

**TOWN OF MOUNTAIN VILLAGE
TOWN COUNCIL REGULAR MEETING
THURSDAY FEBRUARY 15, 2018, 8:30 AM
2nd FLOOR CONFERENCE ROOM, MOUNTAIN VILLAGE TOWN HALL
455 MOUNTAIN VILLAGE BLVD, MOUNTAIN VILLAGE, COLORADO
AGENDA**

	Time	Min	Presenter	Type	
1.	8:30				Call to Order
2.	8:30	5			Public Comment on Non-Agenda Items
3.	8:35	90	Reed/Mahoney	Legal	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.	10:05	5	Break		
5.	10:10	15	Kennefick	Informational	Overview of AV Upgrade to Council Chambers
6.	10:25	5	Johnston	Action	Consideration of Approval of Minutes of the January 18, 2017 Regular Council Meeting
7.	10:30	15	Abbott	Action Legislative	First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Opting Out of Signature Verification in Municipal Elections
8.	10:45	15	Mahoney Kunz Montgomery	Action	Consideration of a Policy for Employee Unit Sales Provisions and Lottery Priority
9.	11:00	45	Swain	Informational Action Work Session	Finance: a. Presentation of the January 31, 2017 Business & Government Activity Report (BAGAR) b. December 31, 2017 Financials c. Consideration and Ratification of the 2019 Budget Process d. Short Term Rentals Licensing and Taxation Compliance
10.	11:45	20	Starr	Action Legislative <i>Quasi-Judicial</i>	First Reading, Setting of a Public Hearing and Council Vote on an Ordinance to Consider a Rezone and Density Transfer Application to Transfer Density from Lot 628B into the Density Bank per Community Development Code Sections 17.4.9 & 17.4.10
	12:05	30			Lunch
11.	12:35	45	Mahoney Reed	Action	Consideration of a Standstill Agreement Regarding Lots 126R and 152R
12.	1:20	5	Haynes	Action Legislative <i>Quasi-Judicial</i>	Second Reading, Public Hearing and Council Vote on an Ordinance Approving: (1) Rezone Lot 304 and (2) Transfer Density of Four (4) Person Equivalents of Single Family Density From Lot 304 into the Density Bank pursuant to Community Development Code Sections 17.4.9 & 17.4.10
13.	1:25	10	Kee	Action Legislative	First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Approving a Community Development Code (CDC) Amendment to Section 17.7.7 Building Board of Appeals to Make Minor and Conforming Amendments Pursuant to CDC Section 17.1.7 Amendments to the Community Development Code
14.	1:35	30	Haynes	Action Legislative	Consideration of Approval of a Resolution Regarding a Comprehensive Plan Amendment Regarding Parcel M, Lot 30, Which Consists of Lot 30 and a Portion of the Adjacent Open Space Parcel OS1AR-3 Within the Village Center Subarea and Other Associated Amendments to Accomplish the Foregoing Pursuant to Community Development Code Section 17.1.5 Town Comprehensive Plan
15.	2:05	20	Haynes	Informational	Town Hall Subarea - Village Court Apartments Expansion Progress Update
16.	2:25	20	Loebe	Action	Consideration of Adopting the Parking Committee's Recommendation to Permanently Eliminate Permit Parking on Upper Mountain Village

					Boulevard
17.	2:45	20	Anderson Lauterbach	Action	Consideration of Approval of a Request for Funding from the Telluride Mountain Club to Implement Proposed Trails Sustainability Plan with Funds to Come From Existing Recreation/Trails Budget
18.	3:05	15	Tuddenham	Action	Consideration of Approval of a Resolution Supporting Legislation to Protect the Environment and Reduce Public Liabilities Relative to Mining Activities
19.	3:20	30	Council Members & Staff	Informational	Council Boards and Commissions Updates: a. San Miguel Watershed Coalition-Starr b. Colorado Flights Alliance -Jansen c. Transportation & Parking – MacIntire/Benitez d. Budget & Finance Committee –Caton/Gilbride e. Gondola Committee – Caton/Berry f. Colorado Communities for Climate Action – Berry g. San Miguel Authority for Regional Transportation (SMART)- Benitez/Caton/Binder h. Eco Action Partners – Berry/Binder i. Telluride Historical Museum- Berry j. Telluride Conference Center –MacIntire/Gilbride k. Alliance for Inclusion – Berry l. Green Team Committee- Berry/MacIntire m. Telluride Tourism Board-Jansen n. Mayor's Update - Benitez
20.	3:50	20	Kunz Montgomery	Informational Action	Staff Reports: a. Human Resources 1. Consideration of Approval of the 2018 Employee Handbook b. Town Manager
21.	4:10	5	Kennefick		Other Business: 1. Notification of Design Review Board Seats Expiring with Appointments to be Made in March as per Policy
22.	4:15				Adjourn

Please note that times are approximate and subject to change.

jk
02/7/18

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting Town Hall at 970-369-6429 or email: mvclerk@mtnvillage.org. A minimum advance notice of 48 hours is required so arrangements can be made to locate requested auxiliary aid(s)

**TOWN OF MOUNTAIN VILLAGE
MINUTES OF THE JANUARY 18, 2018
REGULAR TOWN COUNCIL MEETING **DRAFT**
AGENDA ITEM #6**

The meeting of the Town Council was called to order by Mayor Laila Benitez at 8:33 a.m. on Thursday, January 18, 2018 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
Dan Jansen
Jack Gilbride
Bruce MacIntire
Patrick Berry
Natalie Binder

Also in attendance were:

Kim Montgomery, Town Manager
Jackie Kennefick, Director of Administration/Town Clerk
Susan Johnston, Deputy Town Clerk
Christina Lambert, Administrative Services Coordinator
David Reed, Town Attorney
Jim Mahoney, Assistant Town Attorney
Sarah Abbott, Associate Town Attorney
Chris Broady, Police Chief
Kevin Swain, Finance Director
Julie Vergari, Chief Accountant
Michelle Haynes, Director of Planning & Development Services
Randy Kee, Building Official
Sam Starr, Planner
Bill Kight, Marketing & Business Development Director
Sue Kunz, Director of Human Resources
Finn Kjome, Director of Public Works
Steven LeHane, Director of Cable & Broadband Services

Kenny Maenpa
Elizabeth Stuffings
Bill Jensen
Anton Benitez
John Burchmore
Jolana Vanek
Robert Stenhammer
Marti Prohaska
Tim Johnson
Carly Shaw
Meghan Pittenger
Bill Jensen
Jonathan Greenspan

Public Comment on Non-Agenda Items (2)

There was no public comment.

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 (3)

On a **MOTION** by Jack Gilbride and seconded by Bruce MacIntire, Council voted unanimously 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 8:35 a.m.

Council returned to regular session at 9:50 a.m.

Council took a break from: 9:50 a.m. to 10:00 a.m. (4)

Consideration of Approval of Minutes of the December 14, 2017 Regular Council Meeting (5)

Deputy Town Clerk Susan Johnston presented. On a **MOTION** by Jack Gilbride and seconded by Dan Caton, Council voted unanimously to approve the December 14, 2017 meeting minutes as presented.

Consideration of a Resolution Designating Posting Locations for the Town's Ordinances and Public Notices (6)

On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to adopt a Resolution designating posting locations for the Town's Ordinances and Public Notices as presented.

Liquor Licensing Authority:

Consideration of Re-certification of the Mountain Village Promotional Association and Common Consumption Area (7)

Susan Johnston presented. Patrick Berry recused himself due to his employment with TSG who is a member of the Promotional Association. Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Bruce MacIntire, Council voted unanimously (with Patrick Berry recused) to approve the re-certification of the Mountain Village Promotional Association and Common Consumption Area as presented.

TRAA (Telluride Regional Airport Authority) Bi-Annual Report (8)

Airport Manager Kenny Maenpa presented the report stating that the following capital improvements were completed in 2017:

- Aircraft parking apron rehabilitation
- Commercial Terminal remodel and addition
- General Aviation Terminal remodel and addition

He stated that fuel sales and operations were down due to the three-month airport closure for remodeling. Mr. Maenpa encouraged Council to come out and see the improvements. The Category C approach is completed and TRAA is marketing it to the airlines. They are hopeful that the airport will soon see larger planes. He noted that TEX (Telluride Regional Airport) is one of the few airports that owns their approach.

Finance: (9)

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

Director of Finance Kevin Swain presented the BAGAR. Council discussion ensued.

b. November 30, 2017 Financials

On a **MOTION** by Dan Jansen and seconded by Dan Caton, Council voted unanimously to approve the November 30, 2017 Financials as presented.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Approving a Major PUD Amendment to Extend the Development Agreement and the Associated Vested Property Rights on Lots 126R and 152R for a Two Year Period *The Applicant has Requested that this Item be Continued to the February 15, 2018 Town Council Meeting* (10)

Planning and Development Services Director Michelle Haynes stated that the applicant has requested the continuation to evaluate comments provided by the Design Review Board and determine how to proceed. On a **MOTION** by Jack Gilbride and seconded by Bruce MacIntire, Council voted unanimously to continue the above item to the February 15, 2018 Town Council Meeting.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance to Consider a Rezone and Density Transfer Application to Transfer Density from Lot 304 into the Density Bank per Community Development Code Sections 17.4.9 & 17.4.10 (11)

Michelle Haynes presented stating that Lots 303R1 and 305 have existing single-family homes on them. Lot 304 is vacant. The owners of lot 303R1, 304 and 305 have agreed to replat the three lots into two lots. A substantial portion of the former lot 304 will depict a private covenant called a no build zone on the newly replatted portions of Lots 303R2 and 305R. In order to propose a minor subdivision application, the applicants have submitted two concurrent applications: 1) transfer the density associated with lot 304 (to be vacated) to the density bank by way of a density transfer and rezone application and 2) submit a minor subdivision application to replat the properties. Both applications have been

received and are being reviewed concurrently. The Design Review Board unanimously recommended approval for the density transfer and rezone application for Lot 304 with conditions found in the proposed motion. On a **MOTION** by Dan Caton and seconded by Patrick Berry, Council voted 7-0 to approve an Ordinance considering a rezone and density transfer application to transfer density from Lot 304 into the Density Bank per Community Development Code Sections 17.4.9 and 17.4.10 with the following findings and conditions:

Finding:

1. The owner of record of density in the density bank shall be responsible for all dues, fees and any taxes associated with the assigned density and zoning until such time as the density is either transferred to a lot or another person or entity.

Condition:

1. The density transfer approval is conditioned upon the minor subdivision plat approval by the Town Council.

Consideration of a Resolution to Approve a Minor Scale Subdivision for Lots 303R1, 304 and 305 to Replat into Lots 303R2 and 305R per Community Development Code Section 17.4.13.E.2 Quasi-Judicial (12)

Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to approve a minor scale subdivision for Lots 303R1, 304 and 305 to replat into Lots 303#2 and 305R per Community Development Code section 17.4.13.E.2.

Council moved to agenda item # 19.

Consideration of Building Board of Appeals Appointment (13)

Building Official Randy Kee presented the above item stating that the Building Board of Appeals consists of five regular members and two alternates. The alternate member position is vacant as a result of Dylan Henderson moving out of state. The position was posted on the Town website and in the local newspaper. Council discussion ensued. On a **MOTION** by Jack Gilbride and seconded by Natalie Binder, Council voted unanimously to appoint Ryan Deppen as an alternate member of the Building Board of Appeals.

Council moved to agenda item #20b.

Consideration of a Letter of Support for a Grant Application by the San Miguel Watershed Coalition(SMWC) for the Bureau of Reclamation's WaterSMART Grant and Update on the Upper San Miguel Basin Forest Health Landscape Assessment (14)

Program Coordinator for SMWC Elizabeth Stuffings presented the request for a letter of support for a grant application which would provide \$95,000 of funding over two years. It is a funding opportunity for non-government watershed groups and would allow SMWC to expand their capacity and undergo watershed planning. Year one would focus on expanding the coalition's capacity with the primary goal of turning Ms. Stuffings half time position into a full-time program coordinator position. Year two of the funding would focus on watershed restoration planning. The Coalition's current level of funding is approximately a 50/50 split between local government funding and grant funding. SMWC's top priorities include: water quality testing, stakeholder outreach, stream management planning, landscape assessment, forest health issues and how they affect the watershed. On a **MOTION** by Patrick Berry and seconded by Bruce MacIntire, Council voted unanimously to approve a letter of support for a grant application by the San Miguel Watershed Coalition for the Bureau of Reclamation's WaterSMART Grant.

Ms. Stuffings presented a Landscape Assessment update stating that recent activities/progress includes:

- Dr. Jason Sibold from Colorado State University presented the completed forest health landscape assessment maps to the stakeholder group. The maps were formatted down into a user-friendly interactive map for the community. The *Forests in Flux* maps are an educational tool to help the community and land managers make ecologically informed decisions.
- Stakeholder field trip to Boomerang Road to discuss future projects and how to utilize the landscape assessment maps
- Public education event held in December introducing the Landscape Assessment Project to the public.

Council discussion ensued regarding the need to become more proactive regarding our landscape. Council is very supportive of SMWC's efforts and would like to see a more aggressive regional program.

Consideration of Approval of the Green Team Committee Mission Statement, Focus/Guiding Principles and 2018 Action Plan (15)

Green Team Committee Chair Jonathan Greenspan and Co-Chair Marty Prohaska presented. Mr. Greenspan thanked Patrick Berry for helping to streamline the mission statement. Mr. Greenspan stated that all but two Mountain Village restaurants have agreed to perform a waste study audit which will help to determine how the Town's waste is being distributed. He will be attending a compost conference in Atlanta which will showcase the newest information on composting. Mr. Greenspan will create a list of all the area environmental organizations and their focus in an effort to determine how the Green Team can contribute without duplicating efforts. A key goal in 2018 is to establish the Green Team niche in the region. Council discussion ensued regarding whether the Green Team should focus locally or regionally. Council consensus was to focus primarily on actionable items in Mountain Village for the first year and to expand from there. Council directed the Green Team to provide quarterly reports and asked to have the action plan refined by the first quarter report in April. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to approve the Green Team Committee Mission Statement, focus/guiding principles and 2018 Action Plan with the amendment that the Green Team provide a revised action plan with their first quarter report in April.

Council took a break for lunch from 12:39 p.m. to 12:48 p.m.

Consideration of a Resolution Supporting Reauthorization by the General Assembly of the Colorado Lottery Division in 2018 (16)

Marketing & Business Development Director Bill Kight presented the Resolution stating that Colorado voters provided for a statewide lottery, and in a subsequent election adopted the GOCO (Great Outdoors Colorado) amendment to the state constitution, which directs that lottery profits be used for parks, open space, wildlife, and outdoor recreation purposes. The Colorado Lottery Division is critical to the administration of the entire GOCO program and the provision for the Division is set to expire in 2018 unless extended by the General Assembly. Legislation to extend the Division to 2039 will be considered during the 2018 legislative session. The GOCO Trust Fund has distributed over \$10,300,000 in San Miguel County for these purposes to date, and future funds could be considered for distribution for the Town of Mountain Village. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to adopt a Resolution supporting the reauthorization by the General Assembly of Colorado Lottery Division in 2018.

Telluride Ski & Golf (TSG) Quarterly Update (17)

TSG Chief Executive Officer Bill Jensen presented the update stating that Colorado is experiencing the third lowest snow fall since the 1880's. Snowmaking operations began on October 26th and can potentially run through February 23rd. TSG is committed to making snow through the end of January and will reassess at that time. They are still pushing to expand terrain and expect to do so following the incoming snow storm. Mr. Jensen held a meeting to update the community and to squelch unfounded rumors that the ski area might close due to lack of snow, a water shortage and pressure from the U.S. Forest Service. He stated that the ski area will not be closing and that through January 17th the resort is at 82% of year over year visitation numbers. Revenues are 77% of 2017 numbers and they have reduced lift ticket prices to reflect the available terrain. All TSG housing units are occupied with a small reserve available and they are working on purchasing lots in Illium Valley to build additional units. These units are targeted for completion in early 2019. Mr. Jensen added that TSG is excited about the proposed core revitalization plan. Council thanked him for the informative report.

Consideration of a Proclamation of the Town Council of the Town of Mountain Village, Colorado Declaring January 2018 as Ski Mountain Employee Appreciation Month (18)

Mayor Pro-Tem Dan Caton read the Proclamation. On a **MOTION** by Jack Gilbride and seconded by Bruce MacIntire, Council voted unanimously to adopt a Proclamation declaring January 2018 as *Ski Mountain Employee Appreciation Month*.

Council moved to agenda item 20. c.(i)

Council Boards and Commissions Updates: (19)

a. San Miguel Watershed Coalition (SMWC) –Starr

There was no update.

b. Colorado Flights Alliance (CFA) –Jansen

Mr. Jansen stated that the flight loads held up well through the holidays although the passenger numbers are declining in January. CFA is promoting the expansion of service and capacity into TEX.

c. Transportation & Parking – MacIntire/Benitez

Mr. MacIntire stated that there is a committee meeting scheduled for January 22nd to discuss parking on upper Mountain Village Blvd.

d. Budget & Finance Committee -Gilbride/Caton

There was no update.

e. Gondola Committee – Caton/Berry

There was no update.

f. Colorado Communities for Climate Action – Berry

Mr. Berry stated that an extension was approved for a six-month delay on their budget and that a meeting is scheduled for next week.

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

Mayor Benitez stated that a vehicle has been purchased for the Rico shuttle route. The exact route will be dependent on the passengers and is flexible. She stated that SMART's new Executive Director David Averill has established an office on the corner of Spruce and Pacific in Telluride and that he has extended an invitation to Council members to stop by. He will be scheduling a strategic planning retreat. Discussion ensued on the use of electric vehicles on the SMART fleet and the issues to be considered (cost, distances traveled etc.). They will keep looking at the possibility down the line.

h. Eco Action Partners (EAP)– Berry/Binder

As part of the Green team Patrick Berry stated that he is working on an inventory of local and regional environmental organizations to determine the focus of each group and where the needs are. Mr. Berry stated that he will be participating in the Carbon Neutral Coalition in a support capacity so that Mountain Village is represented if Bill Kight is unable to attend. Natalie Binder stated that she had attended the most recent meeting and that EAP is looking for direction from the Town on the role of the Green Team.

i. Telluride Historical Museum- Berry

Mr. Berry stated that the Museum is looking for old winter sports artifact donations for a summer exhibit. The Museum's storage unit in Montrose was broken into and will be inventoried to determine if anything is missing.

j. Telluride Conference Center (TCC) –MacIntire

Mr. MacIntire stated the committee met with TCC Manager Tony Kalyk to discuss what is needed to improve operations. Mr. Kalyk indicated that the back of the house needs some updating which would help streamline operations. The committee is discussing the possibilities for expansion.

k. Alliance for Inclusion – Berry

Dan Jansen stated that there was a meeting organized by students at the library to discuss DACA (Deferred Action for Childhood Arrivals).

l. Green Team Committee- Berry/MacIntire

The next meeting is on January 29th. A revised mission statement is on today's agenda.

m. Mayor's Update – Benitez

Mayor Benitez updated that she has had many conversations with merchants about how to get through the challenging low snow season. She expressed appreciation for all the volunteers over the holiday season. CAST (Colorado Association of Ski Towns) is in Town and the opening dinner is tonight at Tomboy Tavern and the meeting is Friday January 19th at 8:00 a.m. to be held at The Peaks.

Dan Jansen has been asked to join the Telluride Tourism Board (TTB) and Council consensus was to add an update to the monthly Council Boards and Commission updates. He stated that CFA and TTB have been working together to promote alternate activities to visitors and will coordinate their efforts with TSG. The Mayor thanked President and CEO of Marketing Telluride Inc (MTI) Michael Martelon for actively involving

the relevant players to promote alternate activities adding that he has been a driving force in communications.

Council moved to agenda item # 13

Staff Reports: (20)

a. Marketing & Business Development

Director Bill Kight presented his report stating that WiFi reporting is done on a year to date basis and there were zero email addresses captured last month because the contract with the previous host was terminated. He is working with Meracki to learn how to collect and save the email addresses from the units and should have it up and running soon. Mr. Kight stated that wayfinding continues to move forward. Since the last update the Village Center monument has been installed. He has received positive feedback on the installation and noted that the entrance sign will be installed in the next few days. The next phase will include parking garage signage. The web site is transitioning to a new web host and some functionality may be lost in the transition; but he will be working diligently to fix any bugs or pages that break. Mr. Kight stated that the Merchant meetings have been a great source of ideas and suggestions to improve the guest experience. Council thanked Mr. Kight for a very thorough report and expressed their appreciation for his hard work.

Council moved back to agenda item 14

b. Cable & Broadband Services

Director Steven Lehane presented his report stating that both the audit and fiber project have been completed. The fiber is hosting four contractors: T-Mobile, TSG, Mammoth Networks and Brainstorm. Cable programming may be dropping the four Univision channels because of a 42% price increase which would make Telemundo the only Spanish channel available.

c. Town Manager

Kim Montgomery stated that the nominees for the *Great Services Award* were Julie Vergari for helping an inexperienced business owner with a business license; Daniel Gleason for going above and beyond and filling in potholes at VCA; Finn Kjome and Bill Kight for their efforts with the wayfinding project; JD Wise and the Plaza Services crew for keeping the plazas clean and neat over the holidays and the Gondola Maintenance Department including Jim Loebe for their incredible dedication in repairing a bull wheel on the Gondola. The award went to the Gondola Maintenance Department and Jim Loebe for working all night to minimize impacts and limit interruption to the public. Ms. Montgomery stated that the Cassidy Ridge property is under contract and the Town plans to sell it by lottery to a qualified Town employee. The Town will have first right of refusal on the unit if the employee decides to sell. Ms. Montgomery stated that she will be working on an RFP (Request for Proposal) for the Town's IT (Internet Technology) needs to include daily IT needs as well as cyber security. Brian Morgan of Telluride Bytes has been contracted to handle IT needs in the interim.

i) Consideration of a Proclamation of the Town Council of the Town of Mountain Village, Colorado Recognizing Extraordinary Service by the Town's Transit and Plaza Services Departments

Kim Montgomery presented the above item stating that the Proclamation was created to acknowledge the Town's Transit and Plaza Services Departments for their exemplary work on replacing a bull wheel on the Gondola and maintaining the plazas over the holiday season. The Mayor read the Proclamation and thanked the departments for their service and dedication. On a **MOTION** by Jack Gilbride and seconded by Patrick Berry, Council voted unanimously to adopt a Proclamation recognizing extraordinary service by the Town's Transit and Plaza Services Departments.

Other Business (21)

Chief of Police Chris Broady introduced the newest Police Officer, Grant Markwell. Mayor Benitez administered the Oath of Office and welcomed him to Mountain Village.

There being no further business, on a **MOTION** by Patrick Berry and seconded by Bruce MacIntire, Council voted unanimously to adjourn the meeting at 1:23 p.m.

Respectfully prepared,

Susan Johnston
Deputy Town Clerk

Respectfully submitted,

Jackie Kennefick
Town Clerk

DRAFT

Memo

Agenda Item #7

To: Mayor and Town Council

From: Sarah H. Abbott

Date: February 8, 2018

Re: Ordinance Opting Out of Signature Verification in Municipal Elections

The proposed Ordinance is in response to 2016 State legislation amending the Colorado Municipal Election Code to require signature verification on mail ballots.

The Town Charter requires that the Town follow the Municipal Election Code unless it adopts an Ordinance to the contrary. The proposed ordinance would amend the Town Municipal Code to opt out of the signature verification requirement.

Below are motions for approval and denial depending on what action the Town Council desires to take:

Approval: I move to approve the Ordinance of the Town Council of the Town of Mountain Village opting out of the signature verification requirement in the Colorado Municipal Election Code.

Denial: I move to deny the Ordinance of the Town Council of the Town of Mountain Village opting out of the signature verification requirement in the Colorado Municipal Election Code.

ORDINANCE NO. 2018 - _____

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE AMENDING SECTION 1.12.050 OF THE MOUNTAIN VILLAGE MUNICIPAL CODE TO OPT OUT OF THE SIGNATURE VERIFICATION REQUIREMENT IN THE COLORADO MUNICIPAL ELECTION CODE FOR ALL MOUNTAIN VILLAGE MUNICIPAL ELECTIONS

RECITALS:

- A.** The Town of Mountain Village (the “**Town**”), in the County of San Miguel and State of Colorado, is a home rule municipality duly organized and existing under the laws of the State of Colorado and its Town Charter.
- B.** The Town, from time to time, holds municipal elections by mail ballot under the Town Charter, the State of Colorado Mail Ballot Act, the Election Rules of the Colorado Secretary of State, and the Colorado Municipal Election Code of 1965, as amended.
- C.** The Council has determined that it is in the best interests of the Town to opt out of the signature verification requirement of the State of Colorado Municipal Election Code, as defined in C.R.S. 31-10-910.3, for all Mountain Village municipal elections.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE, COLORADO AS FOLLOWS:

Section 1. Legislative Findings.

The recitals to this Ordinance are adopted as findings of the Town Council in support of the enactment of this Ordinance.

Section 2. Section 1.12.050 of the Town Municipal Code is hereby amended and shall read in its entirety as set forth on Exhibit A attached hereto.

Section 3. Severability.

If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions of this Ordinance which can be given effect without the invalid provision or application, and, to this end, the provisions of this Ordinance are declared to be severable.

Section 4. Ordinance Effect.

Existing Ordinances or parts of ordinances covering the same matters as embraced in this Ordinance are hereby repealed and any and all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed, provided however, that the repeal of any Ordinance or parts of Ordinances of the Town shall not revive any other section of any Ordinance or Ordinances hereto before repealed or superseded and further provided that this

repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any Ordinance hereby repealed prior to the taking effect of this Ordinance.

Section 5. Safety Clause.

The Town Council finds and declares that this Ordinance is promulgated and adopted for the public health, safety and welfare of the citizens of the Town.

Section 6. Effective Date.

This Ordinance shall take effect on _____, 2018.

Section 7. PUBLIC HEARING.

A public hearing on this Ordinance was held on the _____ day of _____, 2018, in the Town Council Chambers, 455 Mountain Village Boulevard, Mountain Village, Colorado.

INTRODUCED, READ AND REFERRED to public hearing before the Town Council of the Town of Mountain Village, Colorado on the _____ day of _____, 2018.

**TOWN OF MOUNTAIN VILLAGE,
COLORADO, A HOME-RULE
MUNICIPALITY**

By: _____
Laila Benitez, Mayor

ATTEST:

Jackie Kennefick, Town Clerk

HEARD AND FINALLY ADOPTED by the Town Council of the Town of Mountain Village, Colorado, this _____ day of _____, 2018.

**TOWN OF MOUNTAIN VILLAGE,
COLORADO, A HOME-RULE
MUNICIPALITY**

By: _____
Laila Benitez, Mayor

ATTEST:

Jackie Kennefick, Town Clerk

Approved As To Form:

James Mahoney, Assistant Town Attorney

I, Jackie Kennefick, the duly qualified and acting Town Clerk of the Town of Mountain Village, Colorado ("Town"), do hereby certify that:

1. The attached copy of Ordinance No. _____ ("Ordinance") is a true, correct and complete copy thereof.

2. The Ordinance was introduced, read by title, approved on first reading with minor amendments and referred to public hearing by the Town Council of the Town ("Council") at a regular meeting held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on _____, 2018 by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Laila Benitez, Mayor				
Dan Caton				
Bruce McIntire				
Dan Jansen				
Patrick Berry				
Jack Gilbride				
Natalie Binder				

3. After the Council's approval of the first reading of the Ordinance, notice of the public hearing, containing the date, time and location of the public hearing and a description of the subject matter of the proposed Ordinance, was posted and published in the Telluride Daily Planet, a newspaper of general circulation in the Town, on _____, 2018, in accordance with Section 5.2b of the Town of Mountain Village Home Rule Charter.

4. A public hearing on the Ordinance was held by the Town Council at a regular meeting of the Town Council held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on _____, 2018. At the public hearing, the Ordinance was considered, read by title, and approved without amendment by the Town Council, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Laila Benitez, Mayor				
Dan Caton				
Bruce McIntire				
Dan Jansen				
Patrick Berry				
Jack Gilbride				
Natalie Binder				

5. The Ordinance has been signed by the Mayor, sealed with the Town seal, attested by me, as Town Clerk, and duly numbered and recorded in the official records of the Town.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town this _____ day of _____, 2018.

Jackie Kennefick, Town Clerk

(SEAL)

EXHIBIT A
CHAPTER 1.12.050
ELECTION CODE

Sections:

| 1.12.050 Identification and Verification Requirements

1.12.050 Identification and Verification Requirements


The Town of Mountain Village opts out of the identification requirement provisions of the State of Colorado Mail Ballot Act, as defined in C.R.S. 1-7.5-107 (3.5), (4) and (5), and Colorado Secretary of State Regulations 12.5.6 through 12.5.9, and the signature verification requirement of the State of Colorado Municipal Election Code, as defined in C.R.S. 31-10-910.3, for all Mountain Village Municipal Elections. ~~and further, that b~~Beyond the voter registration requirement to provide the voter's date of birth, further identification will not be required as a condition of registering to vote or voting in Town of Mountain Village Municipal Elections. Comparison of a voter's signature on the return envelope to any signature image, including those signature images in the statewide voter registration system, is not required. (Ord. 04-03 and 18-)

TOWN OF MOUNTAIN VILLAGE EMPLOYEE HOUSING PURCHASE PROGRAM

When the Town of Mountain Village (the "Town") owns a housing unit which it desires to sell, the Town may elect to sell such unit to a full-time year round employee ("Employees") of the Town according to the following guidelines:

1. The Town may offer to sell the housing unit with the following guidelines:
 - a. The Town shall send out a "Notice of Sale" to all Employees via email, HR Newsletter, and Ultipro homepage setting forth the unit, the sale price, and the deadline for which Employees must submit their application to the Town's Human Resources Department (the "Submittal Deadline"); along with any other information the Town determines is appropriate.
 - b. All interested Employees shall have until the Submittal Deadline set forth in the Notice of Sale to submit the application to the Town's Human Resources Department. Failure to submit an application by the Submittal Deadline shall preclude consideration.
 - c. Preference shall be given to Employees who have submitted their application based on the number of years such employees have worked continuously for the Town, the level of responsibility that such employees have relative to Town operations, and the employee's performance within their area of responsibility based upon annual evaluations. If the Town is in process of recruiting a key position at the time the when the unit is available (Town Manager, Finance Director, Planning & Development Services Director, Public Works Director, Transit Director or Police Chief), this candidate would have priority.
 - d. Once applications are received, the Town's Human Resources Department in consultation with the Housing Director and the Town Manager shall establish a list of eligible candidates who will then be notified.
 - e. The holder of the first position shall have 15 days after they are notified of their position to submit a pre-approval letter from a qualified lender or proof of available funds for the amount of the purchase price. In the event the holder of the first position fails to submit a pre-approval letter or proof of funds, the Town may move on to the next candidate on the list.
 - f. After providing the pre-approval letter or proof of funds, the employee shall have 10 days to enter into a standard real estate contract with the Town for the purchase of the unit, with a closing date of no more than 60 days from the date such contract is entered into. Failure to meet any of these deadlines shall allow the Town to move on to the next position holder.
 - g. The selected employee must close on the purchase of the property from the Town within such 60-day time period. If the selected employee does not close, the Town may move on to the next candidate.
2. The sale of a Town owned property to an employee shall have the following restrictions:
 - a. In the event the property has any type of Employee Housing Deed Restriction, the purchaser must abide by such deed restriction requirements. The purchaser must also execute an amendment to any such deed restriction eliminating the ability for the deed restriction to be removed upon foreclosure.

- b. The purchaser must grant the Town a right of first refusal granting the Town the ability to purchase back such property should the purchaser ever desire to sell the property. Such right of first refusal would be recorded against the property's title.
- c. The purchaser must sign an acknowledgment that the purchase of the property is tied to the purchaser's employment with the Town and that if the purchaser is no longer employed by the Town, the purchaser shall have 6 months from the date of termination of employment with the Town to convey the property back to the Town according to the terms set forth below.
- d. In the case of a required conveyance of the property to the Town, a standard real estate contract with the same general terms and conditions as the contract used to purchase the property from the Town, shall be used and the purchase price shall be either:
 - i. The maximum sales price allowed for all property with an appreciation cap pursuant to an employee housing deed restriction.
 - ii. The average of two appraisals, one selected by and paid for by the Town and one selected by and paid for by the purchaser.

							
Business and Government Activity Report For the month ending: January 31st							
Activity	2018		2017		Variance		
	MONTH	YTD	MONTH	YTD	Variance	Variance %	
Cable/Internet							
<i>Some prior year numbers have been adjusted to accommodate the change in reporting by EBU</i>							
# Residential & Bulk Basic Cable	881		910		(29)	-3.2%	
# Premium Channel Residential & Bulk Subscribers	498		544		(46)	-8.5%	
# Digital Subscribers	230		266		(36)	-13.5%	
# Internet Subscribers	1,865		1,761		104	5.9%	
Average # Phone Subscribers	101		108		(7)	-6.5%	
Village Court Apartments							
Occupancy Rate	%	98.64%	98.64%	98.64%	98.64%	0.00%	0.0%
# Vacated Units		0	0	3	3	(3)	-100.0%
# Work Orders Completed		38	38	34	34	4	11.8%
# on Waiting List		94		77		17	22.1%
Public Works							
Service Calls		310	310	315	315	(5)	-1.6%
Snow Fall	Inches	44	44	92	92	(48)	-52.2%
Snow Removal - Streets & Prkg Lots	Hours	443	443	1,097	1,097	(654)	-59.6%
Roadway Maintenance	Hours	233	233	6	6	227	3783.3%
Water Billed Consumption	Gal.	64,070,000	64,070,000	33,728,000	33,728,000	30,342,000	90.0%
Sewage Treatment	Gal.	6,212,000	6,212,000	7,802,000	7,802,000	(1,590,000)	-20.4%
Child Development Fund							
# Infants & Toddlers Actual Occupancy		21.30	21.30	22.96	22.96	(1.66)	-7.2%
# Preschoolers Actual Occupancy		14.56	14.56	14.18	14.18	0.38	2.7%
Transportation and Parking							
GPG (noon snapshot)		8,196	8,196	7,480	7,480	716	9.6%
GPG Parking Utilization (% of total # of spaces occupied)		59.4%	59.4%	54.2%	54.2%	5.2%	9.6%
HPG (noon snapshot)		1,694	1,694	1,987	1,987	(293)	-14.7%
HPG Parking Utilization (% of total # of spaces occupied)		53.3%	53.3%	62.5%	62.5%	-9.2%	-14.7%
Total Parking (noon snapshot)		14,981	14,981	14,334	14,334	647	4.5%
Parking Utilization (% of total # of spaces occupied)		61.7%	61.7%	59.1%	59.1%	2.6%	4.4%
Paid Parking Revenues		\$28,487	\$28,487	\$33,375	\$33,375	(\$4,888)	-14.6%
Bus Routes	# of Passengers	0	0	0	0	0	#DIV/0!
Employee Shuttle	# of Passengers	1,526	1,526	1,491	1,491	35	2.3%
Employee Shuttle Utilization Rate	%	51.7%	51.7%	52.4%	52.4%	-0.70%	-1.3%
Inbound (Vehicle) Traffic (Entrance)	# of Cars	66,815	66,815	66,150	66,150	665	1.0%
Human Resources							
FT Year Round Head Count		80		78		2	2.6%
Seasonal Head Count (FT & PT)		2		3		(1)	-33.3%
PT Year Round Head Count		19		21		(2)	-9.5%
Gondola FT YR, Seasonal, PT YR Head Count		59		62		(3)	-4.8%
Total Employees		160		164		(4)	-2.4%
Gondola Overtime Paid	Hours	424	424	165	165	260	157.8%
Other Employee Overtime Paid		47	47	73	73	(27)	-36.3%
# New Hires	Total New Hires	6	6	7	7	(1)	-14.3%
# Terminations		7	7	5	5	2	40.0%
# Workmen Comp Claims		0	0	2	2	(2)	-100.0%
Workmen Comp Claims Costs		\$0	\$0	\$1,178	\$1,178	(\$1,178)	-100.0%
Marketing & Business Development							
<i>Prior year numbers will be skewed due to several reasons, many transitions took place in 2017 leaving comparison information inaccurate.</i>							
Town Hosted Meetings		4	4	4	4	0	0.0%
Email Correspondence Sent		4	4	3	3	1	33.3%
E-mail List	#	4,668		na		#VALUE!	#VALUE!
Wifi Subscribers		363		na		#VALUE!	#VALUE!
Press Releases Sent		0	0	na	na	#VALUE!	#VALUE!
Gondola and RETA							
<i>Current RETA revenues are unaudited</i>							
Gondola	# of Passengers	319,968	319,968	327,788	327,788	(7,820)	-2.4%
Chondola	# of Passengers	31,133	31,133	31,372	31,372	(239)	-0.8%
RETA fees collected by TMVOA		\$417,855	\$417,855	\$666,598	\$666,598	(\$248,743)	-37.3%

Activity	2018		2017		Variance			
	MONTH	YTD	MONTH	YTD	Variance	Variance %		
Police								
Calls for Service	#	330	330	402	402	(72)	-17.9%	
Investigations	#	24	24	19	19	5	26.3%	
Alarms	#	16	16	27	27	(11)	-40.7%	
Arrests	#	0	0	2	2	(2)	-100.0%	
Traffic Contacts	#	11	11	7	7	4	57.1%	
Traffic Tickets Written	#	1	1	3	3	(2)	-66.7%	
Parking Tickets Written	#	377	377	370	370	7	1.9%	
Administrative Dismissals	#	8	8	2	2	6	300.0%	
Building/Planning								
Community Development Revenues		\$21,920	\$21,920	\$13,503	\$13,503	\$8,417	62.3%	
# Permits Issued		25	25	32	32	(7)	-21.9%	
Valuation of Mtn Village Remodel/New/Additions Permits		\$78,311	\$78,311	\$1,202,752	\$1,202,752	(\$1,124,441)	-93.5%	
Valuation Mtn Village Electric/Plumbing/Other Permits		\$87,938	\$87,938	\$89,796	\$89,796	(\$1,858)	-2.1%	
Valuation Telluride Electric/Plumbing Permits		\$164,450	\$164,450	\$195,225	\$195,225	(\$30,775)	-15.8%	
# Inspections Completed		191	191	299	299	(108)	-36.1%	
# Design Review/Zoning Agenda Items		5	5	11	11	(6)	-54.5%	
# Staff Review Approvals		14	14	19	19	(5)	-26.3%	
Recreation Winter - November 1 - April 30								
Mile of Trails Maintained		14.7	14.7	14.7	14.7	0.00	0.0%	
Platform Tennis Registrations		40	40	93	93	(53)	-57.0%	
Ice Rink Skaters		1085	1085	786	786	299	38.0%	
Snow Cat Hours		12	12	176	176	(164)	-93.2%	
Plaza Services Due to the timing of the packet, trash diversion rates are for the previous month.								
Snow Removal Plaza	Hours	287	287	890	890	(603)	-67.8%	
Plaza Maintenance	Hours	557	557	182	182	376	207.0%	
Lawn Care	Hours	0	0	0	0	0	#DIV/0!	
Plant Care	Hours	8	8	0	0	8	#DIV/0!	
Irrigation	Hours	0	0	0	0	0	#DIV/0!	
TMV Trash Collection	Hours	130	130	86	86	44	51.5%	
Christmas Decorations	Hours	261	261	147	147	114	78.0%	
Residential Trash	Pound	19,950	19,950	18,750	18,750	1,200	6.4%	
Residential Recycle	Pound	27,246	27,246	28,331	28,331	(1,085)	-3.8%	
Diversion Rate	%	57.73%	57.73%	60.18%	60.18%	-2.45%	-4.1%	
Vehicle Maintenance								
# Preventive Maintenance Performed		17	17	18	18	(1)	-5.6%	
# Repairs Completed		46	46	24	24	22	91.7%	
Special Projects		1	1	4	4	(3)	-75.0%	
# Roadside Assists		0	0	2	2	(2)	-100.0%	
Finance								
# Employee Based Business Licenses Issued		650	650	636	636	14	2.2%	
# Privately Licensed Rentals		68	68	67	67	1	1.5%	
# Property Management Licensed Rentals		395	395	373	373	22	5.9%	
# VRBO Listings for MV		385	385	442	442	(57)	-12.9%	
# Paperless Billing Accts (YTD is total paperless customers)		17	832	24	673	159	23.6%	
# of TMV AR Bills Processed		2,167	2,167	2,109	2,109	58	2.8%	
Accounts Receivable - Total Bad Debt Reserve/Allowance: \$3,520								
Current	TMV Operating Receivables (includes Gondola funding)		Utilities - Cable and Water/Sewer		VCA - Village Court Apartments		General Fund Investment Activity	
	\$506,759	92.4%	\$345,771	89.2%	(\$27,007)	112.1%		Change in Value \$480,946
	6,959	1.3%	36,261	9.4%	330	-1.4%		Ending Balance \$5,446,669
	1,486	0.3%	3,042	0.8%	-	0.0%		Investment Income \$6,438
	958	0.2%	1,884	0.5%	2,592	-10.8%		Portfolio Yield 1.31%
	32,223	5.9%	504	0.1%	-	0.0%		
	\$ 548,385	100.0%	\$ 387,462	100.0%	\$ (24,086)	100.0%		
30+ Days	Other Billings - CDF, Construction Parking		Total All AR		Change Since Last Month - Increase (Decrease) in AR		Other Statistics	
	\$ 37,144	73.7%	\$ 862,666	89.7%	\$ (255,508)	74.6%		Population (estimated) 1,420
	6,526	12.9%	50,075	5.2%	(79,354)	23.2%		(Active) Registered Voters 882
	3,951	7.8%	8,479	0.9%	(4,816)	1.4%		Property Valuation 289,947,030
	1,445	2.9%	6,880	0.7%	(16,343)	4.8%		
	1,343	2.7%	34,070	3.5%	13,730	-4.0%		
	\$ 50,409	100.0%	\$ 962,170	100.0%	\$ (342,291)	100.0%		



Memorandum

To: Town Council
From: Kevin Swain, Finance Director
Date: February 8, 2018
Re: Town of Mountain Village Financial Statements through December 2017

Mountain Village Financials Statements through December, 2017

The presented financials are unaudited. Budgets have been updated for 2017 revisions adopted at the December 2017 meeting. Accruals have been made as appropriate but actual amounts may change.

General Fund Summary

The General Fund currently reflects a surplus of \$1.4 million. Permit and use taxes are ahead of prior year and budget. Sales taxes show an increase of 5% over prior year and 2% over budget. Revenues of \$11.2 million were over budget by \$190,547 due mainly to sales taxes, development related fees, and contributions.

Total operating expenditures of \$8.1 million were under budget by \$1.3 million. Capital outlay through this period was for Sunset Plaza improvements, wayfinding, and police equipment.

Transfers to other funds include:

Fund	This Month	YTD Budget	YTD Actual	Budget Variance
Capital Projects Fund (From GF)	\$ 1,402	\$ 300,000	\$ 266,071	(33,929)
Child Development Fund	\$ 34,583	\$ 134,209	\$ 120,404	(13,805)
Conference Center Subsidy	\$ 25,000	\$ 223,467	\$ 199,089	(24,378)
Affordable Housing Development Fund (Monthly Sales Tax Allocation)	\$ 71,794	\$ 440,572	\$ 461,662	21,090
Vehicle & Equipment Acquisition Fund	\$ 3,861	\$ 696,248	\$ 561,775	(134,473)

Income transfers from other funds include:

Fund	This Month	YTD Budget	YTD Actual	Budget Variance
Overhead allocation from Broadband, W/S, Gondola, VCA and Parking Services	\$ 121,510	\$ 483,971	\$ 482,133	(1,838)
*Tourism Fund	\$ 5,916	\$ 24,533	\$ 37,580	13,047
*This transfer is comprised of administrative fees, interest, and penalties collected.				
Debt Service Fund (Specific ownership taxes)	\$ 11,889	\$ 83,909	\$ 149,712	65,803
Debt Service Fund (Sunset Plaza Funding)	\$ -	\$ -	\$ 207,439	207,439

Vehicle and Equipment Acquisition Fund – No Fund Income Statement Attached

A snowcat for the recreation department, snow blower, a transit bus, an excavator, a building maintenance truck, a vehicle maintenance truck, a police vehicle and shop equipment were purchased and the bobcat leases have been paid. Total expenditures in 2017: \$495,405.

Capital Projects Fund – No Fund Income Statement Attached

\$266,071 was spent on the Meadows Improvement Plan.

Historical Museum Fund – No Fund Income Statement Attached

\$96,066 in property taxes were collected and \$94,138 was tendered to the historical museum. The county treasurer retained \$1,928 in treasurer’s fees.

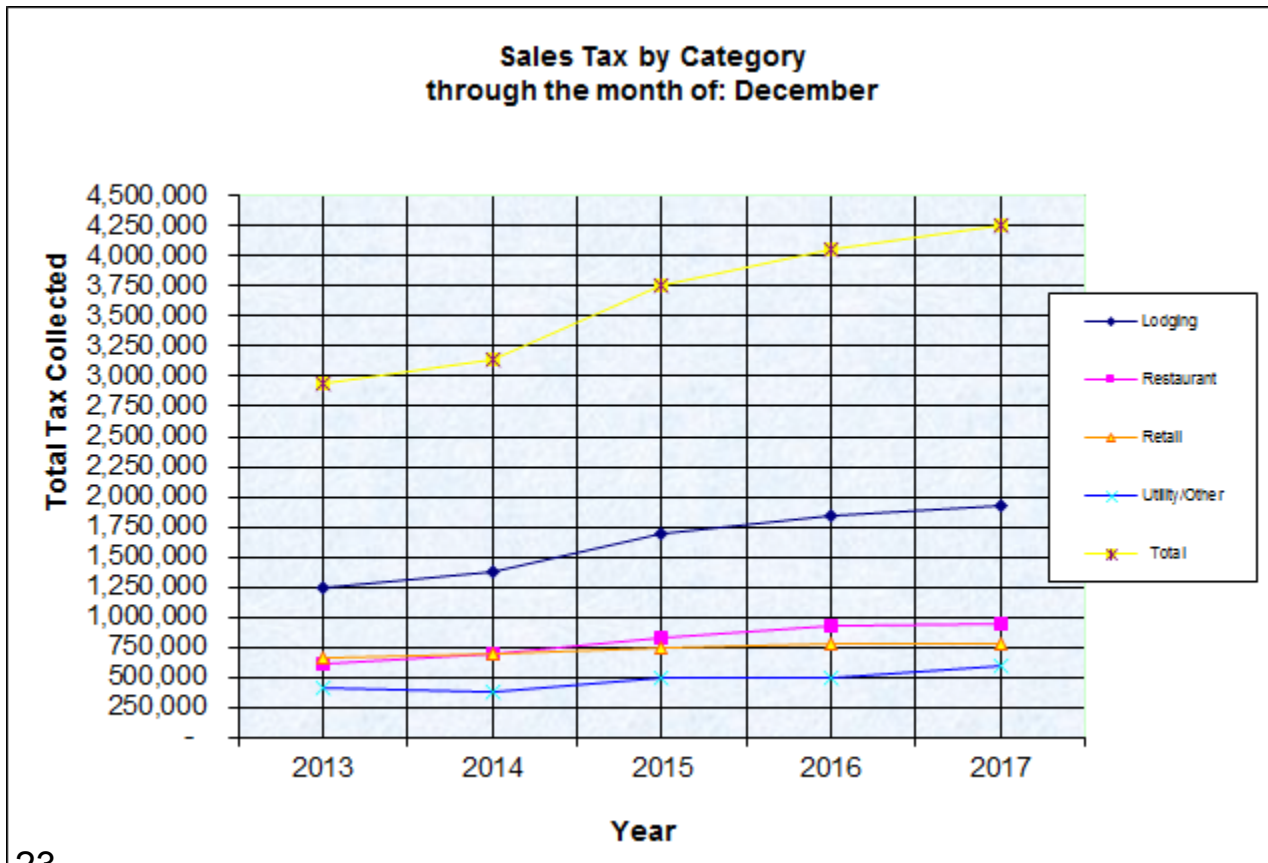
Mortgage Assistance Fund – No Fund Income Statement Attached

There has been no activity in this fund this year.

Sales Tax

Sales taxes of \$4.5 million are 5% over 2016 through the end of the year and are over budget by 2%. Other shows the highest growth at 20%, followed by lodging at 4.8%.

Actual Sales Tax Base By Class, Through December 2017										
Category	Actual 2013	Actual 2014	PY % Increase	Actual 2015	PY % Increase	Actual 2016	PY % Increase	Actual 2017	PY \$ Variance	PY % Increase
	4.5%	4.5%	2013 to 2014	4.5%	2014 to 2015	4.5%	2015 to 2016	4.5%	2016 to 2017	2016 to 2017
Lodging	27,745,883	30,473,814	10%	37,582,678	23%	40,954,783	9%	42,917,729	1,962,946	4.79%
Restaurant	13,631,180	15,497,118	14%	18,425,565	19%	20,589,021	12%	21,046,830	457,809	2.22%
Retail	14,864,000	15,593,895	5%	16,511,742	6%	17,404,997	5%	17,290,472	(114,525)	-0.66%
Utility/Other	9,049,664	8,363,744	-8%	10,952,440	31%	11,105,038	1%	13,301,698	2,196,660	19.78%
Total	65,290,728	69,928,571	7%	83,472,424	19%	90,053,839	8%	94,556,729	4,502,890	5.00%



Tourism Fund

2017 restaurant taxes totaling \$421,514 have been collected and \$413,084 was tendered to the airline guarantee program. \$1,700,957 in lodging taxes were collected and \$1,675,443 was tendered to the airline guarantee program and to MTI. The Town retained \$33,944 in administrative fees, and penalties and interest of \$2,239, offset by additional funding to MTI for a guest services agent.

Lodging taxes exceeded prior year by 3.7% and exceeded budget by 1.9%. Restaurant taxes are ahead of prior year and budget by 2.3% and 4.1%, respectively.

Town of Mountain Village Colorado Lodging Tax Summary

	2013 Activity (4%)	2014 Activity (4%)	2015 Activity (4%)	2016 Activity (4%)	2017 Activity (4%)	2016 Var %	2017 Budget	Budget Var %
January	167,378	159,264	216,904	193,815	245,628	26.73%	197,004	19.80%
February	151,727	170,098	231,700	249,339	260,809	4.60%	254,958	2.24%
March	203,235	248,285	303,173	304,515	312,990	2.78%	308,050	1.58%
April	9,382	7,291	12,319	7,638	8,353	9.36%	7,748	7.24%
May	10,684	10,627	15,282	16,633	12,333	-25.85%	17,350	-40.68%
June	77,013	74,275	84,204	106,415	122,193	14.83%	109,059	10.75%
July	93,602	109,934	136,711	153,342	158,585	3.42%	157,246	0.84%
August	84,727	88,929	88,990	111,760	111,942	0.16%	115,095	-2.82%
September	69,349	82,891	113,475	139,363	148,591	6.62%	143,338	3.54%
October	16,450	17,383	22,812	31,322	34,040	8.68%	32,360	4.94%
November	6,761	11,840	11,372	14,725	18,535	25.87%	14,881	19.71%
December	191,249	226,508	261,808	311,903	266,958	-14.41%	311,911	-16.84%
Total	1,081,555	1,207,325	1,498,749	1,640,771	1,700,957	3.67%	1,669,000	1.88%
Tax Base	27,038,867	30,183,132	37,468,729	41,019,282	42,523,936		41,725,000	

Town of Mountain Village Colorado Restaurant Tax Summary

	2013 Activity (2%)	2014 Activity (2%)	2015 Activity (2%)	2016 Activity (2%)	2017 Activity (2%)	2016 Var %	2017 Budget	Budget Var %
January	34,448	38,239	46,261	48,594	54,097	11.32%	47,656	11.91%
February	41,121	48,466	53,871	60,243	59,783	-0.76%	59,077	1.18%
March	47,045	53,516	60,420	71,171	73,736	3.60%	69,795	5.34%
April	2,518	1,995	2,876	1,511	1,829	21.07%	1,483	18.92%
May	3,913	5,154	5,457	4,568	4,448	-2.63%	4,480	-0.72%
June	19,116	25,366	25,426	34,359	34,365	0.02%	33,693	1.96%
July	27,921	32,661	40,081	44,827	46,470	3.66%	43,959	5.40%
August	25,645	25,017	29,015	35,020	34,998	-0.07%	34,344	1.87%
September	19,982	23,831	32,169	36,195	39,291	8.55%	35,495	9.66%
October	5,468	5,369	9,492	11,312	13,519	19.52%	11,094	17.94%
November	4,668	5,765	6,637	5,099	5,352	4.95%	5,002	6.53%
December	42,983	49,923	55,055	59,070	53,628	-9.21%	57,922	-8.01%
Total	274,828	315,303	366,759	411,969	421,514	2.32%	404,000	4.16%
Tax Base	13,741,420	15,765,152	18,337,941	20,598,437	21,075,705		20,200,000	

Business license fees of \$320,183 are over budget (2%) and prior year (7%). \$300,972 was remitted to MTI and \$31,537 in admin fees and penalties were transferred to the General Fund.



To: TMVOA; Town Council
From: Kevin Swain, Finance Director
Date: February 7, 2018
Re: Gondola Quarterly Report, December 31, 2017

Budgets have been updated for 2017 revisions adopted at the December 2017 meeting.

At year-end 2017, the gondola fund is \$1 million under budgeted expenses. Half of that savings are from major repairs and capital.

Gondola Fund - Expenditures

1. Mobile Aerial Rapid Rescue System (MARRS):

Annual budget: \$81,158
YTD expenditures: \$73,595
YTD budget: \$81,158

MARRS is 4% under budget. This is primarily due to savings in employee costs.

2. Chondola Operations and Maintenance:

Annual budget: \$385,528
YTD expenditures: \$319,109
YTD budget: \$385,528

Chondola operations expenses are under budget by 17%. Savings are in controls and the sound dampening project.

3. Gondola Operations:

Annual budget: \$1.8 million (includes grant success fees)
YTD expenditures: \$1.6 million
YTD budget: \$1.8 million

Gondola operations were under budget by \$170,878. Group insurance and worker's compensation premiums and claims are under budget \$80,830 and \$44,771. Group insurance is under budget due mainly to turnover in positions. Worker's comp saving are a mixture of prior year audit, prior year dividend returns, and favorable rates.

4. Gondola Maintenance:

Annual budget: \$1.27 million
YTD expenditures: \$1.14 million
YTD budget: \$1.27 million

Gondola maintenance is under budget by \$130,340. Employee costs are under budget \$118,259 which includes worker's compensation premiums and claims and group insurance. Contract labor also shows savings from budget.

5. Fixed, General, Overhead and Administration:

Annual budget: \$456,009
YTD expenditures: \$386,414
YTD budget: \$456,009

FGOA costs are \$69,595 below budget. Savings are mainly in utilities and employee shuttle costs.

6. Town Administrative Overhead:

Annual Budget: \$45,000
YTD transfer: \$43,161
YTD budget: \$45,000

Administrative allocations are based on actual hours and are considered a transfer to the General Fund rather than an expense.

7. Major Repairs and Replacements:

Annual Budget: \$526,265
YTD expenditures: \$299,056
YTD budget: \$526,265

Expenses made were for cabin refurbishment, cabin window buffing, haul ropes, and wayfinding. Saving of \$200,000 from budget were due to the fiber optics control system not undertaken.

8. Capital Outlay:

Annual Budget: \$1.53 million (there are matching grant funds of \$88,000 towards expenses)
YTD expenditures: \$1.25 million
YTD budget: \$1.53 million

Gondola cabins were replaced (under budget \$186,500) and a new vehicle and generator (under budget \$38,000) were purchased. Bike racks, budgeted at \$50,000 were not purchased.

Overall Financial Performance through September 30, 2017

Total gondola expenditures through this period of \$5.17 million were 17% under budget. Budget savings are due in large part to worker's compensation, other employee costs, under budget or not completed major repairs and capital projects, and utility costs also under budget. Total funding for the period of \$5.17 million was primarily provided by TMVOA (90%), with contributions of approximately \$4.69 million, \$186,075 (3%) provided by TSG from lift ticket sales, \$88,000 in capital grant funding (1%), \$149,982 in operating grant funding (2%), sale of assets of \$1,672, TOT contribution of \$36,000, and event operations funding of \$14,157.

**Town of Mountain Village Monthly Revenue and Expenditure Report
December 2017**

	2017					2016	2015	2014	
	Budget	Budget	Budget	Annual	Budget	Actual YTD	Actual YTD	Actual YTD	
	YTD	Variance	Variance	Budget	Balance				
Actual YTD		(\$)	(%)						
Revenues									
Charges for Services	\$ 480,671	\$ 388,784	\$ 91,887	23.63%	\$ 388,784	\$ (91,887)	\$ 268,083	\$341,139	\$279,123
Contributions	74,551	30,922	43,629	141.09%	30,922	(43,629)	45,209	39,762	35,287
Fines and Forfeits	8,282	6,077	2,205	36.28%	6,077	(2,205)	11,157	7,146	4,093
Interest Income	36,122	45,000	(8,878)	-19.73%	45,000	8,878	47,908	60,650	44,268
Intergovernmental	374,212	379,333	(5,121)	-1.35%	379,333	5,121	377,290	375,754	363,555
Licenses and Permits	566,818	505,467	61,351	12.14%	505,467	(61,351)	302,975	349,783	274,555
Miscellaneous Revenues	245,763	283,753	(37,990)	-13.39%	283,753	37,990	86,312	95,173	89,837
Taxes and Assessments	9,451,398	9,407,934	43,464	0.46%	9,407,934	(43,464)	8,485,683	8,057,308	7,151,121
Total Revenues	11,237,817	11,047,270	190,547	1.72%	11,047,270	(190,547)	9,624,617	9,326,715	8,241,839
Operating Expenses									
Legislation & Council	96,623	112,704	(16,081)	-14.27%	112,704	16,081	59,066	38,825	18,072
Town Manager	250,003	253,859	(3,856)	-1.52%	253,859	3,856	227,719	220,455	227,808
Administrative Services	389,593	396,852	(7,259)	-1.83%	396,852	7,259	365,761	328,745	329,063
Finance	810,135	821,896	(11,761)	-1.43%	821,896	11,761	793,106	784,943	766,061
Technical	193,434	218,837	(25,403)	-11.61%	218,837	25,403	163,641	156,481	157,025
Human Resources	296,357	313,963	(17,606)	-5.61%	313,963	17,606	291,849	273,828	251,257
Town Attorney	450,145	530,929	(80,784)	-15.22%	530,929	80,784	538,421	524,997	438,293
Marketing and Business Development	245,056	440,087	(195,031)	-44.32%	440,087	195,031	315,756	263,148	212,636
Municipal Court	30,713	31,633	(920)	-2.91%	31,633	920	28,827	28,432	28,859
Police Department	779,607	845,896	(66,289)	-7.84%	845,896	66,289	781,208	762,206	662,848
Community Services	50,184	51,687	(1,503)	-2.91%	51,687	1,503	47,130	48,810	51,391
Community Grants and Contributions	106,000	106,000	-	0.00%	106,000	-	77,500	66,500	79,795
Roads and Bridges	1,067,867	1,139,255	(71,388)	-6.27%	1,139,255	71,388	1,061,715	843,589	910,000
Vehicle Maintenance	579,252	598,977	(19,725)	-3.29%	598,977	19,725	461,527	433,858	432,818
Municipal Bus	195,188	207,834	(12,646)	-6.08%	207,834	12,646	186,049	155,433	154,008
Employee Shuttle	44,498	84,265	(39,767)	-47.19%	84,265	39,767	44,219	52,286	70,086
Parks & Recreation	501,920	584,888	(82,968)	-14.19%	584,888	82,968	443,790	398,610	400,979
Plaza Services	1,119,798	1,402,815	(283,017)	-20.17%	1,402,815	283,017	1,240,457	1,126,922	1,141,618
Public Refuse Removal	50,937	62,759	(11,822)	-18.84%	62,759	11,822	47,230	50,128	43,929
Building/Facility Maintenance	168,333	205,816	(37,483)	-18.21%	205,816	37,483	167,933	171,537	100,459
Planning & Development Services	8,589	6,649	1,940	29.18%	6,649	(1,940)	7,301	6,034	5,527
Building Division	297,601	447,212	(149,611)	-33.45%	447,212	149,611	364,795	238,476	186,500
Housing Division Office	18,998	21,761	(2,763)	-12.70%	21,761	2,763	21,431	18,348	19,096
Planning and Zoning Division	381,722	457,031	(75,309)	-16.48%	457,031	448,442	473,125	306,141	364,727
Contingency	-	93,436	(93,436)	-100.00%	93,436	74,438	33,501	-	-
Total Operating Expenses	8,132,553	9,437,041	(1,304,488)	-13.82%	9,437,041	1,658,623	8,243,057	7,298,732	7,052,855
Surplus / Deficit	3,105,264	1,610,229	1,495,035	92.85%	1,610,229	(1,849,170)	1,381,560	2,027,983	1,188,984
Capital Outlay	932,273	977,577	(45,304)	-4.63%	977,577	45,304	101,004	198,817	289,682
Surplus / Deficit	2,172,991	632,652	1,540,339	243.47%	632,652	(1,540,339)	1,280,556	1,829,166	899,302
Other Sources and Uses									
Sale of Assets	-	-	-	#DIV/0!	-	-	4,822	30,034	10,568
Transfer (To) From Affordable Housing	(461,662)	(440,572)	(21,090)	4.79%	(440,572)	21,090	(445,361)	(423,604)	(348,409)
Transfer (To) From Broadband	-	-	-	#DIV/0!	-	-	-	147,147	179,928
Transfer (To) From Child Development	(120,404)	(134,209)	13,805	-10.29%	(134,209)	64,880	(67,460)	(59,902)	(86,937)
Transfer (To) From Capital Projects	(266,071)	(300,000)	33,929	-11.31%	(300,000)	(37,929)	(355,658)	-	-
Transfer (To) From Debt Service	357,151	291,348	65,803	22.59%	291,348	(190,785)	136,536	149,178	142,584
Transfer (To) From Overhead Allocation	482,133	483,971	(1,838)	-0.38%	483,971	1,838	431,654	423,645	443,371
Transfer (To) From Parking Services	-	(83,031)	83,031	-100.00%	(83,031)	37,373	-	191,508	36,751
Transfer (To) From Conference Center	(199,089)	(223,467)	24,378	-10.91%	(223,467)	(223,467)	(196,206)	(193,103)	(153,097)
Transfer (To) From Tourism	37,580	24,533	13,047	53.18%	24,533	(332,618)	25,755	62,645	28,124
Transfer (To) From Vehicle/Equipment	(561,775)	(696,248)	134,473	-19.31%	(696,248)	(134,473)	(353,671)	(283,305)	(185,994)
Transfer (To) From Water/Sewer	-	-	-	#DIV/0!	-	-	-	-	-
Total Other Sources and Uses	(732,137)	(1,077,674)	345,537	-32.06%	(1,077,675)	(1,093,741)	(819,589)	44,242	66,890

	2017					2016	2015	2014
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)	Annual Budget	Budget Balance	Actual YTD	Actual YTD

Surplus / Deficit \$ 1,440,854 \$ (445,023) \$1,885,877 -423.77% \$ (445,023) \$ (2,634,081) \$ 460,967 \$ 1,873,408 \$ 966,192

<u>Beginning Fund Balance Components</u>	<u>Actual YTD</u>	<u>Annual Budget</u>
Emergency Reserve	\$ 3,302,964	\$ 3,256,401
Unreserved	6,143,351	4,900,429
Beginning Fund Balance	\$ 9,446,315	\$ 8,156,830

<u>YTD Ending Fund Balance Components</u>		
Emergency Reserve	\$ 3,302,964	\$ 3,256,401
Health Care Premium Savings Reserve	50,000	50,000
Facility Maint Reserve	155,000	155,000
Unreserved	7,379,205	4,250,406
Ending Fund Balance	\$ 10,887,169	\$ 7,711,807

Revenues

Taxes & Assessments - Property taxes are under budget because of abatements. Specific Ownership taxes collected are exceeding budget and prior year 13%.
Sales tax revenues are 2% over budget and 5% over prior year. Construction use tax exceeded prior year and budget.
Licenses & Permits - Construction, electrical, and plumbing permits are over budget.
Intergovernmental - Intergovernmental revenues are under budget due to mineral lease and severance revenues and highway user tax funds.
Charges for Services - DRB fees are over budget \$16,000 and plan review fees are exceeding budget \$29,000. Road impact fees are exceeding budget \$63,500.
Fines & Forfeitures - Over budget due to traffic fines.
Investment Income - Interest is under budget and prior year.
Miscellaneous - Over budget in plaza rents but under budget in grants.
Contributions - Over budget due to the See Forever contribution for Sunset Plaza.

Top Ten Budget Variances

Under Budget

Plaza Services - \$283,017 Employee, natural gas, and electricity savings. Savings also in planter/paver repair and contract labor.
Marketing and Business Development - \$195,031 Under budget in personnel costs due to vacancies, sponsorship, and marketing collateral.
Building Division - \$149,611 Environmental incentive programs are under budget.
Parks and Recreation - \$82,968 Under budget in trail maintenance and labor costs.
Town Attorney - \$80,784 Litigation is running over budget but is offset by general and extraordinary legal.
Planning & Zoning - \$75,309 Savings in consultation fees, forestry management, and personnel costs.
Road & Bridge - \$71,388 Gasoline and paving and bridge repair are under budget.
Police - \$66,289 Savings in personnel costs.
Employee Shuttle - \$39,767 Gasoline and repairs and maintenance is under budget.

Over Budget

Planning & Development - \$1940 Communications and contract labor are over budget. Overage absorbed by the planning, building, and housing office budgets.

**Town of Mountain Village Monthly Revenue and Expenditure Report
December 2017**

	2017						2016	2015	2014
	Actual	Budget	Budget	Budget	Annual	Budget	Actual	Actual	Actual
	YTD	YTD	Variance	Variance	Budget	Balance	YTD	YTD	YTD
		(\$)	(%)						
Tourism Fund									
Revenues									
Business License Fees	\$ 320,183	\$ 315,307	\$ 4,876	2%	\$ 315,307	\$ (4,876)	\$ 296,585	\$281,898	\$270,572
Lodging Taxes - Condos/Homes	945,490	884,570	60,920	7%	884,570	(60,920)	912,743	812,121	563,529
Lodging Taxes - Hotels	755,468	784,430	(28,962)	-4%	784,430	28,962	725,343	685,304	638,859
Lodging Taxes - Prior Year	692	-	692	#DIV/0!	-	(692)	824	4,840	781
Penalties and Interest	14,565	15,000	(435)	-3%	15,000	435	15,635	26,448	12,546
Restaurant Taxes	421,514	404,000	17,514	4%	404,000	(17,514)	411,969	366,365	314,737
Restaurant Taxes - Prior Year	-	-	-	#DIV/0!	-	-	85	641	88
Total Revenues	2,457,911	2,403,307	54,604	2%	2,403,307	(54,604)	2,363,183	2,177,617	1,801,111
Tourism Funding									
Additional Funding	27,915	40,000	(12,085)	-30%	40,000	12,085	38,000	8,091	25,000
Airline Guaranty Funding	1,246,892	1,213,730	33,162	3%	1,213,730	(33,162)	1,206,879	1,095,776	898,081
MTI Funding	1,143,288	1,122,544	20,744	2%	1,122,544	(20,744)	1,090,050	1,008,605	849,906
Total Tourism Funding	2,418,095	2,376,274	41,822	98%	2,376,274	(41,822)	2,334,929	2,112,472	1,772,987
Surplus / Deficit	39,815	27,033	12,782	47%	27,033	(12,782)	28,255	65,145	28,124
Administrative Fees									
Audit Fees	2,235	2,500	(265)	-11%	2,500	265	2,500	2,500	-
Total Administrative Fees	2,235	2,500	(265)	-11%	2,500	265	2,500	2,500	-
Surplus / Deficit	37,580	24,533	13,047	53%	24,533	(13,047)	25,755	62,645	28,124
Other Sources and Uses									
Transfer (To) From Other Funds	(37,580)	(24,533)	(13,047)	53%	(24,533)	13,047	(25,755)	(62,645)	(28,124)
Total Other Sources and Uses	(37,580)	(24,533)	(13,047)	53%	(24,533)	13,047	(25,755)	(62,645)	(28,124)
Surplus / Deficit	\$ -	\$ -	\$ -		\$ -		\$ -	\$ -	\$ -

**Town of Mountain Village Monthly Revenue and Expenditure Report
December 2017**

	2017				Annual Budget	Budget Balance	2016	2015	2014
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)			Actual YTD	Actual YTD	Actual YTD
Parking Services Fund									
Revenues									
Contributions/Shared Facility Expenses	\$ 12,230	\$ 7,000	\$ 5,230	75%	\$ 7,000	\$ (5,230)	\$ 9,953	\$ 7,732	\$ 20,771
Fines and Forfeits	27,320	30,000	(2,680)	-9%	30,000	2,680	48,374	52,769	29,182
Gondola Parking Garage	115,680	105,000	10,680	10%	105,000	(10,680)	105,111	198,945	140,173
Heritage Parking Garage	195,112	150,000	45,112	30%	150,000	(45,112)	157,278	153,063	139,895
Parking Meter Revenues	18,518	12,000	6,518	54%	12,000	(6,518)	6,214	12,288	10,750
Parking Permits	12,548	12,000	548	5%	12,000	(548)	14,605	16,995	14,986
Parking in Lieu Buyouts	80,000	80,000	-	0%	80,000	-	-	-	-
Special Event Parking	49,286	41,000	8,286	20%	41,000	(8,286)	65,897	60,299	41,743
Total Revenues	510,694	437,000	73,694	17%	437,000	(73,694)	407,432	502,091	397,500
Operating Expenses									
Other Operating Expenses	53,277	29,730	23,547	79%	29,730	(23,547)	5,874	2,762	614
Personnel Expenses	120,937	135,212	(14,275)	-11%	135,212	14,275	113,641	115,759	122,316
Gondola Parking Garage	73,659	62,445	11,214	18%	62,445	(11,214)	38,268	37,424	37,705
Surface Lots	66,524	54,900	11,624	21%	54,900	(11,624)	18,802	21,344	23,909
Heritage Parking Garage	80,148	109,045	(28,897)	-27%	109,045	28,897	89,770	87,294	113,152
Meadows Parking	1,000	1,000	-	0%	1,000	-	15,454	1,000	2,000
Total Operating Expenses	395,545	392,332	3,213	1%	392,332	(3,213)	281,809	265,583	299,696
Surplus / Deficit	115,149	44,668	70,481	158%	44,668	(70,481)	125,623	236,508	97,804
Capital									
Capital	4,800	94,800	(90,000)	-95%	94,800	90,000	4,800	14,715	29,232
Surplus / Deficit	110,349	(50,132)	160,481	-320%	(50,132)	(160,481)	120,823	221,793	68,572
Other Sources and Uses									
Sale of Assets	-	-	-	#DIV/0!	-	-	-	-	-
Overhead Allocation	(32,899)	(32,899)	-	0%	(32,899)	-	(27,038)	(30,285)	(31,821)
Transfer (To) From General Fund	-	83,031	(83,031)	-100%	83,031	83,031	-	(191,508)	(36,751)
Total Other Sources and Uses	(32,899)	50,132	(83,031)	-166%	50,132	83,031	(27,038)	(221,793)	(68,572)
Surplus / Deficit	\$ 77,450	\$ -	\$ -	#DIV/0!	\$ -	\$ -	\$ 93,785	\$ -	\$ -
Beginning Fund Balance	\$ 93,785	\$ -	\$ 93,785						
Ending Fund Balance	\$ 171,235	\$ -	\$ 171,235						

Parking revenues are over budget \$73,700. HPG revenues are over budget and prior year 30% and 24%. This is primarily because there are no free hours. Parking meter (surface lots) revenues are over budget 54% and prior year 198%. GPG is over budget and over prior year 10%. Personnel costs are under budget but other costs are over due to wayfinding. GPG is over budget in asphalt repair. HPG is under budget due to shared expenses. Surface lots maintenance is over budget. The Parking Fund did not require a transfer from the General Fund.

