



TOWN OF MOUNTAIN VILLAGE  
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## TOWN OF MOUNTAIN VILLAGE MINUTES OF THE AUGUST 17, 2017 REGULAR TOWN COUNCIL MEETING

The meeting of the Town Council was called to order by Mayor Laila Benitez at 8:31 a.m. on Thursday, August 17, 2017 in the Mountain Village Town Hall, 455 Mountain Village Boulevard, Mountain Village, Colorado.

### **Attendance:**

#### **The following Town Council members were present and acting:**

Laila Benitez, Mayor  
Dan Caton, Mayor Pro Tem (by phone)  
Dan Jansen  
Jack Gilbride  
Bruce MacIntire  
Patrick Berry  
Paul Oupadia

#### **The following Town Council members were absent:**

#### Also in attendance were:

Kim Montgomery, Town Manager  
Jackie Kennefick, Director of Administration/Town Clerk  
Susan Johnston, Deputy Town Clerk  
Jim Mahoney, Assistant Town Attorney  
Sarah Abbott, Associate Town Attorney  
Chris Broady, Police Chief  
Rachelle Redmond, Lieutenant  
Kevin Swain, Finance Director  
Julie Vergari, Chief Accountant  
Sam Starr, Planner  
Bill Kight, Marketing & Business Development Director  
Steven Lehane, Director of Broadband Services  
Jim Loebe, Director of Transit & Recreation  
Michelle Haynes, Dir. Of Planning & Development Services  
Dawn Katz, Director of Mountain Munchkins  
Julia Levine  
Kurtis Murphy  
Kevin Maughan  
Kenny Macnpa  
Pete Mitchell  
Darrell Huschke

Jonathan Greenspan  
Shannon Swyka  
Gene Dackonish  
Tim Johnson  
Lauren Murray  
Shannon Swyka  
Nick Swyka  
Sole Riley  
Anton Benitez  
Tom Royer  
Carol Royer  
Jeff Proteau  
William Singleton  
Steve Roth  
John Horn  
Larry Niehaus  
Cath Jett  
Christine Gamage  
Shari Mitchell  
Marty Huschke  
Pam Pettee

### **Public Comment on Non-Agenda Items (2)**

Public comment was received by Shannon Swyka, Sole Riley, and Jonathan Greenspan.

The Mayor directed staff to arrange a site visit to the Meadows to discuss Jonathan Greenspan's comments regarding the impact of the existing cottonwood trees on the Meadows infrastructure.

**Update on Crown Castle Macro Tower at the Ridge (3)**

Jeff Proteau of Telluride Ski & Golf provided the update and stated that the existing cell tower on Coonskin Ridge was built in 1984 for KOTO Radio Station. Over time additional carriers have been added to the tower and a major portion is utilized by emergency systems. He stated that AT&T had inquired about adding additional equipment to the structure to increase service, however; it was determined that the additional equipment would put the tower over the recommended weight capacity. Crown Castle was contacted to build a new tower and the approval process began. The FAA (Federal Aviation Agency) requires that a red light be placed on the top of the tower which slowed the approval process to allow both San Miguel County and the Town of Telluride to weigh in. Crown Castle proposed a Radar Detection System (RDS) which is an expensive new technology to purchase and allows for the light to only come on when a plane is approaching the airport as opposed to being on all the time. This new technology has not been fully vetted and requires approximately \$20,000 in annual maintenance, which Crown Castle later determined would be cost prohibitive. As a result, Crown Castle has pulled out of the project. Mr. Proteau suggested revisiting the approval for a red light without the RDS and then subsequently revisiting the RDS technology in 3 years to evaluate the technology at that time. Dan Jansen stated that the previous Council was comfortable with the original red light on the tower. Mr. Proteau added that TSG is planning to improve the structural integrity of the existing tower. Council discussion ensued regarding a DAS (Distributed Antenna System) which had been discussed as a complement to the new tower and would address cellular issues that tend to occur over busy holiday periods. Ms. Montgomery stated that Crown Castle has been working with all of the carriers that would opt in on the DAS system, however; they do not have any providers that have officially signed up. Crown Castle stated that as soon as one provider signs on, they will move forward with the DAS installation.

