



TOWN OF MOUNTAIN VILLAGE

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**TOWN OF MOUNTAIN VILLAGE
MINUTES OF THE JULY 20, 2023
REGULAR TOWN COUNCIL MEETING**

The meeting of the Town Council was called to order by Mayor Laila Benitez at 1:59 p.m. on Thursday, July 20, 2023. The meeting was held in person and with virtual access provided through Zoom.

Attendance:

The following Town Council members were present and acting:

Marti Prohaska, Mayor Elect

Scott Pearson, Mayor Pro Tem Elect

Harvey Mogenson

Jack Gilbride

Pete Duprey

Patrick Berry

Tucker Magid

Also in attendance were:

Paul Wisor, Town Manager

Michelle Haynes, Assistant Town Manager

Susan Johnston, Town Clerk

Kim Schooley, Deputy Town Clerk

David McConaughy, Town Attorney

Andrea Bryan, Assistant Town Attorney

Lizbeth Lemley, Finance Director

Chris Broady, Police Chief

Amy Ward, Community Development Director

Kathrine Warren, Public Information Officer

Kate Burns, Controller

Maegan Eckard, Administrative Assistant

Molly Norton, Community Engagement Coordinator

Marleina Fallenius, Housing Policy & Programs Manager

Lindsay Niehaus, HR Coordinator

Finn Kjome, Public Works Director

JD Wise, Economic Development & Sustainability Director

Jim Loebe, Transit & Recreation Director

Conor Intemann, Gondola Maintenance Manager

Rob Johnson, Transit Operations Manager

Julie Vergari, Assistant Finance Director

Lauren Kirn, Environmental Efficiencies & Grant Coordinator

Claire Perez, Planner I

Len Rybicki

Anne Reissner

Kelli Duprey

Cindy Magid

David Bulson

Tim Barber

Laila Benitez

Dan Caton

Yvette Rauff

Daniel Goltz

Mackenzie Goltz

Julia Caulfield

Douglas Tooley

Jonathan Greenspan

Kiera Skinner

Patrick Latcham

Adrienne Pearson

Todd Pearson

Tom Richards

Matthew Hintermeister

Winston Kelly

Mich Hirschfeld

Sherri Reeder

Laurence Pearson

Anna Wilson

Shirley Diaz

Cath Jett

Steve Rosenblatt

Benson Worthington

Diana Farrell

Heather Knox

Tom Kennedy

Banks Brown

Rube Felicelli

Public Comment on Non-Agenda Items (2)

Public Comment was received from Heather Knox and Douglas Tooley.

Administration of Oath of Office to Newly Elected Council Members (3)

Laila Benitez administered the oaths of office to newly elected Town Council members Marti Prohaska, Pete Duprey, Scott Pearson, Scott Pearson, and Tucker Magid.

Election of Mayor and Mayor Pro Tem (4)

Patrick Berry opened a public hearing. Council discussion ensued. On a **MOTION** by Jack Gilbride and seconded by Patrick Berry Council members voted unanimously to elect Marti Prohaska to the position of Mayor. Mayor Prohaska presided. On a **MOTION** by Marti Prohaska and seconded by Patrick Berry Council voted unanimously to elect Scott Pearson to the position of Mayor Pro Tem.

Legal Presentation to the New Council Members (5)

Town Attorney David McConaughy presented. Council discussion ensued.

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: (6)

- a. **Consideration of Approval of the June 12, 2023 Special Town Council Meeting Minutes**
- b. **Consideration of Approval of the June 15, 2023 Town Council Meeting Minutes**
- c. **Consideration of Approval of the July 13, 2023 Special Town Council Meeting Minutes**

Town Clerk Susan Johnston presented. Council discussion ensued. Scott Pearson and Tucker Magid abstained. On a **MOTION** by Pete Duprey and seconded by Harvey Mogenson, Council voted unanimously to approve the Consent Agenda with the correction to the June 15, 2023 Town Council Meeting minutes regarding how Town Council voted on agenda items 12, 13, and 14.

Consideration of Council Boards and Commissions Appointments: (7)

Paul Wisor presented. Council discussion ensued.

