is polarization. However, she observed that in the last budget session, leaders were trying to work together better in response to public frustration. Ms. Chandler further stated that she is able to work well on the local level because of her previous experience in Los Alamos. Trustee Wilson expressed his desire for the state to better assist small municipalities like ours and Mayor Pro Tem Ryan explained that the Village could use help working with entities like DOT to get sidewalks and also noted that the LEPP program should be revamped to focus on helping smaller departments. Chief Nunez explained that an issue he faces is the lack of support from the County Sheriff's Office. Ms. Chandler's visit was appreciated.

6. Discuss and Act on Air B & B/VRBO Issue-

Mayor Sweet explained that he wants to bring these properties "into the fold" because right now, we are not sure whether they are paying GRT. Additional issues include nuisances to neighbors, shortage of parking, the removal of homes from the housing market, and a loss of revenues. Ms. Vigil explained that part of the problem is that policies in New Mexico are behind the times, and many small communities are being harmed. She has been working with the NM Hospitality Association and a lobbyist in anticipation of the January State Legislative Session. Ms. Vigil informed the council that the State has talked to Air B&B, and they are willing to collect GRT and Lodgers' Tax, but right now they cannot because tracking all the small municipalities is impossible without policy written at a state level. Meanwhile, changes are needed

to the State's Lodgers' Tax Statute because it is too vague and ambiguous. Ms. Vigil expressed hope that since the hospitality industry is now involved, maybe policy will move forward. Kathy Komoll from the New Mexico Hospitality Association then explained that there is good news. As charter cities, Santa Fe and Taos are leading with ways to deal with the problem. It will be a matter of waiting until the problem is addressed by the State, then non-charter cities like the Village of Jemez Springs will have guidance. Ms. Komoll shared information compiled by NMHA about the impact of the Air B&B's and VRBO's, stating that there are close to 6,000 short-term rental properties in New Mexico. Statewide, this adds up to a potential \$3.8 Million in Lodgers' Tax receipts and \$6.3 Million in GRT statewide. Ms. Komoll believes that a bill can be passed this January to address the issue. Ms. Vigil encouraged the council to lobby alongside NMHA in support of the bill. Mayor Pro Tem Ryan asked whether it would be hard or expensive to enforce, and Ms. Komoll explained that Air B&B already has the technology to collect and distribute the relevant taxes-the problem is that New Mexico lacks the laws and policies. Mayor Sweet asked Ms. Chandler what her stand is, and she replied that in Los Alamos County, some people consider Air B&B's to be a nuisance. Chief Nunez agreed, and said there may need to be Law Enforcement involvement because of disturbances. Mr. Nealeigh attended the meeting as an Air B&B owner, and he asked whether the Village Council has a "friendly" stance on the issue. Mayor Sweet explained that the Council is in favor of Air B&B's; the trouble is compliance and the need for reasonable rules (no loud music after 10:00 p.m. for instance). Mayor Pro Tem Ryan reiterated that the Village of Jemez Springs is business-friendly, but it is crucial for property owners to ensure that their guests do not turn the properties into nuisances. Mayor Sweet asked for suggestions on how to move forward. Trustees Wilson and Sanchez suggested that the council decide on goals (quiet hours, increased tax revenues, etc.), then craft ordinances that help reach those goals. Trustee Wilson said he would be willing to work on the issue, involving Planning & Zoning and Law Enforcement along the way. He will follow up.

