



TOWN OF MOUNTAIN VILLAGE
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TOWN OF MOUNTAIN VILLAGE MINUTES OF THE JULY 16, 2015 REGULAR TOWN COUNCIL MEETING

The meeting of the Town Council was called to order by Mayor Dan Jansen at 8:32 a.m. on Thursday, July 16, 2015 in the Mountain Village Town Hall, 455 Mountain Village Town Hall Boulevard, Mountain Village, Colorado.

Attendance:

The following Town Council members were present and acting:

Dan Jansen, Mayor
Marty McKinley, Mayor Pro-Tem
Michelle Sherry
Dan Caton
Laila Benitez
Bruce MacIntire

The following Town Council members were absent:

Cath Jett

Also in attendance were:

Kim Montgomery, Town Manager	Abel Lannan
Jackie Kennefick, Director of Administration/Town Clerk	Kim Wheels
Susan Johnston, Deputy Town Clerk	Jolana Vanek
Christina Meilander, Administrative Services Coordinator	Heather Knox
Nichole Zangara, Director of Marketing & Business Development	Tom Kennedy
David Reed, Town Attorney	Anton Benitez
Jim Mahoney, Assistant Town Attorney	Jeffrey Fasolo
Kevin Swain, Finance Director	John Howe
Chris Broady, Police Chief	Pete Mitchell
Dave Bangert, Forester	Stephen Elliott
Savannah Jameson, Planner II	Caitlin Ketel
Deanna Drew, Director of Plazas & Environmental Services	Brenda Paulson
Corrie McMills, Human Resources Coordinator	John Irwin
Sue Kunz, Human Resources Director	Dave Schillaci
Paul Reich	Mike Gass
John Howe	

Administration of Oath of Office to Newly Elected Council Members and Election of Mayor and Mayor Pro-Tem (3)

Director of Administration/Town Clerk Jackie Kennefick administered the Oath of Office to the newly elected Council members Dan Jansen, Laila Benitez, Dan Caton and Bruce MacIntire. On a **MOTION** by Marty McKinley and seconded by Michelle Sherry, Council voted unanimously to elect Dan Jansen as the Mayor. Dan Jansen was sworn in as the Mayor. Mayor Jansen called for nominations for Mayor Pro-Tem. On a **MOTION** by Dan Caton and seconded by Michelle Sherry, Council voted unanimously to elect Marty McKinley to the position of Mayor Pro-Tem.

Consideration of Adoption of Rules of Conduct for Meetings and General Business (4)

On a **MOTION** by Michelle Sherry and seconded by Marty McKinley, Council voted unanimously to adopt the Rules of Conduct for Meeting and General Business as presented.

Work Session and Consideration of Council Appointments to Committees, Boards and Commissions: (5)

a. Ethics Commission (One Regular and One Alternate)

On a **MOTION** by Michelle Sherry and seconded by Dan Caton, Council voted unanimously to re-appoint Cath Jett to the regular seat and Marty McKinley as the alternate seat on the Ethics Commission.

b. Budget & Finance Committee (Two Council Members)

On a **MOTION** by Bruce MacIntire and seconded by Michelle Sherry, Council voted unanimously to appoint Marty McKinley and Dan Caton to the Budget and Finance Committee.

c. Mountain Village Condo Association Board

On a **MOTION** by Michelle Sherry and seconded by Marty McKinley, Council voted unanimously to appoint Bruce MacIntire to the Mountain Village Condo Association Board.

d. Colorado Flights Alliance (One Council Member)

On a **MOTION** by Marty McKinley and seconded by Dan Caton, Council voted unanimously to re-appoint Dan Jansen to the Colorado Flights Alliance Board.

e. Eco Action Partners (One Regular and One Alternate)

On a **MOTION** by Dan Jansen and seconded by Marty McKinley, Council voted unanimously to appoint Michelle Sherry to the regular seat on Eco Action Partners Board. There was no appointment made to the alternate position.

f. Telluride Historical Museum (One Council Member)

On a **MOTION** by Dan Jansen and seconded by Marty McKinley Council voted unanimously to appoint Michelle Sherry to the Telluride Historical Museum Board.

g. San Miguel Watershed Coalition (One Council Member)

On a **MOTION** by Dan Jansen and seconded by Dan Caton Council voted unanimously to re-appoint Cath Jett to the San Miguel Watershed Coalition Board.

h. Transportation, Parking & Vehicle Committee (Two Council Members)

On a **MOTION** by Dan Jansen and seconded by Michelle Sherry, Council voted unanimously to appoint Laila Benitez and Bruce MacIntire to the Transportation, Parking and Vehicle Committee.

i. Telluride Mountain Village Owners Association (TMVOA) Gondola Committee (Two Council and/or Staff Representatives)

On a **MOTION** by Dan Jansen and seconded by Bruce MacIntire Council voted unanimously to appoint Marty McKinley and Dan Caton to the TMVOA Gondola Committee.

