

**TOWN OF MOUNTAIN VILLAGE  
TOWN COUNCIL REGULAR MEETING  
THURSDAY JANUARY 18, 2018, 8:30 AM  
2nd FLOOR CONFERENCE ROOM, MOUNTAIN VILLAGE TOWN HALL  
455 MOUNTAIN VILLAGE BLVD, MOUNTAIN VILLAGE, COLORADO  
AGENDA **REVISED****

	Time	Min	Presenter	Type	
1.	8:30				Call to Order
2.	8:30	5			Public Comment on Non-Agenda Items
3.	8:35	75	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.	9:50	5	Break		
5.	9:55	5	Johnston	Action	Consideration of Approval of Minutes of the December 14, 2017 Regular Council Meeting
6.	10:00	5	Kennefick	Action	Consideration of a Resolution Designating Posting Locations for the Town's Ordinances and Public Notices
7.	10:05	10	Johnston	Action <i>Quasi-Judicial</i>	Liquor Licensing Authority: Consideration of Re-certification of the Mountain Village Promotional Association and Common Consumption Area
8.	10:15	15	Maenpa	Informational	TRAA (Telluride Regional Airport Authority) Bi-Annual Report
9.	10:30	15	Swain	Informational Action	Finance: a. Presentation of the December 31, 2017 Business & Government Activity Report (BAGAR) b. November 30, 2017 Financials
10.	10:45	5	Haynes	Action <i>Quasi-Judicial</i>	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 <i>The Applicant has Requested that this Item be Continued to the February 15, 2018 Town Council Meeting</i>
11.	10:50	20	Haynes	Action <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 304 into the Density Bank per Community Development Code Sections 17.4.9 & 17.4.10
12.	11:10	15	Haynes	Action <i>Quasi-Judicial</i>	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
13.	11:25	5	Kee	Action	Consideration of Building Board of Appeals Appointment
14.	11:30	15	Stuffings	Action Informational	Consideration of a Letter of Support for a Grant Application by the San Miguel Watershed Coalition for the Bureau of Reclamation's WaterSMART Grant and Update on the Upper San Miguel Basin Forest Health Landscape Assessment
15.	11:45	15	Greenspan	Action	Consideration of Approval of the Green Team Committee Mission Statement, Focus/Guiding Principles and 2018 Action Plan
	12:00	30			Lunch
16.	12:30	10	Kight	Action	Consideration of a Resolution Supporting Reauthorization by the General Assembly of the Colorado Lottery Division in 2018
17.	12:40	20	Jensen	Informational	Telluride Ski & Golf Quarterly Update
18.	1:00	5	Caton	Action	Consideration of a Proclamation of the Town Council of the Town of Mountain Village, Colorado Declaring January 2018 as Ski Mountain

					Employee Appreciation Month
19.	1:05	30	Council Members & Staff	Informational	<p>Council Boards and Commissions Updates:</p> <ul style="list-style-type: none"> <li>a. San Miguel Watershed Coalition-Starr</li> <li>b. Colorado Flights Alliance -Jansen</li> <li>c. Transportation &amp; Parking – MacIntire/Benitez</li> <li>d. Budget &amp; Finance Committee –Caton/Gilbride</li> <li>e. Gondola Committee – Caton/Berry</li> <li>f. Colorado Communities for Climate Action – Berry</li> <li>g. San Miguel Authority for Regional Transportation (SMART)- Benitez/Caton/Binder</li> <li>h. Eco Action Partners – Berry/Binder</li> <li>i. Telluride Historical Museum- Berry</li> <li>j. Telluride Conference Center –MacIntire/Gilbride</li> <li>k. Alliance for Inclusion – Berry</li> <li>l. Green Team Committee- Berry/MacIntire</li> <li>m. Mayor’s Update - Benitez</li> </ul>
20.	1:35	30	Kight Lehane Montgomery	Informational Action	<p>Staff Reports:</p> <ul style="list-style-type: none"> <li>a. Marketing &amp; Business Development</li> <li>b. Broadband &amp; Cable Services</li> <li>c. Town Manager <ul style="list-style-type: none"> <li>1. 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</li> </ul> </li> </ul>
21.	2:05	5			Other Business
22.	2:10				Adjourn

Please note that times are approximate and subject to change.

sj

01/11/18

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 DECEMBER 14, 2017  
REGULAR TOWN COUNCIL MEETING **DRAFT**  
**AGENDA ITEM # 5****

The meeting of the Town Council was called to order by Mayor Laila Benitez at 8:33 a.m. on Thursday, December 14, 2017 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 (by conference call)  
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  
Chris Broady, Police Chief  
Kevin Swain, Finance Director  
Michelle Haynes, Director of Planning & Development Services  
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 Broadband & Cable  
Sue Kunz, Director of Human Resources

Matt Skinner  
Bo Nerlin  
Robert Stenhammer  
Matt Skinner  
Anton Benitez  
Joe Solomon  
Keith Hampton  
Tim Johnson  
Stephanie Fanos  
Alex Martin  
Nichole Zangara-Riley  
Michael Martelon  
Jolana Vanek  
Marti Prohaska  
Jonathan Greenspan

**Public Comment on Non-Agenda Items (2)**

There was no public comment.

**Executive Session for the Purpose of a Personnel Matter Pursuant to C.R.S. Section 24-6-402((4)(f)(I)), and for Receiving Legal Advice Pursuant to C.R.S. 24-6-402(b), and for the Purpose of a Personnel Matter Pursuant to C.R.S. Section 24-6-402(4)e (3)**

On a **MOTION** by Dan Caton and seconded by Patrick Berry, Council voted unanimously to enter into Executive Session for the purpose of a Personnel Matter Pursuant to C.R.S. Section 24-6-402((4)(f)(I)), and 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. Town Attorney David Reed noted for the record that an item concerning Town Council security protocol was added to the executive session discussion.

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

**Council took a break from 10:10 a.m. to 10:20 a.m. (4)**

## Legislative Update (5)

Associate Town Attorney Bo Nerlin presented an update on 2017 legislation and case law changes affecting Colorado Municipalities. The following items were highlighted:

- BEER and LIQUOR SB 17-237
  - Age of Servers- Employees 18-21 may serve at facilities with a tavern or lodging and entertainment facility
- CRIMINAL JUSTICE HB 17-1179
  - Immunity for emergency rescue from a locked vehicle
- CRIMINAL JUSTICE
  - Seizure reporting requirements HB 17-1313
  - Mental health support HB 17-1215
- EMPLOYMENT ISSUES HB 17-1269
  - Repeal prohibition of wage sharing information
- HOMELESSNESS SB 17-021
  - Assistance to released mentally ill offenders
- MARIJUANA HB 17-1220 and HB 17-1221
  - Home grow limitation
- MUNICIPAL COURT
  - Delay of HB 16-1309, HB 17-1316
  - Seal of Marijuana conviction records HB 17-1266
- OPEN RECORDS
  - Mediation of Disputes 17-1177
  - Public access to files 17-040
- PUBLIC SAFETY
  - Reserve Officer Grant Program SB 17-096
- TAXES
  - Sets residential assessment rate, pursuant to Gallagher Amendment, at 7.2 percent for tax years 2017 and 2018 HB 17-1349
- TRANSPORTATION
  - Prohibits engaging in nuisance activity known as “blowing black smoke” through one or more exhaust pipes attached to motor vehicle with gross vehicle weight of 14,000 pounds or less in manner that obstructs or obscures view of another driver, bicyclist, or pedestrian. SB 17-278
- WORKERS’ COMPENSATION
  - Adds definitions “psychologically traumatic event” and “serious bodily injury” to workers’ compensation statutes for purposed of clarifying worker’s right to compensation for any claim of mental impairment. HB 17-1229
- VEHICLE IDLING
  - Exemption from prohibition on idling if driver takes adequate security measures
  - Time limits on idling may continue to be enforced as long as a municipality had an Ordinance in place prior to August 10, 2016

## CASE LAW AFFECTING MUNICIPALITIES:

- MARIJUANA
  - No statewide Marijuana Bank
  - Police departments are not required to return seized marijuana
  - Dogs can still be used to establish probable cause for marijuana searches
  - Municipalities may consider the number, type and availability of existing marijuana licenses
  - No constitutional right to extract hash oil
- MISCELLANEOUS
  - Sidewalk Maintenance
  - Lodging Taxes
  - Bag Fees
  - Ex Parte contact through email did not taint process

- o Colorado Sex Offender Registration Law unconstitutional

Council discussion ensued regarding lodging tax collection from Airbnb and public comment was received by Michael Martelon. Council directed staff to agendize a tax collection informational agenda item in the first quarter of 2018.

**Consideration of Approval of Minutes: (6)**

**a. November 16, 2017 Regular Council Minutes**

Deputy Town Clerk Susan Johnston presented the above item. On a **MOTION** by Dan Caton and seconded by Patrick Berry, Council voted unanimously to approve the November 16, 2017 meeting minutes as presented.

**b. December 7, 2017 Special Town Council Minutes**

On a **MOTION** by Dan Caton and seconded by Patrick Berry, Council voted unanimously to approve the December 7, 2017 regular Town Council meeting minutes as presented.

**Bi-Annual Reports for Marketing Telluride Inc. (MTI) and Colorado Flights Alliance (CFA) (7)**

President and CEO of Marketing Telluride Inc. Michael Martelon presented his report stating that summer occupancy was up 3.1 % over 2016. 2017 was the seventh record summer in terms of occupancy for the Telluride region. The gray market was up 22.5% in self-managed reporting properties. Between 2011 and 2017 Mountain Village has seen a 95% increase in sales tax revenue. Council thanks Mr. Martelon for an informative presentation.

Chief Operating Officer of CFA Matt Skinner presented his report stating CFA creates economic vitality for Colorado's western slope through air service development. Winter booking growth has been positive over the last 3-5 years with approximately 51% increase in seats sold. CFA is heavily involved with marketing with MTI and TSG and they gear their campaigns to targeted markets. The lack of snow so far this season will affect the first quarter statistics, but people are continuing to book and alternate activities are being promoted to visitors. MTI flight sales have seen only a 2% drop from last year's sales numbers as a result of the unusual weather. Mr. Skinner thanked Council for the continued support.

**Finance: (8)**

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

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

**b. Second Reading, Public Hearing and Council Vote on an Ordinance of the Town Levying Property Taxes for the Year 2017 to be Collected in 2018**

The Mayor opened the public hearing. No public comment was received. The Mayor closed the public hearing. Council directed staff to draft a press release detailing the mill levy decrease. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted 7-0 to adopt on second reading an Ordinance of the Town Levying Property Taxes for the Year 2017 to be collected in 2018 as presented.

**c. Second Reading, Public Hearing and Council Vote on an Ordinance Adopting the 2018 Budget and Revising the 2017 Budget**

Kevin Swain presented stating that the requested changes were made and are included for the second 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 on second reading an Ordinance adopting the 2018 Budget and revising the 2017 Budget as presented.

On a **MOTION** by Patrick Berry and seconded by Bruce MacIntire, Council voted unanimously to convene as the Board of Directors for the Dissolved Mountain Village Metro District.

**Town Council Acting as the Board of Directors for the Dissolved Mountain Village Metro District: Public Hearing on the Proposed 2018 and Revised 2017 Budgets (9)**

**a. Public Hearing on the Proposed 2018 and Revised 2017 Budgets**

The Mayor opened the public hearing. No public comment was received. The Mayor closed the public hearing.

**b. Consideration of a Resolution Adopting the 2018 Mountain Village Metropolitan District Budget**

On a **MOTION** by Patrick Berry and seconded by Bruce MacIntire, Council voted unanimously to adopt a Resolution adopting the 2018 Mountain Village Metropolitan District Budget as presented.

**c. Consideration of a Resolution Appropriating Sums of Money for 2018**

On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to adopt a Resolution appropriating sums of money for 2018 as presented.

**d. Consideration of a Resolution Revising the 2017 Budget**

On a **MOTION** by Jack Gilbride and seconded by Bruce MacIntire, Council voted unanimously to adopt a Resolution revising the 2017 budget as presented.

**e. Consideration of a Resolution Re-Appropriating Sums of Money for 2017**

On a **MOTION** by Bruce MacIntire and seconded by Natalie Binder, Council voted unanimously to adopt a Resolution re-appropriating sums of money for 2017 as presented.

**f. Consideration of a Resolution Setting the Mill Levy for 2017 to be Collected in 2018**

On a **MOTION** by Natalie Binder and seconded by Bruce MacIntire, Council voted unanimously to adopt a Resolution setting the mill levy for 2017 to be collected in 2018 as presented.

On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to reconvene as Town Council.

**Consideration of a Resolution Waiving the Lottery Sales Requirement for Cassidy Ridge C-201 in order to Allow for the Town of Mountain Village to Purchase Unit (10)**

Assistant Town Attorney Jim Mahoney presented stating that the Town was recently informed that the owner of Cassidy Ridge Unit C-201 would be selling the unit in the near future. As Town staff has been researching options for securing housing for its work force, staff believes that purchasing a unit such as this could have great benefits for the Town. Whether the Town leases the unit to an employee, sells the unit to an employee or a combination of the two, it is attractive for the Town to own and control a variety of housing unit types to meet workforce demands. Council discussion ensued. Public comment was received by Keith Hampton and Joe Solomon. Mr. Mahoney stated that he will meet with the Cassidy Ridge Home Owner's Association to discuss parking, storage and deck usage. On a **MOTION** by Jack Gilbride and seconded by Dan Caton, Council voted unanimously to adopt a Resolution waiving the lottery sales requirement for Cassidy Ridge C-201 in order to allow for the Town to purchase the unit.

**Consideration of a Resolution Authorizing the Mayor and Town Manager to Negotiate and Close on the Purchase of Cassidy Ridge Unit C-201 on Behalf of the Town of Mountain Village (11)**

On a **MOTION** by Bruce MacIntire and seconded by Jack Gilbride, Council voted unanimously to adopt a Resolution authorizing the Mayor and Town Manager to negotiate and close on the purchase of Cassidy Ridge Unit C-201 on behalf of the Town.