**Town of Mountain Village Monthly Revenue and Expenditure Report
December 2017**

	2017						2016	2015	2014
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD
Gondola Fund									
Revenues									
Event Operations Funding	\$ 14,157	\$ -	\$ 14,157	#DIV/0!	\$ -	\$ (14,157)	\$ 7,029	\$ 16,663	\$ 5,525
Event Operations Funding - SMC/TOT	36,000	36,000	-	0.00%	36,000	-	36,000	36,000	36,000
Operations Grant Funding	149,982	150,100	(118)	-0.08%	150,100	118	150,100	150,101	325,908
Capital/MR&R Grant Funding	88,000	88,000	-	0.00%	88,000	-	808,977	171,842	-
Insurance Proceeds	-	-	-	#DIV/0!	-	-	-	-	-
Miscellaneous Revenues	591	-	591	#DIV/0!	-	(591)	3,658	12,100	3,169
Sale of Assets	1,672	-	1,672	#DIV/0!	-	(1,672)	3,350	10,500	558
TMVOA Operating Contributions	3,228,341	3,792,978	(564,637)	-14.89%	3,792,978	564,637	3,156,618	3,158,639	2,878,376
TMVOA Capital Contributions	1,461,922	1,972,689	(510,767)	-25.89%	1,972,689	510,767	1,297,602	398,801	392,058
TSG 1% Lift Sales	186,075	200,000	(13,925)	-6.96%	200,000	13,925	195,809	181,205	158,550
Total Revenues	5,166,740	6,239,767	(1,073,027)	-17.20%	6,239,767	1,073,027	5,659,143	4,135,851	3,800,144
Operating Expenses									
Overhead Allocation Transfer	43,161	45,000	(1,839)	-4.09%	45,000	1,839	43,097	43,735	-
MAARS	73,595	81,158	(7,563)	-9.32%	81,158	7,563	68,273	66,092	71,291
Chondola	319,109	385,528	(66,419)	-17.23%	385,528	66,419	272,107	225,093	162,843
Grant Success Fees	8,736	14,286	(5,550)	-38.85%	14,286	5,550	30,606	29,166	37,702
Operations	1,645,929	1,816,807	(170,878)	-9.41%	1,816,807	170,878	1,616,274	1,632,286	1,529,002
Maintenance	1,139,874	1,270,214	(130,340)	-10.26%	1,270,214	130,340	1,117,757	1,194,030	1,122,519
FGOA	386,414	456,009	(69,595)	-15.26%	456,009	69,595	404,450	374,806	484,729
Major Repairs and Replacements	299,056	576,265	(277,209)	-48.10%	576,265	277,209	1,007,901	214,440	272,685
Contingency	-	110,076	(110,076)	-100.00%	110,076	110,076	-	-	-
Total Operating Expenses	3,915,874	4,755,343	(839,469)	-17.65%	4,755,343	839,469	4,560,465	3,779,648	3,680,771
Surplus / Deficit	1,250,866	1,484,424	(233,558)	-15.73%	1,484,424		1,098,678	356,203	119,373
Capital									
Capital Outlay	1,250,866	1,484,424	(233,558)	-15.73%	1,484,424	233,558	1,098,678	356,203	119,373
Surplus / Deficit	\$ -	\$ -	\$ -	#DIV/0!	\$ -	\$ -	\$ -	\$ -	\$ -

**Town of Mountain Village Monthly Revenue and Expenditure Report
December 2017**

	2017						2016	2015	2014
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD
Child Development Fund									
Revenues									
Daycare Fees	\$ 272,382	\$ 275,396	(3,014)	-1.09%	\$ 275,396	\$ 3,014	\$ 283,175	\$252,544	\$245,405
Fundraising Revenues - Daycare	16,768	8,500	8,268	97.27%	8,500	(8,268)	14,857	13,417	10,136
Fundraising Revenues - Preschool	3,075	3,500	(425)	-0.24%	3,500	(158,938)	2,880	3,379	3,980
Grant Revenues - Daycare	25,650	24,450	1,200	4.91%	24,450	(1,200)	32,354	24,904	23,147
Grant Revenues - Preschool	13,000	13,000	-	0.00%	13,000	-	14,168	13,595	12,168
Preschool Fees	162,438	173,475	(11,037)	-6.36%	173,475	170,400	177,131	172,082	171,473
Total Revenues	493,313	498,321	(5,008)	-1.00%	498,321	5,008	524,565	479,921	466,309
Operating Expenses									
Daycare Other Expense	70,112	64,246	5,866	9.13%	64,246	(5,866)	70,244	58,338	57,240
Daycare Personnel Expense	345,127	357,428	(12,301)	-3.44%	357,428	12,301	332,421	336,385	310,570
Preschool Other Expense	39,432	45,560	(6,128)	-13.45%	45,560	6,128	39,518	35,374	42,766
Preschool Personnel Expense	159,046	165,296	(6,250)	-3.78%	165,296	6,250	149,842	109,726	142,670
Total Operating Expenses	613,717	632,530	(18,813)	-2.97%	632,530	18,813	592,025	539,823	553,246
Surplus / Deficit	(120,404)	(134,209)	13,805	-10.29%	(134,209)		(67,460)	(59,902)	(86,937)
Other Sources and Uses									
Contributions	-	-	-	#DIV/0!	-	-	-	-	-
Transfer (To) From General Fund	120,404	134,209	13,805	10.29%	134,209	13,805	67,460	59,902	86,937
Total Other Sources and Uses	120,404	134,209	13,805	10.29%	134,209	13,805	67,460	59,902	86,937
Surplus / Deficit	\$ -	\$ -	\$ -	#DIV/0!	\$ -		\$ -	\$ -	\$ -

Child Development revenues are \$5,000 under budget or 1%. Operating expenses are \$18,813 under budget due primarily to group insurance in both daycare and preschool. The program required \$120,404 in funds from the General Fund in 2017.

**Town of Mountain Village Monthly Revenue and Expenditure Report
December 2017**

		2017				2016	2015	2014	
Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD	
Water & Sewer Fund									
Revenues									
Mountain Village Water and Sewer	\$ 2,594,660	\$ 2,513,307	\$ 81,353	3.24%	\$ 2,513,307	\$ (81,353)	\$ 2,262,918	\$2,276,311	\$2,197,870
Other Revenues	10,373	13,450	(3,077)	-22.88%	13,450	3,077	9,753	10,126	9,336
Ski Ranches Water	155,919	158,111	(2,192)	-1.39%	158,111	2,192	139,185	131,230	130,865
Skyfield Water	29,474	27,525	1,949	7.08%	27,525	(1,949)	26,165	21,874	24,127
Total Revenues	2,790,426	2,712,393	78,033	2.88%	2,712,393	(78,033)	2,438,021	2,439,541	2,362,197
Operating Expenses									
Mountain Village Sewer	503,537	508,902	(5,365)	-1.05%	508,902	5,365	479,585	455,206	414,305
Mountain Village Water	897,405	1,051,259	(153,854)	-14.64%	1,051,259	153,854	883,342	936,056	864,141
Ski Ranches Water	65,418	41,639	23,779	57.11%	41,639	(23,779)	18,894	25,704	20,389
Contingency	-	32,036	(32,036)	-100.00%	32,036	32,036	-	-	-
Total Operating Expenses	1,466,360	1,633,836	(167,476)	-10.25%	1,633,836	167,476	1,381,821	1,416,966	1,298,835
Surplus / Deficit	1,324,066	1,078,557	245,509	22.76%	1,078,557		1,056,200	1,022,575	1,063,363
Capital									
Capital Outlay	379,565	470,220	(90,655)	-19.28%	470,220	90,655	392,577	1,742,372	330,931
Surplus / Deficit	944,501	608,337	336,164	55.26%	608,337		663,623	(719,797)	732,431
Other Sources and Uses									
Overhead Allocation Transfer	(142,527)	(142,527)	-	0.00%	(142,527)	-	(131,311)	(127,164)	(134,455)
Mountain Village Tap Fees	255,316	250,000	5,316	2.13%	250,000	(5,316)	42,960	105,228	27,043
Grants	-	-	-	#DIV/0!	-	-	-	67,774	-
Ski Ranches Tap Fees	21,232	21,232	-	0.00%	21,232	-	-	-	10,718
Skyfield Tap Fees	-	-	-	#DIV/0!	-	-	-	-	-
Sale of Assets	352	-	352	#DIV/0!	-	(352)	-	-	-
Telski Tap Fee/Water Credit	-	-	-	#DIV/0!	-	-	-	-	(116,762)
Transfer (To) From General Fund	-	-	-	#DIV/0!	-	-	-	-	-
Total Other Sources and Uses	134,373	128,705	5,668	4.40%	128,705	(5,668)	(88,351)	45,838	(213,456)
Surplus / Deficit	\$ 1,078,874	\$ 737,042	\$ 341,832	46.38%	\$ 737,042		\$ 575,272	\$ (673,959)	\$ 518,976

MV Excess water fees exceeded budget \$15,300 and snowmaking is over budget \$66,800. Skyfield excess usage fees are over budget and Ski Ranches is under budget. Other revenues are under budget in maintenance and inspection fees. Sewer expenditures are under budget by 1%. MV water is under budget mainly in water sample analysis, salaries and wages, and electricity. Personnel costs are under due to more time being spent and allocated to Ski Ranches, which is over budget in salaries and wages and tank replacement. Capital costs were for a vehicle, the Ski Ranches chlorine building, power generators, water rights, regional sewer, and lift 7 water line.

**Town of Mountain Village Monthly Revenue and Expenditure Report
December 2017**

	2017				Annual Budget	Budget Balance	2016	2015	2014
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)			Actual YTD	Actual YTD	Actual YTD
Broadband Fund									
Revenues									
Cable User Fees	\$ 890,845	\$ 917,150	\$ (26,305)	-2.87%	\$ 917,150	\$ 26,305	\$ 860,098	\$825,982	\$793,941
Internet User Fees	952,341	867,899	84,442	9.73%	867,899	(84,442)	869,961	787,572	708,974
Other Revenues	59,118	62,764	(3,646)	-5.81%	62,764	25,299	51,050	68,575	86,829
Phone Service Fees	37,465	35,281	2,184	6.19%	35,281	(23,837)	37,495	35,413	35,742
Total Revenues	1,939,769	1,883,094	56,675	3.01%	1,883,094	(56,675)	1,818,604	1,717,542	1,625,486
Operating Expenses									
Cable Direct Costs	792,260	828,736	(36,476)	-4.40%	828,736	36,476	784,883	651,234	572,187
Phone Service Costs	24,240	27,000	(2,760)	-10.22%	27,000	2,760	24,905	26,745	24,505
Internet Direct Costs	214,500	224,400	(9,900)	-4.41%	224,400	9,900	232,132	167,783	108,000
Cable Operations	551,931	579,363	(27,432)	-4.73%	579,363	27,432	532,128	530,962	532,434
Contingency	55	3,000	(2,945)	-98.17%	3,000	2,945	-	-	-
Total Operating Expenses	1,582,986	1,662,499	(79,513)	-4.78%	1,662,499	79,513	1,574,048	1,376,724	1,237,126
Surplus / Deficit	356,783	220,595	136,188	61.74%	220,595		244,556	340,818	388,360
Capital									
Capital Outlay	131,574	126,500	5,074	4.01%	126,500	(5,074)	51,774	126,654	42,096
Surplus / Deficit	225,209	94,095	131,114	139.34%	94,095		192,782	214,164	346,264
Other Sources and Uses									
Sale of Assets	-	-	-	#DIV/0!	-	-	-	-	-
Transfer (To) From General Fund	-	-	-	#DIV/0!	-	-	-	(147,147)	(179,928)
Overhead Allocation Transfer	(145,028)	(145,028)	-	0.00%	(145,028)	-	(127,762)	(117,017)	(116,336)
Total Other Sources and Uses	(145,028)	(145,028)	-	0.00%	(145,028)	-	(127,762)	(264,164)	(296,264)
Surplus / Deficit	\$ 80,181	\$ (50,933)	\$ 131,114	-257.43%	\$ (50,933)		\$ 65,020	\$ (50,000)	\$ 50,000
Beginning (Available) Fund Balance	\$ 125,019	\$ 125,019	\$ -						
Ending (Available) Fund Balance	\$ 205,200	\$ 74,086	\$ 131,114						

Cable user revenues are under budget and over prior year. The prior year variance is mainly due to increased rates. Internet revenues are over budget and prior year 9.7% and 9%. Other revenues are under budget 5.8% due primarily to equipment rental and parts revenues. Direct costs for cable are under budget and over prior year due to increasing programming costs. Internet costs are under budget due to a one time credit. Phone service revenues are over budget by 6.2%, while phone service expenses are under budget by 10.2%. Cable operating expenses are under budget with savings in multiple line items. Capital expenses were for a cable system upgrade.

**Town of Mountain Village Monthly Revenue and Expenditure Report
December 2017**

	2017						2016	2015	2014
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD
Telluride Conference Center Fund									
Revenues									
Beverage Revenues	\$ -	\$ -	\$ -	#DIV/0!	\$ -	\$ -	\$ -	\$ -	\$ -
Catering Revenues	-	-	-	#DIV/0!	-	-	-	-	-
Facility Rental	-	-	-	#DIV/0!	-	-	-	-	-
Operating/Other Revenues	-	-	-	#DIV/0!	-	-	-	-	920
Total Revenues	-	-	-	#DIV/0!	-	-	-	-	920
Operating Expenses									
General Operations	-	15,000	(15,000)	-100.00%	15,000	15,000	-	27	-
Administration	93,525	88,467	5,058	5.72%	88,467	(5,058)	82,422	82,639	78,598
Marketing	100,000	100,000	-	0.00%	100,000	-	100,000	100,000	36,480
Contingency	-	-	-	#DIV/0!	-	-	-	-	-
Total Operating Expenses	193,525	203,467	(9,942)	-4.89%	203,467	9,942	182,422	182,666	115,078
Surplus / Deficit	(193,525)	(203,467)	9,942	-4.89%	(203,467)		(182,422)	(182,666)	(114,158)
Capital Outlay/ Major R&R	5,564	20,000	(14,436)	-72.18%	20,000	14,436	13,784	10,437	38,938
Surplus / Deficit	(199,089)	(223,467)	24,378	-10.91%	(223,467)		(196,206)	(193,103)	(153,097)
Other Sources and Uses									
Damage Receipts	-	-	-	#DIV/0!	-	-	-	-	-
Insurance Proceeds	-	-	-	#DIV/0!	-	-	-	-	-
Sale of Assets	-	-	-	#DIV/0!	-	-	-	-	-
Transfer (To) From General Fund	199,089	223,467	(24,378)	-10.91%	223,467	24,378	196,206	193,103	153,097
Overhead Allocation Transfer	-	-	-	#DIV/0!	-	-	-	-	-
Total Other Sources and Uses	199,089	223,467	(24,378)	74.00%	223,467	24,378	196,206	193,103	153,097
Surplus / Deficit	\$ -	\$ -	\$ -	#DIV/0!	\$ -		\$ -	\$ -	\$ -

Expenses for the year are HOA dues, appraisal costs, HVAC upgrade, and contracted marketing expenses.

**Town of Mountain Village Monthly Revenue and Expenditure Report
December 2017**

	2017				2016	2015	2014		
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD
Affordable Housing Development Fund									
Revenues									
Contributions	\$ -	\$ -	\$ -	#DIV/0!	\$ -	\$ -	\$ -	\$ -	\$ -
Grant Proceeds	-	-	-	#DIV/0!	-	-	-	-	-
Rental Income	13,165	12,778	387	3.03%	12,778	(387)	13,135	12,579	12,705
Sales Proceeds	-	-	-	#DIV/0!	-	-	-	-	-
Total Revenues	13,165	12,778	387	3.03%	12,778	(387)	13,135	12,579	12,705
Operating Expenses									
Community Garden	-	1,000	(1,000)	-100.00%	1,000	1,000	-	2,495	-
HA Consultant	4,900	13,000	(8,100)	-62.31%	13,000	8,100	-	-	69,280
RHA Funding	87,776	87,776	-	0.00%	87,776	-	88,500	82,138	-
Town Owned Properties	11,694	9,987	1,707	17.09%	9,987	(1,707)	10,004	9,920	9,905
Density bank	8,856	9,013	(157)	-1.74%	9,013	157	8,856	8,856	8,856
Total Operating Expenses	113,226	120,776	(7,550)	-6.25%	120,776	7,550	107,360	103,409	88,041
Surplus / Deficit	(100,061)	(107,998)	(7,937)	7.35%	(107,998)	(7,937)	(94,225)	(90,831)	(75,336)
Other Sources and Uses									
Transfer (To) From MAP	-	(60,000)	60,000	-100.00%	(60,000)	-	-	(30,000)	-
Transfer (To) From General Fund - Sales Tax	461,662	440,572	21,090	4.79%	440,572	(21,090)	445,361	423,604	348,409
Transfer (To) From Capital Projects Fund (1)	-	-	-	#DIV/0!	-	-	-	(453,202)	(54,221)
Transfer (To) From VCA	-	-	-	#DIV/0!	-	-	-	-	(33,752)
Total Other Sources and Uses	461,662	380,572	81,090	21.31%	380,572	(21,090)	445,361	(59,599)	260,435
Surplus / Deficit	\$ 361,602	\$ 272,574	\$ (89,028)	-32.66%	\$ 272,574	\$ (29,028)	\$ 351,136	\$ (150,429)	\$ 185,100
Beginning Fund Equity Balance	\$ 1,149,533	\$ 1,149,533	\$ -						
Ending Equity Fund Balance	\$ 1,511,135	\$ 1,422,107	\$ 89,028						

1. For Meadows Improvement Plan

Expenses consist of HOA dues, RHA contribution, maintenance and utilities on town owned property and fees associated with the housing consultation undertaking.

Town of Mountain Village Monthly Revenue and Expenditure Report

December 2017

	2017						2016	2015	2014
	Actual YTD	Budget YTD	Budget Vary (\$)	Budget Var (%)	Annual Budget	Budget Balance	Actual	Actual	Actual
Village Court Apartments									
Operating Revenues									
Rental Income	\$ 2,244,056	\$ 2,225,944	\$ 18,112	1%	\$ 2,225,944	\$ (18,112)	\$ 2,274,578	\$2,264,605	\$2,206,773
Other Operating Income	99,585	82,225	17,360	21%	82,225	(17,360)	59,251	72,856	117,473
Less: Allowance for Bad Debt	4,608	(10,914)	15,522	-142%	(10,914)	(15,522)	(1,917)	(9,619)	(12,918)
Total Operating Revenue	2,348,249	2,297,255	50,994	2%	2,297,255	(50,994)	2,331,911	2,327,842	2,311,328
Operating Expenses									
Office Operations	175,583	197,879	22,296	11%	197,879	22,296	138,114	195,125	173,601
General and Administrative	127,667	171,105	43,438	25%	171,105	43,438	115,696	111,240	109,656
Utilities	370,625	381,950	11,325	3%	381,950	11,325	353,617	348,609	362,007
Repair and Maintenance	385,434	412,516	27,082	7%	412,516	27,082	367,916	365,407	347,354
Major Repairs and Replacement	193,273	170,801	(22,472)	-13%	170,801	(22,472)	164,548	90,721	206,805
Contingency	-	13,452	13,452	0%	13,452	13,452	9,338	-	-
Total Operating Expenses	1,252,581	1,347,703	95,122	7%	1,347,703	95,122	1,149,229	1,111,102	1,199,424
Surplus / (Deficit) After Operations	1,095,667	949,552	146,115	15%	949,552		1,182,682	1,216,740	1,111,905
Non-Operating (Income) / Expense									
Investment Earning	(1,264)	(60)	1,204	2007%	(60)	1,204	(52)	(72)	(179)
Debt Service, Interest	406,401	406,401	0	0%	406,401	0	432,260	480,291	262,799
Debt Service, Fees	1,750	-	(1,750)	#DIV/0!	-	(1,750)	1,750	4,500	518,537
Debt Service, Principal	357,073	357,073	-	0%	357,073	-	367,621	356,834	285,801
Total Non-Operating (Income) / Expense	763,960	763,414	(546)	0%	763,414	(546)	801,580	841,553	1,066,957
Surplus / (Deficit) Before Capital	331,708	186,138	145,570	78%	186,138		381,102	375,187	44,947
Capital Spending	6,713	-	(6,713)	#DIV/0!	-	(6,713)	5,496	-	-
Surplus / (Deficit)	324,995	186,138	138,857	75%	186,138		375,606	375,187	44,947
Other Sources / (Uses)									
Transfer (To)/From General Fund	(118,518)	(118,518)	-	0%	(118,518)	(119,486)	(102,446)	(105,444)	(116,635)
Sale of Assets	968	-	968	0%	-	-	-	-	-
Grant Revenues	-	-	-	0%	-	-	-	-	-
Transfer From AHDF	-	-	-	0%	-	117,550	-	-	33,752
Total Other Sources / (Uses)	(117,550)	(118,518)	968	0%	(118,518)	117,550	(102,446)	(105,444)	(82,883)
Surplus / (Deficit)	207,445	67,620	139,825	207%	67,620		273,160	269,743	(37,936)

Rent revenues exceeded budget 1% but are down from previous year. Other revenues are over budget 21% due mainly to lease break and unit transfer fees, credit check and pet fees. Office operations are under budget 11%. This is primarily due to employee costs and outside consulting. General and administrative is under budget 25% due mainly to marketing expenses, credit card charges, and property insurance. Utilities are 3% under budget and 4% higher than last year, with budget savings in electricity. Maintenance is under budget 7%. MR&R is over budget 13% due to the carpet replacement in common areas. Expenses include roof repairs, carpet replacement (including some of the common areas), appliances (to include hot water heaters), vinyl replacement, and the bobcat lease.

**Town of Mountain Village Monthly Revenue and Expenditure Report
December 2017**

	2017				Annual Budget	Budget Balance	2016	2015	2014
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)			Actual YTD	Actual YTD	Actual YTD
Debt Service Fund									
Revenues									
Abatements	\$ -	\$ -	\$ -	#DIV/0!	\$ -	\$ -	\$ -	\$ -	\$ -
Contributions	204,515	204,335	180	0.09%	204,335	(180)	207,975	206,275	204,425
Miscellaneous Revenue	-	-	-	#DIV/0!	-	-	-	-	-
Property Taxes	3,414,348	3,481,093	(66,744)	-1.92%	3,481,093	66,744	3,438,748	3,473,399	3,536,181
Reserve/Capital/Liquidity Interest	4,302	2,053	2,249	109.53%	2,053	(2,249)	1,314	1,561	10,582
Specific Ownership Taxes	149,712	83,909	65,803	78.42%	83,909	(65,803)	136,536	149,178	142,584
Total Revenues	3,772,877	3,771,390	1,488	140.00%	3,771,390	(1,488)	3,784,572	3,830,413	3,893,773
Debt Service									
2001/2011 Bonds - Gondola - Paid by contributions from TMVOA and TSG									
2001/2011 Bond Issue - Interest	89,515	89,525	(10)	77.85%	89,525	10	92,975	96,275	99,425
2001/2011 Bond Issue - Principal	115,000	115,000	-	#DIV/0!	115,000	-	115,000	110,000	105,000
2005 Bonds - Telluride Conference Center - (refunding portion)									
2005 Bond Issue - Interest	34,000	34,000	-	5.00%	34,000	-	66,250	97,000	126,250
2005 Bond Issue - Principal	680,000	680,000	-	#DIV/0!	680,000	-	645,000	615,000	585,000
2006/2014 Bonds - Heritage Parking									
2014 Bond Issue - Interest	267,180	267,795	(615)	53.03%	267,795	615	276,425	285,211	373,388
2014 Bond Issue - Principal	505,000	505,000	-	#DIV/0!	505,000	-	15,000	245,000	220,000
2007 Bonds - Water/Sewer (refunding 1997)									
2007 Bond Issue - Interest	89,513	89,513	(1)	5.25%	89,513	1	174,825	244,800	300,863
2007 Bond Issue - Principal	1,705,000	1,705,000	-	#DIV/0!	1,705,000	-	1,625,000	1,555,000	1,495,000
2009 Bonds - Telluride Conference Center (refunding 1998 bonds)									
2009 Bond Issue - Interest	12,400	12,400	-	4.00%	12,400	-	24,200	32,900	41,300
2009 Bond Issue - Principal	310,000	310,000	-	8.14%	310,000	-	295,000	290,000	280,000
Total Debt Service	3,807,608	3,808,233	(625)	-0.02%	3,808,233	625	3,329,675	3,571,186	3,626,226
Surplus / (Deficit)	(34,731)	(36,844)	2,113	-5.73%	(36,844)		454,897	259,227	267,547
Operating Expenses									
Administrative Fees	2,175	13,750	(11,575)	-84.18%	13,750	11,575	11,764	12,325	128,236
County Treasurer Collection Fees	102,762	102,344	418	0.41%	102,344	(418)	103,442	104,429	106,280
Total Operating Expenses	104,937	116,094	(11,157)	-9.61%	116,094	11,157	115,206	116,754	234,516
Surplus / (Deficit)	(139,668)	(152,938)	13,269	-8.68%	(152,938)		339,691	142,473	33,031
Other Sources and Uses									
Transfer (To) From General Fund	(149,712)	(83,909)	(65,803)	78.42%	(83,909)	65,803	(136,536)	(149,178)	(142,584)
Transfer (To) From Other Funds (1)	(207,439)	(207,439)	-	0.00%	(207,439)	-	-	-	-
Bond Premiums	-	-	-	#DIV/0!	-	-	-	-	-
Proceeds From Bond Issuance	-	-	-	#DIV/0!	-	-	-	-	-
Total Other Sources and Uses	(357,151)	(291,348)	(65,803)	22.59%	(291,348)	65,803	(136,536)	(149,178)	(142,584)
Surplus / (Deficit)	\$ (496,819)	\$ (444,286)	\$ (52,534)	11.82%	\$ (444,286)		\$ 203,155	\$ (6,704)	\$ (109,553)
Beginning Fund Balance	\$ 947,096	\$ 947,096	\$ -						
Ending Fund Balance	\$ 450,277	\$ 502,811	\$ (52,534)						

Note (1) Transfer to General Fund for additional expense on the Sunset Plaza repair project.

2017 Financial Planning Management Summary* - Qtr 4

* This summary is a combined town revenue and expenditure summary not prepared in accordance with governmental budgeting and accounting standards, but rather to provide a summary look at the actual revenue and expenditures with debt service allocated to the appropriate fund or operation.

	Governmental Funds				Enterprise (Business-Type) Funds								Governmental Pass Through Funds Special Revenue Funds				
	General Fund	Vehicle Acquisition	Debt Service Fund	Capital Projects	Parking Services	Water/Sewer	Cable	TCC	VCA	Affordable Housing Development Fund and Mortgage Assistance	Child Development Fund	Total	Percentage of Total	Tourism	Historical Museum	Gondola	
Inflows																	
Revenues	\$ 11,237,817	\$ 61,970	\$ -	\$ -	\$ 510,694	\$ 2,790,426	\$ 1,939,769	\$ -	\$ 2,348,249	\$ 13,165	\$ 493,313	\$ 19,395,402		\$ 2,457,911	-	\$ 5,165,078	\$ 27,018,391
Debt Service Income																	
Property Tax (Income)	-	-	149,712	-	2,521,849	564,642	-	327,857	-	-	-	3,564,060		-	96,066	-	3,660,126
Other Income	-	-	-	-	3,177	711	-	413	1,264	-	-	5,566		-	-	204,515	210,081
Total Debt Service Income	-	-	149,712	-	2,525,026	565,354	-	328,270	1,264	-	-	3,569,626		-	96,066	204,515	3,870,207
Inflow Subtotal (Revenues)	11,237,817	61,970	149,712	-	3,035,720	3,355,780	1,939,769	328,270	2,349,513	13,165	493,313	22,965,029		2,457,911	96,066	5,369,593	30,888,598
Other Sources and Uses (Inflows)																	
Interfund Transfers In	876,864	561,775	-	266,071	-	-	-	199,089	-	461,662	120,404	2,485,865		-	-	-	2,485,865
Tap Fees	-	-	-	-	-	276,548	-	-	-	-	-	276,548		-	-	-	276,548
Sale of Assets	-	1,300	-	-	-	352	-	-	968	-	-	2,620		-	-	1,672	4,292
Other Sources and Uses (Inflows) Total	876,864	563,075	-	266,071	-	276,900	-	199,089	968	461,662	120,404	2,765,033		-	-	1,672	2,766,705
Total Inflows	12,114,681	625,045	149,712	266,071	3,035,720	3,632,680	1,939,769	527,359	2,350,481	474,827	613,717	25,730,062		2,457,911	96,066	5,371,265	33,655,303
Outflows																	
Operating Expense																	
Cable, Phone, and Internet Service Delivery Costs	-	-	-	-	-	-	1,057,295	-	-	-	-	1,057,295	7.75%	-	-	-	1,057,295
Consulting, Contract Labor, Professional Services	221,938	-	-	-	9,670	-	635	5,000	68,606	4,900	900	311,649	2.28%	-	-	23,303	334,952
Dues, Fees, and Licenses	140,595	-	-	-	32,400	2,733	1,585	88,525	38,600	17,795	817	323,050	2.37%	2,235	1,928	13,170	340,382
Environmental Projects	10,894	-	-	-	-	-	-	-	-	-	-	10,894	0.08%	-	-	-	10,894
Equipment and Vehicle Maintenance	105,451	-	-	-	-	54,781	34,791	-	8,527	-	-	203,550	1.49%	-	-	9,124	212,674
Fuel (Vehicles)	94,188	-	-	-	508	7,235	2,579	-	2,205	-	-	106,715	0.78%	-	-	4,612	111,327
Funding Support to Other Agencies/Programs	156,000	-	-	-	-	-	5,000	-	-	87,776	29,001	277,777	2.04%	1,246,892	94,138	-	1,618,807
Government Buildings and Facility Expense	243,114	-	-	-	23,099	5,530	2,806	-	174,919	-	48,492	497,960	3.65%	-	-	47,675	545,635
Information Technology	193,434	-	-	-	7,302	-	51,795	-	8,683	-	-	261,214	1.91%	-	-	4,593	265,807
Legal Services	450,145	-	-	-	-	32,305	-	-	33,567	-	-	516,017	3.78%	-	-	10,903	526,920
Marketing, Public Communications, and Regional Promotion	132,295	-	-	-	49,572	-	105	100,000	-	-	-	281,972	2.07%	1,171,204	-	-	1,453,176
Other Expenses	195,497	-	-	-	47,437	-	-	-	5,610	-	10,701	259,245	1.90%	-	-	56,661	315,906
Personnel Expense	5,046,302	-	-	-	120,937	501,784	381,566	-	412,062	-	504,577	6,967,228	51.05%	-	-	2,643,663	9,610,891
Property Insurance	99,918	-	-	-	-	12,223	3,555	-	55,884	-	-	171,580	1.26%	-	-	32,469	204,049
Road, Bridge, and Parking Lot Paving, Striping, and Repair	425,560	-	-	-	71,869	-	-	-	-	-	-	497,429	3.64%	-	-	-	497,429
Supplies, Parts and Materials	169,524	-	-	-	14,150	39,432	13,458	-	59,165	1,816	6,232	303,776	2.23%	-	-	224,706	528,482
Travel, Education, and Conferences	37,757	-	-	-	-	625	3,023	-	5,474	-	2,319	49,198	0.36%	-	-	13,077	62,275
Utilities-W/S, Electric, Natural Gas, Internet, Communications	409,941	-	-	-	18,601	292,424	24,794	-	379,279	939	10,678	1,136,656	8.33%	-	-	324,031	1,460,687
Water/Sewer Service Delivery	-	-	-	-	-	413,883	-	-	-	-	-	413,883	3.03%	-	-	-	413,883
Total Expense	8,132,553	-	-	-	395,545	1,362,955	1,582,987	193,525	1,252,581	113,226	613,717	13,647,089	100.00%	2,420,331	96,066	3,407,987	19,571,473
Capital and Major Repairs	932,273	495,405	-	266,071	4,800	332,865	131,573	5,564	6,713	-	-	2,175,264		-	-	1,715,602	3,890,866
Debt Service Expense																	
Principal/Interest	-	-	-	-	772,180	1,794,513	-	1,036,400	763,474	-	-	4,366,567		-	-	204,515	4,571,082
County Treasurer and Trustee Fees	-	-	-	-	77,507	17,354	-	10,076	1,750	-	-	106,687		-	-	-	106,687
Total Debt Service Costs	-	-	-	-	849,687	1,811,867	-	1,046,476	765,224	-	-	4,473,254		-	-	204,515	4,677,769
Outflows (Expenses) Subtotal	9,064,826	495,405	-	266,071	1,250,032	3,507,687	1,714,560	1,245,565	2,024,518	113,226	613,717	20,295,606		2,420,331	96,066	5,328,104	28,140,108
Other Sources and Uses (Outflows)																	
Interfund Transfers Out	1,609,001	-	357,151	-	32,899	142,527	145,028	-	118,518	-	-	2,405,124		37,580	-	43,161	2,485,865
Other	-	-	-	-	-	-	-	-	-	-	-	-		-	-	-	-
Other Sources and Uses Total (Outflows)	1,609,001	-	357,151	-	32,899	142,527	145,028	-	118,518	-	-	2,405,124		37,580	-	43,161	2,485,865
Total Outflows	10,673,827	495,405	357,151	266,071	1,282,931	3,650,214	1,859,588	1,245,565	2,143,036	113,226	613,717	22,700,730		2,457,911	96,066	5,371,265	30,625,973
Net Budget Surplus (Deficit)	1,440,854	129,640	(207,439)	-	1,752,789	(17,534)	80,181	(718,206)	207,445	361,602	-	3,029,331		-	-	-	3,029,330
Outstanding Debt (end of year)	\$ -	\$ -	\$ -	\$ -	\$ 7,615,000	\$ 1,705,000	\$ -	\$ 990,000	\$ 12,632,600	\$ -	\$ -	\$ 22,942,600		\$ -	\$ -	\$ 2,370,000	\$ 25,312,600

**Town of Mountain Village
2019
BUDGET PROCESS
Schedule of Activities**

Time Period	Activity
February 15, 2018	Town Council considers and ratifies the process to adoption
April 12, 2018	Budget and Finance Committee meeting to establish preliminary revenue and spending level targets, including a recommendation for total grant funding, for the 2018 budget.
May 17, 2018	Town Council regular meeting Budget Goal Setting Worksession
June 18, 2018 – July 20, 2018	<p>Department heads and Managers to identify/or revise and develop:</p> <ol style="list-style-type: none"> 1) Department Program Narratives 2) Department Goals 3) Performance Measures 4) Mid-term Department performance evaluation 5) 2018 Revised year end budget amounts 6) 2019 - 2023 Budget and long-term projections 7) Revenue Expectations for 2018 8) Capital Outlay requests
July 30 – August 10, 2018	Department Directors meet with Finance
August 20, 2018	Present draft to Finance and Budget Committee
August 27, 2018	Finance and Budget Committee review first amended draft
August 27 – September 12, 2018	Departments revise proposed budget figures with finance.
September 20, 2018	<p>Town Council Meeting Overview of first amended draft</p>
October 10, 2018 8:30 am	<p>Special Council Meeting Review of second draft and meet with all departments:</p> <ul style="list-style-type: none"> • Public Works, including Roads and Bridges, Vehicle Maintenance, Water and Sewer, Facility Maintenance, Vehicles and Equipment Acquisitions, Plaza Services • Public Safety including Police, Community Services and Municipal Court

- Transportation and Parking, including Municipal Bus Service, Parking Services, Employee Shuttle and Gondola/Chondola
- Parks and Recreation
- Broadband Services
- Administration including, Town Council, Town Manager, Administrative Services, Human Resources, Marketing and Business Development, Finance, Legal
- Community Grants
- Capital Projects
- Child Care and Development
- Planning and Development Services including Building, Planning, Affordable Housing Development, Village Court Apartments, San Miguel Regional Housing Authority
- Town Council convening as the Mountain Village Metropolitan District for The Debt Service Fund
- Telluride Conference Center
- Tourism and Historical Museum Funds

October 11 – November 7, 2018	Finance works with departments to make requested changes and prepare proposed 2019 Budget and revised 2018 Budget for first reading.
November 15, 2018	Council meets for First Reading and Consideration of 2018 Revised Budget and 2019 Proposed Budget and for the 2019 fines and fees changes resolution
November 16 – Nov 30, 2018	Finance works with departments to make requested changes and prepares final 2019 Budget.
December 13, 2018	Second Reading, Public Hearing and Adoption of 2018 Revised Budget and 2019 Budget.

February 6, 2018

TO: Town Council

FROM: Kevin Swain

Short Term Rental and Lodging Worksession

In our continued effort to level the playing field in our lodging business community we are expanding and improving our internet review of businesses and owners who are advertising and booking on-line lodging for licensing and tax compliance. It is with a new offering from our outsourced contractor known to many of you as Munirevs.

In 2011 inspired by the Town of Telluride and equally uninspired by the Colorado Department of Revenue we set sail on the self-collected sales tax course. Simultaneously with that and encouraged by our Town Council we set a goal of bringing our business licensing and sales and excise tax business to a sophisticated on-line platform. On that plan we entered into contract with MUNIREvs.

Munirevs is a local company owned and operated by my predecessor here, Erin Neer. Munirevs provides an on-line place to register a business and remit payments for licenses and sales and excise taxes for Mountain Village. Munirevs was also performing a monthly review and compliance audit of owners and businesses advertising and booking lodging reservations in Mountain Village on VRBO and Homeaway.

Our first 5 years with them were amazing.

We grew Sales Tax revenue by 60%

We grew Lodging tax revenue by 88%

We increased business licenses issued by 34%

However, we have since found the explosion in new on-line booking sites to be beyond the scope of our initial contract. We also became acutely aware of the lack of information we could glean from new sites like AIRBnB. With those developments and our concerns came the development of LODGINGRevs.

Applying mapping technology LODGINGRevs will be reviewing 22 websites for us each month looking for compliance issues. The mapping technology will identify property locations using the mapping reference coordinates.

We believe this will allow us to better thresh out real compliance issues and focus our enforcement efforts at the property owner level in accordance with our Municipal Code. We also found the up-front cost to be budget friendly not to mention the ongoing monthly fees based on results.

Erin Neer will attend this meeting to provide more detail on LODGINGRevs and answer any questions Town council may have about our vacation rental compliance efforts.



**PLANNING AND DEVELOPMENT SERVICES
DEPARTMENT**
455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 369-8250

Agenda Item No. 10

TO: Town Council
FROM: Sam Starr, Planner
FOR: Meeting of February 15, 2018
DATE: February 6, 2018
RE: First reading, public hearing and Council vote on an ordinance to consider a rezone and density transfer application to transfer density from lot 628B into the density bank per Community Development Code Sections 17.4.9 & 17.4.10

PROJECT GEOGRAPHY

Legal Description: Lot 628A, 628B and 628C, Town of Mountain Village according to Plat Book 1, Page 1159 according to records of San Miguel County, Colorado.
Address: 103, 105, 107 Double Eagle Way
Applicant/Agent: Tom Beck, and Susan Caruso DBA Total Planning, LLC., and Don Perotta
Owner: Total Planning, LLC., and Don Perotta
Zoning: Single Family
Existing Use: Single Family Homes (lots 628A and 628C) Vacant Land (lot 628B)
Proposed Use: replat Lots 628A, 628B, and 628C into lots 628AR and 628CR
Lot Size: .362 acres

Adjacent Land Uses:

- **North:** Open Space
- **South:** Single Family
- **East:** Single Family
- **West:** Single Family

ATTACHMENTS

- Exhibit A: Applicant's Narrative
- Exhibit B: Proposed Replat Document With Existing Conditions
- Exhibit C: Ordinance

BACKGROUND

Lots 628A and 628C have existing single-family homes on them. Lot 628B is vacant. The owners of lot 628A, 628B and 628C have agreed to replat the three lots into two lots. Lot 628B will be replat equally into Lot 628AR and 628CR.

In order to propose a minor subdivision application, the applicants have submitted two concurrent applications: 1) transfer of the density associated with lot 628B (to be vacated) to the density bank by way of a density transfer and rezone application; and 2) a minor subdivision application to replat the properties. Both applications have been received and are being reviewed concurrently.

A recommendation from the DRB for the density transfer rezone portion is part of the review process. The minor subdivision application will be reviewed concurrently by the Town Council with the rezone and density transfer application on March 15th, 2018.

DENSITY TRANSFER APPLICATION, CRITERIA AND STAFF ANALYSIS

To transfer density to the Density Bank the rezoning process must be followed, which includes a recommendation by the Design Review Board and final action by the Town Council. The following criteria must be met for the review authority to approve a rezoning application:

- a. The proposed rezoning is in general conformance with the goals, policies and provisions of the Comprehensive Plan;
- b. The proposed rezoning is consistent with the Zoning and Land Use Regulations;
- c. The proposed rezoning meets the Comprehensive Plan project standards;
- d. The proposed rezoning is consistent with public health, safety and welfare, as well as efficiency and economy in the use of land and its resources;
- e. The proposed rezoning is justified because there is an error in the current zoning, there have been changes in conditions in the vicinity or there are specific policies in the Comprehensive Plan that contemplate the rezoning;
- f. Adequate public facilities and services are available to serve the intended land uses;
- g. The proposed rezoning shall not create vehicular or pedestrian circulation hazards or cause parking, trash or service delivery congestion; and
- h. The proposed rezoning meets all applicable Town regulations and standards.

The proposal to transfer units to the Density Bank is consistent with the Comprehensive Plan which notes in Land Use Value Number 8, land uses are envisioned to fit into the surrounding neighborhood. (p. 35 of the Comprehensive Plan). Single Family zoning is intended to be low density which is consistent with the Comprehensive Plan Land Use Policy A.1 (p.38) This application is reducing the density between the three lots by one single family density. Staff finds the application meets the above criteria. Criteria e & f are not applicable to this application.

The following criteria must be met for the Town Council to approve the transfer of density to the density bank:

- a. The criteria for decision for a rezoning are met, since such density transfer must be processed concurrently with a rezoning development application;
- b. The density transfer meets the density transfer and density bank policies; and
- c. The proposed density transfer meets all applicable Town regulations and standards.

The proposed density transfer meets the above criteria.

DRB RECOMMENDATION

The DRB by a unanimous vote of 7-0 recommended approval to the Town Council regarding the density transfer and rezone application for Lot 628B with conditions found in the proposed motion.

STAFF RECOMMENDATION

Staff recommends approval of the first reading of an ordinance.

PROPOSED MOTION DENSITY TRANSFER AND REZONE

I move to approve by first reading of an ordinance a rezone and density transfer application pursuant to CDC Sections 17.4.9 & 17.4.10 to transfer one single family density unit (four-person equivalent density) to the Density Bank for Lot 628B and direct the Town Clerk to set a public hearing on March 15, 2018 with the following findings and conditions:

Findings:

1. The owner of record of density in the density bank shall be responsible for all dues, fees and any taxes associated with the assigned density and zoning until such time as the density is either transferred to a lot or another person or entity.

Condition:

1. The density transfer approval is conditioned upon the minor subdivision plat approval by the Town Council.

This motion is based on the evidence and testimony provided at a public hearing held on February 15, 2018, with notice of such hearing as required by the Community Development Code.

/STS

January 25, 2018

Michelle Haynes, Planning Department Director
Town of Mountain Village, CO
455 Mountain Village, CO 81435
mhaynes@mtnvillage.org

RE:

Proposed density transfer and rezone application for Lot 628B, 105 Double Eagle Way, to transfer one density unit (four-person equivalent density) into the Density Bank.

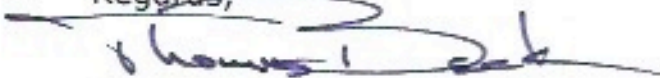
Dear Ms. Haynes:

We are requesting a vacation of the lot lines in Lot 628B, that the lot be subdivided and portions of lot 628B be transferred to the adjacent parcels Lot 628A and lot 628C, all of which is set forth in the proposed submitted replat.

We make this request in order to guard against further development on either side of the parties current residences.

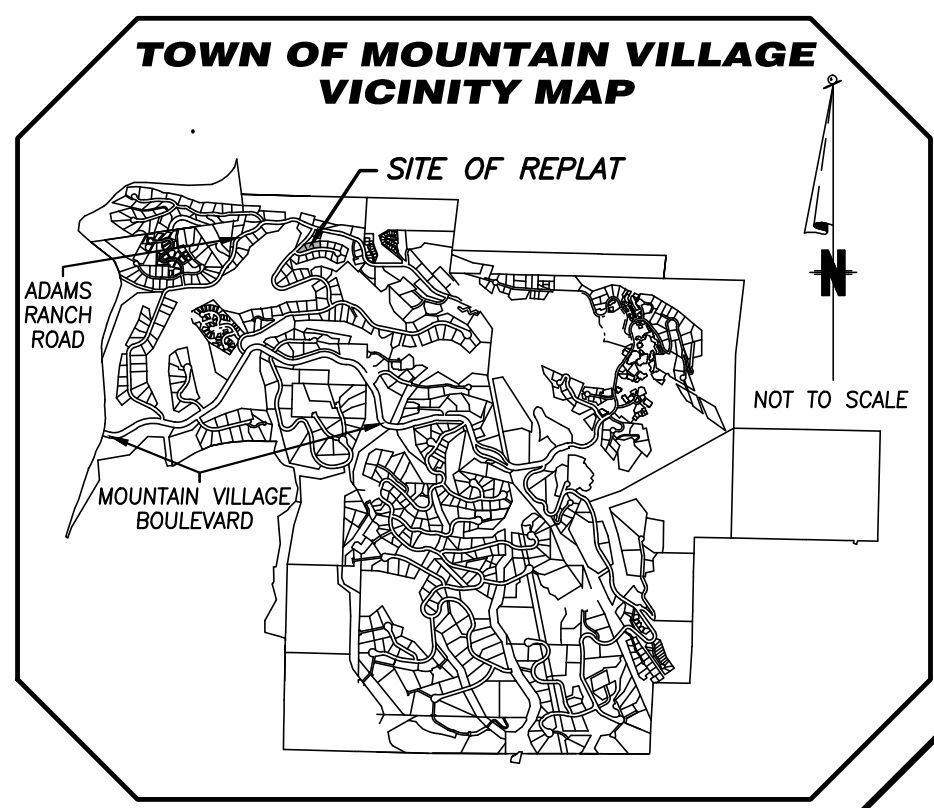
Upon completion of the process, the lots will be designated as Lot 682-AR for Beck & Caruso and 628-CR for Total Planning, LLC.

Regards,



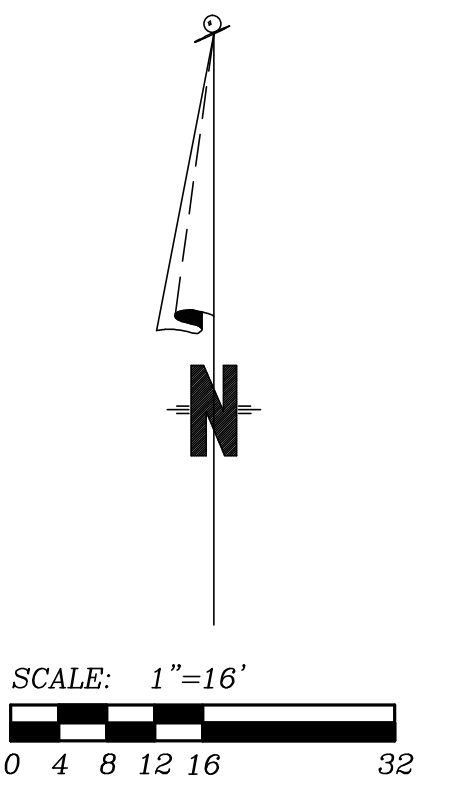
Tom Beck

cc: Susan Caruso
Total Planning, LLC

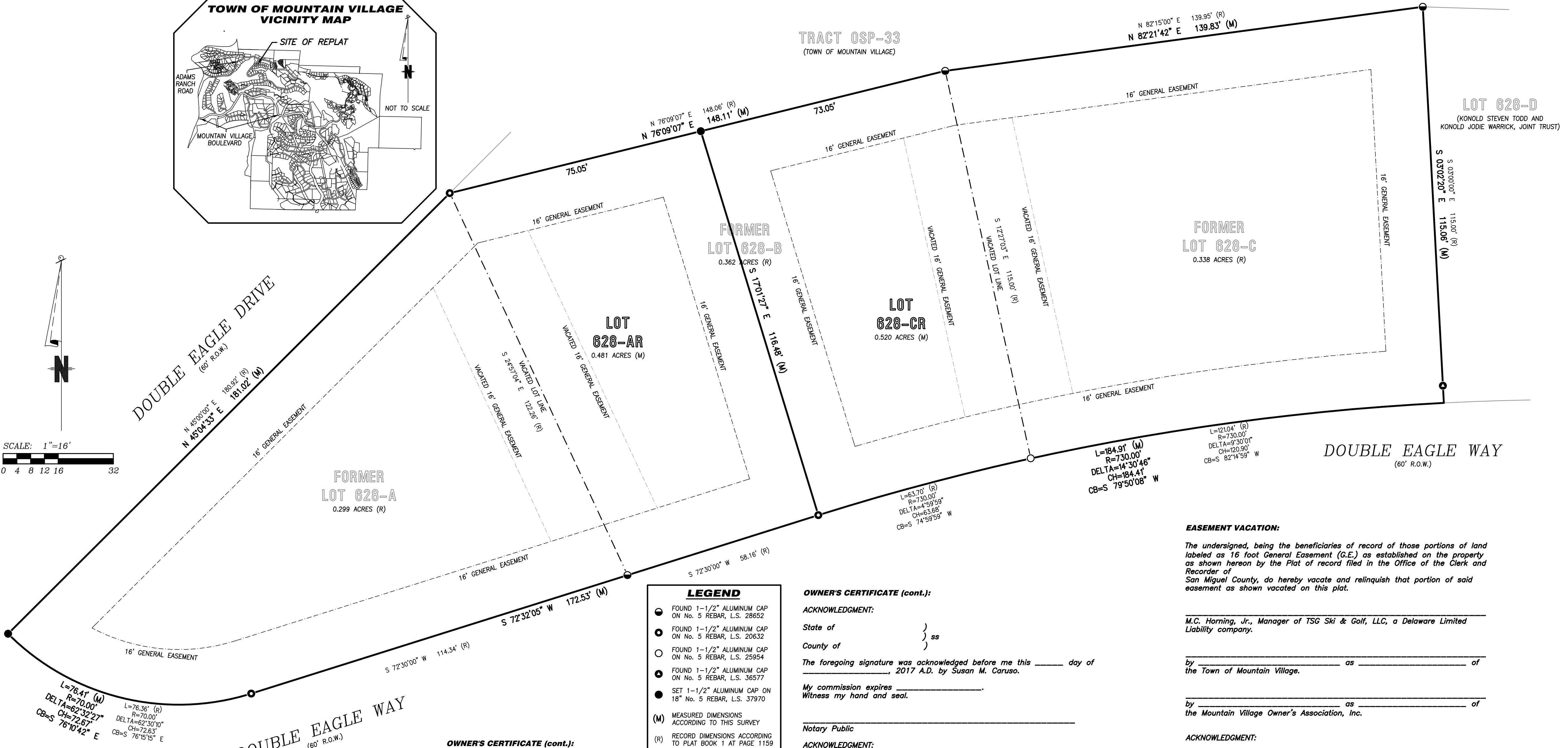


TRACT OSP-33
(TOWN OF MOUNTAIN VILLAGE)

LOT 628-D
(KONOLD STEVEN TODD AND
KONOLD JODIE WARRICK, JOINT TRUST)



SCALE: 1"=16'
0 4 8 12 16 32



L=76.41' (M)
R=70.00'
DELTA=67°32'27"
CH=72.67'
CB=S 76°10'42" E

DOUBLE EAGLE WAY
(60' R.O.W.)

DOUBLE EAGLE WAY
(60' R.O.W.)

- LEGEND**
- FOUND 1-1/2" ALUMINUM CAP ON No. 5 REBAR, L.S. 28652
 - FOUND 1-1/2" ALUMINUM CAP ON No. 5 REBAR, L.S. 20632
 - FOUND 1-1/2" ALUMINUM CAP ON No. 5 REBAR, L.S. 25954
 - FOUND 1-1/2" ALUMINUM CAP ON No. 5 REBAR, L.S. 36577
 - SET 1-1/2" ALUMINUM CAP ON 18" No. 5 REBAR, L.S. 37970
 - (M) MEASURED DIMENSIONS ACCORDING TO THIS SURVEY
 - (R) RECORD DIMENSIONS ACCORDING TO PLAT BOOK 1 AT PAGE 1159

OWNER'S CERTIFICATE (cont.):
The Parties do hereby agree upon the boundary lines as set forth hereon and do further grant, sell and convey to the other owners such of their real property as may lie on the other party's side of the boundary lines set forth on this Plat and do hereby agree that the boundary lines as shown on this plat are the boundary lines by agreement of adjoining parties pursuant to the Provisions of Colorado Revised Statutes (1973) 38-44-112.

GRANT OF EASEMENT:
The Owners do hereby grant to TSG Ski & Golf, LLC, a Delaware limited liability company; Mountain Village Metropolitan District (the "District"); Telluride Mountain Village Resort Company, a Colorado non-profit corporation, doing business as Mountain Village Owner's Association, Inc. ("MVOA"); and the Town of Mountain Village (the "Town"), their successors and assigns, a perpetual easement, 16 feet in width over, across and under all areas designated as 16' General Easement on this Replat for any and all uses, improvements and activities deemed necessary by TSG Ski & Golf, LLC, the District, Metro Services, and the Town, for the safe and efficient operation of the Telluride Ski Area, the Telluride Golf Course, and the Town, which include but are not limited to the following: utilities, drainage, electrical service, communication service, ski slope maintenance, bicycle access, skier access, roadway access, equestrian access, pedestrian access, golf cart access, snow making, waterways, slope maintenance, snow storage, retaining walls, snowmobile access, snow removal, snowcat access, water, sanitary sewer and storm sewer.

OWNERS:
by Susan M. Caruso.
by Thomas P. Beck.
by Donald Perrotta as Member/Manager of Total Planning, LLC, an Iowa limited liability company.
by Karla Barlow as Member/Manager of Total Planning, LLC, an Iowa limited liability company.

OWNER'S CERTIFICATE (cont.):
ACKNOWLEDGMENT:
State of _____)
County of _____) ss
The foregoing signature was acknowledged before me this _____ day of _____, 2017 A.D. by Susan M. Caruso.
My commission expires _____
Witness my hand and seal.

Notary Public
ACKNOWLEDGMENT:
State of _____)
County of _____) ss
The foregoing signature was acknowledged before me this _____ day of _____, 2017 A.D. by Thomas P. Beck.
My commission expires _____
Witness my hand and seal.

Notary Public
ACKNOWLEDGMENT:
State of _____)
County of _____) ss
The foregoing signature was acknowledged before me this _____ day of _____, 2017 A.D. by Donald Perrotta as Member/Manager of Total Planning, LLC, an Iowa limited liability company.
My commission expires _____
Witness my hand and seal.

Notary Public
ACKNOWLEDGMENT:
State of _____)
County of _____) ss
The foregoing signature was acknowledged before me this _____ day of _____, 2017 A.D. by Karla Barlow as Member/Manager of Total Planning, LLC, an Iowa limited liability company.
My commission expires _____
Witness my hand and seal.

Notary Public

EASEMENT VACATION:
The undersigned, being the beneficiaries of record of those portions of land labeled as 16 foot General Easement (G.E.) as established on the property as shown hereon by the Plat of record filed in the Office of the Clerk and Recorder of San Miguel County, do hereby vacate and relinquish that portion of said easement as shown vacated on this plat.

M.C. Horning, Jr., Manager of TSG Ski & Golf, LLC, a Delaware Limited Liability company.
by _____ as _____ of the Town of Mountain Village.
by _____ as _____ of the Mountain Village Owner's Association, Inc.

ACKNOWLEDGMENT:
State of _____)
County of _____) ss
The foregoing signature was acknowledged before me this _____ day of _____, 2017 A.D. by M.C. Horning, Jr. as Manager of TSG Ski & Golf, LLC, a Delaware Limited Liability company.
My commission expires _____
Witness my hand and seal.

Notary Public
ACKNOWLEDGMENT:
State of _____)
County of _____) ss
The foregoing signature was acknowledged before me this _____ day of _____, 2017 A.D. by _____ as _____ of the Town of Mountain Village.
My commission expires _____
Witness my hand and seal.

Notary Public
ACKNOWLEDGMENT:
State of _____)
County of _____) ss
The foregoing signature was acknowledged before me this _____ day of _____, 2017 A.D. by _____ as _____ of Mountain Village Owner's Association, Inc.
My commission expires _____
Witness my hand and seal.

Notary Public

SURVEYOR'S CERTIFICATE:
I, Jeffrey C. Haskell of Foley Associates, Inc., being a Colorado Licensed Surveyor, do hereby certify that this plat and survey of LOT 628-AR AND LOT 628-CR REPLAT was made by me and under my direct responsibility, supervision and checking, in compliance with the applicable provisions of Title 38, Article 51, C.R.S., and that both are true and accurate to the best of my knowledge and belief.

P.L.S. No. 37970 Date _____

NOTES:
1. Approval of this plan may create a vested property right pursuant to Article 68 of Title 24, C.R.S., as amended.
2. Easement research and legal descriptions provided by Land Title Guarantee Company, Order Number TLR86007302, dated August 03, 2017 at 5:00 P.M. as to Lot 628-A, Order Number TLR86007157, dated June 08, 2017 at 5:00 P.M. as to Lot 628-B, and Order Number TLR86007298, dated August 03, 2017 at 5:00 P.M. as to Lot 628-C.

NOTES OF CLARIFICATION:
a. The Configuration of the following lots, tracts, and right-of-way have been modified by this plat:
none
b. The following lots have been created by this plat:
Lot 628-AR and Lot 628-CR
c. The following lots have been deleted by this plat:
Lot 628-A, Lot 628-B, and Lot 628-C

4. BASIS OF BEARINGS: The bearing between found monuments along the northern boundary of former Lot 628-B, as shown hereon, assumed to have the record bearing of N 76°09'07" E according to Plat Book 1 at page 1159.

5. Lineal Units represented hereon are shown in U.S. Survey Feet or a decimal portion thereof.

6. Mortgage's consent for Lot 628-C, Town of Mountain Village, is recorded at Reception No. _____.

7. NOTICE: According to Colorado law, you must commence any legal action based upon defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

TOWN OF MOUNTAIN VILLAGE APPROVAL:
I, _____, as Mayor of the Town of Mountain Village, Colorado, do hereby certify that this Plat has been approved by the Town Council in the same resolution that has authorized and directed me to execute this document.

Mayor _____ Date _____

TITLE INSURANCE COMPANY CERTIFICATE:
Land Title Guarantee Company does hereby certify that we have examined the title to all lands herein shown on this plat and that the title to this land is in the names of those persons shown in the Owners Certificate which is on the face hereof and is free of all liens and taxes, except as follows:

Title Insurance Company Representative _____

TREASURER'S CERTIFICATE:
I, the undersigned, Treasurer of the County of San Miguel, do hereby certify that according to the records of the San Miguel County Treasurer there are no liens against the subdivision or any part thereof for unpaid state, county, municipal or local taxes or special assessments due and payable, in accordance with Land Use Code Section 3-101.
Dated this _____ day of _____, 2017.

San Miguel County Treasurer _____

RECORDER'S CERTIFICATE:
This plat was filed for record in the office of the San Miguel County Clerk and Recorder on this _____ day of _____, 2017, at
Plat Book _____,
Page _____,
Reception No. _____,
Time _____.

San Miguel County Clerk _____

Lot 628-AR and Lot 628-CR Replat,
A Small Scale Subdivision to vacate property lines on Lots 628-A, 628-B, and 628-C, Town of Mountain Village, located within the N 1/2 of Section 33, T.43N., R.9W., N.M.P.M., County of San Miguel, State of Colorado.

Project Mgr:	JH	Rev.	description	date	by
Technician:	MC				
Checked by:					
Start date:	09/11/2017				



970-728-6153 970-728-6050 fax
P.O. BOX 1385
125 W. PACIFIC, SUITE B-1
TELLURIDE, COLORADO 81435
Drawing path: dws\05007 REPLAT 09-17.dwg Sheet 1 of 1 Project #: 05007

ORDINANCE NO. 2018-__

**ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE,
COLORADO APPROVING: (1) REZONE LOT 628B AND (2) TRANSFER DENSITY OF FOUR
(4) PERSON EQUIVALENTS OF SINGLE FAMILY DENSITY FROM LOT 628B INTO THE
DENSITY BANK**

RECITALS

- A. The applicant and owner’s representative, Total Planning LLC has submitted an application for a rezoning and density transfer for the reconfiguration of Lots 628A, 628B and 628C replat into lots 628AR and 628CR. The proposed rezoning and density transfer is for one (1) unit of single family density, equivalent to four (4) person equivalents, to the density bank to be held by Telluvista, LLC (the “**Application**”) pursuant to the requirements of the Community Development Code (“**CDC**”).
- B. Total Planning LLC.; is the owner of Lot 628A and 628B and Don Perotta is the owner of Lot 628C (“**Owner**”).
- C. Lots 628A, 628B and 628C is referred to as the “**Property**” and have the following physical addresses in respective order: 103 Double Eagle Way, 105 Double Eagle Way, and 107 Double Eagle Way.
- D. The Owner is pursuing the approval of the minor subdivision application to replat Lots 628A 628B and 628C into Lots 628AR and 628CR concurrent with a rezoning and density transfer to transfer the density from former Lot 628B into the density bank.
- E. The Property has the following zoning designations pursuant to the Official Land Use and Density Allocation List and zoning as set forth on the Town Official Zoning Map:

Lot No.	Zone District	Zoning Designation	Actual Units	Person Equivalent per Actual Unit	Total Person Equivalent Density
Lot 628A	Single Family	Residential	1	4	4
Lot 628B	Single Family	Residential	1	4	4
Lot 628C	Single Family	Residential	1	4	4

- F. At a public hearing held on February 1, 2018, the DRB considered the Applications, testimony and public comment and recommended to the Town Council that the Applications be approved with conditions pursuant to the requirement of the CDC.
- G. At its regularly scheduled meeting held on February 15, 2018, the Town Council conducted a public hearing pursuant to the CDC and after receiving testimony and public comment, closed the hearing and approved this Ordinance on first reading and set a further public hearing on March 15, 2018.
- H. At its regularly scheduled meeting held on March 15, the Town Council conducted a public hearing on this Ordinance, pursuant to the Town Charter and after receiving testimony and public comment, closed the hearing and approved the Applications and this Ordinance on second reading.

I. This Ordinance rezones the Property as follows

Lot No.	Zone District	Zoning Designation	Actual Units	Person Equivalent per Actual Unit	Total Person Equivalent Density	Notes
Lot 628A	Single Family	Residential	1	4	4	
Lot 628C	Single Family	Residential	1	4	4	
The former Lot 628B (to be replat into Lots 628AR & 628CR)	Single Family	Residential	0	0	0	Transferred into the Density Bank

J. Transfer of four (4) person equivalents of Single Family Density from Lot 628B to the Density Bank to be held by Total Planning LLC.

K. The meeting held on February 15, 2018 and the public hearing held on March 15, 2018 were duly publicly noticed as required by the CDC Public Hearing Noticing Requirements, including but not limited to notification of all property owners within 400 feet of the Property, posting of a sign and posting on the respective agendas.

L. The Town Council hereby finds and determines that the Applications meet the Rezoning Process Criteria for Decision as provided in CDC Section 17.4.9(D) as follows:

Rezoning Findings

1. The proposed rezoning is in general conformance with the goals, policies and provisions of the Comprehensive Plan.
2. The proposed rezoning is consistent with the Zoning and Land Use Regulations.
3. The proposed rezoning meets the Comprehensive Plan.
4. The proposed rezoning is consistent with public health, safety and welfare, as well as efficiency and economy in the use of land and its resources.
5. The proposed rezoning is justified because of the specific policies in the Comprehensive Plan that contemplate the rezoning as applied for.
6. Adequate public facilities and services are available to serve the intended land uses.
7. The proposed rezoning shall not create vehicular or pedestrian circulation hazards or cause parking, trash or service delivery congestion.
8. The proposed rezoning meets all applicable Town regulations and standards.

M. The Town Council finds that the Applications meet the Rezoning Density Transfer Process criteria for decision contained in CDC Section 17.4.10(D)(2) as follows:

Density Transfer Findings

1. The criteria for decision for a rezoning are met.
2. The density transfer meets the density transfer and density bank policies.
3. The proposed density transfer meets all applicable Town regulations and standards.

NOW, THEREFORE, BE IT RESOLVED that the Town Council approves the Applications.
Section 1. Effect on Zoning Designations

Section 2. Ordinance Effect

All ordinances, of the Town, or parts thereof, inconsistent or in conflict with this Ordinance, are hereby repealed, replaced and superseded to the extent only of such inconsistency or conflict.

Section 3. Severability

The provisions of this Ordinance are severable and the invalidity of any section, phrase, clause or portion of this Ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of this Ordinance.

Section 4. Effective Date

This Ordinance shall become effective on _____, 2018 following public hearing and approval by Council on second reading.

Section 5. Public Hearing

A public hearing on this Ordinance was held on the 15th of March, 2018 in the Town Council Chambers, Town Hall, 455 Mountain Village Blvd, Mountain Village, Colorado 81435.

INTRODUCED, READ AND REFERRED to public hearing before the Town Council of the Town of Mountain Village, Colorado on the 15th Day of February, 2018.

TOWN OF MOUNTAIN VILLAGE

**TOWN OF MOUNTAIN VILLAGE,
COLORADO, A HOME-RULE
MUNICIPALITY**

By: _____
Laila Benitez, Mayor

ATTEST:

Jackie Kennefick, Town Clerk

**HEARD AND FINALLY ADOPTED by the Town Council of the Town of Mountain Village,
Colorado this 15th day of March, 2018**

**TOWN OF MOUNTAIN VILLAGE
TOWN OF MOUNTAIN VILLAGE,
COLORADO, A HOME-RULE
MUNICIPALITY**

By: _____
Laila Benitez, Mayor

ATTEST:

Jackie Kennefick, Town Clerk

Approved As To Form:

Jim Mahoney, Assistant Town Attorney

I, Jackie Kennefick, the duly qualified and acting Town Clerk of the Town of Mountain Village, Colorado ("Town") do hereby certify that:

1. The attached copy of Ordinance No. _____ ("Ordinance") is a true, correct and complete copy thereof.

2. The Ordinance was introduced, read by title, approved on first reading with minor amendments and referred to public hearing by the Town Council the Town ("Council") at a regular meeting held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on _____, 2018, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Laila Benitez, Mayor				
Dan Caton, Mayor Pro-Tem				
Dan Jansen				
Bruce MacIntire				
Patrick Berry				
Natalie Binder				
Jack Gilbride				

3. After the Council's approval of the first reading of the Ordinance, notice of the public hearing, containing the date, time and location of the public hearing and a description of the subject matter of the proposed Ordinance was posted and published in the Telluride Daily Planet, a newspaper of general circulation in the Town, on _____, 2018 in accordance with Section 5.2b of the Town of Mountain Village Home Rule Charter.

4. A public hearing on the Ordinance was held by the Town Council at a regular meeting of the Town Council held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on _____, 2018. At the public hearing, the Ordinance was considered, read by title, and approved without amendment by the Town Council, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Laila Benitez, Mayor				
Dan Caton, Mayor Pro-Tem				
Dan Jansen				
Bruce MacIntire				
Patrick Berry				
Natalie Binder				
Jack Gilbride				

5. The Ordinance has been signed by the Mayor, sealed with the Town seal, attested by me as Town Clerk, and duly numbered and recorded in the official records of the Town.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town this ____ day of _____, 2018.

Jackie Kennefick, Town Clerk

(SEAL)

Item 11

Memo

To: Mayor and Council Members
From: James Mahoney
Date: February 8, 2018
Re: Lot 126R and 152R Rosewood

As you are aware of, the current owner of Lots 126R and 152R, which is commonly known as “Rosewood”, was approved for a mixed unit development pursuant to the PUD approval process in 2007 (the “2007 PUD Approval”). Those approvals also contained approvals for “vested rights” which through several extensions specifically of the vested rights are set to expire on March 18, 2018.

