



TOWN OF MOUNTAIN VILLAGE  
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**TOWN OF MOUNTAIN VILLAGE  
MINUTES OF THE MARCH 15, 2018  
REGULAR TOWN COUNCIL MEETING**

The meeting of the Town Council was called to order by Mayor Laila Benitez at 8:31 a.m. on Thursday, March 15, 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  
Cecilia Curry, VCA Property Manager  
Rob Johnson, Transit Manager  
Dawn Katz, Director of Mountain Munchkins  
Jim Loebe, Director of Transit & Recreation

Kiernan Lannon  
Nathan Pepple  
Kristin Frost  
Anton Benitez  
Doug Tooley  
Chris Hawkins  
John Horn  
Alex Brown  
Tim Johnson  
Robert Stenhammer  
Glenn Robins  
Eddie Sachs  
Luke Trujillo  
Banks Brown  
Danny Colt  
Deanna Weber  
Pam Pettee  
Winston Kelly  
Justin Criado  
Mike Lynch

**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 Dan Caton and seconded by Jack Gilbride, 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 8:34 a.m.

Council returned to regular session at 9:03 a.m.

**Council took a break from: 9:03 a.m. to 9:06 a.m. (4)**

**Liquor Licensing Authority: (5)**

- a. **Consideration of an Application by Telluride Resort Operator, Inc. dba Madeline Hotel & Residences Telluride for a Temporary Modification of Premises on an H & R Resort Complex Liquor License for the Addition of the Ice Rink from May 1, 2018 – November 15, 2018**

Deputy Town Clerk Susan Johnston presented. Council discussion ensued. On a **MOTION** by Jack Gilbride and seconded by Dan Caton, Council voted unanimously to approve an application by Telluride Resort Operator, Inc. dba Madeline Hotel & Residences Telluride for a Temporary Modification of Premises on an H & R Resort Complex Liquor License for the Addition of the Ice Rink from May 1, 2018 – November 15, 2018.

- b. **Consideration of an Application by Telski Food & Beverage Services dba Tomboy Tavern for a Temporary Modification of Premises on a Hotel & Restaurant with Optional Premises Liquor License for an End of the Season Celebration April 8, 2018**

Susan Johnston presented. Patrick Berry recused himself due to his employment with Telski. Council discussion ensued. On a **MOTION** by Jack Gilbride and seconded by Natalie Binder, Council voted 6-0 (with Patrick Berry recused) to approve an application by Telski Food & Beverage Services dba Tomboy Tavern for a Temporary Modification of Premises on a Hotel & Restaurant with Optional Premises Liquor License for an End of the Season Celebration April 8, 2018.

**Consideration of Approval of Minutes of the February 15, 2018 Regular Council Meeting (6)**

Susan Johnston presented. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to approve the February 15, 2018 meeting minutes with two modifications to agenda items:

19g. *SMART has more than \$1,000,000 in reserves. The Rico shuttle is active with strong ridership.*

9d. *Chief Executive Officer of MuniRevs Erin Neer (eliminating the reference that MuniRevs and LODGINGRevs are two different companies)*

**Second Reading, Public Hearing and Council Vote on an Ordinance Opting Out of Signature Verification in Municipal Elections (7)**

Town Attorney David Reed presented the above item stating that there were no changes from the first reading. The Mayor opened the public hearing. There was no public comment. The Mayor closed the public hearing. On a **MOTION** by Bruce MacIntire and seconded by Patrick Berry, Council voted 7-0 to approve an Ordinance opting out of signature verification in Municipal Elections.

Council moved to agenda item 28a.

**Consideration of Appointments: (8)**

- a. **Design Review Board (DRB) (Four Regular Seats)**

Director of Planning & Development Services Michelle Haynes presented stating that there are four regular seats open. All four incumbents as well as five additional individuals submitted applications. The DRB recommendation was to re-appoint the incumbents. Council discussion ensued. Several applicants who were present introduced themselves: Luke Trujillo, Eddie Sachs, Glenn Robins, and Banks Brown. Council thanked the applicants for their willingness to serve. Council voted by paper ballot and included each Council members name on the ballot. Council directed staff to agendize a discussion on term limits for DRB. On a **MOTION** by Dan Jansen and seconded by Patrick Berry, Council voted unanimously to re-appoint Banks Brown, Luke Trujillo, David Craige, and Keith Brown to the DRB regular seats for two-year terms.