**Council took a break for lunch from 12:10 p.m. to 12:36 p.m.**

**Consideration of Approval of the 2018 Department of Transportation (DOT) Drug & Alcohol Policy (12)**

Director of Human Resources Sue Kunz presented stating that since the Town receives FTA (Federal Transportation Authority) grant funding, the Town is required to comply with employee drug testing pursuant to 49 CFR Part 655 and Part 40, as amended and the Drug Free Workplace Act (49 CFR part 29). This includes all gondola staff/supervisors, vehicle mechanics/supervisors and commuter shuttle drivers. Effective January 1, 2018, the Department of Transportation amended its regulations to add four synthetic opioids (hydrocodone, hydromorphone, oxymorphone and oxycodone) to the list of drugs for which it regularly tests. The Town's policy has been updated replacing the word "opiates" with "opioids". Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to approve the 2018 Department of Transportation Drug and Alcohol Policy as presented.

Moved to agenda item 18

**Consideration of a Resolution Approving a Conditional Use Permit Pursuant to Community Development Code Section 17.4.14, to Allow Surface Unpaved Parking on a Portion of Lot 161CR (13)**

Planning and Development Services Director Michelle Haynes presented stating that the owner of Lot 161CR has submitted a request to formalize unimproved surface parking with a CUP (Conditional Use Permit) pursuant to CDC Section 17.4.14. The application proposes 28-39 parking spaces intended to provide permit parking for Village Center businesses and parking for The Ridge Club. The owner would be responsible for maintenance. Council discussion ensued. Public comment was received by Chris Hawkins and Stephanie Fanos, legal counsel for the owner of 161CR. On a **MOTION** by Bruce MacIntire and seconded by Jack Gilbride, Council voted unanimously to adopt a Resolution approving a Conditional Use Permit pursuant to Community Development Code Section 17.4.14 to allow unpaved surface parking on a portion of Lot 161CR with the following conditions:

1. The stairs receive required Town and TSG approvals, include step lights for safety and are constructed within twelve months of the CUP approval.
2. Provide a final site and improvements plan indicating parking space configuration, signage and all additional improvements associated with the parking use to be reviewed and approved by the Planning Director prior to placing improvements. The parking plan will confirm the following:
  - a. No improvements are being placed in the general easements unless they are temporary and easily removable
  - b. A sixteen-foot fire and emergency lane is demonstrated on the site plan to scale per fire department comments
  - c. Identify snow storage areas
  - d. Determine the type, style and location of barriers such as boulders or posts and cables that will be installed to help guide parking
  - e. Address mitigation measures regarding headlight glare west towards the Village Center with the final site and improvement plan
  - f. Provide a general narrative regarding hours of operation and parking area management
3. Temporary or permanent improvements placed for the purposes of parking use (not including the stairs) will be removed when the CUP expires.
4. The CUP will remain valid until commencement of construction improvements on the lot subject to issuance of a building permit by the Town.
5. The Town Council may periodically review the terms of the CUP with the owner to address issues or concerns with the intent that parking impacts continue to be mitigated. The Town reserves the right to impose additional conditions to mitigate impacts at the Town Council's sole and absolute discretion and/or the ability to revoke or suspend this CUP upon a violation of any conditions.

**Consideration of a Term Sheet Regarding the 161CR and Ridge at Telluride Litigation (Continued from the November 16, 2017 Meeting) (14)**

Jim Mahoney stated that there was no term sheet to present and discuss. No action was taken.

Council moved to agenda item 19 g.

**Wayfinding Update (15)**

Owner of Co+Creative Solutions and Wayfinding Project Manager Nichole Zangara Riley provided an overview and update of the project. Planner Sam Starr presented samples of the signage materials. The following installations occurred in 2017:

1. Mountain Village entrance street sign monument, in process
2. Vehicular signs along Mountain Village Blvd. and other roadways in route to Meadows parking
3. Conference Center Plaza banners marketing winter
4. Gondola Parking Garage exterior building façade signs; in process
5. Meadows Parking exterior monument; in process
6. Heritage Parking Garage exterior monument; in process
7. Plaza monuments located throughout Mountain Village Center and Market Plaza at key decision points. These monuments contain seasonal maps, a business directory, and individual breadcrumb icons highlighting amenities and services; in process

8. Oak Street Plaza four-sided kiosk (a collaboration with the Town of Telluride) adorned with information and directions to amenities and services; in process
9. Oak Street Plaza and Gondola Plaza three-sided mountain kiosk adorned with Mountain Village Center and Market Plaza maps and directories, ski resort trail map, destination marketing, and gondola information; in process

2018 signage includes:

1. Gondola Parking Garage interior signage; Winter
2. Heritage Parking Garage interior signage; Winter
3. Gondola stations interior and exterior signage; Winter/Spring
4. Plaza monuments seasonal maps and business directory; Spring
5. Conference Center Plaza banners marketing summer; Spring
6. Amenities and services signs and monuments; Spring/Summer
7. Municipal Building and Village Court Apartments address monument; Spring/Summer
8. Market Plaza address monument; Spring/Summer
9. Rules and regulations signage; Summer
10. Pedestrian signs along key decision points in route to the Chondola and Lifts 1 and 10; Fall

Council discussion ensued. Staff is proposing the addition of physical addresses on the sides of buildings to aid both the public and emergency services. Ms. Zangara Riley addressed the challenges encountered with the installation process and stated that certain vendors are not responding in a timely manner. Council directed staff to reach out to the original wayfinding committee members and to regularly communicate as the project progresses. Council asked Ms. Zangara Riley to provide a monthly email update to alert Council and other staff of any issues.

Dan Jansen left the meeting at 2:00 p.m.

**Consideration of Approval of the Green Team Committee Mission Statement, Focus/Guiding Principles and 2018 Action Plan (16)**

Green Team Committee Chair Jonathan Greenspan presented and stated that the other members of the Green Team are Garrett Brafford, Jeff Proteau, Patrick Berry, Bruce MacIntire, Marti Prohaska and Savanna Wagner. The document presented was a compilation of ideas from each member of the committee. Short term, mid-term and long-term goals were defined. Recommendations for environmental projects will be brought to Council for approval. Council discussion ensued and consensus was that the document needs some structural work. Patrick Berry and Dan Caton agreed to review the revised document. Council directed the Green Team to refine the document and re-agendize for approval at the January Town Council meeting.

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

Dan Jansen returned to the meeting at 2:30 p.m.

**Cable Television Audit Update (17)**

Director of Cable & Broadband Services Steven Lehane stated that the audit determined that there were six residents receiving cable services without being charged. This equates to one third of one percent. Council directed staff to implement an audit of bulk accounts to determine how many units are being reported and to report back on the number of subscribers. An audit should be conducted every two to three years. Mr. Lehane stated that he has contacted Brainstorm Internet to discuss installing a southern redundant route for internet service. The line would go down Highway 145 to Cortez, then to Durango and onto Colorado Springs. Council was supportive of the added redundancy and thanked Mr. Lehane for a thorough report.

**Staff Reports: (18)**

**a. Town Manager**

Ms. Montgomery stated that there were no nominations for *Great Services Award* this month. Ms. Montgomery met with TSG Vice President of Operations and Planning Jeff Proteau and Town of Telluride Town Manager Ross Herzog to review water issues and the impact of snow making and to begin drafting a communication plan.

**Council Boards and Commissions Updates: (19)**

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

Sam Starr stated that SMWC will be acquiring an ESRI(Environmental Systems Research Institute) ArcMap license which will help to better track many things including forest health, water conditions and flows. The SMWC year-end report will be delivered at the January Town Council meeting. A Forest Health Landscape Assessment Outreach took place at the Wilkinson Library on December 11<sup>th</sup>. The topic of discussion was “*Our Forest in Flux Mapping Project*” and the mapping can be viewed at [www.sanmiguelcounty-co.gov/foresthealth](http://www.sanmiguelcounty-co.gov/foresthealth).

**b. Colorado Flights Alliance –Jansen**

Mr. Jansen emphasized that the holiday season is going to be fascinating because of the lack of snow.

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

There was no update.

**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**

The CC4CA Government Advocacy Training was a success. The CC4CA budget has not yet been completed. Council discussion ensued regarding the overlap between CC4CA and the Town’s Green Team. Council directed the Green Team to produce a schematic showing how local entities and CC4CA may overlap on some issues and complement on others.

Council moved to agenda item 13.

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

Mayor Benitez stated that the IGA’s with Mountain Village, Town of Telluride and San Miguel County have been signed. Increased bus service to Lawson Hill has been well received and service to Rico will start next week.

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

There was no report, however; the Mayor stated that she discussed what the Town is looking for as far as measureables with the Director of EAP.

**i. Telluride Historical Museum- Berry**

Mr. Berry stated that the budget has been approved with some wage increases. The goal is to increase employee retention. The Mayor gave kudos to the Museum for stepping in to offer alternate activities for guests in lieu of snow activities.

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

Mr. MacIntire stated that the committee will include TCC Manager Tony Kalyk in future meetings.

**k. Alliance for Inclusion – Berry**

There was no update.

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

Update provided in agenda item 16.

**m. Mayor’s Update – Benitez**

Mayor Benitez updated that Telluride Mountain Village Owners Association (TMVOA), Telluride Ski and Golf (TSG), and the Town of Mountain Village are working together to get through the challenging holiday season. They are brainstorming for alternative activities to and how to get the message out to guests. Ms. Montgomery added that the Town would be willing to purchase yellow Guest Services jackets so that Town staff can assist with the holiday crowds and direct them to different activities if needed. The Mayor reported that twenty-six people attended the Merchants Meeting on December 13.

**Other Business (20)**

Mayor Benitez asked Director of Public Works Finn Kjome for an update on the status of the exhaust system that is part of the Sunset Plaza boiler system and how this will be hidden. Mr. Kjome stated that as soon as the Town owns the system they will build covers and paint them to blend in.

Mayor Benitez stated that Holiday Prelude will be December 16<sup>th</sup> and 17<sup>th</sup>. She encouraged everyone to participate in the fun. The Mayor thanked TSG for offering free hotel rooms to gondola staff and maintenance workers who had been working around the clock to repair a bull wheel and get the gondola up and running with little or no interruptions in service.

There being no further business, on a **MOTION** by Dan Caton and seconded by Patrick Berry, Council voted unanimously to adjourn the meeting at 3:30 p.m.

Respectfully prepared,

Susan Johnston  
Deputy Town Clerk

Respectfully submitted,

Jackie Kennefick  
Town Clerk

DRAFT

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF  
MOUNTAIN VILLAGE, COLORADO  
REGARDING POSTING LOCATIONS FOR  
ORDINANCES AND PUBLIC MEETINGS**

**NO. 2018-0118-**

**RECITALS:**

- A.** The Open Meetings law (The Sunshine Law) was enacted by the Colorado State Legislature on April 29, 1991, and this law declares that the formation of public policy is public business and may not be conducted in secret; and
- B.** The Town of Mountain Village, Town Council (the “Town Council”) has determined that it is in the best interest of the citizens of the Town of Mountain Village to post a listing of public meetings as provided in this resolution; and
- C.** The Sunshine Law also stipulates that the public place or places for posting such notices shall be designated annually; and
- D.** Article V. Section 5.9. of the Town Charter requires this Town Council to designate at least three (3) public places and at the office of the Town Clerk in the Town of Mountain Village for the posting of ordinances and other public notices.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE AS FOLLOWS:**

Posting locations to give notice of ordinances and other public notices shall be as follows:

- 1. Mountain Village Town Hall
- 2. Mountain Village Town Hall Post Office
- 3. Mountain Village Police Station Bulletin Board
- 4. Meadows Post Office

**ADOPTED AND APPROVED** by the Town Council, at a regular meeting held on the 18th day of January 2018.

TOWN OF MOUNTAIN VILLAGE TOWN COUNCIL

By: \_\_\_\_\_  
Laila Benitez, Mayor

ATTEST:

By: \_\_\_\_\_  
Jackie Kennefick, Town Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
James Mahoney, Assistant Town Attorney

# Town of Mountain Village

**Date:** 1/11/2018  
**To:** Town Council, Acting as the Liquor Licensing Authority (LLA)  
**From:** Susan Johnston, Deputy Town Clerk  
**RE:** January 2018 Local Liquor Licensing Authority Agenda Item

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## **Consideration of Re-certification of the Mountain Village Promotional Association and Common Consumption Area**

In 2012, the Town authorized by Ordinance 2012-03, the creation of an Entertainment District which allows the consumption of alcoholic beverages in a common consumption area. The Promotional Association was established to oversee the Entertainment District and must be re-certified annually by Town Council acting as the Local Liquor Licensing Authority. The complete application has been submitted and all required documentation and fees have been received. The application has been reviewed by Assistant Town Attorney Jim Mahoney and Police Chief Chris Broady and there were no adverse findings.

**Staff recommendation:** Motion to approve the re-certification of the Mountain Village Promotional Association and Common Consumption Area with the following condition:

Applicant shall provide updated insurance certificates to the Clerk’s Office prior to May 1, 2018 to show coverage for the remainder of the 2018 calendar year



**TOWN OF MOUNTAIN VILLAGE  
PROMOTIONAL ASSOCIATION/ COMMON CONSUMPTION AREA  
CERTIFICATION RENEWAL REQUEST**

Promotional Association Name (exactly as it appears on incorporation documents):

**Mountain Village Promotional Association**

Description of Common Consumption Area Boundaries:

The common consumption area will be defined per event and may include one or more of the plazas that make up the Mountain Village Core.

