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TOWN OF MOUNTAIN VILLAGE MINUTES OF THE JULY 27, 2017 REGULAR TOWN COUNCIL MEETING

The meeting of the Town Council was called to order by Mayor Dan Jansen at 8:31 a.m. on Thursday, July 27, 2017 in the Mountain Village Town Hall, 455 Mountain Village Boulevard, Mountain Village, Colorado.

Attendance:

The following Town Council members were present and acting:

Dan Jansen, Mayor
Laila Benitez, newly elected Mayor
Dan Caton, newly elected Mayor Pro Tem
Bruce MacIntire
Patrick Berry
Paul Oupadia
Jack Gilbride

The following Town Council members were absent: None

Also in attendance were:

Kim Montgomery, Town Manager
Jackie Kennefick, Director of Administration/Town Clerk
Susan Johnston, Deputy Town Clerk
David Reed, Town Attorney (by phone)
Jim Mahoney, Assistant Town Attorney
Steven Lehane, Director of Broadband Services
Rachelle Redmond, Lieutenant
Kevin Swain, Finance Director
Julie Vergari, Chief Accountant
Michelle Haynes, Director of Planning & Development Services
Sam Starr, Planner
Bill Kight, Marketing & Business Development Director
Jonathan Greenspan
Jeff Farmer
Rudy Sharp
JT Keating
Doug Ford
Tim Kunda
Mickey Salloway
Douglas Tooley
Tim Kunkleman
Paul Ruud
Cheryl Miller
Robert Stenhammer
Lisa Eaton
Rock Martell
Diego Veitia
Jim Royer
Heather Young
Matt Windt
Alex Brown
Tom Richards
John Bullock

Shirley Diaz
Heather Knox
Kim Wheels
Richard Strohm
Tim Johnson
Cath Jett
Abel Chavez
Lisa Hemann
Anton Benitez
Neil Hastings
Liz Caton
Suse Connolly
Kathryn Bullock
Jolana Vanek
Carson Taylor
David Mehl
Estrede Woods
Don Orr
Kim Hewson
Gary Ratcliff
Richard Strolton
Lynn Black
Nichole Pieterse
Stephanie Fanos
Brian Eaton
Richard Child
Sherri Reeder
Stefanie Solomon
Sue Jensen
Steve Roth
Geoff Tumley
Jeff Proteau

Administration of Oath of Office to Newly Elected Council Members (2)

Director of Administration/Town Clerk Jackie Kennefick administered the Oath of Office to the newly elected Council members Jack Gilbride, Patrick Berry and Paul Oupadia.

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 Bruce MacIntire 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 8:40 a.m.

Council returned to regular session at 9:16 a.m.

Election of Mayor and Mayor Pro-Tem (4)

Mayor Jansen called for nominations for the position of Mayor. Jack Gilbride nominated Dan Jansen and Dan Caton nominated Laila Benitez. Mayor Jansen appointed Dan Caton as temporary chair to oversee the discussion. Mr. Caton explained the procedure to elect the Mayor and Council discussed whether or not to allow public comment. Council consensus was to allow public comment and they agreed to vote by roll call. Mr. Jansen won the coin toss by the Assistant Town Attorney Jim Mahoney and chose to let Ms. Benitez proceed with her candidate statement. Mr. Jansen subsequently made his statement. Public comment was received by Jim Royer, Diego Veitia, Jeff Farmer, Cath Jett, Jolana Vanek, and Don Orr.

Roll call vote:

Bruce MacIntire - Laila Benitez
Laila Benitez – Laila Benitez
Paul Oupadia – Laila Benitez
Dan Jansen – Dan Jansen
Dan Caton – Laila Benitez
Jack Gilbride – Dan Jansen
Patrick Berry – Laila Benitez

Laila Benitez was elected Mayor by a 5-2 vote.

Jackie Kennefick swore in Mayor Laila Benitez. Mayor Benitez called for nominations for Mayor Pro Tem. Jack Gilbride nominated Dan Jansen and Paul Oupadia nominated Dan Caton. Dan Jansen declined the nomination. Council voted unanimously to appoint Dan Caton as the Mayor Pro Tem. Jackie Kennefick swore in Dan Caton as Mayor Pro Tem. Mayor Benitez thanked Dan Jansen for his dedication and service.