The current owner of the property applied to the Town to extend that vesting by an additional two years on the basis of wanting to preserve existing platting, easements and entitlements as a base for applying for a revised PUD approval. However, the owner pulled that application via email to the Town on February 7, 2018 and is instead asking the Town to enter into a standstill agreement in order to pursue other development scenarios.

This action requires a basic understanding of what vested rights are and what their expiration does to the 2007 PUD Approval.

Vested rights are rights given to property owners/developers and protect such property owner/developers from action by the jurisdiction (in this case the Town) which would diminish or revoke development approvals to which the vested rights attach. The expiration of the vested rights alone does not by itself revoke land use approvals. Instead, the expiration of vested rights allows the Town to initiate proceedings to revoke or modify the PUD approvals for Rosewood without having to compensate the owner for such revocation or modification.

Therefore, the owner of Rosewood has asked the Town to consider entering into a “Standstill Agreement” which is included in your packets, which provides that the Town would forego initiating revocation proceedings on the 2007 PUD Approval for a period of time, so long as the owner submits and diligently pursues a revised PUD application with material changes and reductions to the overall mass/scale of Project and reductions to the land uses and densities occurring on the Property relative to the 2007 PUD Approval.

This could be a viable approach to the current situation as it would preserve the base of the 2007 PUD Approval, which is a concern for the property owner, while ensuring that during the term of the standstill agreement the 2007 PUD Approvals is not constructed and that the owner, on a timeline, pursues a reduced scale project.

Also included in your packets for informational and historical purposes is a land and density analysis tracking the status of the properties which now make up Rosewood, for several decades and shows that there has always been a fair amount of density associated with this area.

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (“**MOU**”), made effective as of _____, 2018 (“**Effective Date**”), is made by and between Town of Mountain Village, a Colorado Home Rule Municipality and Political Subdivision of the State of Colorado (“**Town**”) and Northlight Trust I (“**Landowner**”). The Town and the Landowner also are referred to as the Parties.

RECITALS

A. In 2007, the Town reviewed and approved a certain mixed use development project (“**Project**”) which authorized certain development and uses to occur on Lot 126R and Lot 152R (“**Property**”), as reflected and evidenced by certain documents of record (“**Existing Town Approvals**”)

B. The Existing Town Approvals also included “**Vested Rights**” which precludes the Town from any zoning or land use action, which would alter, impair or diminish the development or use of the Property consistent with the Existing Town Approvals at any time during the period of vesting. The Vested Rights are set to expire on March 18, 2018.

C. The expiration of the Vested Rights does not alter, impair, diminish or revoke the Existing Town Approvals, rather the expiration of the Vested Rights would allow the Town to take affirmative action to alter, impair, diminish or revoke the Existing Town Approvals.

D. Prior to the granting of the Existing Town Approvals, the zoning, land uses and density rights applicable to the Property were as follows (“**Prior Use By Right Land Uses/Density**”):

Lot	Acreage	Zone District	Zoning Designation	Units	Density Per Unit	Total Density	Rezone of Density Transfer Request
118	.86 acres	Single Family	Single Family	1	4	4	Rezone to 4 Hotel Efficiency Density Units
126	2.698 acres	Multi-Unit	Condominium	25	3	75	
			Hotel	70	1.5	105	Rezone 21 Hotel Density Units to Hotel Efficiency
			Employee Apartment	2	3	6	
			Employee Dorm	16	1	16	
			Commercial				
130	.474 acres	Multi-Unit	Condominium	10	3	30	
152A	.401 acres	Multi-Unit	Condominium	8	3	24	
152B	.367 acres	Multi-Unit	Condominium	6	3	18	
152C	.368 acres	Multi-Unit	Condominium	8	3	24	
OS-1	5.16 acres	Active Open Space	Open Space				
Total Units/ Density				146		302	

E. The Existing Town Approvals authorized the following zoning, land uses and density rights in connection with the development of the Property

Lot	Acreage	Zone District	Zoning Designation	Units	Density Per Unit	Total Density	Rezone/Density Transfer Request
126R	3.11 acres	Multi-Unit	Condominium	44	3	132	Transfer of 27 Units of Condo Density
			Hotel	56	1.5	84	
			Hotel Efficiency	19	2	38	Transfer of 13 Units of Condo Density and Rezone to Hotel Efficiency
			Employee Dorm	17	1	17	Creation and Transfer of 1 Unit of Dorm Density
			Employee Apartment	5	3	15	Creation and Transfer of 9 Units of Employee Apartment Density
			Commercial	34,001 34 Units			
152R	1.46 acres	Multi-Unit	Condominium	23	3	69	Transfer of 3 Units of Condo Density
			Commercial	4,665 4.66 Units			
OS-1R-1	91.96 acres	Active Open Space	Open Space				
OS-118	.65 acres	Active/Passive Open Space	Open Space				
OSP-126	.26 acres	Passive Open Space	Open Space				
Total Units/ Density				164 202.6 with Commercial Units		355	

F. Landowner has advised the Town that Landowner seeks to pursue an alternative development plan for the Property that would involve material changes and reductions to the overall mass/scale of Project and reductions to the land uses and densities occurring on the Property relative to the Existing Town Approvals (“**Alternative Development Plan**”). The Landowner recognizes and agrees that the Town would review and act upon the Alternative Development Plan in accordance with the then current standards and requirements of the Community Development Code (“CDC”) in the course of duly noticed and conducted public hearings.

G. In lieu of seeking a further extension of the Vested Rights, the Landowner has proposed and the Town has agreed that Landowner will not seek to implement the “Site Specific Development Plan” reflected in the Existing Town Approvals and in return the Town has agreed to refrain from taking an action to revoke the Existing Town Approvals, provided that Landowner is otherwise in substantial compliance with the terms, conditions and provisions of this MOU.

AGREEMENTS

NOW, THEREFORE, in consideration of the foregoing recitals (which are incorporated into the below agreements) and for such other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. **Landowner Agrees Not to Pursue Extension of Vested Rights.** Landowner agrees that it shall not submit an application seeking to extend the Vested Rights for the Existing Town Approvals.

2. **Limitations on Use of the Property.** During the term of this MOU, Landowner agrees that it will not seek to develop, construct, apply for permits or otherwise seek to develop the Property in accordance with the Existing Town Approvals. The foregoing shall not preclude Landowner from undertaking general and routine maintenance of the Property.

3. **Alternative Development Plan.**

a. Landowner agrees that Landowner shall submit an application for its Alternative Development Plan pursuant to the provisions of the CDC on or before June 15th, 2018 (the "Application Deadline"). Landowner and the Town agree that the Landowner shall diligently pursue action on the Alternative Development Plan and that the Town shall in good faith process, review and act upon the application for the Alternative Development Plan according to the processes set forth in the CDC. Nothing herein shall be construed as contractually or otherwise obligating the Town to approve Landowner's application for the Alternative Development Plan.

4. **Town Agreement Not to Revoke Existing Town Approvals.** Landowner agrees that the Town, upon expiration of the Vested Rights on March 18, 2018, the Town has the right pursuant to the CDC in effect at the time the Town initiates such action, to revoke, rescind, or otherwise terminate the Existing Town Approvals. Town agrees that during the term this MOU is in effect and provided that Landowner is in compliance with the MOU, it will not take any such action to revoke, rescind or otherwise terminate the Existing Town Approvals.

5. **Termination.** This MOU shall terminate upon any one of the following events: (a) the Landowner fails to submit an application by the Application Deadline; (b) the Landowner is notified by the Town that it has not been diligently pursuing the application for the Alternative Development Deadline and does not cure such failure to the reasonable satisfaction of the Town within thirty (30) days of notification by the Town; (c) the parties mutually agree to terminate this MOU; (d) 45 days after any final determination on an the Alternative Development Plan by the Town for which vested rights would attached pursuant to the CDC; (e) on June 15, 2020. Upon termination of this MOU for any reason prior to securing approval of the Alternative Development Plan for the Property, the Town may immediately take action to revoke, rescind or otherwise terminate the Existing Town Approvals in whole or in part, with due consideration given to preserving existing platting, easements and prior land exchanges between the Landowner, the Town and third parties, which may result in a reversion to the Prior Use By Right Land Uses/Density for the Property. Nothing herein shall prevent or limit Landowner from appearing at any such proceeding to revoke, rescind or otherwise terminate the Existing Town Approvals pursuant to the Landowners rights if any under the CDC.

6. **Miscellaneous Provisions.**

a. **Recording.** This MOU will be recorded in the Official Records of the San Miguel County Clerk and Records Office.

b. **Remedies; Governing Law. Costs and Expenses.** This MOU shall be construed under and governed by the laws of Colorado, with jurisdiction and venue restricted to a state court of competent jurisdiction in San Miguel County, Colorado. In the event a Party is deemed to be in default hereunder, the other party may pursue any and all available remedies under applicable law, including, without limitation, injunctive relief and specific performance. All of the rights and remedies of the Parties under this MOU shall be cumulative. In any action to enforce or construe the terms of this MOU, the substantially prevailing Party shall recover all legal and related court costs, including all reasonable attorneys' fees and expert witness fees, costs and expenses.

c. **Binding Effect.** This MOU shall extend to, inure to the benefit of, and be

binding upon the Town and its successors and assigns and upon the Landowner its successors (including subsequent owners of the Property, or any part thereof), legal representatives and assigns. This MOU shall constitute an agreement running with the Property.

d. **Modifications, Amendments and Waiver.** No amendment, modification or termination of this MOU or any portion thereof shall be valid or binding unless it is in writing, dated subsequent to the date hereof and signed by each of the Parties hereto. The Parties shall not amend this MOU unless undertaken following a duly noticed public meeting by the Town Council, with a recommendation from the DRB in the manner prescribed by the CDC. No waiver of any breach, term or condition of this MOU by any party shall constitute a subsequent waiver of the same or any other breach, term or condition.

e. **Severability and Further Assurances.** If any term or provision or Article of this MOU, or the application thereof to any person or circumstances shall, to any extent, be invalid or unenforceable, the remainder of this MOU or the applications or such term or provision or Article to persons or circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby, and each remaining term and provision of this MOU shall be valid and enforceable to the fullest extent permitted by law. Each Party shall execute and deliver such documents or instruments and take such action as may be reasonably requested by the other Party to confirm or clarify the intent of the provisions hereof and to effectuate the agreements herein contained and the intent hereof.

f. **Entire Agreement.** This MOU contains the entire agreement and understanding of the Parties with respect to the subject matter hereof, and no other representations, promises, agreements or understandings or obligations with respect to the payment of consideration or agreements to undertake other actions regarding the subject matter hereof shall be of any force or effect unless in writing, executed by all Parties hereto and dated after the date hereof.

g. **Counterparts and Copies.** This MOU may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document. Scanned/emailed or facsimile copies of any party's signature hereon shall be deemed an original for all purposes of this MOU.

h. **Notice.** All notices, demands or writings in this MOU provided to be given or made or sent that may be given or made or sent by either party hereto to the other, shall be deemed to have been fully given or made or sent when made in writing and delivered either by Fax, Email or United States Mail (certified, return receipt requests and postage pre-paid), and addressed to the party, at the below stated mailing address, email address or fax number. The mailing address, email address or fax number to which any notice, demand or writing may be changed by sending written notice to each party notifying the party of the change.

<p><u>Town:</u> Town of Mountain Village Attention: Town Manager 455 Mountain Village Blvd., Suite A Mountain Village, CO 81435</p>	<p><u>Owner:</u></p>
<p><u>With a Copy to:</u> J. David Reed, Esquire PO Box 196 Montrose, CO 81402</p>	<p><u>With a Copy to:</u> The Law Offices of Thomas G. Kennedy, P.C. 307 E. Colorado Ave., Suite 203 P.O. Box 3081 Telluride, CO 81435 Email: tom@tklaw.net</p>

THIS MOU IS AGREED AND ENTERED INTO BY THE PARTIES AS OF THE EFFECTIVE DATE:

TOWN:

Town of Mountain Village, a Colorado Home Rule Municipality and Political Subdivision of the State of Colorado

By: _____ Date: _____

Printed Name: _____

Title: _____

Attest: _____

Town Clerk

STATE OF _____)

) ss

COUNTY OF _____)

Acknowledged, subscribed and sworn to before me this ____ day of _____, 2018 by _____ as the Mayor of The Town of Mountain Village.

Witness my hand and official seal.

My commission expires: _____.

Notary Public

LANDOWNER:

Northlight Trust I

By: _____ Date: _____

Printed Name: _____

Title: _____

STATE OF _____)

) ss

COUNTY OF _____)

Acknowledged, subscribed and sworn to before me this ____ day of _____, 2018 by _____ of _____ as the _____ of _____

Northlight Trust I.

Witness my hand and official seal.

My commission expires: _____.

Notary Public

Executive Summary

The Rosewood Planned Unit Development (PUD) resulted in a unit increase of 18, a person equivalent density increase of 53, an increase in open space by .5 acres MOL and an approved commercial square footage of 38,666 square feet compared to the units, densities, open space and commercial space in existence prior to the PUD approval. The Rosewood PUD Community Benefits included one additional dormitory and three additional employee apartments, improvements to the existing Boomerang and Jurassic Trails, dedication of two passive open space tracts to the Town (.91 acres in total), required sidewalk and Mountain Village Boulevard improvements, an interpretive site agreement and a \$500,000 check to the town to be used for public purpose. Through design review they were allowed height increases on buildings A and C. There were no site coverage limitations in the Land Use Ordinance at the time, so the site was otherwise approved through the design review and other town processes. Today there is a 65% site coverage limitation in the Multi-Family Zone District unless otherwise varied through a PUD or Variance process.

The prior plat information illustrates that since the 1980's, units and densities were higher than were previously understood during the recent public hearing process. Lot 152 allowed for 18 condominium units and Lot 126 allowed for 120 Hotel Units, 2 employee apartments and 16 dormitory units. Compared to what was approved through the Rosewood PUD the comparison is that Lot 152 approved 23 condominium units and Lot 126R allowed for 44 condominium units, 56 hotel units, 5 employee apartments, 17 employee dormitory units, 19 hotel efficiency and commercial space as approved. In summary lot 152R increased by five condominium units. The mix of units on 126R decreased in hotel density and increased in condominium density.

Zoning Designation, Units and Person Equivalent Density Before the Rosewood PUD Compared to the Rosewood PUD

Densities Before Rosewood

Lot	Zoning Designation	Units	Person Equivalent Density	Total Person Equivalent Density
152A	Condominium	8	3	24
152B	Condominium	6	3	18
152C	Condominium	8	3	24
126	Hotel	70	1.5	105
	Employee Apartment	2	3	6
	Employee Dormitory	16	1	16
	Condominium	25	3	75
	Commercial		0	0
118	Single Family	1	4	4
130	Condominium	10	3	30
Totals		146		302

Densities Rosewood PUD

Lot	Zoning Designation	Units	Person Equivalent Density	Total Person Equivalent Density
152R	Condominium	23	3	69
	Commercial	4,665 square feet	0	4,655 square feet
126R	Hotel	56	1.5	84
	Employee Apartment	5	3	15
	Employee Dormitory	17	1	17
	Hotel Efficiency	19	2	38
	Condominium	44	3	132
	Commercial	34,001 square feet	0	34,001 square feet
Total		164 Units		355
		38,666 commercial square footage		38,666 commercial square footage

Open Space Table Before Rosewood

Lot	Zoning Designation	Acreage
OS-1	Active Open Space	93.98 acres
Total		93.98 acres

Open Space Table Rosewood PUD

Lot	Zoning Designation	Acreage
OS-1R-1	Active Open Space	91.96 acres
OS-1R-2	Active Open Space	.62 acres
OS-1R-3	Active Open Space	1.09 acres
OSP-118	Passive Open Space	.65 acres
OS-126	Passive Open Space	.26 acres
Total		94.58 acres

General Note: The primary difference between hotel and hotel efficiency is that a hotel efficiency may be in a condominium community.

General Note: The primary difference between employee apartment and employee dormitory is that an employee dormitory has shared kitchen and recreational facilities.

Lots 126R & 152R Rosewood Planned Unit Development and Development History of Lots 126, 152, OS-1, 118 and 130

1987 Plat 152				1990 Plat 152-A, 152-B, 152-C					2006 Pre-Rosewood Approval 152-A,152-B,152-C					2007 Rosewood Approval 152R				
Lot	Acreage	Zoning Designation	Person Equivalent Units	Lot	Acreage	Zoning Designation	Person Equivalent Units	Notes	Lot	Acreage	Zoning Designation	Person Equivalent Units	Notes	Lot	Acres	Zoning Designation	Person Equivalent Units	Notes
152	1.136 Acres	18 condominium units	54	152-A	.401 acres	8 condominium units	24		152A	.401 acres	8 condominium units	24		152R	1.47 acres total	23 Condominium 4,665 Commercial square feet	69 4,665 commercial square feet	
				152-B	.367 acres	6 condominium units	18		152B	.367 acres	6 condominium units	18		A portion of OS-1 became part of 152R	.334 acres	Rezoned to multi-family	See above	.334 part of 1.47 total acres
				152-C	.368 acres	8 condominium units	24		152C	.368 acres	8 condominium units	24	1.136 total					
Sub total	1.136 acres	18 condominium units	54		1.136 acres	22 condominium units	66	Increase of 4 condominium units and 12 person equivalent Units		1.136 acres	22 condominium units	66			1.47 acres	23 condominiums	69	Increased by 1 condominium unit and 3 person equivalent units
1984 Plat Lot 126	2.70 acres	120 Hotel Units 2 Employee Apartment 16 Employee Dormitory Commercial							1999 Plat Lot 126	2.698 acres	70 Hotel 2 Employee Apartment 16 Employee Dormitory 25 Condominium Commercial	105 6 16 75	Rezone 21 Hotel Density Units to Hotel Efficiency	126R	3.11 acres	56 Hotel 5 Employee Apartment 17 Employee Dormitory 19 Hotel Efficiency 44 Condominium Commercial 34,001	84 15 17 38 132 34,001	
														A portion of 126 became OSP-126	.26 acres	Passive Open Space		
									118	.86 acres	1 Single family	4	Rezone 21 hotel density units to Hotel Efficiency	A portion of 126R and OSP 118	.65 acres	Passive Open Space		
									130	.474 acres	10 condominiums	30		A portion of 126R				
1984 Plat OS-1	107.57 acres	Open Space/Recreation Tract							OS-1	93.98 acres	Active Open Space			OS-1R-1	91.96 acres	Active Open Space		
														OS-1R-2	.62 acres	Active Open Space		Was a portion OS-1
														OS-1R-3	1.09 acres	Active Open Space		Was a portion of OS-1

126R & 152R Rosewood Approval Details

The following rezone, density transfer and design variations were approved	The following community benefits were accepted by the Town
Transferred 27 units of condominium density from the density bank to Lot 126R Transferred 13 units of condominium density and rezoned to hotel efficiency Lot 126R	1 additional employee dorm and 3 employee apartments over and above what is currently platted on lot 126. New 126R will include 5 employee apartments and 17 employee dormitory rooms in total. One parking space for each employee dorm. All required parking to serve these employee units will be provided onsite.
Creation and transfer of 9 units of employee apartment density from the density bank to Lot 126R	Improvements to the public access to the existing Boomerang and Jurassic trails, reducing the existing grade of the upper Boomerang Trail from 23% to 18%
Creation and transfer of 1 unit of dormitory density from the density bank to Lot 126R	Dedication of the newly created open space OSP-126R and OSP-118 to the Town of Mountain Village consistent of .92 acres (OSP-118 transferred to the town when the trail is relocated) (both will be conveyed as fee title ownership)
Transfer 3 units of condominium density from the density bank to Lot 152R	Creation of a sidewalk (public improvements) from the resort development along Country Club Drive to the Mountain Village Boulevard, providing safe pedestrian access to the existing trails and for the residents and guests of this neighborhood.
<ul style="list-style-type: none"> • Height increase to the maximum height on 126R for Building A an additional 15 feet (from 48 feet to 63 feet) • Height increase for the maximum average height for lots 126R and Lot 130 an additional 6.66 feet for building A and 5.33 feet for Building C 	Creating a public overlook at Jurassic and Boomerang Trail head with interpretive nature and informational signage.
51 tandem parking spaces for the hotel operations to be counted as part of the required parking.	Creation of a year-round trail connection form the Meadows trail to the Boomerang and Jurassic trail heads.
Allow a portion of the building on 126 visible from the San Miguel Canyon to be developed with Condominium Zoning Designation (condominium units) that the units will be part of the larger building operated as a public hotel and that the units are placed in a rental pool.	\$500,000 to the town of mountain village (a donation) to be used by the tow for public purposes as determined by the town.

<p>The following easements are associated with the Rosewood PUD approvals</p> <ul style="list-style-type: none"> • Construction and Maintenance Easement Agreement • Golf Cart and Pedestrian Access Easement Agreement • Utility and Stormwater Management Easement Agreement • Landscape, Grading and Emergency Access Easement Agreement • Jurassic Trail Easement Agreement • Interpretive Site Facilities Easement Agreement • Boomerang Road/trail Facilities Easement Agreement • Skier Trail Access Easement and Consent to Skier Improvements • Declaration of Boomerang Road/Trail Facilities Easement • Utility and Improvements Easement Agreement (CC Drive) • Pedestrian sidewalk easement agreement • Public road easement agreement (country club drive road improvements) • Public road easement agreement (relocated country club drive) 	<p>Additional easements of record shown on the subdivision plat</p> <ul style="list-style-type: none"> • Scenic Easement • Memorandum of Ski Facility Easement Agreement • Scenic, Tennis Court, Pedestrian and Service Access Easement • Pavilion Parking Area • Bridge and Landscaping Easement • Ski in and Pedestrian Access Easement • Ski Lift Easement • Golf Cart and Pedestrian Easement • Pedestrian Bridge Airspace Easement Agreement
<p>Rezoning the Property as follows:</p> <ul style="list-style-type: none"> • Rezone a portion of Lot 118 from Single Family to Multi-Unit. • Rezone a portion of Lot 118 from Multi-Unit to Passive Open Space. • Rezone a portion of Lot 126 from Multi-Unit to Passive Open Space. • Rezone a portion of OS-1 from Active Open Space to Multi-Unit. 	<p>Replat of Lots 118, 126 and 130 into a newly reconfigured Lot 126R (containing 3.11 acres) Tract OS-126 (containing .26 acres) and Tract OS-118 (containing .65 acres). Replat of Lots 152A, 152B, 152C and OS-1 into newly configured Lot 152R (containing 1.47 acres) and Tract OS-IR-I final configuration is 91.96 acres</p>

General Note: Multi-Family development with the Rosewood application was not subject to site coverage limitations and otherwise approved by the final architectural and development plan set. As of 2015 multi-family zoning is restricted to a 65% site coverage limitation. Detached condominium heights are limited to 35 feet versus multi-family condominiums within one building that can be constructed up to 48 feet.

CURVE TABLE - AS MEASURED					
CURVE	ARC LENGTH	RADIUS	DELTA	CHORD LENGTH	CHORD BEARING
C1	18.87	50.00	113.90°	38.17	S172°04'W
C2	50.21	50.04	57.29°	48.13	S82°43'W
C3	178.77	264.00	44°36'30"	173.23	N44°13'00"W
C4	600.62	71.50	108.43°	40.80	S42°02'00"W
C10	68.76	170.02	32°18'40"	68.76	N38°30'00"W
C11	73.90	241.60	17°30'00"	73.90	S70°24'00"W
C12	272.88	330.04	47°17'00"	272.88	S21°08'30"W
C13	103.33	258.00	17°30'00"	103.33	S70°24'00"W
C14	103.20	116.12	49°38'31"	103.20	N81°30'00"W
C15	68.86	180.00	18°30'00"	68.86	N81°30'00"W
C16	208.88	140.00	82°00'41"	208.88	S17°30'00"W
C17	451.27	600.00	42°00'11"	446.80	N11°17'30"W
C18	184.28	356.10	31°02'00"	184.28	S42°02'00"W
C19	203.64	218.84	57°18'30"	198.37	N43°33'37"E
C20	84.45	205.18	28°13'30"	84.45	N81°30'00"W
C21	88.84	313.58	15°53'03"	88.86	N30°13'08"W
C22	38.63	50.00	44°10'37"	38.66	N80°04'24"E
C23	11.31	480.59	02°42'30"	11.31	S42°02'00"W
C24	126.40	117.50	61°09'30"	119.57	S49°46'13"E
C25	105.80	224.88	10°58'30"	105.80	N28°58'30"E
C26	87.62	164.85	32°02'30"	86.74	N27°18'18"E
C27	58.84	117.50	58°14'11"	58.84	N44°38'24"E
C28	63.86	171.50	31°00'00"	63.86	N81°30'00"W
C29	150.00	107.50	86°01'48"	149.11	S29°39'30"W
C30	122.11	82.91	84°22'58"	111.37	N63°58'48"W

CURVE NUMBERS C3 THRU C7 AND C24 ARE NOT USED.

CURVE TABLE - RECORD					
CURVE	ARC LENGTH	RADIUS	DELTA	CHORD LENGTH	CHORD BEARING
C1	18.83	50.00	113.90°	38.17	S172°04'W
C2	50.17	50.00	57.29°	48.09	S82°43'W
C8	178.77	264.00	44°36'30"	173.23	N44°13'00"W
C9	200.03	241.60	17°30'00"	140.89	N42°02'00"W
C10	68.74	170.00	32°18'40"	67.58	N38°30'00"W
C11	73.88	241.60	17°30'00"	73.88	S70°24'00"W
C12	272.34	330.00	47°17'00"	264.68	S21°08'30"W
C13	103.29	258.00	17°30'00"	103.29	S70°24'00"W
C14	103.24	116.10	49°38'30"	100.84	N81°30'00"W
C15	68.86	180.00	18°30'00"	68.86	N81°30'00"W
C16	208.08	140.00	82°00'41"	202.30	S17°30'00"W
C17	451.36	600.00	42°00'00"	440.79	N11°17'30"W
C18	184.82	356.20	31°02'00"	183.24	S42°02'00"W
C19	203.70	218.80	57°18'30"	198.43	N43°33'18"E
C20	84.43	205.18	28°13'30"	84.43	N81°30'00"W
C21	88.83	313.58	15°53'03"	88.86	N30°13'08"W
C22	38.64	50.00	44°10'37"	38.65	N80°04'24"E
C23	11.31	480.44	02°42'30"	11.31	S42°02'00"W
C24	126.43	117.50	61°09'30"	119.56	S49°46'13"E
C25	105.83	224.88	10°58'30"	105.83	N28°58'30"E
C26	87.72	165.00	32°02'30"	86.78	N27°18'18"E
C27	58.84	117.50	58°14'11"	58.84	N44°38'24"E
C28	63.86	171.50	31°00'00"	63.86	N81°30'00"W
C29	150.00	107.50	86°01'48"	149.99	S29°39'30"W
C30	122.08	82.91	84°21'58"	112.08	N63°58'00"W

LINE TABLE - AS MEASURED			LINE TABLE - RECORD		
LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L1	334.80	S17°03'00"W	L1	334.80	S17°03'00"W
L2	524.38	S28°24'20"W	L2	524.33	N02°20'07"E
L3	60	N80°30'00"W	L3	21.77	S80°54'13"E
L4	6.00	N10°24'00"W	L4	6.00	S10°43'30"W
L5	83.32	N87°27'00"W	L5	83.34	S87°27'00"W
L6	138.92	N82°52'00"W	L6	138.92	S82°52'00"W
L7	81.84	S28°50'00"W	L7	81.86	N02°50'30"E
L8	59.50	S80°04'00"W	L8	59.50	N00°04'00"E
L9	59.50	N81°40'00"W	L9	59.57	S81°36'12"E
L10	87.65	S11°31'00"E	L10	87.61	N10°36'30"W
L11	37.00	S88°32'46"E	L11	37.07	N89°21'00"W
L12	48.88	N02°28'17"E	L12	48.82	S02°28'30"E
L13	68.02	S84°14'00"W	L13	68.00	S84°02'20"E
L14	141.87	S73°03'20"E	L14	142.23	S73°03'37"E
L15	58.17	S87°30'00"E	L15	58.20	N02°30'00"W
L16	NA	N82°00'00"E	L16	77.13	N82°15'42"E
L17	NA	S91°51'00"E	L17	106.00	S87°23'00"E
L18	32.50	S01°40'51"W	L18	32.50	S01°40'51"W
L19	8.40	S88°33'54"E	L19	8.40	S88°33'54"E
L20	19.14	S87°08'00"E	L20	19.14	S87°08'00"E
L21	32.48	S01°40'58"W	L21	32.48	S01°40'58"W
L22	4.87	S28°01'17"E	L22	4.87	S28°01'17"E
L23	281.30	N84°47'00"W	L23	281.30	N84°43'06"W
L24	281.30	N80°00'00"W	L24	281.30	N80°00'00"W
L25	228.39	N85°00'00"W	L25	228.80	N85°00'00"W
L26	35.61	S80°04'00"W	L26	35.53	S79°29'20"W
L27	25.84	N1°28'06"W	L27	25.86	N00°45'00"W
L28	185.00	N85°20'00"W	L28	185.11	N85°20'00"W
L29	268.00	N85°00'00"W	L29	268.17	N85°00'00"W
L30	188.00	S00°54'00"E	L30	188.11	S00°54'00"E
L31	204.00	S11°30'00"E	L31	204.10	S11°30'00"E
L32	277.50	S11°30'00"E	L32	277.66	S11°30'00"E
L33	168.78	S72°03'24"E	L33	168.87	S72°03'00"E
L34	88.00	N78°42'24"E	L34	87.60	N78°41'38"E
L35	185.00	S48°50'00"W	L35	185.07	S48°51'00"E
L36	80.77	N80°11'17"W	L36	80.76	N80°11'17"W
L37	NA	S28°11'00"E	L37	179.23	S28°23'00"E
L38	NA	N1°28'06"W	L38	143.28	N01°28'06"W
L39	87.87	S87°30'41"E	L39	87.87	S87°30'41"E
L40	21.00	S00°00'00"E	L40	21.00	S00°00'00"E
L41	88.77	S88°24'00"E	L41	88.77	S88°24'00"E
L42	63.00	S87°23'00"E	L42	63.00	S87°23'00"E
L43	30.41	S43°43'00"E	L43	30.41	S43°43'00"E
L44	27.88	S88°01'30"E	L44	27.88	S88°01'30"E
L45	NA	N82°00'00"E	L45	106.00	N82°00'00"E
L46	168.50	N28°30'00"W	L46	168.54	N28°30'00"W
L47	80.50	N88°27'00"E	L47	80.35	N88°24'00"E
L48	170.18	N82°00'00"E	L48	170.88	N82°00'00"E
L49	118.91	S29°24'00"E	L49	118.88	S29°28'00"E
L50	100.80	S48°01'00"E	L50	100.80	S48°01'00"E
L51	44.48	S21°32'00"E	L51	44.48	S21°32'00"E
L52	186.54	S81°17'00"W	L52	186.60	S81°16'00"W
L53	565.67	N00°30'21"E	L53	565.53	S00°21'21"W
L54	36.22	S88°00'00"E	L54	36.89	S88°00'00"E
L55	197.04	N00°00'00"E	L55	197.04	N00°00'00"E
L56	22.32	N84°23'00"E	L56	22.32	N84°23'00"E
L57	198.00	S18°00'00"E	L57	198.00	S18°00'00"E
L58	88.38	S87°46'00"E	L58	88.38	S87°46'00"E
L59	2.88	N00°00'00"E	L59	2.88	N00°00'00"E
L60	188.00	S11°30'00"E	L60	188.00	S11°30'00"E
L61	188.00	S11°30'00"E	L61	188.00	S11°30'00"E
L62	188.00	S11°30'00"E	L62	188.00	S11°30'00"E
L63	188.00	S11°30'00"E	L63	188.00	S11°30'00"E
L64	188.00	S11°30'00"E	L64	188.00	S11°30'00"E
L65	188.00	S11°30'00"E	L65	188.00	S11°30'00"E
L66	188.00	S11°30'00"E	L66	188.00	S11°30'00"E
L67	188.00	S11°30'00"E	L67	188.00	S11°30'00"E
L68	188.00	S11°30'00"E	L68	188.00	S11°30'00"E
L69	188.00	S11°30'00"E	L69	188.00	S11°30'00"E
L70	188.00	S11°30'00"E	L70	188.00	S11°30'00"E
L71	188.00	S11°30'00"E	L71	188.00	S11°30'00"E
L72	188.00	S11°30'00"E	L72	188.00	S11°30'00"E
L73	188.00	S11°30'00"E	L73	188.00	S11°30'00"E
L74	188.00	S11°30'00"E	L74	188.00	S11°30'00"E
L75	188.00	S11°30'00"E	L75	188.00	S11°30'00"E
L76	188.00	S11°30'00"E	L76	188.00	S11°30'00"E
L77	188.00	S11°30'00"E	L77	188.00	S11°30'00"E
L78	188.00	S11°30'00"E	L78	188.00	S11°30'00"E
L79	188.00	S11°30'00"E	L79	188.00	S11°30'00"E
L80	188.00	S11°30'00"E	L80	188.00	S11°30'00"E
L81	188.00	S11°30'00"E	L81	188.00	S11°30'00"E
L82	188.00	S11°30'00"E	L82	188.00	S11°30'00"E
L83	188.00	S11°30'00"E	L83	188.00	S11°30'00"E
L84	188.00	S11°30'00"E	L84	188.00	S11°30'00"E
L85	188.00	S11°30'00"E	L85	188.00	S11°30'00"E
L86	188.00	S11°30'00"E	L86	188.00	S11°30'00"E
L87	188.00	S11°30'00"E	L87	188.00	S11°30'00"E
L88	188.00	S11°30'00"E	L88	188.00	S11°30'00"E
L89	188.00	S11°30'00"E	L89	188.00	S11°30'00"E
L90	188.00	S11°30'00"E	L90	188.00	S11°30'00"E
L91	188.00	S11°30'00"E	L91	188.00	S11°30'00"E
L92	188.00	S11°30'00"E	L92	188.00	S11°30'00"E
L93	188.00	S11°30'00"E	L93	188.00	S11°30'00"E
L94	188.00	S11°30'00"E	L94	188.00	S11°30'00"E
L95	188.00	S11°30'00"E	L95	188.00	S11°30'00"E
L96	188.00	S11°30'00"E	L96	188.00	S11°30'00"E
L97	188.00	S11°30'00"E	L97	188.00	S11°30'00"E
L98	188.00	S11°30'00"E	L98	188.00	S11°30'00"E
L99	188.00	S11°30'00"E	L99	188.00	S11°30'00"E
L100	188.00	S11°30'00"E	L100	188.00	S11°30'00"E
L101	188.00	S11°30'00"E	L101	188.00	S11°30'00"E
L102	188.00	S11°30'00"E	L102	188.00	S11°30'00"E
L103	188.00	S11°30'00"E	L103	188.00	S11°30'00"E
L104	188.00	S11°30'00"E	L104	188.00	S11°30'00"E
L105	188.00	S11°30'00"E	L105	188.00	S11°30'00"E
L106	188.00	S11°30'00"E	L106	188.00	S11°30'00"E
L107	188.00	S11°30'00"E	L107	188.00	S11°30'00"E
L108	188.00	S11°30'00"E	L108	188.00	S11°30'00"E
L109	188.00	S11°30'00"E	L109	188.00	S11°30'00"E
L110	188.00	S11°30'00"E	L110	188.00	S11°30'00"E
L111	188.00	S11°30'00"E	L111	188.00	S11°30'00"E
L112	188.00	S11°30'00"E	L112	188.00	S11°30'00"E
L113	188.00	S11°30'00"E	L113	188.00	S11°30'00"E
L114	188.00	S11°30'00"E	L114	188.00	S11°30'00"E
L115	188.00	S11°30'00"E	L115	188.00	S11°30'00"E
L116	188.00	S11°30'00"E	L116	188.00	S11°30'00"E
L117	188.00	S11°30'00"E	L117	188.00	S11°30'00"E
L118	188.00	S11°30'00"E	L118	188.00	S11°30'00"E
L119	188.00	S11°30'00"E	L119	188.00	S11°30'00"E
L120	188.00	S11°30'00"E	L120	188.00	S11°30'00"E

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LINE AND CURVE TAB

Dear Mountain Village Town Council,

First we would like to thank the members of DRB for their time and effort in reaching the decision to recommend to Town Council not to extend the Rosewood PUD and all of its many variances. We hope and trust that Town Council will honor and agree with that recommendation to deny any extension of the current PUD.

The developers are asking for a 2-year extension of the Rosewood Plan which was originally approved in 2007 for 3 years, extended again for 3 and finally 5 more until March 18, 2018, by which time they intend to submit the attached site plan or some variant of it. Eleven years is long enough. The fact that County Club Drive is now a single family neighborhood has to be considered along with the mandate of the Town Council to safeguard the natural beauty of our village.

At the time the initial Rosewood PUD was approved 11 years ago, our village was in another place and wanted development at any cost. Yet, there has been no new construction in the village core in 10 years. If a new hotel is needed, the village core is where it should be built. Telluride and Mountain Village are now known around the world. Visitors are taking advantage of Airbnb, VRBO and our local boutique rental companies to get accommodations without the availability of more hotel rooms. Guest visits are growing rapidly and our visitors are enjoying these new "Hot Beds" found in homes and condos.

If the attached site plan or any variation of it is approved and built, it will add many years of construction traffic to the end of our village on a small winding road not able to safely or adequately handle this project. At build out there will be 28 buildings, 13 of which will run along the right side of the 1st hole of the golf course. Can you imagine a more dangerous location?

The two hairpin turns on Country Club Drive used by bikers and hikers to our two most popular trails, Jurassic and Boomerang, along with the residents of the Meadows and Country Club Drive who walk and drive it every day are already hazardous. Years of construction vehicles using these same dangerous curves will only exacerbate the risk of injury to our residents and guests.

We all made the choice to move to Mountain Village for the beauty of our mountain vistas, the serenity, the wonderful outdoor life, and the feeling of a small hamlet. We would certainly hope it stays that way for many years to come.

As a first step, we implore town council not to extend the existing outdated PUD. Once that is done the developers, if desired, should be required to come back for a responsible new process with new traffic impact studies and address the safety concerns of the town generally and our surrounding neighborhood specifically.

Concerned Citizens

(Names Attached - 3 pages)

Page 1 The following persons have agreed to have their names added to our letter objecting to the continuation of the original PUD of Rosewood Property
Please note that none of the following are residents of Country Club Drive.

Carolyn Doerle Schumacher, Peaks Hotel, Unit 318, Mountain Village, CO

Wendy Sisler, 632 W Columbia Ave, Unit D, Telluride, CO

Judd Zebersky, 117 Sunny Ridge Place, #129, Mountain Village, CO

Steve Silver, 140 Lost Creek Lane, Mountain Village, CO

Bill Goldberg, 114 Palmyra Drive, Mountain Village, CO

Dorothy Kammerer Doak, MD, 107A Lawson Point, Mountain Village, CO

Henry Haizlip, 100 Pennington Place #5, Mountain Village, CO

Greg Baer, 93 Pennington Place, Mountain Village, CO

Dave Heaney, 140 San Sophia, Mountain Village, CO

Billy Harbert, Lot 238 Hang Glider Drive, Mountain Village, CO

Robert Bullock, 133 Russell Drive, Mountain Village, CO

LeighAnne Baxter, 166 Country Club Drive, Mountain Village, CO

Walter Fitzsimmons, Bear Creek Lodge, Unit 307, Mountain Village, CO

Sarah Haizlip, 100 Pennington Place, #5, Mountain Village, CO

David C Aldrich, 117 Fischer Drive, Unit D, Mountain Village, CO

Jennifer Bullock, 133 Russell Drive, Mountain Village, CO

Bob Doak, DVM, 107A Lawson Point, Mountain Village, CO

Marilyn T Aldrich, 117 Fischer Drive, Unit D, Mountain Village, CO

Clare Hart, 93 Pennington Place, Mountain Village, CO

Greg Parr, 145 Sunny Ridge Place, Unit 116, Mountain Village, CO

Nancy McNamara, 620 Mountain Village Drive, Mountain Village, CO

Myron E Ullman, 18162 Woodgate Road, Montrose, CO

Continued

Page 2 Continuation of persons objecting to extension of original PUD of Rosewood Property

Jill Savin, 112 Cabins Lane, Mountain Village, CO

Lisa Eaton, 104 Gold Hill Court, Mountain Village, CO

Jim Tharp, Franz Klammer, Mountain Village, CO

Greg Anisi, 721 Pandora, Telluride CO

John Trudeau, 108 Singletree Ridge, Telluride, CO

Don Orr, 212 Knoll Estates Drive, Telluride, CO

Lynn Cornelius, 54 Timberwoods Drive, Telluride, CO

Howard Savin, 112 Cabins Lane, Mountain Village, CO

Cheryl Nordstrom, 136 San Joaquin Road, #D201, Mountain, CO

Andy Sheils, 644 West Columbia, Telluride, CO

Dianne Zarrilli, 618 Mountain Village Blvd, Mountain village, CO

Ray DeLong, 761 Smuggler Ave., Telluride, CO

Shari Mitchell, 112 Singletree Ridge, Mountain Village, CO

Pat Sullivan, 158 Russell Drive, Mountain Village, CO

Joan Kyle, 130 Kokomo Court, Telluride, CO

Debbie Madaris, 327 Adams Ranch Road, #703, Mountain Village, CO

Leslie Trudeau, 108 Singletree Ridge, Telluride, CO

Nancy Orr, 212 Knoll Estates Drive, Telluride, CO

Tom Elrod, 106 Prudencia Lane, Telluride, CO

Bingo Eaton, 104 Gold Hill Court, Mountain Village, CO

Jim Lindheim, Franz Klammer, Mountain Village, CO

Marla Meridith, 568 Country Club Drive, Mountain Village, CO

Rock Martell, 111 San Joaquin Road, #17, Mountain Village, CO

Continued

Page 3 Continuation of persons objecting to extension of original PUD for Rosewood Property

Barb Martell, 111 San Joaquin Road, #17, Mountain Village, CO

Shasheen Shaw, Element 52, Telluride, CO

Pricilla Zintak, 240 North Aspen Street, Telluride, CO

Richard Cornelius, 54 Timberwoods Drive, Telluride, CO

Trish Anisi, 721 Pandora, Telluride, CO

Mia DeLong, 761 Smuggler Ave., Telluride, CO

Michael Antieri, Residence 533, Madeline Hotel, Mountain Village, CO

Ben Zintak, 240 North Aspen Street, Telluride, CO

Marty McKinley, 176 Adams Ranch Road, Mountain Village, CO

Walter DeLaRosa, 6 Elkstone, Mountain Village, CO

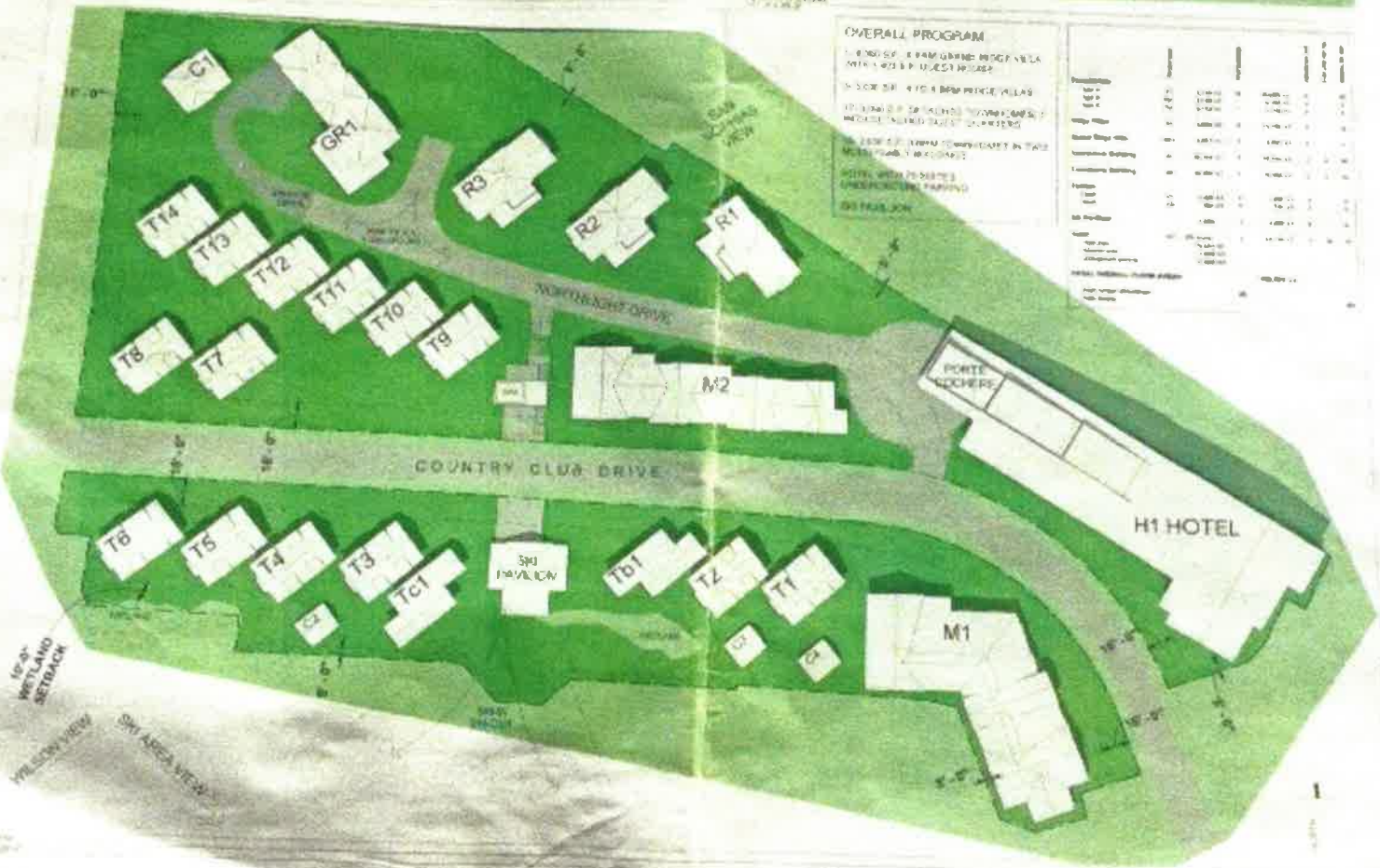
Janet Elrod, 106 Prudencio Lane, Telluride, CO

Continued

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Tommy Hein
ARCHITECT



OVERALL PROGRAM

1. 100,000 SF OF PARKING GARAGE WITH 4,000 SF OF OFFICE SPACE

2. 500,000 SF OF 4 TO 4.5 BRN RESIDE VILLAS

3. 100,000 SF OF 2000-2500 SQ FT MODERN INDEPENDENT GUEST HOUSES

4. 100,000 SF OF 1000-1500 SQ FT MODERN INDEPENDENT GUEST HOUSES

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50. 100,000 SF OF 1000-1500 SQ FT MODERN INDEPENDENT GUEST HOUSES

Submittals

Item	Description	Quantity	Unit	Value
1	Site Plan	1	Set	10,000
2	Site Plan	1	Set	10,000
3	Site Plan	1	Set	10,000
4	Site Plan	1	Set	10,000
5	Site Plan	1	Set	10,000
6	Site Plan	1	Set	10,000
7	Site Plan	1	Set	10,000
8	Site Plan	1	Set	10,000
9	Site Plan	1	Set	10,000
10	Site Plan	1	Set	10,000
11	Site Plan	1	Set	10,000
12	Site Plan	1	Set	10,000
13	Site Plan	1	Set	10,000
14	Site Plan	1	Set	10,000
15	Site Plan	1	Set	10,000
16	Site Plan	1	Set	10,000
17	Site Plan	1	Set	10,000
18	Site Plan	1	Set	10,000
19	Site Plan	1	Set	10,000
20	Site Plan	1	Set	10,000
21	Site Plan	1	Set	10,000
22	Site Plan	1	Set	10,000
23	Site Plan	1	Set	10,000
24	Site Plan	1	Set	10,000
25	Site Plan	1	Set	10,000
26	Site Plan	1	Set	10,000
27	Site Plan	1	Set	10,000
28	Site Plan	1	Set	10,000
29	Site Plan	1	Set	10,000
30	Site Plan	1	Set	10,000
31	Site Plan	1	Set	10,000
32	Site Plan	1	Set	10,000
33	Site Plan	1	Set	10,000
34	Site Plan	1	Set	10,000
35	Site Plan	1	Set	10,000
36	Site Plan	1	Set	10,000
37	Site Plan	1	Set	10,000
38	Site Plan	1	Set	10,000
39	Site Plan	1	Set	10,000
40	Site Plan	1	Set	10,000
41	Site Plan	1	Set	10,000
42	Site Plan	1	Set	10,000
43	Site Plan	1	Set	10,000
44	Site Plan	1	Set	10,000
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50	Site Plan	1	Set	10,000

NORTHLIGHT

1276-152R
MOUNTAIN VILLAGE
COLORADO

SITE PLAN

A101

TELLURIDE
618 MTN VILLAGE BLVD.
SUITE 201
TELLURIDE, CO 81435
PH: 970.728.5775
FAX: 970.728.5898



DENVER
1601 BLAKE ST.
SUITE 300
DENVER, CO 80202
PH: 303.854.9121
FAX: 303.845.5333

February 13, 2018

Via Email mhaynes@mtnvillage.org

Members of the Mountain Village Town Council (“**Town Council**”)
c/o Ms. Michelle Haynes, Director of Planning and Development Services
455 Mountain Village Boulevard, Suite A
Mountain Village, CO 81435

Re: Comments on the Application for Proposed Major PUD Amendment and Extension (the “**PUD Extension Application**”) sought by Northlight Trust I (the “**Applicant**”) for Lot 126R, Lot 152R, OSP 118, OSP 126 (the “**Property**”) for impacted Lot 143A Owner Carol Hintermeister (“**Ms. Hintermeister**”)
Our File Ref.: Hintermeister

Dear Ladies and Gentlemen:

As noted in our earlier correspondence, we continue to represent Ms. Hintermeister in connection with the above-referenced PUD Extension Application. In that capacity, we have reviewed the Town Staff materials provided in advance of the February 15, 2018 Town Council meeting and ask for your consideration of the following:

Generally, Ms. Hintermeister is amenable to the new approach proposed by Town Staff for dealing with the current PUD and related approvals, and pursuing this approach in lieu of the prior PUD Extension Application. However, due to the failure and/or refusal to date of the Applicant to make any concerted outreach to the neighbors impacted by the proposed development, **Ms. Hintermeister requests that Town Council add an additional requirement that, prior to submitting its new application by June 2018, the current or any future applicant be required to schedule at least two meetings with its neighbors on Country Club Drive, to discuss their concerns and options for addressing those and mitigating adverse impacts from the proposed development.**

In addition, Ms. Hintermeister asks that Town Council make it clear that, in honoring its intention to process the new application in compliance with applicable current regulations, no presumption of “vested rights” or special treatment based on prior approvals will be accorded to the applicant for the new application. Rather, Ms. Hintermeister is very concerned that the new application be reviewed, weighed and balanced in light of current conditions, not with any bias or weight given to prior approvals, and that a full, open and fair process be conducted with adequate opportunities provided for community input, objections, etc.

With those requests, Ms. Hintermeister is willing to support this approach, in reliance on the Town’s good faith efforts to process any new application in the best interests of the parties (including the impacted neighbors) and in full compliance with its regulations and adherence to standards for needed traffic studies, community feedback, sensitive development, etc.

Thanks for your attention to these matters and please contact us with any questions, or if we can assist otherwise. Please also note that we will be available at the February 15th Meeting to offer additional comments if/as helpful.

Sincerely,

TUELLER & GIBBS, LLP
a Colorado limited liability partnership

By: /s/ Douglas R. Tueller
Douglas R. Tueller

cc: James D. Mahoney, Esq.
Carol and Hank Hintermeister
Dr. Alan Safdi
Monique Bensett



**PLANNING AND DEVELOPMENT SERVICES
DEPARTMENT**

455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 369-8250

Agenda Item No. 12

TO: Town Council

FROM: Michelle Haynes, Planning and Development Services Director

FOR: Meeting of February 15, 2018

DATE: February 5, 2018

RE: Second reading, public hearing and council vote on an ordinance approving a rezone of Lot 304 and transferring density of (4) person equivalents of single family density from Lot 304 into the Density Bank pursuant to Community Development Code Sections 17.4.9 & 17.4.10

PROJECT GEOGRAPHY

Legal Description: Lot 304, Town of Mountain Village according to Plat Book 1, Page 2281 according to records of San Miguel County, Colorado.

Address: 317 Benchmark

Applicant/Agent: Law Office of Daniel T. Zemke, P.D.

Owner: Telluvista, LLC and Donald & Amy Smith

Zoning: Single Family

Existing Use: Vacant Lot

Proposed Use: replat into adjacent properties and a substantial portion of the area formerly known as Lot 304 subject to no build area on the proposed replat (Lots 303R2 and 305R)

Lot Size: .576 acres

Adjacent Land Uses:

- **North:** Single Family
- **South:** Single Family
- **East:** Open Space
- **West:** Single Family

ATTACHMENTS

- Exhibit A: Applicant's Narrative dated November 3, 2017
- Exhibit B: No Build Covenant Map – *for illustrative purposes only*
- Exhibit C: Ordinance

BACKGROUND

At the Town Council regular meeting held on January 18, 2018, the Town Council considered and approved by first reading of an ordinance a density transfer and rezone application for Lot 304, to transfer one single family density unit into the density bank along with a resolution approving a replat of lots 303R1, 304 and 305 into Lots 303R2 and 305R. Town Council must approve by second reading of an ordinance, the rezone and density transfer application. There were no changes recommended by the Town Council associated with the first reading of an ordinance. The second reading ordinance is the same as the first reading ordinance.

DENSITY TRANSFER APPLICATION, CRITERIA AND STAFF ANALYSIS

To transfer density to the Density Bank the rezoning process must be followed, which includes a recommendation by the Design Review Board and final action by the Town Council. The following criteria must be met for the review authority to approve a rezoning application:

- a. The proposed rezoning is in general conformance with the goals, policies and provisions of the Comprehensive Plan;
- b. The proposed rezoning is consistent with the Zoning and Land Use Regulations;
- c. The proposed rezoning meets the Comprehensive Plan project standards;
- d. The proposed rezoning is consistent with public health, safety and welfare, as well as efficiency and economy in the use of land and its resources;
- e. The proposed rezoning is justified because there is an error in the current zoning, there have been changes in conditions in the vicinity or there are specific policies in the Comprehensive Plan that contemplate the rezoning;
- f. Adequate public facilities and services are available to serve the intended land uses;
- g. The proposed rezoning shall not create vehicular or pedestrian circulation hazards or cause parking, trash or service delivery congestion; and
- h. The proposed rezoning meets all applicable Town regulations and standards.

The proposal to transfer units to the Density Bank is consistent with the Comprehensive Plan which notes in Land Use Value Number 8, land uses are envisioned to fit into the surrounding neighborhood. (p. 35 of the Comprehensive Plan). Single Family zoning is intended to be low density which is consistent with the Comprehensive Plan Land Use Policy A.1 (p.38) This application is reducing the density between the three lots by one single family density. Staff finds the application meets the above criteria. Criteria e & f are not applicable to this application.

The following criteria must be met for the Town Council to approve the transfer of density to the density bank:

- a. The criteria for decision for a rezoning are met, since such density transfer must be processed concurrently with a rezoning development application;
- b. The density transfer meets the density transfer and density bank policies; and
- c. The proposed density transfer meets all applicable Town regulations and standards.

The proposed density transfer meets the above criteria.

DRB RECOMMENDATION

The DRB by a unanimous vote of 7-0 recommended approval to the Town Council regarding the density transfer and rezone application for Lot 304 with conditions found in the proposed motion at the January 4, 2018 regular meeting.

MINOR SUBDIVISION APPLICATION

Town Council approved by Resolution the concurrent minor subdivision application to replat Lots 303R1, 304 and 305 into Lots 303R2 and 305R at their regular meeting held on January 18, 2018.

STAFF RECOMMENDATION

Staff recommends approval of the second reading of an ordinance.

PROPOSED MOTION REZONE AND DENSITY TRANSFER

I move to approve by second reading of an ordinance a rezone and density transfer application pursuant to CDC Sections 17.4.9 & 17.4.10 to rezone lot 304 and transfer one single family density unit (four-person equivalent density) from Lot 304 to the Density Bank with the following findings and conditions:

Findings:

- 1. The owner of record of density in the density bank shall be responsible for all dues, fees and any taxes associated with the assigned density and zoning until such time as the density is either transferred to a lot or another person or entity.*
- 2. The concurrent Resolution approving a minor subdivision application was approved by Town Council on January 18, 2018.*

This motion is based on the evidence and testimony provided at a public hearing held on February 15, 2018, with notice of such hearing as required by the Community Development Code.

/mbh

November 3, 2017

Via Email only to:

Michelle Haynes, Planning Dept. Director
Town of Mountain Village, CO
455 Mountain Village Blvd.
Mountain Village, CO 81435
mhaynes@mtnvillage.org

Re: Minor Subdivision Application and Density Transfer Application for Lot
304 Town of Mountain Village, Colorado;

Dear Ms. Haynes:

This firm represents Telluvista, LLC, a Colorado limited liability company (“Telluvista”) in all matters related to a request for a subdivision, lot line vacation and density transfer involving lot 304 in Town of Mountain Village. Telluvista is the owner of Lot 304, and the adjacent parcel, Lot 303R1 which transferred to Telluvista in August this year. Both lots are located at 313 Benchmark Drive (the “Telluvista Lots”). This letter shall serve as the narrative for Telluvista’s application for these applications related to Lot 304.

Upon taking title to the Telluvista Lots, my client entered into discussions with the owners of Lot 305, Donald B. Smith, Jr. and Amy M. Smith in order to subdivide and vacate the lot line for Lot 304. A contract was entered into for this process shortly thereafter and executed by the parties. The Smith Law Firm, P.C. represents the owners of Lot 305.

Telluvista is requesting a vacation of the lot lines in Lot 304, that the lot be subdivided and portions of Lot 304 be transferred to the adjacent parcels Lot 303R1 and Lot 305, all of which is set forth in the proposed replat attached hereto as **Exhibit A**. Telluvista makes this request in order to protect view corridors and guard against further development on either side of the parties’ current residences. Upon completion of the process, the lots will be designated as Lot 303R2 for Telluvista, and Lot 305R for the Smiths. Records for the Town of Mountain Village further demonstrate that there is zoning density of one (1) unit single family residential attached to Lot 304, comprising of 4 persons. This density unit shall remain the name and possession of Telluvista after this process and transferred into the Density Bank of the Town of Mountain Village, pursuant to Community Development Code (“CDC”) at Section 17.3.8 and Section 17.4.10(D)(2) as to criteria met for the decision. A covenant agreement shall also be entered into between the Smiths and Telluvista and recorded with San Miguel County Land Records for establishment of a no-build zone on portions of Lot 303R2 and Lot 305R as well. The no build zone is also designated on the proposed replat enclosed.

A review of the CDC at Section 17.4.13 allows for subdivision for lots within Town of Mountain Village. Specifically, Sections 17-4-13(E)(2) are met as this request conforms with the goals for the Town zoning and regulations, easements are not affected or shall be relocated and the pro-

posed subdivision meets all requirements and standards of the Town. There are no expected changes regarding access, or utilities to this lot, there will be no changes or affects upon drainage for the lots, fire protection, street improvements or additional facilities or structures upon any lots associated with this request. The parties understand that if further changes to their lot shall be the responsibility of that individual lot owner. The request made herein is in conformance with all zoning regulations, and community standards as set forth in the CDC.

As part of the process, enclosed please find the Minor Subdivision Application and the Rezoning and Density Transfer Application as required by the Town for this process, the title commitments for each of these lots, the proposed replat map and payment as required. You may recall that our pre-development meeting occurred on September 26, 2017 and also on October 27, 2017 with Mr. Bulson, of Foley & Associates, the firm that provided the maps and Exhibit A as part of this application.

Please feel free to contact me with any questions, but in the meantime, Telluvista looks forward to working with the Mountain Village Planning Department regarding these applications.

Kind regards,

LAW OFFICE OF DANIEL T. ZEMKE, P.C.

/s/ Daniel Zemke, Esq.

cc: Telluvista LLC
Nate Smith, Esq.
Dave Bulson, Foley & Associates

ORDINANCE NO. 2018-__

ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE, COLORADO APPROVING: (1) REZONE LOT 304 AND (2) TRANSFER DENSITY OF FOUR (4) PERSON EQUIVALENTS OF SINGLE FAMILY DENSITY FROM LOT 304 INTO THE DENSITY BANK

RECITALS

- A. The applicant and owner’s representative, The Law Office of Daniel Zemke, has submitted an application for a rezoning and density transfer for the reconfiguration of Lots 303R1, 304 and 305 replat into lots 303R2 and 305R. The proposed rezoning and density transfer is for one (1) unit of single family density, equivalent to four (4) person equivalents, to the density bank to be held by Telluvista, LLC (the “**Application**”) pursuant to the requirements of the Community Development Code (“**CDC**”).
- B. Telluvista LLC; is the owner of Lot 303R1 and 304 and Donald and Amy Smith is the owner of Lot 305 (“**Owner**”).
- C. Lots 303R1, 304 and 305 is referred to as the “**Property**” and have the following physical addresses in respective order: 317 Benchmark Drive, 317 Benchmark Drive and 101 Autumn Lane.
- D. The Owner has authorized the Law Office of Daniel Zemke, P.D. to pursue the approval of the minor subdivision application to replat Lots 303R1, 304 and 305 into Lots 303R2 and 305R concurrent with a rezoning and density transfer to transfer the density from former Lot 304 into the density bank.
- E. The Property has the following zoning designations pursuant to the Official Land Use and Density Allocation List and zoning as set forth on the Town Official Zoning Map:

Lot No.	Zone District	Zoning Designation	Actual Units	Person Equivalent per Actual Unit	Total Person Equivalent Density
Lot 303R1	Single Family	Residential	1	4	4
Lot 304	Single Family	Residential	1	4	4
Lot 305	Single Family	Residential	1	4	4

- F. At a public hearing held on January 4, 2018, the DRB considered the Applications, testimony and public comment and recommended to the Town Council that the Applications be approved with conditions pursuant to the requirement of the CDC.
- G. At its regularly scheduled meeting held on January 18, 2018, the Town Council conducted a public hearing pursuant to the CDC and after receiving testimony and public comment, closed the hearing and approved this Ordinance on first reading and set a further public hearing on February 15, 2018.
- H. At its regularly scheduled meeting held on February 18, the Town Council conducted a public hearing on this Ordinance, pursuant to the Town Charter and after receiving testimony and public comment, closed the hearing and approved the Applications and this Ordinance on second reading.

I. This Ordinance rezones the Property as follows

Lot No.	Zone District	Zoning Designation	Actual Units	Person Equivalent per Actual Unit	Total Person Equivalent Density	Notes
Lot 303R1	Single Family	Residential	1	4	4	
Lot 305R	Single Family	Residential	1	4	4	
The former Lot 304 (to be replat into Lots 303R1 & 305R)	Single Family	Residential	0	0	0	Transferred into the Density Bank

J. Transfer of four (4) person equivalents of Single Family Density from Lot 304 to the Density Bank to be held by Telluvista, LLC.

K. The meeting held on January 18, 2018 and the public hearing held on February 15, 2018 were duly publicly noticed as required by the CDC Public Hearing Noticing Requirements, including but not limited to notification of all property owners within 400 feet of the Property, posting of a sign and posting on the respective agendas.

L. The Town Council hereby finds and determines that the Applications meet the Rezoning Process Criteria for Decision as provided in CDC Section 17.4.9(D) as follows:

Rezoning Findings

1. The proposed rezoning is in general conformance with the goals, policies and provisions of the Comprehensive Plan.
2. The proposed rezoning is consistent with the Zoning and Land Use Regulations.
3. The proposed rezoning meets the Comprehensive Plan.
4. The proposed rezoning is consistent with public health, safety and welfare, as well as efficiency and economy in the use of land and its resources.
5. The proposed rezoning is justified because of the specific policies in the Comprehensive Plan that contemplate the rezoning as applied for.
6. Adequate public facilities and services are available to serve the intended land uses.
7. The proposed rezoning shall not create vehicular or pedestrian circulation hazards or cause parking, trash or service delivery congestion.
8. The proposed rezoning meets all applicable Town regulations and standards.

M. The Town Council finds that the Applications meet the Rezoning Density Transfer Process criteria for decision contained in CDC Section 17.4.10(D)(2) as follows:

Density Transfer Findings

1. The criteria for decision for a rezoning are met.
2. The density transfer meets the density transfer and density bank policies.
3. The proposed density transfer meets all applicable Town regulations and standards.

NOW, THEREFORE, BE IT RESOLVED that the Town Council approves the Applications.
Section 1. Effect on Zoning Designations

Section 2. Ordinance Effect

All ordinances, of the Town, or parts thereof, inconsistent or in conflict with this Ordinance, are hereby repealed, replaced and superseded to the extent only of such inconsistency or conflict.

Section 3. Severability

The provisions of this Ordinance are severable and the invalidity of any section, phrase, clause or portion of this Ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of this Ordinance.

Section 4. Effective Date

This Ordinance shall become effective on _____, 2018 following public hearing and approval by Council on second reading.

Section 5. Public Hearing

A public hearing on this Ordinance was held on the 15th of February, 2018 in the Town Council Chambers, Town Hall, 455 Mountain Village Blvd, Mountain Village, Colorado 81435.

INTRODUCED, READ AND REFERRED to public hearing before the Town Council of the Town of Mountain Village, Colorado on the 18th day of January, 2018.

TOWN OF MOUNTAIN VILLAGE

**TOWN OF MOUNTAIN VILLAGE,
COLORADO, A HOME-RULE
MUNICIPALITY**

By: _____
Laila Benitez, Mayor

ATTEST:

Jackie Kennefick, Town Clerk

**HEARD AND FINALLY ADOPTED by the Town Council of the Town of Mountain Village,
Colorado this 15th day of February, 2018**

**TOWN OF MOUNTAIN VILLAGE
TOWN OF MOUNTAIN VILLAGE,
COLORADO, A HOME-RULE
MUNICIPALITY**

By: _____
Laila Benitez, Mayor

ATTEST:

Jackie Kennefick, Town Clerk

Approved As To Form:

Jim Mahoney, Assistant Town Attorney

I, Jackie Kennefick, the duly qualified and acting Town Clerk of the Town of Mountain Village, Colorado ("Town") do hereby certify that:

1. The attached copy of Ordinance No. _____ ("Ordinance") is a true, correct and complete copy thereof.

2. The Ordinance was introduced, read by title, approved on first reading with minor amendments and referred to public hearing by the Town Council the Town ("Council") at a regular meeting held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on _____, 2018, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Laila Benitez, Mayor				
Dan Caton, Mayor Pro-Tem				
Dan Jansen				
Bruce MacIntire				
Patrick Berry				
Natalie Binder				
Jack Gilbride				

3. After the Council's approval of the first reading of the Ordinance, notice of the public hearing, containing the date, time and location of the public hearing and a description of the subject matter of the proposed Ordinance was posted and published in the Telluride Daily Planet, a newspaper of general circulation in the Town, on _____, 2018 in accordance with Section 5.2b of the Town of Mountain Village Home Rule Charter.

4. A public hearing on the Ordinance was held by the Town Council at a regular meeting of the Town Council held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on _____, 2018. At the public hearing, the Ordinance was considered, read by title, and approved without amendment by the Town Council, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Laila Benitez, Mayor				
Dan Caton, Mayor Pro-Tem				
Dan Jansen				
Bruce MacIntire				
Patrick Berry				
Natalie Binder				
Jack Gilbride				

5. The Ordinance has been signed by the Mayor, sealed with the Town seal, attested by me as Town Clerk, and duly numbered and recorded in the official records of the Town.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town this ____ day of _____, 2018.

Jackie Kennefick, Town Clerk

(SEAL)



BUILDING DEPARTMENT
455 Mountain Village Blvd., Ste. A
Mountain Village, CO 80135
(970) 369-8246

Agenda Item No. 13

TO: Town Council

FROM: Randy Kee, Town Building Official
Michelle Haynes, Planning and Building Director

FOR: Town Council Public Meeting on February 15, 2018

DATE: February 5, 2018

RE: First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Approving a Community Development Code (CDC) Amendment to Section 17.7.7 Building Board of Appeals to Make Minor and Conforming Amendments Pursuant to CDC Section 17.1.7 Amendments to the Community Development Code

Background

The Building Board of Appeals was created in 1995 by Resolution No. 1995-1128-16 as a board to hear and decide appeals of orders, decisions and determinations made by the building official relative to the application and interpretation of the building codes. The bylaws, which are incorporated as part of the Community Development Code (CDC) at Section 17.7.7, can be amended from time to time pursuant to a Class 4 town review process found at CDC Section 17.1.7. The department initiated this CDC amendment primarily to clean up redundancies, conform the language, clarify vacancy advertisement and noticing requirements and to provide more flexibility regarding qualifications.

Attachments

1. Ordinance including exhibit A

DRB Recommendation

The DRB provided a unanimous recommendation to approve the CDC amendment with a recommendation to clarify the qualifications requirements at their February 1, 2018 regular DRB meeting. Staff provided this clarification in the redline exhibit A provided.

Recommendation

Staff recommends council adopt the amendment to the Board of Appeals Bylaws.

Motion

I move to approve at first reading an Ordinance amending Community Development Code (CDC) Section 17.7.7 Building Board of Appeals, to Make Minor and Conforming Amendments Pursuant to CDC Section 17.1.7 Amendments to the Community Development Code attached as exhibit A and to ask the Town Clerk to set a public hearing on March 15, 2018 with the following findings:

1. *The Planning Director initiated the CDC amendment consistent with CDC Section 17.1.7*
2. *The DRB provided a recommendation to the Town Council consistent with CDC Section 17.1.7*

ORDINANCE NO. 2018-__

AN ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT CODE (CDC) AT SECTION 17.7.7, AMENDING THE BUILDING BOARD OF APPEALS TO PROVIDE CLARIFYING AND MINISTERIAL AMENDMENTS

RECITALS

- A. The Town of Mountain Village (the “Town”) is a legally created, established, organized and existing Colorado municipal corporation under the provisions of Article XX of the Constitution of the State of Colorado (the “Constitution”) and the Home Rule Charter of the Town (the “Charter”).
- B. Pursuant to the Constitution, the Charter, the Colorado Revised Statutes and the common law, the Town has the authority to regulate the use and development of land and to adopt ordinances and regulations in furtherance thereof.
- C. The Town Council may amend the CDC, including the Building Board of Appeals Bylaws incorporated into the CDC, from time to time.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE, COLORADO AS FOLLOWS:

Section 1. Amendment of Community Development Code

- A. The Town of Mountain Village Community Development Code, section 17.7.7 is hereby amended and replaced as set forth in Exhibit A which is attached hereto and incorporated herein.
- B. The Planning Division is directed to codify the amendments in Exhibit A into the CDC.
- C. The Planning Division may correct typographical and formatting errors in the amendments or the adopted CDC.
- D. Adoption of the foregoing CDC Amendment will also amend the Building Board of Appeals by-laws.