1. Ethics Commission (One Regular, One Alternate)

On a **MOTION** by Patrick Berry and seconded by Scott Pearson, Council voted unanimously to appoint Pete Duprey to the regular seat and Jack Gilbride to the alternate seat to the Ethics Commission.

2. Telluride Tourism Board (One Regular)

On a **MOTION** by Jack Gilbride and seconded by Scott Pearson, Council voted unanimously to appoint Patrick Berry to the Telluride Tourism Board.

3. Colorado Flights Alliance (One Regular)

On a **MOTION** by Pete Duprey and seconded by Tucker Magid, Council voted unanimously to appoint Jack Gilbride to the Colorado Flights Alliance.

4. Transportation & Parking (Two Regular)

On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to appoint Harvey Mogenson and Pete Duprey to Transportation & Parking.

5. Budget & Finance Committee (Three Regular)

On a **MOTION** by Pete Duprey and seconded by Patrick Berry, Council voted unanimously to appoint Pete Duprey, Harvey Mogenson, and Scott Pearson to the Budget & Finance Committee.

6. Telluride Historical Museum (One Regular)

On a **MOTION** by Harvey Mogenson and seconded by Jack Gilbride, Council voted unanimously to appoint Marti Prohaska to the Telluride Historical Museum Board.

7. San Miguel Watershed Coalition (One Regular)

Environmental Efficiencies and Grant Coordinator Lauren Kirn will attend these meetings and report to Council with updates as needed. This committee will be removed from the monthly Council Boards and Commissions updates.

8. Gondola Committee (Two Regular, One Alternate)

On a **MOTION** by Harvey Mogenson and seconded by Scott Pearson, Council voted unanimously to appoint Patrick Berry and Harvey Mogenson to the regular seats and Scott Pearson to the alternate seat on the Gondola Committee.

9. Mountain Village Community Grant Committee (Two Regular)

On a **MOTION** by Pete Duprey and seconded by Scott Pearson, Council voted unanimously to appoint Jack Gilbride and Marti Prohaska to the Grant Committee.

10. Telluride Conference Center Work Group (Two Regular)

On a **MOTION** by Harvey Mogenson and seconded by Patrick Berry, Council voted unanimously to appoint Pete Duprey and Tucker Magid to the Telluride Conference Center Work Group.

11. San Miguel Authority for Regional Transportation (SMART) (Two Regular)

On a **MOTION** by Scott Pearson and seconded by Jack Gilbride, Council voted unanimously to appoint Patrick Berry and Tucker Magid to the regular seats and added Harvey Mogenson to an alternate seat on the San Miguel Authority for Regional Transportation (SMART).

12. Alliance for Inclusion (One Regular)

On a **MOTION** by Pete Duprey and seconded by Jack Gilbride, Council voted unanimously to appoint Marti Prohaska to the Alliance for Inclusion board.

13. Green Team Committee (Two Regular)

On a **MOTION** by Tucker Magid and seconded by Jack Gilbride, Council voted unanimously to appoint Patrick Berry to the Green Team Committee. Council consensus was in favor of having only one Council member on the Green Team.

14. Mountain Village Business Development Advisory Committee (BDAC) (Two Regular)

On a **MOTION** by Pete Duprey and seconded by Jack Gilbride, Council voted unanimously to appoint Pete Duprey and Scott Pearson to the Business Development Advisory Committee.

15. Wastewater Committee (Two Regular)

On a **MOTION** by Jack Gilbride and seconded by Patrick Berry, Council voted unanimously to appoint Pete Duprey and Tucker Magid to the Wastewater Committee.

16. Public Arts Commission (One Regular)

On a **MOTION** by Pete Duprey and seconded by Tucker Magid, Council voted unanimously to appoint Harvey Mogenson to the Public Arts Commission.

17. Mountain Village Condo Association (One Regular)

Council consensus was in favor of not appointing a Council member to this committee.