Mailing Address of Promotional Association:

**113 Lost Creek Lane Suite A, Mountain Village, CO 81435**

Primary Contact:  
Anton Benitez

Primary Contact Phone Number:  
970-728-1904

Primary Contact Email Address:  
anton@tmvoa.org

The following must accompany this Promotional Association/Common Consumption Area Certification Request:

- \$250 for Annual Renewal Fee
- Copy of Articles of Incorporation and Bylaws
- List of all Directors and Officers of the Promotional Association
- List of all the licensed premises in the Promotional Association
- List of any changes from the original certification    No Changes
- Detailed map of the Common Consumption Area including:
  - Location of physical barriers
  - Entrances and exits
  - Location of attached licensed premises
  - Identify licensed premises adjacent to but not attached to the Common Consumption Area
  - Approximate location of security personnel
- Written detailed description of Security Arrangements with the Common Consumption Area
- A list of dates and hours of operation of the Common Consumption Area for upcoming calendar year
- Documentation showing possession of the Common Consumption Area
- List of Attached Licenses listing the following information: State Liquor License number, list of any past liquor violations, and copy of any operational agreements
- Documentation of the reasonable requirements of the neighborhood, the desires of the adult inhabitants as evidenced by petitions, remonstrances or otherwise.
- Insurance Certificate of General Liability and Liquor Liability naming the Town of Mountain Village as an additional insured



**TOWN OF MOUNTAIN VILLAGE  
 PROMOTIONAL ASSOCIATION/ COMMON CONSUMPTION AREA  
 CERTIFICATION RENEWAL REQUEST**

Please mark below which days and hours the Common Consumption Area will be open and operational. See Events Calendar

	Mondays	Tuesdays	Wednesdays	Thursdays	Fridays	Saturdays	Sundays
January							
February							
March							
April							
May							
June							
July							
August							
September							
October							
November							
December							

Report to the Town Clerk any deviation from this schedule at least fifteen (15) days prior to the proposed new date and time.



**PROMOTIONAL ASSOCIATION/ COMMON CONSUMPTION AREA  
CERTIFICATION RENEWAL REQUEST**

**CERTIFICATION OF APPLICANT**

I hereby certify that the information contained in this certification request and all attachments is true, correct, and complete to the best of my knowledge and that it is my responsibility and the responsibility of my agents/ employees and Board of Directors to comply with all applicable local and state laws, rules, and regulations as they relate to the serving, selling and distribution of alcohol beverages.

Authorized Signature

1/4/18

Date

Executive Director

Title

---

**REPORT AND APPROVAL OF THE LOCAL LIQUOR LICENSING AUTHORITY**

Jackie Kennefick  
Town Clerk  
Town of Mountain Village

Date

**TOWN OF MOUNTAIN VILLAGE  
PROMOTIONAL ASSOCIATION/ COMMON CONSUMPTION AREA**

## **CERTIFICATION RENEWAL REQUEST**

### **PROMOTIONAL ASSOCIATION/ COMMON CONSUMPTION AREA GENERAL GUIDELINES:**

- ✓ The size of Common Consumption Area is to be contained wholly within an Entertainment District which has been defined by the Mountain Village Municipal Code;
- ✓ Common Consumption Areas are to be clearly delineated using physical barriers to close the area to motor vehicle traffic and limit pedestrian access;
- ✓ Alcohol beverages sold or served within the Common Consumption Area shall be served in a container that is no larger than 16 ounces, is disposable and contains the name of the vendor in at least 24 point font type;
- ✓ Proof of Needs and Desires of the Neighborhood is required as evidenced by petitions, written testimony, verbal testimony at the public hearing, letters of support, etc., and shall be submitted at least eight days prior to the scheduled public hearing. If a petition is chosen as one method of proving the neighborhood needs and desires, the applicant must use petitions approved by the Town Clerk's Office;

#### **Revisions and amendments to this original application for Common Consumption Area**

- ✓ Designation shall be reported to the Mountain Village Liquor Licensing Authority and approved using the same procedures under which this original request for certification was made;
- ✓ Application for attachment of a licensed establishment to an already certified Common Consumption Area shall include an authorization from the Certified Promotional Association, the name of the representative from the licensed establishment that will be serving on the Board of Directors, and an amended map depicting the licensed establishments that are adjacent to but not attached to the Common Consumption Area;
- ✓ The Mountain Village Liquor Licensing Authority shall consider the merits of the application for a Promotional Association of a Common Consumption Area and may refuse to certify or may decertify a Promotional Association if the Association: 1) Fails to submit the annual report as required by January 31<sup>st</sup> of each year; 2) Fails to establish that the licensed premises and Common Consumption Area can be operated without violating the State or local Liquor Codes or creating a safety risk to the neighborhood; 3) Fails to have at least two licensed establishments attached to the Common Consumption Area; 4) Fails to obtain or maintain a properly endorsed general liability and liquor liability insurance policy that is reasonably acceptable to the Mountain Village Liquor Licensing Authority and names the Town of Mountain Village as an additional insured; 5) Fails to demonstrate that the use is compatible with the reasonable requirements of the neighborhood or the desires of the adult inhabitants; or 6) Is in violation of 12-47-909, Colorado Revised Statutes, as may be amended from time to time, related to Common Consumption Area operations
- ✓ Application for Recertification of a Promotional Association must be made by January 31 of each year



Colorado Secretary of State  
 Date and Time: 04/02/2014 10:42 PM  
 ID Number: 20141221775  
 Document number: 20141221775  
 Amount Paid: \$50.00

Document must be filed electronically.  
 Paper documents are not accepted.  
 Fees & forms are subject to change.  
 For more information or to print copies  
 of filed documents, visit [www.sos.state.co.us](http://www.sos.state.co.us).

ABOVE SPACE FOR OFFICE USE ONLY

**Articles of Incorporation for a Nonprofit Corporation**  
 filed pursuant to § 7-122-101 and § 7-122-102 of the Colorado Revised Statutes (C.R.S.)

1. The domestic entity name for the nonprofit corporation is Mountain Village Promotional Association.  
*(Caution: The use of certain terms or abbreviations are restricted by law. Read instructions for more information.)*

2. The principal office address of the nonprofit corporation's initial principal office is

Street address 113 Lost Creek Lane, Suite A  
*(Street number and name)*

Mountain Village CO 81435  
*(City) (State) (ZIP/Postal Code)*

United States  
*(Province - if applicable) (Country)*

Mailing address  
*(leave blank if same as street address)*

(Street number and name or Post Office Box information)

(City) (State) (ZIP/Postal Code)

(Province - if applicable) (Country)

3. The registered agent name and registered agent address of the nonprofit corporation's initial registered agent are

Name  
 (if an individual) Solomon Joseph A.  
*(Last) (First) (Middle) (Suffix)*

**OR**

(if an entity)  
*(Caution: Do not provide both an individual and an entity name.)*

Street address 227 West Pacific Avenue, Suite A  
*(Street number and name)*

Telluride CO 81435  
*(City) (State) (ZIP Code)*

Mailing address  
(leave blank if same as street address)

PO Box 1748

(Street number and name or Post Office Box information)

Telluride

(City)

CO

(State)

81435

(ZIP Code)

(The following statement is adopted by marking the box.)

- The person appointed as registered agent above has consented to being so appointed.

4. The true name and mailing address of the incorporator are

Name  
(if an individual)

Solomon

(Last)

Joseph

(First)

A.

(Middle)

(Suffix)

**OR**

(if an entity)

(Caution: Do not provide both an individual and an entity name.)

Mailing address

PO Box 1748

(Street number and name or Post Office Box information)

Telluride

(City)

CO

(State)

81435

(ZIP/Postal Code)

United States

(Country)

(Province – if applicable)

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

- The corporation has one or more additional incorporators and the name and mailing address of each additional incorporator are stated in an attachment.

5. (If the following statement applies, adopt the statement by marking the box.)

- The nonprofit corporation will have voting members.

6. Provisions regarding the distribution of assets on dissolution:

Upon dissolution, after payment of all liabilities, the assets are to be distributed to the Members of the corporation in accordance with their Membership interests.

7. (If the following statement applies, adopt the statement by marking the box and include an attachment.)

This document contains additional information as provided by law.

8. (Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document is/are \_\_\_\_\_.  
(mm/dd/yyyy hour:minute am/pm)

**Notice:**

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes. This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is named in the document as one who has caused it to be delivered.

9. The true name and mailing address of the individual causing the document to be delivered for filing are

Solomon	Joseph	A.	
<small>(Last)</small>	<small>(First)</small>	<small>(Middle)</small>	<small>(Suffix)</small>
227 West Pacific Avenue, Suite A			
<small>(Street number and name or Post Office Box information)</small>			
PO Box 1748			
Telluride		CO	81435
<small>(City)</small>	<small>(State)</small>	<small>(ZIP/Postal Code)</small>	
United States			
<small>(Province – if applicable)</small>		<small>(Country)</small>	

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

**Disclaimer:**

This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).

**Mountain Village Promotional Association, a Colorado nonprofit corporation  
Bylaws**

**Article 1  
Purpose**

The purpose of the Mountain Village Promotional Association, a Colorado nonprofit corporation (the "Corporation") is to serve as a promotional association to be certified by the Town of Mountain Village (the "Town") pursuant to C.R.S. sec. 12-47-301(11) and as more fully described in Town Ordinance No. 2012-03 (the "Ordinance"). As set forth in the Ordinance, the Town has created an Entertainment District and established application procedures, fees and hours of operation for common consumption areas, to be managed by the certified promotional association.

**Article 2  
Principal Office**

The current principal office of Mountain Village Promotional Association, a Colorado nonprofit corporation (the "Corporation") is located at:

113 Lost Creek Lane, Suite A  
Mountain Village, Colorado 81435

The principal office may be changed by the Board of Directors.

**Article 3  
Board of Directors**

Section 1. Board Number and Qualifications. The Board of the Corporation must include, at a minimum, all liquor license holders who choose to participate in the Promotional Association. If a liquor license holder within Mountain Village initially chooses not to participate in the Promotional Association and then later decides to participate, they must be added to the board of directors. At the option of the members, there may also be directors elected who are not liquor license holders.

A Director must be a current Town of Mountain Village business owner, or if the business is a business entity, a duly appointed representative of such entity actively engaged in the business. Directors shall serve a term of three (3) years. Directors may be elected for successive terms. Initial terms may be staggered so as to provide for continuity in management. The initial Directors and their terms shall be:

<u>Name</u>	<u>Initial Term</u>
Stephen Roth - TSG	3 years
Adam Singer – Poachers Pub	2 years

Mountain Village Promotional Association / Bylaws p. 1 of 4

Todd Gehrke – Hotel Madeline	1 year
Stefano Canclini – La Piazza	3 years
Tom Richards – Telluride Conference Center	3 years
Greg Pope – TMVOA	3 years

Section 2. Vacancies. Vacancies on the Board of Directors may be filled for the unexpired term of the predecessor in office by a majority vote of the remaining Directors at any meeting of the Board of Directors. A vacancy created by an increase in the number of Directors may be filled for a term of office continuing only until the next election of Directors.

Section 3. Power and Duties of the Directors. The Board of Directors shall have control and general management of the affairs, property and business of the Corporation and, subject to these Bylaws, may adopt such rules and regulations for that purpose and for the conduct of its meetings as the Board of Directors may deem proper. The powers shall include but not be limited to the appointment and removal of the officers of the Corporation.

Section 4. Election of Directors. The election of Directors shall be at the annual meeting of the Board. The Board shall by majority vote elect Directors.

#### Article 4 Meetings of Directors

Section 1. Meetings. Regular and special meetings of the Board Directors shall be held on at least two (2) but no more than thirty (30) days written notice to the Directors. Directors may waive notice as provided in C.R.S. sec. 7-128-204. Agendas for meetings of the Board shall be made reasonably available for examination by the members or their representatives.

Section 2. Quorum and Voting. A quorum of the Board of Directors consists of a majority of the number of Directors in office immediately before the meeting begins. The affirmative vote of a majority of Directors present is the act of the Board of Directors unless the vote of a greater number of Directors is required by law.

Section 3. Proxies. Votes of Directors may be cast in person or by proxy. A Director may only appoint another Director to act pursuant to such Director’s proxy. Every proxy must be in the form approved by the Board of Directors and must be executed in writing by the Director or such Director’s duly authorized attorney-in-fact. No proxy shall be valid after the expiration of eleven months from the date of its execution, and every proxy shall automatically cease at such time as the Director granting the proxy no longer qualifies as a Director for which vote the proxy was given.

Section 4. Action Without Meeting. Any action required or permitted to be taken at a Board of Directors' meeting may be taken without a meeting in compliance with C.R.S. sec. 7-128-202.

Article 5  
Officers and Duties

Section 1. Officers. The officers of the Corporation shall consist of (1) a president, (2) a vice president, (3) a secretary, (4) other officers as determined by the Board. Any two or more offices may be held by the same person, except the offices of president and secretary. The offices of president, vice president and secretary shall be members of the Board. Officers shall be elected by the Members at the annual. A vacancy in any office may be appointed by the Board of Directors at any regular or special meeting called for that purpose.

Section 2. President. The president shall preside at all meetings of the members and the Board of Directors, and may have any other powers and duties as may be conferred by the Board of Directors. The president shall, subject to the direction and supervision of the Board of Directors, be the chief executive officer of the Corporation and shall have general and active control of its affairs and business and general supervision of its officers, agents and employees. The president shall have the authority to sign all contracts and other instruments on behalf of the Corporation, as approved by the Board of Directors from time to time.

Section 3. Vice President. The vice president shall have the duties that the Board of Directors or the president may delegate to them from time to time. In the absence of the president or the president's inability to act, the duties and powers of the office shall be performed and exercised by a vice president.

Section 4. Secretary. The secretary shall have the responsibility for the preparation and maintenance of minutes of the Directors' and members' meetings and other records and information required to be kept by the Corporation and for authenticating records of the Corporation. The secretary shall perform all duties usually incident to the office of the secretary, those duties specified in these Bylaws, and other duties that may from time to time be delegated by the Board of Directors.

Section 6. Other. The Board of Directors may appoint such other officers as it deems prudent and necessary, including a Corporation Executive Director and/or CEO. The Board may assign such reasonable duties to such officers as the Board may establish by resolution.