**Executive Session for the Purpose of Receiving Legal Advice Pursuant to C.R.S. 24-6-402(b), and for the Purpose of Negotiations Pursuant to C.R.S. 24-6-402(4)e (4)**

On a **MOTION** by Paul Oupadia and seconded by Jack Gilbride, Council agreed to enter into Executive Session for the purpose of receiving legal advice pursuant to C.R.S. 24-6-402(b), and for the purpose of negotiations pursuant to C.R.S. 24-6-402(4)e at 9:20 a.m.

Council returned to regular session at 10:38 a.m.

**Council took a break from 10:38 a.m. to 10:44 a.m.**

**Consideration of Approval of Minutes: (6)**

**a. July 25, 2017 Regular Council Meeting**

On a **MOTION** by Bruce MacIntire and seconded by Patrick Berry, Council voted unanimously to approve the July 25, 2017 Regular Council meeting minutes as presented.

**b. July 27, 2017 Regular Council Meeting**

On a **MOTION** by Bruce MacIntire and seconded by Patrick Berry, Council voted unanimously to approve the July 27, 2017 Regular Council meeting minutes with the following changes:

Agenda Item # 7k Dan Caton *recused himself from the vote as his wife is running for the position*

Agenda Item # 9 *New Council members Berry, Oupadia and Gilbride recused themselves from the vote as they were not present at the June meeting.*

**TRAA (Telluride Regional Airport Authority) Bi-Annual Report (7)**

Airport Manager Kenny Macnpa presented the report stating that the airport re-opened on June 30<sup>th</sup> after three months of being closed for improvements. He highlighted the airport's capital improvements:

- a. Aircraft parking apron rehabilitation
- b. Commercial Terminal remodel and addition of 500 sf for TSA screening and passenger hold room
- c. General Aviation Terminal remodel and addition of 720 sq. ft.

Mr. Macnpa stated that his priorities are safety, customer service, and to continue to diversify revenue sources. They've established a policy for the use of drones defining coordination and communication with the airport. The information is provided on their website. Mr. Macnpa stated that the Airport will host activities for the Festival of Cars and Colors September 21-24.

**Liquor Licensing Authority: (8)**

**a. Consideration of an Application by Telski Food & Beverage Services, LLC for a Permanent Modification of Premises on their H&R liquor license with Optional Premises Extending the Gorrano Ranch Beach Area to Accommodate Special Events & Concerts**

Patrick Berry recused himself as he is the manager on file for the liquor license. Mayor Benitez stated that she has ended her business relationship with TSG. Deputy Town Clerk Susan Johnston presented the application stating that it has been reviewed by both the Legal and the Police Department with no adverse findings and that the application is complete and fees have been paid. Council discussion ensued. On a **MOTION** by Dan Jansen and seconded by Bruce MacIntire, Council voted 6-0 (Patrick Berry recused himself) to approve an application by Telski Food & Beverage Services, LLC for a permanent Modification of Premises on their H&R liquor license with Optional Premises extending the Gorrano Ranch beach area to accommodate special events and concerts

**b. Consideration of an Application by Telski Food & Beverage Services, LLC for a Temporary Modification of Premises on their H&R liquor license with Optional Premises at the Members Clubhouse from September 20-24, 2017 for the Cars & Colors Festival Events**

Council discussion ensued. On a **MOTION** by Dan Jansen and seconded by Jack Gilbride, Council voted unanimously approve an application by Telski Food & Beverage Services, LLC for a temporary Modification of Premises on their H&R liquor license with Optional Premises at the Members Clubhouse to extend into Heritage Plaza from September 20-24, 2017 for various Cars & Colors Festival Events.

**c. Consideration of an Application by Telski Food & Beverage Services, LLC to add an Optional Premise –Base Club at Heritage Plaza - to the Existing Hotel & Restaurant Liquor License with Optional Premises (5)**

Ms. Johnston stated that the existing licensee Telluride Base Mountain Club dba Telluride Base Club submitted an affidavit for surrender of their State liquor license on August 11, 2017. Council discussion ensued. On a **MOTION** by Bruce MacIntire and seconded by Paul Oupadia, Council voted unanimously to approve an application by Telski Food & Beverage Services, LLC to add an Optional Premise-Base Club at Heritage Plaza- to the existing Hotel & Restaurant liquor license with optional premises.