Section 2. Ordinance Effect

- E. This Ordinance shall have no effect on pending litigation, if any, and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the ordinances repealed or amended as herein provided and the same shall be construed and concluded under such prior ordinances.
- F. All ordinances, of the Town, or parts thereof, inconsistent or in conflict with this Ordinance, are hereby repealed, replaced and superseded to the extent only of such inconsistency or conflict.

Section 3. Severability

The provisions of this Ordinance are severable and the invalidity of any section, phrase, clause or portion of this Ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of this Ordinance.

Section 4. Effective Date

This Ordinance shall become effective on _____, 2018.

Section 5. Public Hearing

A public hearing on this Ordinance was held on the 18th of February, 2018 in the Town Council

Chambers, Town Hall, 455 Mountain Village Blvd, Mountain Village, Colorado 81435.

INTRODUCED, READ AND REFERRED to public hearing before the Town Council of the Town of Mountain Village, Colorado on the 18th day of February, 2018

TOWN OF MOUNTAIN VILLAGE:

**TOWN OF MOUNTAIN VILLAGE,
COLORADO, A HOME-RULE
MUNICIPALITY**

By: Laila Benitez, Mayor

ATTEST:

Jackie Kennefick, Town Clerk

HEARD AND FINALLY ADOPTED by the Town Council of the Town of Mountain Village, Colorado this 15th day of March, 2018.

TOWN OF MOUNTAIN VILLAGE:

**TOWN OF MOUNTAIN VILLAGE,
COLORADO, A HOME-RULE
MUNICIPALITY**

By: Laila Benitez, Mayor

ATTEST:

Jackie Kennefick, Town Clerk

Approved As To Form:

Jim Mahoney, Assistant Town Attorney

I, Jackie Kennefick, the duly qualified and acting Town Clerk of the Town of Mountain Village, Colorado ("Town") do hereby certify that:

1. The attached copy of Ordinance No. _____ ("Ordinance") is a true, correct and complete copy thereof.

2. The Ordinance was introduced, read by title, approved on first reading with minor amendments and referred to public hearing by the Town Council the Town ("Council") at a regular meeting held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on _____, 2017, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Laila Benitez, Mayor				
Dan Caton, Mayor Pro-Tem				
Dan Jansen				
Bruce MacIntire				
Patrick Berry				
Natalie Binder				
Jack Gilbride				

3. After the Council's approval of the first reading of the Ordinance, notice of the public hearing, containing the date, time and location of the public hearing and a description of the subject matter of the proposed Ordinance was posted and published in the Telluride Daily Planet, a newspaper of general circulation in the Town, on _____, 2018 in accordance with Section 5.2b of the Town of Mountain Village Home Rule.

4. A public hearing on the Ordinance was held by the Town Council at a regular meeting of the Town Council held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on March 15, 2018. At the public hearing, the Ordinance was considered, read by title, and approved without amendment by the Town Council, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Laila Benitez, Mayor				
Dan Caton, Mayor Pro-Tem				
Dan Jansen				
Bruce MacIntire				
Patrick Berry				
Natalie Binder				
Jack Gilbride				

5. The Ordinance has been signed by the Mayor, sealed with the Town seal, attested by me as Town Clerk, and duly numbered and recorded in the official records of the Town.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town this _____ day of _____, 2018.

Jackie Kennefick, Town Clerk

(SEAL)

17.7.7 BUILDING BOARD OF APPEALS

- A. **Name.** The name of this ~~b~~Board shall be the Town of Mountain Village Building Board of Appeals (the “Board of Appeals”).

- B. **Authority.** The ~~a~~Authority of the Board of Appeals is strictly limited to hearing and deciding appeals of administrative orders, decisions or determinations made by the Town of Mountain Village (“Town”) Building Official (“Building Official”) relative to the application and interpretation of all duly adopted Building Codes and Regulation (collectively the “Building Regulations”) . ~~There shall be and is hereby created the Board.~~ The Building Official shall be an ex officio member of and shall act as secretary ~~to the Board~~ but shall have no vote on any matter ~~before the Board.~~ The Board of Appeals bylaws for conducting its business are hereby created by Town of Mountain Village Town Council (“Town Council”). ~~The Board shall be appointed by the Town Council and shall hold office at its pleasure.~~ The Board of Appeals shall render all decisions in writing with findings in accordance with the adopted bylaws and Building Regulations.

- C. **Appeal Procedures.** All appeals of decisions of the Building Official shall be filed in accordance with the applicable Building Regulation and shall be made in writing within seven (7) calendar days of the decision of the Building Official. Failure to file a written appeal within seven calendar days shall preclude the Board of Appeals from hearing any appeal and the decision of the Building Official shall stand as the final administrative decision of the Town.

- D. **Appointments and Terms of Office.** ~~The Board of Appeals shall be appointed by the Town Council and shall hold office at its pleasure. Appointments shall serve until they either (a) resign; (b) are no longer qualified; (c) are removed by the Town Council or (d) the Town Council elects to make new appointments to the Board of Appeals. Any member may be removed with or without cause by a majority vote of the Town Council. Any vacancy shall be filled by the Town Council. The Board of Appeals shall consist of five regular members and two alternates.- Applications shall be received, reviewed and appointments made to the Board by the Town Council. Advertising for appointments will be consistent with the Town Council adopted policy. Appointments shall serve until they either (a) resign; (b) are no longer qualified; (c) are removed by the Town Council or (d) the Town Council elects to make new appointments to the Board.- Any member of the Board may be removed with or without cause by a majority vote of the Town Council. Any vacancy occurring on the Board shall be filled by the Town Council.-~~

- E. **Attendance.** To ensure the orderly conduct of business, member attendance is vital. Except for emergency absences, medical condition absences and absences resulting from military leave of less than two continuous months, no current ~~Board~~ member shall miss more than three meetings in any twelve-month period upon any fourth absence within 12 months, other than for an emergency, medical condition or military leave of less than two months, as determined by the chair, the ~~Board~~ member shall be deemed to have resigned ~~from the Board~~, and the Town Council shall appoint a replacement.

- F. **Qualifications.** The Board of Appeals shall consist of a minimum of one Colorado licensed electrical contractor, one Colorado licensed plumbing contractor. Preference is given to applicants who have the following types of professional experience: an ICC certified general contractor; certified architect; construction project manager; design professional or engineer.

Qualifications include a minimum of five (5) years professional experience in their respective fields. , and two ~~three~~ ICC Certified General Contractors. Each shall have a minimum of 5 years of documented experience in their respective area of expertise. Candidates with experience and education in Design or Construction Management will also be considered.

- G. Officers.** The Board of Appeals shall annually elect a chair from its number who shall preside over all hearings and proceedings ~~of the Board~~. The elected chair shall not serve successive terms. A vice-chair elected annually by the Board of Appeals shall assume the chair's duties in the chair's absence.
- H. Quorum and Voting.** Quorum shall consist of three members, and a decision of a majority of the members ~~of the Board~~ shall control. Any absent member may join in a decision ~~of the Board~~ after he or she has considered the evidence presented in any hearings conducted during his or her absence. All decisions are final, subject only to appeal to a court of competent jurisdiction.
- I. Duties.**
- 1. Chair.** The chair shall preside at all meetings ~~of the Board~~ and shall perform all duties usually incident to the office of Chair and such other duties as may be assigned to him or her from time to time by the Task Force. The Chair shall see to the execution of resolutions, procedures and policies approved by the Task Force.
 - 2. Vice Chair.** In the absence or disability of the Chair, the Vice Chair shall have all powers of and shall be subject to all restrictions upon the Chair. The Vice Chair shall perform such duties as shall from time to time be assigned by the Task Force.
 - 3. Secretary.** Secretarial duties ~~for the Board~~ will be maintained by the Town staff. Secretary responsibilities are as follows 1) to keep minutes of Board meetings and to keep records of the Board.
- J. Meetings.** The Board of Appeals shall hold an initial organization meeting as called by the chair. Further meetings shall be held as necessary in order to timely hear appeals as called by the Chair or the Building Official.
- K. Rules of Order.** Unless otherwise specified in these bylaws, the Board of Appeals will follow procedures outline in Robert's Rules of Order, Newly Revised.
- L. Meeting Notices.** The appointed staff member shall furnish ~~the Board~~ advance notice of all meetings. Staff shall deliver, by the close of business the Friday before the next meeting, minutes of the previous meetings and copies of material to be studied or acted upon, including an agenda, and other items necessary for discussion. Meeting notices may be delivered via email. Meeting notices are also posted at town approved posting areas and on the town's website consistent with town adopted public meeting posting location requirements.
- M. Agenda.** The appointed staff shall prepare the agenda with input from the Chair, and copies distributed in advance of the meeting. Other items of the agenda shall include but not be limited to disposition of minutes of the previous meeting, which may be distributed and approved via email by the board members due to the potential for long periods between meetings. The minutes and agenda shall be delivered to Board members as needed no later than 7 days in advance of the meeting.

|

N. **Open to the Public.** All meetings shall be open to the public, except for executive session as authorized in the Colorado Open Meetings law, C.R.S. 24-6-402.

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**COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 728-1392

Agenda Item #14

TO: Design Review Board

FROM: Michelle Haynes, Planning and Development Services Director

FOR: Meeting of February 15, 2018

DATE: January 19, 2018

RE: Consideration of Approval of a Resolution regarding a Comprehensive Plan Amendment regarding Parcel M, Lot 30, which consists of Lot 30 and a portion of the adjacent open space parcel OS1AR-3 within the Village Center Subarea and other associated amendments to accomplish the foregoing pursuant to Community Development Code Section 17.1.5 Town Comprehensive Plan.

BACKGROUND

The Town Council has initiated a Mountain Village Comprehensive Plan amendment to Parcel M, Lot 30 Village Center Subarea pursuant to Community Development Code (CDC) Section 17.1.5.E. specifically to amend Chapter Titled *Land Use Plan Policies*, Section Titled *Mountain Village Subarea Plan Principles, Policies and Actions* Subsection 13. *Parcel M Lot 30*.

TIMELINE REGARDING PARCEL M, LOT 30 COMPREHENSIVE PLAN AMENDMENT

- August 17, 2017 Town Council Worksession
- October 12, 2017 Public Open House regarding a Parcel M, Lot 30 Comprehensive Plan Amendment
- February 1, 2018 the DRB held a public hearing to provide a courtesy recommendation to Town Council.

ATTACHMENTS

- a) Context Map
- b) Relevant Existing Comprehensive Plan Documents
 1. Future Land Use Map
 2. Village Subarea Map
 3. Village Subarea Table
 4. Village Subarea Principles, Policies and Actions No. 13 Parcel M, Lot 30
- c) Resolution
- d) Proposed Amendment No. 13 Principles, Policies and Actions contained in the Comprehensive Plan
- e) Public Comments provided at and around the public open house held on October 12, 2017 (29 written comments in total), plus recent public comment
- f) Worksession Memo for the meeting dated August 17, 2017
- g) Public Comment, John Horn dated February 9, 2018

SITE ORIENTATION

Parcel M as it is referred to in the Comprehensive Plan is comprised of a land area that includes Lot 30 and a portion of OS1AR-3, an adjacent active open space parcel of land. Parcel M is further located adjacent to the Aspen Ridge multi-family condominium development to the west, adjacent to OS1AR-3 Active Open Space parcel to the north, across Mountain Village Boulevard and to the east sits the Granita mixed use development and Tramontana multi-family development to the south (See Attachment Context Map). Lot 30 is a vacant lot, except for a commercial area in a small building that exists on the southwest corner of the lot. Parcel OS1AR-3 surrounds Lot 30 on four sides (see context map) is also vacant and zoned Active Open Space. Parcel M is a combination of two separate zoning designations Lot 30 being Multi-Family, OS1AR-3 Active Open Space. It is also recognized in the Comprehensive Plan as part of the Mountain Village Center Subarea.

PARCEL M, LOT 30 OVERVIEW OF EXISTING ZONING AND COMPREHENSIVE PLAN VISION

Existing Zoning and Density Allocations for Lot 30

	Community Development Code (CDC)
Zoning	Multi-Family
Lot Size	.60 acres
Maximum Allowable Height	48 feet
Lot Coverage	65%
Current Zoning	9 Condominiums 2 Employee Apartments Commercial Use (per Resolution No. 2012-0426-07)

Comprehensive Plan Table 7 specific to Parcel M, Lot 30 excerpt

Parcel M Lot 30	Target Maximum Building Height	Target Hotbed Mix	Target Condo Units	Target Dorm Units*	Target Restaurant/Commercial Area	Total Target Units
	78.5	88	12	2	0	102

Existing Zoning and Density Allocations for Parcel OS1AR-3

	Community Development Code (CDC)
Zoning	Full Use Ski Resort Active Open Space (Class3AOS)
Lot Size	1.432 acres MOL (only a portion contemplated pursuant to the comprehensive plan of .419 acres MOL)
Maximum Allowable Height	n/a
Lot Coverage	n/a
Current Zoning	No density designated

Full Use Ski Resort Active Open Space Zoning is associated with the operation and maintenance of a ski resort and the community at large which are limited to ski resort uses, active recreational uses, recreational trails, community infrastructure, equestrian facilities, workforce housing, telecommunications antenna and similar uses.

Table 3-1: Town of Mountain Village Land Use Schedule outlines specific uses allowed consistent with the broad list above indicating whether they are permitted or conditional uses. Any development proposing above grade construction with allowable uses in the Full Use, Ski Resort Active Open Space zone district, is subject to a class 4 Conditional Use Permit development application and also must be found to be in conformance with the Comprehensive Plan.

Comprehensive Plan Land Use Map

The Future Land Use Plan map in the Comprehensive Plan indicates that Parcel M, if developed consistent with the Comprehensive Plan, would be rezoned to mixed-use [village center] and the remaining portion of OS1AR-3 rezoned to limited use ski resort active open space.

BACKGROUND

In July of 2017, the owner of Lot 30, which is a portion of the comprehensive plan parcel M area, approached the town regarding the potential of a Comprehensive Plan amendment. The owner of lot 30 has an existing density allocation of 9 condominiums and 2 employee apartments that can be constructed today without demonstrating conformance with the Comprehensive Plan. The owner of Lot 30 felt that the Comprehensive Plan Table 7 did not provide any flexibility should they wish to develop Lot 30 other than to its by right density allocation. Conformance with the Comprehensive Plan otherwise directs the owners to conform with the heights, densities and mix of uses shown by Table 7 of the Comprehensive Plan. The specific request discussed at the Town Council worksession in August included an amendment to the Comprehensive Plan Table 7 and also to the principles and policies, to remove the flagship hotel designation and allow an increase in condominium density up to 25 condominium units.

The Town of Mountain Village held an open house on October 12th, specifically regarding an amendment to Parcel M, Lot 30. We had an attendance of over 30 community members and 26 public comments submitted in writing. The land owner of OS1AR-3 participated in the open house and also provided written comment.

In summary, many members of the public were not aware that the Comprehensive Plan Parcel M, Lot 30 indicated building heights up to 78.5 feet, a density of 102 units and characterized within the Village Center Subarea. Absent the Comprehensive Plan the community public comments felt the property would be developed similar to the Aspen Ridge Condominium development which is adjacent, and zoned multi-family (see attached public comment letters). More importantly, the underlying comments suggested that future development of Parcel M be sensitive to the surrounding densities and heights.

The Town Council has spent a significant amount of time talking with the public along with the property owners of Lot 30 and OS1AR-3 and finalized a proposed Comprehensive Plan amendment contained herein during the intervening months with the stated goal of allowing both Lot 30 and OS1AR-3 the ability to pursue alternative development scenarios to the full Parcel M buildout in a manner which would have existed prior to the adoption of the Comprehensive Plan, while also preserving a full Parcel M option.

DESIGN REVIEW BOARD RECOMMENDATION

At the DRB's regular meeting on February 1, 2018, the DRB recommended unanimously to approve the amendment as presented. The DRB added a recommendation that the Village Center Subarea Committee review Parcel M in the future and provide recommendations on a Comprehensive Plan amendment while reviewing the Village Center Subarea as a whole.

PROPOSED AMENDMENT

The Comprehensive Plan amendment proposes the following.

- No change to the future land use plan map
- No change to the village center subarea map
- No change to Table 7
- Modify No. 13 Parcel M (a part of OS1AR-3 and Lot 30) Mountain Village Center Subarea Plan Principles, Policies and Actions, to strike the words, no site specific policies, and amend the section to include the following policies:
 - a. *The flagship hotel, flag hotel operator and flag hotel site designations may apply at the discretion of Town Council after receiving a recommendation from the Design Review Board, should Parcel M be developed as a single parcel (Lot 30 and .419 acres of OS1AR3) Town Council may also consider other measures such as timeshares, fractional sales, condominium-hotel, front desk and amenity spaces for administering rental programs and boutique hotels among other measures and requirements along with traditional flagship hotel requirements in any development scenario including an independent Lot 30 development (meaning exclusive of any inclusion of the OS1AR-3 portion of Parcel M) scenario or a Parcel M development scenario.*
 - b. *The range of development on Parcel M shall be from 9 condominium units (which is currently allowed by right on the Lot 30 portion of Parcel M) to the full 102 total unit mixes for the entire Parcel M as shown on Table 7 Mountain Village Center Development Table ("Table 7"). Table 7 shall only be invoked in the event of proposed development of the entire Parcel M. The owner of Lot 30 may elect to bring forth to the Town an application, meeting all submittal requirements of the Town's Community Development Code to develop Lot 30 independently or jointly as Parcel M. The Town Council shall have the sole discretion, after receiving a recommendation from the Design Review Board, pursuant to its Community Development Code, to determine if any proposed development scenario other than a by right development scenario is in the best interest of the community and whether such a scenario is appropriate for development independently on Lot 30 without invoking the requirements of Table 7. Otherwise, the Town Council shall consider the Community Development Code requirements as well as the Comprehensive Plan principles and policies in making such a determination.*
 - c. *If an entire Parcel M development scenario, is proposed, then an increase in hotbeds, and mixed use development is required and shall then require a rezoning to the Village Center zone district in order to realize the Comprehensive Plan principles and policies.*
 - d. *In the event that an independent Lot 30 development occurs in any manner (either by right or through a rezone and density transfer), the remainder of Parcel M (the OSP1AR-3 portion) may be developed either consistent with the existing underlying zoning or pursuant to rezone and density transfer as approved by the Town Council, so long as it meets such rezone and density transfer requirements and the Comprehensive Plan principles and policies. However, general conformance with the unit mix for Parcel M as shown on Table 7 Mountain Village Center Development Table shall not be applicable as that unit mix is only representative of an entire Parcel M development.*

COMPREHENSIVE PLAN CRITERIA AT 17.1.5.

E. The Town Council may initiate amendments to the Comprehensive Plan from time to time in accordance with the requirements of C.R.S. § 31-23-206, since elements of the community vision and factors affecting land use may change over time.

- F. Amendments to the Comprehensive Plan shall meet the following process steps:
1. The initiation of a Comprehensive Plan amendment may only be initiated if the Town Council finds:
 - a. That the community visions and factors affecting land use have substantially changed since the adoption of the Comprehensive Plan;
 - b. Adequate financing and resources are available to complete the amendment.
 3. Citizen participation is the most important element of amending or creating a Comprehensive Plan. Therefore, the Comprehensive Plan amendment process shall include significant and meaningful public participation elements.

The Town Council must approve a Comprehensive Plan amendment by supermajority vote pursuant to CDC Section 17.1.5.F.9.

COMPREHENSIVE PLAN PURPOSE

The purpose of the Community Development Code at Section 17.1.3 is to implement the Comprehensive Plan.

At CDC Section 17.1.5., land use applications such as Planned Unit Developments, Variances or density transfer or rezone applications must be in general conformance with the Comprehensive Plan. Further the CDC states the following:

- C. The Comprehensive Plan future land use map shall be implemented by:
1. Ensuring all development applications that are required to be in general conformance with the Comprehensive Plan are compliant with the land use plan policies and future land use map of the Comprehensive Plan; and
 2. Ensuring that the ski resort operator and golf resort operator's land will be rezoned in the future to be in general conformance with the land use plan policies and the future land use plan as set forth in the Comprehensive Plan, including but not limited to the public benefit number 9 in the Comprehensive Plan public benefits table, that requires the ski resort operator and golf resort operator's land to be rezoned to be consistent with the six open space classifications shown on the future land use plan and as set forth in this CDC.

ANALYSIS

The purpose of the Comprehensive Plan amendment is not to change the intention of the Parcel M use specifically, but to perfect site specific policies in response to input by the owners of the properties, stakeholders and community members. The community intentionally included Parcel M into the Village Center Subarea and identified the property as a potential flagship hotel site. Lot 30 can otherwise be developed consistent with the underlying zoning and density as multi-family and condominium use.

The proposed Comprehensive Plan amendment provides greater flexibility and guidance in achieving Comprehensive Plan conformance for Lot 30 and Parcel OS1AR-3 separately or combined. The Comprehensive Plan amendment provides greater Town Council discretion and flexibility should a hotbed development or mixed-use proposal be considered, recognizing that hot bed density can be achieved and may be preferred, with less height and density and greater flexibility than the prescriptive flagship requirements. The amendment also provides greater flexibility should Lot 30 be developed to increase condominium density without invoking conformance with Table 7. and otherwise would conform with 48 feet multi-family zoning heights and other regulations. Finally, the amendment provides greater flexibility and guidance should development of the OSAR1-3 parcel be considered under the same criteria and circumstances which existed prior to the adoption of the Comprehensive Plan.

RECOMMENDED MOTION

I move to approve a Resolution of the Town of Mountain Village Town approving an amendment to the Comprehensive Plan, Parcel M, a part of OS1AR-3 and Lot 30, attached as exhibit d with the following findings:

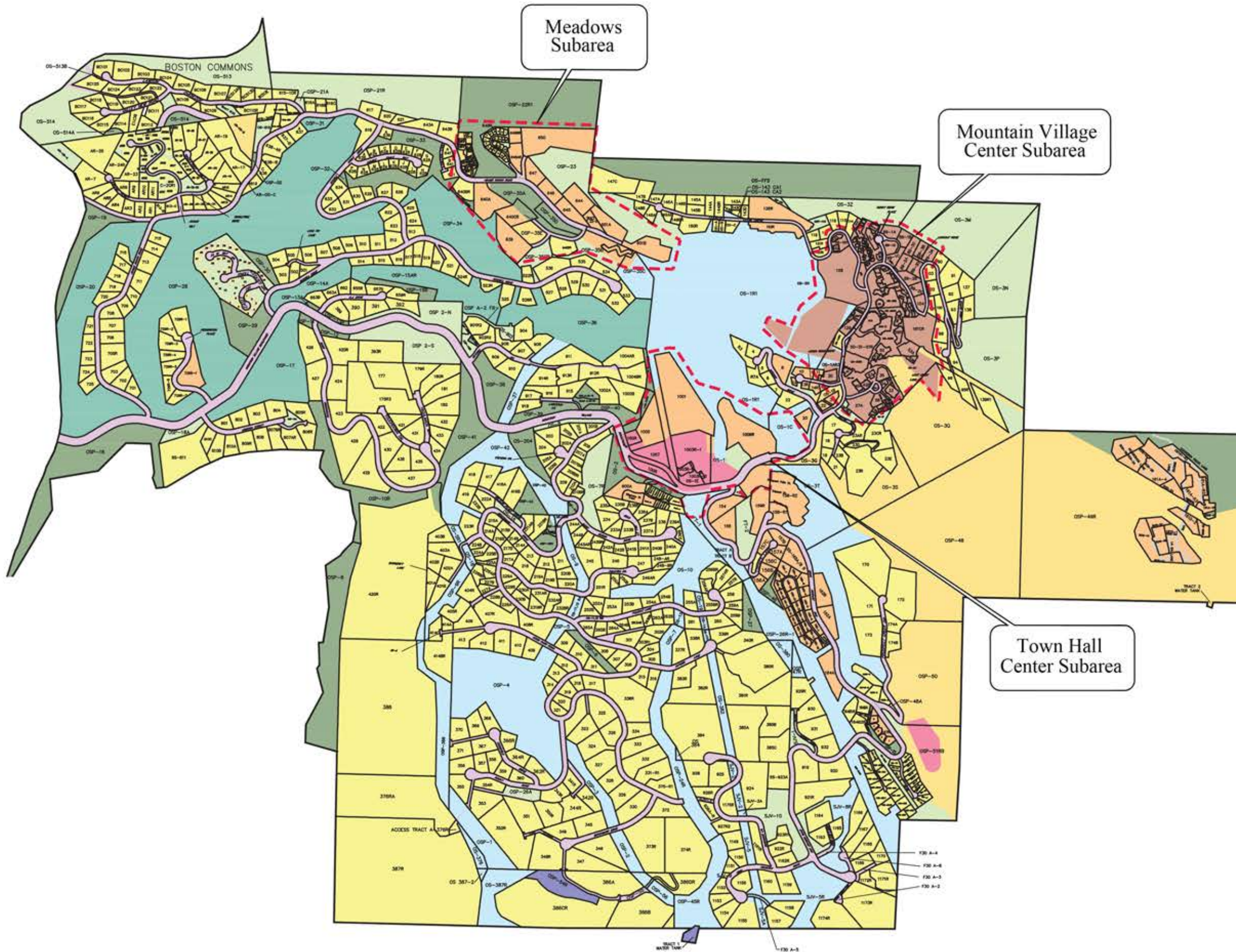
- 1. That the community visions and factors affecting land use have substantially changed since the adoption of the Comprehensive Plan;*
- 2. Adequate financing and resources are available to complete the amendment.*
- 3. That significant and meaningful public participation occurred.*

This motion is based on the evidence and testimony provided at a public hearing held on February 15, 2018, with notice of such hearing as required by the Community Development Code.

/mbh



Future Land Use Plan



Legend

- Civic
- Mixed-Use Center
- Multiunit
- Municipal Public Works
- Single-Family and Duplex
- Passive Open Space
- Limited Use Golf Course Active Open Space
- Full Use Ski Resort Active Open Space
- Limited Use Ski Resort Active Open Space
- Resource Conservation Active Open Space
- Right-of-Way and Access Active Open Space
- Subarea

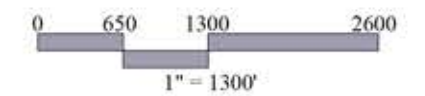

















Table 7. Mountain Village Center Development Table

Parcel Designation	Target Maximum Building Height	Target Hotbed Mix	Target Condo Units	Target Dorm Units*	Target Restaurant/ Commercial Area	Total Target Units
Parcel A-1 Lots 122, 123 & 128 	54	125	0	3	Existing in The Peaks	128
Parcel A-2 The Peaks	Existing	177	23	0	As built	200
Parcel A-3 Peaks Northwest Addition 	43.5	56	0	1	Existing in The Peaks	57
Parcel A-4 Telluride Conference Center Expansion 	78.5	68	0	2	Existing in The Peaks	70
Parcel B Shirana	78.5	78	10	2	0	90
Parcel C-1 89 Lots Hotbeds 	68	174	23	4	8,000 square feet	201
Parcel C-2 89 Lots Ridgeline Condos	35	0	8	0	0	8
Parcel C-3 89 Lots Transitional Condos 	43.5	0	8	0	0	8
Parcel D Pond Lots 	78.5	71	9	2	5,000 square feet	82
Parcel E Le Chamonix 	78.5	51	7	1	12,540 square feet	59
Parcel F Lot 161-CR 	95.5	242	32	6	6,500 square feet	280
Parcel G Gondola Station 	68	127	17	5	3,500 square feet	147
Parcel H Columbia Condos 	68	28	4	1	8,700	33
Parcel I Village Creek 	68	39	5	1	0	45
Parcel J Recreation Center/ Multipurpose Facility	52	NA	NA	NA	TBD	NA
Parcel K Meadows Magic Carpet 	57.5	115	15	3	5,000 square feet	133
Parcel L Heritage Parking Garage Entry 	57.5	14	2	1	0	17
Parcel M Lot 30 	78.5	88	12	2	0	102
Parcel N Lot 27 	78.5	64	9	2	0	75
Parcel O TSG Clubhouse	57.5	51	7	1	0 (Private Club OK)	59

*Target dorm units are calculated by multiplying the number of hotbed units by 10% to determine the number of employees required to be provided dorm housing. The resultant number of employees is then multiplied by 250 square feet per employee to determine the total floor area in dorm units. This dorm unit floor area is then divided by 1,000 to determine the number of dorm units based on 1,000 square feet per dorm unit, each with ideally four separate bedrooms. Refer to Section IV.B.2. in the Land Use Principles, Policies and Actions, page 43.

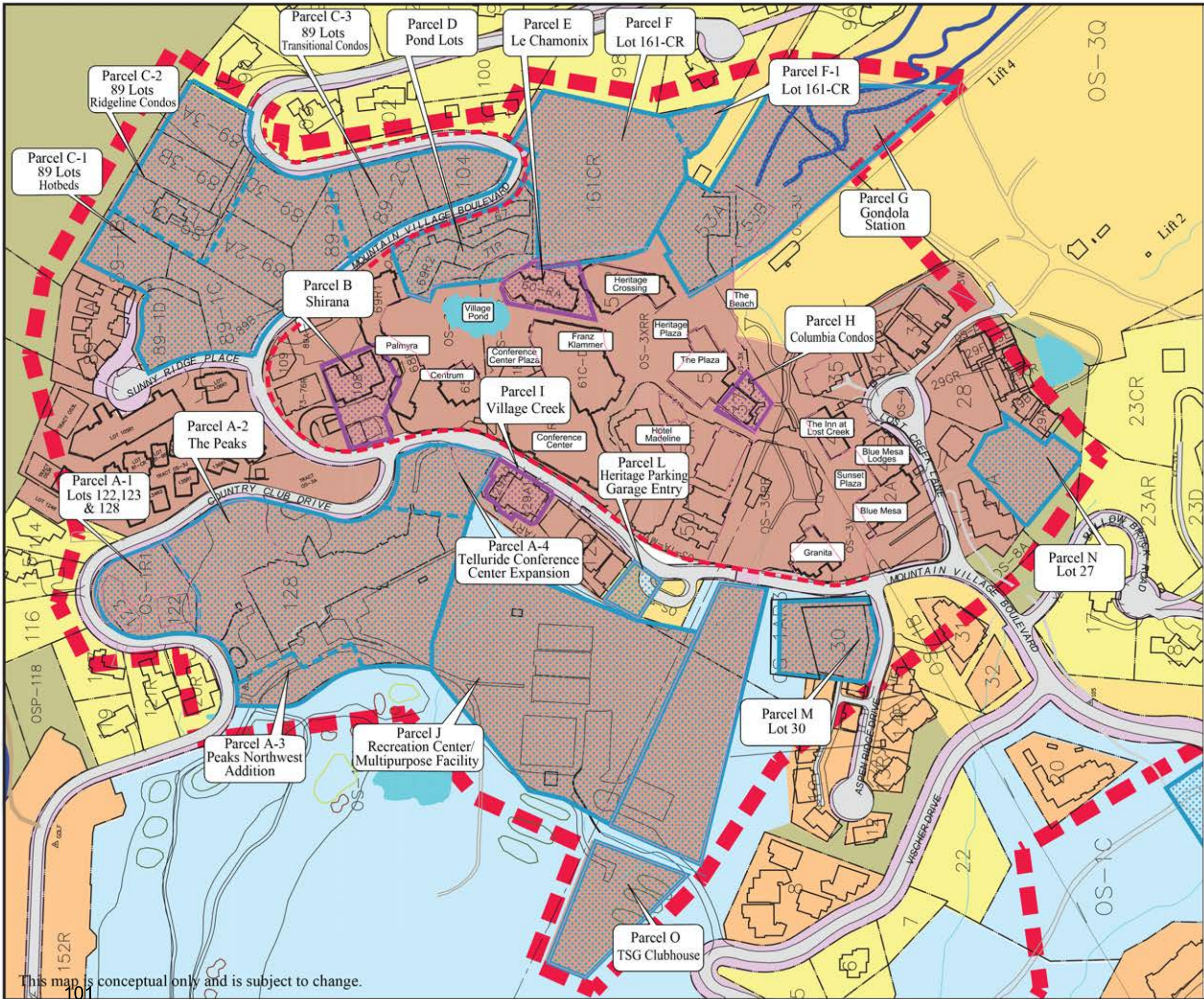
M. Require that any applicant who proposes a rezoning, density transfer, subdivision or any other application that requires general conformance with the Comprehensive Plan to meet the following site-specific policies at the appropriate step in the development review process:

1. THE PEAKS

The Peaks provided an overall plan for the following parcels of land that are based solely on the provision of hotbeds without any condominiums. Therefore, any future development review that requires general conformance with the Comprehensive Plan only requires the provision of

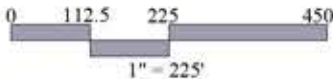
hotbed units and dorm units as outlined in the Mountain Village Center Subarea Development Table, with the minimum sizes for the hotbed units in accordance with the hotbed policies (page 43). The number of dorm units will also need to be established based on the 10% standard set forth in Section IV.B.2., page 43.

Mountain Village Center Subarea Plan Map



Legend

- Redevelopment Site
- Subarea Parcel Boundary
- Civic
- Mixed-Use Center
- Multiunit
- Municipal Public Works
- Single-Family and Duplex
- Passive Open Space
- Limited Use Golf Course Active Open Space
- Full Use Ski Resort Active Open Space
- Limited Use Ski Resort Active Open Space
- Resource Conservation Active Open Space
- Right-of-Way and Access Active Open Space
- Existing Trail
- Proposed Trail
- Existing Sidewalk
- Proposed Sidewalk
- Subarea Boundary



This map is conceptual only and is subject to change.

Magic Carpet to cooperate and fund an engineered access study that looks at the coordinated and combined public access to Parcel K Meadows Magic Carpet through Parcel J Recreation Center/ Multipurpose Facility since such access provides for a better sense of arrival and entry to a hotbed project on this parcel than Mountain Village Boulevard and also reduces vehicular trips on Visher Drive.

- c. Provide direct, year-round, at-grade pedestrian connection to Mountain Village Center by sidewalks, stairs and appropriate dark-sky lighting.
- d. Allow for golf course parking within Parcel K Meadows Magic Carpet.

12. PARCEL L HERITAGE PARKING GARAGE ENTRY

- a. Encourage the development and operation of Parcel L Heritage Parking Garage Entry to be in conjunction with Hotel Madeline on Lots 50-51.
- b. Allow an above grade, above right-of-way connection from Hotel Madeline to Parcel L Heritage Parking Garage Entry that also provides connectivity to Parcel J Recreation Center/Multipurpose Facility. Ensure the connection is architecturally interesting and appropriately consistent with the town's Design Regulations.
- c. Evaluate if required parking for Parcel L Heritage Parking Garage Entry can be included within Heritage Parking Garage.

13. PARCEL M LOT 30

- a. No site-specific policies.

14. PARCEL N LOT 27

- a. No site-specific policies.

15. PARCEL O TSG CLUBHOUSE

- a. Provide all required parking in a garage to minimize visual impacts.
- b. Require the provision of a shuttle service, and/or sidewalk, or other pedestrian connection to existing plaza areas in Mountain Village Center.



**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN
VILLAGE, COLORADO AMENDING THE TOWN OF MOUNTAIN VILLAGE
COMPREHENSIVE PLAN**

Resolution No. 2018-_____

RECITALS:

- A. The Town of Mountain Village, Colorado, acting through its Planning Commission is empowered pursuant to Section 31-23-201, et seq. CRS to make and adopt a master plan; and
- B. The Town Council, acting by ordinance, may initiate amendments to the Comprehensive Plan from time to time in accordance with Section 31-23-206, et seq. CRS, since elements of the community vision and factors affecting land use change over time; and
- C. The Town of Mountain Village Home Rule Charter Section 12.1 (a)(2) provides that the Town's Design Review Board (DRB) functions as the Town's Planning Commission unless otherwise provided by ordinance; and
- D. The Town Council has adopted Section 17.1.5 (F) 7 of the Town's Community Development Code, which designates the Town Council to act as the Town's Planning Commission; and
- E. On August 17, 2017 the Town Council held a worksession by request and participation of the owner and owner's agent of Lot 30 to discuss the existing development rights and densities as it relates to the Comprehensive Plan Table 7. Parcel M, Lot 30. Densities, heights and flagship hotel designation were discussed. Town Council agreed to move forward with a Comprehensive Plan amendment understanding that there were otherwise no site specific policies currently outlined in the Comprehensive Plan for Parcel M, Lot 30.
- F. On October 12, 2017 the Town of Mountain Village hosted a public open house regarding Parcel M, Lot 30. We received over 29 written public comments regarding a Comprehensive Plan amendment to Parcel M, Lot 30.
- G. On February 1, 2018 The Design Review Board provided a courtesy recommendation to the Town Council regarding a Comprehensive Plan amendment after finding that the community vision and factors affecting land use have substantially changed since the adoption of the Comprehensive Plan and there is adequate financing and resources available to complete the element; and
- H. On February 15, 2018 the Town Council considered and approved the Comprehensive Plan amendment as written; and

- I. The Comprehensive Plan amendment lists site specific policies for Parcel M, Lot 30 found within the Village Center Subarea; and
- J. The Town Council public hearing on February 15, 2018 was adequately noticed including the time and place by publication in the Telluride Daily Planet, a newspaper of general circulation; and
- K. The Comprehensive Plan amendment and its adoption complies with the requirements of Section 31-23-201 et seq. CRS; and
- L. The Town Council believes it is in the best interest of the Town that the site-specific policies for Parcel M Lot 30 be adopted as an amendment to the Comprehensive Plan.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE, COLORADO:

1. The Comprehensive Plan amendment attached as exhibit A, hereby is adopted by the Town Council, acting as the Planning Commission and also in its own right as the governing body of the Town pursuant to CRS 31-23-208.

2. The Comprehensive Plan amendment to the Mountain Village Comprehensive Plan as adopted hereby, does not otherwise modify any other map or plan. Town staff is hereby authorized to modify Number 13, Parcel M, Lot 30 to Parcel M (a part of OS1AR-3 and Lot 30) by adding site specific policies found on page 59 of the Comprehensive Plan and complete the final layout of the plan prior to the Mayor signing the official document. However, no substantive changes to the wording of the plan shall be made by Town staff.

3. That the action of the Town Council adopting the Comprehensive Plan amendment to the Mountain Village Comprehensive Plan shall be recorded on the Plan by the identifying signature of the Town Clerk.

4. A copy of the Resolution shall be attached to each copy of the Mountain Village Comprehensive Plan and shall serve as an attestation that each such copy is a true and correct copy of the Plan as adopted.

5. That an attested copy of the amendment Mountain Village Comprehensive Plan shall be and hereby is certified to the San Miguel County Board of Commissioners pursuant to Section 31-23-208, CRS.

6. Town staff shall be permitted to correct immaterial errors, typos and inconsistencies in the Town Hall Subarea Plan.

Approved by the Town Council at a public meeting February 15, 2018

Town of Mountain Village, Town Council

By _____
Laila Benitez, Mayor

Attest:

Jackie Kennefick, Town Clerk

Approved as to Form:

Jim Mahoney, Assistant Town Attorney

Amendment to comp plan:

Amend paragraph 13 on page 59 of the Comprehensive Plan shall be amended as follows:

“13. Parcel M (a part of OS1AR-3 and Lot 30)

- a. The flagship hotel, flag hotel operator and flag hotel site designations may apply at the discretion of Town Council after receiving a recommendation from the Design Review Board, should Parcel M be developed as a single parcel (Lot 30 and .419 acres of OS1AR3) Town Council may also consider other measures such as timeshares, fractional sales, condominium-hotel, front desk and amenity spaces for administering rental programs and boutique hotels among other measures and requirements along with traditional flagship hotel requirements in any development scenario including an independent Lot 30 development (meaning exclusive of any inclusion of the OS1AR portion of Parcel M) scenario or a Parcel M development scenario.
- b. The range of development on Parcel M shall be from 9 condominium units (which is currently allowed by right on the Lot 30 portion of Parcel M) to the full 102 total unit mixes for the entire Parcel M as shown on Table 7 Mountain Village Center Development Table (“Table 7”). Table 7 shall only be invoked in the event of proposed development of the entire Parcel M. The owner of Lot 30 may elect to bring forth to the Town an application, meeting all submittal requirements of the Town’s Community Development Code to develop Lot 30 independently or jointly as Parcel M. The Town Council shall have the sole discretion, after receiving a recommendation from the Design Review Board, pursuant to its Community Development Code, to determine if any proposed development scenario other than a by right development scenario is in the best interest of the community and whether such a scenario is appropriate for development independently on Lot 30 without invoking the requirements of Table 7. Otherwise, the Town Council shall consider the Community Development Code requirements as well as the Comprehensive Plan principles and policies in making such a determination.
- c. If an entire Parcel M development scenario, is proposed, then an increase in hotbeds, and mixed use development is required and shall then require a rezoning to the Village Center zone district in order to realize the Comprehensive Plan principles and policies.
- d. In the event that an independent Lot 30 development occurs in any manner (either by right or through a rezone and density transfer), the remainder of Parcel M (the OSP1AR-3 portion) may be developed either consistent with the existing underlying zoning or pursuant to rezone and density transfer as approved by the Town Council, so long as it meets such rezone and density transfer requirements and the Comprehensive Plan principles and policies. However, general conformance with the unit mix for Parcel M as shown on Table 7 Mountain Village Center Development Table shall not be applicable as that unit mix is only representative of an entire Parcel M development.

<u>Letter</u>	<u>Support</u>	<u>Not Support</u>	<u>Suspend</u>	<u>Other</u>	<u>Notes</u>
1 Delves	X				25 condos + 48 feet in height, encourage broader hot bed definition
2 Catsman	X				20 condos + 5-10 deed restricted units
3 Jensen			X		Lumiere model of development
4 Durham	X				25 condos + 48 feet in height
5 Ward		X			reduce below 25 condos and consistent heights with zoning 48'
6 Stenhammer			X		hot bed development important - don't fragment the parcel
7 Roer - Granita	X				supports 9-25 condos and 48 feet
8 Omotani - Granita	x				supports 9-25 condos and 48 feet
9 Ward					see above 2 emails with comments same general comments
10 Vanek	X				similar to aspen ridge supported
11 Eaton	X				similar to aspen ridge supported
12 Elinoff		X			ok with height and density in comp plan
13 Field	X				density and height in comp plan inappropriate, density proposed ok
14 MacIntire	X				flexible zoning 9 condos or up to 70 hotel or condo hotel units-remove flagship replace with "AAA 3 star or higher" - scrape condo-hotel rules
15 Tooley				X	support 48' height. If upzone then hotel, commercial and workforce housing discuss library and med center
16 Gilbert	X				comp plan height and density inappropriate - create a canyon
17 Gilbert	X				comp plan height and density inappropriate - too much hardscape loss of greenscape
18 Evans	X				waive comp plan requirement - proceed as requesting
19 Prohaska		X			hotel development important - if not here then where?
20 Jensen			X		keep option joint land use (lot 30 and TSG open space) for greater purpose future needs
21 Ezell	x				supportive of reducing density over what comp plan indicates
22 Granita	X				supports 9-25 condos and 48 feet
23 Gunty		x			existing zoning is adequate supports an amendment to consider different options on Lot 30, support reasonable height, more affordable housing
24 Pashayan	x				support reducing table 7 in comp plan
25 Capo	x				support comp plan amendment reduce height and density
26 Ullrich-Granita	x				support a comp plan amendment to remove flagship, reduce height density
27 Ward	x				support reducing mass table 7
28 Vankova	x				support lower density here
29 Omotani - Granita	x				

Michelle Haynes

From: rhdelves@aol.com
Sent: Thursday, October 12, 2017 12:49 PM
To: Michelle Haynes
Cc: rhdelves@aol.com
Subject: Parcel 30

Hi Michelle. Welcome to Mountain Village! I see that Lot 30 is again under discussion. You may not know, but I was significantly involved in the Comp Plan effort and it all got developed and approved while I was Mayor. I'm afraid the document did not really accurately capture the spirit or content of the some of the discussions at the time re: lot 30. Much of the give and take in the planning process was looking for possible places to increase density – specifically “hot bed” (hotel or similar use) density. Some large numbers were suggested as possible on several parcels including lot 30. But in the case of lot 30, a high hot bed density scenario was only envisioned as part of a larger project that would pull in active open space from the ski run to create a larger footprint AND would likely work in concert with the “Magic Carpet” parcel across the ski run to create a much larger project– and only through that combination would a flagged property become possible. It was never our intent to prohibit a medium density condo project on lot 30 and certainly not to prohibit by right development or force a flag.

In my opinion, a 25 unit condo development with a max height of 48 feet is probably the more appropriate development option here. The bottom line for the Comp Plan was to encourage more density in and near the core while preserving the low/medium density outside of the core. This parcel is on/near the core so more is good – but too much is probably too much. And, the world has changed – with VRBO-type options, condo projects increasingly perform like the “hot beds” envisioned in the Comp Plan – Aspen Ridge certainly does.

Hope that's helpful. If you'd ever like to sit down and debrief the Comp Plan let me know – my knowledge is getting dated, but I lived and breathed it for a few years.

Bob Delves
rhdelves@aol.com
970-708-4047

Michelle Haynes

From: Werner Catsman <werner@catsman.com>
Sent: Wednesday, October 11, 2017 8:34 PM
To: Michelle Haynes
Subject: Lot 30

Hi Michelle,

I hope you are enjoying your new role in the Mt. Village. I saw that there is an open house regarding Lot 30. Unfortunately, I'm extremely busy tomorrow and can't attend the forum but I've worked with a few different developers on a few concepts and wanted to give you my two cents.

It seems that the comprehensive plan has placed too much density on the lot and that the "build by right" doesn't offer quite enough to make the project viable.

From my perspective, this lot would be an ideal spot to get 20 plus condo units on it with perhaps an additional (5-10) deed restricted units. At a slightly larger density, I think it would be profitable enough to add more employee units and explore the potential of a public/private venture.

I also think that the ski access issue where I believe Telski is stating there is no access should be addressed as it is just silly to have a lot adjacent to the ski area that doesn't technically have access.

Those are my thoughts and I hope the open house goes well.

Thanks,
Werner Catsman
President
CL: 970 519 1379



Michelle Haynes

From: Jensen, Bill <bjensen@tellurideskiresort.com>
Sent: Thursday, October 12, 2017 12:37 PM
To: Michelle Haynes

Michelle, thank you for your time today. As I think through lot 30/M Zoning request I am curious why no one has thought about a Lumiere type condo hotel at that location. The goal of the comp plan was to generate more economic activity for the core of mountain village. A boutique condo hotel would provide condo sales for a developer, a hotel/hot beds for the community, increased economic vitality for the core and a good fit in the lot 30/M location.

Lumiere is a great reference point as the work group works through the village core study.

Another example of why we should defer the zoning decision on Lot 30 until we can review the comp plan in this public, group effort.

Bill

Sent from my iPhone

Michelle Haynes

From: Anton Benitez <anton@tmvoa.org>
Sent: Thursday, October 12, 2017 2:44 PM
To: Michelle Haynes
Cc: Anton Benitez
Subject: FW: Lot 30

Please add to Lot 30 public comment.

AB

From: tim durham [mailto:rtimdurham@gmail.com]
Sent: Thursday, October 12, 2017 1:52 PM
To: Anton Benitez <anton@tmvoa.org>
Subject: Lot 30

Hello Anton, the email, MHaynes@mtnvillage.org, does not work so I thought I would send it to you to pass on.

I have been a property owner in MV for 27 years and I write this to encourage the Town of MV to change the zoning of Lot 30 back to its original land use of a maximum height of 48' and a maximum of 25 units.

Thanks,

Tim Durham
512-422-1237

Michelle Haynes

From: Anton Benitez <anton@tmvoa.org>
Sent: Thursday, October 12, 2017 9:57 AM
To: Michelle Haynes
Cc: Anton Benitez
Subject: FW: Lot 30, Parcel M -- Public Comment

FYI Plz add to public comment.

AB

From: Stacie Ward [mailto:wards4@mac.com]
Sent: Thursday, October 12, 2017 9:56 AM
To: Anton Benitez <anton@tmvoa.org>
Subject: Fwd: Lot 30, Parcel M -- Public Comment

Hello Anton—

Here is the original email— thank you for reaching out on this issue. Now that I understand further what Mr. Huschke is asking, our concerns and objections would be:

1. The requested density increase from 9 units to 25 units is too great for Lot 30 given the size of the property (.6 acres).
2. The requested density increase would necessitate that the proposed structure be much higher than the current height restriction of 48 feet. A building of such great height and overall scale would not be in keeping with the existing character of the Aspen Ridge neighborhood. Our comments listed below still apply.

Thank you,
Stacie Ward

Begin forwarded message:

From: Stacie Ward <wards4@mac.com>
Subject: Lot 30, Parcel M -- Public Comment
Date: October 11, 2017 at 9:20:12 PM EDT
To: MHaynes@mtnvillage.org
Cc: anton@tmvoa.org

Dear Ms. Haynes,

We just received an email from Mr. Benitez about the Open House to discuss Lot 30-Parcel M, scheduled for tomorrow October 12th. My wife and I own Aspen Ridge #20 and would like to comment on the proposed re-zoning of Lot 30, but we are currently in Florida and will be unable to make the meeting in person. Please consider this email as our official input on the matter and include it with the other public comments.

While we understand the thinking and motivation behind the effort to increase the density and height restrictions currently associated with Lot 30-Parcel M, we are vehemently opposed to it coming to

fruition in the new Plan. In general, Lot 30-Parcel M appears too small to support such a large increase in density, and we question the necessity of the requested change as well. We are under the impression that at present, there are plenty of available hotel rooms in Mountain Village even during holidays, so adding more rooms at this juncture seems superfluous. Our more specific concerns and objections to the proposed changes include, but are not limited to:

1. Not in keeping with the residential character of the Aspen Ridge neighborhood. To increase the density of Lot 30-Parcel M from a handful of condominium units to a monstrous 108-hotbed structure is a huge leap in planning-- one unsupported by the historical zoning of the property and directly at odds with the residential character of the neighborhood. We bought in Aspen Ridge precisely for the fact that it felt like a true second home rather than just a vacation destination. While we like being close to the Village core, we did not purchase within the core because it's too developed and crowded for our taste. Aspen Ridge's location is perfect as it's close enough to the core's amenities, but far enough away for peace and quiet, with more open space.
2. Eyesore. Besides the general character of the Aspen Ridge neighborhood being adversely affected, the proposal to increase the height restriction of Lot 30-Parcel M to 78 feet is ill-advised for aesthetic reasons. The proposed hotel will dwarf all of the surrounding buildings and utterly spoil the charming approach to the Village core, as well as the immediately adjacent Aspen Ridge residential properties. The visual pollution presented by such an obtrusive structure contradicts the "unmatched beauty" marketed by Telski and the Mountain Village community.
3. Increased Traffic and Noise. The increased traffic and noise that would undoubtedly accompany such a large hotel structure would negatively impact the adjacent Aspen Ridge condominium owners. As stated above, Aspen Ridge is a residential area, and a respite from the commercialization that exists in the Village core. A large hotel structure existing in such close proximity to private residences would shatter the existing peaceful environment with too many people coming and going, constant deliveries, and increased noise levels. There can be no question that the heightened overall activity surrounding such a structure would adversely affect the Aspen Ridge owners' use and enjoyment of their residential properties that currently exists.
4. Interfering with reasonable investment-backed expectations of Aspen Ridge owners. In addition to adversely affecting our use and enjoyment, the above factors will likely negatively impact our condominium's property value. We, and other Aspen Ridge owners, paid a significant premium to be located slopeside with outstanding views and serene surroundings. An obtrusive hotel structure is simply out of place in the Aspen Ridge neighborhood, and will likely interfere with our reasonable, investment-backed expectations should we choose to sell in the future. While we think it's fantastic that Telski and the Mountain Village community are addressing future growth and development issues, it should not be done at the expense of residents whose investment is far greater than that of a lift ticket or a hotel stay.

Thank you in advance for your consideration of this matter, and please feel free to contact us if you have further questions.

Sincerely,

Tom Ward
Stacie Ward
Aspen Ridge, Unit 20
(727) 940-3469

Michelle Haynes

From: Robert Stenhammer <stenhammer@gmail.com>
Sent: Thursday, October 12, 2017 11:07 AM
To: Michelle Haynes
Cc: Kim Montgomery; Laila Benitez
Subject: Public Comment - Lot 30 Parcel M

Hi Michelle;

I am unable to attend the Open House today but here are my thoughts:

- My comments stem from the Comp Plan "*Road Map for the Future*" and specifically pg. 28 "*The Importance of Hotbeds for Envisioned Economic Vibrancy*" and the content in the following Economic Development section. To me, this is the most important section of the Comp Plan and holds the key to long-term Mountain Village success *and* destination success.
- As we look to the future, additional hotbeds are needed for the sustainability of Town revenue streams, village vibrancy, the success of our merchants, and the services and offerings that are required to give world-class resort experiences for our residents and guests.
- As you know, The Town of Telluride will unlikely be adding additional hot beds with significant density; additional hot bed development needs to occur in Mountain Village as we work to optimize our tourism economy.
- Lot 30 along with Parcel M and TSG Open Space represent a premiere hot bed development location in Mountain Village. With easy access off Mtn Village Blvd, Ski-In/Ski-Out capabilities, walking distance to the Village Core/Gondola and the golf course can all be possible with keeping to the Comprehensive Plan.
- In my opinion, fragmenting Lot30 and treating Parcel M separately with 25 condo units would be a fail in the face of the Comp Plan economic objectives and long-term visioning.

I understand TMV, TSG and TMVOA will soon be undertaking a Village Core Sub-Area Plan similar to the Town Hall plan. I would encourage this land be part of that process to understand in more detail the importance of this special parcel and how to best utilize it.

Thank you for your very capable service and contributions to Mountain Village.

Best Regards,

Robert Stenhammer
210 Sunnyridge PL
970-708-7771

Granita Homeowners Association

10/12/17

Comprehensive Plan Amendment Lot 30, Parcel M

Dear Michelle,

Thank you for your time today at the TMV open house regarding the Comprehensive Plan Amendment Lot 30, Parcel M.

As a multiple Mountain Village property owner and owner in the Granita Building and it's current President, Please allow this letter to serve as formal notice that we the Granita HOA and it's owners support The Huschke's proposed changes to the comp plan. We totally support their request to reduce the building height from 78' to 48', reduce the density from 102 units to between 9-25 units, and remove the requirement for a Flagship hotel.

Please do not hesitate to call at any time if I can be of any assistance whatsoever.

Respectfully,

A handwritten signature in black ink, appearing to be 'AR', with a long horizontal line extending to the right.

Albert Roer
President
Granita Condominium Owners Association

Michelle Haynes

From: Gmail Les Omotani <lmo8337@gmail.com>
Sent: Thursday, October 12, 2017 12:13 PM
To: Michelle Haynes
Cc: Gmail Les Omotani
Subject: COMPREHENSIVE PLAN AMENDMENT LOT 30 PARCEL M

Granita Homeowners Association

10/12/17

Comprehensive Plan Amendment Lot 30, Parcel M

Dear Michelle,

Regarding the Comprehensive Plan Amendment Lot 30, Parcel M.

As an owner in the Granita Building, Please allow this letter to serve as formal notice that we the Granita HOA and it's owners support The Huschke's proposed changes to the comp plan. We totally support their request to reduce the building height from 78' to 48', reduce the density from 102 units to between 9-25 units, and remove the requirement for a Flagship hotel.

Respectfully,

LES AND BARBARA OMOTANI

Granita Owner

Unit # 304

Les and Barbara Omotani

Les Omotani, Ph. D.
LMO8337@gmail.com

8337 N Lee Trevino Drive
Tucson, Arizona 85742

516 652 6278

Michelle Haynes

From: Stacie Ward <wards4@mac.com>
Sent: Wednesday, October 11, 2017 7:20 PM
To: Michelle Haynes
Cc: anton@tmvoa.org
Subject: Lot 30, Parcel M -- Public Comment

Dear Ms. Haynes,

We just received an email from Mr. Benitez about the Open House to discuss Lot 30-Parcel M, scheduled for tomorrow October 12th. My wife and I own Aspen Ridge #20 and would like to comment on the proposed re-zoning of Lot 30, but we are currently in Florida and will be unable to make the meeting in person. Please consider this email as our official input on the matter and include it with the other public comments.

While we understand the thinking and motivation behind the effort to increase the density and height restrictions currently associated with Lot 30-Parcel M, we are vehemently opposed to it coming to fruition in the new Plan. In general, Lot 30-Parcel M appears too small to support such a large increase in density, and we question the necessity of the requested change as well. We are under the impression that at present, there are plenty of available hotel rooms in Mountain Village even during holidays, so adding more rooms at this juncture seems superfluous. Our more specific concerns and objections to the proposed changes include, but are not limited to:

1. Not in keeping with the residential character of the Aspen Ridge neighborhood. To increase the density of Lot 30-Parcel M from a handful of condominium units to a monstrous 108-hotbed structure is a huge leap in planning-- one unsupported by the historical zoning of the property and directly at odds with the residential character of the neighborhood. We bought in Aspen Ridge precisely for the fact that it felt like a true second home rather than just a vacation destination. While we like being close to the Village core, we did not purchase within the core because it's too developed and crowded for our taste. Aspen Ridge's location is perfect as it's close enough to the core's amenities, but far enough away for peace and quiet, with more open space.
2. Eyesore. Besides the general character of the Aspen Ridge neighborhood being adversely affected, the proposal to increase the height restriction of Lot 30-Parcel M to 78 feet is ill-advised for aesthetic reasons. The proposed hotel will dwarf all of the surrounding buildings and utterly spoil the charming approach to the Village core, as well as the immediately adjacent Aspen Ridge residential properties. The visual pollution presented by such an obtrusive structure contradicts the "unmatched beauty" marketed by Telski and the Mountain Village community.
3. Increased Traffic and Noise. The increased traffic and noise that would undoubtedly accompany such a large hotel structure would negatively impact the adjacent Aspen Ridge condominium owners. As stated above, Aspen Ridge is a residential area, and a respite from the commercialization that exists in the Village core. A large hotel structure existing in such close proximity to private residences would shatter the existing peaceful environment with too many people coming and going, constant deliveries, and increased noise levels. There can be no question that the heightened overall activity surrounding such a structure would adversely affect the Aspen Ridge owners' use and enjoyment of their residential properties that currently exists.
4. Interfering with reasonable investment-backed expectations of Aspen Ridge owners. In addition to adversely affecting our use and enjoyment, the above factors will likely negatively impact our condominium's property value. We, and other Aspen Ridge owners, paid a significant premium to be located slopeside with outstanding views and serene surroundings. An obtrusive hotel structure is simply out of place in the Aspen Ridge neighborhood, and will likely interfere with our reasonable, investment-backed expectations should we choose to sell in the future. While we think

it's fantastic that Telski and the Mountain Village community are addressing future growth and development issues, it should not be done at the expense of residents whose investment is far greater than that of a lift ticket or a hotel stay.

Thank you in advance for your consideration of this matter, and please feel free to contact us if you have further questions.

Sincerely,

Tom Ward
Stacie Ward
Aspen Ridge, Unit 20
(727) 940-3469

10/11/2017

To Town of Mountain Village

Re: Lot 30 M

This lot is such a lovely lot – and still has some Aspen trees that are becoming more and more valuable around Mountain Village.

Our visitors come here for the beauty first, and second, hiking and outdoor activities, skiing, etc. And only after that come hotels and various amenities. I This I hear year round on the Gondola, from many visitors from all over the US and the world.

So I would urge all parties involved to consider a project similar to Aspen Ridge, as that **would not block our most valuable asset – the views !**

It would also be lovely to have these open houses after working hours, so we, the working residents could actually participate. It is nice these are held, but during workday you are only getting fairly small percentage of residents. When meetings were held after work on the Meadows project Town Hall was packed. Please consider this for the next scheduled open houses.

Thank you for considering my comments,

Jolana Vanek, 19 Boulders Way

Michelle Haynes

From: Brian Eaton <bingo.eaton@cox.net>
Sent: Wednesday, October 11, 2017 9:35 PM
To: Michelle Haynes
Subject: Re: Lot 30 M

Michelle,

Thanks for the info. We certainly do no longer need hotel sites to add to the 4-5 we already have and cannot find developers for. As it appears our condo availability is easing,,something that aligns itself with Aspen Ridge would be a great plan. Low density on a premier location.

But, it is time to start carefully controlling our growth. The days of BUILD,BUILD, BUILD are long gone, and we all lost lots of equity in our own homes during this time.

Every development needs to prove that; it is worthy of our Village, and WILL NOT detract from the beauty of its surroundings!

We need to plan like the Swiss, the mountains are more important and nature cannot be improved here!

Brian Eaton

Sent from my iPad

> On Oct 11, 2017, at 3:07 PM, Michelle Haynes <MHaynes@mtnvillage.org> wrote:

>
> Brian:
>
> There is no secrecy, hence a public meeting and open house!
>
> Here is the worksession memo from August and a pdf of some slides we'll show tomorrow.
>
> Let me know if you have any additional questions.
>
> Thank you!

>
> Michelle Haynes, MPA
> Planning and Development Services Director Town of Mountain Village
> 455 Mountain Village Blvd. Suite A
> Mountain Village, CO 81435
> O:: 970-239-4061 - PLEASE NOTE NEW OFFICE PHONE NUMBER
> M:: 970-417-6976
> mhaynes@mtnvillage.org

>
>
> Email Signup | Website | Facebook | Twitter | Pinterest | Videos On
> Demand

>
> -----Original Message-----

> From: Brian Eaton [mailto:bingo.eaton@cox.net]
> Sent: Wednesday, October 11, 2017 4:06 PM
> To: Michelle Haynes <MHaynes@mtnvillage.org>

> Subject: Lot 30 M

>

> Michelle, so why all the secrecy. We would like some background info as this is a very special location.

> Thanks,

> Brian Eaton

> 104 Gold Hill Ct

>

> Sent from my iPad

> <Lot 30 Parcel m ppt.pdf>

> <20170808 Lot 30 Comp Plan Amendment Worksession Memo revised.pdf>

Michelle Haynes

From: Michelle Haynes
Sent: Wednesday, October 11, 2017 6:32 PM
To: neal elinoff
Subject: Re: meeting tomorrow 10 - noon

Thanks for your comments Neal. I will incorporate them.

Michelle Haynes

Sent from my iPhone

On Oct 11, 2017, at 4:56 PM, neal elinoff <nealelinoff@gmail.com> wrote:

Hi Michelle,

I own a Blue Mesa Condo that is impacted by this and I'm okay with increasing density and the height to the new height of 70 feet. I think it's fine. And I have a condo that would be impacted but it's important to get some more people into the core and get some greater vitality.

Sincerely,

Neal Elinoff *president*

Elinoff & Co. Gallerists and Jewelers

204 West Colorado Ave.

PO Box 2846

Telluride, CO 81435

work: 970-728-5566; fax: 970-728-5950; cell: 970-708-0679



Comprehensive Plan Amendment Lot 30, Parcel

Please provide your comments on the Comprehensive Plan Amendment

NAME SALLY FIELD

Email SALLYFIELD@MVCABLE.NET

PLEASE PROVIDE YOUR COMMENTS:

1. THE PROPOSED 102 UNITS SUGGESTED BY
COMP PLAN IS CONSIDERED VERY
INAPPROPRIATE FOR THIS SITE, (UNREALISTIC
AND POTENTIALLY DAMAGING TO NEIGHBORING
PROPERTY) THE IDEA IS NOT A GOOD ONE.
THE CURRENT ZONING IS SUPPORTED BY
NEIGHBORS, SITE SIZE & MARKET. A
SLIGHT INCREASE IN DENSITY WITH APPROPRIATE
DESIGN MAY BE SUPPORTED AS WELL.

NAME _____

Email _____

PLEASE PROVIDE YOUR COMMENTS:



Comprehensive Plan Amendment Lot 30, Parcel

Please provide your comments on the Comprehensive Plan Amendment

NAME Bruce McIntire

Email brucem@luxwest.com

PLEASE PROVIDE YOUR COMMENTS:

- Lot 30 could have flexible zoning allowing for 9 condos or up to ~70~ hotel or condo-hotel units. It takes about 70 hotel units to support minimal management.
- SCRAP THE EXISTING CONDO-HOTEL RULES
- REPLACE THE WORD "FLAGSHIP" WITH THE TERM - "AAA 3-STAR OR HIGHER" ON MOST HOTEL SITES

NAME _____

Email _____

PLEASE PROVIDE YOUR COMMENTS:



Comprehensive Plan Amendment Lot 30, Parcel

Please provide your comments on the Comprehensive Plan Amendment

10/12/2017

NAME Douglas Tooley

Email douglas@tooleytools.com

PLEASE PROVIDE YOUR COMMENTS:

I support the 48' high building envelope,
BUT the use of the additional space
gained from the upzone should have
specific substantial non-condo uses
including commercial & work force housing.
The Med Center & Library should also be discussed.

NAME _____

Email _____

PLEASE PROVIDE YOUR COMMENTS:

(like hotel)



Comprehensive Plan Amendment Lot 30, Parcel

Please provide your comments on the Comprehensive Plan Amendment

NAME Jan H Gilboer

Email jan.gilboer@villagearchitect.com

PLEASE PROVIDE YOUR COMMENTS:

IT APPEARS TO ME THAT THE CONCEPT IS TOTALLY INAPPROPRIATE FOR LOT 30. THE SOLAR STUDY ^{Block of} 102 VIEWS IS 180° FROM WHAT MOUNTAIN VILLAGE STANDS FOR. THE DENSITY FOR 60 AC IS TOTALLY UNACCEPTABLE FROM THE LOT AND KILLS THE ENTIRE LOT LINE TO THE STREET AND DEVELOPS A CANYON ALONG THE STREET ~~AND~~ PARTICULARLY WITH A 78' ALLOWANCE FOR HEIGHT. LIGHT, VIEWS & DENSITY DO NOT ALLOW PROPER USE OF THE LOT. THERE IS NO UNDERSTANDING OF UTILITIES FOR THE SITE; NO SEWER, WATER, POWER ETC ARE THOUGHT ABOUT.

NAME _____

Email _____

PLEASE PROVIDE YOUR COMMENTS:

All-in-all the proposal is inappropriate.



Comprehensive Plan Amendment Lot 30, Parcel

Please provide your comments on the Comprehensive Plan Amendment

NAME Sandra Gilbert

Email svqnm@comcast.net

PLEASE PROVIDE YOUR COMMENTS:

The proposed density is so far outside the established density in the immediate area that it is ludicrous. Impacts to views, sun and natural light, air circulation, sewer ~~and~~ water & electrical service will be monumental. Current zoning of 11 units is appropriate. Established property values will be negatively impacted to the benefit of the developer who takes the money and leaves in place owners to

NAME _____

Email _____ ^{experience}

PLEASE PROVIDE YOUR COMMENTS:

beat the burden.
City level density is not appropriate in a residential neighborhood. The arrival in Mountain Village will be adversely affected by a monolithic building imposed in the midst of the current established height limitations. The elimination of easements is contrary to a focus on the environment and moving into a concrete jungle aesthetic - is this the future of Mountain Village?



Comprehensive Plan Amendment Lot 30, Parcel

Please provide your comments on the Comprehensive Plan Amendment

NAME PHIL EVANS

Email pboe43@aol.com

PLEASE PROVIDE YOUR COMMENTS:

RECOMMEND TO CONSIDER WAIVING COMP. PLAN
REQM'T ON LOT 30, AND INSTRUCT DEVELOPER
TO PROCEED WITH EXISTING ZONING APPLICATION
(WITH VARIANCES & INCREASED DENSITY AS DESIRED)

NAME P. EVANS

Email _____

PLEASE PROVIDE YOUR COMMENTS:

COUNCIL SHOULD NOT AGREE TO NEW ZONING
WITHOUT DRB REVIEW & INVOLVEMENT



Comprehensive Plan Amendment Lot 30, Parcel

Please provide your comments on the Comprehensive Plan Amendment

NAME Martinique Prohaska

Email martinique.davis@gmail.com

PLEASE PROVIDE YOUR COMMENTS: I do believe there needs to be long-range thinking when considering the future of this lot, as it is one of the last/best areas for development of a Flagship hotel. While our current economic climate may not indicate the need for more "hot beds," we are a top-ranked, world-class resort that should envision such development in the future. To support this amendment, I would want to see other opportunities for hotel development in the commercial core explored.

NAME _____

Email _____

PLEASE PROVIDE YOUR COMMENTS:

Michelle Haynes

From: Jensen, Bill <bjensen@tellurideskiresort.com>
Sent: Thursday, October 12, 2017 4:30 PM
To: Michelle Haynes
Subject: RE: Lot 30 Parcel M Public Comments - Open House

These are the verbal comments I shared with Michelle at the open house.

TSG, as an adjacent land owner, has had no interactions with the lot 30 owners or their representative John Horn. Given the common lot lines, one would think the lot 30 owners or their representative would have reached out to TSG at a minimum with a neighborly heads up on what they were hoping to achieve in a rezoning.

The last interaction TSG had with the lot 30 owners was in 2014 when TSG granted the lot owners an access easement (previous to that Lot 30 had no access).

A rezoning of lot 30 without considering the potential use of TSG open space in that location that could allow for use of density over a broader footprint and perhaps would allow for an overall height reduction seems premature. Without the ability to work together on options the only remaining development use for TSG's open space according to the land plan is affordable housing.

While the comp plan density associated with Parcel M (the designation for the combination of lot 30 and TSG open space) is significant, given the increased land mass, there may be options or variations that better meet the current and future needs of Mountain Village.