Article 6  
Memberships

Section 1. Members. Members of the Corporation shall be business owners in the Town of Mountain Village or, in the event the business is a business entity, a duly appointed representative of such entity. Members shall have voting rights with respect to election of Directors. Members shall not have voting rights with respect to budget approval and other matters.

Section 2. Meetings. Regular and special meetings of the members shall be held on at least ten (10) but no more than sixty (60) days written notice to the members, as more fully

described in C.R.S. sec. 7-127-104. Members may waive notice as provided in C.R.S. sec. 7-127-105.

Section 3. Action Without Meeting. Any action required or permitted to be taken at a members' meeting may be taken without a meeting in compliance with C.R.S. sec. 7-127-107 or by written ballot pursuant to C.R.S. sec. 7-127-109.

Article 7  
Budget and Fiscal Year

Section 1. Budget. The Board of Directors shall, prior to the beginning of any fiscal year, adopt a budget which shall include: (a) the estimated operating costs and expenses and proposed capital expenditures which will be chargeable to the Corporation to fulfill its obligations; (b) the estimated income and other funds which will be received by the Corporation; and (c) the estimated total amounts required to be raised by member dues to cover such costs, expenses and capital expenditures of the Corporation and to provide a reasonable reserve. Prior to adopting a budget for each fiscal year, the Board of Directors shall call a meeting of the members and provide notice of the time and place thereof to all members at least ten (10) but no more than fifty (50) days prior to such meeting. After issuance of notice of meeting, the Board of Directors shall make copies of the proposed budget available to all interested members. At such meeting, members shall have the right to be heard concerning the budget; however, the Board of Directors shall retain the sole power to approve the budget.

Section 2. Fiscal Year. The fiscal year of the Corporation shall be from January 1st through December 31st of each year.

Article 8  
Amendment of Bylaws

The Board of Directors may amend these Bylaws at any time to add, change, or delete a provision, in compliance with C.R.S. sec. 7-130-201 et seq. If any amendments require member approval pursuant to such statutes, such member approval shall be obtained.

Adopted by the Board of Directors at their first duly organized meeting on  
4/4, 2014.

STEPHEN A ROTH  
~~\_\_\_\_\_~~ President

Attest: Todd Gehlke  
~~\_\_\_\_\_~~ Secretary

**Mountain Village Promotional Association  
Directors and Officers**

President: Adam Singer  
Poachers Pub

Vice President: TBD  
Madeline Hotel & Residences

Secretary: Jeff Badger  
Chairman of Merchant's Association & Siam's Talay

Director: Anton Benitez  
Telluride Mountain Village Owners Association

Director: Evan Slusher  
Manager of Siam's Talay

**List of Licensed Premises & State Liquor License Numbers**

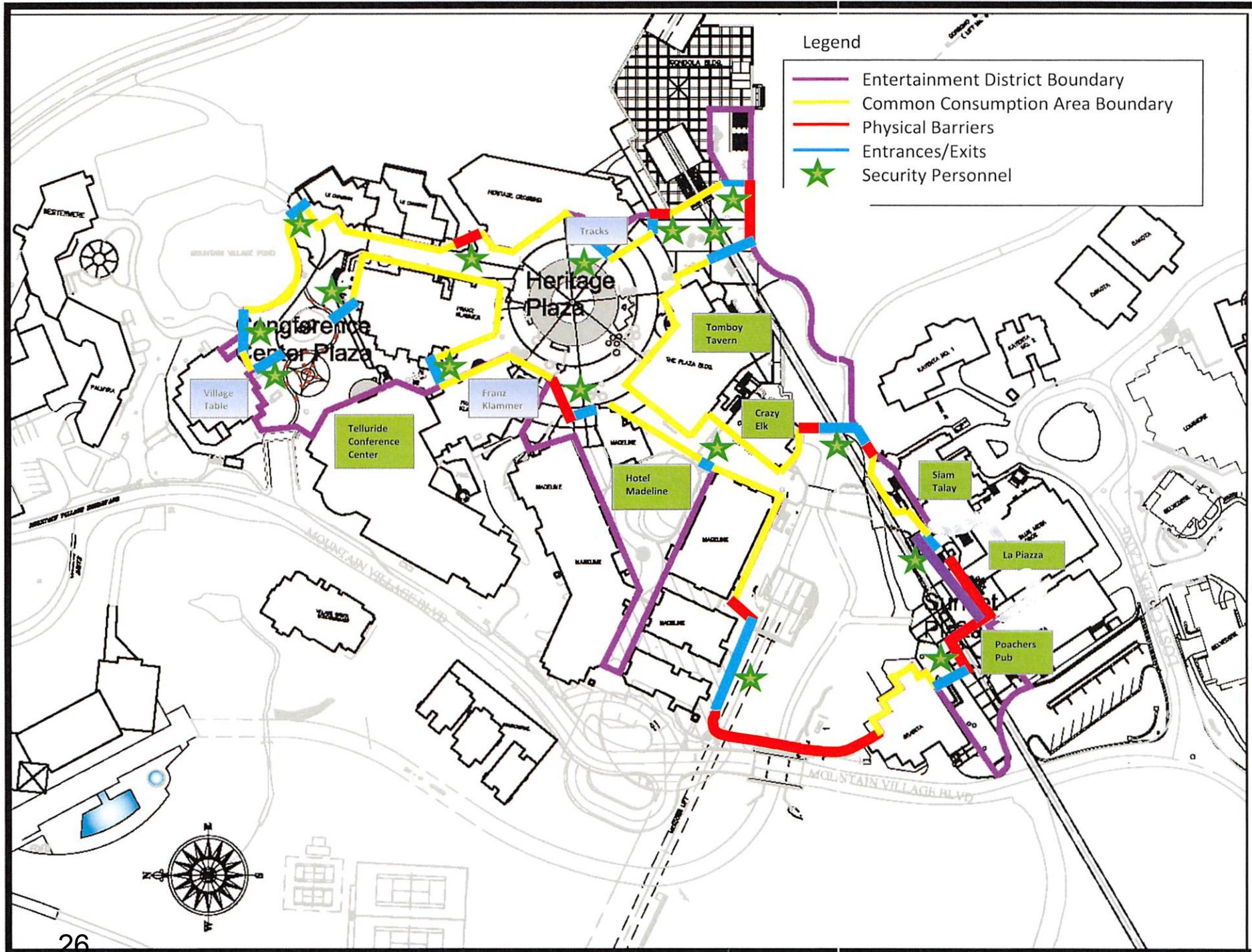
Licensed Premises in Promotional Association	State Liquor License #	Liquor Violations	Operational Agrmnts	Square Footage
Telski (Crazy Elk, Tomboy Tavern and Siam Talay)	40919590001	N/A	N/A	8474
Telluride Conference Center	4700972	N/A	N/A	7780
Poachers Pub	24934470000	N/A	N/A	1370
Hotel Madeline	42970090000	N/A	N/A	444,360

**Total Square Feet of Licensed Premises**

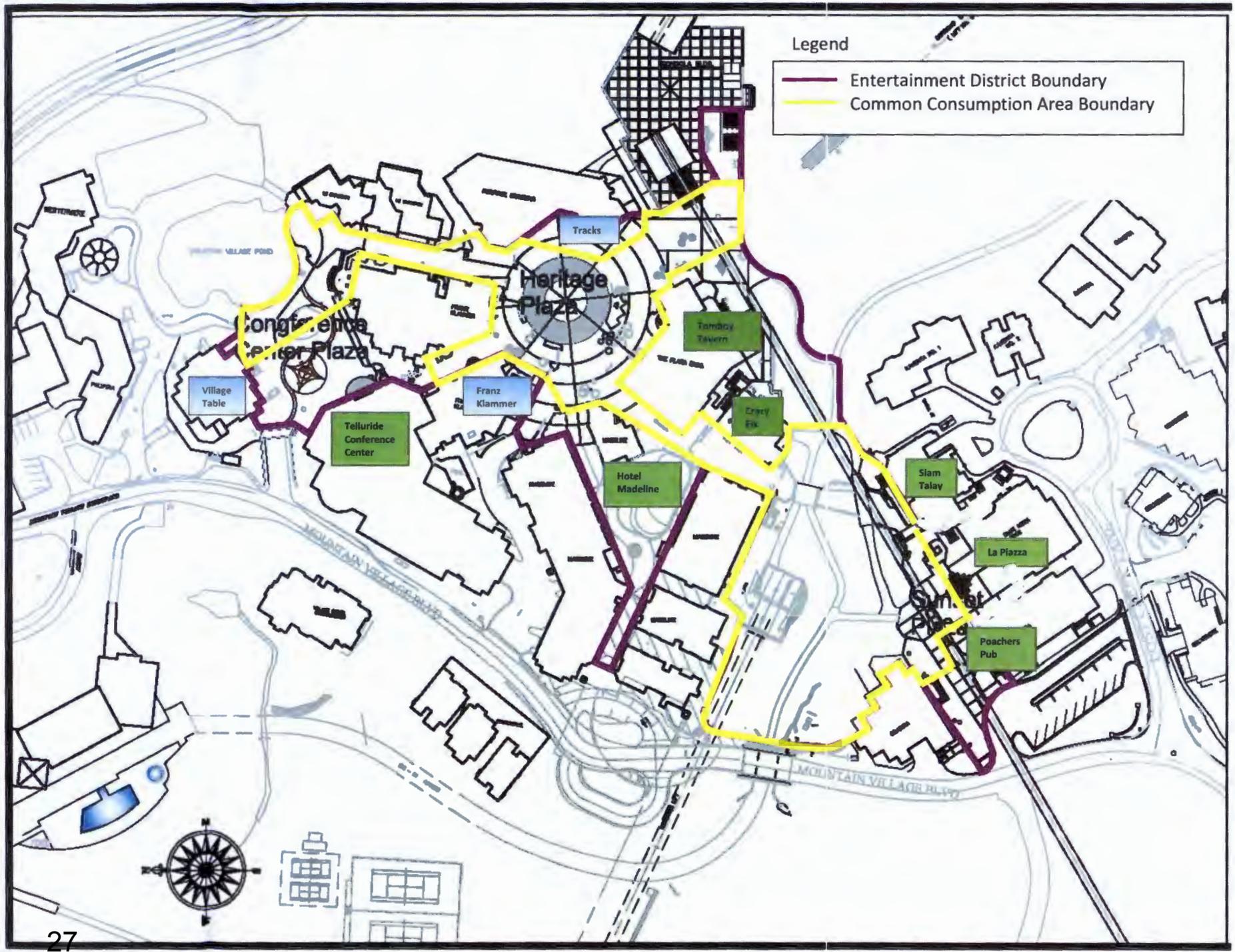
**461984**

Licensed Premises not in Promotional Association	Location
Tracks	Heritage Plaza
The Village Table	Conference Center Plaza
Franz Klammer	Heritage Plaza
La Piazza/La Pizzeria	Sunset Plaza

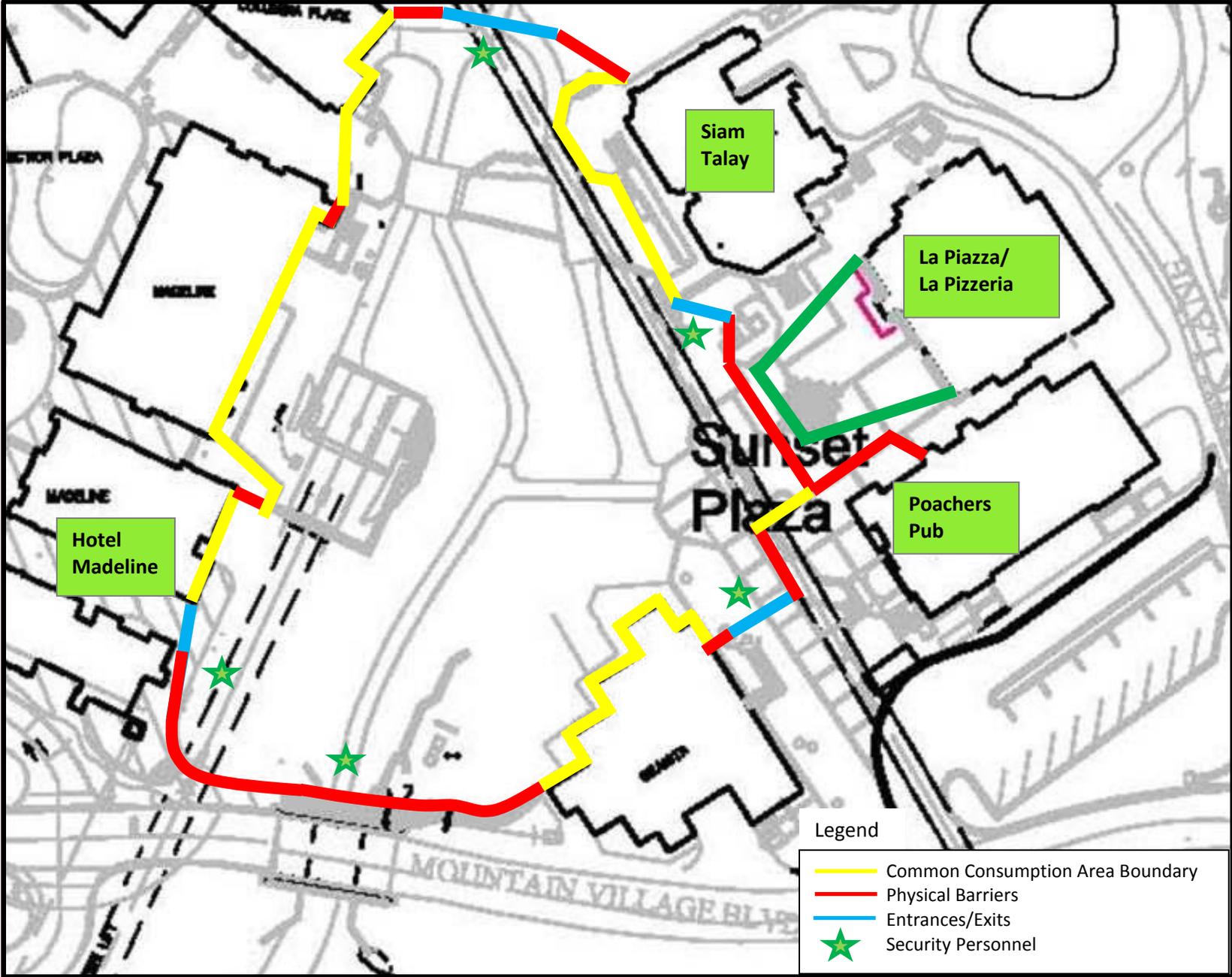
# Common Consumption Area Boundary Map with Barriers, Entrances & Security