**Consideration of Appointments: (9)**

**a. Ethics Commission (One Alternate)**

Five applications for the alternate position were received: Suse Connolly, Marc Flitter, Cath Jett, Marla Meridith and Shari Mitchell. Applicants Shari Mitchell and Cath Jett were present and addressed Council. Council voted by paper ballot resulting in a 4-3 vote for Shari Mitchell and she was appointed to the alternate seat on the Ethics Commission.

**b. Colorado Mountain College Needs Assessment Meeting Representative (One)**

Council discussion ensued. On a **MOTION** by Dan Jansen and seconded by Jack Gilbride, Council voted unanimously to appoint Dan Caton as the Colorado Mountain College Needs Assessment meeting representative

**c. Council Representative for Lot 161CR Litigation Mediation**

Council discussion ensued. On a **MOTION** by Dan Jansen and seconded by Jack Gilbride, Council voted unanimously to appoint Bruce MacIntire and Dan Caton as the Council representatives for Lot 161CR Litigation Mediation.

**d. Telluride Conference Center Committee (TCC)(Two Council Members)**

Bruce MacIntire explained that the Town owns the Conference Center and that the bonds will be paid off in December 2017. This committee is tasked with determining if the Conference Center should be sold, or; if the Town should keep the asset and continue to contract the management of the TCC. They will also be conducting a financial analysis. Council discussion ensued. On a **MOTION** by Dan Jansen and seconded by Paul Oupadia, Council voted unanimously to appoint Bruce MacIntire and Jack Gilbride to the Telluride Conference Center Committee.

**Finance: (10)**

**a. Presentation of the July 31, 2017 Business & Government Activity Report (BAGAR)**

Director of Finance Kevin Swain presented. Council discussion ensued.

**b. Consideration of the June 30, 2017 Financials**

Mr. Swain presented the June financials highlighting that cash flow has been strong due to an all-time high in June sales tax collections. Business license revenue is over \$300,000 for the first time. Mr. Swain attributes this to a strong effort by staff to enforce the business license ordinance. Council discussion ensued. On a **MOTION** by Dan Jansen and seconded by Jack Gilbride, Council voted unanimously to approve the June 30, 2017 Financials.

**Staff Reports: (11)**

**a. Human Resources**

Director Sue Kunz presented her report stating that health insurance premiums for 2018 will not only not increase, but will decrease by 5% which is unprecedented. She attributed the lower number of employee injuries to the Town safety incentive programs and that employees are regularly educated on safety issues. The wellness program incentivizes employees to improve their health with items such as standing desks, treadmills, and bicycles. Ms. Kunz invited Council members to attend the employee appreciation picnic on Wednesday, August 23rd.

**b. Mountain Munchkins**

Director Dawn Katz presented her report stating that there are 52 children enrolled at Munchkins. Ms. Katz has been working closely with the Executive Director of the Regional Early Childhood Council on solutions to the infant and toddler care shortage in the community. A steering committee was recently formed to bring awareness to this issue. There may be an initiative on the November 2017 ballot asking voters to support early childcare with a .75 mill levy throughout San Miguel County. The initial priorities identified by the committee are building capacity in infant and toddler spots and hiring/retaining qualified teachers. The funds will be utilized based on the needs of the community so the distribution may change annually. Discussion ensued on the idea of shared responsibility of businesses to promote new facilities and other options for child care.

**c. Town Manager**

The July *Great Services Award* went to Public Works Director Finn Kjome for going above and beyond to successfully complete the improvements to Sunset Plaza, not just prior to the deadline, but in time to allow the adjacent businesses to reopen on the Plaza for the First Grass Concert. She stated that the Army Corps of Engineers and Environmental Protection Agency (EPA) had requested a meeting on September 19<sup>th</sup>, 2017 with Town of Mountain Village and Telluride Ski and Golf representatives to discuss wetlands and tour the mitigated wetlands that were part of the Consent Decree.