7. Reports

- a. Maintenance-Submitted
- b. Bath House-Submitted. Trustee Wilson informed the council that the well that supplies hot water to the Bath House is not producing as much water as it once did. Mayor Sweet has been in contact with Fraser Goff, one of the researchers who first studied our geothermal well, and let the council know that money from the Bath House Refurbishment Grant can be used on the well if necessary. Meanwhile, the 100-Year Hail Storm on 7/31 severely damaged the roof of the Bath House, and we are seeking emergency funds to do repairs.
- c. Library-Submitted. Mayor Sweet explained that he will be advocating for the library to receive as much bond money as possible.
- d. Court-Submitted
- e. Wastewater-Submitted
- f. Police Chief-Submitted. Chief Nunez explained that the Police Department is busier now that the forest has reopened. He introduced Officer Torres and let the council know that now the department has 7 certified reserve officers and 3 non-certified reserve officers. Chief Nunez also addressed Ms. Chandler about low pay for reserve officers, which is \$5.75 per hour right now! Mayor Pro Tem Ryan encouraged Chief Nunez to work closely with Jemez Pueblo's police force to ensure adequate coverage during Light Amongst the Ruins.
- g. P & Z Commission-Submitted
- h. Volunteer Fire Department-Submitted
- i. Lodgers' Tax Advisory Board-Not Submitted

8. Clerk/Treasurer's Report

Ms. Dickey explained that July GRT were over \$20,000. The final budget reports for FY2018 and the final request for FY2019 have been submitted and are with DFA for approval. The new POS system at the Bath House is working well and the last few bugs have been ironed out. Ms. Dickey accompanied the Mayor in a meeting with two representatives from Department of Homeland Security and Emergency Management (the State's counterpart to FEMA) in response to damage from the hail storm. The situation looks hopeful and we may qualify for 75% cost assistance on some repairs to the Bath House roof, Sierra Court, and

various acequias. In addition, we asked them to tour the road leading to the Church Canyon Water Tanks to see whether some assistance might be available for JSDWA. As the situation develops, the council will be informed.

9. Resolution 2018-010 Submitting an ICIP

The council discussed priorities and needs and came to consensus as to ranking the projects as follows:

Bath House Upgrades/Renovation

South Mooney Bridge

Jemez Springs Community Park (Leyba Land)

Geothermal Heating

River Walk

Pedestrian Walkway and Crosswalks

Civic Plaza Area Parking

Bicycle Path

Night Sky Compliance

Mayor Pro Tem Ryan moved that we adopt the resolution to submit an ICIP with the priorities listed above.

Trustee Sanchez seconded the motion. A roll call vote was taken with the following results: Mayor Pro Tem Ryan-aye, Trustee Sanchez-aye, Trustee Wilson-aye, and Mayor Sweet-aye.

10. Resolution 2018-011 Adopting Surveillance Equipment & Privacy Policy

Trustee Wilson asked that in item 6, the phrase "in therapeutic settings" be removed and that in item 12, the phrase "and law enforcement" be added. He felt that the library's portion of the policy was acceptable. Mayor Pro Tem Ryan moved that the policy be accepted with the aforementioned corrections. Trustee Sanchez seconded. The resolution with the changes described above was approved unanimously.

11. Second Alarm Brew House Permit

The State has not done their proper posting yet, so the council cannot act on this matter at this meeting.

12. Leyba Land Rental Fee Discussion & Action

Consensus was that the council needs more time to research possibilities. This item will be considered at the next meeting.

13. Mayor's Report

- a. Mayor Sweet-Mayor Sweet explained to the council that he visited with Cody Lewis at the Old Fire Station, where they discovered that the culvert beneath the building where the acequias flows is rotten. He just wanted to make the council aware.
- b. Mayor Pro-Tem Ryan-Mayor Pro Tem Ryan reiterated that Chief Nunez should coordinate with the Pueblo for Law Enforcement during Light Amongst the Ruins. He instructed Chief Nunez to talk to JPPD's Chief and if this does not yield results, Chief Nunez is to speak to the Pueblo Governor.
- c. Trustee Wilson-Trustee Wilson had nothing else to report.
- d. Trustee Sanchez-Trustee Sanchez asked if anyone knew where the old pictures of the former Mayors could be found. The photos are not in the Village Office anymore, however Robert Borden may have a collection. Trustee Sanchez also noted that when the new paving was done in front of the Fire Station, a large bump resulted. Mayor Sweet offered to talk with the DOT about fixing the bump.
- e. Trustee Sweet-Trustee Sweet was not able to attend.

14. Adjourn

At 9:00 p.m. Trustee Sanchez moved that the meeting be adjourned. Trustee Wilson seconded. The meeting was adjourned with no opposition.