Council took a break from 10:08 a.m. to 10:16 a.m.

Consideration of Adoption of Rules of Conduct for Meetings and General Business (5)

On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to adopt the Rules of Conduct for Meetings and General Business as presented.

Council Boards and Commissions Updates:

a. San Miguel Watershed Coalition –Jett

Cath Jett stated that the Coalition is in the process of assembling the stake holder board which will meet monthly. The Coalition manages several grants including the Forest Health Plan, and Water Management Plan. They are also responsible for water quality readings throughout the year.

b. Colorado Flights Alliance –Jansen

TEX (Telluride Regional Airport) is open after a closure to work on the aprons. The new airport manager Kenny Maenpa is on board and will be presenting at the August Council meeting. Mr. Jansen noted that the airport receives no support from local governments which is highly unusual. Additionally it operates at a profit. Montrose Regional Airport summer performance has been impressive and CFA supported flights are up 50% and non CFA supported flights are up 15%. Daily service to Denver and Dallas are both performing well year round. The enhancements to the Montrose Airport have been well received and the airport is performing an economic impact study to help determine future improvements. The TEX C approaches have been approved by the FAA and CFA is in negotiations with airlines in hopes of bringing

them on board for the fall season. CFA is working with the FAA to allow CRJ and CR7 aircraft the use of the C approach.

c. Transportation & Parking – MacIntire/Benitez

There was no update. Usage of the Parkmobile app has increased.

d. Budget & Finance Committee -Gilbride/Caton

Town department heads are in the process of drafting revised 2017 and proposed 2018 budgets and will be meeting with the Town Manager and the Finance Department over the next two weeks. Budget & Finance Committee meeting dates have been set from August-December with the first meeting being held on August 8th.

e. Gondola Committee - Jansen/Caton

There was no update.

f. Colorado Communities for Climate Action – Jett

Ms. Jett stated that she just attended an annual retreat in Vail to review the group's accomplishments. They discussed coordinating with the Compact of Colorado Communities – an organization that focuses on environmental education. CC4CA is more of a technical committee and focuses on lobbying. In order to align the two committees they have requested to have a CC4CA board member on the Compact of Colorado Communities Board.

g. San Miguel Authority for Regional Transportation (SMART)- Benitez

SMART is continuing to work through an Intergovernmental Agreement (IGA) process and will be presenting an IGA at the August 17, 2017 Town Council meeting. SMART will fund the Town of Mountain Village's interjurisdictional transports and shuttles from Montrose, Norwood and Cortez. Mayor Benitez stated that the recruitment process for an Executive Director is ongoing and 6 applications have been received, noting that the first round of applications did not produce a viable candidate.

h. Eco Action Partners – Sherry

There was no update.

i. Telluride Historical Museum- Sherry

There was no update.

j. Telluride Conference Center(TCC) – McKinley/MacIntire

Mr. MacIntire indicated that there was no update and once a new member is appointed a meeting will be set.

k. Multi-Cultural Advisory Committee (MAC)– Benitez

MAC is now known as the Alliance for Inclusion and will be redefining their mission statement.

l. Mayor's Update - Jansen

There was no update.

Work Session and Consideration of Council Appointments to Committees, Boards and Commission:

(7)

a. Ethics Commission (One Regular and One Alternate)

On a **MOTION** by Dan Caton and seconded by Bruce MacIntire, Council voted unanimously to appoint Dan Jansen to the regular Council seat and Jack Gilbride to the alternate Council seat on the Ethics Commission. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to appoint Richard Child to the regular seat on the Ethics Commission. The alternate position will be appointed at the August 17, 2017 Town Council Meeting

b. Budget & Finance Committee (Two Council Members)

On a **MOTION** by Bruce MacIntire and seconded by Dan Jansen, Council voted unanimously to appoint Jack Gilbride and Dan Caton to the Budget & Finance Committee.

c. Mountain Village Condo Association (One Regular)

Council consensus was to continue with Bruce MacIntire on the Board.

d. Colorado Flights Alliance (One Council Member)

Council consensus was to continue with Dan Jansen on the Board. Jack Gilbride asked to shadow Dan Jansen on the Board to get up to speed for when Mr. Jansen is termed out and Council agreed.