Given the Town of Mountain Village and TMVOA are initiating a working group to study the Village core it would seem appropriate to defer a rezoning decision and allow that working group six months to look at the Mountain Village core in its entirety and how lot 30/Parcel M options that may better serve the future of the core area.

Bill Jensen

From: Michelle Haynes [mailto:MHaynes@mtnvillage.org]
Sent: Thursday, October 12, 2017 3:52 PM
To: Jensen, Bill <bjensen@tellurideskiresort.com>
Subject: RE: Lot 30 Parcel M Public Comments - Open House

Bill:

Yes, verbal comments are harder to summarize succinctly. I did not summarize anyone's verbal comments. Would you like to provide them now via email and I can amend the public comments? Happy to do so. Just let me know.

Michelle Haynes, MPA
Planning and Development Services Director
Town of Mountain Village
455 Mountain Village Blvd. Suite A
Mountain Village, CO 81435
O:: 970-239-4061 – PLEASE NOTE NEW OFFICE PHONE NUMBER
M:: 970-417-6976
mhaynes@mtnvillage.org



[Email Signup](#) | [Website](#) | [Facebook](#) | [Twitter](#) | [Pinterest](#) | [Videos On Demand](#)

From: Jensen, Bill [<mailto:bjensen@tellurideskiresort.com>]
Sent: Thursday, October 12, 2017 3:48 PM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Subject: RE: Lot 30 Parcel M Public Comments - Open House

Michelle, saw you included my follow up email comment but you did not include my as important verbal comments to you during the open house.

Bill

From: Michelle Haynes [<mailto:MHaynes@mtnvillage.org>]
Sent: Thursday, October 12, 2017 3:30 PM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Subject: Lot 30 Parcel M Public Comments - Open House

Please see the attached public comments from today's open house.

If I receive more, and I expect that I may, I will forward those along as well.

Thank you.

Michelle Haynes, MPA
Planning and Development Services Director
Town of Mountain Village
455 Mountain Village Blvd. Suite A
Mountain Village, CO 81435
O:: 970-239-4061 – PLEASE NOTE NEW OFFICE PHONE NUMBER
M:: 970-417-6976
mhaynes@mtnvillage.org



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Michelle Haynes

From: Dave Ezell <DEzell@sigmasupply.com>
Sent: Friday, October 13, 2017 12:37 PM
To: Michelle Haynes
Cc: nickiezell1@yahoo.com; bkjack@rmi.net
Subject: FW: Comprehensive Plan Amendment Lot 30, Parcel M
Attachments: 20171012113445580.pdf; ATT00001.htm

Please note that as owners of Granita 204 we are in support of reducing the density of this proposed building as Darrell Huschke notes in his attached letter.

Thank you!

Dave Ezell
Sigma Supply of North America Inc.
3316 Towson Avenue
Fort Smith, AR 72901
800-785-0367
479-785-0367
479-785-0368 (FAX)
479-459-7028 (Cellular)
dezell@sigmasupply.com

www.sigmasupply.com

From: Nicki Ezell [nickiezell1@yahoo.com]
Sent: Friday, October 13, 2017 1:16 PM
To: Dave Ezell
Subject: Fwd: Comprehensive Plan Amendment Lot 30, Parcel M

Sent from my iPhone

Begin forwarded message:

From: "Marcy Pickering" <marcy@peakpropertytelluride.com>
Date: October 13, 2017 at 12:28:44 PM CDT
To: <marcy@peakpropertytelluride.com>, <office@peakpropertytelluride.com>
Subject: **FW: Comprehensive Plan Amendment Lot 30, Parcel M**

Granita Owners,

Please see below, and if you have any additional questions, please don't hesitate to contact me.

Thank you,
Marcy Pickering
President/Owner
Peak Property Management & Maintenance Inc.

100 Aspen Ridge Dr.
Telluride, CO 81435
Office: 970-729-0178
Fax: 970-728-0998

Marcy,

Please forward this email and the attachment to all the Granita owners so that they can write their own letter in support of the Huschke's proposal. They can send an email to Michelle Haynes TMV Town Planner @ mhaynes@mtnvillage.org

Granita Homeowners Association

10/12/17

Comprehensive Plan Amendment Lot 30, Parcel M

Dear Michelle,

Regarding the Comprehensive Plan Amendment Lot 30, Parcel M..

As an owner in the Granita Building, Please allow this letter to serve as formal notice that we the Granita HOA and it's owners support The Huschke's proposed changes to the comp plan. We totally support their request to reduce the building height from 78' to 48', reduce the density from 102 units to between 9-25 units, and remove the requirement for a Flagship hotel.

Respectfully,

Granita Owner
Unit #

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Michelle Haynes

From: Murry Gunty <mgunty@blackstreetcapital.com>
Sent: Wednesday, October 18, 2017 8:51 AM
To: Michelle Haynes
Subject: Lot 30 feedback

It seems to me that there is no shortage of condos for sale in Mountain village. The proposal to increase the number of units to up to 25 seems unnecessary to me. the existing zoning should be sufficient for them. I hope this feedback is helpful.

--

Murry Gunty
CEO
Blackstreet Capital
5425 Wisconsin Ave, Suite 701
Chevy Chase, MD 20815
240 223 1333
mgunty@blackstreetcapital.com

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Michelle Haynes

From: Angela Pashayan <info@angalapashayan.com>
Sent: Wednesday, October 18, 2017 11:33 AM
To: Michelle Haynes
Subject: Lot 30

Thank you for the information on Lot 30 in the Mountain Village.

It is my opinion that the lot is located in a prime location for development of a small boutique hotel encroaching past the Lot lines into Telski property per their agreement, with a few local housing units included as a trade off. It would bring more amenities to our Mountain Village and offer much needed local housing. Four to five units of local housing is better than nothing at all.

I am literally typing this while riding on the off season goose to town..... listening to the driver explain to a group of visitors that Mountain Village is in the midst of a housing crunch. The visitors replied, "how can the Mountain Village sustain itself going forward "? The driver provided no answer.

In regards to planning and zoning, I am 'for' amending the comprehensive plan to allow consideration of different types of developments on Lot 30 while the Mountain Village retains the right to accept or deny proposals of development. This may lead to contingent offers to purchase the land delaying the sell, however the sellers can always choose to sell at any time under the existing planning & zoning codes that I believe allow for an 8 unit condo building.

If a contingent offer is accepted for the larger footprint development, I would be against a height past 3 stories (approx. 35-40 ft. high).

My last comment for consideration is on the stipulations for including local housing units; that there be configurations offered for families and singles, and that the hotel may not bring in 'their own' occupants/employees to fill those units. We have qualified people here waiting for solid opportunities to work.

Thank you for considering my views on this important matter of planning and development in Mountain Village.

--



A development of this scale on this site is an outrage ! Lot 30 cannot absorb something of this magnitude . Traffic and parking impacts will be intolerable and frankly dangerous. Proposed height and density will violate the quiet enjoyment rights of the longstanding residents of Aspen Ridge . I strongly urge the Mountain Village Owners Association reject this proposal .
Allowing excessive density in a development to rectify an economic result would be irresponsible on the part of the Association . Any development on this site needs to contemplate a more sensible usage that is compatible with its neighbors and will not be totally disruptive to the surroundings as this will certainly be.
I hope that reason will prevail and that MVOA will prevent the destruction of this important neighborhood that has been a jewel of Mountain Village for years .

Peter Capobianco , resident of Aspen Ridge

From: Anton Benitez, TMVOA Executive Director <anton@tmvoa.org>

Sent: Wednesday, October 11, 2017 6:40:55 PM

To: petercapo@hotmail.com

Subject: Lot 30 Open House, Ballot Issue 1A

No Images? [Click here](#)



TOMORROW: Lot 30, Parcel M – Open House

The Town is holding an open house to discuss and gather public input on a Comprehensive Plan Amendment to [Lot 30, Parcel M](#) on Thurs., Oct 12, 10 a.m. – 12 p.m. at Town Hall. The site is located across the street from the Granita Building and adjacent to the Aspen Ridge development.

Public input is a key component of any comprehensive plan and comprehensive plan amendment. Town Council will consider the comprehensive plan amendment at their Nov

Michelle Haynes

From: Steven Ullrich <sullrich2@yahoo.com>
Sent: Friday, October 13, 2017 12:34 PM
To: Michelle Haynes
Subject: Regarding the Comprehensive Plan Amendment Lot 30, Parcel M.

Granita Homeowners Association

10/13/17

Comprehensive Plan Amendment Lot 30, Parcel M

Dear Michelle,

Regarding the Comprehensive Plan Amendment Lot 30, Parcel M.

As an owner in the Granita Building, Please allow this letter to serve as formal notice that we the Granita HOA and its owners support The Huschke's proposed changes to the comp plan. We totally support their request to reduce the building height from 78' to 48', reduce the density from 102 units to between 9-25 units, and remove the requirement for a Flagship hotel.

Respectfully,

Steven Ullrich

Granita Owner

Unit # 202

Michelle Haynes

From: Marty <mmhuschke@aol.com>
Sent: Saturday, October 14, 2017 5:30 PM
To: jhorn@rmi.net; Michelle Haynes
Subject: Fwd: Lot 30 Mountain Village

Begin forwarded message:

From: Stacie Ward <wards4@mac.com>
Date: October 14, 2017 at 4:11:24 PM MST
To: Marty <mmhuschke@aol.com>
Subject: Re: Lot 30 Mountain Village

Hello Darrell—

Thank you for emailing to clarify your position, as the documents attached to the TMVOA email were a bit unclear as to your request and the current restrictions. We support your efforts to develop Lot 30 if the interests of Aspen Ridge owners are ultimately protected and the character of the immediate neighborhood is retained.

Specifically, we support:

1. The removal of the flagship requirement from Lot 30/Parcel M under the Comprehensive Plan;
2. The reduction in height and density of Lot 30/Parcel M under the Comprehensive Plan (down from 78 feet and 102 units, respectively);
3. Developing Lot 30 (or the Lot 30/Parcel M combination) in keeping with the current character of the Aspen Ridge neighborhood (i.e., multi-family only).

However, we do have these concerns:

1. Density request of up to 25 condominium units on the Lot 30/Parcel M is too great. We are skeptical that 25 condominium units (or anything approaching that number) could be constructed on Lot 30/Parcel M and still be in keeping with the character of the Aspen Ridge community. It seems that amount of density would require a very large and tall structure, and be at odds with the townhouses of Aspen Ridge.
2. We would not support a hotel or a commercial, non-residential structure of any kind on Lot 30/Parcel M, whether mixed-use or hybrid approach, irregardless of the removal of the flagship requirement. Therefore, we do not agree with or support the following Staff recommendation:
 - "it is in the town's best interest to incentivize a greater unit number with a hybrid approach to hotel bed base (hotel, hotel efficiency, condominium-hotel, lodge, efficiency lodge, or property management/rental pool requirements) without the flagship hotel requirement, consistent with a lot that has historically been treated as a transition lot between two zone districts."

We hope you and the town can come to an agreement on this, and that you will be allowed to sell/develop Lot 30 in such a way that also protects the interests and investments of all Aspen Ridge owners, as well as the residential character of our neighborhood.

Thanks again for emailing,
Stacie and Tom Ward

On Oct 13, 2017, at 4:15 PM, Marty <mmhuschke@aol.com> wrote:

October 13, 2017

Dear Tom and Stacy,

I wanted to be sure that you understand that I am trying to REDUCE the height limit and density on Lot 30 to protect the owners and character of Aspen Ridge. The 78.5 height and 102 unit requirements were imposed on my property by the Comprehensive Design Plan. I am asking for a height and density consistent with our neighborhood.

If you wish to discuss any other aspects of Lot 30, I would be happy to talk with you. (602) 616-9876

Thank you for being a concerned resident of Aspen Ridge.

Sincerely,

Darrell Huschke
Developer of Aspen Ridge
Owner of Lot 30 and AR Unit 18

Michelle Haynes

From: Laila Benitez
Sent: Saturday, October 14, 2017 3:24 PM
To: Michelle Haynes
Cc: jolanavanek@yahoo.com
Subject: Fwd: Lot 30, Parcel M Comprehensive Plan Amendment Open House, October 12
Attachments: Aspen Ridge Comment.docx; ATT00001.htm

Hi Michelle,
Please see Jolana's email feedback below.
Thanks,
LB

Sent from my iPhone

Begin forwarded message:

From: JOLANA VANKOVA <jolanavanek@yahoo.com>
Date: October 14, 2017 at 2:17:35 PM MDT
To: Town of Mountain Village <lailabenitez@mtnvillage.org>
Subject: Lot 30, Parcel M Comprehensive Plan Amendment Open House, October 12
Reply-To: JOLANA VANKOVA <jolanavanek@yahoo.com>

Dear Laila,

I had clients Thursday morning so I only dropped in for about 3 minutes. My comment is attached.

Even the TMV founder Ron Allred said during a meeting that he would not build the Peaks that size today. Let's not block this amazing last part of views and trees by huge hotel as we have done with the Peaks 20 plus years ago.

All I had a chance to speak with , specially riding on the Gondola approaching from town hall felt that something like "Aspen Ridge phase 2" would look appropriate.

Thank you
Jolana Vanek

From: Town of Mountain Village <bkight@mtnvillage.org>
To: Jolana Vanek <jolanavanek@yahoo.com>
Sent: Wednesday, October 11, 2017 12:51 PM
Subject: Lot 30, Parcel M Comprehensive Plan Amendment Open House, October 12

Mountain Village Seeks Community Input

No Images? [Click here](#)



RESIDENTS

BUSINESSES

GOVERNING

EVENTS

Comprehensive Plan Amendment Lot 30, Parcel M

OPEN HOUSE



SEEKING COMMUNITY INPUT

Thursday, October 12
10 a.m. to 12 p.m.
Mountain Village Town Hall

The Town of Mountain Village is holding an open house to discuss a comprehensive plan amendment to Lot 30, Parcel M. Public input is a key component of any comprehensive plan and comprehensive plan amendment. Coffee and pastries will be served!

For more information or to provide written public comment, contact Planning and Development Services Director, Michelle Haynes at MHaynes@mtnvillage.org

SUGGESTED RSVP

From: [L.Omotani](#)
To: [Michelle Haynes](#)
Cc: [Les M. Omotani](#)
Subject: Re: Parcel M, Lot 30 Comprehensive Plan Amendment, Village Center Subarea
Date: Saturday, January 13, 2018 7:22:43 AM

Hi Michelle

Thanks for this update

We continue to support what we understood to be the existing owners plans to develop Lot 30 as small density condo/town homes. We are not supportive of the expanded high density hotel with multi story height allowances. This is NOT what we were told when we purchased our Granita condo.

When the Madeline hotel was built restricting existing mountain views we were told by village planners that we would continue to have our down valley MEADOWS views without obstruction.

Thanks for continuing to keep us informed

Les Omotani

Granita 304

Sent from my iPad

On Jan 11, 2018, at 3:50 PM, Michelle Haynes <MHaynes@mtnvillage.org> wrote:

Dear Community Members:

The design review board (DRB) will be providing a recommendation to town council and the town council will consider a comprehensive plan amendment to parcel M, lot 30, Village Center Subarea. The DRB recommendation will occur on February 1st and the town council will consider a proposed amendment on February 15th.

Draft and preliminary materials can be found at the following link:

<https://townofmountainvillage.com/governing/building-development/current-planning/>

Please also note that the materials associated with the proposed comprehensive plan amendment will be **updated** by January 19, 2018 and town council may consider edits or revisions prior to and at the town council meeting.

I am providing this email to you as a courtesy because you either participated in the open house, provided public comment or otherwise expressed interest in this process.

Do not hesitate to contact me if you have any additional questions.

With regard,

Michelle Haynes, MPA
Planning and Development Services Director
Town of Mountain Village
455 Mountain Village Blvd. Suite A
Mountain Village, CO 81435
O:: 970-239-4061 – *PLEASE NOTE NEW OFFICE PHONE NUMBER*
M:: 970-417-6976
mhaynes@mtnvillage.org



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**COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**
455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 728-1392

Agenda Item #13

TO: Town Council

FROM: Michelle Haynes, Planning and Development Services Director

FOR: Meeting of August 17, 2017

DATE: July 28, 2017

RE: **Worksession regarding a Comprehensive Plan Amendment for Lot 30, Parcel M**

Worksession Summary

The purpose of the worksession is to discuss amending the existing unit and density designations contained within the Mountain Village Comprehensive Plan for Lot 30, Parcel M. Only the Town Council can initiate a Comprehensive Plan amendment pursuant to the Community Development Code (CDC) Section 17.1.5.E.

Attachments

- Context Map

Geography and Existing Use

Lot 30 is located adjacent to the Aspen Ridge multi-family condominium development on the west and south side of Mountain Village Boulevard and across from the Granita mixed use development to the east and Tramontana multi-family development to the south (See Attachment Context Map). Lot 30 is a vacant lot, except for a commercial area in a small building that exists on the southwest corner of the lot. It is zoned Multi-Family although recognized in the Comprehensive Plan as part of the Mountain Village Center Subarea. The Mountain Village Center Subarea is substantially comprised of the Village Center Zone District (VC) with some variation outside of the VC zone district boundary to include Lot 30 zoned multi-family, the Sunny Ridge and Lookout lots zoned multi-family, and Mountain Village Blvd lots zoned single-family on the south and north boundaries of the VC zone district .

Lot 30 Community Development Code Data:

	Community Development Code (CDC)
Zoning	Multi-Family
Lot Size	.60 acres
Maximum Allowable Height	48 feet
Lot Coverage	65%
Current Zoning	9 Condominiums 2 Employee Apartments Commercial Use (per Resolution No. 2012-0426-07)

Site Background

When originally platted at Reception No. 233115 in 1984, Lot 30 was designated a condominium lot with an allocation of four (4) units. The Town approved an increase in density to 14 condominium units (1988) and then a later rezoned to single family (1991). Today the densities are approved at nine (9) condominium units, two (2) employee apartments and commercial (2012). A replat of Lot 30 and Lot 11 occurred in 1996 resulting in a lot size increase from .452 acres to .60 that included a portion of contiguous open space. The lot is not encumbered with General Easements.

2014 Comprehensive Plan

The Comprehensive Plan was adopted in 2011 and included Principals, Policies and Actions related to a number of subareas and parcels contained within each subarea. Lot 30 is indicated as 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.

Although outlined in Table 7. Below, Lot 30, Parcel M contains no additional site specific policies in the Comprehensive Plan. See excerpt from Table 7. Mountain Village Development Table specific to Parcel M Lot 30 below:

Parcel M Lot 30	Target Maximum Building Height	Target Hotbed Mix	Target Condo Units	Target Dorm Units*	Target Restaurant/Commercial Area	Total Target Units
	78.5	88	12	2	0	102

Additional Background

In 2014, Town Council held a worksession with a potential buyer of Lot 30 to rezone the property for a proposed multi-family project from 9 to 15 condominium units. The following bullet points summarize the prior worksession:

- Staff supported the Comprehensive Plan as written and did not otherwise support the rezone worksession premise because it was not consistent with the Comprehensive Plan.
- In order for the owner of Lot 30 to redevelop consistent with the Comprehensive Plan, the owner of Lot 30 must consolidate ownership with TSG. As a worksession outcome, the applicants were asked to talk with TSG regarding redevelopment of the properties consistent with the Master Plan. The talks with TSG did not result in the desired Comprehensive Plan direction to the owner's satisfaction. There has been no development activity on the property since 2014.
- The owner indicated that the number of units increased from 22 units to 102 units during the Comprehensive Plan process very late in the adoption process and only after the intended densities on Boomerang and the Comanche sites were abandoned. The owner of Lot 30 did not receive notice regarding the unit number increase.
- The owner could otherwise develop 9 Condominium Units as a by right scenario but any development scenario that varies with this proposal otherwise needs to be consistent with the Comprehensive Plan.
- It is generally understood that if a lot consolidation between Lot 30 and the TSG active open space parcel does not occur, Lot 30 cannot accommodate the densities outlined in the Comprehensive Plan.

Staff Analysis

Staff is supportive of a Comprehensive Plan amendment for Lot 30, Parcel M for the following reasons:

- Lot 30 functions as a transition lot between the Aspen Ridge condominium development (multi-family zoning), and the Village Center, zoned for high density, multi-use and hot-bed development. This is evidenced by development history on the lot along with its treatment in the Comprehensive Plan. Flexibility in zoning, uses and units can be encouraged on this lot with the associated appropriate town approvals.
- The 102 unit numbers outlined for Lot 30, Parcel M provided for in the Comprehensive Plan require cooperative efforts with TSG that may or may not be achievable in order to comply with the Comprehensive Plan. The fundamental nature of a Comprehensive Plan is to provide an aspiration that is achievable for the town and a property owner. The Comprehensive Plan for Lot 30, Parcel M does not currently provide adequate flexibility and/or aspiration for the owners of Lot 30 and within the area of Parcel M.
- Although the owner could construct nine (9) condominium units and two (2) apartment efficiencies consistent with the development pattern of the adjacent Aspen Ridge condominium development and the underlying zoning, it is in the town's best interest to incentivize a greater unit number with a hybrid approach to hotel bed base (hotel, hotel efficiency, condominium-hotel, lodge, efficiency lodge, or property management/rental pool requirements) without the flagship hotel requirement, consistent with a lot that has historically been treated as a transition lot between two zone districts. The discussion of the right range and mix of units as well as other details can occur during a Comprehensive Plan amendment to Lot 30, Parcel M.

/mbh

Context Map: Lot 30, Parcel M



To: Mountain Village Town Council
 From: John Horn
 Real Estate Consultant On Behalf of Marty and Darrell Huschke
 Date: February 9, 2018
 Re: Parcel M Comp Plan Amendment
 -Background Information

The purpose of this memorandum is to provide a record of background information related to the above matter that is scheduled to be discussed at the Town Council meeting scheduled for February 15, 2018.

When Marty and Darrell Huschke bought Lot 30 in 1995 the property rights they acquired that are relevant to the proposed amendment were the following:

1. A piece of land.
2. Right to build to Town imposed building height.
3. Right to build to any Town imposed setbacks.
4. Right to seek a rezoning and density transfer so long as it complied with the land use code and Design Regulations.

The collective result of these rights was a Town sanctioned building envelope. In 1995 if it made sense to the property owner and the Town, then you could increase or decrease the number of units you placed in the envelope. For example, if, instead of a use by right development of nine large 4-bedroom units, it made sense to the Town and the owner, then the owner could seek a rezoning and density transfer that resulted in two 4-bedroom units, eight smaller 3-bedroom units and six smaller 2-bedroom units, a total of 16 units. Same building envelope, same Design Regulations, different unit mix. The right to do this continued until the Comp Plan was adopted and the new Community Development Code was adopted in 2013.

Since the adoption of the new Community Development Code (“CDC”) the development of Lot 30 has been limited to either (i) a use by right (i.e. nine Condominium Units, two Employee Apartments and Commercial) or (ii) a joint development with TSG Ski & Golf, LLC of Parcel M that is in “general conformance” with the following as set forth in the Comp Plan:

“Table 7. Mountain Village Center Development Table

Parcel Designation	Target Maximum Building Height	Target Hotbed Mix	Target Condo Units	Target Dorm Units*	Target Restaurant/ Commercial Area	Total Target Units
Parcel M Lot 30 Flag	78.5	88	12	2	0	102”

(See page 53)

- “13. Parcel M Lot 30
 a. No site-specific policies.” (See page 61)

The Huschkes do not dispute the fact that the Comp Plan was the result of many well publicized meetings. However, they were only tangentially aware of process and did not engage in it whatsoever, they had ZERO involvement. It is a fair question to ask why, why didn’t the Huschkes participate in the

process. The answer is that it was their understanding that as a lower density lot on the periphery of the Village Core their lot was “planned”, and density could be increased if it made sense. It never dawned on them that the Comp Plan would affect Lot 30. Huschkes first learned Lot 30 was impacted in phone call from a TMVOA representative that occurred well after both Comp Plan and CDC were adopted. They were stunned when they learned the impact on Lot 30.

As noted by Councilperson Cath Jett in the June 26, 2014 Town Council meeting/work session, back in 2011 Lot 30 became a density dump only after the Boomerang and Comanche sites were eliminated. It was acknowledged that at the 2011 meeting there was very little public discussion, virtually only Council, staff and consultants were present; the Huschkes were not contacted in any way despite the fact that development options for their lot were being substantially changed. It is nearly unanimously agreed that the Comp Plan process whereby Lot 30’s development possibilities and corresponding value were diminished was fundamentally unfair to the Huschkes and, therefore, the Comp Plan should be amended to rectify the unfairness.

The practical real world effect of the Comp Plan and CDC is twofold. First, several contracts have fallen through due to the combined effects of Comp Plan and new development code; and other parties interested in Lot 30 have indicated they declined to contract due to the combined effect. Second, the value of Lot 30 has been materially diminished.

When Huschkes bought Lot 30 in 1995 it was their intention to develop it. However, with the inevitable passage of time they have reached their point in life where developing Lot 30 is no longer an option. In the Huschkes' program of estate planning Lot 30 is of significant value and the orderly liquidation of Lot 30 is essential to their estate planning. Clearly this is not a theoretical or academic problem, the diminished value and inability to sell Lot 30 is inflicting enormous stress and financial damage on two fine people who devoted and invested a huge portion of their lives and economic resources to the success of the Mountain Village.

Huschkes are simply asking the Town to reinstate the development option (and the ensuing rights and value) that existed on Lot 30 during the period from when they bought it in 1995 until the development code was amended on February 21, 2013.

From: [John Horn](#)
To: [Michelle Haynes](#)
Cc: [Darrell Huschke](#)
Subject: Background Memorandum
Date: Friday, February 09, 2018 9:45:41 AM
Attachments: [2018-2-9 Parcel M Background Memorandum.docx](#)

Good Morning Michelle,

Would you please cause the attached memorandum to Town Council, dated February 9, 2018 Re: Parcel M Comp Plan Amendment-Background Information to be included in the Council packet for the Comp Plan amendment item scheduled on the February 15, 2018 meeting. If it cannot be included in the packet then please cause it to be distributed to Council so they can review it in advance of the meeting.

Thanks,

John Horn



**LANNING AND DEVELOPMENT SERVICES
DEPARTMENT**

455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 369-8250

Agenda Item No. 15

TO: Town Council
FROM: Michelle Haynes, Planning and Development Services Director
FOR: Meeting of February 15, 2018
DATE: February 5, 2018
RE: Town Hall Subarea, Village Court Apartments Expansion Update

Background

Consistent with the 2018 Town Hall Subarea Committee Memorandum of Understanding and the recently amended Town of Mountain Village Comprehensive Plan, the Town of Mountain Village has been implementing the Village Court Apartments Phase IV project, to construct two to three additional apartment buildings with associated parking and amenities.

Staff will provide a powerpoint presentation at the meeting. There are no associated materials in the Town Council packet for this agenda item.

/mbh



To: Mayor and Town Council

From: Jim Loebe

For: February 15th, 2018 Town Council Meeting

Date: February 5, 2018

Re: Consideration of Adopting the Recommendation from the Parking Committee to Permanently Eliminate Permit Parking on Upper Mountain Village Boulevard

Background

In response to a letter received from Alpine Planning, LLC, the parking committee met on January 22nd to discuss the future of permit parking for employees on upper Mountain Village Boulevard (UMVB). As the representative of the owners of Lot 89-2B, Alpine is requesting that the Town put an end to permit parking on UMVB which the owners feel have negative and adverse impacts on their property.

History

The current UMVB permit parking system was instituted for the winter of 2009/10 in an effort to decrease Gondola Parking Garage (GPG) overflow on-street parking in the Town Hall Sub-Area. It also gave employees working in the core another free and convenient parking option when the Town began charging for daytime use of GPG the following ski season. The \$25 UMVB employee permit is valid from the first day of the fall gondola shutdown period through the last day of the spring gondola shutdown period. Permitted vehicles can park on the outbound lane of UMVB between Lookout Ridge and Sunny Ridge as signed. The Town issues around 100 UMVB permits annually for the 45 spots available along the road. Only employees of licensed business within the core zone designation are eligible for this permit.

During the summer months, vendors at the Wednesday Farmer's Market have been allowed to park on UMVB to allow them to stay close to the core area. This is also an area that has been used for both festivals and special events (tour busses, etc.) during the summer.

Recommendations

The parking committee recommends that Town Council permanently eliminate permit parking activity on UMVB upon the expiration of this season's permits due to the impacts as outlined by Aline Planning, LLC in their letter dated January 18th, 2018. Free day use of GPG for employees and guests, construction of a 30-space lot on 161-CR, and continued active management of all Town owned lots during projected peak times are factors that will mitigate the loss of the UMVB permit area.

Further, it is recommended that summertime use of UMVB for farmers market vendors be discontinued and require vendors to utilize existing town parking infrastructure after unloading their products.

As with other areas of town, approved and signed construction parking may still occur in this area as well as short term bus parking for bands that are performing at the Telluride Conference Center.



January 18, 2018

Mountain Village Parking and Transportation Committee
455 Mountain Village Blvd., Ste. A
Mountain Village, CO 81435

Sent via Email to: jloebe@mtnvillage.org

Dear Committee Members,

My firm represents David and Lynette Wyler who are the owners of Lot 89-2B that is located at 667 Mountain Village Boulevard ("**Property**") as shown in Figure 1. This letter is in regards to the Committee's discussion of employee parking on Upper Mountain Village Blvd. The Wyler's are proposing to construct a new home on the Property starting in the spring. The Property is located in the Single-family Zone District.

The Town did not permit parking on Mountain Village Boulevard with "No Parking" signs clearly posted when the Wyler's bought the Property during the summer of 2017. They were shocked to see that the Town permitted employee parking along Upper Mountain Village Boulevard after their purchase without any notice of this decision.

The Wyler's are very concerned about the negative and adverse impacts of parking wrapping around the Property and their planned home as shown in Figure 1. The parking is a significant concern of the Wyler's due to the increased activity, noise, loss of privacy, security concerns, adverse impacts on property values, and a decrease in quality of life due to having intensive parking uses wrapping around and through a residential area. The Town does not permit parking on roads anywhere else in Mountain Village due to the same issues and concerns of the Wyler's. The Wyler's therefore want their property to have the same and equal treatment as other single-family zoned properties in Mountain Village with permanent or semi-permanent parking prohibited on all Town roads.

I spoke with Finn Kjome, Public Works Director, about the history of parking on Upper Mountain Village Boulevard and he indicated that such parking was originally approved by the Mountain Village Metropolitan District quite some time ago. Therefore, the Parking and Transportation Committee and Town Council should revisit and eliminate this parking permanently, except for construction parking or special event parking that may be periodically approved by the Town Council for festival or special event parking.

The new Lot 161C-R Parking Lot, free Gondola Garage Parking, parking in Hotel Madeline and other Town managed parking lots, the gondola system, and expansion of mass transit in the region provide the town with great parking and transportation infrastructure. There is no need for parking on Upper Mountain Village Boulevard. If and when parking demand increases beyond the capacity of the current parking garages and lots, the Town should push for more mass transit alternatives, charge for parking to control peak demand, or plan to expand the Gondola Parking Garage as designed and planned.

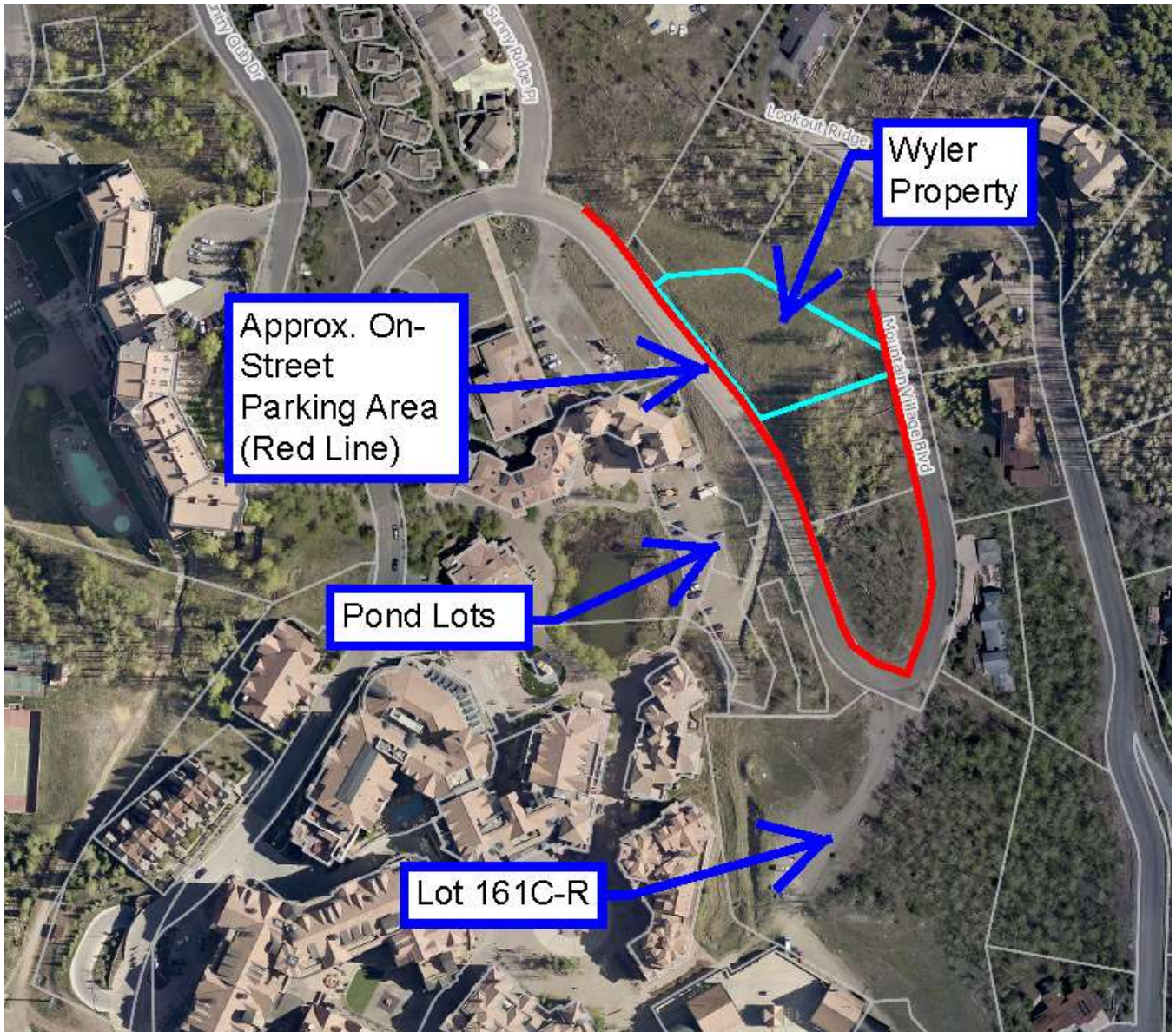
We respectfully request that the Parking and Transportation Committee make a recommendation to the Town Council that parking be prohibited on all Town roads unless and except for special events or construction parking. This should be an amendment into the Municipal Code so that parking in rights-of-ways outside of special events or construction parking cannot occur.

Thank you for your time and consideration.

Sincerely,

Chris Hawkins, AICP
Alpine Planning, LLC

Figure 1





Telluride Mountain Club
 PO Box 1201
 Telluride, CO 81435

Town of Mountain Village
 C/O Jim Loebe
 455 Mountain Village Blvd., Suite A
 Mountain Village, CO 81435

February 6, 2018

Dear Jim and Mountain Village Town Council,

Telluride Mountain Club (TMtC) is seeking \$10,000 from the Town of Mountain Village to implement our proposed Trails Sustainability Plan and aid in the creation of a Trails Sustainability Document in 2018.

The **Trails Sustainability Plan** is a stewardship program that has the goal of maintaining and restoring local trails experiencing high use from outdoor enthusiasts (including: locals, second homeowners and tourists alike), while also educating and promoting ethical recreational use and conserving natural habitats for future generations. The key pieces of this plan include:

- Trails Maintenance & Volunteer Coordination
- Trails Planning, Proposals & Mapping
- Group Trails-Related Events
- Via Ferrata Planning & Reporting

The **Trails Sustainability Document** will outline the future of trails in the Telluride region over the course of the next five plus years. This document will be shared with Telluride and Mountain Village entities on an ongoing basis to make sure everyone is on board and let aware of what we are planning. TMtC anticipates the document to include:

- Trails Planning: Mapping & Proposals
- Future Stewardship Programs (to include Trail Maintenance)
- Potential Trail Funding Partners, Initiatives and Grants
- Future Public Trail Events
- Trail Software (Inclusive Trail Map & App)
- Trails Signage
- Future Via Ferrata Planning and Reporting
- Trails Timeline



The Trails Sustainability Plan and Document will address the Telluride region (Telluride south to Lizard Head Pass and west to Placerville) for the time being. We hope to establish one all-inclusive trails plan with the entire county (to include the West End) in the future.

Telluride Mountain Club anticipates our 2018 Trails and Via Ferrata budgets to be the following:

Trails (Total = \$55,100):

Trails	
Trails Coordinator (Mtn. Air Media)	\$11,000
ESRI and Blue Door Mapping Fees	\$4,000
True North Mapping Fees	\$3,600
Trails Sustainability Plan Document	\$14,000
Trails Map & App	\$6,000
GPS Coordinates of Trails	\$3,000
Land Surveying Assistance	\$3,000
Tools, Signs, etc.	\$1,500
Website (trails information)	\$1,500
Trail Maintenance	\$7,000
Insurance (group hikes)	\$500

Via Ferrata (Total = \$27,000):

Via Ferrata	
Preliminary Engineering	\$0
Hardware Upgrades	\$10,000
Final Engineering Report	\$10,000
Foot Bridge Design	\$5,000
Travel for USFS Meetings	\$2,000

Please refer to the attached 2018 budget for totals and specifics.



In July 2017, TMtC submitted the Telluride region's first trails proposal to various stakeholders. This proposal included seven trails, reroutes, and connector trails which can be found here: <http://www.telluridemountainclub.org/summer-2017-trails-proposal/>. This was the first step to understanding our region and the trails that will be required to bring our trails system up to current day connectivity standards. This conceptual plan is a living document that will be updated during the Trails Sustainability Plan project.

The Telluride region is home to over 200 miles of trails spread over a patchwork of land owned by the United States Forest Service (USFS), San Miguel County, Town of Telluride, Town of Mountain Village, and privately held parcels. Currently, there is no entity coordinating with all the stakeholders to keep communication open surrounding trails, to identify collaborations, and to improve our trail system for future generations. Each individual entity is doing a good job of managing their own trails and needs, but there is very little communication and coordination among stakeholders. Telluride Mountain Club is proposing to take on this coordination role by planning for the long-term and implementing in the short-term with monetary support from regional entities.

The Town of Mountain Village will benefit from TMtC's Trails Sustainability Plan and Trails Sustainability Plan Document through a better connected and planned out trails system. This will allow more cyclists, hikers and trail runners to link trails via Mountain Village. This will in turn create a positive economic impact through restaurant, retail and lodging sales. A trails system that connects through Mountain Village also has the ability to increase home values.

A well thought out, planned and executed trail system will be around forever with the intention that locals, second homeowners and tourists use this system well into the future. TMtC has already received funding from San Miguel County and is actively asking for funding from the Town of Telluride, SMART, and the Telluride Tourism Board in addition to the Town of Mountain Village.

The Telluride Mountain Club Board of Directors looks forward to your feedback.

Thank you for your consideration,

Tor Anderson

Tor Anderson
Telluride Mountain Club
www.telluridemountainclub.org

**Telluride Mountain Club
2018 BUDGET**

	<u>2018 Budget</u>	
INCOME		
Memberships	\$9,000	
Merchandise sales	\$3,500	
Climbing wall fees	\$5,200	
Raffle tickets/auction items at fundraisers	\$2,000	
Grants		
Telluride Foundation	\$12,000	
CCASE Grant	\$2,700	
Dalton Family Foundation	\$1,000	
Access Fund	\$200	
Telluride Gives (climbing wall)	\$500	
Telluride Ski Resort	\$2,500	
San Miguel County	\$10,000	
Town of Telluride	\$10,000	
Town of Mountain Village	\$10,000	
New Grants	\$5,000	
Donations		
Miscellaneous Donations	\$6,500	
Fundraising Mailer	\$18,000	
Via Ferrata Donations	\$20,000	
Events Sponsorships	\$5,000	
Refunds	\$900	
Miscellaneous	\$200	
Total Income	\$124,200	
EXPENSES		
Mountain Air Media (contract staff)	\$8,000	
Bookkeeper, Tax Accountant	\$4,000	
Strategic Planning Facilitator	\$0	
Climbing Wall		
Wall monitor (wages/employment taxes)	\$4,000	
Administrative (Mtn. Air Media)	\$500	
Route setter (wages/employment taxes)	\$800	
Workmans Comp Insurance	\$450	
Climbing Wall Rent to THS	\$1,620	
Key Deposit	\$250	
Frontdesk Software	\$360	
Self Belay Systems Maintenance Costs	\$100	
Equipment (holds, ropes, bolts, quickdraws)	\$1,500	
Advertising, Supplies, etc.	\$100	
Climbing Anchors & Bolts	\$200	
Website	\$1,500	
Software Licenses	\$750	
Trails		
Trails Coordinator (Mtn. Air Media)	\$11,000	
ESRI and Blue Door Mapping Fees	\$4,000	
True North Mapping Fees	\$3,600	
Trails Sustainability Plan Document	\$14,000	
Trails Map & App	\$6,000	
GPS Coordinates of Trails	\$3,000	
Land Surveying Assistance	\$3,000	
Tools, Signs, etc.	\$1,500	
Website (trails information)	\$1,500	
Trail Maintenance	\$7,000	
Insurance (group hikes)	\$500	2018 Trails total = \$55,100
Merchandise (t-shirts, hats, etc.)	\$5,000	
Fundraising Mailer	\$4,000	
Events		
Film Festival at Opera House	\$1,500	
Summer Barbeque	\$3,200	
Adopt-a-crag	\$200	
Climbing Event (beer night)	\$200	
Via Ferrata		
Preliminary Engineering	\$0	
Hardware Upgrades	\$10,000	
Final Engineering Report	\$10,000	
Foot Bridge Design	\$5,000	
Travel for USFS Meetings	\$2,000	2018 Via Ferrata total = \$27,000
Travel	\$150	
Insurance	\$1,200	
Board Meetings	\$120	
PO Box Rent	\$60	
Supplies	\$100	
Office Rent	\$0	
Miscellaneous	\$100	
Total Expenses	\$122,060	
Net Income	\$2,140	

**A RESOLUTION OF THE TOWN COUNCIL OF THE MOUNTAIN VILLAGE,
COLORADO, SUPPORTING LEGISLATION TO PROTECT THE
ENVIRONMENT AND REDUCE PUBLIC LIABILITIES RELATIVE TO
MINING ACTIVITIES**

RESOLUTION NO. 2018-0215-

RECITALS:

- A. The Town Council of the Town of Mountain Village, Colorado, and residents of Mountain Village, agree that water bodies, streams and rivers should be adequately protected; and that the local economy has benefitted from the protection of the watershed and the environment; and
- B. Colorado's rivers and streams have been impacted by historic mining activities that were not conducted in an environmentally protective manner, including the San Miguel River as it runs through the Telluride Valley; and
- C. Our town government and community has worked successfully and cooperatively through the years with many partners to support reclamation and restoration activities in the San Miguel River watershed; and
- D. Sound and reasonable mining regulations that protect the public interest and require future mines to conduct operations in a manner that does not cause a public fiscal burden is in the best interests of the people of Colorado; and
- E. The State of Colorado should have all reasonable authorities and powers to require adequate financial assurances and guarantees from mining operators so that the costs of reclamation and protecting water quality do not fall on the public; and
- F. Mines that cannot operate in a manner that will not permanently impair water supplies, rivers and streams should not be permitted in the future; and
- G. The Colorado General Assembly should pass a bill that will provide the State of Colorado with the authority to require adequate financial assurances to protect both water quality and the public, and provide for the treatment of mine water and maintenance of water treatment plants; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE, COLORADO as follows: The Town Council of the Town of Mountain Village, Colorado, hereby expresses its support of changes to the Colorado Mined Land Reclamation Act that implement these protections and urges the Colorado General Assembly to adopt them as law.

RESOLVED, APPROVED AND ADOPTED by a majority of the Town Council of the Town of Mountain Village, Colorado at its regular meeting on February 15, 2018.

TOWN OF MOUNTAIN VILLAGE,
COLORADO, a home rule municipality

By: _____
Laila Benitez, Mayor

ATTEST:

By: _____
Jackie Kennefick, Town Clerk

APPROVED AS TO FORM:

By: _____
James Mahoney, Assistant Town Attorney

Town of Mountain Village
HUMAN RESOURCES DEPARTMENT
Biannual Report to Town Council
August 2017 – January 2018

We make Mountain Village a great place to live, work & visit.

HUMAN RESOURCES STAFF:

Corrie McMills, HR Coordinator
 Sue Kunz, HR Director

SUMMARY

- 5% decrease to 2018 medical premiums; NO INCREASE to medical premiums for 2000
- 2018 PSPC Compensation Study was implemented January 1
- The Employee Housing Program now provides seven furnished housing units for up to fourteen seasonal TMV employees at Village Court Apartments.
- 59% of our workforce now lives in Telluride/ Mountain Village.
- Due to the extended hours and longer gondola season, seasonal employees will be eligible for health insurance in 2019 due to the Affordable Care Act (ACA).

DEPARTMENT GOALS

1. Administer and enforce town policies in compliance with state/federal laws and town goals
2. Assure compliance with the town's drug & alcohol policies in compliance with DOT regulations and oversee drug and alcohol testing collection.
3. Promote the town's commitment to environmental sustainability to employees and applicants.
4. Prepare and stay within the HR department's approved budget.
5. Maintain accurate personnel files in compliance with the Colorado Retention Schedule and ensure accurate information for payroll
6. Assist management with timely and lawful recruitment processes to maintain proper staffing levels and reduce turnover.
7. Oversee the Safety Committee, workers compensation, and safety programs to provide a safe workplace and minimize workplace injuries
8. Administer attractive benefits and compensation package to attract and retain high-performing, well-qualified, happy employees
9. Assist management with evaluating staff, performance documentation and conducting performance reviews. Assist with succession planning.
10. Coordinate staff training, professional development and employee appreciation/recognition opportunities. Continue to develop succession planning.

PERFORMANCE MEASURES

1. Policy administration & enforcement
 Annually update employee handbook, policies and procedures. Continue ongoing communication/training with MSEC, CIRSA, and Pinnacol regarding policies & procedures. Review unemployment claims, workers compensation claims, and personnel actions
 - Handbook updated and attached for town council approval (February 15, 2018)
2. Drug testing administration
 All required drug & alcohol testing is complete.

Complete pre-employment testing for all new hires; ensure random, reasonable suspicion, and complete post-accident testing as appropriate with all associated paperwork in compliance with the DOT and non-DOT policies; conduct required training for employees and supervisors. Oversee on site drug and alcohol testing collection.

- Participated in FTA Drug & Alcohol Program Manager Training (April 2017)
- Successfully completed Drug & Alcohol Site Audit (September 2017)
- Drug & Alcohol Policy- Safety Sensitive Employees- updated and approved by town council on December 14, 2017 to include required FTA changes.
- HR Coordinator is collector certified and continues to do most drug testing in-house.

DRUG & ALCOHOL TESTING															
positive tests															
	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004
marijuana	0	2	2	4	2	1		2	2	2	2	8	5	4	4
opiates															
cocaine								1				1	1	1	1
amphetamines															1
total	0	2	2	4	2	1	0	3	2	2	2	9	6	5	6

3. Environmental Initiatives

Provide ongoing employee education, policies and programs to encourage a culture of responsible environmental stewardship in employee orientations, recruiting, and monthly newsletters. Work with the Green Team’s efforts for town employees

- Promoted in recruiting and new hire information
- Annual town clean-up day (May 2018)
- Annual Environmental Award given to employees

4. Fiscal Responsibility

Department year end expenditure totals do not exceed the adopted budget. Actively seek opportunities to optimize financial costs when making decisions.

5. Personnel Recordkeeping

Maintain all employee files in accordance with the record retention schedule and audit compliance. Process all new hire paperwork on or before the first day of work.

- New hires can receive paperwork electronically prior to orientation
- HR Coordinator conducts one-on-one new hire orientation with all employees

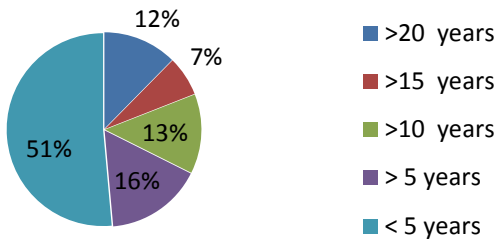
6. Recruitment

Assist management with hiring process and seek creative ways to reduce turnover and attract quality employees. Oversee the employee housing program.

- 62% full time employees > 40 years old (63 employees)
- 59% of employees live in Mountain Village/ Telluride

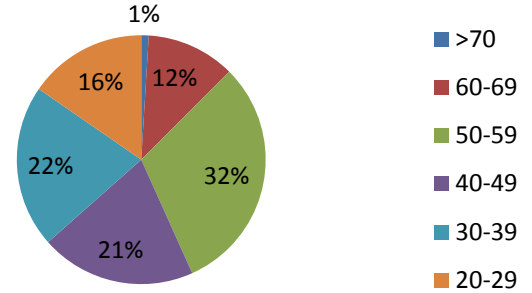
Average Years of Service Full time, year round employees

2017 Average: 7.8 years
2016 Average: 5.8 years
2015 Average: 5.7 years

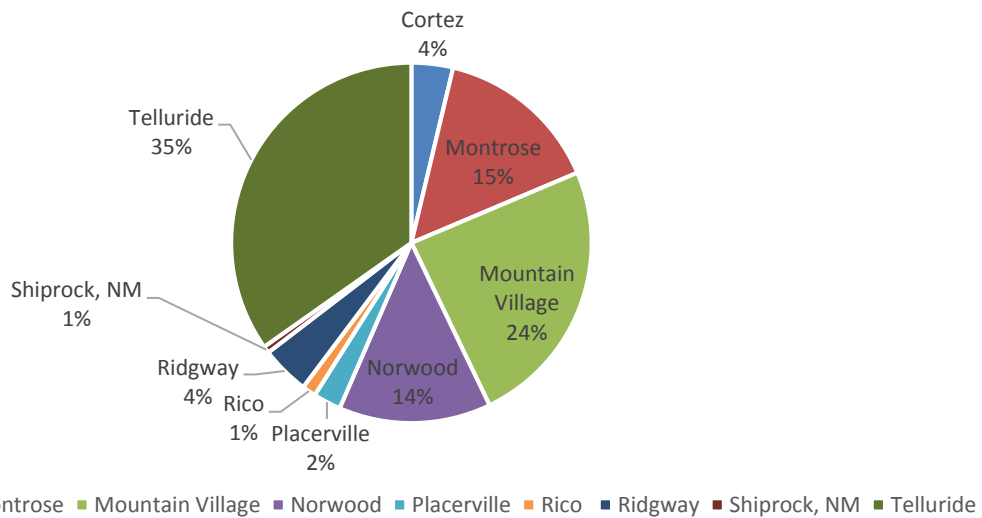


Employees by Age (FTYR)

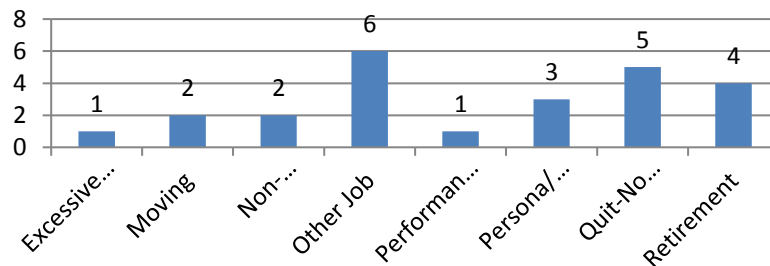
*43% are over age 50
*average age is 45



Commuting Employees



Reasons for Termination Full time, year round



- Affordable Care Act (ACA) challenges
 - Employees that work more than 1560 hours qualify for health care the following year
 - Limits ability to work overtime
 - In 2019, due to the extended hours and longer gondola season, more employees will be eligible for health insurance

- Effective January 1, 2017, gondola operations has a Transit Coordinator primarily responsible for recruiting, hiring and training
- Gondola fill-in supervisors training program provides a succession plan for open supervisor positions
- Seasonal gondola operator positions are promoted to full time, year round employees
- The Employee Housing Program, developed by the HR Coordinator, provides seven furnished housing units for up to fourteen seasonal TMV employees at Village Court Apartments.
- Lieutenant Redmond attended Florida police officer recruiting conference
- Child care education requirements have increased (both teachers and directors). Mountain Village assists with education expenses and provides pay increases for completing certification levels

7. Safety

Oversee the monthly safety committee meetings, safety inspections, and safety & loss control programs. Process workers compensation claims, investigate accidents and coordinate with management to implement safety measures. Administer safety incentives for an accident free workplace (to include 1-yr accident free awards, team safety bucks, & lottery tickets). Utilize the return to work program after injuries. Conduct Motor Vehicle Record reviews annually.

Workers Compensation

CIRSA premium quote for 2018 = \$298,000

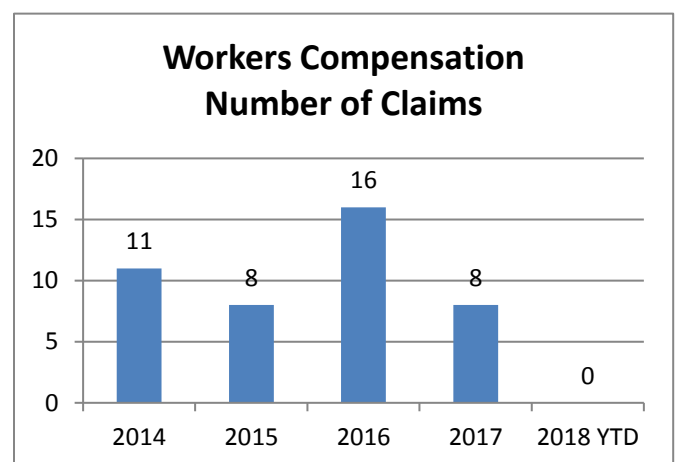
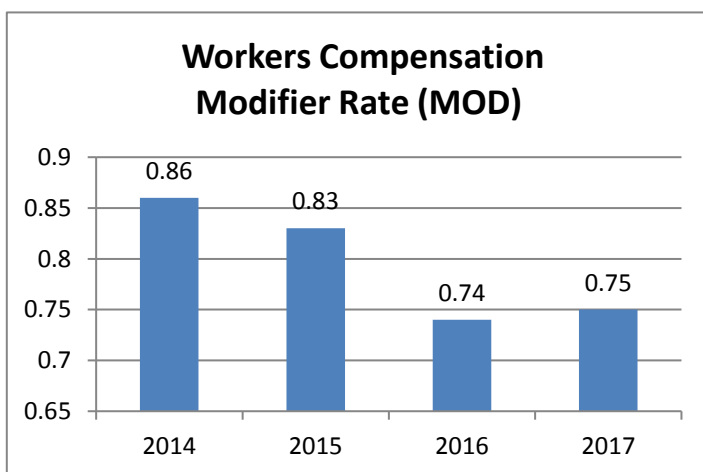
Pinnacol premium for 2018 = \$214,232

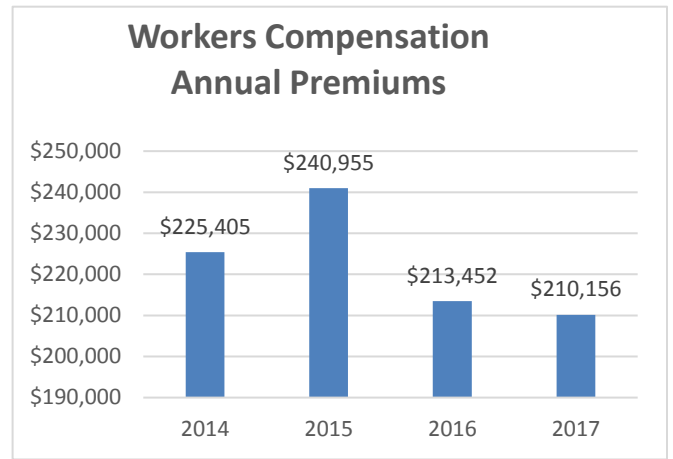
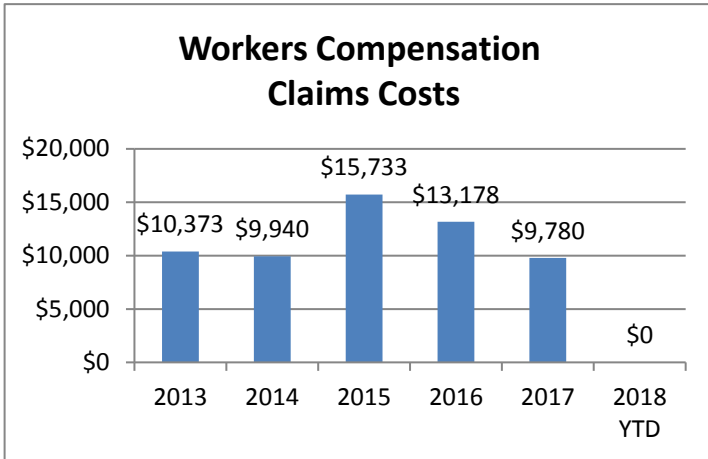
2018 Dividends so far (\$77,160)

- Deductible Discount (\$2500): \$13,200
- Cost Containment Certification: \$11,700
- Experience modification (MOD): \$31,200
- Premium discount: \$21,060

2017 CIRSA audit score: 93%

- Safety Committee distributes employee incentives include one-year accident free awards, bi-monthly Mountain Village Safety Bucks and monthly hard hat drawing.
- Safety training is being updated with the 2018 CIRSA revised Loss Control Standards





8. Compensation & Benefits Administration

Administer all benefit programs and assist employees in program utilization.

Conduct an annual review of compensation and benefits and look to reduce benefit expenses.

Coordinate the annual employee appreciation picnic, regular employee potlucks, employee recreation day, and other employee appreciation programs.

Conduct annual employee satisfaction survey.

- 5% DECREASE to 2018 health insurance premiums; (NO INCREASE to premiums in 2017 either)
- Implemented 2018 Compensation Study as recommended by Public Sector Personnel Consultants on January 1.
- HR will attend Colorado Compensation Briefing (June 28, 2018)

Employee Recognition:

[Great service awards](#) awarded monthly

Annual employee appreciation picnic – tentatively scheduled for June 13, 2018

Employee Summer Recreation Day – September 20, 2017

Employee Winter Recreation Day- January 24, 2017

Employee holiday potlucks

Employee Survey ACTION PLAN:

1. Leadership is a recurring theme. Supervisor/ Manager **Coaching & Teambuilding Training** is being held on Mar 20-21. (follow up training on May 16, 2018)
2. Review the PTO plan (in particular, the first few years and holidays)
3. Safety training is being updated in conjunction with CIRSA's updated 2018 Loss Control Standards
4. Safety committee topic: Noise/ hearing protection
5. Safety committee topic: energy conservation and recycling- what can we do to differently in your department?

Future survey questions:

What can we do differently to provide a better work/ life balance?

What additional training would you like to see offered in your department?

What can we do differently to encourage efficient energy use and proper recycling in your department?

9. Performance Management

Provide ongoing supervisor training on evaluating and documenting employee performance. Continue to re-evaluate goals and performance measures annually and align with town goals. Conduct performance reviews annually for all year round employees; conduct end-of-season reviews for all seasonal employees

- 2018 employee goals and job descriptions were updated January 31, 2018
- End of season reviews conducted March 2017 and October 2017
- Annual reviews conducted December 2017
- Annual merit increases are based on performance ratings

10. Employee Professional Development & Training

Conduct new employee orientation for all employees. Schedule employee meetings and ongoing training regarding guest service, safety, policies, and benefits. Assist with succession planning.

2018 Leadership & Teambuilding training - March 20-21

With over 43% of staff over age 50 we are emphasizing succession planning. The upcoming supervisor/manager training focuses on how to develop staff to their greatest potential. It hits hard on working with generational differences/ millennials. There will be a follow up to this training on May 16th.

2017 Trainings

Spring Gondola Orientation – May 15-18, 2017
Drug & Alcohol Training – May 16, 2017 & November 2017 (DOT requirement)
Town Cleanup Day –May 24, 2017
Microsoft Outlook Tips & Tricks – July 19, 2017
Hazardous Operations (CIRSA) - July 25, 2017
Office Ergonomics (CIRSA) – July 25, 2017
BAT Breathalyzer Training (MVPD) – July 25, 2017
Workzone Safety/ Flagger Certification (CIRSA) – July 26, 2017
Conflict Resolution/ SMRHA (Gregg Piburn) – July 26, 2017
Safety Committee Development (CIRSA) July 26, 2017
Defensive Driver (CIRSA) – July 27, 2017
First Aid for Mental Health – Sept 13-14, 2017
CDOT Flagger Certification – September 14, 2017
Fall Gondola Orientation –Nov. 6-8, 2017
Drug & Alcohol Training – November 7, 2017 (DOT requirement)
Reasonable Suspicion Training for Supervisors – December 6, 2017

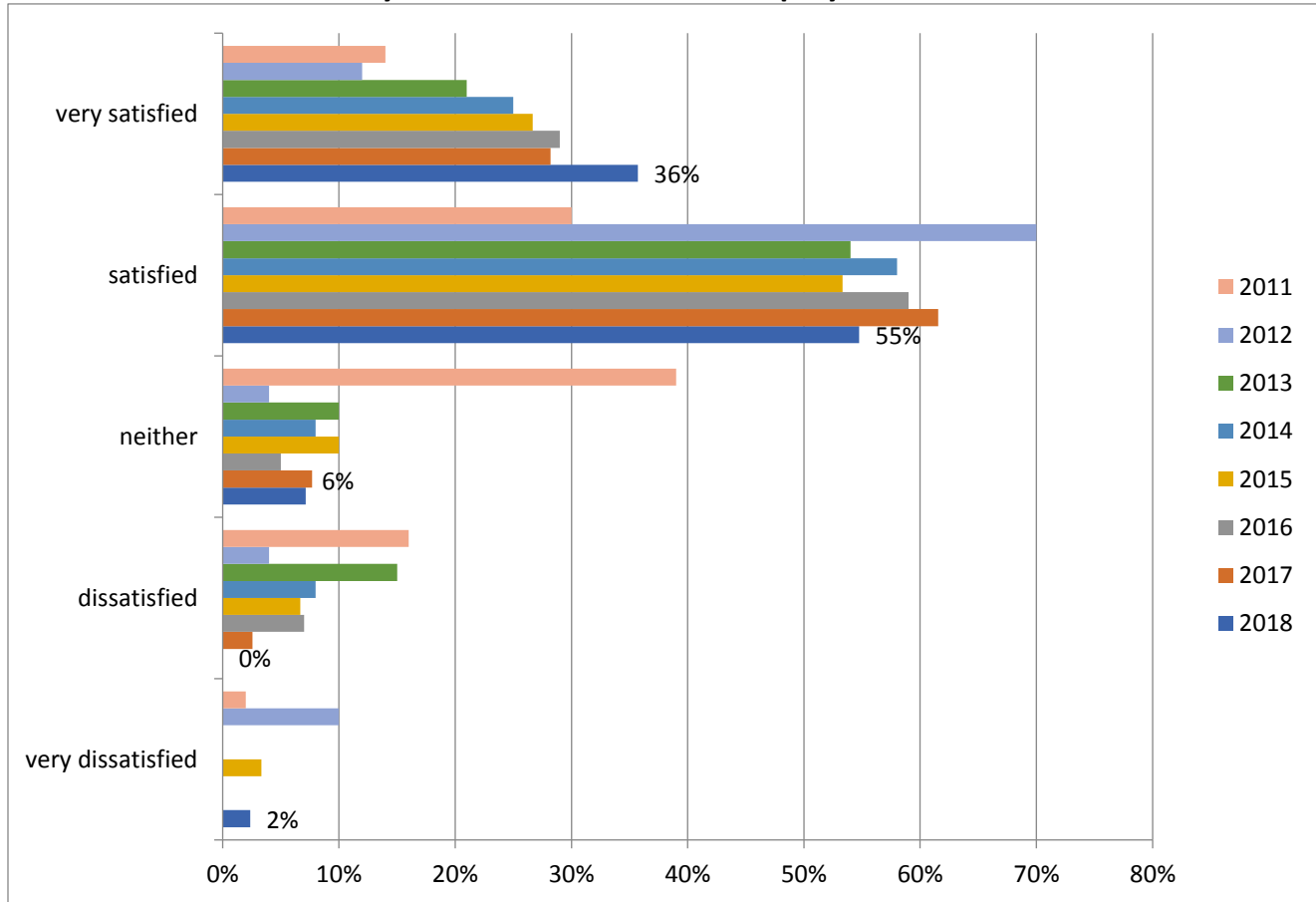
2018 Trainings

Writing Goals 101 – January 17, 2018
Harassment Training (Gondola Operations) – January 8-12, 2018
First Aid for Mental Health (Tri-County Health Network) - February 13, 2018
Coaching & Teambuilding for Supervisors – March 20-21, 2018
Follow up to Supervisor Training – May 16, 2018

Annual Employee Satisfaction Survey

- 44 employees completed the survey
- 91% of employees stated that they were overall 'satisfied' or 'very satisfied' with town employment

Overall, how satisfied are you with the town as an employer?



	2018	2017	2016	2015	2014	2013	2012	2011
very dissatisfied	2%	0%	0%	3%	0%	0%	10%	2%
dissatisfied	0%	3%	7%	7%	8%	15%	4%	16%
neither	6%	8%	5%	10%	8%	10%	4%	39%
satisfied	55%	62%	59%	53%	58%	54%	70%	30%
very satisfied	36%	28%	29%	27%	25%	21%	12%	14%

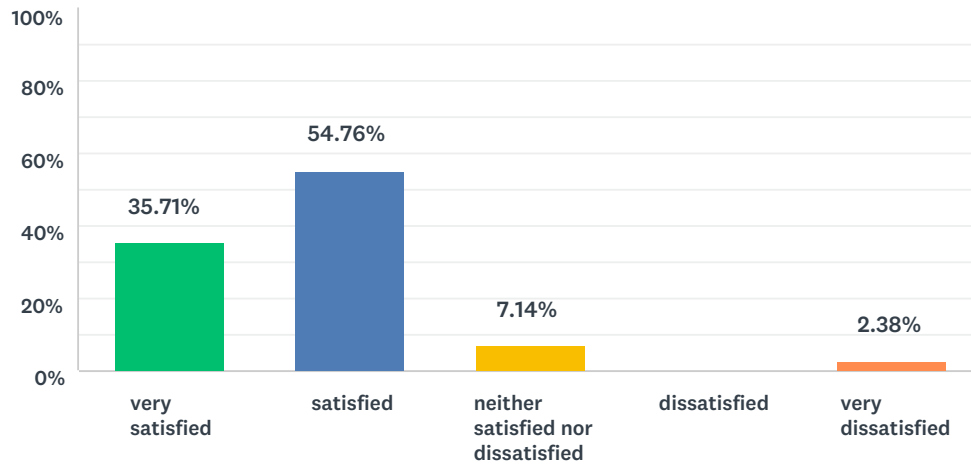
Comments:

1. It would help if there was consistency in the rules across departments.
2. I have enjoyed very much my time working for the town and am grateful for the peaceful work environment and friendly associates
3. Not being able to use PTO is kinda lame
4. Potlucks have been few and far between
5. Lumping all vacations, sick leave, etc. is tight for the first few years

6. I would love to have paid holidays or at least the option to take the day unpaid instead of having to use PTO
7. I think Mountain Village offers a great benefits package which is the main thing holding me.
8. There are monthly great service awards?
9. We could use some more heat sources in Station 1
10. More focus on energy conservation and proper recycling techniques maybe provide h.q. reusable hearing protection
11. Great place to be employed
12. When co-workers utilize speaker phones it can be distracting
13. Excessive use of lights at shop, other departments should be held responsible to maintain all areas and vehicles to the same standard the rest practice, organization for safety and punctuality in job. Remodel bathrooms and lunch rooms for more hygienic standards.
14. Best supervision I've ever had
15. More human resources/ customer service training is essential to meet expectations
16. I feel that the town gives special treatment to homosexuals
17. Changes that affect me are very short notice
18. Lack of communication from the deciders to the do'ers, rush last minute to accommodate the needs of a project, lack of consulting from opinions within importance in regard to projects or changes, lack of details within projects, not everybody is on the same page at beginning or throughout causing extra work that's rushed
19. I would be very candid with my concerns before referring a friend

Q1 Overall, how satisfied are you with the town as an employer?

Answered: 42 Skipped: 2



ANSWER CHOICES	RESPONSES	
very satisfied	35.71%	15
satisfied	54.76%	23
neither satisfied nor dissatisfied	7.14%	3
dissatisfied	0.00%	0
very dissatisfied	2.38%	1
TOTAL		42

Q2 FULL TIME YEAR ROUND BENEFITS: How satisfied are you with the benefits offered? If you do not utilize a particular benefit, please select n/a.