18. Colorado Communities for Climate Action (One Regular)

On a **MOTION** by Tucker Magid and seconded by Pete Duprey, Council voted unanimously to appoint Patrick Berry to the regular seat and added Scott Pearson as an alternate to Colorado Communities for Climate Action.

19. Housing Committee (Two Regular)

On a **MOTION** by Harvey Mogenson and seconded by Patrick Berry, Council voted unanimously to appoint Tucker Magid and Pete Duprey to the Housing Committee.

Council consensus was in favor of appointing Council representation the following working groups:

20. Ski Ranches Working Group (Two Regular)

On a **MOTION** by Scott Pearson and seconded by Tucker Magid, Council voted unanimously to appoint Harvey Mogenson and Marti Prohaska to the Ski Ranches Working Group.

21. Technology Working Group (2 Regular)

On a **MOTION** by Tucker Magid and seconded by Harvey Mogenson, Council voted unanimously to appoint Scott Pearson and Patrick Berry to the Technology Working Group.

Council directed staff to begin discussions regarding an Emergency Preparedness Working Group.

Council directed staff to report quarterly on Telluride Medical Center/Hospital updates. Council also directed staff to report on the status of the area trails plan, how it's being implemented and how it impacts the Town budget.

Consideration of a Resolution Appointing One Regular Seat and One Alternate Seat on Telluride Regional Airport Authority (TRAA) (8)

Susan Johnston presented. Public comment as received from Tom Richards. Council discussion ensued. On a **MOTION** by Patrick Berry and seconded by Tucker Magid, Council voted unanimously to appoint Tom Richards to the regular seat and Bob Patterson to the alternate seat on the Telluride Regional Airport Authority (TRAA).

Council moved to agenda item 10.

Introduction of Shirley Diaz, Housing Specialist with the Division of Housing (9)

Environmental Efficiencies & Grant Coordinator Lauren Kirn introduced Housing Specialist Shirley Diaz. Council discussion ensued.

Council moved to agenda item 12.

Finance: (10)

Finance Director Lizbeth Lemley and Julie Vergari presented.

- a. **Presentation of the June 30, 2023 Business & Government Activity Report (BaGAR)**
- b. **Consideration of Approval of the June 30, 2023 Financials**

Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Harvey Mogenson, Council voted unanimously to approve the June 30, 2023 Financials as presented.

Consideration of a Resolution Approving a Minor Subdivision, Lot Line Adjustment of Lots 388 and 387R1, Pursuant to CDC 17.4.13 Quasi-Judicial (11)

Community Development Director Amy Ward presented. Comments were heard from Attorney Tom Kennedy on behalf of the applicant Yellow Brick Road, LLC and Surveyor Dave Bolson. Mayor Prohaska opened the public hearing. There was no public comment. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Jack Gilbride, Council voted unanimously to approve a Resolution regarding a minor subdivision, lot line adjustment of Lots 388 and 387R1, pursuant to CDC section 17.4.13 with the findings as outlined in the staff report and subject to the following conditions:

1. The Applicant will submit appropriate fees to staff for recordation with the San Miguel County Assessor's office within six months of approval.
2. Staff will review the final proposed plat document to verify consistency with CDC Sections 17.4.13.N. Plat Standards, and CDC Section 3. Plat Notes and Certifications and provide redline comments to the applicant prior to the execution of the final mylar.
3. Staff has the authority to provide ministerial and conforming comments on the mylar prior to recordation.

Council moved to agenda item 9.

Second Reading, Public Hearing and Council Vote on an Ordinance Approving a Density Transfer and Rezone at Lot 648AR, Unit 2-3D, 313 Adams Ranch Road, Pursuant to CDC 17.4.9 Quasi-Judicial (12)

Patrick Berry recused himself. Amy Ward presented. Mayor Prohaska opened the public hearing. There was no public comment. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Scott Pearson and seconded by Tucker Magid, Council voted 6-0 to approve on second reading an Ordinance approving a Density Transfer and Rezone Application to rezone Lot 648AR, Unit 2-3D from employee condominium to condominium pursuant to CDC sections 17.4.9 and 17.4.10 of the Community Development Code based on the evidence provided within the Staff Report of record dated July 20, 2023.