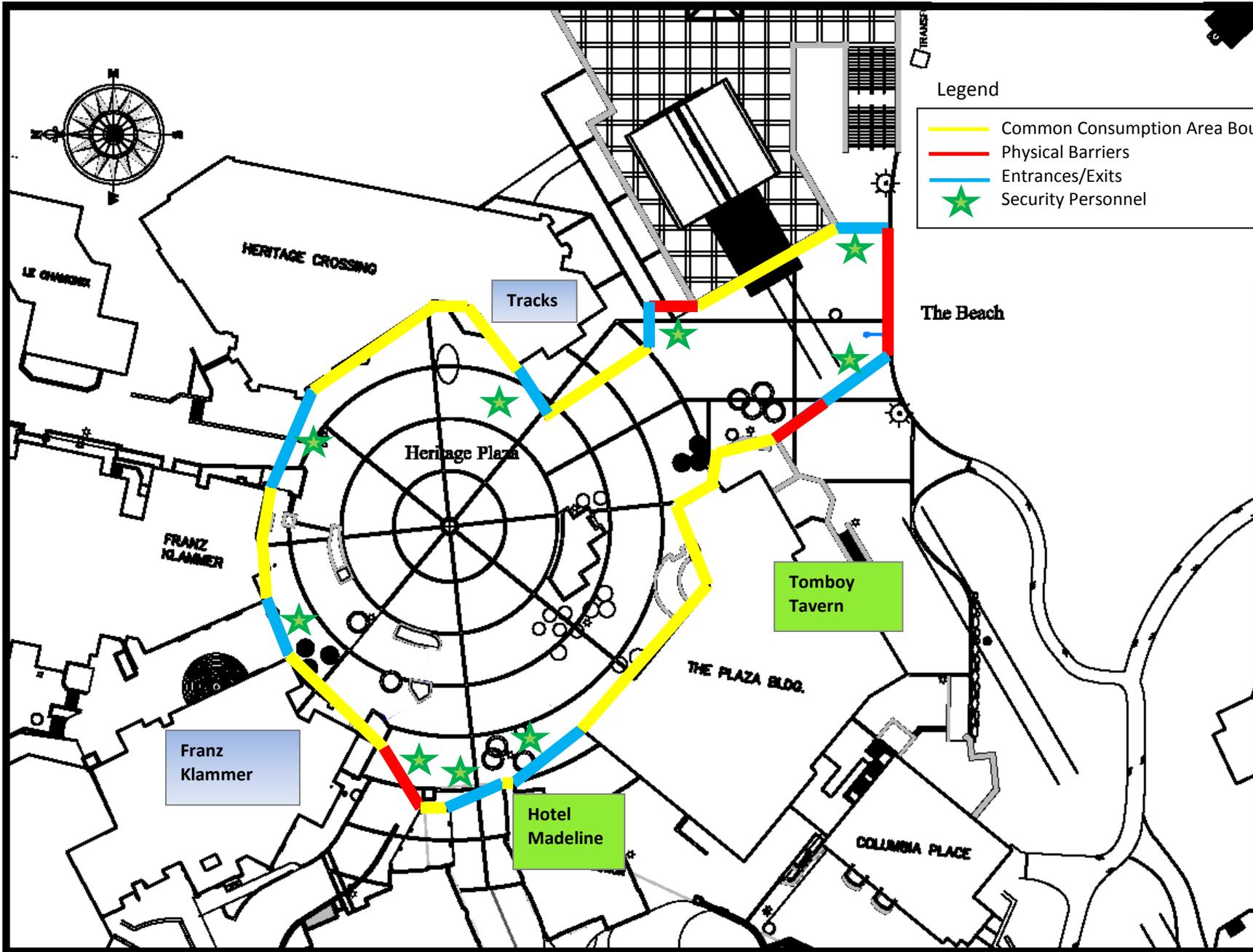
# Common Consumption Area Boundary Map with Licensed Establishments



# Common Consumption Boundary for Sunset Plaza



# Common Consumption Area Boundary for Heritage Plaza



## **Mountain Village Promotional Association 2018 Security Plan**

The purpose of this document is to outline the procedures for the setup, enforcement and tear down of the barriers for the Sunset Plaza common consumption area during the following events:

- FirstGrass Concert: 6/20
- Sunset Concert Series: 6/27, 7/11, 7/18, 7/25, 8/1, 8/8, and 8/15
- Red White and Blues Concert: 7/3 & 7/4
- The Ride Festival Presents an Evening of Rock and Roll Concert: 7/13
- Sunset Blues Concert: 9/13

A separate security plan will be provided at least 14 days prior to any additional events that will require use of a common consumption area and are not currently listed here (see Schedule A).

Three liquor license holders will be participating in the common consumption area for the Sunset Concerts and are; Poachers Pub, Siam Talay and Hotel Madeline. The Mountain Village Promotional Association will hire the necessary security staff for a total of 6-8 security personnel to cover the area. Please see attached map (Schedule B) for distribution of staff. Each liquor license holder will be responsible for managing the crew on a rotational basis starting with the first concert on June 14<sup>th</sup>. The responsible manager will be named and such name will be provided to the Town at least 3 business days prior to each event. Such manager shall be the primary point of contact for the Town for each event. The responsible manager shall meet with the Town's chief of police or his designee at least 48 hours prior to the event to go over any potential issues and security concerns with the event and common consumption area.

The MVPA has standard operating procedures/standard talking points so that each security team member will be delivering a consistent message during each event.

If there are issues after the first event, the Town may require all of the managers of the participating liquor license holders to meet with the Town in order to refine the security procedures for the next event and may require additional changes to this security plan based on any such issues.

All security personnel shall wear a shirt clearly identifying such person as security personnel for the event.

### **The work day schedule:**

- Set up will begin at 4:00pm.
- Responsible manager shall meet with all security personnel to go over responsibilities and duties of each person.
- Monitoring of the area will begin 1 hour prior to the beginning of the concert (see attached Calendar of Events for approximate start times). Monitoring shall include checking all early entrants to the concert area for outside alcohol and informing them of the common consumption area rules. All entrance and exit to the concert area

during the monitoring period shall be through the approved ingress and egress points to the common consumption area.

- Monitoring will continue until 30 minutes after the concert has ended (approximately 8:30pm for all concerts, see attached Calendar of Events for approximate end times). The post show monitoring shall include a sweep to insure all alcoholic beverages are removed from the common consumption by the end of the post-concert monitoring time.
- Breakdown of barriers and clean up area will be conducted.

### **Security Plan and Training:**

- Each Promotional Association Board Member will be scheduled a shift as Manager on Duty (M.O.D.) to coordinate the efforts of the security staff. The Promotional Association will provide the Town with the Manger on Duty Schedule and contact information for each concert at least 3 days prior to each event.
- The M.O.D. will be responsible for making sure that the barriers are properly set-up and that each entrance is properly staffed according to the map provided.
- Security staff will be provided with uniforms and will be given a list of Standard Operating Procedures prior to each event.
- All security personnel will complete the server and seller training program (TIPS or ServSafe) established by the Director of the Liquor Enforcement Division of Revenue as required by law. Each establishment will provide a list of the names and date of completion of training for their security staff.
- Security staff will be instructed to check coolers/bags to ensure no alcoholic beverages are permitted into the Common Consumption Area, and will be responsible for ensuring that no alcoholic beverages leave the Common Consumption Area. Recycling and trash cans shall be available at all entrance and exit points.
- ID's will be checked at the point-of-sale for each licensed establishment.
- Each licensed establishment will be responsible for ensuring that no alcoholic beverages from an outside establishment are brought into their licensed area.
- Per the recommendation of the insurance carrier, the Mountain Village Promotional Association will agree to comply with the loss control recommendation to post the drinking age limit in the common consumption area during all events.

### **Barriers and Signage:**

- The boundary of the Common Consumption Area will be defined using a combination of natural barrier, fencing and rope & stanchion. (See attached photos of the fencing being proposed to define the barriers.)
- Signage will be posted at the gondola stations and all entrances to the Common Consumption Area stating "Common Consumption Area in effect. No outside alcoholic beverages will be allowed into the concert."
- Additional signs will be posted in the shuttle stations and around town to inform residents and guests of the policy.



**Schedule A**  
**Entertainment District 2018 Calendar of Events**

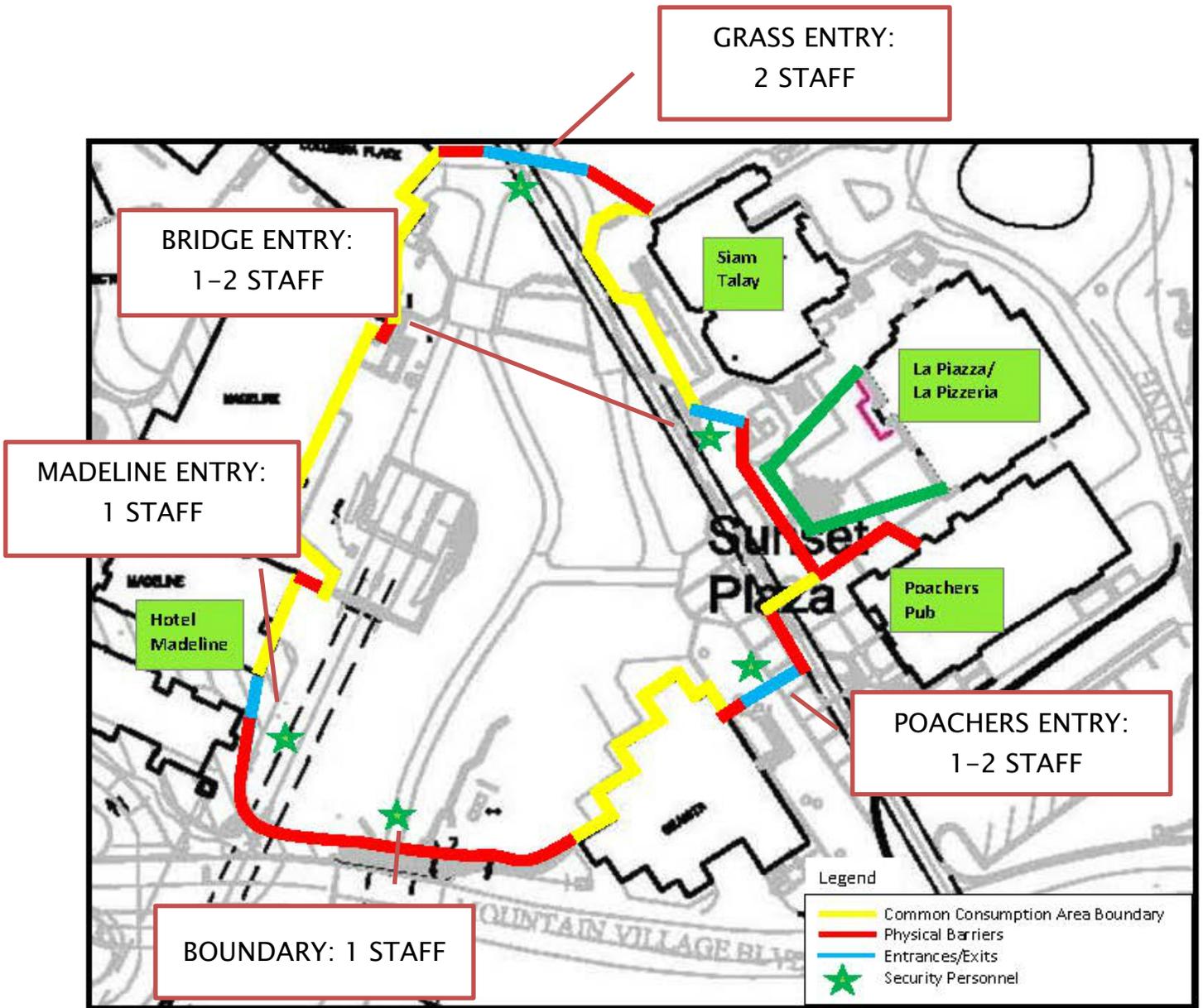
Date	Event	Talent	Time
6/20 Wed	FirstGrass Concert	TBD	5-8
6/27 Wed	Sunset Concert Series	TBD	6-8

7/3 Tuesday	Red, White & Blues Concert	TBD	1-6
7/4 Wed	Red, White & Blues Concert	TBD	1-6
7/11 Wed	Sunset Concert Series	TBD	6-8
7/13 Fri	Ride Fest Concert	TBD	5-8
7/18 Wed	Sunset Concert Series	TBD	6-8
7/25 Wed	Sunset Concert Series	TBD	6-8

8/1 Wed	Sunset Concert Series	TBD	6-8
8/8 Wed	Sunset Concert Series	TBD	5-7
8/15 Wed	Sunset Concert Series	TBD	5-7

9/13 Thurs	Sunset Blues Concert	TBD	5-7
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**Schedule B  
Common Consumption Boundary and Security for Sunset Plaza**



\*\*\* In addition to this above security, a MOD will be present to facilitate where needed.