Answered: 44 Skipped: 0

	VERY SATISFIED	SATISFIED	NEITHER SATISFIED NOR DISSATISFIED	DISSATISFIED	VERY DISSATISFIED	NOT APPLICABLE TO ME (N/A)	TOTAL
health benefits	52.27% 23	36.36% 16	4.55% 2	0.00% 0	0.00% 0	6.82% 3	44
dental benefits	43.18% 19	40.91% 18	6.82% 3	0.00% 0	0.00% 0	9.09% 4	44
vision benefits	38.10% 16	38.10% 16	4.76% 2	0.00% 0	0.00% 0	19.05% 8	42
amount of EMPLOYEE premium (health, dental, vision) paid by the town	56.82% 25	29.55% 13	6.82% 3	0.00% 0	0.00% 0	6.82% 3	44
amount of DEPENDENT premium (health, dental, vision) paid by the town	50.00% 22	18.18% 8	4.55% 2	0.00% 0	0.00% 0	27.27% 12	44
flex spending accounts (FSA)	36.36% 16	15.91% 7	9.09% 4	0.00% 0	0.00% 0	38.64% 17	44
PERA (public employee's retirement association) in lieu of social security	56.82% 25	29.55% 13	9.09% 4	0.00% 0	0.00% 0	4.55% 2	44
FPPA (police only)	9.38% 3	3.13% 1	0.00% 0	0.00% 0	0.00% 0	87.50% 28	32
wellness reimbursement program	61.36% 27	27.27% 12	4.55% 2	0.00% 0	0.00% 0	6.82% 3	44
commuter shuttle benefits	34.88% 15	11.63% 5	2.33% 1	2.33% 1	2.33% 1	46.51% 20	43
FMLA (Family Medical Leave Act)	33.33% 14	16.67% 7	11.90% 5	0.00% 0	2.38% 1	35.71% 15	42
holiday pay (time and 1/2 for working designated holidays)	20.93% 9	30.23% 13	13.95% 6	2.33% 1	0.00% 0	32.56% 14	43
amount of PTO	45.45% 20	38.64% 17	6.82% 3	2.27% 1	2.27% 1	4.55% 2	44
401(k) match	40.91% 18	40.91% 18	6.82% 3	4.55% 2	0.00% 0	6.82% 3	44
employer paid life insurance (\$50,000)	50.00% 22	40.91% 18	2.27% 1	2.27% 1	0.00% 0	4.55% 2	44
voluntary life insurance	25.58% 11	27.91% 12	16.28% 7	0.00% 0	0.00% 0	30.23% 13	43
employer paid long term disability (LTD)	44.19% 19	20.93% 9	16.28% 7	0.00% 0	0.00% 0	18.60% 8	43

Employee Satisfaction Survey 2018

SurveyMonkey

employer paid bereavement	43.18% 19	29.55% 13	11.36% 5	0.00% 0	0.00% 0	15.91% 7	44
employer paid jury duty	47.73% 21	29.55% 13	11.36% 5	0.00% 0	0.00% 0	11.36% 5	44
employer paid military leave	13.64% 6	9.09% 4	9.09% 4	0.00% 0	0.00% 0	68.18% 30	44
direct deposit	65.12% 28	32.56% 14	2.33% 1	0.00% 0	0.00% 0	0.00% 0	43
EAP (employee assistance program)	37.21% 16	25.58% 11	11.63% 5	0.00% 0	0.00% 0	25.58% 11	43
training reimbursement	38.64% 17	29.55% 13	13.64% 6	2.27% 1	0.00% 0	15.91% 7	44
AFLAC	46.51% 20	30.23% 13	11.63% 5	0.00% 0	0.00% 0	11.63% 5	43
Employee Service Awards (5 year, 10 year, 15 year...)	39.53% 17	25.58% 11	16.28% 7	0.00% 0	4.65% 2	13.95% 6	43
Discounted Peaks Spa Membership	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	100.00% 1	1
Employee Recreation Day	50.00% 22	25.00% 11	15.91% 7	0.00% 0	2.27% 1	6.82% 3	44
Annual Employee Appreciation Picnic	43.18% 19	34.09% 15	11.36% 5	2.27% 1	2.27% 1	6.82% 3	44
Employee Monthly Great Service Awards	45.45% 20	29.55% 13	6.82% 3	2.27% 1	4.55% 2	11.36% 5	44
Employee Potlucks	25.00% 11	36.36% 16	25.00% 11	0.00% 0	4.55% 2	9.09% 4	44

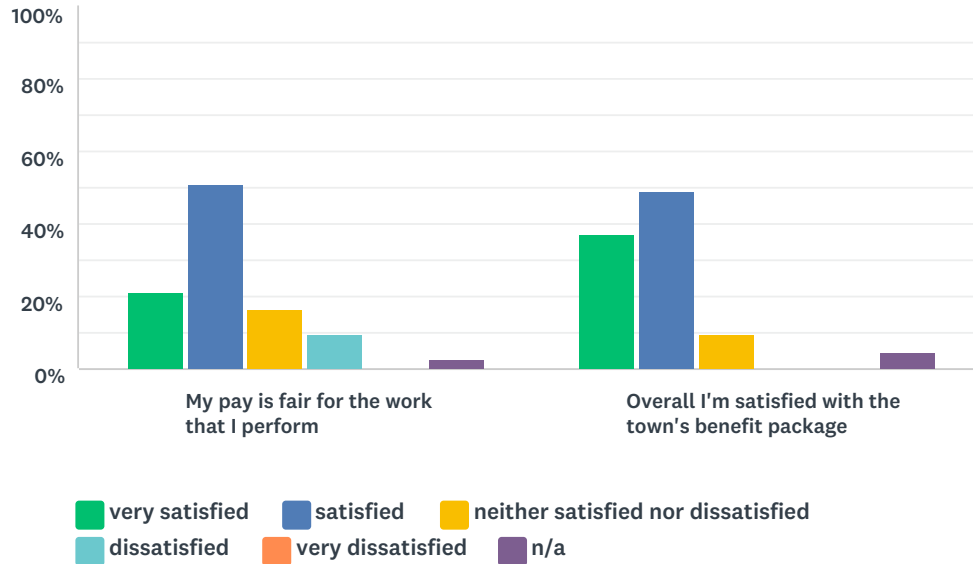
Q3 SEASONAL/ PART TIME BENEFITS: How satisfied are you with each of the benefits offered? If you don't utilize a particular benefit, select n/a

Answered: 29 Skipped: 15

	VERY SATISFIED	SATISFIED	NEITHER SATISFIED NOR DISSATISFIED	DISSATISFIED	VERY DISSATISFIED	N/A	TOTAL
end of season bonus	3.45% 1	3.45% 1	0.00% 0	0.00% 0	0.00% 0	93.10% 27	29
direct deposit	7.14% 2	3.57% 1	0.00% 0	0.00% 0	0.00% 0	89.29% 25	28
EAP (employee assistance program)	0.00% 0	7.14% 2	3.57% 1	0.00% 0	0.00% 0	89.29% 25	28
commuter shuttles	3.70% 1	3.70% 1	0.00% 0	0.00% 0	0.00% 0	92.59% 25	27
FMLA (family medical leave)	0.00% 0	7.69% 2	0.00% 0	0.00% 0	0.00% 0	92.31% 24	26
holiday pay	0.00% 0	11.54% 3	0.00% 0	0.00% 0	0.00% 0	88.46% 23	26
employer paid jury duty	0.00% 0	3.85% 1	3.85% 1	0.00% 0	0.00% 0	92.31% 24	26
voluntary life insurance	0.00% 0	3.85% 1	3.85% 1	0.00% 0	0.00% 0	92.31% 24	26
paid military leave	0.00% 0	0.00% 0	3.85% 1	0.00% 0	0.00% 0	96.15% 25	26
PERA (public employee's retirement association)- in lieu of social security	0.00% 0	7.69% 2	3.85% 1	0.00% 0	0.00% 0	88.46% 23	26
free ski pass	0.00% 0	7.69% 2	0.00% 0	0.00% 0	0.00% 0	92.31% 24	26
AFLAC	3.85% 1	7.69% 2	0.00% 0	0.00% 0	0.00% 0	88.46% 23	26
Discounted Peaks Spa Membership	0.00% 0	3.85% 1	3.85% 1	0.00% 0	0.00% 0	92.31% 24	26
Employee Recreation Day	0.00% 0	3.85% 1	3.85% 1	0.00% 0	0.00% 0	92.31% 24	26
Annual Employee Appreciation Picnic	0.00% 0	3.85% 1	3.85% 1	0.00% 0	0.00% 0	92.31% 24	26
Employee Monthly Great Service Awards	0.00% 0	7.69% 2	0.00% 0	0.00% 0	0.00% 0	92.31% 24	26

Q4 Compensation

Answered: 44 Skipped: 0



	VERY SATISFIED	SATISFIED	NEITHER SATISFIED NOR DISSATISFIED	DISSATISFIED	VERY DISSATISFIED	N/A	TOTAL
My pay is fair for the work that I perform	20.93% 9	51.16% 22	16.28% 7	9.30% 4	0.00% 0	2.33% 1	43
Overall I'm satisfied with the town's benefit package	37.21% 16	48.84% 21	9.30% 4	0.00% 0	0.00% 0	4.65% 2	43

Q5 My job (if a question does not apply, please select n/a)

Answered: 44 Skipped: 0

	VERY SATISFIED	SATISFIED	NEITHER SATISFIED NOR DISSATISFIED	DISSATISFIED	VERY DISSATISFIED	N/A	TOTAL
I like the type of work that I do	38.64% 17	45.45% 20	11.36% 5	2.27% 1	2.27% 1	0.00% 0	44
I am given enough authority to make decisions that I need to make	29.55% 13	52.27% 23	4.55% 2	9.09% 4	4.55% 2	0.00% 0	44
I believe that my job is secure	27.27% 12	50.00% 22	18.18% 8	2.27% 1	2.27% 1	0.00% 0	44
Deadlines in my department are realistic	18.18% 8	61.36% 27	9.09% 4	2.27% 1	2.27% 1	6.82% 3	44
I feel part of a team working toward a shared goal	27.27% 12	52.27% 23	11.36% 5	2.27% 1	6.82% 3	0.00% 0	44
I am able to maintain a reasonable balance between my work and personal life	18.18% 8	52.27% 23	22.73% 10	4.55% 2	2.27% 1	0.00% 0	44
My job makes good use of my skills and abilities	22.73% 10	47.73% 21	15.91% 7	9.09% 4	4.55% 2	0.00% 0	44
I have a clear understanding of my job role	34.09% 15	59.09% 26	4.55% 2	0.00% 0	2.27% 1	0.00% 0	44
I understand the importance of my job to the success of my department and to Mountain Village	40.91% 18	45.45% 20	11.36% 5	0.00% 0	2.27% 1	0.00% 0	44

Q6 My work environment (if a question does not apply, please select n/a)

Answered: 44 Skipped: 0

	VERY SATISFIED	SATISFIED	NEITHER SATISFIED NOR DISSATISFIED	DISSATISFIED	VERY DISSATISFIED	N/A	TOTAL
safety is a high priority in my department	45.45% 20	43.18% 19	4.55% 2	2.27% 1	2.27% 1	2.27% 1	44
customer service is a high priority in my department	47.73% 21	45.45% 20	4.55% 2	0.00% 0	2.27% 1	0.00% 0	44
protecting the environment is a high priority in my department	31.82% 14	45.45% 20	18.18% 8	2.27% 1	2.27% 1	0.00% 0	44
my physical working conditions are good	34.09% 15	54.55% 24	9.09% 4	0.00% 0	2.27% 1	0.00% 0	44
my general work area is adequately lit and clean	38.64% 17	50.00% 22	4.55% 2	2.27% 1	4.55% 2	0.00% 0	44
there is adequate noise control to allow me to focus on my work	27.27% 12	50.00% 22	15.91% 7	4.55% 2	2.27% 1	0.00% 0	44
I feel physically safe in my work environment	40.91% 18	50.00% 22	4.55% 2	2.27% 1	2.27% 1	0.00% 0	44
the town provides adequate facilities for recycling (glass, plastic, aluminum, paper, cardboard, compost) in my department	47.73% 21	50.00% 22	0.00% 0	0.00% 0	2.27% 1	0.00% 0	44
energy efficiency is a high priority in my department	31.82% 14	43.18% 19	18.18% 8	4.55% 2	2.27% 1	0.00% 0	44
my department always practices efficient use of natural resources (fuel, water, electricity, natural gas, heat)	29.55% 13	45.45% 20	15.91% 7	6.82% 3	2.27% 1	0.00% 0	44
I am willing to recycle waste and conserve energy in the workplace to help the town reach its Zero Waste and Energy Efficiency goals	52.27% 23	40.91% 18	4.55% 2	0.00% 0	2.27% 1	0.00% 0	44

Q7 My relationship with my immediate supervisor

Answered: 44 Skipped: 0

	VERY SATISFIED	SATISFIED	NEITHER SATISFIED NOR DISSATISFIED	DISSATISFIED	VERY DISSATISFIED	N/A	TOTAL
my supervisor treats me fairly and with respect	52.27% 23	38.64% 17	6.82% 3	0.00% 0	2.27% 1	0.00% 0	44
my supervisor handles my work related issues satisfactorily	43.18% 19	38.64% 17	13.64% 6	2.27% 1	2.27% 1	0.00% 0	44
my supervisor handles my personal issues satisfactorily	45.45% 20	29.55% 13	18.18% 8	4.55% 2	2.27% 1	0.00% 0	44
my supervisor acknowledges me when I do my work well	45.45% 20	34.09% 15	15.91% 7	2.27% 1	2.27% 1	0.00% 0	44
my supervisor tells me when my work needs improvement	40.91% 18	40.91% 18	13.64% 6	2.27% 1	0.00% 0	2.27% 1	44
my supervisor is open to hearing my opinion or feedback	45.45% 20	36.36% 16	11.36% 5	2.27% 1	2.27% 1	2.27% 1	44
my supervisor helps me develop to my fullest potential	38.64% 17	31.82% 14	25.00% 11	4.55% 2	0.00% 0	0.00% 0	44
I can trust what my supervisor tells me	45.45% 20	38.64% 17	4.55% 2	6.82% 3	2.27% 1	2.27% 1	44
my peers treat me fairly and with respect	43.18% 19	40.91% 18	11.36% 5	2.27% 1	0.00% 0	2.27% 1	44

Q8 Training & Development

Answered: 44 Skipped: 0

	VERY SATISFIED	SATISFIED	NEITHER SATISFIED NOR DISSATISFIED	DISSATISFIED	VERY DISSATISFIED	N/A	TOTAL
the town provide as much initial training as I needed to provide high quality service	25.00% 11	50.00% 22	11.36% 5	11.36% 5	2.27% 1	0.00% 0	44
the town provided as much on-going training as i need to provide high quality service	29.55% 13	47.73% 21	11.36% 5	9.09% 4	2.27% 1	0.00% 0	44
the town provides enough information, equipment, and resources I need to do my job well	31.82% 14	54.55% 24	9.09% 4	2.27% 1	2.27% 1	0.00% 0	44
the town clearly tells me what is expected for advancement	20.45% 9	43.18% 19	27.27% 12	4.55% 2	2.27% 1	2.27% 1	44
I trust what the town tells me it takes to advance my career	20.45% 9	45.45% 20	25.00% 11	2.27% 1	2.27% 1	4.55% 2	44
the town has provided training or experiences to help me explore other opportunities within the town	13.64% 6	34.09% 15	27.27% 12	6.82% 3	4.55% 2	13.64% 6	44
there is room for me to advance at this organization	13.64% 6	36.36% 16	25.00% 11	11.36% 5	4.55% 2	9.09% 4	44
I trust that if I do good work, the town will consider me for a promotion of available	20.93% 9	41.86% 18	18.60% 8	9.30% 4	4.65% 2	4.65% 2	43

Q9 Town leadership & planning

Answered: 43 Skipped: 1

	VERY SATISFIED	SATISFIED	NEITHER SATISFIED NOR DISSATISFIED	DISSATISFIED	VERY DISSATISFIED	N/A	TOTAL
I understand the long range vision of the town	16.28% 7	46.51% 20	27.91% 12	4.65% 2	2.33% 1	2.33% 1	43
I have confidence in the leadership of town staff	18.60% 8	48.84% 21	23.26% 10	4.65% 2	2.33% 1	2.33% 1	43
town managers & supervisors care about their employee's well-being	25.58% 11	53.49% 23	9.30% 4	6.98% 3	2.33% 1	2.33% 1	43
there is adequate planning of the departmental objectives	18.60% 8	39.53% 17	27.91% 12	9.30% 4	2.33% 1	2.33% 1	43
the managers/ supervisors of the town are open to input from employees	20.93% 9	51.16% 22	16.28% 7	4.65% 2	4.65% 2	2.33% 1	43
the town's communications are frequent enough	23.26% 10	48.84% 21	13.95% 6	4.65% 2	6.98% 3	2.33% 1	43
the town's communications are detailed enough	23.26% 10	46.51% 20	11.63% 5	9.30% 4	6.98% 3	2.33% 1	43
I have a good understanding of how the town is doing financially	16.28% 7	27.91% 12	30.23% 13	6.98% 3	6.98% 3	11.63% 5	43
I can trust what the town tells me	21.43% 9	50.00% 21	16.67% 7	4.76% 2	2.38% 1	4.76% 2	42
the town treats me like a person, not a number	28.57% 12	57.14% 24	11.90% 5	0.00% 0	2.38% 1	0.00% 0	42
the town gives me enough recognition for work that is well done	18.60% 8	55.81% 24	18.60% 8	2.33% 1	2.33% 1	2.33% 1	43
staffing levels are adequate to provide quality services	13.95% 6	60.47% 26	6.98% 3	9.30% 4	9.30% 4	0.00% 0	43
I believe there is a spirit of cooperation with the town	16.28% 7	62.79% 27	16.28% 7	0.00% 0	4.65% 2	0.00% 0	43
employees are treated fairly here regardless of race, gender, age, religion, sexual orientation, & disability	41.86% 18	51.16% 22	6.98% 3	0.00% 0	0.00% 0	0.00% 0	43
changes that affect me are communicated prior to implementation	11.90% 5	40.48% 17	26.19% 11	16.67% 7	4.76% 2	0.00% 0	42

Q10 employment

Answered: 43 Skipped: 1



	VERY SATISFIED	SATISFIED	NEITHER SATISFIED NOR DISSATISFIED	DISSATISFIED	VERY DISSATISFIED	N/A	TOTAL
I am willing to give extra effort to help the town succeed	48.84% 21	46.51% 20	2.33% 1	0.00% 0	2.33% 1	0.00% 0	43
I plan to continue my career with the town for at least 2 more years	55.81% 24	32.56% 14	6.98% 3	0.00% 0	4.65% 2	0.00% 0	43
I am interested in advancement with the town if an opportunity becomes available	46.51% 20	25.58% 11	13.95% 6	0.00% 0	4.65% 2	9.30% 4	43
I would recommend employment with the town to a friend	46.51% 20	39.53% 17	11.63% 5	0.00% 0	2.33% 1	0.00% 0	43

Q11 Safety Culture

Answered: 44 Skipped: 0

	VERY SATISFIED	SATISFIED	NEITHER SATISFIED NOR DISSATISFIED	DISSATISFIED	VERY DISSATISFIED	TOTAL
I get the safety training I need before I perform a task	34.09% 15	54.55% 24	11.36% 5	0.00% 0	0.00% 0	44
I believe safety suggestions are taken seriously and followed up on	38.64% 17	52.27% 23	9.09% 4	0.00% 0	0.00% 0	44
I know the rules and procedures for safe work in my job	39.53% 17	58.14% 25	2.33% 1	0.00% 0	0.00% 0	43
I am provided with the PPE (hard hats, safety glasses, etc...) that I need	30.23% 13	44.19% 19	11.63% 5	0.00% 0	13.95% 6	43
I, or my co-workers, never take short cuts or disregard safe work procedures	32.56% 14	55.81% 24	9.30% 4	2.33% 1	0.00% 0	43
I am empowered to correct safety procedures on my own	34.88% 15	55.81% 24	6.98% 3	2.33% 1	0.00% 0	43
I am cautioned by my co-workers when observed working unsafely	32.56% 14	51.16% 22	13.95% 6	0.00% 0	2.33% 1	43
My supervisor feels that most accidents are preventable	39.53% 17	41.86% 18	13.95% 6	2.33% 1	2.33% 1	43
My supervisor never directs an employee to perform a job that he/she thinks is unsafe	50.00% 21	40.48% 17	4.76% 2	2.38% 1	2.38% 1	42
Hazards are identified during inspections in my department corrected	41.86% 18	44.19% 19	13.95% 6	0.00% 0	0.00% 0	43
Deadlines never override my supervisor's concern and attention to safety	34.88% 15	48.84% 21	11.63% 5	2.33% 1	2.33% 1	43
Deadlines never override my supervisor's concern and attention to safety	32.56% 14	51.16% 22	11.63% 5	2.33% 1	2.33% 1	43
My supervisor verbally acknowledges employees when they perform their jobs safely	27.91% 12	39.53% 17	25.58% 11	2.33% 1	4.65% 2	43
Our accident investigation process does not seek to place blame on an individual	32.56% 14	51.16% 22	11.63% 5	2.33% 1	2.33% 1	43
Management wants to be informed of serious accidents	53.49% 23	41.86% 18	4.65% 2	0.00% 0	0.00% 0	43
Management is consistent in their treatment of those violating safety rules and procedures	37.21% 16	39.53% 17	16.28% 7	4.65% 2	2.33% 1	43
Managers and supervisors consistently follow established safety rules and procedures	37.21% 16	44.19% 19	11.63% 5	4.65% 2	2.33% 1	43

Management supports safety program efforts with funding and other resources	32.56% 14	48.84% 21	16.28% 7	0.00% 0	2.33% 1	43
Management regularly participates in safety program activities	25.58% 11	46.51% 20	25.58% 11	0.00% 0	2.33% 1	43
Management's view on the importance of safety is frequently stressed to employees	39.53% 17	44.19% 19	16.28% 7	0.00% 0	0.00% 0	43
Safety Awards: one year accident free	41.86% 18	39.53% 17	16.28% 7	0.00% 0	2.33% 1	43
Safety Awards: Mountain Village safety bucks	51.16% 22	34.88% 15	11.63% 5	0.00% 0	2.33% 1	43
Safety Awards: hard hat awards	45.24% 19	30.95% 13	16.67% 7	0.00% 0	7.14% 3	42



Mental Health First Aid

Join the movement.

Sometimes first aid isn't a bandage or CPR. Sometimes, first aid is **YOU.**

February 13, 2018

Town of Mountain Village Town Hall

info@tchnetwork.org 970-708-7096

A person you know could be experiencing a mental health or substance use problem. **Learn an action plan to help.**

You are more likely to encounter someone in an emotional or mental crisis than someone having a heart attack. Learn how to help a friend, family member, coworker or neighbor in need. Get trained in Mental Health First Aid.



**Take a course. Save a life.
Strengthen your community.**

**Adult Mental Health First Aid
February 13, 2018**

**8:00 a.m. – 5:00 p.m. at the Town of
Mountain Village Town Hall**

To register:

Call 970-708-7096

or email info@tchnetwork.org

FEBRUARY 13, 2018, 8:00AM TO 5:00PM
455 MOUNTAIN VILLAGE BLVD,
MOUNTAIN VILLAGE

For more information, visit
www.MentalHealthFirstAid.org

Memo

20 a. 1

To: Mayor Laila Benitez and Town Council
From: Sue Kunz, Director Human Resources
Date: February 20, 2018
Re: 2017 Employee Handbook Updates

The Employee Handbook has been updated to reflect the following changes:

P. 5 Letter from the Town Manager

'Businesses' has been added to our mission statement:

The Town of Mountain Village is dedicated to providing exceptional facilities, services, and opportunities, in partnership with the community, which will enhance the quality of life for our residents, homeowners, employees, businesses and guests.

P. 20 Medical Insurance

Legal spouses, which includes civil union partners and their dependent children up to age 26, are eligible for medical coverage.

Employees seeking to add a 'common law spouse' must complete a 'certificate of spouse' form.

P. 26 Housing Down Payment Assistance Program

As approved by town council in November 2017, the down payment assistance program now includes purchasing a home within the Mountain Village commuter shuttle area (extending to Cortez, Nucla, Ridgway, Montrose, and all intervening communities as well as San Miguel County.)

P. 26 Ski Passes

Seasonal and part time employees (working a minimum of 20 hours/ week) are eligible for a merchant ski pass. Group 1, 2, 6, & 7 are eligible to use their Wellness Reimbursement towards a ski pass.

P. 27 Wellness Reimbursement Program

Added the existing program to the handbook

In effort to promote healthy lifestyles for employees, thereby resulting in improved employee productivity, morale and healthcare cost savings, the town will reimburse full time, year-round employees up to \$895 towards a season ski pass or other wellness qualifying items. Eligible employees must be hired prior to January 1.

P. 38 Communications Systems & Password Policy (refer to the IT Security Policy)

The following language from the IT Security Policy, as recommended by Todd DeJulio, has replaced the existing handbook language for consistency.

Town of Mountain Village is committed to protecting its employees, partners, and the company from illegal or damaging actions by individuals, whether committed knowingly or unknowingly. Internet/intranet/extranet-related systems, including but not limited to computer equipment, software, operating systems, storage media, network accounts providing electronic mail, Web browsing, and FTP, are the property of Town of Mountain Village. You are expected to use these systems for business purposes in the interests of the company, our clients, and our customers in the course of normal operations. Effective security is a team effort involving the participation and support of every Town of Mountain Village employee and affiliate who deals with information and/or information systems. It is your responsibility as a computer user to know these guidelines, and to act accordingly.

General Use and Ownership

1. While Town of Mountain Village's network administration desires to provide a reasonable level of privacy, you should be aware that the data you create on corporate systems remains the property of Town of Mountain Village. Because of the need to protect Town of Mountain Village's network, management does guarantee the confidentiality of information stored on any network device belonging to Town of Mountain Village.
2. You are responsible for exercising good judgment regarding the reasonableness of personal use. Individual departments are responsible for creating guidelines concerning personal use of Internet/intranet/extranet systems. In the absence of such policies, you should follow departmental policies on personal use, and, if there is any uncertainty, consult your supervisor or manager.
3. Town of Mountain Village recommends encrypting any information that you consider sensitive or vulnerable. For guidelines on information classification, see the Information Sensitivity Policy. For guidelines on encrypting email and documents, see the Awareness Initiative.
4. For security and network maintenance purposes, authorized individuals within Town of Mountain Village may monitor equipment, systems and network traffic at any time, per the Audit Policy.

Security and Proprietary Information

1. Keep passwords secure and do not share accounts. As an authorized user, you are responsible for the security of your passwords and accounts. Change network system level passwords quarterly.
2. Secure all PCs, laptops and workstations with a password-protected screensaver with the automatic activation feature set at 10 minutes or less, or by logging-off (Windows Logo + L) for Win 7/Win 10 users) when the host will be unattended.
3. Use extreme caution when opening email attachments received from unknown senders. These attachments may contain viruses, email bombs, or Trojan horse code

Unacceptable Use

Under no circumstances is an employee of Town of Mountain Village authorized to engage in any activity that is illegal under local, state, federal or international law while utilizing Town of Mountain Village-owned resources.

The following activities are strictly prohibited, with no exceptions:

- a) Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by Town of Mountain Village.
- b) Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books, or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which Town of Mountain Village or the end user does not have an active license.
- c) Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws. Consult appropriate management prior to export of any material that is in question.
- d) Introducing malicious programs into the network or server (e.g., viruses, worms, Trojan

- horses, email bombs, etc.).
- e) Revealing your account password to others or allowing use of your account by others. This includes family and other household members when working at home.
 - f) Using a Town of Mountain Village computing asset to procure or transmit material that is in violation of sexual harassment or hostile workplace laws in the user's local jurisdiction.
 - g) Making fraudulent offers of products, items, or services originating from any Town of Mountain Village account.
 - h) Making statements about warranty, expressly or implied, unless it is a part of normal job duties.
 - i) Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which you are not an intended recipient or logging into a server or account that you are not expressly authorized to access, unless these duties are within the scope of regular duties. "Disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.
 - j) Port scanning or security scanning, unless you previously notify the Town of Mountain Village IT Department.
 - k) Executing any form of network monitoring that will intercept data not intended for your host, unless this activity is a part of your normal duties.
 - l) Circumventing user authentication or security of any host, network, or account.
 - m) Interfering with, or denying service to, any user other than your host (for example, a denial of service attack).
 - n) Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's terminal session, via any means, locally or via the Internet/intranet/extranet.
 - o) Providing information about, or lists of, Town of Mountain Village employees to parties outside of Town of Mountain Village departments

Email and Communications Activities

The following are strictly prohibited, with no exceptions:

1. Sending unsolicited email messages, including sending "junk mail" or other advertising material to individuals who did not specifically request such material (email spam).
2. Any form of harassment via email, telephone, or paging, whether through language, frequency, or size of messages.
3. Unauthorized use, or forging, of email header information.
4. Soliciting email for any other email address, other than that of the poster's account, with the intent to harass or collect replies.
5. Creating or forwarding "chain letters" or "Ponzi" or other "pyramid" schemes of any type.
6. Using unsolicited email originating from within Town of Mountain Village's networks or other Internet/intranet/extranet service providers on behalf of, or to advertise, any service hosted by Town of Mountain Village or connected via Town of Mountain Village's network.
7. Posting the same or similar non-business-related messages to large numbers of Usenet newsgroups (newsgroup spam).

Enforcement

Any employee violating this policy may be subject to disciplinary action, up to and including termination of employment.

Anti-Virus Policy

The policy defines standards for protecting Town of Mountain Village's network from any threat related to Virus, Worm or Trojan Horse. These standards minimize the potential exposure to Town of Mountain Village from damages that may result from an unprotected network. Damages may include the loss of sensitive or company confidential data or intellectual property, damage to public image, damage to critical Town of Mountain Village internal systems, etc.

1. Always run the Town of Mountain Village standard, supported anti-virus software.
2. Never open any files or macros attached to an email from an unknown, suspicious, or un-trusted source. Delete these attachments immediately, then "double delete" them by emptying your trash.
3. Delete spam, chain, and other junk email without forwarding, per Town of Mountain Village's Acceptable Use Policy.
4. Never download files from unknown or suspicious sources.
5. Avoid direct disk sharing with read/write access unless there is absolutely a business requirement to do so.
6. Always scan a floppy diskette from an unknown source for viruses before using it.
7. Back up critical data and system configurations regularly and store the data in a safe place.
8. If lab testing conflicts with anti-virus software, run the anti-virus utility to ensure a clean machine, disable the software, and then run the lab test. After the lab test, enable the anti-virus software. When the anti-virus software is disabled, do not run any applications that could transfer a virus, e.g., email or file sharing.
9. New viruses are discovered almost every day. Periodically check the company Anti-Virus Policy and this Recommended Processes list for updates.

Identity Policy

1. All employees should receive IT security training
2. Workstations must be logged off to a point that requires a new log-on whenever employees leave their work area.
3. Any employee who does not access an administrative system in a six months time period will have his/her access removed and must be reauthorized for access.
4. Sharing of IDs is prohibited.
5. Access managers will (immediately) delete the access of employees who have terminated the institution and will modify the access of ones who transfer to (remove capabilities dependent on the previous position).
6. Computer installations running administrative applications will, where possible, provide a mechanism that records and logs off a user ID after a specified period of time of inactivity; they will also provide a mechanism that locks a user logon ID after multiple unsuccessful attempts to log on.

Password Policy

1. Change all network system-level passwords (e.g., application administration accounts, etc.) at least quarterly.
2. Change all user-level passwords (e.g., email, Web, desktop computer, etc.) at least quarterly.
3. Do not insert passwords into email messages or other forms of electronic communication.
4. Where using SNMP, define community strings as something other than the standard defaults of "public," "private," and "system" and make them different from the passwords used to log in interactively. Use a keyed hash where available (e.g., SNMPv2).
5. If you suspect an account or password has been compromised, report the incident to Town of Mountain Village Information Systems department and change all passwords.
6. Town of Mountain Village or its delegates may perform password cracking or guessing on a periodic or random basis. If a password is guessed or cracked during one of these scans, the user is required to change it.

Social Networking Policy

1. Personal blogs should have clear disclaimers that the views expressed by the author in the blog is the author's alone and do not represent the views of the company. Be clear and write in first person. Make your writing clear that you are speaking for yourself and not on behalf of the company.
2. Information published on your blog(s) should comply with the company's confidentiality and disclosure of proprietary data policies. This also applies to comments posted on other blogs, forums, and social networking sites.
3. Be respectful to the company, other employees, customers, partners, and competitors.
4. Social media activities should not interfere with work commitments. Refer to IT resource usage policies.
5. Your online presence reflects the company. Be aware that your actions captured via images, posts, or comments can reflect that of our company.
6. Do not reference or site company clients, partners, or customers without their express consent. In all cases, do not publish any information regarding a client during the engagement.
7. Respect copyright laws, and reference or cite sources appropriately. Plagiarism applies online as well.
8. Company logos and trademarks may not be used without written consent.

Enforcement

Any employee violating the IT Security policy may be subject to disciplinary action, up to and including termination of employment.

P. 47 Parties & Activities

Employees are paid to attend the Annual Town Picnic and retirement parties for employees with a minimum of 10 years of service. Pay for attending any other functions must be approved in advance by the Town Manager.

P. 49 Smoking

Updated the language to include the 2018 HUD regulations at Village Court Apartments. The Town of Mountain Village recognizes that smoking and tobacco chewing in the workplace can adversely affect employees and guests and is prohibited. This includes e-cigarettes and all other tobacco products. Employees may smoke in designated outdoor areas and are responsible for proper disposal of cigarette butts. The time spent away from your job to smoke or chew tobacco must be limited to breaks and lunch periods.

In accordance with the Colorado Clean Indoor Air Act, smoking is prohibited in all Town facilities, vehicles, or in any workplace, including non-business hours. This includes lobbies, elevators, restrooms, reception areas, hallways and any other common-use areas, child day care facilities, Village Court Apartments, public transportation of any kind (including gondola cabins/terminals, employee shuttles and all Town vehicles. In addition, smoking is prohibited within 15 feet of any main entrance.

Effective July 31, 2018, smoking is prohibited within 25 feet of any building or apartment at Village Court Apartments. (refer to HUD Smoke Free Public Housing and Multifamily Properties Rule)



Employee Handbook

The Town of Mountain Village is dedicated to providing exceptional facilities, services and opportunities, in partnership with the community, which will enhance the quality of life for our residents, homeowners, employees, and guests.

Town of Mountain Village

Adopted February ~~16, 2017~~ 15, 2018

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ABOUT THE HANDBOOK

The Town of Mountain Village employee handbook will acquaint you with the Town and some policies affecting your employment. Since it is impossible to anticipate every situation that could arise, this handbook will highlight general Town policies, practices, and benefits. Other existing policies and practices may not appear in this handbook. If you are not sure about a written or unwritten policy of the Town, have questions about any portion of this handbook, or any aspect of your job, or need further information, please ask your supervisor.

We recognize that our business needs may change from time to time and that new governmental regulations take effect. Therefore, we reserve the right to amend, rescind, or modify any Town policies, practices, and benefits at any time, with or without prior notice.

We wish to apply Town policies consistently and without discrimination so that all similarly situated employees receive uniform treatment. A situation may arise that causes us to deviate from our normal operating procedure. While we try to minimize these situations, we must reserve the right to consider each case separately and make any appropriate exceptions we feel necessary. The only recognized deviations from Town policies, practices, and benefits are those authorized and signed by the Town Manager.

This employee handbook has been created without bias toward the employee, the employer, or any group of employees. The provisions of this handbook or any other documents (such as benefit statements or confidentiality agreements) are not intended to create any contractual obligation that conflicts in any way with this policy.

You have been provided with your own personal copy of the employee handbook. As soon as possible, please take a moment to review your handbook. Refer to it whenever you have questions about Town policies, practices, or benefits. These policies are effective immediately, and you are expected to know and comply with them accordingly.

From the Town Manager

Welcome to the Town of Mountain Village

This handbook was developed to describe some of the guidelines, programs, and benefits for employees. All employees should familiarize themselves with the contents of the employee handbook as soon as possible, for it may answer many questions about employment with the Town.

The Town of Mountain Village is dedicated to providing exceptional facilities, services, and opportunities, in partnership with the community, which will enhance the quality of life for our residents, homeowners, employees, businesses and guests. We believe that each employee contributes directly to the success of Mountain Village and we hope you will take pride in being a member of our team.

The Town is committed to **providing a safe work environment** for employees. We know that our employees are our greatest resource and we will strive to prevent any possible injury or illness. We believe that most accidents and injuries are preventable and it should be clear that the responsibility for safety lies with all levels of employees at Mountain Village. We all need to work together to accomplish our goal of zero injuries by reporting unsafe conditions immediately.

In the necessary push toward a greener nation, we're changing the way we do things day-to-day in Mountain Village. With these changes comes a greater awareness of our habits, and a deeper appreciation for our natural environment. We ask that you **make environmentally conscious decisions** daily regarding energy use, behavior and recycling.

Please contact your supervisor or Human Resources with any questions you may have regarding Town policies and procedures.

We make Mountain Village a great place to live, work and visit.

Kim Montgomery
Town Manager

EMPLOYMENT

Guest Service Policy

It is the philosophy of the Town that everyone in this community is a guest. One of the main functions of the Town is to provide consistently high quality "Guest Service" to everyone in our community including our co-workers. Guest Service refers to the interaction and assistance we provide the residents, visitors, business owners and employees of businesses here. The combination of Telluride's history and the Mountain Village's style offers a profoundly unique guest experience unequaled by any other resort in the world. It is the goal of the Town to ensure that our guests enjoy their stay here to the extent that they would wish to remain in or return to the Town over and over again.

When referring to "Guest Service", the Town distinguishes between Internal and External Guests as follows:

- Internal Guests – Co-workers and people with whom we work to create and maintain a highly professional, positively motivated working environment. We serve internal guests every time we do our own jobs exceptionally well and offer to assist other employees in any way we can to do their jobs well.
- External Guests – Mountain Village and Telluride visitors, residents, clientele and employees of businesses we encounter during the course of performing our job duties each day. We serve external guests every time we offer assistance or direction to non-employees.

All employees are empowered and encouraged to go beyond that which is expected of them when serving our guests. All employees are encouraged to serve guests as though they were visitors in our own homes. All employees are encouraged to work together with the employees of other companies to ensure that every guest's needs are met and, if possible, exceeded. Finally, as guests themselves, all employees are encouraged to communicate with co-workers and supervisors letting them know what they need in order to do their jobs more efficiently and enjoyably.

Safety

Our Town goal is to provide a safe and healthy work environment. The biggest single factor in insuring your safety on the job is YOU. It is YOUR responsibility, to both yourself and those working in your area, to practice safe work habits. Report any unsafe practices and conditions to your supervisor so corrective action can be taken.

The Town has general safety rules that apply to every department. Any violation of either departmental or Town safety rules will not be tolerated. Should an on-the injury occur as a result of a violation of the departmental or Town safety rules, **a reduction in worker's compensation benefits may occur.** General safety rule violations may include but are not limited to:

- Failure to abide by safety rules established for your department.
- Falsification of accident or incident reports.
- Being impaired by or under the influence of alcohol or any drugs (legal or illegal) while on duty.
- Fighting or other disorderly conduct that may endanger the well being of co-workers or guests.
- Unauthorized operation of Town vehicles or equipment.
- Reckless operation of Town vehicles or equipment.
- Failure to utilize safety seat belts at all times when the vehicle is in service (Buckle Up!).

- Remember safety rules are only as effective as you make them. Safety is a cooperative endeavor and must be kept constantly in mind by all of us. Exercise common sense and good judgment in all that you do on the job. Then, we all can enjoy an excellent safety record.

Upon employment with the Town, employees will be provided a general orientation session designed to acquaint them with their department, its safety concerns, equipment, first-aid kits and fire extinguishers. If an orientation session has not yet been scheduled for you please contact the supervisor to determine a time when this orientation may occur.

Any unsafe conditions or practices an employee observes must be reported to your supervisor and your department's Safety Committee representative immediately. Your supervisor will immediately inform Human Resources.

Reporting Accidents (Injuries) and Incidents

Notify your supervisor of any incident or injury (no matter how minor) either to yourself or to a co-worker immediately. Failure to notify a supervisor of a work-related injury to one's self or a co-worker immediately but not later than within twenty-four (24) hours, will be considered cause for disciplinary action for both the injured worker and co-worker. Untimely reporting of injuries may also result in worker's compensation benefits being denied in most cases or greatly reduced in other cases.

Once informed of an injury, the supervisor, the employee and any witnesses to the injury must complete the worker's compensation *First Report of Injury form*. This form will be submitted to the Human Resources Department for processing and opening of your worker's compensation claim. The supervisor is responsible for collection of statements from all persons involved in incidents or accidents as well as from any witnesses thereto. The supervisor is responsible for immediately notifying their Department Head, as appropriate and Human Resources regardless of the time of day.

Receive authorization from the supervisor for medical treatment. When an injury has occurred the supervisor will send the employee immediately for medical treatment. Effective July 1, 2017, all employees have the choice of receiving treatment for work-related injuries and illnesses from four designated medical providers. The four providers are:

Telluride Medical Center

500 W. Pacific Avenue, PO Box 1229, Telluride, CO 81435
Phone: (970) 728-3848
Fax: (970) 728-3848

Mountain Medical Center

295 Sherman Street (295 Hwy 62), Ridgway, CO 81432
Phone: (970) 626-5123
Fax: (970) 626-9783

Uncompahgre Medical Center

1350 Aspen Street, PO Box 280, Norwood, CO 81423
Phone: (970) 327-4233
Fax: (970) 327-4228
Email: info@umclinic.org

Montrose Family Practice

5 Hillcrest Plaza Way, Montrose, CO 81401

Phone: (970) 249-9678

Fax: (970) 249-1868

Failure to receive treatment from a designated medical provider may result in non-payment of medical benefits.

Any employee sustaining a work-related injury may be asked to submit a drug and/or alcohol test in accordance with Town policy. An employee injured while under the influence of drugs or alcohol is only entitled to half of the normal compensation allowed by law. If it is determined that the injury occurred in the course of an activity unrelated to the employee's job, benefits may be denied completely.

The treating physician determines needed time off from work. Compensation payments made to the employee for lost wages resulting from an injury or occupational diseases begin after the third consecutive missed day of work and will commence until the employee is released to return to work. The compensation rate while unable to work is 2/3 of the average weekly wage, not to exceed a maximum amount as provided under the worker's compensation laws. Time spent away from work, during a work related injury leave will be applied to FMLA leave if eligible.

Worker's compensation requires all employees to adhere to the physician's instructions, including attendance at follow-up appointments. If unable to comply, you must notify your physician, your supervisor and Human Resources. Failure to comply with your physician's prescribed treatment and follow-up plan could jeopardize your worker's compensation benefits.

IMPORTANT NOTES:

If an employee is released by their physician to return to work and is able to work but decides they do not want to return to work, the Town reserves the right to pursue reimbursement from the employee for all benefit premiums paid retroactive to the end of the required period of benefit continuation under FMLA.

Recreational skiing and off-the-job accidents are not covered by worker's compensation. However, injuries sustained off-the-job may be covered by the Town's health insurance provided.

Filing a fraudulent claim under worker's compensation for non-work-related injuries is against the law and will be grounds for termination.

The Environment

The Town of Mountain Village cares about our environment. Town Council and the community have made energy conservation and waste reduction a priority goal. In an effort to assist the town with reaching its Energy Efficiency and Zero Waste goals, we participate in our collective efforts to reduce waste and conserve energy in the workplace.

Reduce Waste:

- **REDUCE:** Reduce daily office waste by making sure you really need a hard copy before printing and stop unwanted junk mail. Carpool, walk, bike, bus or gondola instead of driving.

- **REUSE:** Reuse paper for scratch pads before recycling. Reuse plastic food containers as Tupperware before throwing away. Bring a re-usable coffee mug, lunch containers and silverware to work. Bring a re-usable bag to work for groceries or other shopping needs (or wants!). Recycling is great, but still requires a lot of energy so please try to use items as many times as possible before discarding into the town's trash or recycling bins.
- **RECYCLE:** All offices in Town should be equipped with recycling bins. Recycle all paper, cardboard, glass, plastic #1-7 and aluminum products in these bins for collection by either the cleaning team or Town staff. If you are in a facility that does not have adequate recycling bins, please contact Deanna Drew, Director Plazas & Environmental Services, to arrange a method for you to recycle. Recycling these items is **mandatory** for all residents and businesses in the Town of Mountain Village.

Save Energy:

- **OFFICE HEAT:** All thermostats in the office building should be set at 68 degrees. We realize that everyone's comfort level is different so please do your best to dress appropriately for the season with enough layers to stay warm throughout the workday. Although personal space heaters are not prohibited, they do use a large amount of energy and could thwart our efforts to conserve, so please use your personal space heaters sparingly when necessary.
- **WINDOWS:** Pulling your blinds down at the end of the day could help keep the offices warm and prevent the heaters from coming on during the night when no-one is here. Please close your blinds when you leave your office for the night to keep the heat in and the cold out.
- **COMPUTERS, PRINTERS, ELECTRONICS:** These devices require a "phantom" load of energy when plugged in and not in use. Please remember to turn off electronic devices when leaving for the night and/or weekend.
- **OFFICE LIGHTS:** We are in the process of upgrading lights from fluorescents to LEDs. LED bulbs use half as much energy as fluorescent lights for the same amount of light. Please turn off your lights when employees are not in the office or shop, and especially at night and on weekends, to make sure valuable electricity is not being wasted.

If you have additional ideas for how to conserve in the workplace, please bring them to the attention of your supervisor or the Plazas & Environmental Services Director so that your ideas can be distributed to the rest of the Mountain Village team.

Equal Employment Opportunity and Unlawful Harassment

The Town is dedicated to the principles of equal employment opportunity. We prohibit unlawful discrimination against applicants or employees on the basis of age 40 and over, race, sex, color, religion, national origin, disability, military status, genetic information, or any other applicable status as protected by state or local law. This prohibition includes unlawful harassment based on any of these protected classes. Unlawful harassment includes verbal or physical conduct which has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. This policy applies to all employees, including managers, supervisors, co-workers, and non-employees such as customers, clients, vendors, consultants, etc.

ADA, Religious and Pregnancy Accommodation

The Town will make reasonable accommodation for qualified individuals with known disabilities and for employees whose work requirements interfere with a religious belief, unless doing so would result in an undue hardship to the Town or cause a direct threat to health or safety. The Town will make reasonable accommodation to otherwise qualified employees due to pregnancy, a health condition related to

pregnancy, or the physical recovery from childbirth absent undue hardship.

Employees needing such accommodation are instructed to contact their supervisor and Human Resources immediately

Pregnant Workers Fairness Act (C.R.S 24-34-402.3)

The Pregnant Workers Fairness Act makes it discriminatory or unfair employment practice if an employee fails to provide reasonable accommodations to an applicant or employee who is pregnant, physically recovering from childbirth, or a related condition.

Requirements:

Under the Act, if an applicant or employee who is pregnant or has a condition related to pregnancy or childbirth requests an accommodation, an employer must engage in the interactive process with the applicant or employee and provide a reasonable accommodation to perform the essential functions of the applicant or employee’s job unless the accommodation would impose an undue hardship on the employer’s business.

The Act identifies reasonable accommodations as including, but not limited to:

- provision of more frequent or longer break periods;
- more frequent restroom, food, and water breaks;
- acquisition or modification of equipment or seating;
- limitations on lifting;
- temporary transfer to a less strenuous or hazardous position if available, with return to the current position after pregnancy;
- job restructuring;
- light duty, if available;
- assistance with manual labor or modified work schedule.

The Act prohibits requiring an applicant or employee to accept an accommodation that the applicant or employee has not requested or an accommodation that is unnecessary for the applicant or the employee to perform the essential functions of the job.

Scope of accommodations required:

An accommodation may not be deemed reasonable if the employer has to hire new employees that the employer would not have otherwise hired, discharge an employee, transfer another employee with more seniority, promote another employee who is not qualified to perform the new job, create a new position for the employee, or provide the employee paid leave beyond what is provided to similarly situated employees.

Under the Act, a reasonable accommodation must not pose an “undue hardship” on the employer. Undue hardship refers to an action requiring significant difficulty or expense to the employer. The following factors are considered in determining whether there is undue hardship to the employer:

- the nature and cost of accommodation;
- the overall financial resources of the employer;
- the overall size of the employer’s business;

- the accommodation's effect on expenses and resources or its effect upon the operations of the employer;

If the employer has provided a similar accommodation to other classes of employees, the Act provides that there is a rebuttable presumption that the accommodation does not impose an undue hardship.

Adverse action prohibited:

The Act prohibits an employer from taking adverse action against an employee who requests or uses a reasonable accommodation and from denying employment opportunities to an applicant or employee based on the need to make a reasonable accommodation.

Anti-Violence

Employees have the right to a safe, violence free and drug free workplace. To that end, the Town's position on workplace violence is very inflexible. Employees who engage in workplace violence, whether instigating it or not, may be drug and/or alcohol tested, and pending a full investigation may be subject to discipline up to and including suspension from duty without pay or termination.

Employees must not engage in physical and/or verbal intimidation, bullying, threats, or hostile behaviors, physical abuse, vandalism, arson, sabotage, use of weapons, carrying weapons on to Town property regardless of whether or not the employee possesses a concealed carry permit, or any other act, which, in management's opinion, is inappropriate to the workplace. (See Town Municipal Code Section 9.17 prohibiting the possession of weapons on all property owned by the town) In addition, employees must refrain from making bizarre or offensive comments regarding violent events and/or behavior. Employees are expected to report any prohibited conduct to management. (Sworn officers of the police department are exempt from the weapons reference of this policy)

Employees should immediately report any such occurrences to their supervisor or to Human Resources. See complaint procedure below.

Employees should directly contact law enforcement if they believe there is an imminent threat to the safety and health of themselves or co-workers.

Sexual Harassment/ Inappropriate Conduct

Because sexual harassment raises issues that are to some extent unique in comparison to other harassment, the Town believes it warrants separate emphasis.

The Town strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- ◆ Submission to such conduct is made explicitly or implicitly a term or condition of employment.
- ◆ Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment.
- ◆ Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

All employees are expected to conduct themselves in a professional and businesslike manner at all times. Conduct which may violate this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

- ◆ Written form, such as cartoons, posters, calendars, notes, letters, emails
- ◆ Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated unwanted requests for dates.
- ◆ Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

Complaint Procedure

If you believe there has been a violation of the EEO policy or harassment based on the protected classes outlined above, including sexual harassment, please use the following complaint procedure. The Town expects employees to make a timely complaint to enable the Town to investigate and correct any behavior that may be in violation of this policy.

1. Report the incident to your supervisor or manager who will investigate the matter where appropriate and take corrective action. Your complaint will be kept as confidential as practicable.
2. If you prefer not to go to either of these individuals with your complaint, you should report the incident to Human Resources
3. If the problem still cannot be resolved, employees may submit a written complaint to the Town Manager for review and final decision about the situation.

The Town prohibits retaliation against an employee for filing a complaint under this policy or for assisting in a complaint investigation. If you perceive retaliation for making a complaint or for your participation in the investigation, please follow the complaint procedure outlined above. The situation will be investigated.

If the Town determines that an employee's behavior is in violation of this policy, appropriate disciplinary action will be taken against the offending employee up to and including suspension or termination of employment.

Filing a Retaliation Complaint

A retaliation complaint may be filed directly with the Human Resources Director or Town Manager. A retaliation claim must be filed within 90 days of the retaliation behavior. If there is a pattern of retaliation, the complaint must be filed within 45 days of the most recent alleged act or threat of interference or retaliation.

Investigation

The complaint will be investigated. The Town Manager and Human Resources Director will convene a meeting for the purposes of making a determination about the investigation. The Town Manager may request any documentation or verbal statements by employees as may be legitimately required for appropriate fact finding.

Decision

If a finding that interference or retaliation has occurred, the Town Manager will review the incident. The determination is final and binding. The Town Manager sees to it that, through appropriate channels, corrective action is taken against the employee who is found to have interfered or retaliated. The Town Manager will communicate the determination in writing to the complainant, if known, and to the person or persons accused of violating this guideline.

With regard to complaints where it is alleged that the Town Manager interfered or took retaliatory action, the finding of the investigation shall be presented for a decision to the Mayor.

Whistleblower Policy

The Town of Mountain Village prohibits its employees, contractors, subcontractors, or other agents from discriminating in the terms and conditions of employment with respect to employees who:

- Provide information to or assist in securities law investigations with town supervisors or investigators, federal regulatory or law enforcement agencies, or Congress, or
- File, testify, participate in, or otherwise assist in any proceedings, including private actions, currently filed or to be filed involving alleged violations of the securities laws, SEC regulations, or securities fraud.

The town is committed to protecting employees from interference with or retaliation for having made a protected disclosure or for having refused an illegal order.

Filing a Retaliation Complaint

A retaliation complaint may be filed directly with Human Resources Director, Finance Director or the Town Manager. The claim may be submitted anonymously if the complainant so chooses. Send a written or typed complaint to the following address: Human Resources, 455 Mountain Village Blvd., Ste. A, Mountain Village, CO 81435 to submit an anonymous complaint.

A retaliation claim must be filed within 90 days of the retaliation behavior. If there is a pattern of retaliation, the complaint must be filed within 45 days of the most recent alleged act or threat of interference or retaliation.

Investigation

The complaint will be investigated. The Audit Committee will convene a meeting for the purposes of making a determination about the investigation. The Audit Committee may request any documentation or verbal statements by employees as may be legitimately required for appropriate fact finding. The employee filing the complaint may at the time of the hearing, present their complaint to the Audit Committee in person.

Decision

If a finding that interference or retaliation has occurred, the Chairman of the Audit Committee will provide that information to the Town Manager. The determination is final and binding. The Town Manager sees to it that, through the appropriate channels, corrective action is taken against the employee who is found to have interfered or retaliated. The Town Manager will communicate the determination in writing to the complainant, if known, and to the person or persons accused of violating this guideline.

With regard to complaints where it is alleged that the Town Manager interfered or took retaliatory action, the finding of the investigation shall be presented for a decision to the Finance Director or the Mayor.

Appeal

An employee may appeal the decision to **the Town Manager** only on the basis of whether the complaint is timely and qualifies for review under the scope of this guideline.

Job Descriptions

Job descriptions are available for each position within the Town in [Ultipro](#). Your immediate supervisor will provide you with a copy of your job description and answer any questions that you may have regarding it. Each job description typically indicates duties and responsibilities, major reporting relationships, measures of job performance, required skills and education, and required physical ability.

Confidentiality of Information

To repay the trust and confidence placed in us by our guests and our employees we must maintain the confidentiality of information within the Town. Confidential information obtained as a consequence of employment is released only when properly authorized. This information includes, but is not limited to personnel records, confidential meetings, memoranda, documents, and other methods of internal communication. Any copying, reproducing, or distributing of confidential information in any manner must be authorized by management.

A breach of confidentiality may subject the Town to liability. Confidential information may not be used for the purpose of furthering a private interest or as a means of making a profit. Such use of confidential information will not be tolerated.

Door codes are issued to the individual employee are not to be shared or given to any other person, whether an employee or not.

Personnel Records

The Town keeps a personnel file as a record of your employment. It is important for this record to be up-to-date and complete. This enables us to reach you in an emergency, forward your mail, and properly maintain your insurance and other benefits. It also helps keep track of your payroll deductions and many other things that concern you as an individual.

Notify the Human Resource Department immediately if you have changes in any of the following areas: Name, residence, telephone, marital status, insurance changes, tax exemptions, person to notify in case of an emergency, and other relevant information.

Additionally, you should notify the Human Resources Department if you complete educational or training courses. This information may be considered with your other employment records as job opportunities arise in the Town.

All requests to view personnel records must be made in writing to the Human Resources Department with reasonable advance notice.

Reference Requests

Employees who are approached either formally or informally and asked to provide information about former employees of the Town should refer such inquiries to the Human Resource Department.

EMPLOYEE SELECTION

Application Accuracy

Prospective employees will be required to complete an employee application and necessary hiring forms. The Town reserves the right to verify all employment data. False or misleading information on an application or other hiring forms before or during employment may be cause for disciplinary action or

employment denial. If an employee realizes they have put inaccurate information on Town forms, he or she must notify Human Resources and correct the information immediately.

Interviews

Considered applicants for Town positions participate in an interview with Human Resources and with the supervisor/manager of the department to which the position reports. Interviews will be job related and will be used, in conjunction with employment and driver background checks and a variety of other measures, as a tool for making hiring decisions.

Promotions

Employees may be considered for promotion to fill vacancies based upon the following factors including but not limited to individual's experience, training, work related background, attendance, present and past performance, and anything else management believes to be important to the job at the time the open position is filled. Length of service for the Town will be considered when two or more applicants possess equal qualifications. In order to be eligible to apply for a posted position, you must meet the minimum hiring specifications for the position, be capable of performing the essential functions of the job with or without a reasonable accommodation.

Employees are responsible for monitoring job vacancy notices on the Town website and for completing an online application during the posting period for a specific opening.

Employment of Relatives (see Code of Ethics)

The Town recognizes that the work force in the region is limited, and on occasion, more than one close relative may work for the Town and even in the same department. In order to avoid any real or apparent Conflict of Interest, impropriety or favoritism, no person shall be permitted to be involved in the hiring, evaluation, salary adjustments, promotions, disciplinary decisions or other budgetary or financial decisions of a relative. For purposes of this Section, a relative shall mean spouses, parents, children, brothers and sisters, grandparents, grandchildren, in-laws or relatives living in the same household.

In the event a situation exists as of the date of this employee handbook, where a relative is in a supervisory role of another relative, these situations may continue with the direct involvement and supervision of the Department Director. The Department Director shall be solely responsible for the evaluation, salary adjustments, promotions, disciplinary decisions or other budgetary or financial decisions of the supervised relative.

EMPLOYEE CLASSIFICATION & INTRODUCTORY PERIOD

The following employee group definitions are assigned at the time of hire and are used to determine eligibility for benefits such as PTO, health insurance, etc.

Group 1 *Full time, year-round employees (Exempt)* - Exempt employees must meet both the duties test and the salary basis test under FLSA for exempt status. Exempt employees are expected to work at least 40 hours per week or until the job is done, whichever is greater and are compensated based upon a biweekly salary. The employee is expected to work, at a minimum, the hours established for a particular department and be available when necessary outside those hours, either daily or weekly. No overtime will be paid for hours worked in excess of 40 hours per week.

Group 2 *Full time, year-round, hourly employees (Non-exempt)* - Full-time hourly employees are normally scheduled for 40 hours per week. Benefits are calculated based upon hours worked up to 40 hours per

week. Some employees may regularly be scheduled less than a 40-hour week with Department Head and Town Manager approval.

Group 3 **Seasonal employees (Non-exempt)** - Work for a limited period of time, referred to as a season (i.e. summer season, winter season, shoulder season, or during summer or holiday breaks from school or a period of time identified and agreed upon by the Town and the employee on the date of hire.)

3A **Full-time seasonal, hourly**- Working *full time* during Town recognized seasons. Season to be defined and agreed upon prior to commencement of employment

3B. **Part-time seasonal, hourly**- Working *part time* during Town recognized seasons. Season to be defined and agreed upon prior to commencement of employment

3C. **Full-time, seasonal, hourly** –Working full time, more than 1560 hours per year.

Group 4 **Part time, hourly employees (Non-exempt)** –Part time employees generally work more than 15 hours, but less than 30 hours per week and have a schedule that has been defined and agreed upon prior to the commencement or employment.

Group 5 **Part time, hourly employees (Non-exempt)** – Part time employees generally work less than 15 hours/week working the hours and/or shift assigned.

Group 6 **POLICE Full time, year-round employees (Exempt)** - Exempt employees must meet both the duties test and the salary basis test under FLSA for exempt status. Exempt employees are expected to work at least 80 hours per pay period or until the job is done, whichever is greater and are compensated based upon a biweekly salary. The employee is expected to work, at a minimum, the hours established for a particular department and be available when necessary outside those hours, either daily or weekly.

Group 7 **POLICE Full time; year-round, hourly employees (Non-exempt)** Full-time hourly employees are normally scheduled for 80 hours per pay period. Employees are paid overtime on hours worked over 80.

Group 8 **Town Councilors** Part time elected officials

Group 9 **POLICE Part time, hourly employees (Non-exempt)** – On call officers to work a limited period of time, working the hours and/or shift assigned.

Definition of Seasons:

- Winter Season - the beginning of November through the beginning of April, based on available work.
- Summer Season - the end of May through the end of October, based on available work.
- Shoulder Season - The time period between the beginning of April and the end of May and between the end of October and the beginning of November when the Town of Mountain Village may be operating with a reduced work force.
- Other Season - A period of time identified and agreed upon by the Town and the employee and noted on the employment paperwork at the time of hire.

BENEFITS & ELIGIBILITY

Employee Benefits

This section describes the current employee benefits provided for you. The "Benefits Eligibility Chart" will familiarize you with our total benefits package. Seniority for benefits will accrue based on the employee's eligibility date.

BENEFIT ELIGIBILITY CHART

Benefit	Eligible Groups									
	1	2	3A	3B	3C	4	5	6	7	8
AFLAC	X	X	X	X		X		X	X	
401(k)	X	X								
457 FPPA								X	X	
Bereavement Leave- paid	X	X						X	X	
Direct Deposit	X	X	X	X		X	X	X	X	X
Employee Assistance Program (EAP)	X	X	X	X	X	X		X	X	
Employee Shuttles	X	X	X	X		X	X	X	X	
End of Season Bonus			X	X						
Flex Spending Accounts (FSA) - Dependent Care	X	X						X	X	
Flex Spending Accounts (FSA) - Medical	X	X						X	X	
FMLA (minimum 1250 hrs., 1 yr. service)	X	X	X	X				X	X	
FPPA (Police Only)								X	X	
FPPA (457 (Police Only)								X	X	
Holiday Pay		X	X	X		X	X		X	
Jury Duty - full pay	X	X	X	X		X		X	X	
Life Insurance - paid	X	X						X	X	
Life Insurance (PERA) - voluntary	X	X	X	X		X	X	X	X	X
Long Term Disability (LTD)	X	X						X	X	
Medical, Dental, Vision Insurance	X	X						X	X	
Military Leave (paid)	X	X	X	X		X	X	X	X	
PERA	X	X	X	X		X				X
PTO (Paid Time Off)	X	X						X	X	
Employee Ski Pass	X	X	X			X		X	X	X
<u>Wellness Reimbursement Program</u>	<u>X</u>	<u>X</u>						<u>X</u>	<u>X</u>	

Eligible Dependents

Dependents eligible for coverage under the Town group health plan, employee assistance program, and other Town benefits are as follows:

1. The employee's lawful spouse, as defined in the State that you reside; provided that:
 - a. the spouse is not legally separated from the employee, and
 - b. the employee is eligible to claim a marital status of marriage on their Federal Income Tax Return as a result
2. Common-law spouse verified by valid affidavit

3. A covered *employee's* Civil Union partner, who meets the requirements of Colorado's Civil Union Act, on a post-tax basis; verified by civil union certificate
4. A covered *employee's* married or unmarried: natural born, blood related child; step-child; foster child; a Civil Union partner's child; legally adopted child; child placed in the *employee's* legal guardianship by court order; or a child placed with the *employee* for purpose of adoption and for which the *employee* has a legal obligation to provide full or
5. partial support; whose age is less than the *limiting age.

*The limiting age for each *dependent* child is 26 years of age.

Human Resources must be notified within twenty (21) days to add newly acquired dependents (birth, marriage, adoption, etc.). New dependents become effective on the date of their eligibility.

401(k) Plan

The Town participates in PERA's 401(k) retirement plan. Participation in the 401K plan is voluntary for eligible employees. Employees who participate in the 401K plan decide how much money they want to contribute, consistent with current IRS regulations and they control how their money is invested. 401K plan contributions will be automatically deducted from your paycheck and the Town will match that amount dollar for dollar based upon the table below. Employee and Town contributions are 100% vested immediately.

PLAN A Employees that were eligible for 401K PRIOR to April 1, 2008 may elect to stay on the previous plan as stated below or convert to the new plan:

- Employees in their first year of eligibility who contribute to the 401K will receive an equal matching contribution up to 1% to their 401K.
- Employees in their second year of eligibility who contribute to the 401K will receive an equal matching contribution up to 3% to their 401K.
- Employees in their third year of eligibility who contribute to the 401K will receive an equal matching contribution up to 5% to their 401K.
- Employees in their fourth year of eligibility who contribute to the 401K will receive an equal matching contribution up to 9% to their 401K.

PLAN B: Employees that are eligible for 401K on or after April 1, 2008 will receive the following match:

- Employees in their first year of eligibility who contribute to the 401K will receive an equal matching contribution up to 2% to their 401K.
- Employees in their second year of eligibility who contribute to the 401K will receive an equal matching contribution up to 3% to their 401K.
- Employees in their third year of eligibility who contribute to the 401K will receive an equal matching contribution up to 4% to their 401K.
- Employees in their fourth year of eligibility who contribute to the 401K will receive an equal matching contribution up to 5% to their 401K.

A 401K summary plan description booklet outlining all aspects of the plan is provided to all Group I and II employees upon hire. Additional information is available in Human Resources.

Employee Assistance Program (EAP)

The Town recognizes there may be times when employees need professional help with substance abuse and other personal or family matters. Therefore, the Town offers an Employee Assistance Program (EAP). All Town employees and their families are eligible for three (3) free counseling sessions per

incident per year. Two financial counseling sessions with certified financial planners and two 30-minute consultations with an attorney are also included. It is not necessary to consult your supervisor before using the EAP. Employees may confidentially request information about the EAP from Human Resources. An employee may seek assistance directly from the EAP by contacting:

Triad, EAP
Phone: 877.679.1100 or 970.242.9536
Fax: 970.257.1157
Email: triadeap.com
www.triadeap.com/TMV

Use of the EAP must be on the employee's own time and is not designed to be a substitute for good job performance or an excuse for not completing their work duties and responsibilities. Those employees initiating a request for assistance from the EAP prior to receiving a positive drug or alcohol test or any disciplinary action for violating Town policies will be given positive consideration for their attempt to obtain help.



Colorado PERA is a qualified retirement plan that the Town contributes to in lieu of Social Security, as required by law. PERA pays interest on the employee contribution. Your PERA contributions are tax-deferred. It is your responsibility to keep PERA advised of any name, address or beneficiary changes.

FPPA Fire & Police Pension Association-FPPA (Police only)

The Town provides retirement, death, and disability and survivor benefits for its police officers through the Fire & Police Pension Association of Colorado (FPPA). As members of FPPA, police officers make member contribution to FPPA matched by Town contributions. Employees may consult their FPPA member handbooks or contact Human Resources for more information regarding FPPA plan design and benefits.

FPPA 457 Plans (Police only)

FPPA offers a valuable plan for those members who want to save additional funds towards retirement.

PLAN A Employees that were eligible for 457 PRIOR to April 1, 2008 may elect to stay on the previous plan as stated below or convert to the new plan:

- Employees in their first year of employment who contribute to the 401K will receive an equal matching contribution up to 1% to their 457.
- Employees in their second year of employment who contribute to the 401K will receive an equal matching contribution up to 3% to their 457.
- Employees in their third year of employment who contribute to the 401K will receive an equal matching contribution up to 5% to their 457.
- Employees in their fourth year of employment who contribute to the 401K will receive an equal matching contribution up to 9% to their 457.

PLAN B: Employees that are eligible for 457 as of or after April 1, 2008 will receive the following match:

- Employees in their first year of who contribute to the 401K will receive an equal matching contribution up to 2% to their 457.
- Employees in their second year of employment who contribute to the 401K will receive an equal matching contribution up to 3% to their 457.
- Employees in their third year of employment who contribute to the 401K will receive an equal matching contribution up to 4% to their 457.
- Employees in their fourth year of employment who contribute to the 401K will receive an equal matching contribution up to 5% to their 457.

Medical/Dental/Vision/Life Insurance Plan

The Town provides health, dental, vision and life insurance coverage for all eligible employees effective the first day of the month following 30 days of employment eligibility. Details about these coverage's are outlined in the summary plan information provided to each employee upon hire.

Dependents of the employees can obtain health, dental and vision coverage under the same group plan for a reasonable employee contribution. The dependent cost for coverage will be deducted from the employee's biweekly paycheck.

Legal spouses (which includes Civil Union Partners) and, dependent children (including: step, foster, adopted, and children of a Civil Union Partnership) up to age 26 are also eligible for coverage. Providing proof of eligible dependency is required to enroll dependents. Acceptable forms of documentation to show proof of dependency are: birth, adoption, marriage, common law, and Civil Union Certificates.

An employee seeking to add a common law spouse must complete a "Certificate of Spouse" form.

Specific information regarding the health/dental/vision plan is available at www.cebt.org and from the Human Resources department.

Dependent Eligibility

Dependents may only be covered if the employee is covered. Late enrollment may result in a delay of coverage.

A dependent is eligible to be covered on the later of:

1. The date the *employee* is covered;
2. The date of the *employee's* marriage for a dependent acquired on that date.
3. The child's date of birth
4. The date a court order places a child in the *employee's* home. The child must be under the *employee's* legal guardianship
5. The date a child is legally adopted
6. The date a valid court order is issued which requires the *plan* to provide coverage
7. For a Civil Union partner, the date you meet the definition of dependent as stated in the plan

Newborn and Adopted Children

A newborn child of a covered employee or dependent is automatically covered during the first 31 days of life and an adopted child is automatically covered in the 31-day period immediately following placement of adoption. Coverage is only provided automatically under this plan in the absence of other coverage under another plan. Dependent coverage must be in force for coverage to continue past the first 31 days or the child's coverage will terminate immediately.

Annual Open Enrollment Period

Each year, a 30-day period will be provided for enrollment. Once you have made elections for the year, your choices cannot be changed until the next annual enrollment period unless you have a change in status or request to voluntarily terminate coverage mid-year.

Completed enrollment forms must be received before the end of the 30 day annual enrollment period or you will not be able to enter the plan until the next annual enrollment period or change in status.

Changes in Eligibility / COBRA Coverage

Employees must notify Human Resources immediately regarding ANY CHANGE IN ELIGIBILITY. If you have a change in status, you have 30 days from the date of that change to make new elections under this plan.

Qualifying events include:

- ◆ Marriage, divorce, or legal separation
- ◆ Death of any dependent
- ◆ Birth or adoption of a child
- ◆ Total disability
- ◆ Employment status change of you or your dependent
- ◆ Employee's dependent child reaches 26 years of age
- ◆ Court order which requires you or another individual to provide coverage
- ◆ Retirement
- ◆ Medicare eligibility
- ◆ Medicaid plan or State child health plan eligibility

Failure to inform Human Resources of a qualifying event may result in a dependent being uninsured. Qualifying events allow dependents to remain on our plan by electing COBRA coverage.

Coverage under COBRA for an employee and dependents may be elected for up to 18 to 36 months depending on the nature of the qualifying event. Please contact Human Resources with any questions you may have regarding COBRA coverage.