**Council took a break for lunch from 12:18 p.m. to 12:33 p.m.**

**Second Reading, Public Hearing, and Council Vote on an Ordinance Approving: (1) Rezoning and (2) Density Transfer on Lot 601, Knoll Estates Unit 22-23 Quasi-Judicial (12)**

Planner Sam Starr presented the above item. The Mayor opened the public hearing. No public comment was received. The public hearing was closed. On a **MOTION** by Dan Jansen and seconded by Patrick Berry, Council voted 6-0 (Dan Caton was on the phone and therefore ineligible to vote on a *quasi-judicial* matter) to approve on first reading an Ordinance approving (1) rezoning and (2) density transfer on Lot 601, Knoll Estates Unit 22-23.

**Discussion of a Comprehensive Plan Amendment for Lot 30, Parcel M (13)**

The purpose of the work session was to discuss amending the existing unit and density designations contained within the Mountain Village Comprehensive Plan for Lot 30; Parcel M. Lot 30 is owned by Darrell and Marty Huschke and is currently zoned as multi family. Lot 30 is indicated as a portion of Parcel M, which includes an Active Open Space parcel that surrounds Lot 30 on three sides owned by Telluride Ski and Golf (TSG). Parcel M is envisioned to provide a target total of 102 units by combining Lot 30 with the TSG active open space parcel. Lot 30 was landlocked; however the owners have resolved access through an access easement with TSG. The owners have a very difficult piece of property to sell and are requesting that the Lot be assigned a density range of between 9-25 units. Public comment was received by Jim Royer and John Horn who represents the Huschkes. Council discussion ensued and Council directed staff to proceed

with the comprehensive plan amendment process in the fall of 2017, including a survey of the surrounding properties (Aspen Ridge, Granita, Blue Mesa and Tramontana) to gauge their comfort level with development scenarios.

**Discussion on an IGA with SMART Regarding Funding for the Operation of the Town of Mountain Village's Interjurisdictional Transportation (14)**

Interim Director of SMART Amy Levek stated that SMART is working to determine the best way to transfer the transportation services provided by the Town of Mountain Village to SMART. The transfer will include the employee shuttle services and the off season buses between Mountain Village and Telluride. Discussion ensued on allowing SMART the flexibility to experiment with additional services. Equipment, drivers and insurance will be overseen by the Town and drivers will be employees of the Town. SMART will reimburse the Town (less amounts the Town receives in contributions, i.e. user fares and TMVOA (Telluride Mountain Village Owners Association) contributions) for all expenses including:

- All costs of providing the service
- Maintenance
- Operational costs
- Administration
- Marketing
- Employee costs
- Insurance
- Fuel

The IGA is for a one year term with automatic renewals. SMART is in the process of designing a logo and would like to be able to put their logo on the shuttles. SMART is investigating other funding resources such as grants, aimed at purchasing additional vehicles. Public comment was received from Cath Jett. Associate Town Attorney Sarah Abbott stated that the ideas being discussed will be incorporated in the final draft of the IGA. Council discussed:

1. Defining current services
2. One year term with automatic renewal
3. Before any changes in service occur, SMART must notify Mountain Village
4. Establish a process for adding services
5. Mandatory annual meeting
6. SMART and the Town must be made aware of any complaints
7. SMART would disperse funds quarterly with the Town submitting an invoice that would be payable within 30 days

**Consideration of Adoption of Green Team Committee Bylaws (15)**

Kim Montgomery stated that the idea of establishing a Green Team was brought up when Environmental Services Director Deanna Drew resigned. Upon her departure there was concern that the initiatives handled by Ms. Drew might fall through the cracks. Ms. Montgomery noted that Jonathan Greenspan made some great suggestions for changes to the bylaws. Council discussion ensued on the appropriate number of committee members to appoint and consensus was to have seven members from the following sources:

- 2 Council members
- 2 Residents
- 1 Telluride Ski and Golf representative
- 1 Telluride Mountain Village Owners Association representative
- 1 At large representative

Staff will provide support but not be committee members. Council consensus was to put a placeholder in the budget for marketing. On a **MOTION** by Dan Jansen and seconded by Bruce MacIntire, Council voted unanimously to adopt the Green Team Committee Bylaws with the following changes/additions:

- Annually set goals and measures
- Annual budget development beginning with 2018
- Public outreach
- Seven committee members

**Council Boards and Commissions Updates: (16)**

**a. San Miguel Watershed Coalition –Oupadia**

There was no update.