**Finance: (9)**

- a. **Presentation of the February 28, 2018 Business & Government Activity Report (BAGAR)**

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

- b. **Consideration of Approval of a Budget Revision Request to Purchase Opengov Software**

Kevin Swain presented stating that the Budget Committee members are supportive of the software purchase. The software provides tools that consolidate the budget, provide transparency to constituents and substantially lowers employee labor hours. On a **MOTION** by Jack Gilbride and seconded by Bruce MacIntire, Council voted unanimously to approve a budget revision request to purchase *Opengov* software. In

2018 an additional \$29,000 for purchase and implementation will be added. Thereafter, the ongoing costs for a five-year commitment will be \$17,000 annually.

Council moved to agenda item 12

**Consideration of a Resolution to Approve a Minor Subdivision for Lots 628A, 628B and 628C to Replat into Lots 628AR and 628CR per Community Development Code Section 17.4.13.E.2 (10)**

Planner Sam Starr presented stating that the application had been publicly noticed and no public comment was received. Council discussion ensued. On a **MOTION** by Jack Gilbride and seconded by Natalie Binder, Council voted unanimously to adopt a Resolution approving a minor subdivision for Lots 628A, 628B and 628C to replat into Lots 628AR and 628CR per Community Development Code Section 17.4.13.E.2.

**Second 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 (11)**

Michelle Haynes stated there were no changes from the first reading. The Mayor opened the public hearing. No public comment was received. The Mayor closed the public hearing. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted 7-0 to approve an Ordinance for 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 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 the density is either transferred to a lot or another person or entity.

Conditions:

1. The density transfer approval is conditioned upon the minor subdivision plat approval by the Town Council.
2. The owners will verify prior to recordation of the replat that there are no general easement encroachments absent general easement encroachment agreements with the town. If general easement encroachments are found, the owners will execute the appropriate agreements with the town.

**Council moved back to agenda item 20b.**

**Second Reading, 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 (12)**

Building Official Randy Kee presented the above item stating there were no changes from the first reading. The Mayor opened the public hearing. There was no public comment. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Dan Jansen and seconded by Bruce MacIntire, Council voted 7-0 to adopt 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.

Moved to agenda item 20 l.

**Telluride Historical Museum Annual Report (13)**

Executive Director Kiernan Lannon presented stating that the mission of the Telluride Historical Museum is to preserve the rich, colorful, and diverse history of the region and to bring history to life through exhibits, programs and education. He stated that approximately 200 more daffodil bundles have been sold over last year for the *Daffodil Days* fundraiser happening now. He presented the 2017 annual report, highlighting some programs:

- Hike and History
- Historic Snowshoe Tours, Pub Crawls, Walking Tours
- Haunted Hospital
- An Evening with Ken Burns
- Lone Tree Cemetery Tours
- Old Fashioned Christmas at Schmid Ranch
- Walking Tours with Kiersten Bridger
- Social Craft Cocktails of the Past
- Free family night at the museum with Wilkinson Public Library
- Hosted Indigenous People's Day

The Museum's 2017 annual exhibit was the 10-year anniversary of the Valley Floor: *Changing Identities of a Telluride Treasure*. The Museum had 300 members join or renew in 2017, the same number as 2016. 67% of members renewed which is down from 72% in 2016. A personal outreach will be conducted to determine why people are not renewing, 2018 will be focused on increasing membership, staff continuity, artifact storage, evaluation and collaboration. Council thanked Mr. Lannon for an informative report.

Moved to agenda item 19.

**Town Hall Subarea – Village Court Apartments (VCA) Expansion Progress Update (Item was Continued from the February 15, 2018 Meeting) (14)**

Michelle Haynes presented stating that staff has been moving forward with plans for the VCA expansion.

Summary of work completed in 2017:

- Executed a final subdivision and zoning map, completed the density transfer and rezone approvals such as a Conditional Use Permit and Parking Variation
- Ordered an improvement survey plat that included wetland delineations and utility locates for the areas identified as new building areas
- Finalized a VCA property parking area feasibility map

Summary of 2018 Work Plan Objectives

- Analyze existing and anticipated parking requirements to determine whether the additional parking requirement of up to 50 parking spaces can be accommodated onsite
- Prioritize the feasibility of each proposed building site based upon site specific information provided by the improvement survey plat

Staff recommendation is that Council consider funding the parking improvements in 2018. The additional spots would ensure that parking would be minimally impacted when construction of the additional VCA buildings begins in 2019. Council discussion ensued. Council consensus was in support of moving forward with the construction of the additional parking in 2018; with the funds of up to \$250,000 to be drawn from Capital Reserves. Public comment was received by Doug Tooley.