## **MOUNTAIN VILLAGE PROMOTIONAL ASSOCIATION STANDARD OPERATING PROCEDURES FOR SECURITY**

### **Supervisor Checklist**

- There is a designated Manager on Duty (M.O.D.) and the Town has been notified of the M.O.D. at least 3 business days prior to the event
- The M.O.D. has confirmed that there is adequate security personnel staffed for the event
- The M.O.D. has met with all security personnel to go over the following standard operating procedures, responsibilities and duties
- The M.O.D. has assigned each security personnel to a designated check point/entrance
- The M.O.D. has confirmed that the barriers are properly set-up and that each entrance is staffed according to the Common Consumption Boundary Map
- The M.O.D. has confirmed that all Security Personnel have completed the server and selling training program (TIPS or ServSafe)
- The M.O.D. has confirmed that all Security Personnel are in uniforms clearly identifying such person as security and has provided necessary contact information to security

### **Set-up Checklist**

- The M.O.D. will review the standard operating procedures and assign staff a station for the concert in the pre-shift meeting
- Security staff will be responsible for setting up the fencing around the perimeter of the common consumption area
- Security staff will be responsible for setting up a table, signage and trash/recycling bins if applicable at their assigned station
- Security staff will be responsible for ensuring that there is adequate space for pedestrian traffic and directional signs will be set-up where needed

### **Security Checklist**

- Monitoring of the area will begin 1 hour prior to the beginning of the concert
- Monitoring shall include checking all early entrants to the concert area for outside alcohol and informing them of the common consumption area rules
- All guests must enter through one of the approved ingress/egress points to the concert
- Security will inform all concert goers that outside alcohol is not allowed and will search coolers, backpacks, bags and/or other containers for illegal beverages
- If outside alcoholic beverages are found, security will inform the guest that they cannot open or consume alcoholic beverages. Food items are allowed into the common consumption area
- Security will ensure that no alcoholic beverages leave the common consumption area
- Security will notify M.O.D. of any issues with drunk/disorderly patrons, and the M.O.D. will engage the local police force for conflict resolution
- Monitoring will continue until 30 minutes after the concert ended (approximately 8:30pm)
- The post show monitoring shall include a sweep to insure that all alcoholic beverages are removed from the common consumption area

### **Breakdown Checklist**

- Security staff will be responsible for breaking down the fencing around the perimeter of the common consumption area and putting in designated storage area
- Security staff will be responsible for putting away any tables, signage and trash/recycling bins if applicable from their assigned station
- Security staff will do a sweep of the grass to pick up and dispose of any trash



## 2018 Calendar

Date	Event	Talent	Time
6/20 Wed	FirstGrass Concert	TBD	5-8
6/27 Wed	Sunset Concert Series	TBD	6-8
7/3 Tuesday	Red, White & Blues Concert	TBD	1-6
7/4 Wed	Red, White & Blues Concert	TBD	1-6
7/11 Wed	Sunset Concert Series	TBD	6-8
7/13 Fri	Ride Fest Concert	TBD	5-8
7/18 Wed	Sunset Concert Series	TBD	6-8
7/25 Wed	Sunset Concert Series	TBD	6-8
8/1 Wed	Sunset Concert Series	TBD	6-8
8/8 Wed	Sunset Concert Series	TBD	5-7
8/15 Wed	Sunset Concert Series	TBD	5-7
9/13 Thurs	Sunset Blues Concert	TBD	5-7

**MOUNTAIN VILLAGE PROMOTIONAL ASSOCIATION  
PLAZA LICENSE AGREEMENT**

This License Agreement (the “**License Agreement**”) is made, effective as of the 31 day of January 2017, (the “**Effective Date**”), between the Mountain Village Promotional Association, a Colorado nonprofit corporation, (“**Licensee**”) and the Town of Mountain Village, a home-rule municipality and political subdivision of the State of Colorado (the “**Town**”). Licensee and the Town may be collectively referred to herein as the “**Parties**” or individually referred to herein as “**Party**”.

**RECITALS**

1. Licensee is promotional association, as defined by C.R.S. 12-47-103(24.5); which has been certified by the Town to operate a common consumption area as defined by C.R.S. 12-47-103(6.6).
2. Licensee applied and received approval from the Town for the certification as a promotional association and Common Consumption Area, a portion of which is located on Town owned Open Space Tract OS-3X (the “**Plaza**”) as depicted on Exhibit “A” attached hereto (the “**Town Plaza Area**”).
3. The Town desires to grant, and Licensee desires to accept, the license described below for purposes of allowing Licensee to (i) conduct and liquor operations in conformance with Licensees approval of a common consumption area in, on, and over the Town Plaza Area, all as further set forth below.

In consideration of the covenants and agreements set forth herein, and other good and valuable consideration, the receipt and sufficiency of which hereby are acknowledged and accepted, Licensee and the Town hereby agree as follows:

1. GRANT OF LICENSE. The Town hereby grants Licensee a license over the Town Plaza Area, as follows :
  - a. Licensee shall be permitted to have a common consumption area in accordance with Licensees approval of such common consumption area on the dates listed in the approval of such common consumption area and dates added pursuant to requirements of the approval of the common consumption area.
  - b. Licensee shall be permitted to place barriers, trash cans and other infrastructure as required by the approval of the common consumption area in order to operate the common consumption area.
  - c. Licensee shall be allowed to permit the consumption of alcohol on the Town Plaza Area including, in connection with its approval for the common consumption area, subject to applicable Town and/or other governmental laws, ordinances, and/or regulations.
2. TERM. This License Agreement shall commence on the Effective Date and shall terminate on January 30, 2019, unless terminated earlier pursuant to Paragraph 8 below (the “**Term**”). This License Agreement shall automatically renew for additional one year terms upon the successful recertification of the promotional association and common consumption area.

3. LOCATION.

- a. Licensee shall use signage, fencing and/or other physical markers/landmarks to designate the boundaries of the common consumption area in accordance with Licensee's approval of the common consumption area and shall comply with all security requirements of such approval. Such signage, fencing and or other physical markers, and other personal property of Licensee shall be removed immediately at the conclusion of each approved event.

4. USE.

- a. The Licensee shall ensure that no alcohol is sold, served or taken outside of the common consumption area.
- b. Licensee shall use and maintain the Town Plaza Area and common consumption area in accordance with all applicable health and safety laws, ordinances, and/or regulations for the protection of all users of the common consumption area and Town Plaza Area.
- c. Licensee shall ensure that adequate trash and recycling receptacles are placed in the common consumption area for each event.

5. MAINTENANCE.

- a. Licensee agrees to repair and/or replace any damage to any portion of the Town Plaza Area only to the extent any damages shall be caused by or in connection with Licensee's use thereof, (including, without limitation, the placement any personal property on the Town Plaza Area). All costs for such repair or replacement, and all work performed in connection therewith, shall be the responsibility of the Licensee. The Town, in its sole reasonable discretion, shall determine when the Town Plaza Area is in need of repair or replacement due to the activities of Licensee and/or its customers in the Town Plaza Area.
- b. Licensee shall clean the Town Plaza Area by removing debris, trash, sweeping and washing down the Town Plaza Area after each event.

6. INDEMNIFICATION. The Licensee agrees to indemnify, defend and hold harmless the Town and its agents and employees from and against all actual claims, actions, causes of action, demands, judgments, reasonable costs and expenses, and all damages of every kind and nature (exclusive of punitive damages) incurred by and on behalf of any person or other legal entity whatsoever, predicated upon injury to or death of any person or loss of or damage to property of whatever ownership, including the parties to this License Agreement and their agents and employees, arising out of or connected with, in any manner, directly or indirectly, the Licensee's operation and its use of the Town Plaza Area.

7. INSURANCE REQUIREMENTS.

- a. Licensee shall carry general liability insurance covering all, and liquor operations permitted pursuant to the License in an amount no less than \$1,000,000.00 for a single occurrence and \$1,000,000.00 in the aggregate, with the Town as a named insured on such policy. Licensee shall be required to provide to the Town a "Certificate of Insurance" evidencing such coverage for the Term of this License Agreement.

- b. The general liability insurance policy and the “*Certificate of Insurance*” must be effective for the Term of the License Agreement, commencing as of the Effective Date.
- c. The Licensee shall cease all operations on the Town Plaza Area and common consumption area immediately upon cancellation the insurance coverage required pursuant to this Paragraph 7, in accordance with any notice of cancellation received by Licensee.

#### 8. TERMINATION.

- a. Should any Party to this License Agreement fail to perform its obligations hereunder in strict compliance with the terms, covenants and conditions of this License Agreement, or otherwise default in the performance of any obligations contained in this License Agreement, the non-defaulting Party shall provide written notice to the defaulting Party of such default or breach (“**Notice of Default**”). If the defaulting Party has failed to cure or reasonably commence curing said default or breach within 10 business days after such Notice of Default is provided (an “**Uncured Default**”), the non-defaulting Party thereafter shall have the right to terminate this License Agreement, effective immediately upon providing the defaulting Party with written notice of such termination. In addition, in the event of an Uncured Default on behalf of Licensee, the Town shall have the right to partially terminate this License Agreement (in lieu of full termination) by revoking any specific right granted to Licensee, without limitation, removing any portion of the Outside Seating Areas from the License.
- b. In addition to, and separate from, the termination provisions set forth in Paragraph 8 a. above, this License Agreement may be terminated, as follows:
  - i. In the event that the promotional association or common consumption area is decertified or is not re-certified on an annual basis this License Agreement shall be automatically terminated.
- c. Upon any termination of this License Agreement, Licensee shall restore the Town Plaza Area to their original condition existing prior to the Effective Date, less normal wear and tear. Any personal property of Licensee placed temporarily on the Town Plaza Areas pursuant to the License shall be removed at the end of the Term at Licensee’s sole cost and expense.
- d. The Town shall have the right to terminate this License Agreement for convenience at the Town’s sole discretion and without penalty by giving Licensee thirty (30) days written notice of termination for convenience.

#### 9. HOURS OF OPERATION.

- a. Alcohol shall only be permitted in the Town Plaza Areas and common consumption areas during those hours as approved by the Town in the Licensees approval of the promotional association and common consumption area.

#### 10. LICENSE FEES.

- a. To be paid by the Licensee:
  - i. During the term of this License Agreement, the Licensee shall post a \$500.00 cash performance bond to assure full compliance with the terms hereof (the “**Performance Bond**”). The Performance Bond may be applied to any unpaid fines or charges outstanding for more than 45 days at any time during the Term. The Performance Bond



**If to the Town:**

Kim Montgomery, Town Manager  
Town of Mountain Village  
455 Mountain Village Blvd., Suite A  
Mountain Village, CO 81435  
Email: [kmontgomery@mtnvillage.org](mailto:kmontgomery@mtnvillage.org)  
Phone: (970) 728-8000

**(With a copy to):**

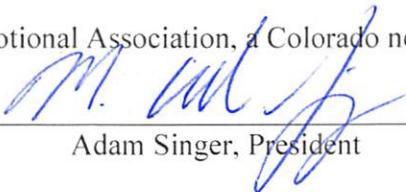
James Mahoney, Esq.  
J. David Reed P.C.  
1047 South 1<sup>st</sup> Street  
Montrose, CO 81401  
Email: [jmahoney@jdreedlaw.com](mailto:jmahoney@jdreedlaw.com)  
Phone: (970) 249-3806

*(Signature Pages Follow)*

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, effective as of the Effective Date.

LICENSEE:

Mountain Village Promotional Association, a Colorado nonprofit corporation:

By:   
Adam Singer, President

TOWN:

TOWN OF MOUNTAIN VILLAGE,  
a Colorado home-rule municipality  
and political subdivision of the state of Colorado

By: \_\_\_\_\_  
Kim Montgomery, Town Manager

Approved as to Form:

\_\_\_\_\_  
Jim Mahoney, Town Attorney

## EVENT LICENSE AND STAGE RENTAL AGREEMENT

**THIS EVENT LICENSE AND STAGE RENTAL AGREEMENT** (this "**Agreement**") is made and entered into this 30 day of March, 2017 (the "Effective Date"), by and between TSG SKI & GOLF, LLC, a Delaware limited liability company ("**TSG**") and Telluride Mountain Village Owners Association, a Colorado non-profit corporation ("**TMVOA**").

### RECITALS

- A. WHEREAS, TSG is the record owner of Open Space Tract OS-3CR (the "**TSG Open Space Tract**"), a parcel of land located within the Town of Mountain Village (the "**Town**") as shown on **Exhibit A** attached hereto;
- B. WHEREAS, TMVOA provides various services, functions and amenities within the Town for the use and enjoyment of residents and guests within the Town and members/owners of TMVOA;
- C. WHEREAS, as an amenity, TMVOA desires to host and operate various Events (defined below) that benefit the members/owners of TMVOA and business owners, residents and guests of Mountain Village and TSG on portions of the TSG Open Space Tract during the summer and fall months of 2017 – 2019.
- D. WHEREAS, TMVOA desires to obtain from TSG license rights to host and operate the Events on a portion of the TSG Open Space Tract and to lease certain equipment from TSG during the License Term (described below), and TSG has agreed to grant a license and lease equipment to TMVOA to host and operate the Events on a portion of the TSG Open Space Tract during the License Term, subject to the terms and conditions set forth herein.