Council Boards and Commissions Updates: (6)

a. Eco Action Partners – Sherry

Ms. Sherry stated that EAP will be reporting later in the meeting.

b. Telluride Historical Museum

There was no report.

c. San Miguel Watershed Coalition – Jett

There was no report.

d. Colorado Flights Alliance – Jansen

Mayor Jansen stated that CFA is reporting an increase in seat count numbers for the summer. He stated that CFA's payouts to the airline guarantee program will be very low due to increased performance at 80% load numbers or seats sold.

e. Transportation & Parking

There was no report

f. Budget & Finance Committee – Jansen/McKinley

There will be a work session later in the meeting to discuss the 2016 budget process.

g. Mayor's Update – Jansen

The Mayor noted an increase in development activity which will help contribute to economic growth in the community. He stated that there are several hot bed development opportunities currently under discussion.

Public Comment for Non-Agenda Items (7)

Public comment was received by Jolana Vanek.

Consideration of Approval of the June 25, 2015 Town Council Minutes (8)

On a **MOTION** by Marty McKinley and seconded by Michelle Sherry, Council voted unanimously to approve the June 25, 2015 Town Council meeting minutes as presented.

Finance: (9)

Finance Director Kevin Swain presented the following:

a. Presentation of the June 2015 Business & Government Activity Report (BAGAR)

Council discussion ensued.

b. Consideration of the May 2015 Financials

Council discussion ensued. On a **MOTION** by Marty McKinley and seconded by Michelle Sherry, Council voted unanimously to accept the May 2015 Financials.

c. Work Session to Consider and Ratify the Process and Schedule for the Adoption of the 2016 Budget

Mr. Swain stated that a Special Town Council meeting will be scheduled in October to review the second draft of the budget and meet with all department heads. On a **MOTION** by Michelle Sherry and seconded by Marty McKinley, Council voted unanimously to ratify the process and schedule for the adoption of the 2016 budget subject to the rescheduling of the September meeting. Note: the September meeting was rescheduled for Wednesday, September 16, 2015 and the October meeting was subsequently rescheduled to October 29, 2015.

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 (14) This item was moved up to follow (9)

On a **MOTION** by Michelle Sherry and seconded by Dan Caton, Council agreed to enter into Executive Session for the purpose of receiving legal advice pursuant to C.R.S. 24-6-402(b), and for the purpose of negotiations pursuant to C.R.S. 24-6-402(4)e at 9:49 a.m.

Council returned to regular session at 10:50 a.m.

Eco Action Partners: (10)

Eco Action Partners (EAP) Executive Director Heather Knox provided an update highlighting EAP's accomplishments and programs and the annual greenhouse gas calculation. The energy and waste programs strive to be specific, tangible, visible and measurable.

a. Work Plan Update

Ms. Knox stated that EAP's priority projects for 2015 are:

- Tri-States 5% cap on San Miguel Power Association (SMPA) for renewable energy production
- Regional Compost Program
- Update the Regional Sustainability Action Plan
- FacilityDude Government Utility Data Tracking and Analysis

Several programs have been implemented including:

- Greenlights community program
- Green Projects Grant Program
- Green Business Certification Program
- Truth or Dare Program
- Festival compost, recycling and trash service

b. Annual Greenhouse Gas Calculation

Energy Coordinator for the Sneffels Energy Board Kim Wheels presented the report. This Board is a collaborative partnership of the governments of Telluride, Mountain Village, Ouray County, Ouray, San Miguel County, Ridgway, Norwood and Ophir; SMPA and Source Gas; and the citizen group Transition Our Way. The Sneffels Energy Board focuses on three specific regional projects:

- Coordination to increase locally produced renewable energy
- A new community renewable energy project
- A regional composting facility

Council thanked Ms. Knox and Ms. Wheels for their informative reports.

Consideration of a Resolution Approving a Road Right of Way Encroachment for an Address Monument in the Benchmark Road Right of Way for Lot 202B (11)

Forester/Planner Dave Bangert presented the above item. The applicants are asking to replace an address monument which was failing and it was discovered that the monument is located in the road right of way. On a **MOTION** by Dan Caton and seconded by Marty McKinley, Council voted unanimously to adopt a Resolution approving a road right of way encroachment for an address monument in the Benchmark Road right of way for Lot 202B.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance to (1) Rezone and (2) Transfer Density from Lot 128 into the Density Bank (12)

Planner II Savannah Jameson presented the above item. Bruce MacIntire recused himself and declared a conflict of interest because he is an owner of the property. The goal is to transfer excess density to the density bank. The Design Review Board (DRB) is in support of the Ordinance. Attorney for the applicant Tom Kennedy stated his client also supports the Ordinance. On a **MOTION** by Marty McKinley and seconded by Dan Caton, Council voted 5-0 (Cath Jett was absent and Bruce MacIntire recused himself) to adopt an Ordinance on first reading to (1) Rezone and (2) Transfer density from Lot 128 into the density bank and to set the second reading, a public hearing, and final Council vote for August 20, 2015.