Upon termination of employment, all medical benefits will cease at the end of the month unless the employee elects to continue their coverage at their own expense under COBRA, for up to 18 months. Termination of continued coverage will occur if:

- The employee becomes covered under another group health plan,
- The employee becomes eligible for Medicare, or
- The employee fails to pay the monthly coverage premium
- *Survivorship Continuation*

If you have dependent coverage in force on the date that you die, coverage under this plan will continue for your surviving dependents that were covered under the plan on the date immediately preceding your death. Coverage will end on the earliest of the following:

1. The end of two consecutive years following your death
2. The date your surviving dependents become covered under another group plan

Reinstatement of Coverage

If your coverage ends due to termination of employment and you qualify for eligibility under this plan again (are rehired or considered to be rehired for purposes of the Affordable Care Act) within 26 weeks from the date your coverage ended, your coverage will be reinstated.

If your coverage ends due to termination of employment and you do not qualify for eligibility under this plan again within 26 weeks from the date your coverage ended you will be treated as a new hire and will be required to meet all of the requirements of a new employee.

Refer to the Family and Medical Leave Act (FMLA) for possible exceptions.

Termination of Coverage

Coverage terminates

1. For employees, the end of the month in which you terminate employment
2. For dependents, the day the employees coverage terminates or the day the dependent no longer meets the plans eligibility requirements (for example, reaches 26 years of age)

NOTICE for Active Employees and Spouses Age 65 or Over

The plan cannot terminate your coverage due to age or Medicare status. An active employee that is eligible for Medicare due to age (age 65 or over) has the choice to:

1. Maintain coverage under this plan, in which case Medicare benefits would be secondary to this plan; or
2. End coverage under this plan, in which case Medicare would be the only coverage available to you

An active employee's spouse who is eligible for Medicare due to age (age 65 or over) has the same choice.

Flexible Spending Plans

The Town offers eligible employees the opportunity to participate in flexible spending plans. Employees become eligible to participate in the plans on the first day of the month following thirty days of employment eligibility. These plans enable participants to pay health care and dependent care expenses with pre-tax dollars rather than after-tax dollars. The plans require advance annual enrollment and money not used during the period specified in the plan document is forfeited. Open enrollment is in November/December each year for the following year

The Town currently offers three Flexible Spending (Section 125) Plans:

Premium Only Plan

This salary reduction plan converts employee premiums for health and/or dental benefits from an after-tax to a pre-tax basis. Employees who pay for health premiums are automatically included in this Plan, unless an employee specifically requests to be omitted from the Plan.

Health Plan

This plan allows employees to designate a portion of their income, up to a maximum amount allowed per year, to be placed into their flexible spending account. This money can be used to pay for medical expenses, such as dental care, vision care, coinsurance, deductibles, and over-the-counter and prescription drugs that are not covered by other insurance.

Dependent Care Plan

This plan allows employees to designate a portion of their income, up to a maximum amount allowed per year, to be placed into their flexible spending account. This money can be used to pay for eligible child or eldercare expenses.

In the event the above information conflicts with the actual terms and conditions of coverage, the latter governs. For more information, please refer to the Summary Plan Description, or contact Human Resources.

Paid Time-Off (PTO)

The Town strives to provide equity, consistency, and flexibility in the delivery of benefit alternatives to Town employees. Where appropriate, certain benefits have also been designed to incorporate employee tenure to recognize and reward long-term service to the Town. All eligible employees accrue PTO based on the schedule as set forth below, not including overtime and leaves of absence.

It is the policy of the Town to provide employees necessary time away from work. This policy is implemented by means of the PTO plan, which covers all paid PTO previously available under the Town's PTO and PTO policies.

PTO can be utilized for any purpose, subject only to necessary request/ approval procedures consistent with the Town of Mountain Village Employee Handbook.

PTO Accrual - Plan A (Employees eligible prior to November 3, 2013)				
Years of Eligibility	Annual Accrual Rate (hours)	Hourly Accrual Rate	Maximum Bankable Hours	PTO Payout Cap
Less than or equal to 2 years	192	0.0923	384	120
2.1 – 3 years	208	0.1	416	152
3.1– 4 years	216	0.1038	432	184
4.1 – 5 years	224	0.1076	448	216
5.1 – 6 years	232	0.1115	464	224
6.1 – 7 years	240	0.1153	480	280
7.1 – 8 years	248	0.1192	496	340
8.1 – 9 years	256	0.123	512	340
9.1 – 10 years	264	0.1269	528	340
10.1 – 11 years	272	0.1307	544	400
11.1 – 12 years	280	0.1346	560	400
12.1 – 13 years	288	0.1384	576	400
13.1 – 14 years	296	0.1423	592	400
14.1 – 15 years	304	0.1461	608	400
15.1 – 16 years	312	0.15	624	460

16.1 – 17 years	320	0.1538	640	460
17.1 – 18 years	328	0.1576	656	460
18.1 – 19 years	336	0.1615	672	460
19.1 – 20 years	344	0.1653	688	460
➤ 20 years	352	0.1692	704	520

PTO Accrual - Plan B (Employees eligible on November 3, 2013 or later)

Years of Eligibility	Annual Accrual Rate (hours)	Hourly Accrual Rate	Maximum Bankable Hours	PTO Payout Cap
0 – 2 years	192	0.0923	384	124.8
2.1 – 3 years	208	0.1	416	129.6
3.1 – 4 years	216	0.1038	432	134.4
4.1 – 5 years	224	0.1076	448	139.2
5.1 – 6 years	232	0.1115	464	144
6.1 – 7 years	240	0.1153	480	146.4
7.1 – 8 years	248	0.1192	488	148.8
8.1 – 9 years	256	0.123	496	151.2
9.1 – 10 years	264	0.1269	504	153.6
10.1 – 11 years	272	0.1307	512	156
11.1 – 12 years	280	0.1346	520	158.4
12.1 – 13 years	288	0.1384	528	160.8
13.1 – 14 years	296	0.1423	536	160.8
14.01 – 15 years	304	0.1461	536	160.8
15.1 – 16 years	312	0.15	536	160.8
16.1 – 17 years	320	0.1538	536	160.8
17.1 – 18 years	328	0.1576	536	160.8
18.1 – 19 years	336	0.1615	536	160.8
19.1 – 20 years	344	0.1653	536	160.8
➤ 20 years	352	0.1692	536	160.8

Use of PTO

- ◆ PTO is accrued on a per hour basis up to 80 hours and may be used subsequent to the payroll in which it was earned.

- ◆ PTO time is available for an employee's absence due to a minor illness or injury. In the event an employee is absent for more than three days or in cases of excessive absenteeism, medical certification from a healthcare provider must be provided by the employee if requested by the employee's supervisor or Department Head. The Department Head may also require certification from a physician that the employee is capable of returning to work. (See FMLA)
- ◆ PTO will continue to accrue up to the Maximum Bankable Hours listed above but only the number of hours set forth below will be paid out at termination:
 - Non-scheduled use must be requested prior to the beginning of a shift or per departmental practices. Non-scheduled PTO requests may be denied depending on staffing needs.
 - Employees receiving Workers Compensation may use accrued PTO hours to return to 100% of their net salary.
 - An employee taking an unpaid leave of absence must use all accrued PTO hours before beginning the unpaid leave.
 - Supervisors have the authority to encourage and/or deny use of PTO during critical times.

Termination Benefits

Upon termination of employment with the Town, PTO will be paid at the employee's hourly wage based upon the PTO Payout Caps listed above.

Termination pay cannot be used to extend the employee's date of termination beyond the last scheduled workday.

Donated PTO Policy

The intent of this section is to allow for the transfer of accrued PTO from one employee to the paid time off account of another employee who has a need for additional paid PTO because he/she has exhausted all paid PTO. The donation of accumulated PTO can be done only on a dollar for dollar basis. The employee requesting donated PTO shall submit a request to Human Resources authorized by the recipient's Department Head. PTO may be donated to all employees including seasonal and part-time employees subject to all terms and conditions contained in this policy.

Employees may also contribute to a Donation Bank. All employees may be eligible recipients of the Donation Bank. Requests for PTO donations from the bank must be submitted to Human Resources. Donations must be approved by the department directors/supervisors.

The Town Manager reserves the right to determine eligibility for donation transfer on a case-by-case basis. Exercise of the donation policy shall not establish precedent or practice and shall not be subject to the grievance procedure.

Donated PTO Terms and Conditions

1. Donations may be from accrued PTO and will be credited to the recipient's PTO account. Donations will be subject to policies that govern the PTO policy.
2. The recipient must first use all accrued PTO before being eligible to receive donated PTO.
3. Employees receiving worker's compensation, disability, or other similar benefits are not eligible to receive donated PTO.
4. Any donation of PTO must be at least four hours and not more than forty hours per year from any one donor to any one employee unless approved by the Town Manager. Department Directors/Supervisors must authorize the donation of PTO to their employees.
5. The donor must maintain at least 40 hours of PTO in their own account.

6. The donated PTO will be transferred at the donor's pay rate and used at the recipients pay rate.
7. Donations may be made retroactively, but no more than sixty days retroactively.
8. Names of donors and recipients will not be revealed unless the donors and recipients choose to do so in writing.
9. Employees are only eligible to receive donated PTO for normal work hours lost.
10. Employees will be allowed to receive up to 480 hours of donated PTO annually. Any donation of PTO must be approved by the recipient's Department Head.
11. Donated PTO hours do not qualify for cash payout upon termination.



Short Term Disability (STD) (all employees except Police)

Colorado PERA members with five or more years of earned service credit are covered by short term disability (STD) insurance and a disability retirement benefit. STD may provide reasonable income after you have been unable to work for 60 days. STD lasts a maximum of 22 months. The maximum income is 60% of your pre-disability earnings. www.copera.org

TheStandard[®] Group Long Term Disability Insurance (LTD)

At no cost to the employee, full time/year-round employees (group 1, 2, 6 & 7) are automatically enrolled into the Town of Mountain Village Group Long Term Disability Insurance Program. This program provides employees with income protection if they are unable to work more than 90 days due to illness, physical disease, injury, pregnancy or mental disorder.



Employee Housing Program

Furnished one-bedroom, shared occupancy units may be available for ~~full time~~, seasonal employees at Village Court Apartments. Priority for the program is given to departments providing essential services to help them maintain the operational staff to meet the needs of the community. Contact the HR Coordinator for more information.

Housing Down Payment Assistance Program ([refer to Employer Assisted Housing Program](#))

An employee may be eligible for housing assistance towards the purchase of a home ~~in Mountain Village~~within the Town of Mountain Village employee shuttle area -depending on the Town's available funding. The area extends to Cortez, Nucla, Telluride, Ridgway, Montrose and all intervening communities as well as San Miguel County. Contact Human Resources for more information.

Ski Passes and Skiing Privileges ([refer to the Ski & Snowboard Pass Request Policy](#))

~~Employees are eligible for a discounted ski pass.~~

Seasonal and part time employees (working a minimum of 20 hours/ week) are eligible for a merchant ski pass. Group 1, 2, 6, & 7 are eligible to use their Wellness Reimbursement towards a ski pass.

All ski passes are a taxable benefit.

For those who are new to the mountain, the fastest way to lose your ski privilege is to sell, loan or give away your ski passes. Misuse or abuse of ski passes is closely monitored. Selling, loaning or giving away either your Season pass or the Day Passes is against the law. This type of ski pass misuse is called "Theft of Skier Services". For your own protection, you should know that selling, loaning or giving away a Day Pass is a Class III Misdemeanor punishable by six months in prison and up to a \$500.00 fine. Selling, loaning or giving away a Season Pass is a Class IV Felony Theft carrying a maximum penalty of up to six years in prison and a minimum fine of \$2,000.00. In addition to these penalties other additional disciplinary actions may also occur.

Wellness Reimbursement Program (refer to the Wellness Reimbursement Policy)

In effort to promote healthy lifestyles for employees, thereby resulting in improved employee productivity, morale and healthcare cost savings, the town will reimburse full time, year-round employees up to \$895 towards a season ski pass or other wellness qualifying items. Eligible employees must be hired prior to January 1.

Unemployment Insurance

The Town contributes a percentage of employee's wages to the state to provide unemployment benefits if an employee becomes unemployed through no fault of their own. Eligibility for benefits is an individual determination made by the appropriate state agency.

PAY

This section of your handbook explains how payroll is administered, defines Employee Classification Groups, outlines Employee Benefits and explains Eligibility.

Employee Information Changes

Employees are required to contact the Human Resource Department if changes occur in the following information:

- ◆ Marital status
- ◆ Dependent insurance coverage information
- ◆ W-4 or 401(k) contributions
- ◆ Address, telephone or other contact information
- ◆ Driver's license or identification renewal
- ◆ Completion of education, credential or training program
- ◆ Beneficiary changes
- ◆ Bank information for direct deposit
 - *Inaccurate bank routing information may result in delayed processing of funds until the next pay period. Use pre-note if unsure of account numbers.*

In some cases, your insurance eligibility or other dependent coverage options may be affected by inaccurate information.

Garnishments and Attachments

By court action, a creditor may require the Town to withhold a certain percentage of your pay. If garnishments or similar proceedings are instituted against an employee, the Town will deduct the required amount from the employee's paycheck. Garnishment actions are conducted in compliance with appropriate federal and state laws.

Holiday Pay Dates

It is the policy of the Town to provide employees with certain holiday pay dates. Employees must work their regularly scheduled shift prior to and after the holiday to be eligible for the holiday pay rate. All non-exempt employees of the Town shall receive time and one half if they work on the following designated official holiday pay dates:

Holiday
New Year's Day
Memorial Day
Independence Day
Labor Day
Thanksgiving Day
Christmas Day

If an employee does not work on a holiday pay date they must use PTO if they want to be compensated for that day.

Compensation and Calculation of Holiday Pay

When a non-exempt employee is scheduled to work an official holiday pay date, the employee shall be paid time and one-half for the hours worked. (i.e. An employee that makes \$10.00/hr will be paid \$15.00/hour for working a designated holiday pay date). If overtime is worked on a holiday over forty hours, the overtime hours will be paid at 2.25 times the regular pay rate (i.e. if an employee that makes \$10/hour works 36 hours of regular time, and 8 hours on a holiday pay date he/she will be paid \$15/hour for 4 hours and \$22.50 for the 4 overtime hours). *Pre-approval by the Town manager is required for exempt employees to receive holiday pay.*

Lost Paychecks

Employees are responsible for their paychecks once they have been received from the supervisor. If an employee loses a check, they should immediately notify their supervisor. Employees should not expect to receive their replacement paycheck until five working days after a check has been reported lost. This delay is due to the amount of time required to stop payment on one check and to issue a new one.

On Call Duty & Pay (except Police)

The safety sensitive and customer service nature of many of our departments dictates the need for twenty-four hour, seven-day coverage. These departments operate fully staffed during normal business hours and require coverage by "On Call" personnel after hours, on holidays and weekends. The term "On Call" means that an employee carries an electronic communication device (i.e.: cellular phone, pager or radio) and responds to whatever calls may come in after hours. This response is made first by phone and, if necessary, secondly by going into work and physically addressing whatever the problem might be. In instances where calls come in reporting severe or emergency conditions, an employee should contact their supervisor and report as to the condition. Supervisors should discuss with employees the types of situations constituting a severe or emergency condition, for which the supervisor should be contacted.

Exempt (salaried) personnel performing "On Call" duties are not eligible for additional compensation for time spent being "On Call", for being called out or for overtime in accordance with applicable federal wage and salary guidelines.

Eligible non-exempt (hourly) employees performing "On Call" duties are eligible for additional compensation for being "On Call", for being called out and for overtime hours (hours spent over their normal 40-hour work week). Non-exempt employees will be compensated in the following manner and at the following rates:

"On Call" Pay for non-exempt employees

Departments with 7-day week coverage

\$10.00 per day for after hour on call duty

Departments with 5-day week coverage

-\$10.00 per day for after hour on call duty on days the employee is regularly scheduled to work.

-\$25.00 per day on days the employee is not regularly scheduled to work and there is no day time coverage, and when the employee is required to respond 24 hours a day

"Call Out" Pay for non-exempt employees

"Call Out" pay for non-exempt employees is paid at the regular hourly rate up to 40 hours per week.

Employees will be paid at 1 ½ times the regular hourly rate over 40 hours per week.

On Call Staffing:

The "On Call" schedule for each department may be staffed by management personnel, supervisory personnel or hourly personnel at the discretion of the department manager/supervisor.

Overtime Compensation

From time to time, employees may be required to work overtime. In these instances, employees are given as much advance notice as practical. Non-exempt employees are paid at the rate of one and one-half times their regular rate for hours worked in excess of 40 during the established workweek. For purposes of calculating overtime, only hours actually worked are counted.

Town employees may elect, at their own discretion, to work in jobs outside their regular duties and departments without incurring overtime. The extra work must be completely separate from their regular job and must be very occasional. There is no set number of hours for these sporadic assignments, however, they should be relatively minimal.

Non-exempt (Hourly) Employees

All non-exempt employees (employees paid on an hourly basis), with the exception of Police Officers, will be compensated at an overtime rate of one and one-half times their regular rate for all hours worked in excess of 40 hours per week. A week is defined as Sunday through Saturday. Time paid but not worked (i.e. PTO and/or jury duty) will not be counted as hours in calculating weekly overtime. All overtime must be pre-authorized by a supervisor.

Exempt (Salaried) Employees

Exempt employees are not subject to overtime provisions. No overtime will be paid for hours worked in excess of 40 hours per week.

Compensatory time may be granted for extra hours worked under certain circumstances, entirely through the generosity of the Town and only with the pre-approval of the direct supervisor and Town Manager. Approved compensatory time may only be taken during the pay period in which the extra time worked is incurred and cannot be carried over to future pay periods.

Overtime Pay for Police Officers

Police Officers are paid overtime at a rate of time and one half for hours worked in excess of eighty hours per two-week pay period. A two-week pay period for Police Officers is defined as Sunday of one week through Saturday of the following week. Time paid but not worked (e.g., PTO, jury duty) will not be counted as hours in calculating weekly overtime. All overtime must be pre-authorized by a supervisor.

Pay Period and Paydays

Employees are paid on a biweekly basis. The pay period runs from Sunday through Saturday. Actual paydays are regularly scheduled for the Friday following the close of the pay period the previous Saturday. Employees may obtain their paychecks and/or pay statements directly from their supervisor. For the employees' convenience, we offer the option of having paychecks automatically deposited to bank account(s). Employees that also opt to receive an electronic statement can view/print their direct deposit statement via online employee self-service.

Payroll Deductions

Applicable federal and state taxes are withheld from your paycheck each pay period. The law requires that a specified amount be withheld for Medicare Tax and Public Employees Retirement Association (PERA) benefits. The number of exemptions each employee claims on their W-4 form determines the amount of federal and state withholding.

If you need to increase your federal or state withholding or change the number of exemptions claimed, you must initiate the changes online in Ultipro or notify the Human Resources Department and complete the required forms.

Payroll Disruption

If the Town experiences computer failure or some other complication that could cause disruption of the paycheck distribution schedule, the Town will use its best efforts to distribute the paychecks within forty-eight (48) hours of the affected payday.

Personal Expenses

From time to time employees may use their personal credit card on behalf of the Town. These circumstances should be rare and limited to relatively minor sums of money. The Town will only reimburse employees for expenses incurred while conducting legitimate Town business, including training, and accompanied by a receipt. Using a personal credit card to pay for town customers or tenants is prohibited.

Time Reporting

All employees are required to record the hours worked and project tasks via time clock, computer, or phone. Time utilized commuting to and from the workplace is not considered hours worked. Scheduled time off for any employee must be taken as PTO or unpaid leave. All timesheets must reflect the actual hours worked. The accuracy of employee time reporting is the responsibility of the employee.

The supervisor is responsible for verifying, approving and submitting time records no later than 10 am on the Monday prior to payday. If there is a discrepancy between times shown on the time record and the employee's paycheck, employees should notify their supervisor immediately. If an employee has not recorded their time properly, adjustments may be made to the next paycheck if appropriate.

Do not punch "In" before starting a shift more than seven minutes before the normal start of that shift. For example, if your shift begins at 8:00 a.m., do not punch "In" before 7:53 a.m. unless instructed otherwise by your supervisor.

Punch "Out" as soon as possible following the completion of your shift. Normally, this should not be more than seven minutes following the end of your shift, unless you are authorized to work overtime.

Employees may not punch another person's time card. Employees may not falsify information on time cards. Should an employee punch another person's time card by mistake, the employee must notify their supervisor immediately. Falsification or tampering with time records or violation of this policy is subject to disciplinary action including termination.

Tips, Commissions or Fees

The solicitation or acceptance of unauthorized tips, commissions, fees, or items of monetary value from guests, representatives, suppliers, or any other source, as compensation for services rendered is improper and illegal. (See Code of Ethics Policy)

Travel, Training & Education

Employee Development

Employees may be given the opportunity to develop their work capacity so that they can improve and extend their contribution to the employer. The department head must approve in advance any employee training to determine the value to the employee and Town.

A completed *Per Diem Travel Expense Form* with department head approval is necessary for any reimbursement. Cash advances may be allowed if requested at least 48 hours in advance. Expenses for alcoholic beverages and personal entertainment are not reimbursable. Mileage for use of a personal vehicle is reimbursable at the current IRS rate. Registration fees and/or airfare are generally paid before the trip.

TIME OFF

Absence Requests

Requests for absence from work must be submitted to the supervisor. Supervisors have the authority to grant or deny requests based upon a variety of factors including but not limited to: department staffing considerations, reason for needing the absence, whether the employee has adequate PTO accrued to accommodate the request, tenure with the Town, etc. Failure to submit absence requests in a timely manner may result in requests being denied.

Bereavement/Funeral

All full time, year-round employees will be granted up to five days (40 Hours) of paid leave due to a death of an immediate family member. "Immediate family" is defined as follows: spouse, children,

parents, brothers, sisters, grandchildren or grandparents of either employee or employee's spouse. This paid leave is in addition to any PTO the employee may be eligible for. The Town reserves the right to request proof of such death. Pay will be calculated based on straight time of the employee's normally scheduled work week.

Employees are also allowed up to four hours of paid leave to attend a fellow employee's funeral service. Time off is subject to supervisor approval. Employees are required to use PTO if they need additional time.

Domestic Abuse Leave

The Town provides leave to employees who are the victims of domestic violence or abuse, stalking, sexual assault, or a crime found by the court to include an act of domestic violence. To be eligible for this leave, an employee must be employed for at least 12 months preceding the leave. Upon reasonable advance notice (except in cases of imminent danger to the health or safety of an employee), an employee may take up to three working days of leave in any 12-month period. The 12-month period will be measured forward from the date the first domestic violence leave begins.^a

Leave is unpaid although employees may use accrued PTO. Employees must use the leave to:

- Seek a civil protection order to prevent domestic abuse
- Obtain medical care or mental health counseling for him or her or for his or her children to address physical or psychological injuries resulting from the domestic abuse, stalking, sexual assault, or other crime involving domestic violence
- Make his or her home secure or seek new housing to escape the perpetrator
- Seek legal assistance and prepare for and attend court-related proceedings arising from acts of domestic violence

Employees must contact Human Resources to request leave. The Town requires appropriate documentation to approve this leave. Appropriate documentation may include police reports, court orders, confirmation of court appearances, or documentation from medical and other professionals.

Unpaid Time Off/ Extended Leaves of Absence

Employees may, with their department director's approval, take unpaid time off from work; however, employees are required to exhaust all PTO first.

Full time, year-round employees may be granted an extended leave of absence that is voluntary time off without pay for reasons other than otherwise protected under federal or state law (illness, disability).

Such requests will be granted in the Town's sole discretion based on a variety of factors, but not limited to, the reason for, and length of the requested leave, length of employment, employee performance, workload, and the ability of the Town to cover an employee's job responsibilities during the requested leave. In order to be eligible for an unpaid personal leave of absence, employees must be in good standing and have continuously worked for the Town for one year.

The Town will consider an unpaid personal leave of absence up to six weeks.

Employees should submit requests to their supervisor. Except in the case of emergencies, requests for personal leaves of absence should be submitted at least four weeks in advance of the need for the leave. Employees must use all paid leave available before starting a personal leave of absence. The

employee will not accrue PTO during unpaid time off since PTO is based upon hours worked. Paid bereavement leave or employer's jury duty pay are not granted on unpaid leave. Health, dental and vision benefits will remain in force if the individual makes prior arrangements to pay their share of the costs. Employees should consult human resources to determine the impact of any approved leave on an employee's eligibility for group benefits and required premium payments.

The department director, Human Resources, and the Town Manager must approve all personal leaves of absence.

Jury Duty

Employees will receive the necessary time off for jury duty. Any employee who is summoned for jury duty or subpoenaed in connection with his or her employment during regularly scheduled work time will be compensated for scheduled hours. When summoned, employees should notify and submit a copy of the summons to their immediate supervisor. If excused from jury duty during regular working hours, employees are expected to return to work. Employees will receive their normal pay for all jury duty hours worked that coincides with their regularly scheduled work time. Employees must endorse all jury duty compensation checks to the Town or have the amount deducted from their pay.

Family and Medical Leave (FMLA)

The Town provides up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- Incapacity due to pregnancy, prenatal medical care, or child birth.
- To care for the employee's child after birth, or placement for adoption or foster care.
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition
- Serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or called to active duty status in the Armed Forces, National Guard, or Reserves may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

*The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition."

Benefits and Protections

During FMLA leave, the Town maintains the employee's health coverage under any group health plan on the same terms as if the employee had continued to work. Employees must continue to pay their portion of any insurance premium while on leave. If the employee is able but does not return to work after the expiration of the leave, the employee will be required to reimburse the Town for payment of insurance premiums during leave.

Upon return from FMLA leave, most employees are restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Certain highly compensated employees (key employees) may have limited reinstatement rights.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. As with other types of unpaid leaves, paid leave will not accrue during the unpaid leave. Holidays, funeral leave, or employer's jury duty pay are not granted on unpaid leave.

Eligibility Requirements

Employees are eligible if they have worked for the Town for at least 12 months and for 1,250 hours over the previous 12 months.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents a qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive full calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

The maximum time allowed for FMLA leave is 12 weeks in the 12-month period. The Town uses the 12-month period measured forward from the first day of an employee's leave.

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the Town's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employees taking intermittent or reduced schedule leave based on planned medical treatment and those taking intermittent or reduced schedule family leave with the Town's agreement may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodates that type of leave.

Substitution of Paid Leave for Unpaid Leave

The Town requires employees to use accrued paid leave while taking FMLA leave. Paid leave used at the same time as FMLA leave must be taken in compliance with the Town's normal paid leave policies. If an employee's leave of absence does not constitute paid leave as defined by the town's paid leave policies,

the employee cannot use accrued paid leave, but can take unpaid leave. FMLA leave is without pay when paid leave benefits are exhausted.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the Town's normal call-in procedures.

Employees must provide sufficient information for the Town to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the Town if the requested leave is for a reason for which FMLA leave was previously taken or certified.

Employees also may be required to provide a certification and periodic recertification supporting the need for leave. The Town may require second and third medical opinions at the Town's expense. Documentation confirming family relationship, adoption, or foster care may be required. If notification and appropriate certification are not provided in a timely manner, approval for leave may be denied. Continued absence after denial of leave may result in disciplinary action in accordance with the Town's attendance guideline. Employees on leave must contact the Human Resource Director at least two days before their first day of return.

The Town's Responsibilities

The Town will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. The Town will provide a reason for the ineligibility if they are not eligible.

The Town will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the Town determines that the leave is not FMLA-protected, the Town will notify the employee.

Unlawful Acts

- FMLA makes it unlawful for the Town to: Interfere with, restrain, or deny the exercise of any right provided under FMLA.
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against the Town.

FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

Non-Work Related and Non-FMLA Medical Leave

Employees who have not worked 12 months or 1,250 hours are not eligible for the Town's FMLA guideline. New employees requiring non-work related medical leave may have up to two (2) weeks unpaid time off without jeopardizing their employment status. Employees requiring more time off than two weeks may be involuntarily terminated in order to allow the Town to address staffing needs. Employees terminated under these circumstances may be eligible for consideration for future positions once they are able to return to work.

Any employee requiring non-work related medical leave must produce a doctor's excuse in order to receive approval for that leave. Upon the employee's return to work, they must produce a doctor's release for full or modified duty.

Family Care Act Leave

The Town provides up to 12 weeks of unpaid leave to eligible employees to care for their partners in a civil union or domestic partnership, who have serious health conditions. Generally, leave under the Family Care Act is administered consistent with FMLA regulations. Contact your supervisor or Human Resources if you need family care leave.

Military Leave/ Reserve Duty

Employees are granted an unpaid military leave of absence, subject to federal law.

If employees are in the Reserves or National Guard and are called for training, the training period will not be charged to paid time off (PTO) unless the employee makes such a request. The Town currently compensates employees for a portion of military leave by paying employees the difference between military pay (not including travel or subsistence allowances) and Town pay up to 15 days per calendar year.

The Town prohibits retaliation against any employee for taking time off under this policy. If you believe there has been a violation of our retaliation standard, please contact the Human Resources Department.

Office Closures

In the case of inclement weather or emergency conditions, the Town Manager may close Town facilities or suspend Town operations. Employees are expected to be at their work stations unless the Town Manager declares the offices officially closed. Any employee who is absent from their work station when offices are officially open will be charged personal time off (PTO) or leave without pay for the time missed. Employees will be paid for their regular work day when offices are officially closed due to weather conditions.

Voting

The Town will give an employee time off to vote. The employee will be paid for working time he or she is required to miss in order to vote. The employee is required to apply for the leave before the day of election and the supervisor may specify the hours that the employee may be absent, provided, however, that the hours shall be at the beginning or end of a shift if the employee so requests.

Work Environment

Appearance

The Town believes an employee's dress and grooming should be appropriate to the work situation. Radical departures from what the Town considers conventional dress or grooming are not permitted, regardless of the nature of the job performed.

Personal appearance is important to maintaining our commitment to excellence, and our commitment to a professional image. While appearance is a matter of personal taste and personal pride, certain standards must be adhered to. You may be required to wear a specific uniform, however if you are not, you are expected to have a "resort casual" appearance. In that respect, the following list is a partial list of inappropriate attire/styles:

- Extremely "short" shorts, skirts and dresses.
- Extremely low-cut blouses or shirts with cleavage or chest hair showing.
- Clothing that reveals undergarments (or lack thereof).
- Frayed, worn-out or overly faded clothing.
- Belts, chains, or other attachments that could become a safety issue.
- Excessive ear piercing (more than three earrings per ear).
- Any overly extreme hairstyles, dress or jewelry.
- Flip-flops, thongs or sandals worn in safety sensitive areas are not permissible. These types of shoes may only be worn where job appropriate and where safety standards permit.

All employees should wear their hair clean and neatly groomed so that it does not interfere with operational duties or the professional image of the employee. Departmental guidelines may require certain hair restrictions due to health and safety requirements at the direction of their department supervisor/manager. Hair must be of a natural color.

Attendance & Punctuality

Excessive absenteeism and late attendance places a huge burden on other employees and on the Town. In many cases, working short staffed compromises employee safety and it is detrimental to the quality of guest service we provide the public and our customers. Each employee is expected to be prompt and regular in attendance. Your attendance and punctuality record will be a key consideration in granting pay raises, promotions or transfers. Personal appointments should be scheduled during the lunch hour or after work hours, whenever possible. If scheduling a personal appointment during working hours is absolutely necessary, advance approval from your supervisor is required.

The Town has a strict policy relative to an employee's failure to report to work. As soon as you know that you will be absent or late to work, you must telephone your supervisor to report your absence or lateness. Permission not to report to work must be obtained directly from your supervisor. Leaving a message with non-designated employee is not acceptable. Failure to promptly report your absence or lateness will not be tolerated. Your supervisor will determine what constitutes an excused or unexcused absence. The Town reserves the right to make allowances, at its sole discretion, for what it considers emergency or extraordinary circumstances.

Name Tags

Failure to wear a provided nametag or wearing another person's nametag is not acceptable. If you lose your nametag please notify your supervisor immediately so that a replacement can be obtained. Front line employees are asked to wear buttons to be more visible for guests, visitors, and residents.

ID Cards

Employees are issued Town employee identification cards when required by their position. Upon termination employees must return cards to Human Resources.

Uniforms

Many employees are required to wear a uniform during working hours, furnished by the Town. When uniforms and other Town owned equipment are issued, employees will be asked to sign a uniform/equipment log identifying each item received its value and the Town's policy regarding return of these items to the Town. The uniform/equipment log clearly states that the value of any items not returned to the Town may be deducted from an employee's final paycheck

Employees are responsible for the maintenance of all uniforms and equipment assigned to them. All uniform and employee clothing shall be in good condition, free of stains, rips, holes and excessive wear. It is the responsibility of each Town employee to maintain his/her uniform work clothing in a neat, clean, and identifiable condition. Replacement of worn, tattered or stained clothing may be arranged with the supervisor upon the return of the excessively worn or stained clothing at the supervisor's discretion.

Department Managers and Supervisors are responsible for department inventory of all uniforms – issuing at hire and collecting upon termination. Employees will be charged for all items not returned.

Lunch (Does not apply to Police)

The supervisor will determine when, during your shift, you may take your lunch period. Lunch periods are not paid by the Town unless the employee is required to take a working lunch. Employees who take their meal breaks at their desks are asked to refrain from working during that time. The Town encourages employees to leave their work area during meal time. On the rare occasion that an employee must work through lunch, due to staffing shortage or other considerations, the employee will be paid for the portion of their lunch time worked. Prior authorization is required before employees work overtime or through meal breaks. Employees who abuse this regulation may be subject to disciplinary actions.

Communication Systems & Password Policy (refer to the IT Security Policy)

Town of Mountain Village is committed to protecting its employees, partners, and the company from illegal or damaging actions by individuals, whether committed knowingly or unknowingly. Internet/intranet/extranet-related systems, including but not limited to computer equipment, software, operating systems, storage media, network accounts providing electronic mail, Web browsing, and FTP, are the property of Town of Mountain Village. You are expected to use these systems for business purposes in the interests of the company, our clients, and our customers in the course of normal operations. Effective security is a team effort involving the participation and support of every Town of Mountain Village employee and affiliate who deals with information and/or information systems. It is your responsibility as a computer user to know these guidelines, and to act accordingly.

General Use and Ownership

1. While Town of Mountain Village's network administration desires to provide a reasonable level of privacy, you should be aware that the data you create on corporate systems remains the property of Town of Mountain Village. Because of the need to protect Town of Mountain Village's network, management does guarantee the confidentiality of information stored on any network device belonging to Town of Mountain Village.
2. You are responsible for exercising good judgment regarding the reasonableness of personal use. Individual departments are responsible for creating guidelines concerning personal use of

Internet/intranet/extranet systems. In the absence of such policies, you should follow departmental policies on personal use, and, if there is any uncertainty, consult your supervisor or manager:

3. Town of Mountain Village recommends encrypting any information that you consider sensitive or vulnerable. For guidelines on information classification, see the Information Sensitivity Policy. For guidelines on encrypting email and documents, see the Awareness Initiative.
4. For security and network maintenance purposes, authorized individuals within Town of Mountain Village may monitor equipment, systems and network traffic at any time, per the Audit Policy.

Security and Proprietary Information

1. Keep passwords secure and do not share accounts. As an authorized user, you are responsible for the security of your passwords and accounts. Change network system level passwords quarterly.
2. Secure all PCs, laptops and workstations with a password-protected screensaver with the automatic activation feature set at 10 minutes or less, or by logging-off (Windows Logo + L) for Win 7/Win 10 users) when the host will be unattended.
3. Use extreme caution when opening email attachments received from unknown senders. These attachments may contain viruses, email bombs, or Trojan horse code

Unacceptable Use

Under no circumstances is an employee of Town of Mountain Village authorized to engage in any activity that is illegal under local, state, federal or international law while utilizing Town of Mountain Village-owned resources.

The following activities are strictly prohibited, with no exceptions:

- a) Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by Town of Mountain Village.
- b) Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books, or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which Town of Mountain Village or the end user does not have an active license.
- c) Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws. Consult appropriate management prior to export of any material that is in question.
- d) Introducing malicious programs into the network or server (e.g., viruses, worms, Trojan horses, email bombs, etc.).
- e) Revealing your account password to others or allowing use of your account by others. This includes family and other household members when working at home.
- f) Using a Town of Mountain Village computing asset to procure or transmit material that is in violation of sexual harassment or hostile workplace laws in the user's local jurisdiction.
- g) Making fraudulent offers of products, items, or services originating from any Town of Mountain Village account.
- h) Making statements about warranty, expressly or implied, unless it is a part of normal job duties.
- i) Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which you are not an intended recipient or logging into a server or account that you are not expressly authorized to access, unless these duties are within the scope of regular duties. "Disruption" includes, but is not

limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.

- j) Port scanning or security scanning, unless you previously notify the Town of Mountain Village IT Department.
- k) Executing any form of network monitoring that will intercept data not intended for your host, unless this activity is a part of your normal duties.
- l) Circumventing user authentication or security of any host, network, or account.
- m) Interfering with, or denying service to, any user other than your host (for example, a denial of service attack).
- n) Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's terminal session, via any means, locally or via the Internet/intranet/extranet.
- o) Providing information about, or lists of, Town of Mountain Village employees to parties outside of Town of Mountain Village departments

Email and Communications Activities

The following are strictly prohibited, with no exceptions:

1. Sending unsolicited email messages, including sending "junk mail" or other advertising material to individuals who did not specifically request such material (email spam).
2. Any form of harassment via email, telephone, or paging, whether through language, frequency, or size of messages.
3. Unauthorized use, or forging, of email header information.
4. Soliciting email for any other email address, other than that of the poster's account, with the intent to harass or collect replies.
5. Creating or forwarding "chain letters" or "Ponzi" or other "pyramid" schemes of any type.
6. Using unsolicited email originating from within Town of Mountain Village's networks or other Internet/intranet/extranet service providers on behalf of, or to advertise, any service hosted by Town of Mountain Village or connected via Town of Mountain Village's network.
7. Posting the same or similar non-business-related messages to large numbers of Usenet newsgroups (newsgroup spam).

Enforcement

Any employee violating this policy may be subject to disciplinary action, up to and including termination of employment.

Anti-Virus Policy

The policy defines standards for protecting Town of Mountain Village's network from any threat related to Virus, Worm or Trojan Horse. These standards minimize the potential exposure to Town of Mountain Village from damages that may result from an unprotected network. Damages may include the loss of sensitive or company confidential data or intellectual property, damage to public image, damage to critical Town of Mountain Village internal systems, etc.

1. Always run the Town of Mountain Village standard, supported anti-virus software.
2. Never open any files or macros attached to an email from an unknown, suspicious, or untrusted source. Delete these attachments immediately, then "double delete" them by emptying your trash.
3. Delete spam, chain, and other junk email without forwarding, per Town of Mountain Village's Acceptable Use Policy.
4. Never download files from unknown or suspicious sources.

5. Avoid direct disk sharing with read/write access unless there is absolutely a business requirement to do so.
6. Always scan a floppy diskette from an unknown source for viruses before using it.
7. Back up critical data and system configurations regularly and store the data in a safe place.
8. If lab testing conflicts with anti-virus software, run the anti-virus utility to ensure a clean machine, disable the software, and then run the lab test. After the lab test, enable the anti-virus software. When the anti-virus software is disabled, do not run any applications that could transfer a virus, e.g., email or file sharing.
9. New viruses are discovered almost every day. Periodically check the company Anti-Virus Policy and this Recommended Processes list for updates.

Identity Policy

1. All employees should receive IT security training
2. Workstations must be logged off to a point that requires a new log- on whenever employees leave their work area.
3. Any employee who does not access an administrative system in a six months time period will have his/her access removed and must be reauthorized for access.
4. Sharing of IDs is prohibited.
5. Access managers will (immediately) delete the access of employees who have terminated the institution and will modify the access of ones who transfer to (remove capabilities dependent on the previous position).
6. Computer installations running administrative applications will, where possible, provide a mechanism that records and logs off a user ID after a specified period of time of inactivity; they will also provide a mechanism that locks a user logon ID after multiple unsuccessful attempts to log on.

Password Policy

1. Change all network system-level passwords (e.g., application administration accounts, etc.) at least quarterly.
2. Change all user-level passwords (e.g., email, Web, desktop computer, etc.) at least quarterly.
3. Do not insert passwords into email messages or other forms of electronic communication.
4. Where using SNMP, define community strings as something other than the standard defaults of "public," "private," and "system" and make them different from the passwords used to log in interactively. Use a keyed hash where available (e.g., SNMPv2).
5. If you suspect an account or password has been compromised, report the incident to Town of Mountain Village Information Systems department and change all passwords.
6. Town of Mountain Village or its delegates may perform password cracking or guessing on a periodic or random basis. If a password is guessed or cracked during one of these scans, the user is required to change it.
7. _____

Social Networking Policy

1. Personal blogs should have clear disclaimers that the views expressed by the author in the blog is the author's alone and do not represent the views of the company. Be clear and write in first person. Make your writing clear that you are speaking for yourself and not on behalf of the company.
2. Information published on your blog(s) should comply with the company's confidentiality and disclosure of proprietary data policies. This

also applies to comments posted on other blogs, forums, and social networking sites.

3. Be respectful to the company, other employees, customers, partners, and competitors.

4. Social media activities should not interfere with work commitments. Refer to IT resource usage policies.

5. Your online presence reflects the company. Be aware that your actions captured via images, posts, or comments can reflect that of our company.

6. Do not reference or site company clients, partners, or customers without their express consent. In all cases, do not publish any information regarding a client during the engagement.

7. Respect copyright laws, and reference or cite sources appropriately. Plagiarism applies online as well.

8. Company logos and trademarks may not be used without written consent.

Enforcement

Any employee violating the IT Security policy may be subject to disciplinary action, up to and including termination of employment.

The communication systems are property of the Town and intended for business use. Therefore, the Town maintains the ability to access any computer files, use of software, Internet usage, voice mail and e-mail. Although employees may select individual passwords, employees should not assume that such files are confidential. However, other than management employees acting on behalf of the Town, employees should not attempt to gain access to another employee's computer, Internet files, e-mail or voice mail without the latter's permission.

All computer users' "Windows password" must be changed at least once every 90 days. You will be prompted to change your password.

All information regarding access to the Town's computer resources, such as user identifications, modem phone numbers, access codes, and passwords are Town confidential information and may not be disclosed to non-Town personnel.

Email

Because the Town provides the e-mail system to employees to help them with the performance of their jobs, it should be used for official Town business. Incidental and occasional personal use of email is permitted. However, employees should be aware that these messages will be treated the same as business messages, and subject to review at any time without notice. Employee correspondence on email may be a public record under the public records law and may be subject to public inspection.

Also, employees cannot control where their messages will ultimately end up. For example, a message meant for one person can be mistakenly sent to the wrong individual(s), or the message can be

forwarded to unintended recipients. In addition, e-mails that were deleted are stored elsewhere on the system.

Personal Use of the Internet

~~Use of the internet must not interrupt the operation of the Town network or the networks of other users. It must not interfere with employee's productivity.~~

Software and Copyright

~~The Town licenses, and does not own the software it utilizes. Therefore, use of the software must be in accordance with the applicable Software Agreements or as directed by the Town's designated Software Manager.~~

~~Employees must not use the Town's technology resources to copy, retrieve, forward or send copyrighted materials unless the employee has the author's permission.~~

Unauthorized Use

~~Employees are not permitted to visit websites or send electronic e-mail that is deemed by management as inappropriate or in violation of other Town guidelines (such as pornography or online gambling). We reserve the right to determine when an employee is using the Town communications inappropriately.~~

Passwords

~~The Town's Computer system requires the use of "complex passwords". "Complex passwords" require three of the following four characters (upper case, lower case, numeric and special character) be contained in your password. The password also must be at least eight characters in length. Passwords are required to be changed every 90 days.~~

~~It is the employee's responsibility to protect their password (IE. DO NOT give out your password to anyone or write it down whereas someone could obtain it).~~

Password Responsibility

~~It is the employee's responsibility to protect their password (IE. DO NOT give out your password to anyone or write it down whereas someone could obtain it).~~

Website Blocking

~~An Internet filtering system has been deployed which will block "known" infected websites. Other sites have also been blocked based on categories. This will be an ongoing process in determining which categories to block. Initially the following categories have been blocked: Adware, Dating, Gambling, Games, Hate/Discrimination, Nudity, P2P File/Music sharing, Pornography and Web Spam. Attempting to access a blocked page will cause this message: "Sorry, [domain] has been blocked by your network administrator".~~

~~Note: Use of the Internet can be important for completing job functions. This web filtering project is not intended to prevent you from doing your job or to make your job harder. It is intended to protect the system and the users of the system. Therefore, if you need to access a website and it is blocked, please notify your supervisor who in turn will notify me. With supervisor approval, these sites will be unblocked as needed.~~

~~Please contact your manager or human resources with any questions.~~

Email Security Tips

~~Have separate email accounts for work and personal activity. Having separate email accounts will not only help boost your security, but also your productivity. Imagine if you could consolidate all of your work emails into a single work account; all of your friends and family communicate with your personal~~

account; you have a recreational account for various websites; and a throwaway account for potential spam links. This way, if someone hacks your work account, all of your personal emails are still safe.

Unique Passwords:

You should use a unique password for each account that you setup. If your password is compromised, only that account will be affected.

Beware of Phishing Scams:

Basically, malicious users will imitate and impersonate high-profile websites (e.g., eBay, Amazon, Facebook, etc.) and say that they're experiencing trouble with your account; all you have to do to fix it is to send them your username and password to verify your authenticity. Sometimes they'll even link you to a false website that looks *exactly* like the real thing.

Be wary. In fact, whenever your personal information is ever brought up in a non face-to-face capacity, your scam detector should go off loud and clear.

Outlook Setting:

Disable auto-preview pane. If a suspicious message is received, it can be deleted without being opened.

Do Not Open Unsolicited Attachments:

Attachments are a tricky thing when it comes to email. If you're expecting something from a buddy or an uncle, then sure, go ahead and open the attachment. Have a laugh at the funny photo they sent you. It's all good when you are expecting the attachment. But if the email is unsolicited, *never* open any attachments. Even if the file looks innocent, you could be in for a world of hurt. Filenames can be spoofed. JPEGs could be EXEs in disguise and those EXEs will run as soon as they're downloaded. And then you'll have a virus on your hands.

Avoid Public Wi-Fi:

Avoid checking your email when you're on public Internet. It can be tempting to whip out your smartphone or laptop and check for new messages. Unfortunately, public Wi-Fi can be extremely insecure. There are programs out there called "network sniffers" that run passively in the background of some hacker's device. The sniffer monitors all of the wireless data flowing through a particular network and that data can be analyzed for important information. Like your username and password.

Voice Mail

Employees are responsible to make certain their voice mail messages are reviewed in a timely fashion. When employees know that they are going to be out of the office for a day or more, they must leave messages on their voice mail stating when they will be returning messages, and who will be an alternate contact in the meantime.

Telephones/ Cell Phones / Mobile Devices (refer to [Cell Phone Policy](#))

The Town provides mobile devices to those employees who need them to perform their jobs. Such devices are intended for business use. In the interest of good business practice, personal telephone calls, including those made with cell phones, must be minimal and not interfere with employees' performance of their jobs. Where personal use of Town's phones cost the Town money, the Town is entitled to reimbursement. This includes any additional expenses incurred when doing an upgrade.

For safety reasons, employees should avoid the use of cell phones while driving. In accordance with Colorado law, all drivers are prohibited from texting while driving.

Town cell phone numbers shall be published in the Town directory and on the town website. Phone numbers remain with the Town upon termination.

Employees must report lost or stolen town devices to the Broadband Services Director immediately.

Conflict of Interest

A "conflict of interest" exists when the interests of the Town or the community it serves are compromised by an employee's involvement in outside interests, businesses or employment. Employees must report in writing any outside interests, businesses or employment to their supervisor and to the Town Manager so that any possible conflicts of interest may be identified.

An employee may engage in outside interests, businesses or employment only after the following has occurred:

- The employee has informed their supervisor and the Town Manager in writing,
- No conflict of interest is found to exist, and
- The employee has received written permission from the Town Manager to proceed.

Where there is the possibility of a conflict of interest an employee may be asked either to forgo outside interests, businesses and employment during their employment with the Town or to seek employment elsewhere. The Town believes that, in these instances, the community as a whole is better served by doing what is right rather than what is expedient or of direct personal gain.

Discipline / Discharge

Occasionally performance or other behavior falls short of our standards and/or expectations. When this occurs, management takes action, which, in its opinion, seems appropriate.

Disciplinary actions can range from a formal discussion with the employee about the matter to immediate discharge. Action taken by management in an individual case does not establish a precedent in other circumstances. An employee's conduct is a major factor affecting the health and growth of the Town. It is also an important aspect of the Town's image within the community. When management finds an employee's performance is unsatisfactory or an employee's conduct is unacceptable, disciplinary action may be taken.

In the event that it becomes necessary to discipline an employee for unsatisfactory performance or violation of Town policies and procedures, one or more of the following disciplinary actions may be taken.

Verbal Reprimand – A verbal reprimand is usually considered the least serious form of disciplinary action. It is generally intended to inform the employee of the need for improvement in job performance or to confirm an employee's understanding and application of Town policies and procedures. The "Employee Disciplinary Notice" form is filled out as written documentation of a verbal reprimand, verifying that the employee has been informed and is aware of the issue in question. Goals for improvement are established and documented on the form. Both the supervisor and the employee may make comments on this form and both must sign it.

Written Reprimand – A written reprimand is a formal reprimand considered to be an appropriate disciplinary action to be taken for more serious job performance or Town policy infractions. This type of reprimand requires a counseling session with the employee during which the supervisor discusses the serious performance or policy related problem with the employee. The "Employee Disciplinary Notice" form is filled out as written documentation of the written reprimand, verifying that the employee has been informed and is aware of the issue

in question. Goals for improvement are established and documented on the form. Both the supervisor and the employee may make comments on this form and both must sign it.

Termination – While meant to be the exception rather than the rule, immediate termination without prior warning may be a justified course of action in light of the seriousness of the particular violation and for employees who are repeat violators of Town policies and work rules. The employee is clearly informed as to the reason(s) for termination during a counseling session with the Supervisor. The employee is given the opportunity to make their written comments and sign the “Termination Record” form.

Employees should realize that these general guidelines for disciplinary action must have a degree of flexibility as there are varying degrees of seriousness that pertain to performance and/or Town policy infractions. The Town does not have a policy of progressive discipline and reserves the right to handle each disciplinary issue on a case-by-case basis. The fact that the Town has or has not utilized any of these actions does not set any precedent and should not be relied upon in future disciplinary situations by any employee.

Drugs & Alcohol

The Town is committed to a safe, healthy and productive work environment for all employees that are free from the effects of substance abuse. Abuse of alcohol, drugs and controlled substances impairs employee judgment, resulting in increased safety risks, injuries and faulty decision-making. This includes working after the apparent use of marijuana.

In accordance with the Drug-Free Workplace Act of 1988, the Town prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance during Town time, on Town premises, or other work sites.

Testing is an important element in the Town’s efforts to ensure a safe and productive work environment. Please refer to the *Drug & Alcohol Policy- Safety Sensitive Employees* or the *Drug & Alcohol Policy- Non-Safety Sensitive Employees* as appropriate for your position. Contact the Human Resources Department or your supervisor if you have specific questions.

Parties & Activities

As a measure of The Town’s responsibility to promote safety, the following standards have been established for Town sponsored parties and activities:

- Alcohol is allowed on Town premises ONLY for Town sponsored parties or activities. Town sponsored parties or activities shall be defined as Town sanctioned planned events with specific pre-approval by the Town Manager. All other possession and/or consumption of Alcohol on Town premises shall be considered in direct violation of the Town Drug and Alcohol Policy.
- A supervisor should be present at all times to monitor party guidelines and participants' behavior.
- Employees scheduled to work immediately following attendance at a Town sponsored party must refrain from the use of alcohol during the party.
- Employees attending a Town sponsored party who are not scheduled to work immediately following the party must exhibit good judgment in their alcohol consumption to ensure their capability of safe travel home.

- The only Town function that employees are paid to attend is the Annual Town Picnic and retirement parties for employees with a minimum of 10 years of service. Pay for attending any other functions, unless must be approved in advance by the Town Manager.

Inspections

We may conduct searches after notice is given and with the employee's consent of employees' personal effects. This may include, but is not limited to: lunch bags, boxes, purses, personal computers, packages, or vehicles.

We may conduct searches of the above items without employee consent if we have a reasonable suspicion to believe that illegal activity is taking place and after obtaining a warrant to do so. Any illegal and unauthorized articles discovered may be taken into custody and will be turned over to law enforcement representatives.

Employees do not have a reasonable expectation of privacy in lockers, desks, cabinets, or file drawers, all of which are keyed by the Town and copies of those keys are kept by the Town.

Parking

If you are parking at the town Hall for business purposes and will be here less than an hour, please park against the rock wall and not in the middle spaces immediately in front of the grocery store. If you will be longer than an hour, please utilize the Gondola Parking Garage.

If you are driving your personal vehicle to /from work, parking permit stickers are available from the police department if you work in town hall. Department head authorization is required.

The Town is not liable for fire, theft, damage or personal injury involving employees' automobiles. Protect your property by locking your car.

Performance Evaluations

The Town reserves the right to review employee performance at any time. Evaluating employee job performance and providing feedback is an important factor in making employment-related decisions. Seasonal employees will receive evaluations at the end of each season. All other employees receive an annual performance evaluation.

Employee Political Participation

The Town encourages employees to participate in matters of responsible citizenship. The Town will not interfere with the conduct of Town employees engaged in political activity, as long as the activities are confined to hours when the employees are not on duty, are not campaigning in their official Town uniforms, and that the activities do not impair the employee's job efficiency or that of others.

Employees whose principal employment is in connection with federally financed activities are subject to the following federal requirements as a condition of such employment.

1. Covered employees may not use their official authority or influence for the purposes of interfering with or affecting the results of elections or nominations for office.

2. In addition, they may not coerce, attempt to coerce, command, or advise other covered employees to pay, lend or contribute anything of value to a party, committee, Town, agency, or person for political purposes.

Political beliefs, activities, and affiliations are the private concern of the employee. An employee's work status is not affected by participating or not participating in lawful civic and political activities. No employee of the Town can directly or indirectly coerce or command any other employee to pay, lend, or contribute salary, compensation, service, or anything else of value to any political party, group, Town, or candidate.

Any Town employee may be a candidate for a partisan political office provided that the involvement does not interfere or present a conflict of interest with his/her job. If involvement is necessary during normal working hours, the individual must take PTO or leave without pay. Employees whose salary comes in part or in whole from federal government sources are subject to the Hatch Act and its revisions.

Problem Solving

If you have a problem concerning a work-related matter, discuss it with your immediate supervisor, where appropriate. Normally, this discussion should be held within 3-5 days of the incident or in a timely manner. Discussions held in a timely manner will enhance our ability to resolve concerns while it's fresh in everyone's mind. The majority of misunderstandings can be resolved at this level.

If the solution offered is not satisfactory, or if it is inappropriate to go to the supervisor, then employees are encouraged to take the problem to Human Resources. If the problem still cannot be resolved, employees may submit a written complaint to the Town Manager for review and final decision about the situation. Also see (EEO Harassment Complaint Procedure)

Property Loss or Damage

Theft of Town or Employee Property

The Town assumes no responsibility for the property of its employees. However, the Town is committed to ensuring a safe and secure working environment. Theft of money or property from the Town or its employees will be promptly and thoroughly investigated. Such investigations will be conducted by the Town and, if the size and nature of the theft warrants, the Police Department (MVPD). All employees are asked to assist in ensuring the on-going security of the Town and employee property by immediately reporting any suspicious activity to their supervisor, Human Resources, Risk Management or the police department.

Town Property Losses or Damage

All losses of Town property, including theft, fire or accidental damage, must be reported immediately to a supervisor. The supervisor will take appropriate action informing Risk Management and the MVPD (if appropriate) and will complete the Incident/Accident Report. Risk Management, the supervisor and Safety Committee will conduct an investigation. Once the investigation is completed a report will be submitted to the Town Manager. In cases involving losses or damage to Town property, the Town may ask an employee to submit to a drug and/or alcohol test in accordance with the Town's Drug and Alcohol Policy. The employee has the option of obtaining insurance to cover any possible loss or damage to personal property.

Town Vehicles and Equipment Losses

As an employee, you must comply with all state and local laws in reporting accidents involving Town vehicles and equipment. All vehicle accidents on public roads or private property should be immediately reported to the Police Department or appropriate law enforcement agency and to your supervisor. Do not move a vehicle involved in an accident until a law enforcement officer authorizes you to do so. A "Vehicle Accident Report Form" must be filled out the same day the accident has occurred.

Incident Inquiries

You might anticipate that an accident or incident relating to the Town's operations will generate inquiry from the press, insurance adjusters, attorneys, etc. Before responding to any such inquiry, it is essential that you first bring the inquiry and the circumstances surrounding the inquiry to the attention of your supervisor and the Town Manager. Do not talk to ANYONE regarding the incident without permission from the Manager. Get the phone number and name of the individual inquiring and indicate that you will have someone follow up. By following this procedure, you will not only protect your own interests but also the interests of the Town.

Smoking

The Town of Mountain Village recognizes that smoking and tobacco chewing in the workplace can adversely affect employees and guests and is prohibited. This includes e-cigarettes and all other tobacco products. Employees may smoke in designated outdoor areas and are responsible for proper disposal of cigarette butts. The time spent away from your job to smoke or chew tobacco must be limited to breaks and lunch Periods.

In accordance with the Colorado Clean Indoor Air Act, smoking is prohibited in all Town facilities, vehicles, or in any workplace, including non-business hours. This includes lobbies, elevators, restrooms, reception areas, hallways and any other common-use areas, child day care facilities, common areas of Village Court Apartments, public transportation of any kind (including gondola cabins/terminals, Dial-a-Ride, employee shuttles and all Town vehicles), including non-business hours. In addition, smoking is prohibited within 15 feet of any main entrance.

Effective July 31, 2018, smoking is prohibited within 25 feet of any building or apartment at Village Court Apartments. (refer to HUD Smoke Free Public Housing and Multifamily Properties Rule)

Terminating Employment

Exit interviews

Exit interviews with the Human Resources Department gather constructive feedback from employees who leave the Town. The purposes of this interview are to review eligibility for benefit continuation and conversion, ensure necessary forms are completed, collect all Town property that may be in the employee's possession (keys, phones), and provide employees with an opportunity to discuss their job-related experiences.

Employees may be considered for re-employment provided they qualify for the position of interest and while they were employed with the Town maintained satisfactory performance and attendance.

Final Paycheck Issuance

The Supervisor ensures that all Town property (uniforms, keys, tools, radios, ski passes, advances, overdrawn PTO etc.) is returned or paid back prior to the preparation of the employee's final check. As

disclosed in this handbook and on the Uniform/ Equipment Log signed by the employee at the time Town property is issued, the Town will deduct an amount equal to the value of all money owed or unreturned Town property from the employee's final paycheck OR depending upon the circumstances, the Town may hold a portion of the employee's final check pending the return of Town property or money. Final paychecks are issued for all voluntarily and involuntarily terminated employees on the next regularly scheduled payday, unless other arrangements are requested and approved for earlier issuance. Paydays occur every two weeks on Friday.

Vehicle Use

The Town owns a variety of vehicles from heavy equipment on down to small trucks. These vehicles are used for transporting personnel, equipment and supplies and for working on a variety of construction and snow removal projects. In some cases, employees use vehicles during and after normal business hours while conducting Town business. Employees of the Town will not be authorized to use Town owned vehicles for personal use. "Personal use" is defined as any use of a vehicle that does not occur during the performance of one's job duties. The operation of Town vehicles by non-employees (i.e.: friends or family members of employees) is strictly forbidden. Non-employees shall not use, operate or perform any kind of maintenance on a Town vehicle.

Any employee who operates a Town vehicle must be on a qualified Town Vehicle Operator list and must meet the following criteria:

- Have valid Drivers' License to operate vehicle,
- Have supervisor's authorization to operate the vehicle,
- Have acceptable driving record as verified by a DMV background check,
- Be operating a vehicle on Town business or for authorized direct commute to work or home only, and
- Have completed vehicle checklist before operating the vehicle.
- Obey **ALL** traffic laws
- Are responsible for ensuring the safe operation of the vehicle at all times.

The driver and passengers must utilize the safety seat belts at all times when the vehicle is in service in **compliance with Colorado law.**

A driving record search will be conducted on all drivers prior to employment and subject to observation throughout employment.

The following activities will not be tolerated:

- Operating a Town vehicle in violation of applicable laws and regulations or in a careless manner.
- Operating a Town vehicle without permission.
- Operating a Town vehicle without a valid driver's license or without proof of insurance.
- Operating a Town vehicle while using or while under the influence of alcohol or drugs.
- Smoking and tobacco chewing are strictly prohibited in Town vehicles
- Utilizing a Town vehicle to transport hitchhikers.
- Falsification of information on employee's driving history

If an employee operates a Town vehicle in violation of any of the above, the employee will receive a written warning and depending upon the nature and circumstances surrounding the infraction, may be subject to additional disciplinary action up to and including termination. If the driver is cited and fined

for an invalid driver's license, proof of insurance, expired registration, driving a vehicle not in proper working condition or for disobeying the law, any fines will be the responsibility of the employee. These are not Town expenses. Proof of insurance and copies of the current registration can be obtained from the transportation department.

Emergency Use/Extended work hours

From time to time a personal emergency situation may arise or, an employee without personal transportation may be asked for extended work hours. In these cases, a Department Head may authorize a properly licensed employee to use an appropriate Town vehicle, if one is available. If a vehicle is not available, the Town will try to accommodate the employee with alternative transportation.

Use of Town owned, leased or sponsored vehicles for business travel

From time to time it may be necessary for an authorized employee to use a Town vehicle for business travel, locally or out-of-Town. In these cases, a Department Head may authorize a properly licensed employee to use an appropriate Town vehicle, if one is available.

Commuter Shuttles

It is the intent of the Town to provide safe and reliable transportation to and from work for groups of three (3) or more employees who work similar shifts and who commute in similar directions from the same location or on the same general route. Employees of the Town may access the shuttle system by contacting the Transit Coordinator.

- Employees currently pay a pre-determined rate per ride, deducted bi-weekly from their paycheck for this service. For the current rate please contact the Human Resources Department.
- Any employee who drives a shuttle is considered a safety sensitive employee as defined by 49 CFR Part 655, as amended, and must submit to a urine test and undergo a minimum of 60 minutes of training on the signs and symptoms of drug use on personal health, safety and the work environment.
- Drivers are required to have a valid driver's license.
- Must be 21 or over to drive shuttles.
- A driving record search will be conducted on all applicants prior to employment and will be subject to observation throughout employment.

Employees that utilize the shuttles to commute to and from work that arrive and depart outside their regularly scheduled workday must adhere to their regularly assigned workday schedule. Shuttle arrival and departure times do not supersede or alter your assigned work scheduled nor is it to be considered authorization for overtime or authorization to leave work early. Management does not expect employees to start their workday any earlier or end their workday any earlier as a result of riding a shuttle.

Work Assignments & Schedules

The scheduling of work assignments and work-day schedules are the responsibility of each supervisor. If you have any questions about or difficulty with your work assignment, please discuss it with your supervisor. If you are unable to perform any duty assigned to you, let your supervisor know immediately.

Participation in the Employee Shuttle Program is not to be considered authorization to deviate from the regularly assigned work-day schedules.



ACKNOWLEDGEMENT OF RECEIPT

I HAVE RECEIVED A COPY OF THE EMPLOYEE HANDBOOK DATED February 16-201715, 2018. I UNDERSTAND THAT I AM TO BECOME FAMILIAR WITH ITS CONTENTS. FURTHER, I UNDERSTAND:

- U THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS OF MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR A SPECIFIC DURATION.
- U THE HANDBOOK IS NOT ALL INCLUSIVE, BUT IS INTENDED TO PROVIDE ME WITH A SUMMARY OF SOME OF THE TOWN'S GUIDELINES.
- U THIS EDITION REPLACES ALL PREVIOUSLY ISSUED HANDBOOKS. THE NEED MAY ARISE TO CHANGE THE GUIDELINES DESCRIBED IN THE HANDBOOK. THE TOWN THEREFORE RESERVES THE RIGHT TO INTERPRET THEM OR TO CHANGE THEM WITHOUT PRIOR NOTICE.
- U NO REPRESENTATIVE OF THE TOWN OF MOUNTAIN VILLAGE, OTHER THAN THE TOWN MANAGER, HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE TOWN MANAGER AND MYSELF. WE HAVE NOT ENTERED INTO SUCH AN AGREEMENT.

Print Employee Name

Signature

Date



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Print Employee Name

Signature

Date



**TOWN OF MOUNTAIN VILLAGE
TOWN MANAGER
CURRENT ISSUES AND STATUS REPORT
FEBRUARY 2018**

1. Great Services Award Program

▪ **Great Services Award – January**

- **Rob Johnson and the entire Gondola Operations Department**, nominated by Jim Loebe, for their stellar performance over the holiday season. With no frontside open to skiers, they handled the multi-day crowds in a friendly and efficient manner. Not only did they have throngs of guests to contend with, but many stepped up to work overtime staffing the supplemental town bus service as well as last-minute survey taking for TMVOA's economic impact study. I really feel like they were the shining stars of our holiday season – **WINNER FOR JANUARY**
- **Kathy Smith**, nominated by Dawn Katz. During a time when we were without an IT person, Kathy spent HOURS at Munchkins trying to help me with my Incode (accounts payable software) issues and finally resolved the problem. This was not her problem to deal with but she took the time out of her days (two of them) to make sure it was taken care of. I was so very grateful
- **Nathan Wilson**, nominated by Cecilia Curry. He brought big equipment to VCA to help with snow and ice. It was amazing to watch how patient and pleasant he was with traffic and residents

2. Cassidy Ridge Condo Unit

- The closing is still on schedule for February 20th
- We developed a policy for the lottery of this unit and any others that are purchased by the Town (Council will be reviewing this at the February meeting)
- Lottery application forms have been developed and this information will be disseminated by Human Resources to all employees immediately following Council's consideration of the lottery policy
- **Lottery applications will be due by March 2nd at 5:00 p.m. and the winning employee will be chosen based on measurable criteria of tenure, position with the town and employee evaluation rating the week of March 5th**

3. IT Status

- **Contracted with Telluride Bytes for IT services during the RFP process**
- **The RFP has been developed with input from Patrick Berry, Jack Gilbride, Steven Lehane and Kim Montgomery**
- Lilo Santes from the Governor's information office and Brandon Williams who also formerly worked as the CIO for the same office, have graciously offered to review the RFP and recommend potential qualified respondents

- Once review is complete, the RFP will be issued with a deadline for respondents to submit by mid-late March (depending on when we issue the RFP)

4. Miscellaneous

- Met with the RFP Selection Committee for the Telluride Regional Wastewater Treatment Plant (TRWWTP) relative to financial analysis and rate study proposal selection. The FCS Group was selected and they will begin work once a contract is executed. This will provide us with the financial analysis that will help us form our strategy to fund the short and long term master plan
- Attended the Mental Health First Aid Training for an all day session conducted by Paul Reich
- Attended TSG's lunch meeting for the roll out of the Epic Pass partnership
- Participated in multiple conference calls to discuss the House Bill 18-1084 regarding use of lodging tax for other purposes besides marketing and tourism. Thanks to David Reed and his ability to work directly with state representatives to outline our position of complete opposition to this bill. We were notified over the weekend that the Counties were not going to pursue this bill
- Participated in the first meeting of the year for the Green Team Committee. Updates were provided on the build out of the bathroom in the Meadows and the green initiatives for that facility. Lengthy discussion was held regarding moving forward with a small pilot program for composting at VCA
- Participated in a conference call with TSG, our water attorney and engineers to discuss an upcoming meeting with Telluride regarding river flows during snowmaking season and how best to proceed to ensure the required flows are met moving forward. The meeting with Telluride is tentatively scheduled for February 22nd
- Attended the Budget and Finance Committee's first meeting of the year

TOWN OF MOUNTAIN VILLAGE
Town Council Meeting
February 15, 2018
8:30 a.m.

During Mountain Village government meetings and forums, there will be an opportunity for the public to speak. If you would like to address the board(s), we ask that you approach the podium, state your name and affiliation, and speak into the microphone. Meetings are filmed and archived and the audio is recorded, so it is necessary to speak loud and clear for the listening audience. If you provide your email address below, we will add you to our distribution list ensuring you will receive timely and important news and information about the Town of Mountain Village. Thank you for your cooperation.

NAME: (PLEASE PRINT!!)

Kim Montgomery	EMAIL:
David Reed	EMAIL:
Jim Mahoney	EMAIL:
Dan Jansen	EMAIL:
Jack Gilbride	EMAIL:
Patrick Berry	EMAIL:
Laila Benitez	EMAIL:
Dan Caton	EMAIL:
Bruce Macintire	EMAIL:
Natalie Binder	EMAIL:
Jacque Kennefick	EMAIL:
Susan Johnston	EMAIL:
Christina Lambert	EMAIL:
Ken Carnahan	EMAIL:
Chuck Peterson	EMAIL:
Kenn Swain	EMAIL:
Michelle Haynes	EMAIL:
Tim Johnston	EMAIL:
MICHAEL MARTELON	EMAIL:
ROBERT STEHAMMER	EMAIL:
JIM LOBE	EMAIL:
Tom Beck	EMAIL:
SUSAN CARUSO	EMAIL:
Sam Starr	EMAIL:
Julie	EMAIL:

TOWN OF MOUNTAIN VILLAGE
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NAME: (PLEASE PRINT!!)

