



# Board of County Commissioners

**San Miguel County Lodger's Tax Advisory Board Meeting  
November 30, 2021 at 2:00 p.m.  
Held via Zoom**

*Harold M Garcia  
Chair-District 1*

*Janice C. Varela  
Vice-Chair-District 2*

*Max O Trujillo  
Commissioner- District 3*

*Martin Sena  
Commissioner-District 4*

*Kenneth C. Medina  
Commissioner- District 5*

*Joy Ansley  
County Manager*

Meeting was called to order by Chairman Hugh Ley at 2:00pm via zoom and roll call was taken. Present during roll call were Lodger's Tax Board Members Kimberly Allen, Diane Moore, Bart Ellison, and Chairman Huie Ley. Not present was Board Member Paul Aragon. Additional county staff present were Amanda Salas, Planning & Zoning Director, Melinda Gonzales, Finance Director and Joy Ansley, County Manager.

A quorum was established. Board Member Diane Moore called for a motion to approve the agenda. Board Member Bart Ellison seconds the motion. Motion carried with all members in favor of approval of the agenda.

Next item on the agenda was to approve the minutes from the meeting from February 2nd, 2021. Moore called for a motion to approve the minutes. The motion was seconded by Ellison. The motion carried and the minutes were approved.

Salas introduces herself to the board as the new Planning & Zoning Director.

## **Item #1- Financial Report**

Melinda Gonzales, Finance Director, presented a financial report of the lodging establishments that the county is receiving funds from. The next section of the report was expenditures. The county has budgeted total of \$107,885. \$76,427 is in a non-committed fund and the remaining \$31,468 is tied up into a purchase order with Pecos Business for the current year and a second year. The expenditures as of 10/31 were \$14,654 leaving a balance of \$16,304. A recap of the budgeted cash balance, starting balance was 84,931.35, budgeted revenue \$42,885, budgeted expenditure \$107,885.

Melinda voiced her concerns regarding the lack of Airbnb's reporting to the county and not paying Lodgers' Tax. Discussion on Airbnb's and third party location services delayed to continue as the topic was further down the agenda items.

## **Item #2- Lodger's Tax**

Chairman Ley asked a question about the RFP process. Chairman Allen addressed that some applicants find the RFP difficult. Moore discusses that the RFP can be utilized for a recreational facility or utilizing for the improvement of the county fairgrounds. Chairman Ley asks for suggestions on where the Lodgers' Tax should be utilized. Salas notes that other areas in the county such as Conchas, Bernal, and Sapello don't see much attention as areas like Pecos, since they were the awardee of the last RFP. She also notes that a third party vendor may need to be utilized to aid in the more evenly distributed approach to promote tourism. Allen offers suggestions on considering the biking industry and mountain biking trails, referencing bike pathways being developed in southern Colorado. Ellison asks Chairman Ley regarding easing the county ordinance which he felt is limited to advertising. Chairman Ley, Gonzales and Salas discuss the similarities between the state law and the county ordinance. Chairman Ley discusses potentially rewriting the ordinance to allow the funds to be utilized more broadly. Ms. Salas discusses a new Lodgers' Tax ordinance that is being looked at which is mirrored from the ordinance of Ruidoso which will provide additional clarification of the uses of Lodgers' Tax funding and mirror the state statutes. Salas also states the new ordinance will need to include and update the short-term rentals requirements for Lodgers' Tax that were amended at the state level approximately in 2019. Moore agrees that the ordinance needs to be

**Administration Complex**

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revisited to open up the spending options to encourage more “heads in beds”. **Chairman Ley asks about contracting a vendor to develop a San Miguel County visitor’s guide.** Salas suggests board members have any additional information of other potential Lodgers’ Tax ideas for the next meeting if desired. County Manager Joy Ansley also expressed her interest as well as the commission’s interest in possibly utilizing Lodgers’ Tax money for the county fairground improvements as public interest has been noted for rodeo events.

## **Item #3- Best Practices Training for Lodger’s Tax**

Ms. Salas states that she is looking into getting training of Lodger’s Tax for the board and commission. She hopes to have an update on feasibility and timing in the next meeting. Allen mentions an individual from the NM Hospitality Association name Kathy Komoll she has had contact with in the past to help with training and who was willing to offer training. Moore notes that collaboration on training with commissioners is vital for success. Ms. Salas states that ethics training will also be provided in the near future for the board as a good refresher on guidelines and limitations.

## **Item #4- Third Party Location of Airbnb’s**

Ms. Salas states that a third party company contacted her department to aid in the location of Airbnb’s to ensure compliance to collect Lodger’s Tax. The third party will aid in the location of active units renting and provide statistics as to what the average rental rate and frequency of rental. Ms. Salas expresses the importance of educating renters on the tax to ensure compliance. Chairman Ley asks Ms. Salas about the RFP she will be developing on how to be involved in its’ process. Chairman Ley expressed interest in being involved in being kept up to date on the process to ensure that the final RFP is in the best interest of the county.

## **Item #5- Next Meeting Time**

Ms. Salas proposed Tuesday, January 4th 2022 for the next meeting time via zoom. The Board agrees to the date via zoom. Allen expressed interest in setting regular meeting dates in the future. Ms. Salas states lodgers tax meetings are regularly 3 months apart. Allen suggests communicating every 2nd Tuesday to touch base. Chairman Ley entertains a motion to adjourn. Moore motions to adjourn, Allen seconds the motion. The vote was held and meeting was adjourned.