**Council took a break for lunch from 12:24 p.m. to 12:41 p.m.**

**Town Hall and Village Center Subarea Committee Update (15)**

Michelle Haynes and Executive Director of TMVOA (Telluride Mountain Village Owners Association) Anton Benitez presented and introduced AECOM representatives Nathan Pepple and Deanna Weber. AECOM is the consulting firm hired to conduct technical planning surveys to serve as the foundation for moving forward with the Town Hall and Village Center Subarea Plans. Since the last update in October 2017, the committee has been meeting monthly to work on a draft MOU (Memorandum of Understanding) between the Town, TSG, and TMVOA, the scope of work and identifying the highest priorities:

- Roundabout
- Roadway Consolidation
- Community Park
- Bus Stop

Ms. Haynes noted that these items are the backbone of the subarea and support the remainder of the improvements. Council discussion ensued over the location of the round-a-bout from the VCA entrance to

the base of Benchmark Drive. AECOM has been directed to focus on the road improvements, the park and associated improvements in the area including the tunnel. Plans and designs will be determined to the point that the Town could then issue a detailed RFP. Public comment was received by Doug Tooley.

**Consideration of Approval of a Village Center Subarea Draft MOU (Memorandum of Understanding) between the Town of Mountain Village, Telluride Ski and Golf (TSG) and the Telluride Mountain Village Owners Association (16)**

Patrick Berry recused himself due to his employment with TSG. Anton Benitez presented the above item stating AECOM is gathering data and will be conducting interviews with local stakeholders this week. AECOM representatives will be observing activity in the Village Center Subarea. AECOM is building on the universal vision statement that *Mountain Village is a vibrant, healthy town that provides a high quality of life and experiences for full-time and part-time residents and visitors. This is achieved through a sustainable year-round economy, a diversity of housing choices, world class recreation, environmental stewardship, excellent community services, and well-built and well-designed infrastructure.* AECOM's goals for this visit:

- Support the Town Council approval of the MOU
- Observe the Village Center on series of weekdays and a weekend during the ski season
- Hold meetings/interviews with local stakeholders to solicit feedback and comments on the Village Center
- Clarify and finalize scope for the Town Hall Phase 2 and Village Center efforts

During the meetings/interviews, AECOM asked the following questions:

- What aspects of the Village Center would you like to see not change?
- What are the 3 biggest changes you would like to see in the Village Center?
- What activities, facilities, and uses do you recommend in the Village Center? (Summer, Winter, Shoulder Seasons)
- How can we attract more people to the Village Center as a destination and keep them there?
- Other comments/considerations for the Village Center

Public comment was received by John Horn and Doug Tooley. On a **MOTION** by Jack Gilbride and seconded by Bruce MacIntire, Council voted 4-2 (with Dan Caton and Dan Jansen dissenting, and Patrick Berry recused) to approve a Village Center Subarea Draft MOU between TSG, MV and TMVOA with the amendment to develop "*recommendations to amend*" the CDC instead of "*amending the CDC*" with a one-year term that may be re-evaluated at that end of that period.

On a **MOTION** by Patrick Berry and seconded by Dan Caton, Council voted unanimously to extend the meeting beyond 6 hours.

**Consideration of Adopting the Parking Committee's Recommendation to Permanently Eliminate Permit Parking on Upper Mountain Village Boulevard (Item was Continued from the February 15, 2018 Meeting) (17)**

Director of Transit and Recreation Jim Loebe presented the above item. Based on public feedback at the February 15<sup>th</sup> meeting, Council opted to defer action on the Parking Committee's recommendation to eliminate employee permit parking on Upper Mountain Village Boulevard (UMVB) and directed the committee to present options for employees being displaced by this action and to look at the short-term parking issue. The Parking Committee met and has recommended the following:

- Permanently eliminate employee permit parking on UMVB
- Rebrand UMVB employee permit parking as off-season employee permit parking, utilizing the same eligibility requirements as the current UMVB permit
- Permit valid in both North Village Center (NVC) and Heritage Parking Garage (HPG) lots
- Permit valid during off-seasons as defined by gondola shut down periods
- Annual \$100 permit fee valid for both spring and fall off-seasons to begin in April 2019
- UMVB permits that expire on May 24<sup>th</sup>, 2018 will remain valid through the fall 2018 off-season at no additional cost

Public comment was received by Anton Benitez and Chris Hawkins. On a **MOTION** by Jack Gilbride and seconded by Dan Caton, Council voted unanimously to adopt the Parking Committee's recommendations as presented.

**Discussion on a Revision to the IT Policy for Removable Devices (18)**

Director of Cable & Broadband Services Steven Lehane presented and stated that the purpose of the policy is:

- To minimize the risk of loss or exposure of sensitive information maintained by the Town
- To reduce the risk of acquiring malware infections on computer operated by the Town
- To safeguard the Town's confidential information as well as the Town's customers and employee's sensitive information
- To limit the possibility of damage to and unauthorized access and use of the Town's systems and data

Council discussion ensued and Mr. Lehane stated that a scanner for verifying the safety of flash drives will be utilized so that outside flash drives may be safely introduced on Town computers. The policy will be effective immediately and an action item will be added to the April agenda to ratify the policy.

Council moved to Staff Reports.

Council directed staff to agendize an item in May to discuss public comment procedures and guidelines.

**Update on the 2017 Report on the Health of Colorado's Forests (19)**

Forrester/Planner II Dave Bangert presented stating that the spruce bark beetles are the area's largest threat to the forests. The forest in and around Mountain Village has some beetle infestation but at lower endemic levels than the surrounding areas. Mr. Bangert stated that the Douglas Fir bark beetle has been identified down valley and the US Forest Service has been utilizing an anti-aggregate pheromone to deter further infestation. Spruce bud worms are another threat that weaken the trees and then set the tree up for bark beetle infestation.

Mr. Bangert then discussed the Town's incentive programs that have \$50,000 available for homeowners to replace cedar shake roofs and create defensible space around their homes. A homeowner is eligible for a rebate of up to \$5,000 for roof replacement and up to \$5,000 for defensible space. Mr. Bangert identified a 2018 project that will consist of a sanitation cut/clean up around Town Hall and the Gondola Station. Council discussion ensued regarding how to effectively communicate the importance of proactive planning to homeowners. Council directed staff to agendize a work session in June to discuss options on how to best deal with dead and diseased trees as well as defensible space.

Council moved to agenda item 14

**Council Boards and Commissions Updates: (20)**

**a. San Miguel Watershed Coalition (SMWC) –Starr**

Mr. Starr stated that the Water Smart grant process is progressing and the organization expects to award the funding in June or July. A Forest Health Assessment meeting is scheduled for March 29<sup>th</sup> with discussions on funding, public education, options for monitoring, and opportunities to collaborate with the American Forest Foundation. The 2018 Water Quality Monitoring Plan consists of 38 sampling sites in the San Miguel Watershed. The sampling is to determine if unacceptable levels of contaminants (namely herbicides and fertilizers) are being introduced into the watershed. These sites have been tested annually since 2013 and results have shown that contaminant levels have not exceeded Clean Water Act levels.

Council moved to agenda items 10 & 11

**b. Colorado Flights Alliance (CFA) –Jansen**

Mr. Jansen stated that no meetings have been held. Load factors are down approximately 5% while passengers are roughly flat from last year (given higher seat capacity). This is important because airline guarantees will need to be paid out if target numbers are not met. Mr. Jansen stated that the annual joint meeting between the Telluride Tourism Board and Colorado Flights Alliance is planned for next week. He commended the Town of Mountain Village, the Town of Telluride, the Telluride Tourism Board, Colorado Flights Alliance, Telluride Ski & Golf, Telluride Mountain Village Owners Association and other local

businesses for working together to mitigate the effects of a reduced snow year on our economy.

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

The Mayor stated that the committee met last week and an update would be provided later in the meeting.

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

There was no report.