Chris Hawkins	EMAIL: chris@alpineplanningllc.com
D. MITCHELL	EMAIL:
S. Solomon	EMAIL: ssolomon@telski.com
Mary Fuller	EMAIL:
	EMAIL:
Marty Huschke	EMAIL: mmhuschke@aol.com
DARRELL HUSCHKE	EMAIL: " " "
Carol Finstermeier	EMAIL: Farley45@aol.com
Tom Kengedy	EMAIL: tom@tklaw.net
Karen McCarthy	EMAIL: km@karenmccarthy.net
John Horn	EMAIL:
John Burchmore	EMAIL:
Finn Bone	EMAIL:
Bill Hobb	EMAIL: billride@gmail.com
James Banks	EMAIL: banks@rnr.net
Judy Caluz	EMAIL: caluzia.md@gmail.com
Susan Caluz	EMAIL: susan.caluzia@aol.com
Sally Field	EMAIL: sallyfield@MVCABLE.NET
Marcy Peckering	EMAIL: marcy@peakpropertytelluride.com
Jolene Vanek	EMAIL: on file
Winston Kelly	EMAIL: WinstonKelly@gmail.com
Keith Hampton	EMAIL: Keith@silverstartelluride.com
Mickey Sillom	EMAIL: MickSkiAndGolf#1@GMAIL.COM
Heldi Lauterbach	EMAIL: telluridemountainclub@gmail.com
TOR ANDERSON	EMAIL: tor@design5@gmail.com
CRAIG SPRING	EMAIL: CRAIG@LUMINOSITYALP.COM

Susan Johnston

From: Jackie Kennefick
Sent: Wednesday, February 14, 2018 5:23 PM
To: Bruce MacIntire; Dan Caton; Dan Jansen; Jack Gilbride; Laila Benitez; Natalie Binder; Patrick Berry
Cc: Kim Montgomery; Michelle Haynes; mvclerk; Jim Mahoney (jmahoney@jdreedlaw.com); David Reed (jdreed@jdreedlaw.com)
Subject: FW: Town Council Convenes February 15 | View the Agenda

FYI – more public comment

From: Laila Benitez
Sent: Wednesday, February 14, 2018 4:23 PM
To: Jackie Kennefick <JKennefick@mtnvillage.org>; Michelle Haynes <MHaynes@mtnvillage.org>
Subject: Fwd: Town Council Convenes February 15 | View the Agenda

Jackie, Please share the email below with Council and add to the packet.

Laila Benitez
970-708-0129

Sent from my iPad

Begin forwarded message:

On Feb 14, 2018, at 4:11 PM, sandra gilbert <svgnm@comcast.net> wrote:

Laila - Please let me know if this communication should be sent to another email address. S. Gilbert

----- Original Message -----

From: sandra gilbert <svgnm@comcast.net>
To: bkight@mtnvillage.org
Date: February 14, 2018 at 3:59 PM
Subject: Re: Town Council Convenes February 15 | View the Agenda

To: Town Council Members

Re: Lot 30 and TSG's Plan to Connect Parcel M to Lot 30

My husband and I attended the October 2017 Design Review Public Comment meeting regarding the proposed idea of connecting Parcel M to Lot 30 as included in TSG's Comprehensive Plan. We regret not being able to attend

the 2-15-18 meeting. At the October meeting we completed written comments regarding our concerns for how combining the properties would negatively impact the surrounding properties as well as negatively impact the overall aesthetic value of Mountain Village.

As owners of a Granita Building condo we are concerned about the visual impact of a 101-unit building constructed on the site and directly adjacent to Mountain Village Blvd. Any development greater than the currently zoned 9 to 14 condo units on Lot 30 will:

- cast disruptive shadows on the adjacent buildings
- block out solar access
- create an unacceptable level of traffic
- overstress existing infrastructure
- establish an objectionable precedent of confiscating Open Space for private vs public use
- diminish the property value of units at Aspen Ridge, the building just south of Aspen Ridge, the Granita Building, and Madeline Hotel,

The proposed development is totally out of character for the location and is a-taking of all the inherent characteristics of purchasing property within Mountain Village - space, views, solar access, ambiance, and a way of life, in addition there will be a loss of real dollars in any future sales transaction for the numerous current owners of the adjacent properties.

At the October meeting it was clear that the majority of those in attendance were not in favor of the massive development and we request in the strongest possible manner that the properties not be combined.

Best regards, Van and Sandra Gilbert

Susan Johnston

Subject: FW: Lots 126R and 152R/Rosewood

From: Susanne Connolly [<mailto:suseconnolly@yahoo.com>]
Sent: Wednesday, February 14, 2018 9:27 AM
To: Jackie Kennefick <JKennefick@mtnvillage.org>
Subject: Lots 126R and 152R/Rosewood

Dear Jackie,

Please include the letter below in the Town Council packet.

Thank you.

Suse

Suse Connolly, Esq.

Dear Town Council Members:

Re: Lots 126R and 152R

I am perplexed as to what benefits the Town of Mountain Village or the residents of Mountain Village would receive from the proposed Memorandum of Understanding requested by Northlight Trust I ("Owner" or "Northlight"). I think that the MOU has no public benefit and that the MOU is an entirely one-sided agreement solely benefitting Northlight.

The current owner, Northlight Trust I, purchased the property for \$4.8 million in August, 2013. At the time of purchase, the expiration date for the approvals was [March 18, 2018](#) so Northlight has had more than 4 1/2 years to: (i) commence construction, (ii) seek new approvals or (iii) sell the property. The subject property is currently for sale for \$11.9 million and it is my understanding that a contract of sale for the property has already been executed. It appears that Northlight is seeking the MOU primarily so that it can sell the property for a gain of approximately \$7 million. If the approvals expire, the value of the property will be greatly diminished. As there are no public benefits under the MOU, TMV should not execute the MOU as it would be assisting Northlight in making a profit of \$7 million and would thereby be giving preferential treatment to Northlight. As a government, Town Council should aim to enforce and apply all laws and regulations fairly and consistently to all residents and businesses and the execution of the MOU would clearly violate these principles. Are there any other properties that have approvals that were granted 11 years ago when there exists no compelling public purpose or extenuating circumstance for repeated and lengthy extensions of the approvals? Are there even any other properties with 11 year old approvals? If the answer is no to either of these questions, Town Council should not approve the MOU. Since the approvals were issued in 2007, the Land Use Ordinance has been replaced by the Community Development Code. TMV should move to extinguish the vested rights when they expire [on March 18, 2018](#) so that the development of the subject property is subject to the CDC as the CDC reflects the current community standards and concerns with respect to development.

There is no compelling public purpose for TMV to execute the MOU. Any purported public benefits from the project are illusory as the project has still not commenced construction despite the fact that the approvals were issued 11 years ago. Additionally, in the MOU, Northlight has not agreed to either preserve or not materially reduce the public benefits set forth in the existing approvals when it applies for new approvals. Was the preservation of the project's public benefits even sought by TMV during the MOU negotiations?

The hallmarks of good government are that all residents and businesses are treated equally and all laws, rules and regulations are applied consistently. This property has already received extensive preferential treatment from prior Town Councils. When the approvals and vested property rights were initially approved in April, 2007, the vested property rights were valid for a period of 3 years. In 2010, a 3 year extension was granted and in 2013, an additional 5 year extension was granted. If the MOU is executed, the approvals for this property will have remained in effect for an astonishing 13 years. The First Amendment to Development Agreement and the Second Amendment to Development Agreement did not set forth any compelling reasons or extenuating circumstances warranting 8 years of extensions. By agreeing to the MOU, Town Council would be giving additional preferential treatment to Northlight.

While the MOU purports to be a standstill agreement, in reality, the agreement is a de facto extension by virtue of the fact that the MOU has a 2 year term, which is exactly the extension period previously requested by Northlight and opposed by DRB. The MOU will provide Northlight with the time necessary to sell the property with the approvals in effect. The MOU does not contain any prohibitions on the sale of the property.

It is respectfully requested that Town Council: (i) not approve the MOU and (ii) schedule a hearing immediately after March 18, 2018 so Town Council can revoke the vested property rights.

Suse Connolly, Esq.
23 Trails Edge Lane
Mountain Village, CO 81435

From: [Michelle Haynes](#)
To: [Jane Marinoff](#)
Subject: Fwd: Lot 30 / Parcel M - Town Council Hearing tomorrow
Date: Wednesday, February 14, 2018 3:34:37 PM
Attachments: [ATT00001.htm](#)
[20110317 Meeting Minutes.pdf](#)
[ATT00002.htm](#)

Jane

Could you make 12 copies please?

Thank you
Michelle

Sent from my iPhone

Begin forwarded message:

From: "Solomon, Stefanie" <ssolomon@tellurideskiresort.com>
Date: February 14, 2018 at 3:30:21 PM MST
To: Michelle Haynes <MHaynes@mtnvillage.org>, "lailabenitez@mtnvillage.org" <lailabenitez@mtnvillage.org>, Jim Mahoney <jmahoney@jdreedlaw.com>, "kmontgomery@mtnvillage.org" <kmontgomery@mtnvillage.org>, "dcaton@mtnvillage.org" <dcaton@mtnvillage.org>, "bmacintire@mtnvillage.org" <bmacintire@mtnvillage.org>, 'Dan Jansen' <DJansen@mtnvillage.org>, "pberry@mtnvillage.org" <pberry@mtnvillage.org>, "jgilbride@mtnvillage.org" <jgilbride@mtnvillage.org>, "nbinder@mtnvillage.org" <nbinder@mtnvillage.org>
Cc: "Jensen, Bill" <bjensen@tellurideskiresort.com>, "John Horn (jhorn@rmi.net)" <jhorn@rmi.net>
Subject: Lot 30 / Parcel M - Town Council Hearing tomorrow

Dear Town Council, Jim, Kim and Michelle:

The purpose of this e-mail is to provide TSG Ski & Golf's response to John Horn's public comment letter dated February 9, 2018. Please include this e-mail in the packet for tomorrow's Town Council Hearing.

First, with regard to the Huschkes knowledge of the Comp Plan and the impact on Lot 30, Mr. Horn states, the "Huschkes first learned Lot 30 was impacted in a phone call from a TMVOA representative that occurred well after both Comp Plan and CDC were adopted." Although this could be the Huschkes recollection, such a statement appears to be false.

As you may know, in 2008, Town Council appointed a Task Force, consisting of a diverse group of 15 community members, including Mr. Horn (who was the chairman). The

Task Force conducted 30 meetings over 30 months, created bylaws and kept meeting minutes.

The Task Force's Sept. 21, 2009, Meeting Minutes (where John Horn was present), David Schillaci (another Task Force member) stated that all property owners should be notified if the Task Force makes plans for their land. The minutes then state, "John Horn agreed and said that as the plan moves forward affected property owners should be notified."

In 2011, when Lot 30 became part of the Comp Plan's discussions, the Task Force's meeting minutes from 3/17/11 (attached), three (3) months before Comp Plan was adopted, reflect the Hutchkes were indeed informed of the Comp Plan's impact on Lot 30. [See minutes, page 3]. Specifically, these meeting minutes show there was a discussion regarding Lot 30. Importantly, the minutes reflect that Chris Hawkins (Planning Director at that time) stated he spoke with the Owner of Lot 30, Darrell Huschke, about the Lot 30 proposal in the Comp Plan (at that time showing multi-parcel units, including parking, with 4 levels consisting of 22 units). The minutes further indicate that Mr. Huschke told Chris Hawkins that he did not want to be bound by that specific plan, that he wanted to be able to develop within the existing zoning but was open to the idea. [See minutes, page 3 "Council Direction"].

Further, over the three year process, the Task Force's public outreach included 51 public meetings hosted; 51 Agendas, Minutes and Packets on Town's website; 24 live-streamed meetings; 6 public events hosted; 166 advertisements, 18 press releases, 89 E-mails, posters, banners, 2 community-wide surveys [over 300 completed and submitted], direct mail to 2,000 homeowners, 69 articles/broadcasts, and "Visioning" workshops and questionnaires. [Page 13 of the Comp Plan].

The evidence shows the Huschkes *were* informed and were so informed at least three months prior to the Comp Plan's adoption. Even before Chris Hawkins reached out to the Huschkes in early 2011, the Task Force did everything it could to reach the entire community, as evidenced by the enormous and continuous public outreach. Clearly, the Huschkes did have an opportunity to participate in the process. Any statements that they were uninformed or had zero involvement are not true. The fact they may have had little involvement was their choice, especially after learning Lot 30 was going to be included in the Comp Plan.

Second, any discussion regarding the fact that Lot 30 has not sold should include an analysis of the real estate market and the asking price of Lot 30.

Per the MLS, Lot 30 (0.60 acres) has been listed on and off since 2013. It was initially listed at \$7,225,000, and then John Horn took over the listing in 2016 and dropped the price to \$3,250,000. It is currently listed at that amount. The listing states it is zoned for 9 condo units, 2 employee apartments and comes with 2500 sf commercial building, plus 1 additional condo unit in the density bank.

To find comparable sales for the land value of Lot 30, I searched for Mountain Village land sales since 2013, the year the Huschke's begin listing their property. In the entire Mountain Village, 87 vacant lots sold from 1/1/13 to present. Of those 87, only 2 were located in the Village Center Subarea, as follows:

1. Lot 89-2B (0.64 acres), located above the pond lot, sold on 9/5/17 for \$800,000, or \$1,250,000/acre. It is zoned residential and part of Comp Plan parcel C-1-89, which would permit 174 hotbeds mix, 23 condo units, 4 dorm units and a restaurant space, all on 5-6 individually owned lots. C-1 is also a designated flag lot. Lot 89-2B also straddles Comp Plan parcel C-3, also subject to the Comp Plan. The point is that the fact that this Lot is part of two separate Comp Plan parcels did not prevent the sale this year of Lot 89-2B. Using this price per acre for Lot 30, Lot 30 would have a land value of \$750,000. If we add a value of \$10,000 per additional density associated with Lot 30, as well as 2500 of commercial space, then the value could potentially exceed \$1,000,000 but nowhere near \$3,250,000.

2. Lots 122/123 – TSG purchased these two lots, and all associated density on the two lots, on 1/18/17 for \$1,100,000. These were smaller lots (0.106 and 0.141, respectively) but they are similar in location and density. Lot 122 contains 9 condo units of density and 1 employee unit, and Lot 123 contains 11 condo units of density and 1 employee unit. As part of the \$1,100,000, TSG also received 66.8 Units of condo density (or 200.5 population) density (valued at \$100,000). Lots 122/123 are part of Parcel A-1 of the Comp Plan, which includes these two lots and Lot 128. It is also designated as a flag parcel, with 125 target hotbeds and 3 dorm units.

In our opinion, these comparable lots sold in 2017 because they were priced at a reasonable market price. Lot 30 has not sold because the asking price is too high.

In Conclusion, TSG would prefer Town Council defer any Comp Plan amendment for Lot 30 until the Subarea committee has had an opportunity to analyze the entire Mountain Village Subarea. However, TSG would support the amendment as written, so long as the Subcommittee can make appropriate recommendations after a full analysis of appropriate density and unit mix for Lot 30/Parcel M as well as the other Subarea parcels.

Thank you.

Stefanie

Stefanie C. Solomon, Corporate Counsel

TSG Ski & Golf, LLC
565 Mountain Village Blvd
Mountain Village, CO 81435
Direct: (970) 728-7318
E-mail: ssolomon@tellurideskiresort.com



455 Mountain Village Blvd. Ste. A
Mountain Village, CO 81435
www.townofmountainvillage.com
970.728.6000
970.728.4342

**TOWN OF MOUNTAIN VILLAGE
MINUTES OF THE
REGULAR TOWN COUNCIL MEETING
MARCH 17, 2011 DRAFT**

The meeting of the Town Council was called to order by Mayor Bob Delves at 8:34 a.m. on Thursday, March 17, 2011 in the Mountain Village Town Hall, 455 Mountain Village Boulevard, Mountain Village, Colorado.

Attendance

The following Town Council members were present and acting:

Mayor Bob Delves
Jonathan Greenspan
David Schillaci
Dan Garner
Chris Cox
Cath Jett (via conference call for portions of the meeting)

The following Town Council members were absent:

Richard Child

Also in attendance were:

Greg Sparks, Town Manager	Kathrine Warren
Kim Montgomery, Director of Administration	Penelope Gleason
Jackie Kennefick, Senior Deputy Clerk	Nicole Pieterse
David Reed, Town Attorney	Jim Riley
Jim Mahoney, Assistant Town Attorney	Joan May
Julie Vergari, Chief Accountant	Brenda Vander Mije
Chris Hawkins, Director of Community Development	Mike Rozycki
Rob Rydel, OZ Architects	Jason Merritt
Chris Colter, Director of Transportation	Dennis Lankes
Nichole Zangara, Community Relations Manager	Tom Kennedy
Chris Broady, Chief of Police	Erik Fallenius
Katie Tyler, Planner	Carly Shaw
Dave Bangert, Forester/Planner	Brian Ahern
Dave Riley	Jeff Proteau
Chris Laukenmann	Sally Field
Banks Brown	Lauren Bloemsma
Mary Rubadeau	Doug Tueller
Kurt Shugars	Pete Mitchell
Kim Hewson	Danny Craft
Mike Fitzhugh	Karen James
Paolo Canclini	Randy Edwards

Discussion and Potential Action on the Following Areas of the Mountain Village Comprehensive Plan:

Former Chair of the Comprehensive Plan Task Force Chris Laukenmann spoke to Council and offered an historical perspective on the development of the plan. Mayor Delves explained that this meeting will begin with another charette session which is an interactive, flexible process. Director of Community Development Chris Hawkins introduced Rob Rydel with OZ Architects who will be presenting subarea revisions and the results of new parcel testing per Council's direction at the March 10, 2011 meeting.

1. **Economic Analysis Summary and How Such Compares to Hot Bed Numbers Generated from Directed Subarea Concept Plan Changes to Date**

This item will be agendaized at a future meeting. It is tentatively scheduled for March 31, 2011.

2. **Presentation of Revisions (per Council Direction at the March 10, 2011 Special Meeting) to the Subarea Concept Plans and New Parcel Testing Through a Design Charrette Process for the Following Subareas in the Comprehensive Plan:**

Mr. Rydel stated that the three things he is looking for direction on today are:

- Overall Mass and Scale
- Use
- 40/40/20 split or hot bed only on certain parcels

At next week's meeting the presentation will be revised for these comments, including refined drawings and an update on total units with a comparison to the previous subarea plan parcel by parcel. Mayor Delves reminded everyone that this is conceptual and we are not designing or building anything. The goal is to test the parcel for mass, scale and use. All conceptual ideas will be subject to a rigorous DRB and Town Council process.

a. **Mountain Village Center**

West Village Peaks area. Comments and discussion were as follows:

- The 2.1 parcel was tested at five levels avoiding the wetlands. It was noted that 2.1 was parcel tested by Cal Wilbourne for a hot bed and meeting room expansion.
- 2.2 expansion with hot beds. It was determined that this area should be renamed Peaks Addition as it is no longer contemplated as a clubhouse expansion.
- 2.3 Conference Center Expansion.
- 2.4 Covered tennis courts with hotel. Council stated that we need to show a new way to link to Hotel Madeline.
- 2.5 A hotel with three levels or a Recreation Center and hotel combined. If a hotel only there would be 68 hotbeds or 34 units if combined with a recreation center. The access is via a tunnel off Vischer Drive. The proposal is to connect 2.4 from the same tunnel.
- This West Village Peaks parcel yields 376 units versus 302 units in December's Matrix

Council Direction

Dave Schillaci suggested testing views from See Forever Village and Courcheval including roof elevations. He would like to see access for the Recreation Center off Mountain Village Blvd. (MVB) as well as from Vischer Drive. Dan Garner stated that 30,000 square feet is needed for a Recreation Center and that 2.4 should be a

recreation center and 2.5 should be 100% hotbeds. The rest of Council concurred. He added that the idea for a recreation center was previously sold as being 60-70% tourists and if it is located at Town Hall Plaza this would be a detraction for tourists. Bob Delves stated that if the recreation center is located at Town Hall Plaza it may be a different recreation center than what was envisioned before and he is still interested in the multi-taxing district possibilities. Mayor Delves expressed concerns about Vischer Drive access. He asked to show alternate access from MVB for the 2.5 hotel site and for 2.4 the recreation center. Jonathan Greenspan stated that he does not think access from MVB will work and he is okay with the Vischer Drive access for both 2.4 and 2.5. He would like to see an amphitheater shown in the 2.4 area. Chris Cox stated that he is okay with everything here on a broad conceptual basis and that his interests lie in how this flows into the economic model, how the wetlands are affected and how it works with traffic study conclusions. He mentioned that Capella should be now called Hotel Madeline on the drawings.

Consensus was for overall mass and scale, continuing to study access and understanding the options. There was overall support for 2.4 as a recreation center and 2.5 as a hotel, as well as adding an amphitheater. Council directed staff to determine if 2.2 is supported by the Peaks. It was also determined that Council would not direct the change of the 40/40/20 split on any parcel to hot bed only as they believe that will ultimately be determined by the applicant.

South Driving Range/Golf Clubhouse plus Hot Beds Parcel (3.0):

- The proposal is to move the development to the north with potential access off of Vischer Drive. This is a three story structure with an 18,000 sq. ft. clubhouse on the main floor and fifty-six hot bed units on the top two levels.

Council Direction

Mayor Delves likes the clubhouse and a modest number of hotel rooms, noting access would have to be off of Vischer Drive. He stated that a forested buffer should be kept for a surface parking lot and that we should talk to TSG about the winter impact of surface parking and the effects of both 2.4 and the clubhouse on the Meadows Ski Run. Dave Schillaci suggested moving parking to the north and left of building if possible. Mayor Delves noted that the clubhouse and parking are both allowed uses on Active Open Space but the hotel is not. Overall consensus was that Council was supportive of this parcel for mass, scale and use.

Lot 30 (Parcel 4.0):

Previously, the parcel had two or three town home units similar to Aspen Ridge and Mr. Rydel was asked to look at multi-parcel units including parking. As shown, the parcel now has double sided multifamily units with four levels. There are 22 units with four levels stepping down to three levels on the ends.

Council Direction

Jonathan Greenspan and Dan Garner suggested looking at incorporating parking into the buildings underground rather than above ground. Mayor Delves stated the mass and scale is similar to a multi-family scenario and it is compatible with the neighborhood as it is across the street from a hotel. Chris Hawkins stated he spoke to the owner Darrell Huschke who indicated he does not want to be bound by the plan and wants to be able to develop within the existing zoning but he was open to this idea. Dave Schillaci stated that the minimum number of units to make a boutique hotel is 40-60 units and that we could get close to 40 units on this site and maybe more with a lot line adjustment. Council direction was to look at a "C" shape and undergrounding the parking and that they were favorable to this parcel.

89 Lots:

Mr. Rydel stated that for this parcel he incorporated a smaller footprint on the south and north ends and included 8 town homes closest to the adjacent single family homes in order to reduce the impacts of this parcel to the surrounding single family lots. He also indicated that 5.0C and D are five levels and the entire 89 Parcel contains 135 units based on the 40/40/20 mix versus the 97 units in the previous model.

Council Direction

Jonathan Greenspan suggested a different mass and scale on 5.0C and D by working with the topography, combining the two buildings and wrapping around and stepping down with the terrain which would have the appearance of separate units but would actually be connected. He believed that by creating the higher density from the B in 5.0B through 5.0C in a C shape, leaving the View 4 and up as town homes and adding a few more town homes next to either side of 5.0B would be more sensitive to the surrounding neighbors and would put the density adjacent to other higher density projects. The Mayor and the rest of Council agreed that this scenario would be more respectful to the neighboring area. Council direction was to test it as a hotel but it could be multi-family with some deed restricted units and to stay with five levels where Mr. Greenspan suggested putting the main mass and scale and then step down from there.

Gondola Parcel:

Mr. Rydel explained that pursuant to Council direction at the last meeting he added density by extending the 7.0C building and he added to 7.0C2 up the hill to the south and some town home units at 7.0C3 (he noted that 7.0C3 may not be realistic). He also indicated that 7.0A and B could be connected which would give this parcel 483 units of density compared to 361 units. He also noted that 7.0A is six levels.

Council Direction

It is important to show access to the various units. Dan Garner and Bob Delves suggested looking at maximizing parking under the B and C buildings and to be mindful they also have parking commitments for the Ridge.

Council agreed on the need to profile mass and scale to the single family units adjacent to the parcels and to see the parcels tested both as one common element and then as three separate parcels, including elevations. They also agreed there should be a condition in the plan to memorialize that a loading dock must be addressed. The desire is for everyone to be able to work together in this area. The Town owns some open space in between the lots that could be used as incentives. The addition of C2 would be a great incentive. Overall, there was support for the mass and scale.

b. Town Hall Plaza:

- 16.5 A 30,000 sq. ft. recreation center with parking at the GPG
- 16.6 A three level school facility with 17,000 sq. ft. gym on two levels. A playground is on the south side of the building. It could also incorporate a school/public library combo noting this parcel is a bit crowded
- 16.1 An 8,000 sq. ft. children's ski school (two levels at 4,000 sq. ft each) including an over head link and drop off
- 16.2 medical center building of 68,000 sq. ft. (half is a medical center, the rest are other related offices, four levels)
- 16.3 Town Hall east hotel 23,000 sq. ft. with four to five stories and 95 units
- 16.4 Deed restricted housing including 26 one and two bedroom units

Council Direction

Mayor Delves stated that the school was not what he expected and Council directed Mr. Rydel to get input from Mary Rubadeau and her team to make sure needs were being addressed adequately. There was a lot of support for the school with multi-use idea and it was suggested that maybe we can try to celebrate the wetlands as a playground. Council direction was to draw it with and without the recreation center if the recreation center goes to the Village Center, including drawing a bigger gym so it is sized to serve both the school and the community. Jonathan Greenspan suggested looking at redesigning the entire area including MVB, undergrounding the parking, and maybe thinking in terms of a one building concept rather than a multi-building concept. Think of this area as a campus type of environment. A community center campus with educational, recreational, wellness and commercial (daily community services) uses including daycare, community center, school, and a library. Dan Garner cautioned about the economic viability of a community center. The intention is not for Mountain Village taxpayers to pay for a school here. If the recreation center is taken out, there will be better opportunities for the school and the library. There are definite safety concerns about congestion and vehicles with an elementary school. Council direction was to start with the school and add on what is compatible, preferably something with a recreation component such as a gymnasium. Council agreed there was a need to study the connection from the gondola to this area at a later meeting. Jonathan Greenspan stated he had no problem with the ski school location but asked would guests be better served if it was located by the magic carpet by the Chondola and that safe access would need to be ensured. There was consensus to leave 16.3 (the east hotel) as is. Also leave the deed restricted units (16.4) but the economics may not pencil. The Mayor asked to see the VCA footprint so we can see how the Big Billie's units may fit there. For 16.2, the medical center, add a plan note about a potential helicopter pad, otherwise leave as is. All were in agreement that it would be better to go under the road to access the children's ski school but this is a cost issue.

c. Meadows

Mr. Rydel stated his direction was to look at Big Billie's and Prospect Plaza. For Big Billie's he used a scrape scenario and replaced it with 125 hot bed units with four stories with underground parking, noting that the existing units need to be relocated somewhere. The Prospect Plaza parcels 11.2 to 11.9 yield 124 units of one and two bedroom units which could be a solution for replacing the loss of units at Big Billie's.

Council Direction

Meadows – Big Billie's:

Dave Schillaci is opposed to a hotel at Big Billie's and noted the current configuration as drawn may be on wetlands which must be accounted for. Mayor Delves stated that the best expansion potential is up the hill noting this would have the best views. He suggested filling in the "V's" of the current Big Billie's configuration and noted the existing 150 dorm units must be moved. Dan Garner asked about access from the Meadows parking lot to the lifts and the Chondola, noting the need to solve connectivity to the core to help with vitality. Dave Riley will provide a drawing of a pulse gondola from the parking lot in the Meadows to Town Hall. Mayor Delves asked to test parking at grade from an economic perspective and to preserve the structure and expand it to where the outdoor patio and eating area is currently (beachfront). TSG needs to provide information on the condition of the existing structure. An improved intersection at Adams Ranch Road and the road to Fairway Four must be looked at.

Meadows – Prospect Plaza:

Dave Schillaci stated that as proposed this is just too much density. It is also too expensive and unrealistic to move the shops and noted he could support half the density which would greatly reduce the amount of people and vehicles. Chris Cox agreed and stated the Meadows should not be a "dumping ground" for density.

Jonathan Greenspan stated that the current shop layout is inefficient and it would be great to find ways to correct this. He stated that he respects the density issues and for 11.3 and 11.2 he is most interested in what really can fit there, noting it could be a good place to fit some density such as some of the Big Billie's units. Bob Delves stated that he is fairly ambivalent about this area and would like to keep options in the plan. Dan Garner stated he does not like what is proposed, noting that if the shop is there it won't be an attractive location for housing. The consensus was to leave 11.2 and 11.3 in the plan with conditions including showing a mix of 175 one and two bedroom units, show 11.9, 11.6 and 11.7 as a park, and leave 11.4 and 11.5. There is no need to do any more parcel testing or 3D modeling on this area.

Lot 27A adjacent to Belvedere

There are buffers from the property lines and the access on Lost Creek Lane to this lot. Parcel testing shown for four stories of double sided units (47 units). Mr. Rydel stated he will have a 3D model for this next week. Council consensus was to leave it in as depicted.

d. Boomerang and Comanche

Mr. Rydel stated that the Comanche site as previously depicted had 152 units and after reducing by half it is currently shown as 77 units. Boomerang was 303 units before as compared to 253 now shown. The view from the base area shows that you would be able to see some buildings but trees can minimize the impact. Also shown is the view from the skier's perspective noting again that trees will minimize the visual impacts.

Council Direction

Mayor Delves acknowledged that this parcel is the most controversial. Concerns include access, mass and scale, what it looks and feels like as a skier, the appearance from the Village Center, lights on the hill, a pulse gondola with added congestion on the beach and questions of whether this adds to or dilutes the Village Center. It is an iconic site which doesn't exist anywhere else. If it gets too small it won't happen economically. Council direction was to continue to test this parcel and understand the impacts. Dan Garner concurred with the Mayor and added that until we know what we have done with the rest of the plan we won't know what density is necessary. Dan Garner stated that he likes the new drawings but is concerned about the loss of hotbeds. 10.1C is the most obtrusive building but to make any sense of it the trees need to be shown from all angles. Dan Garner stated he is opposed to sequencing since any development will be free market driven. Council direction was to reconfirm the visual impacts from the Village Center. Mr. Rydel clarified that he can show trees in the vicinity of the buildings but not all the trees on the mountain. The right side buildings should be tested further as most thought they would be more tucked in on the other side of the knoll. Dave Schillaci asked how the road-cut is going to affect views and how far the trees have to be away from the building for fire mitigation requirements. Mr. Greenspan agreed with tree issues but noted that the forest is not healthy in this area. He stated that he made a promise to look at this subarea very closely and that it is the hardest one for him to stomach. Council directed Mr. Rydel to show the road on future drawings starting at the Mountain Shop and the pulse gondola alignment needs to be evaluated both top and bottom. Finally, 10.2 should be depicted as both in and out of the depiction so we can see whether the units themselves or the tree cuts for access are driving the visual impact.

Public comment on all items discussed was received by Brenda Vander Mije, Mary Rubadeau, Mike Rozycki, Penelope Gleason, Nicole Pieterse, Doug Tueller, Sally Field, Tom Kennedy and Erik Fallenius

3. Other Comprehensive Plan Business

a. Presentation and Discussion of Revised Comprehensive Plan Schedule.

Chris Hawkins stated he will present a revised schedule at next week's meeting.

LUNCH BREAK from 1:05 p.m. to 1:35 p.m.

Public Comment for Non-Agenda Items

Public comment was received from Paolo Canclini who explained that employee units at Franz Klammer Lodge (FKL) do not have designated parking and this has become a significant detriment in keeping the units occupied. The Mayor acknowledged that deed restricted housing without parking is problematic and directed Mr. Canclini to meet with Town Manager Greg Sparks, himself and possibly Scott Shifrin or other FKL representatives to look further into the situation noting that this could be an HOA issue.

Staff Reports:

- a. **Mountain Munchkins Preschool & Daycare** Assistant Town Manager Kim Montgomery presented the above report for Director Kathleen Merritt who was unable to attend the meeting. Dave Schillaci stated that he would like to see added goals that are geared toward child development. Council discussion ensued on various topics including daycare opening on Saturdays and Sundays, a movie night on Friday nights and the possibility of offering Saturday service year round.
- b. **Town Manager** Town Manager Greg Sparks presented his report. He stated that snow and ice removal at Big Billie's as well as the number of cars parked beyond the breezeway that will not allow an ambulance to get through are ongoing issues that need to be addressed with TSG. Mr. Sparks noted that he will meet with Mr. Canclini regarding parking issues for the FKL deed restricted units. Mr. Sparks informed Council of Hotel Madeline's intention to stay open during the off season and that the ice rink closed last week for the season due to warm temperatures. He explained that Gondola Station 3 went down Sunday morning and the issue was not a predictable type of failure. Staff did a great job dealing with the issues and getting the gondola back up and running. Council discussion ensued.

Telluride Historical Museum Annual Update

Telluride Historical Museum Director Lauren Bloemsma presented the annual update stating that the museum had a small deficit this past year which was covered by reserves. The Mayor thanked Ms. Bloemsma and noted the great job she is doing for the museum. She added that she is working with the Town to fund exhibits and may put some exhibits in hotels as well. Council discussion ensued.

Consideration of:

February 28, 2011 BAGAR Report

Chief Accountant Julie Vergari presented the BAGAR Report. Council discussion ensued.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Amending the Solid Waste and Recycling Ordinance Regarding Hours for Residential Solid Waste Pick Up

Greg Sparks presented the above stating that per Council direction at the last meeting, the ordinance has been amended to allow additional time for bear proof containers to be set out prior to pick-up. On a MOTION by Dan Garner and seconded by Chris Cox, Council voted 5-0 (with Richard Child and Cath Jett absent) to approve the above ordinance on first reading and set the second reading, public hearing and Council vote for April 21, 2011.

Consideration of 2011 Telluride Bluegrass Festival Facilities Use Agreement

Greg Sparks presented the above stating that he has not yet received comment back from Bluegrass Director Craig Ferguson. Council discussion ensued. On a MOTION by Dan Garner and seconded by Jonathan

Greenspan, Council voted unanimously to authorize the Mayor and the Town Manager to finalize and execute the 2011 Telluride Bluegrass Festival Facilities Use Agreement.

Consent Agenda

All matters in the consent agenda are considered to be routine by the Town Council and will be enacted with a single vote. There will be no separate discussion of these items. If discussion is deemed necessary, that item should be removed from the Consent Agenda and considered separately:

a. **Consideration of Approval of Minutes of the March 10, 2011 Special Town Council Meeting**

On a MOTION by Dan Garner and seconded by Chris Cox, Council voted unanimously to approve the consent agenda.

Other Business

There was no other business.

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

No executive session was necessary.

There being no further business, on a MOTION by Jonathan Greenspan and seconded by Chris Cox, Council agreed to adjourn at 2:20 p.m.

Respectfully Submitted,

Jackie Kennefick
Sr. Deputy Clerk

TELLURIDE
618 MTN VILLAGE BLVD.
SUITE 201
TELLURIDE, CO 81435
PH: 970.728.5775
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DENVER
1601 BLAKE ST.
SUITE 300
DENVER, CO 80202
PH: 303.854.9121
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February 14, 2018

Via Email mhaynes@mtnvillage.org

Members of the Mountain Village Town Council (“**Town Council**”)
c/o Ms. Michelle Haynes, Director of Planning and Development Services
455 Mountain Village Boulevard, Suite A
Mountain Village, CO 81435

Re: Comments on the Application for Proposed Major PUD Amendment and Extension (the “**PUD Extension Application**”) sought by Northlight Trust I (the “**Applicant**”) for Lot 126R, Lot 152R, OSP 118, OSP 126 (the “**Property**”) for impacted Lot 143A Owner Carol Hintermeister (“**Ms. Hintermeister**”)
Our File Ref.: Hintermeister

Dear Ladies and Gentlemen:

This letter again is provided on behalf of Ms. Hintermeister in connection with the above-referenced PUD Extension Application and supplements the comments set forth in our February 13, 2018 letter. Accordingly, based on a number of technical issues/questions arising after our letter yesterday, we ask for your confirmation/clarification of the following at tomorrow’s Town Council Meeting.

1. Please confirm, for the record, that the contemplated “Memorandum of Understanding” will have the same binding effect as the more formal “Standstill Agreement” (which is the actual document mentioned in the notices).
2. Please also clarify the definition of the “Vested Rights” referenced in Recital B of the proposed Memorandum of Understanding, again to establish for the record the exact rights that, without a formal PUD extension, the Town deems otherwise would expire on March 18, 2018 (i.e., which specific “Vested Rights” no longer will exist after that expiration).
3. Conversely, please also confirm (citing the LUO or the CDC, as applicable) exactly which approved rights associated with the 2007 PUD Approval are believed to survive expiration of the “Vested Rights” on March 18, 2018 (i.e., which specific “Vested Rights” will continue to exist after that expiration).

4. Please also confirm whether any of those specific surviving "Vested Rights" will include any recorded subdivision or density rights. In doing so, please clarify whether the 2007 PUD Approval granted only preliminary subdivision rights, or whether recordation of the final subdivision plat, in fact, vested any permanent rights (and, if so, what exact rights).
5. Assuming that subdivision rights associated with the 2007 PUD Approval in fact survive expiration of the "Vested Rights" on March 18, 2018, please confirm that such subdivision rights in fact have been secured by adequate subdivision improvements security collateral posted and retained in place pursuant to Colorado law at all times since March 15, 2007. Since we understand that Colorado law indicates failure of any landowner to have so posted and retained adequate security could give rise to claims of default regarding the approved "Vested Rights," we need to ask for clarity on this issue (including any steps that now will be required for any new posting in connection with Town Council acts taken tomorrow).
6. Finally, based on these new issues and general concerns about public participation in any new application(s), we need to confirm formally that Ms. Hintermeister reserves full rights to object to any final form of approvals and any subsequent applications filed in connection therewith.

* * * * *

Thanks again for your continued attention to these matters and please contact us with any questions, or if we can assist otherwise. Please also note that we still plan to attend tomorrow's meeting, and, thus, will be available to assist with any of these matters, if/as helpful.

Sincerely,

TUELLER & GIBBS, LLP
a Colorado limited liability partnership

By: /s/ Douglas R. Tueller
Douglas R. Tueller

cc: James D. Mahoney, Esq.
Carol and Hank Hintermeister
Dr. Alan Safdi
Monique Bensett

Date: February 14, 2018

To: Town of Mountain Village
455 Mountain Village Blvd., Suite A
Mountain Village, CO 81435
Attn: Michelle

From: George and Cynthia Barutha
255 Country Club Dr.
Mountain Village, CO 81435

14621 S. Presario Trail
Phoenix, AZ. 85040

Subject: Lot 126R and 152R – Memorandum of Understanding

This letter serves as official notification of our concerns with the proposed Alternative Development Plan being proposed by Northlight Trust I. Because our new home is located outside the 400 ft limit, we were not aware of this issue, until our visit the week of February 7th thru 11th, 2018. However, the location of this project would greatly affect our quality life and experience in Mountain Village.

It is our understanding an impact study of the area and Country Club Drive for this Alternative Development that could potentially be proposed in the future, has not been performed for over 11 years when the town approved a mixed use development project on Lots 126R and 152R. Since that time, new projects have been developed or additional units added: Cassidy Ridge, Cortina, Madeline, and ElkStone 21.

Our concerns stand with the extension of an Alternative Development Plan, with gives Northlight Trust I the same results that cannot be rescinded.

We are building our 2nd home in Telluride to get away from the busy city life, which makes the Telluride / Mountain Village area so appealing.

Our home is near the end of the cul-de-sac on Country Club Drive and sits low on Country Club Drive due to the height restrictions. Any Alternative Development Plan would increase traffic in the area causing safety issues on the curved roads, the cul-de-sac would be used for guest to turn vehicles around on County Club Drive and vehicle lights would shine directly into the windows of our home. Any future project on these lots, must be understood, and a current density impact study must be performed.

Please do not tie our hands with an agreement that took place back in 2007, with different Landowners and different density conditions.

Sincerely,



George and Cynthia Barutha

Susan Johnston

Subject: FW: Permit Parking at Upper Mountain Village

From: Craig Spring [mailto:craig@luminosityald.com]

Sent: Thursday, February 15, 2018 3:49 PM

To: mvclerk <mvclerk@mtnvillage.org>

Subject: Permit Parking at Upper Mountain Village

Hi MV Council / MV Clerk / Natalie,

After one of the Parking Committee members stopped by yesterday to inform each business who has an Upper Mountain Village Parking Permit of the Council Meeting, I wanted to follow up and comment:

I will keep my comments as concise as possible.

- As a business owner in MV, I know multiple business owners that utilize the parking along Upper Mountain Village, including our team.
- As a business that attends numerous meetings a day in Telluride, Mountain Village, and at construction sites throughout the county, having access to parking near our office is essential. If I had to park in the parking garage near the market, the round trip commute would significantly impact my operation. If I had to pay for parking on an hourly basis, for multiple employees, that would also add up dramatically over the course of a year.
- If they are looking to eliminate 100 passes/40 spaces of parking in that zone, I would ask Council to consider another lot on this end of MV to be considered. It sounded like the empty parking lot adjacent to the Gondola/Telluride Sports will potentially be developed into a permitted parking lot (lottery system), but that information could not be confirmed, and may be under different ownership.

I attended the meeting today, but it appeared that it was going to be delayed significantly before the Parking Committee's recommendation was going to be discussed.

Best,

Craig Spring | IALD | IES | LC | LEED AP
Principal



www.luminosityald.com

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Susan Johnston

Subject: FW: Please pass along my thoughts to the Mayor for the meeting on Feb 15

From: David Reed [mailto:david@reedda.com]

Sent: Tuesday, February 13, 2018 4:21 PM

To: Kim Montgomery <KMontgomery@mtnvillage.org>

Cc: mvclerk <mvclerk@mtnvillage.org>; Bruce MacIntire <BMacIntire@mtnvillage.org>; Dan Caton <DCaton@mtnvillage.org>; Dan Jansen <DJansen@mtnvillage.org>; Jack Gilbride <JGilbride@mtnvillage.org>; Laila Benitez <LailaBenitez@mtnvillage.org>; Natalie Binder <NBinder@mtnvillage.org>; Patrick Berry <PBerry@mtnvillage.org>

Subject: Re: Please pass along my thoughts to the Mayor for the meeting on Feb 15

Thank you for the clarifications on both issues. I agree parking on the upper road is not good and support the proposal to stop that

David, thank you for your eloquent response. It seems for sure this issue has been fully disposed. No need to push my concerns further for as you state, doing so could open up pandoras box again.

Thanks to both for complete and timely responses. I hope to meet you one day soon

Regards. David

David A Reed- david@reedda.com

On Feb 13, 2018, at 3:53 PM, Kim Montgomery <KMontgomery@mtnvillage.org> wrote:

Good Afternoon David:

The only parking that is being discussed is employee parking permits which allow for parking on Upper Mountain Village Blvd. which is considered on-street parking (I have attached the memo from the Council packet explaining in more detail). With development in that area of homes and other uses, we are eliminating this street side parking. All current parking that is in place for our "residential permit parking" will remain in place. I have copied Town Council, including the Mayor, on this email so they are aware of your questions and my response. To date, the Town has not considered free parking for residents at what we call "Heritage Parking Garage" in the Village Center, however, by copying Council they will be aware of your suggestion (the Town does control a portion of that parking garage).

Our attorney David Reed has responded to your second question from other constituents and I have copied his response below:

"As legal counsel to the Town of Mountain Village, the Town Clerk has requested that I respond to your recent email expressing your concerns regarding your right to vote in a Mountain Village municipal election.

First, without getting into too much boring detail, let me explain that state and local law in Colorado, as well as in all other states and local jurisdictions, sets the qualifications for voter

registration. One of those qualifications is that the individual must be a resident of the state and of the local jurisdiction in which he or she intends to register.

Notwithstanding this long held constitutional concept of a residency requirement, the founders of Mountain Village, recognizing the demographics of Mountain Village, then as well as into the future, felt that it was important to provide our non-resident property owners with the right to have a voice in their local government. Thus the Mountain Village Town Charter was drafted to enfranchise our non-resident property owners. This is a very unusual concept and goes against traditional constitutional concepts.

Shortly after incorporation of the Town, the ACLU, along with a number of local residents brought suit to constitutionally challenge this provision in the Charter. The Town vigorously defended its Charter position and litigated this issue all the way to the Supreme Court. After the expenditure of many resources, including financial, the Town prevailed on its defense of the non-resident property owner's right to vote under the unique circumstances of the Town. However, this decision upheld the right of non-resident property owners who were natural persons to vote. Had this class of voters been other than natural persons, I speculate that the outcome would have been different.

Having said all of this, keep in mind that the provision that allows non-resident property owners the right to vote is a Charter provision. The Town Council does not have the power or authority to change or amend the Charter, only the Town electors can do that. Consequently, an amendment to the town charter to expand the right to vote to properties held in trust could be proposed and voted on by the Town voters. However, in my opinion, if such a Charter amendment were to pass, I believe that it would be subject to legal challenge and likely not upheld, if challenged.

As an aside, at the time we litigated the voter's rights case, there were only two other jurisdictions in the United States that enfranchised its non-resident property owners with the right to vote and in both instances unique circumstances existed, as is in the case of the Town and as was so recognized by the Courts.

Please let me know if I can provide you with any other information.

Regards,

J. David Reed"

Thank you for your inquiry and please don't hesitate to contact me if you have any additions questions.

Kim E. Montgomery

Town Manager

O:: 970-369-6411

M:: 970-729-3403

kmontgomery@mtnvillage.org

Town of Mountain Village

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Please note that I am in the office Monday through Thursday. I am available via email and cell phone outside of office hours.

From: David Reed [<mailto:david@reedda.com>]

Sent: Tuesday, February 13, 2018 3:38 PM

To: Kim Montgomery <KMontgomery@mtnvillage.org>

Subject: Please pass along my thoughts to the Mayor for the meeting on Feb 15

Dear, Kim, I am not the David Reed which is the Town Attorney. I have a home at 120 Arizona, and thus, I receive the Agendas for the Town Council Meetings and noticed an item discussing parking permits, which if I understand this correctly, calls for a further reduction of permit parking in "Upper Mountain Village". I looked for awhile in the Agenda documentation but could not get clarification for what is being recommended. At the moment, as a part-time resident, we are able with our permit to park in the garage at the Market, along the wall by the Market, and the small lot across to the east of Wells Fargo Bank. I am not sure whether the latter is the "Upper Mountain Village" referred to, but I strongly am against further reduction in the availability of our residents to park beyond what has already been provided. We pay a very strong 3% transfer fee, significant property taxes, and what seems to be extremely high inspection fees, and feel we should have some benefits within our own town. Moreover, it would be terrific if some spaces (maybe 10-20) could be reserved for residents in the underground parking lot in the Center Core. I do not know if the Town owns or administers that garage, so forgive me if that is a private operation and cannot be considered. If I have misunderstood the proposal to remove the Upper Mountain Village parking, please correct me. Thank you

One other topic- since we hold our home in a Revocable Trust (which is a see-through, set up only to avoid Estate Probate), we are not eligible to vote in elections. This seems ridiculous to us. If there is any consideration to changing this so we can vote, it would be great. Just wanted the Mayor and your Group to be aware and to raise the issue if it can be discussed and/or changed in the Bylaws.

Gain, thank you for your consideration

David Reed
120 Arizona

<UMVB permit parking.pdf>

Susan Johnston

Subject: FW: DRB Reform

From: Brian Eaton <bingo.eaton@cox.net>

Date: February 14, 2018 at 2:00:26 PM MST

To: <lbenitez@mtnvillage.org>, <dcaton@mtnvillage.org>, <pberry@mtnvillage.org>, <nbinder@mtnvillage.org>

Cc: <KMontgomery@mtnvillage.org>

Subject: DRB Reform

Council Members and friends,

After seeing the notice for the positions on the DRB, I thought it a good time to look into changing and improving the Board to better serve the homeowners and residents of Mt. Village. For over twenty years now, I have been attending these meetings and have been very concerned with the lack of support for homeowners' concerns. In the beginning, we could not even get proper notifications in order to voice these concerns, but the most common issue was that there was no slowing down any large or commercial project. Homeowners were greatly outnumbered by developers with architects, builders and attorneys. Even the well-meaning DRB Members were overwhelmed most of the time as the hours spent in these meetings. The end result was a lot of poorly planned and underfunded condo projects that all but one, (TransMontana), failed at least once. In the rush to "Build Baby Build", grotesque mistakes were made by allowing some projects to be too large for the lot, too high for County Ordinances, not enough parking, or without proper setbacks to protect homeowners nearby! As a result, Mt. Village property values stagnated for over 10 years while those in nearby Telluride greatly improved.

So, my question is, what is the big hurry to build out our Village? We are left with only 30% left so now is the time to be very careful and patient in order to protect the quality and beauty of our town.

Here are some suggestions I have been proposing for the past 15 years:

1. Require all DRB Members to live in the Mt Village. (We do not need those who do not live among us to determine what we would see every day).
2. Limit it to 5 Members, and hire consultants when necessary. (Having architects, builders and realtors on this Board may encourage poor developments as they may be seeking contracts for themselves. Why would they do it otherwise when they may reside elsewhere?)
3. Shorten the meetings to 5 hours once a month so residents will be willing to volunteer. (Applicants will have to get-in-line, but have a "fast-track" for those with no variance requests as well as for single-family residences).

These "reforms" will provide us all with the assurance that our Village will succeed in being the most beautiful resort in Colorado, if not America!

Thanks,
Brian Eaton
104 Gold Hill Ct
Mt Village

Sent from my iPad

LODGINGRevs

CAPTURE EVERY RENTAL



CAPTURE EVERY RENTAL

LODGINGRevs.com

MUNIREvs and LODGINGREvs

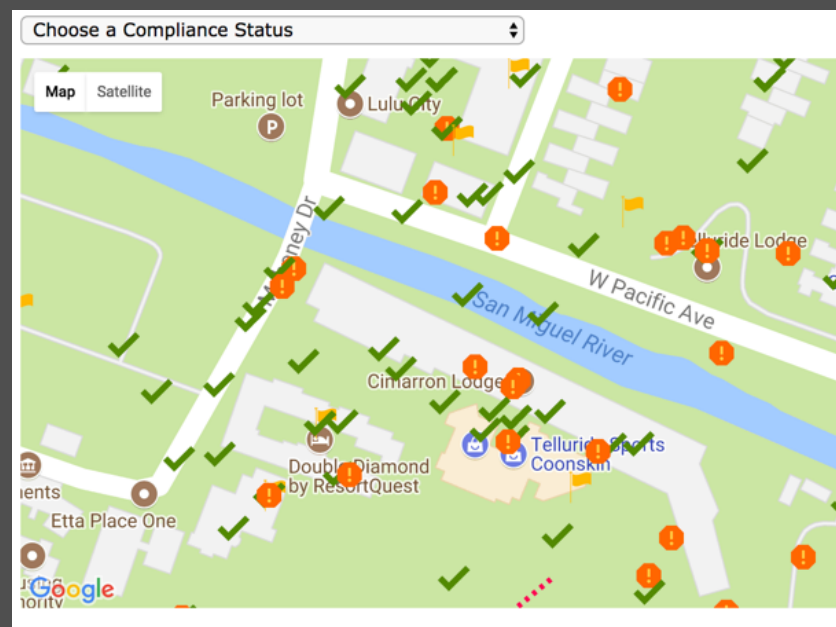
Background:

- Since 2011
- Currently over 35,000 Businesses Use our System
- Process over \$8 million monthly
- Our Communities are 95% paperless
- Rental Compliance since 2011
- Evolution Into LODGINGREvs System

Vacation Rental Compliance

Upcoming Features Q2:

- Interactive map
- 20+ listing sites
- Integrated Notifications
- Property Complaint Form
- Audit Alerts on Calendar Data



Vacation Rental Compliance

94% Compliance, 99% Identified

- How do you know that?
- How is that accomplished?
- Why does that matter?



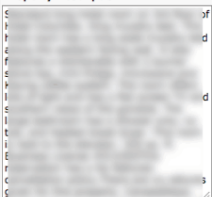
Vacation Rental Compliance

How do you know?

- Automated process, with manual oversight.
- Fully accessible to town staff

Editing Advertisement for Affordably Priced 1 Bedroom - HC33 Save Add Notification

License number is advertised matches the Confirmed Business's accountnumber ✓
The advertised owner / manager matches the business user ✗
The street in the advertisement matches the business's physical address street ✓

Basic Info Site: VRBO Link to Listing Advertisement ID: 2656012 Property: <input type="text"/>	Status Compliance Status: Compliant Start Date: <input type="text"/> Removal Date: <input type="text"/>	Advertisement Details Advertisement Title: Affordably Priced 1 Bedroom - HC33 Property Description: 
Business License Info License Name from Automation Check: <input type="text"/> Advertised License #: 15342 Confirmed Business: <input type="text"/> Search for a business (by name, dba, account) to connect to this user.	Owner / Manager Advertised Owner/Manager: TBD Business User: <input type="text"/> Name: <input type="text"/> Email: <input type="text"/> Company: <input type="text"/> Management Company Name: <input type="text"/> Search for an existing property management company.	Bedrooms : 1 People Sleeps : 2 Minimum Night Stay : TBD Average Rate : 269

Vacation Rental Compliance

How is that accomplished?

- Monitor listings
- Identify properties
- Verify compliance
- Notifications
- Booking Data
- Permitting/Licensing
- Reports
- Tax Remittance
- Complaints



94-98% Average Compliance Rates

How is that accomplished?

- Capture all listings.
- Deliver custom notifications to owners and managers.
- Support owners and managers.
- Make Compliance Easy – with MUNIRevs.

Lodging > Compliance Dashboard > Rental Advertisements > Edit

Details Rental Activity Notes (1) Audit Log (4)

Editing Advertisement for Mountain Elegance ~ Location & Luxury - Ski-In-Ski-Out - 5 Guest Suites Save Add Notification

License number is advertised matches the Confirmed Business's accountnumber ✓
The advertised owner / manager matches the business user ✗
The street in the advertisement matches the businessid's physical address street ✗

Basic Info	Status	Advertisement Details
Site: FlipKey Link to Listing Advertisement ID: 5000234	Compliance Status: Compliant	Advertisement Title: Mountain Elegance ~ Location & Luxury - Ski-In-Ski-Out - 5 Guest Suites
Property: Search for a business	Start Date: 12/26/2017 Removal Date: N/A	Property Description: MOUNTAIN ELEGANCE ~ Ultimate combination of Luxury and Location in the Mountain Village Core. Casa Galena is a spacious 5 guest suite vacation rental. A rare feature in this

Condos and Outliers

- Cross reference 12+ data points and 4 databases, including your system of record, assessor records and premium whitepages.
- With 1 unique identifier we can exclude all other possible properties.
- Sometimes this is even a name in a review.



Vacation Rental Compliance

Why does it matter?

- Public safety
- Revenue
- Fairness



LODGINGRevs

CAPTURE EVERY RENTAL



CAPTURE EVERY RENTAL

LODGINGRevs.com

Sales and Use Tax Simplification Task Force

- Formed in May 2017
- Simplify Home Rule Filing for multi-jurisdictional businesses
- Two Other Issues
 - “Central” Licensing
 - Address Tax Rate Accuracy
- House Bill 17-1216
 - Department of Revenue to issue an RFI by Summer 2018 for a solution that is:
 - OPTIONAL for businesses
 - OPTIONAL for jurisdictions
 - Business Funded (i.e. if they choose to use it, they will pay a fee)

Colorado Home Rule Portal

www.coloradohomeruleportal.com

- DBA of MUNIRevs
- Went Live this Week –
 - Had 100 Businesses Register in first 2 Days
- Optional to Businesses – Fees commence in April
- No Change for Jurisdictions
 - MUNIRevs Towns – Data from Home Rule Portal is Automatically Imported to “home” MUNIRevs site
 - Paper jurisdictions can choose to sign up to receive Home Rule Portal Filings electronically

Sales and Use Tax Simplification Task Force

Next Steps for Colorado Home Rule Portal

- Will Roll out Licensing in about 60 Days
- Present Again to Task Force in Summer Session with Update
- Lobbyist Firm Monitoring
 - Goals: After RFI, No RFP Issued / No Single Vendor
 - Competitive marketplace like in other states benefits all
 - Allow Certified Vendor Approach as the Department of Revenue does now for Tax Rates by Address



Erin Neer, CEO

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Staff Memo (page 3)

“The Town Council has spent a significant amount of time talking with the public along with the property owners of Lot 30 and OS1AR-3 and finalized a proposed Comprehensive Plan amendment contained herein during the intervening months with the stated goal of allowing both Lot 30 and OS1AR-3 the ability to pursue alternative development scenarios to the full Parcel M buildout in a manner which would have existed prior to the adoption of the Comprehensive Plan, while also preserving a full Parcel M option.”

1. But is **“allowing both Lot 30 and OS1AR-3 the ability to pursue alternative development scenarios”** only a goal or is it also a solution?

2. Isn't it in fact the proposed solution to two problems:

Problem 1: Restore rights to Huschkes' Lot 30 that were unfairly taken?

Problem 2: Because we are giving something to Huschkes, then to be fair to TSG Ski & Golf, LLC, don't we also need to give them something by similarly restoring rights to TSG's open space?

CONTROLLING ISSUE

Because the Comp Plan is being amended to restore rights to Huschkes which would have existed prior to the adoption of the Comprehensive Plan, then to be fair to TSG **is it necessary** to similarly restore rights to TSG?

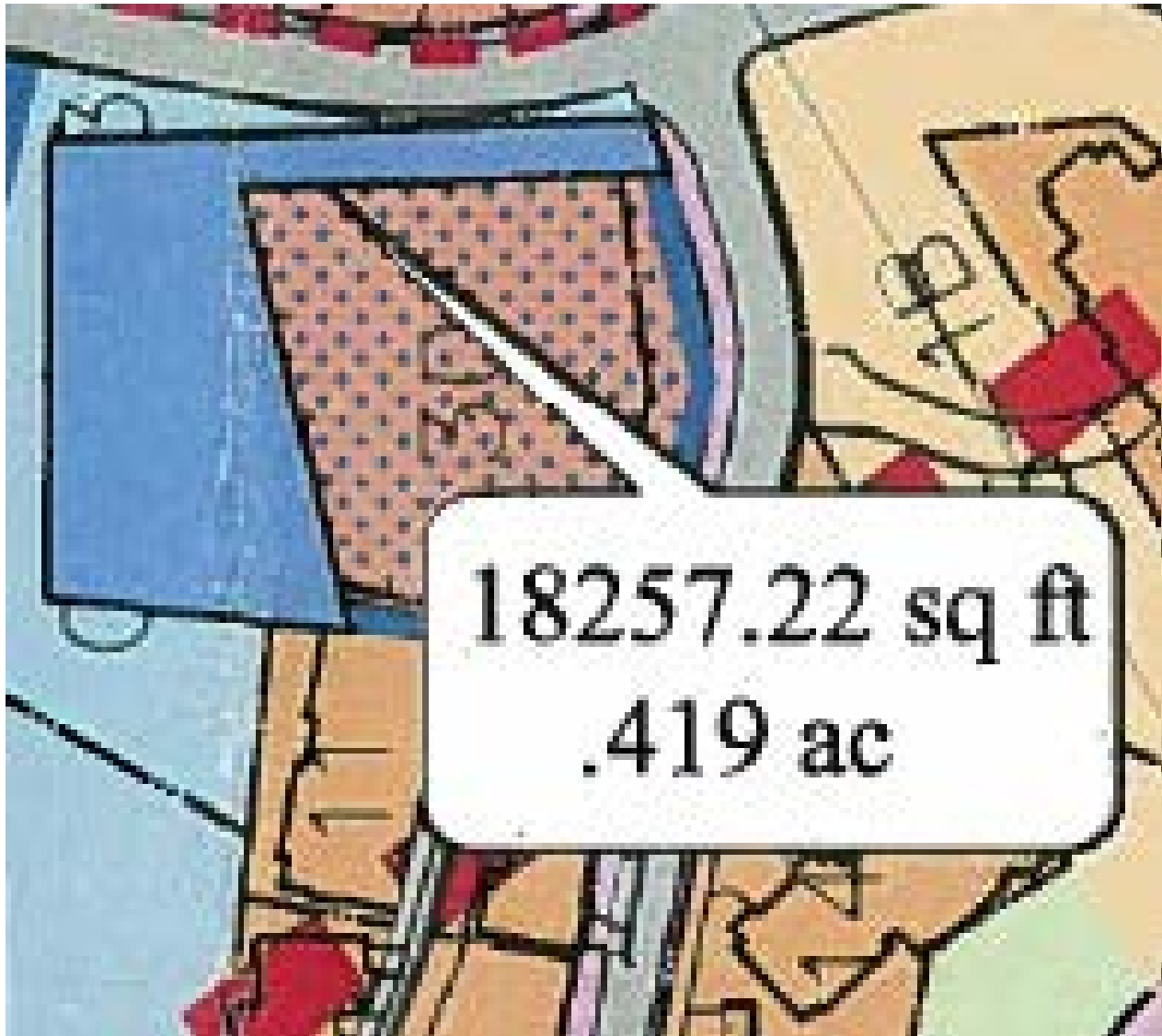
1. If the answer to this question is **YES**, then you should **adopt** paragraph 13.d.
2. If the answer to this question is **NO**, then you should **delete** paragraph 13.d.

“TIMELINE REGARDING PARCEL M, LOT 30 COMPREHENSIVE PLAN AMENDMENT

- August 17, 2017 Town Council Worksession
- October 12, 2017 Public Open House regarding a Parcel M, Lot 30 Comprehensive Plan Amendment
- February 1, 2018 the DRB held a public hearing to provide a courtesy recommendation to Town Council.”

" After months of navigating negotiations that were trickier than first imagined this is the Town's final position on this matter which the Town believes gives the Huschke's some flexibility while preserving some of the Parcel M concepts and options. I have been asked to also let you know that if the Huschke don't agree with this language or want substantial changes to the language the Town is not going to continue to negotiate this matter and will simply move forward with the Village Center Subarea process and the Huschke's can participate in that process."

17.1.5.f.3. Citizen participation is the most important element of amending or creating a Comprehensive Plan. Therefore, the Comprehensive Plan amendment process shall include significant and meaningful public participation elements.



Full Use Ski Resort Active Open Space

The class 3 AOS Zone District is intended to provide open space areas with more intensive land uses than those permitted in the class 1 AOS and class 2 AOS zone districts that are typically associated with the operation and maintenance of a ski resort and the community at large, which are limited to ski resort uses, active recreation uses, recreational trails, community infrastructure, equestrian facilities, workforce housing, telecommunications antenna and similar uses.

Land Use Code Section 17.1.5.C.

“C. The Comprehensive Plan future land use map shall be implemented by:

1. Ensuring all development applications that are required to be in general conformance with the Comprehensive Plan are compliant with the land use plan policies and future land use map of the Comprehensive Plan; and;
 2. Ensuring that the ski resort operator and the golf resort operator’s land will be rezoned in the future to be in general conformance with the land use plan policies and the future land use plan as set forth in the Comprehensive Plan, including but not limited to the public benefit number 9 in the Comprehensive Plan public benefits table, that requires Telluride Ski Resort operator and Telluride Golf Resort operator’s land to be rezoned to be consistent with the six open space classifications shown on the future land use plan and as set forth in this CDC.
-

Limited Use Ski Resort Active Open Space

The Class 1 AOS Zone District is intended to provide open space areas limited to active recreational uses, recreational trails, ski resort uses limited to snowmaking systems, ski runs, ski events and related activities, tramways and related facilities and other similar uses that involve limited vertical development.

d. In the event that an independent Lot 30 development occurs in any manner (either by right or through a rezone and density transfer), the remainder of Parcel M (the OSP1AR-3 portion) may be developed either consistent with the existing underlying zoning or pursuant to rezone and density transfer as approved by the Town Council, so long as it meets such rezone and density transfer requirements and the Comprehensive Plan principles and policies. However, general conformance with the unit mix for Parcel M as shown on Table 7 Mountain Village Center Development Table shall not be applicable as that unit mix is only representative of an entire Parcel M development.

Causal relationship:

The natural agency that connects one process (the *cause*) with another process or state (the *effect*), where the first is responsible for the second, and the second is dependent on the first. A correlation between variables, however, does not automatically mean that the change in one variable is the cause of the change in the values of the other variable. Causation indicates that one event is the result of the occurrence of the other event; i.e. there is a **causal relationship** between the two events.

Requested Motion:

I move to recommend approval to the Mountain Village Town Council of an amendment to the Comprehensive Plan, Parcel M, Lot 30 (a part of OS1AR-3 and Lot 30) attached as exhibit c with the following findings:

- 1. That the community visions and factors affecting land use have substantially changed since the adoption of the Comprehensive Plan;*
- 2. Adequate financing and resources are available to complete the amendment.*
- 3. That significant and meaningful public participation occurred.*
- 4. Delete subparagraph 13.d in its entirety.*
- 5. Authorize the Town Attorney to accept input to determine if any ambiguities exist in subparagraphs 13.a, 13.b and 13.c and correct them as he deems appropriate.*

This motion is based on the evidence and testimony provided at a public hearing held on February 1, 2018, with notice of such hearing as required by the Community Development Code.

From: Jackie Kennefick

Sent: Wednesday, February 14, 2018 11:52 AM
To: jhorn@rmi.net
Cc: Michelle Haynes ; mvclerk ; Jim Mahoney (jmahoney@jdreedlaw.com) ; Kim Montgomery ; Laila Benitez
Subject: Town Council meeting February 15

Good morning John:

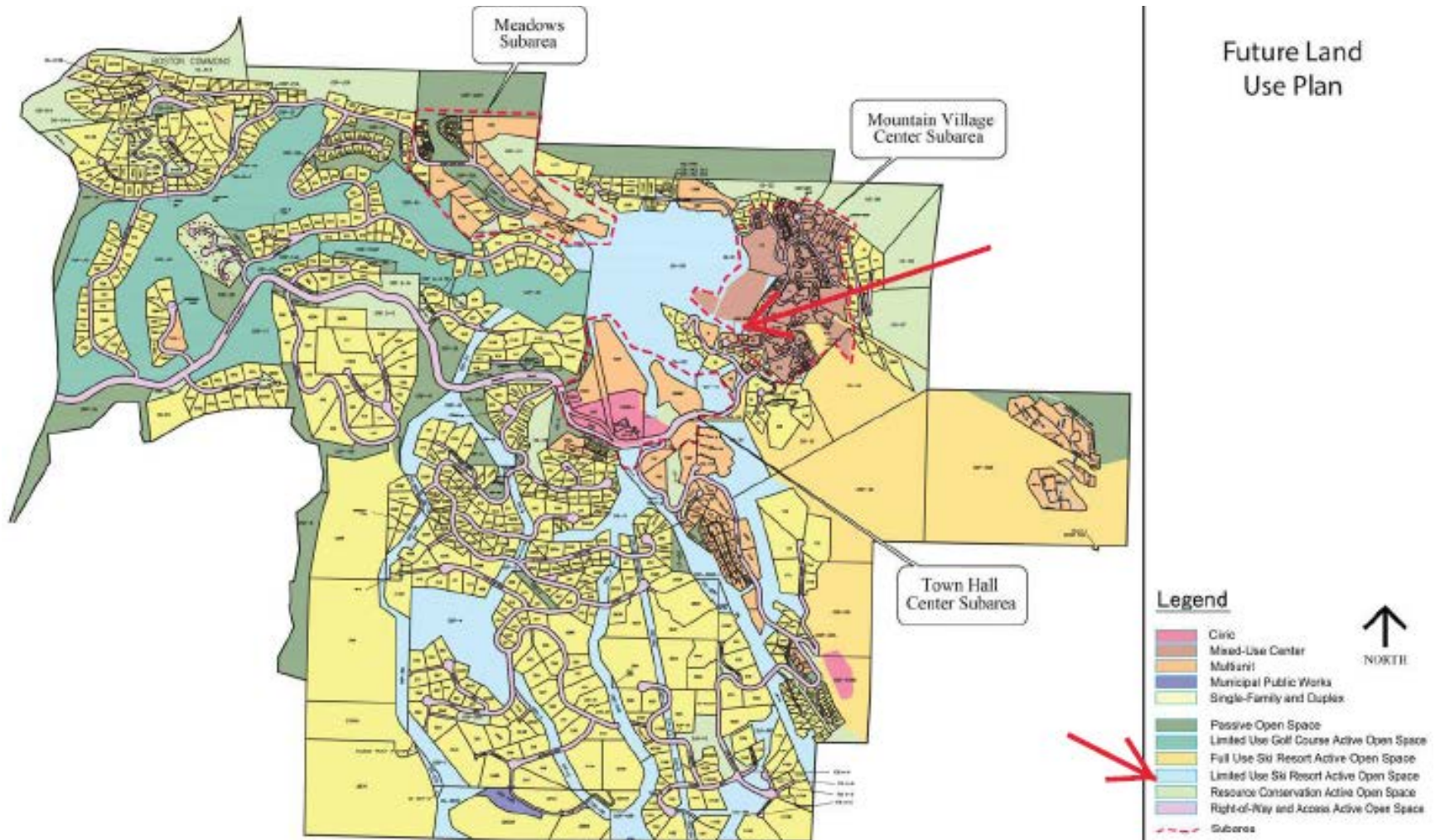
The Mayor spoke with Jim Mahoney this morning regarding how public comment will be handled for the agenda item that you inquired about. After they spoke Jim sent me the email below:

The agenda for the Town Council meeting is extremely busy and very lengthy this month with the meeting scheduled to run until 4:15 without any delays. This item is scheduled for 30 minutes total. Introduction of the item and Council questions of staff will likely take at least 5 minutes and Council deliberation and motion usually takes at least 10 minutes leaving at most 15 minutes total for all public comment. We anticipate more public comment than just John Horn. I would suggest you let John know of these time constraints and that he should expect to have no more than 5 minutes to make his public comments. You can forward John this email if you would like.

You may also submit written comments that will be sent to Council in advance of the meeting.

See you tomorrow.

Jackie Kennefick
Director of Administration/Town Clerk
Town of Mountain Village





126R and 152R

126R and 152R

1987 Plat Map for Lot 152

- 1.136 acres
- 18 condominium units

1984 Plat Map for Lot 126

- 2.70 acres
- 120 hotel units
- 2 employee apartments
- 16 dormitories
- Commercial

126R and 152R

Between the 1980 platting and the existing Rosewood Approval
Lot 152(R)

- An increase in five (5) condominium units
- An approval of 4,655 square feet of commercial space

Lot 126(R)

- decreased in hotel density by 64 units
- A change of density to add 44 condominium units
- A change of density to add 19 hotel efficiency units (can be condominiumized)
- An increase of three (3) employee apartments
- An increase in one (1) employee dormitory
- An approval of 34,001 square feet of commercial space

A .5 acre increase in open space