**h. Colorado Flights Alliance –Jansen**

Mr. Jansen stated that there are two Boards involved in the operations of the Telluride Airport. The first is CFA which works with airlines to put routes on the schedule and the second is the TIRAA Board which oversees the airport. The two work hand in hand to promote the airport. Mr. Jansen added that summer flights are continuing to load strongly.

**c. Transportation & Parking – MacIntire/Benitez**

There was no update.

**d. Budget & Finance Committee -Gilbride/Caton**

Mr. Caton stated that a preliminary detailed budget has been drafted and will be presented at the September 21st Council meeting. The wastewater plant will be a major funding issue in the next few years and will deplete reserves. The preliminary Compensation Study data shows that Town employee salaries are significantly below market. The cost of bringing up salaries will be significant. Discussion ensued and Council directed staff to add a narrative and disclaimer explaining the raw data in the 2016 Benchmarking Study which had already been published on the Town website. On a **MOTION** by Dan Jansen and seconded by Bruce MacIntire, Council voted unanimously to extend the meeting beyond 6 hours.

**e. Gondola Committee - Oupadia/Caton**

There was no update. A meeting is scheduled for August 29, 2017.

**f. Colorado Communities for Climate Action – Berry**

Meetings are held the first Friday of the month.

**g. San Miguel Authority for Regional Transportation- Benitez/Caton**

Mayor Benitez stated that twenty-seven resumes are being reviewed by the subcommittee for the Executive Director position.

**h. Eco Action Partners – Berry**

There was no update.

**i. Telluride Historical Museum- Berry**

There was no update.

**j. Telluride Conference Center –MacIntire/Gilbride**

There was no update. Kim Montgomery agreed to send an email to arrange for a committee meeting.

**k. Alliance for Inclusion – Berry**

There was no update.

**l. Community Grant Committee – Benitez/Oupadia**

On August 1<sup>st</sup> the portal was launched through the Telluride Foundation allowing grant applications to be submitted by September 1<sup>st</sup>. A meeting will be scheduled to discuss the applications received and make a funding recommendation to Council.

**m. Mayor's Update - Benitez**

Mayor Benitez discussed reaching out to Telluride Tourism Board and the Town of Telluride to propose collaborating on creating a regional app.

**Other Business (17)**

Dan Jansen stated that he found the Medical Center discussion with Richard Betts disheartening. The concern he has is that as time passes, the potential sites are being lost to other opportunities. He suggested that the topic be handled by forming a subcommittee of Mayors similar to SMC1AC (San Miguel County Transit Advisory Committee), which was the precursor to SMART. This is an interjurisdictional issue and requires all entities to pull together, brainstorm and find a solution. Mayor Benitez stated that she is willing to meet with other players and discuss the subcommittee formation.

Bruce MacIntire stated that he had been approached by a resident on Benchmark regarding the YBR (Yellow Brick Road) building issue that was mentioned earlier in public comment. She expressed that her biggest issue is that construction begins at 7:00 a.m. Michelle Haynes, Kim Montgomery and Jim Mahoney will meet next week to determine what can be addressed and will set up a meeting with the construction representative.

Dan Jansen stated that he had been approached by several constituents who are worried about bikers and hikers on shared purpose trails. A working group was formed at the suggestion of former Mayor Bob Delves, which included the Forest Service, TSG, Town of Telluride, Town of Mountain Village, and the Bike Alliance. The group will work on developing some common sense actions. Council directed Director of Transit and Recreation Jim Loebe to schedule a work session at a future date to discuss options, rules and etiquette.

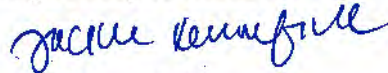
There being no further business, on a **MOTION** by Jack Gilbride and seconded by Dan Jansen, Council unanimously agreed to adjourn the meeting at 3:02 p.m.

Respectfully prepared,



Susan Johnston  
Deputy Town Clerk

Respectfully submitted,



Jackie Kennefick  
Town Clerk