### AGREEMENT

**NOW, THEREFORE**, in consideration of the promises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **GRANT OF LICENSE:** TSG hereby grants to TMVOA a non-exclusive license ("**License**") to use the TSG Open Space Tract for the Events (defined below) on the terms and conditions set forth herein. TMVOA and TSG acknowledge that the License granted herein and use of the TSG Open Space Tract during the License Term is limited to the Events described below and is provided by TSG to TMVOA free of charge for the use and enjoyment by the TMVOA general membership and the general public.
2. **EVENTS:** The "**Events**" that are the subject of this License Agreement are approved to be operated and conducted upon the TSG Open Space Tract during the License Term are as follows:

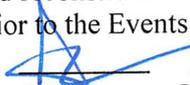
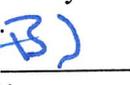
  
\_\_\_\_\_  
AB

  
\_\_\_\_\_  
BJ

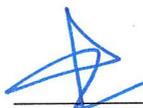
- A. Red, White & Blues Concert. Musical performance and related events and programs to be held on July 3 of each year during the License Term.
  - B. Other Events: Any Other Events from June through September, if the Event License Area (defined below) and Equipment (defined below) are both available and the Other Events are approved in writing by TSG. If TMVOA desires Other Events, TMVOA must notify TSG and TSG shall have five (5) business days to respond via e-mail to TMVOA, either approving or denying the Other Events, in TSG’s sole discretion, based upon availability of the Event License Area and Equipment.
3. **TERM/TERMINATION**: The License shall be effective for a period commencing on June 1, 2017, and terminating on September 15, 2019 (“**License Term**”) and may be terminated by either party without cause upon sixty (60) days prior written notice to the other party.
4. **USE AREA**: The Events shall be conducted and operated upon those areas of the TSG Open Space Tract depicted as “**Event License Areas**” on **Exhibit A** attached hereto and incorporated herein. The Events involve the erection of a stage and sound and video equipment on a portion of the Event License Areas and public seating occurring on the hillside, grassy portions of the Event License. A TSG banner will be prominently displayed on or near the stage at all Events showing TSG’s sponsorship of the Events.
5. **EQUIPMENT RENTAL**: TSG agrees to provide TMVOA the following equipment for rental: **Marshal Austin Portable Stage and accessories** (“Equipment”), as needed and as available during the License Term. TMVOA understands and agrees that TMVOA shall contract with and hire All Phases Events Group, LLC (“All Phases”), as the sole and exclusive company to transport, set up and take down the Equipment. All Phases and its agents, employees and subcontractors are the sole authorized personnel to provide services for transport, set-up and removal of Equipment for the Events and Additional Events and that set up and removal process of the equipment must occur under the direction, operation and management of All Phases (“Installation and Removal”). TMVOA understands and agrees that TSG will not be involved or assist in any way whatsoever with the Installation and Removal of the Stage. TMVOA further agrees and understands that any and all site fees or approvals for use of the Equipment and operation of the Event during the Term are the sole and exclusive responsibility of TMVOA. TMVOA understands, acknowledges and agrees that TSG accepts no responsibility or liability for any act, or omission or any injury or damage of any kind or nature arising from, or related to the Event, Additional Events or Equipment or Installation and Removal of the Equipment. TMVOA will reimburse TSG for out of pocket repair or moving expenses, if any.

  
\_\_\_\_\_  
AB  
\_\_\_\_\_  
BJ

- A. Rental Fee. A Rental Fee of **\$0.00** shall be due and payable to TSG upon execution of this Agreement. Separate and apart from Rental Fee, TMVOA agrees to sign a Promissory Note payable to Lessor in the amount of \$1,000 which shall be considered as a damage deposit (“Damage Deposit”). Said Note shall be cancelled upon satisfactory inspection by TSG at the conclusion of the License Term.
  - B. No Property Rights. The Equipment shall at all times remain and be the sole and exclusive property of TSG, and neither TMVOA nor its affiliates shall have any right or interest in and to the property, other than the right to use and possess the same, upon the conditions contained herein during the Term. The Equipment shall be used only by TMVOA, and their agents, officers, employees, subcontractors, operatives (“Authorized Parties”) in the direct employ of TMVOA. TSG and its employees and agents shall at all times have free access to the Equipment for the purpose of inspecting it or monitoring Equipment use and operation, or of altering, repairing, improving, or adding to it, or determining the nature or extent of its use, and TMVOA shall afford all reasonable access to facilities for this purpose.
  - C. Equipment Condition; Disclaimer. TMVOA leases the Equipment from TSG “AS IS” free of any representations or warranties, express or implied, of any kind or nature by TSG as to the value, condition quality, material, workmanship, design, capacity, merchantability, durability, fitness or suitability of the Equipment for any use or purpose. TMVOA agrees that upon set up, and prior to usage for the Event, TMVOA shall inspect the Equipment for damage and wear and tear and to note same to TSG prior to the Event. Failure of TMVOA to inspect as noted herein shall release TSG of any liability or responsibility associated therewith. TMVOA shall at its sole cost and expense during the Term keep and maintain the Equipment in good state of condition and repair, reasonable wear and tear excepted, and shall not permit anyone to injure, damage or deface any portion of the Equipment. Failure to report any damage to the Equipment by TMVOA shall entitle TSG to make reasonable and necessary repairs to the Equipment at the sole discretion of TSG, with notice provided to TMVOA, and permit TSG to deduct such repairs from the Damage Deposit upon completion of such repairs.
  - D. Costs for Damages/Repairs. Any damages to the Equipment incurred during the Term which is not caused by ordinary wear and tear shall be repaired at TMVOA’s sole cost and expense for parts costs and at a shop rate to be determined at the sole discretion of TSG. In the event damage to the Equipment occurs, TMVOA agrees to immediately notify TSG of such damage and to document (including photography or video) such damage for the purposes of inspection by TSG for determination of costs of repair of Equipment.
6. **MAINTENANCE AND OPERATIONS:** TMVOA shall, at its sole cost and expense: (i) incur all costs associated with the Events, (ii) ensure that all construction activities related to the Events are carried out in a workmanlike and professional manner; (iii) minimize disturbance to the natural condition of the surface area of the Event License Areas; and, (iv) promptly cause any disturbance to the natural condition of the surface area of the Event License Areas to be reseeded, recontoured and reconstructed as may be necessary to return such area as nearly as practicable to its condition prior to the Events.

   
 AB BJ

7. **INSURANCE:** TMVOA shall keep in full force and effect for the entire License Term a commercial general liability insurance policy (the "**Policy**") with minimum coverage limits of TWO MILLION DOLLARS (\$2,000,000.00) per occurrence and THREE MILLION DOLLARS (\$3,000,000.00) in the aggregate. Said Policy and coverage limits shall cover all types of liability associated with this Agreement, the Equipment and the License. TMVOA shall provide to TSG within seven (7) days of execution of this Agreement a certificate of insurance naming TSG as an additional insured on the Policy. TSG shall be given thirty (30) days written notice by certified mail of any cancellation or change in the Policy.
  
8. **INDEMNIFICATION:** TMVOA shall indemnify, defend and hold harmless TSG Ski & Golf, LLC, its parents, subsidiaries and affiliates and their respective insurance carriers, agents, employees, representatives, assignees, directors, officers, partners, members and/or shareholders from and against any and all liability, claims, liens, demands, actions and causes of action whatsoever (including attorney's fees and expenses) arising in connection with or related to (i) the Events, including, without limitation, any use of equipment, or (ii) any negligent or intentional act, error or omission of TMVOA, its directors or any TMVOA personnel during the Term of this Agreement and related to the Event and its production.
  
9. **COMPLETE AGREEMENT:** This Agreement expresses the full and complete understanding of the parties with respect to the terms and conditions set forth herein, and supersedes all prior and contemporaneous proposals, agreements, representations and understandings and may not be contradicted by evidence of any prior or contemporaneous agreement.
  
10. **GOVERNING LAW:** The parties hereto consent and agree that all legal proceedings relating to the subject matter of this Agreement shall be maintained and venue shall be proper in state courts sitting in San Miguel County, Colorado or Federal District Court of the State of Colorado.
  
11. **NOTICES:** All notices, notifications and other communications required or permitted by this Agreement shall be in writing and shall be delivered by hand, sent by telecopy (with confirmation of receipt), e-mailed, or mailed by registered or certified first class mail, return receipt requested (postage prepaid) to the parties at the following addresses:

  
\_\_\_\_\_  
AB

  
\_\_\_\_\_  
BJ

If to TMVOA:

Telluride Mountain Village Owners Association  
113 Lost Creek Lane, Suite A  
Mountain Village, CO 81435  
Attention: Anton Benitez  
Phone: (970) 728-1904  
Email: [tmvoa@tmvoa.org](mailto:tmvoa@tmvoa.org)

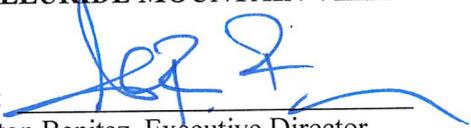
If to TSG:

TSG Ski & Golf, LLC  
565 Mountain Village Boulevard  
Mountain Village, CO 81435  
Attention: Bill Jensen  
Phone: (970) 728-7323  
Email: [bill@telski.com](mailto:bill@telski.com)

- 12. **Execution.** This Agreement may be signed in counterparts. All parties shall initial each page and sign below. A digital signed copy of this Agreement, whether a photocopy, fax or pdf, shall be effective as an original signed document.
- 13. **ASSIGNMENT:** This Agreement may not be assigned by any party without the express written consent of all the other parties.

**IN WITNESS WHEREOF**, the parties have executed this Agreement as of the date first above written.

**TELLURIDE MOUNTAIN VILLAGE OWNERS ASSOCIATION**

By:   
Anton Benitez, Executive Director

**TSG SKI & GOLF, LLC**, a Delaware limited liability company

By:   
Bill Jensen, CEO



**From:** Jack Schultz.  
**To:** [Heidi Stenhammer](#)  
**Subject:** Re: Sunset Concert Series Common Consumption Area  
**Date:** Thursday, January 4, 2018 3:36:33 PM

---

Hi Heidi,

We have no problem with and we support the Sunset Concert Series and common consumption area.

Thanks,  
Jack

Sent from my iPad

On Jan 4, 2018, at 11:24 AM, Heidi Stenhammer <[heidi@tmvoa.org](mailto:heidi@tmvoa.org)> wrote:

Hello Jack and Happy New Year!

Once again checking that Kayenta is still in support of the Sunset Concert Series.

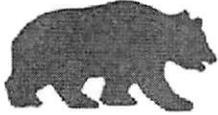
Does Kayenta continue to support our efforts in regards to the entertainment district and the common consumption area?

Thank you,  
Heidi

**Heidi Stenhammer**  
Operations Manager

Telluride Mountain Village Owners Association  
113 Lost Creek Lane, Suite A Mountain Village, CO 81435  
970-728-1904 Ext 7 (Office)  
[www.tmvoa.org](http://www.tmvoa.org)





# Golden Bear Insurance Company

POST OFFICE BOX 271  
STOCKTON, CALIFORNIA 95201

## LIQUOR LIABILITY DECLARATIONS

Policy Number	GLL 02775
Renewal of Number	GLL 02490

Named Insured and Mailing Address Mountain Village Promotional Association 113 Lost Creek Lane, Suite A Mountain Village, CO 81435	Producer Name and Mailing Address Virtus Underwriting Group, Inc. 10106 W. San Juan Way, Ste. 10 Littleton, CO 80127
---	---

POLICY PERIOD	From: May 01, 2017	To: May 01, 2018	Term: Annual
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12:01 A.M. Standard Time at the address of the Named Insured as stated herein.

IN RETURN FOR THE PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL THE TERMS OF THIS POLICY, WE AGREE WITH YOU TO PROVIDE THE INSURANCE AS STATED IN THIS POLICY.

<b>LIMITS OF INSURANCE</b>	
Each Common Cause	<u>\$1,000,000.</u>
Aggregate Limit	<u>\$1,000,000.</u>
Deductible per claim	<u>\$1,500</u>

<b>DESCRIPTION OF BUSINESS AND LOCATION PREMISES</b>
Form of Business: <b>Not-for-Profit Organization</b>
Business Description: <b>NFP serving liquor</b>
Locations of All Premises You own, Rent or Occupy: <b>Loc 1) 113 Lost Creek Lane, Suite A, Mountain Village, CO 81435</b>

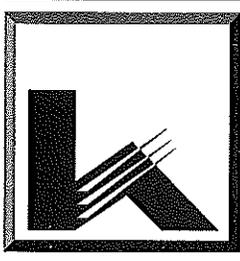
<b>PREMIUM</b>				
<b>Classification</b>	<b>Code No.</b>	<b>Premium Basis</b>	<b>Rate</b>	<b>Advanced Premium</b>
On-Sale General for Public Premises	48	Flat	Flat	\$2,750.00
		Additional Insureds Premium		\$200.00
	Broker fee: \$150.00	Fully Earned Policy Fee		\$100.00
	Surplus Lines Tax: \$103.50	Inspection Fee		\$250.00
				Total: \$3,553.50

25% of the Advanced Premiums are Fully Earned at Policy Inception

This declaration together with the coverage form(s) and any applicable endorsements listed in the attached Forms Inventory, form a part of and complete the above numbered policy. See Forms Inventory GBR-FI-EXT 08 99

Issue Date: June 16, 2017 dtg

"This contract is delivered as surplus line coverage under the 'National Insurance Act'. The insurer issuing this contract is not licensed in Colorado but is an eligible nonadmitted insurer. There is no protection under the provision of the 'Colorado Insurance Guaranty Association Act'." (3 CCR 702 - 2:2 - 4 - 1).



# HOME LOAN INSURANCE

*A century of strength*

January 9, 2018

Mountain Village Promotional Association

113 Lost Creek Lane, Suite A

Mountain Village, CO 81435

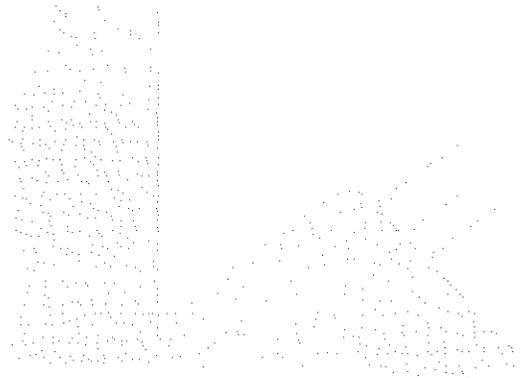
RE: May Renewal

To Whom It May Concern:

We currently write the general liability/special events, directors & officers and liquor liability for Mountain Village Promotional Association. These policies renew in May 2018. We do not foresee any issues with renewal and fully expect be able to offer the same terms in May.