**e. Gondola Committee – Caton/Berry**

Mr. Berry stated that at the last meeting the committee went over survey results and are in the process of compiling the data and determining how best to present it. Council discussion ensued on the pros and cons of relocating the Market-Core leg of the Gondola landing area to a location on the perimeter of the Core. Soundproofing was discussed for the Market Plaza Station.

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

Mr. Berry stated that the new Interim Executive Director is Jacob Smith. Mountain Village and Telluride initiatives for sustainability will be presented at the legislative session this week.

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

Mayor Benitez stated the Board met for a strategic planning session to look at projections for the next 2-4 years. The Mayor discussed the timeline for interjurisdictional turnover to SMART asking for Council's input. Council members expressed their confidence that SMART's Executive Director David Averill will maintain the level of service that the Town desires. SMART still needs to locate space, bus barns and rolling stock etc. to facilitate the turnover. Dan Jansen suggested working with the school district to utilize the Rico School which recently shut down. It is important to coordinate shuttle times with the Gondola hours and Mountain Village employee schedules. SMART is purchasing a second van and is contributing \$10,000 to the Mountain Club Trails Plan. Going forward, David Averill will attend the Gondola Committee meetings and provide input.

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

Mr. Berry stated that the EAP message is about accountability. The Mayor recognized that although EAP and Mountain Village have very similar goals in terms of wanting to protect the environment, the Town needs to have its own metrics in place.

**i. Telluride Historical Museum- Berry**

Museum Director Kiernan Lannon reported earlier in the meeting.

**j. Telluride Conference Center (TCC) –MacIntire/Gilbride**

Mr. MacIntire stated that there has not been a recent meeting, but he had a discussion with TCC Manager Tony Kalyk regarding adding some break-out space to the facility. Mr. MacIntire distributed a map of Town owned Lot 61B (zoned open space), which is adjacent to the Conference Center, and proposed rezoning the lot in order to utilize this property as a temporary improvement for the TCC.

**l. Alliance for Inclusion – Berry**

Mr. Berry stated that the Committee met last week and gave kudos to the Mountain Village Police Department for their efforts in community outreach.

Council moved to agenda item 8

**m. Green Team Committee- Berry/MacIntire**

Mr. Berry stated that the committee is working on a budget and pursuing a rebate program for composting. EAP has agreed to put together a proposal to assist in monitoring the Town's greenhouse gas emission inventories which will help gauge how Mountain Village compares to other communities. Kim Montgomery drafted guidelines for the proposed composting program and they will be presented to Council for approval in April.

**n. Mayor's Update – Benitez**

Mayor Benitez reminded Council members of the Colorado Municipal League Conference June 19-22 and asked that interested parties contact the Clerk's office for registration details. Additionally, she highlighted several topics including:

- Merchant Meeting had 16 attendees.
- Community Grant recipient Telluride TV produced promotional videos for Wagner Skis and The Village Table. The videos will be aired on digital Channel 12 and posted on Facebook and the businesses will have the rights to the video content.

- The Town is working with TMVOA to upgrade sandwich boards for businesses. Once design regulations and standards are approved, TMVOA will purchase the boards and make them available to merchants.

Council moved back to agenda item 13.

**Staff Reports: (20)**

**a. Mountain Munchkins**

Dawn Katz presented her report stating that Mountain Munchkins' *Family Date Night* Fundraiser brought in over \$10,000. Mountain Munchkins has received a total of \$66,705 in grant funding for 2018. Mountain Munchkins is scheduled to go through the *Colorado Shines* rating process with the hope of receiving a level three rating in June 2018. A recently implemented Parent Advisory Board is beginning to get parents more involved.

**b. Town Manager**


Kim Montgomery stated that the nominees for the *Great Services Award* were the Mountain Munchkins Preschool Team, Kathy Smith, Steven Lehane, Corrie McMills and Lory Britt. Mountain Munchkins Preschool Team won the award for their outstanding efforts in completing the CLASS (Classroom Assessment Scoring System) assessment. Ms. Montgomery stated that at the Town of Telluride water meeting, it was recognized that better communication needs to happen between all of the stakeholders.

**Other Business (21)**

There was no other business.

There being no further business, on a **MOTION** by Dan Caton and seconded by Bruce MacIntire, Council voted unanimously to adjourn the meeting at 3:05 p.m.

Respectfully prepared,

  
Susan Johnston  
Deputy Town Clerk

Respectfully submitted,

  
Jackie Kennefick  
Town Clerk