Second Reading, Public Hearing and Council Vote on an Ordinance Approving the Lease of Certain Real Property, Commonly Known as the Headend, to Vero Networks for Continued Broadband and Cable System Operations Legislative (13)

Town Manager Paul Wisor presented. Mayor Prohaska opened the public hearing. There was no public comment. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Harvey Mogenson and seconded by Tucker Magid, Council voted 7-0 to approve on second reading an Ordinance approving a license agreement with Vero Broadband, LLC for communications equipment space at 317 Adams Ranch Road, Mountain Village, Colorado 81435 with the changes submitted by the Town Manager to the Town Clerk.

Discussion Regarding the Meadowlark Project and Subsidizing Option (14)

Paul Wisor presented. Mayor Prohaska opened a public hearing. Public comment was received from Banks Brown, Douglas Tooley, Rube Felicelli, Heather Knox, and Johnathan Greenspan. The Mayor closed the public hearing. Council discussion ensued. Council directed staff to further explore waiving the \$50,000 fee for each additional unit purchased for essential organizations and encouraging other non-profit organizations to purchase.

Other Business (15)

Jonathan Greenspan asked Council look at infrastructure in the Meadows area and to have the Town Charter updated, specifically on elections, and relationships on boards. Douglas Tooley commented on the Meadowlark award structure. Mayor Prohaska shared that the federal legislature is voting on funding the Colorado Corporation for Public Broadcasting and to reach out to Representative Lauren Boebert with any concerns or comments. Mayor Prohaska encouraged everyone one to attend the San Miguel County Fair and Rodeo.

Executive Session for the Purpose of: (17)

- a. **Receiving Legal Advice on Specific Legal Questions, to Determine Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations and/or Instructing Negotiators, In Connection With the Telluride Conference Center Pursuant to C.R.S. 24-6- 402(4)(b) and (e)**
- b. **Conference with the Chief of Police Regarding Specialized Details of Security Arrangements or Investigations, Including Defenses Against Terrorism, Both Domestic and Foreign, and Including Where Disclosure of the Matters Discussed Might Reveal Information That Could Be Used for the Purpose of Committing, or Avoiding Prosecution for, a Violation of the Law Pursuant to Section 24-6-402(4)(d), C.R.S.**
- c. **Receiving Legal Advice on Specific Legal Questions, to Determine Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations and/or Instructing Negotiators, In Connection With the Future Ownership, Operations, and Maintenance of the Gondola System Pursuant to C.R.S. 24-6- 402(4)(b) and (e)**

d. Receiving Legal Advice on Specific Legal Questions, to Determine Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations and/or Instructing Negotiators, In Connection With the Proposed Wastewater Treatment Plant Pursuant to C.R.S. 24-6- 402(4)(b) and (e)

Patrick Berry recused himself for agenda item a. On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to move into Executive Session for the purpose of:


- a. Receiving legal advice on specific legal questions, to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations and/or instructing negotiators, in connection with the Telluride Conference Center pursuant to C.R.S. 24-6- 402(4)(b) and (e)
- b. Conference with the Chief of Police regarding specialized details of security arrangements or investigations, including defenses against terrorism, both domestic and foreign, and including where disclosure of the matters discussed might reveal information that could be used for the purpose of committing, or avoiding prosecution for, a violation of the law pursuant to section 24-6-402(4)(d), C.R.S.
- c. Receiving legal advice on specific legal questions, to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations and/or instructing negotiators, in connection with the future ownership, operations, and maintenance of the gondola system pursuant to C.R.S. 24-6- 402(4)(b) and (e)
- d. Receiving legal advice on specific legal questions, to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations and/or instructing negotiators, in connection with the proposed wastewater treatment plant pursuant to C.R.S. 24-6- 402(4)(b) and (e)

at 5:49 p.m.


Council returned to regular session at 7:18 p.m.

There being no further business, on a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to adjourn the meeting at 7:19 p.m.

Respectfully prepared,


Kim Schooley
Deputy Town Clerk

Respectfully submitted,


Susan Johnston
Town Clerk