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

On a **MOTION** by Dan Jansen and seconded by Bruce MacIntire, Council voted unanimously to appoint Patrick Berry to the regular seat and Paul Oupadia to the alternate seat on the Eco Action Partners Board.

f. Telluride Historical Museum Board (One Regular)

On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to appoint Patrick Berry to the Telluride Historical Museum Board.

g. San Miguel Watershed Coalition (One Regular)

On a **MOTION** by Dan Caton and seconded by Bruce MacIntire, Council voted unanimously to appoint Paul Oupadia to the San Miguel Watershed Coalition Board.

h. Transportation, Parking & Vehicle Committee (Two Regular)

Council consensus was to continue with Bruce MacIntire and Laila Benitez on the Transportation, Parking & Vehicle Committee.

i. Telluride Mountain Village Owners Association (TMVOA) Gondola Committee (Two Regular)

On a **MOTION** by Bruce MacIntire and seconded by Patrick Berry, Council voted unanimously to appoint Paul Oupadia and Dan Caton to the Telluride Mountain Village Owners Association Gondola Committee.

j. Colorado Communities for Climate Action (CC4CA) (One Regular)

Cath Jett provided public comment. On a **MOTION** by Dan Caton and seconded by Bruce MacIntire, Council voted unanimously to appoint Patrick Berry to the Colorado Communities for Climate Action Board and asked Cath Jett to continue her involvement.

k. Mountain Village Community Grant Committee (Two Council Members, Two Residents)

On a **MOTION** by Bruce MacIntire and seconded by Dan Jansen, Council voted unanimously to appoint Laila Benitez and Paul Oupadia to the Mountain Village Community Grant Committee. Public comment was received from Jonathan Greenspan, Liz Caton, Suse Connolly, and Cath Jett. Council discussion ensued. The Council voted for the resident seats by paper ballot. Dan Caton recused himself from the vote as his wife is running for the position. On a **MOTION** by Bruce MacIntire and seconded by Dan Jansen, Council appointed Liz Caton and Jonathan Greenspan as resident members.

l. San Miguel Authority for Regional Transportation Board of Directors (SMART)(Two Regular, One Alternate)

On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to appoint Laila Benitez and Dan Caton to the regular seats and Paul Oupadia to the alternate seat on the San Miguel Authority for Regional Transportation Board.

m. Alliance for Inclusion (formerly known as the Multicultural Advisory Committee) (One Regular)

On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to appoint Patrick Berry to the regular seat on the Alliance for Inclusion Committee.

Public Comment on Non-Agenda Items (8)

Public comment was received by Doug Tooley.

Consideration of Approval of Minutes of the June 20, 2017 Regular Town Council Meeting (9)

On a **MOTION** by Dan Caton and seconded by Bruce MacIntire, Council voted 4-0 to approve the June 20, 2017 Regular Town Council Meeting minutes as presented. New Council members Berry, Oupadia and Gilbride recused themselves from the vote as they were not present at the June meeting.

Consideration of an Application by Telski Food & Beverage Services, LLC DBA Tomboy Tavern for a Temporary Modification of Premises from Allred's Restaurant to the Ridge Club for a Private Wedding Event on 9/8/17 (10)

Deputy Town Clerk Susan Johnston presented the application and stated that it had been reviewed by Assistant Town Attorney Jim Mahoney and Police Chief Chris Broady with no adverse findings. Dan Jansen asked to make it clear that liquor licensing authority items are quasi-judicial and asked if any Council member had a conflict. Patrick Berry recused himself because he is employed by Telski. On a **MOTION** by Bruce MacIntire and seconded by Dan Caton, Council voted 5-1 (with Dan Jansen opposed) to approve the temporary modification of premises application by Telski Food & Beverage Services, LLC for a private wedding event on September 8, 2017 at Allred's Restaurant and extending to the Ridge Club.

San Miguel Regional Housing Authority Annual Report (SMRHA) (11)

SMRHA Director Shirley Diaz presented the report and stated that 2017 marks the twentieth year of SMRHA serving the region. Ms. Diaz explained that compliance with the deed restrictions and guidelines in each jurisdiction requires a significant amount of staff time. Compliance checks are conducted bi-annually. She added that if someone is not in compliance then a lien may be placed on the property. Ms. Diaz suggested that noncompliance letters be sent on Town legal letterhead to indicate the importance of a reply. Council consensus was favorable. Jim Mahoney recommended that Council look at simplifying the three sets

of deed restrictions that exist in Mountain Village. Council directed staff to agendize a work session to consider deed restrictions at a future meeting.