Second Reading, Public Hearing and Council Vote on an Ordinance to (1) Rezone and (2) Transfer Density of Four Population Equivalents of Single Family Density from Lot 23AR into the Density Bank for the Benefit of AARIS, LLC (13)

Savannah Jameson presented the above item. The Mayor opened the public hearing. Public comment was received by John Erwin representing the applicant. The Mayor closed the public hearing. On a **MOTION** by Marty McKinley and seconded by Dan Caton, Council voted 6-0 (Cath Jett was absent) to approve on second reading an Ordinance to (1) rezone and (2) transfer density of four population equivalents of single family density from Lot 23AR into the Density Bank for the benefit of AARIS, LLC as presented.

Council took a lunch break from 12:02 p.m. to 12:27p.m. (15)

Presentation of Service Awards to Outgoing Council Members Dave Schillaci, John Howe and Jonette Bronson (16)

Mayor Jansen thanked outgoing Council members Dave Schillaci, John Howe and Jonette Bronson for their outstanding service to the Town of Mountain Village and presented plaques to Dave Schillaci and John Howe who were present.

Staff Reports: (17)

a. Cable & Broadband Services (This Report has been Moved to the September Town Council Meeting)

b. Mountain Munchkins Preschool & Child Care

Director Dawn Katz presented her report. The Town subsidizes Mountain Munchkins and is the only infant care facility in the region. Mountain Village residents and employees have priority with a discounted rate.

There was discussion about expanding the program and Jim Mahoney provided a little history of how the original program grew into what it is now.

At an intergovernmental meeting Mayor Jansen made sure that the other entities were aware that Mountain Village residents and employees have priority on the wait list. Council thanked Ms. Katz for a thorough report.

Introduction of New Superintendent of Schools Mike Gass (18)

President of the Telluride School Board Paul Reich introduced the new Superintendent of Schools Mike Gass. Mr. Gass discussed his background and prior employment. Council discussion ensued. Mr. Gass stated that his priorities include defining and holding all students to higher standards; helping children and families be successful, and promoting customized learning. He plans to speak with County Commissioners in an effort to engage their assistance to address resource needs in the community. The construction project is well underway. Mr. Gass is communicating with the community through Twitter and providing progress updates. School will re-open August 31st. Council welcomed Mr. Gass to the area and thanked him for coming.

Discussion on the Election Process and Voter Registration (19)

Town Clerk Jackie Kennefick provided information on the Town's election process and voter registration policies and procedures. The biggest issues encountered during the election process were:

- Mail issues
- People mistaking the Town elections for Telluride Mountain Village Owner's Association (TMVOA) elections
- Failure to update address with the Town or San Miguel County
- Not understanding that if their property is held in a trust, that they are ineligible to vote

Ms. Kennefick noted that every effort was made to get ballots to eligible voters and staff looked at every returned ballot and attempted to gain updated information. Over 100 new voters were registered between May 15th and June 1st. Council discussion ensued and many ideas were discussed as to possible ways to get information out prior to an election. Ongoing efforts could include working with the Title companies and the Telluride Association of Realtors (TAR) as well as supplying voter registration forms with the Village Court Apartments move-in paperwork. TMVOA Executive Director Anton Benitez stated that they have a comprehensive resident contact list and that he is happy to collaborate with the Town to disseminate information on voter registration requirements. Mr. Benitez will attempt to determine how many residential properties in Mountain Village are owned in trusts or in LLC's. Mountain Village is one of a small handful of jurisdictions in the entire country that allow non-residents the ability to vote under certain conditions. Council directed staff to determine if tax revenue amounts can be broken out into non-residents and residents categories. Assistant Town Attorney Jim Mahoney stated that a charter amendment would be required to allow owners who have their property in trusts to vote in Mountain Village. Charter amendments must be done by election. Jim Mahoney provided the history of Mountain Village's incorporation and the Supreme Court decision to uphold the verdict of the 10th Circuit Court who voted in favor of allowing natural named owners the right to vote. Council suggested that the wording on the Voter Verification card be a little stronger explaining that the U.S. Postal Service will not forward an official ballot. An explanation of voter rights regarding trusts should be sent to constituents through TMVOA. Council thanked Ms. Kennefick for her efforts.

Other Business: (21)

Director of Plaza Services Deanna Drew stated that there will be a work session on vending carts in August. She asked for Council Members to solicit input from their constituents for the discussion which will include the number of carts, the type of carts permitted, the seasons that they are permitted, the restrictions placed on the carts, and the intention to convert vending carts to brick and mortar establishments. There is a lot of history to digest and many differing opinions. The next meeting of Colorado Association of Ski Towns (CAST) is scheduled for August 27 & 28 in Vail. Town Council has a budget to allow members to attend these meetings. Ms. Kennefick reminded Council members to provide information for their Web profiles as

soon as possible and to complete necessary forms for Human Resources. All Council members are invited to attend the Employee Picnic on July 22 at the Ridge Club from 11-2.

There being no further business, on a **MOTION** by Laila Benitez and seconded by Dan Caton, Council unanimously agreed to adjourn the meeting at 2:21 p.m.

Respectfully prepared,



Susan Johnston
Deputy Town Clerk

Respectfully submitted,



Jackie Kennefick
Town Clerk