Council took a break from 11:57 a.m. to 12:06 p.m.

Dan Jansen returned to the meeting at 12:12 p.m.

Bruce MacIntire returned to the meeting at 12:14 p.m.

Eco Action Partners (EAP) Annual Update and Government and Community Greenhouse Gas (GHG) Emissions Report (12)

Eco Action Partners Executive Director Heather Knox and EAP Energy Specialist Kim Wheels presented the annual update which focused on energy and waste reduction in the region. Kim Wheels presented the GHG Emissions report explaining that the Sustainability Action Plan includes 7 areas:

- Community engagement (Policy decisions and public visual measure of progress)
- Energy Consumption (Decrease per capita energy consumption 20% by 2020)
- Renewable Energy (20% of the region's electricity from renewable energy by 2020)
- Transportation (Reduce energy consumed per capita by ground and air travel)
- Water (Decrease water consumption by 10%)
- Landfill Waste Reduction and Recycling (Divert 75%)
- Agriculture and Forests (Utilize regional natural resources wisely, increase local food production)

Ms. Wheels stated that Village Court Apartments could potentially benefit from the overall energy efficiency and weatherization services offered by San Miguel Power Association (SMPA). The VCA buildings are exclusively electric and EAP has been working with VCA staff and SMPA to determine the best rebate options for energy efficiency upgrades throughout the complex. The Carbon Neutral Coalition, (which is a spin off from Mountain Film's *The New Normal Initiative* efforts), will aid the Town of Telluride, Town of Mountain Village, San Miguel County and surrounding areas to help them become carbon neutral. Staff is in the process of forming a Green Team on the staff level (5 people) and will work with EAP. Ms. Knox and Ms. Wheels thanked Council for their continued commitment to tracking and reducing energy usage levels.

Colorado Mountain College (CMC) Community Committee (13)

Cheryl Miller explained that CMC is considering introducing college courses to high school students in the San Miguel region and creating a higher education environment in San Miguel County. Ms. Miller requested that the town appoint a Council representative to attend and participate in a future "needs assessment" meeting. Mr. Jansen stated that the funding for the program would require a ballot issue with a mill levy increase in the service area. Adults will have access to the program and students would have the opportunity to earn college credits while in high school. Access to higher learning would help to create a more educated and skilled work force. The group will be defining the needs as well as the thresholds for class room student limits. Council discussed ensued regarding appointing a Council member to attend the needs assessment meeting. Dan Caton expressed his willingness to attend and an official appointment will be made at the August 17, 2017 Town Council meeting.

Update from Century Link Representatives on Local Service (14)

Century Link's Local Government Affairs Officer Abel Chavez, Regulatory Director for Colorado Tim Kunkleman, and Local Field Supervisor Richard Strohm provided an update on the efforts Century Link has made to increase redundancy in the region. Mr. Kunkleman stated that as a result of last June's multiple outages, Century Link targeted projects and improvements that will create rings of service and redundancy to hopefully avoid severe outages in the future. He stated that there were multiple events that contributed to the widespread and sustained outage last year. Improvements are planned for 2018 between Mancos and Durango, Ignacio and Bayfield, and Pagosa Springs and Taos, New Mexico. No improvements were made in the Mountain Village, Telluride, San Miguel County area.

Finance: (15)

a. Presentation of the June 30, 2017 Business & Government Activity Report (BAGAR)

Director of Finance Kevin Swain presented. Council discussion ensued.

b. Consideration of the May 31, 2017 Financials

Mr. Swain presented the financials. Council discussion ensued. On a **MOTION** by Dan Jansen and seconded by Dan Caton, Council voted unanimously to approve the May 31, 2017 Financials.

c. Presentation of the 2016 Comprehensive Annual Financial Report and the 2016 Audit Report

Dalby Wendland & Company Audit Principal Lisa Hemann reported. The audit is performed under general auditing standards and examines the policies and procedures of the entity. No issues were reported and all information that was asked for was provided in a timely manner by staff. Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to accept the 2016 Comprehensive Annual Financial Report.

First Reading, Setting of a Public Hearing, and Council Vote on an Ordinance Approving: (1) Rezoning and (2) Density Transfer on Lot 601, Knoll Estates Unit 22-23 Continued from the July 25, 2017 Meeting (16)

Planner Sam Starr presented the above item and explained that applicants Nicke and Richard Hetzel own the properties addressed 308 and 310 Fairway Drive, and have applied to construct a 389 square foot deck attached to the home located at Lot 23, 308 Fairway Drive. In order to do so applicants are required to accomplish 3 things:

1. Transfer the density associated with this lot,
2. Update the Knoll Estates condo map, and
3. Undergo a class one design review process.

This agenda item addressed only the density transfer approval. The other two items are approved on the staff level. No public comment was received. On a **MOTION** by Bruce MacIntire and seconded by Dan Caton, Council voted 7-0 to approve on first reading an Ordinance (1) rezoning and (2) density transfer on Lot 601, Knoll Estates Unit 22-23 and to set the second reading, public hearing and final vote for August 17, 2017.

Staff Reports:

a. Marketing & Business Development

Director Bill Kight presented his report stating that one of his goals is to grow the department with the hiring of a Marketing Coordinator. This will allow him to focus more on business development. The implementation of strategic signage and the wayfinding program continues and he is building a strong and consistent email marketing and communications platform for the Town. Mr. Kight explained that Marketing Telluride Inc., Town of Mountain Village, KOTO Radio and Telluride Ski & Golf are all considering or developing apps and that the parties have met to discuss combining them all into one comprehensive app or at least coordinating the multiple apps.

b. Cable & Broadband

Steven Lehane presented his report stating that his department is in the process of increasing the capacity up the mountain from 72 fibers to 216 fibers. The new fiber will be operational by October 2017 and will provide additional fiber to Town Hall, San Joaquin and the Telski maintenance building. 15 additional HD channels have been added to the cable options. Mr. Lehane reported that the contractor responsible for cutting the fiber in the Meadows area will pay for the repair and customers will received a credit for the time that the service was interrupted.

c. Town Manager

Ms. Montgomery stated that the Great Services Award for June went to Cecilia Curry. Ms. Curry has shown nothing but diligence, grace and compassion as she helped bring clarity to an unclear situation and helped residents maneuver through the residency documentation process. In addition, her social outreach goes above and beyond; she has started taking Spanish lessons so that she can better communicate with Latino residents, she attends local outreach events and uses social media to further spread the word about community events and VCA updates. Ms. Montgomery also provided an update on the DAS antennae system stating that subscribers are waiting to commit until the tower is completed. Construction of the tower has already begun.

Other Business (18)

- Bruce MacIntire stated that the Town Hall Subarea Plan dealt with a defined area and that he had received a letter from property owner John McIntyre stating that the Benchmark Drive intersection should have been included in the Plan. Mr. McIntyre suggested moving the roundabout from its

proposed location to the entrance of Benchmark Drive. Ms. Montgomery stated that the location of the roundabout was considered in the Plan, however; she suggested having engineering take another look and provide the Town with the best option.

- Paul Oupadia referred to agenda item 13 and asked how the CMC idea came about, when online options exist. Dan Jansen explained that some certifications cannot be obtained through online classes and that the region would benefit by offering these courses. He gave the example of early childhood education certification, which cannot be accomplished online.
- Paul Oupadia inquired as to if the Town had any other options for cable service. Dan Jansen stated (relating to the Century Link update) that the Telluride Foundation had been working to try to secure easements in order to utilize broadband fiber which would be privately owned. The pipe and fiber are already in the ground, but all of the homeowners along the proposed path must agree to the easements. In addition to exploring private ownership of broadband fiber, a suggestion was made to draft a joint letter to the Utility Commission regarding Century Link, with the Town of Telluride, San Miguel County and the Town of Mountain Village expressing general concern with the quality of service provided.

There being no further business, on a **MOTION** by Dan Caton and seconded by Paul Oupadia, Council voted unanimously to adjourn the meeting at 2:41 p.m.

Respectfully prepared,



Susan Johnston
Deputy Town Clerk

Respectfully submitted,



Jackie Kennefick
Town Clerk