Sincerely,

Katie Sweet





Telluride Regional Airport Authority

Town of Mountain Village Update

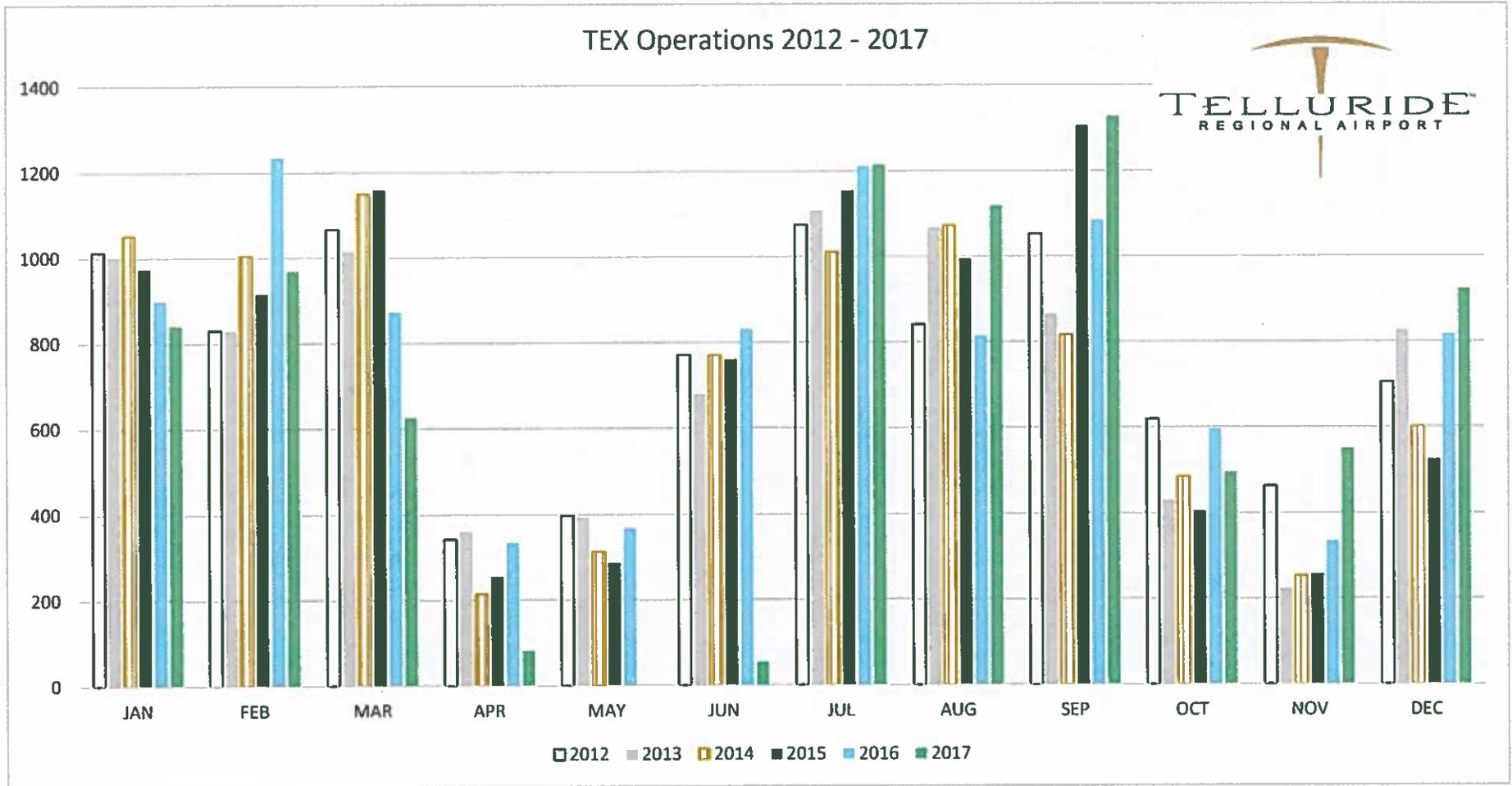
January 18, 2017

**Airport Highlights**

- ▲ **Airport Capital Improvements completed in 2017**
  - Aircraft parking apron rehabilitation - \$7.6M project (FAA grant funded 90%)
  - Commercial Terminal - Remodel and additional 500 sf for TSA screening and passenger hold room.
  - General Aviation Terminal – Remodel and construction of an additional 720 sf for business aircraft operators, pilots and passengers. Total cost for Terminal improvements = \$1.4M
- ▲ **Financial Update – All Revenue and Expenses operated within the Airport 2017 approved budget that included the planned closure of 3 months for construction. TRAA is a self-sustaining operation.**
- ▲ **Airport Authority – Town of Mountain Village Appointees:**
  - Jon Dwight – Chairman
  - Larry Crosby – Planning Committee
  - Gary Bash – Finance Committee
  - Richard Child - Alternate

**STATISTICS**

<b>JANUARY - DECEMBER 2017</b>	<b><u>TRAA</u> <u>2017</u></b>	<b><u>TRAA</u> <u>2016</u></b>	<b><u>Percent</u> <u>Change</u></b>
<b>AIRCRAFT OPERATIONS</b>			
General Aviation:	7,467	9,370	-20.31%
Great Lakes Airline:	739	16	
<b>AVIATION FUEL SALES (Gallons)</b>			
General Aviation:			
100LL AvGas:	21,506	24,142	-10.92%
Jet-A	537,689	499,693	7.60%
Airlines:	10,581	-	
<b>Total Fuel:</b>	<b>569,776</b>	<b>523,835</b>	<b>8.77%</b>
 GA Passenger Enplanements:	 15,115	 16,561	 -8.73%
Airline Enplanements:	2496	116	





**Business and Government Activity Report**  
For the month ending: December 31st

Activity	2017		2016		Variance	
	MONTH	YTD	MONTH	YTD	Variance	Variance %
<b>Cable/Internet</b>						
# Residential & Bulk Basic Cable	900		929		(29)	-3.1%
# Premium Channel Residential & Bulk Subscribers	481		533		(52)	-9.8%
# Digital Subscribers	216		255		(39)	-15.3%
# Internet Subscribers	1,746		1,723		23	1.3%
Average # Phone Subscribers	102		107		(5)	-4.7%
<b>Village Court Apartments</b>						
Occupancy Rate %	98.19%	97.13%	99.10%	97.96%	-0.83%	-0.8%
# Vacated Units	2	35	2	38	(3)	-7.9%
# Work Orders Completed	32	591	37	467	124	26.6%
# on Waiting List	101		78		23	29.5%
<b>Public Works</b>						
Service Calls	373	3,798	381	4,591	(793)	-17.3%
Snow Fall Inches	6	130	54	196	(66)	-33.7%
Snow Removal - Streets & Prkg Lots Hours	197	1,462	904	3,147	(1,685)	-53.5%
Roadway Maintenance Hours	161	3,132	0	2,916	217	7.4%
Water Billed Consumption Gal.	47,167,000	216,619,000	42,996,000	190,135,000	26,484,000	13.9%
Sewage Treatment Gal.	6,101,000	78,898,000	8,174,000	94,225,000	(15,327,000)	-16.3%
<b>Child Development Fund</b>						
# Infants & Toddlers Actual Occupancy	20.14	248.43	21.58	255.48	(7.05)	-2.8%
# Preschoolers Actual Occupancy	13.79	162.21	15.20	179.85	(17.64)	-9.8%
<b>Transportation and Parking</b>						
GPG (noon snapshot)	7,736	57,656	8,447	54,573	3,083	5.6%
GPG Parking Utilization (% of total # of spaces occupied)	56.1%	34.3%	61.2%	32.5%	1.8%	5.5%
HPG (noon snapshot)	1,550	11,939	1,976	15,536	(3,597)	-23.2%
HPG Parking Utilization (% of total # of spaces occupied)	48.7%	30.9%	62.1%	40.2%	-9.3%	-23.1%
Total Parking (noon snapshot)	14,541	113,754	15,536	110,460	3,294	3.0%
Parking Utilization (% of total # of spaces occupied)	59.9%	38.5%	64.0%	37.4%	1.1%	2.9%
Paid Parking Revenues	\$28,090	\$311,060	\$40,265	\$269,756	\$41,304	15.3%
Bus Routes # of Passengers	2,786	55,935	490	46,221	9,714	21.0%
Employee Shuttle # of Passengers	1,253	14,887	1,385	15,530	(643)	-4.1%
Employee Shuttle Utilization Rate %	51.1%	50.1%	53.5%	52.8%	-2.70%	-5.1%
Inbound (Vehicle) Traffic (Entrance) # of Cars	69,975	803,446	69,772	747,922	55,524	7.4%
PART TIME: 7 council, 1 judge, 12 child care SEASONAL: rec, plazas, shop NEW HIRES: 2 gondola operators TERMS: 5 gops, 1 gond maint supervisor, VCA property attendant						
<b>Human Resources</b>						
FT Year Round Head Count	79		80		(1)	-1.3%
Seasonal Head Count (FT & PT)	3		3		0	0.0%
PT Year Round Head Count	28		19		9	47.4%
Gondola FT YR, Seasonal, PT YR Head Count	61		61		0	0.0%
Total Employees	171		163		8	4.9%
Gondola Overtime Paid Hours	375	2759	251	2689	71	2.6%
Other Employee Overtime Paid	89	1485	67	1226	259	21.2%
# New Hires Total New Hires	2	114	5	123	(9)	-7.3%
# Terminations	7	100	11	98	2	2.0%
# Workmen Comp Claims	8	18	0	13	5	38.5%
Workmen Comp Claims Costs	\$0	\$7,535	\$2,556	\$21,146	(\$13,611)	-64.4%
<b>Marketing &amp; Business Development</b>						
Town Hosted Meetings	6	56	4	58	(2)	-3.4%
Email Correspondence Sent	8	96	10	1	95	9500.0%
E-mail List #	4,674		na		#VALUE!	#VALUE!
Wifi Subscribers	0		na		#VALUE!	#VALUE!
Press Releases Sent	3	41	2	26	15	57.7%
<b>Gondola and RETA</b> <i>Current RETA revenues are unaudited</i>						
Gondola # of Passengers	285,081	2,813,254	306,360	2,778,910	34,344	1.2%
Chondola # of Passengers	25,889	118,257	25,858	111,256	7,001	6.3%
RETA fees collected by TMVOA	\$1,135,419	\$8,478,497	\$429,530	\$5,700,044	\$2,778,453	48.7%

Activity	2017		2016		Variance		
	MONTH	YTD	MONTH	YTD	Variance	Variance %	
<b>Police</b>							
Calls for Service	#	371	4,298	390	4,531	(233)	-5.1%
Investigations	#	27	304	23	223	81	36.3%
Alarms	#	30	257	41	288	(31)	-10.8%
Arrests	#	3	16	3	20	(4)	-20.0%
Traffic Contacts	#	16	315	14	215	100	46.5%
Traffic Tickets Written	#	1	93	3	31	62	200.0%
Parking Tickets Written	#	507	3,629	422	3,634	(5)	-0.1%
Administrative Dismissals	#	12	67	5	135	(68)	-50.4%
<b>Building/Planning</b>							
Community Development Revenues		\$30,131	\$2,036,548	\$16,725	\$928,434	\$1,108,114	119.4%
# Permits Issued		5	115	5	107	8	7.5%
Valuation of Building Permits Issued		\$38,000	\$64,003,406	\$189,160	\$22,855,998	\$41,147,408	180.0%
# Inspections Completed		301	2,995	340	3,283	(288)	-8.8%
# Design Review/Zoning Agenda Items		10	84	4	77	7	9.1%
# Staff Review Approvals		20	462	7	293	169	57.7%
<b>Recreation</b> <span style="float: right;">Winter - November 1 - April 30</span>							
Mile of Trails Maintained		8.0	67.1	14.7	73.8	(6.70)	-9.1%
Platform Tennis Registrations		40	484	60	433	51	11.8%
Ice Rink Skaters		4731	6528	1688	3723	2,805	75.3%
Snow Cat Hours		0	358	41	284	74	25.9%
<b>Plaza Services</b> <span style="float: right;">Due to the timing of the packet, trash diversion rates are for the previous month.</span>							
Snow Removal Plaza	Hours	84	1768	738	2372	(604)	-25.5%
Plaza Maintenance	Hours	564	4266	252	3365	902	26.8%
Lawn Care	Hours	19	1993	0	1346	647	48.1%
Plant Care	Hours	20	3162	0	2933	228	7.8%
Irrigation	Hours	0	796	0	644	152	23.5%
TMV Trash Collection	Hours	134	1156	101	1238	(82)	-6.6%
Christmas Decorations	Hours	407	2393	277	1862	532	28.6%
Residential Trash	Pound	19,050	227,400	15,900	196,650	30,750	15.6%
Residential Recycle	Pound	20,000	291,372	18,499	168,552	122,820	72.9%
Diversion Rate	%	51.22%	56.17%	53.78%	46.15%	10.01%	21.7%
<b>Vehicle Maintenance</b>							
# Preventive Maintenance Performed		23	219	22	200	19	9.5%
# Repairs Completed		17	273	33	318	(45)	-14.2%
Special Projects		3	48	2	35	13	37.1%
# Roadside Assists		0	4	0	4	0	0.0%
<b>Finance</b>							
# Employee Based Business Licenses Issued		6	836	14	695	141	20.3%
# Privately Licensed Rentals		0	74	0	68	6	8.8%
# Property Management Licensed Rentals		0	415	0	338	77	22.8%
# VRBO Listings for MV		394		458		(64)	-14.0%
# Paperless Billing Accts (YTD is total paperless customers)		28	811	41	666	145	21.8%
# of TMV AR Bills Processed		2,162	25,722	2,138	25,209	513	2.0%
<b>Accounts Receivable - Total Bad Debt Reserve/Allowance: \$</b>							
					<b>General Fund Investment Activity</b>		
		<b>TMV Operating Receivables (includes Gondola funding)</b>	<b>Utilities - Cable and Water/Sewer</b>		<b>VCA - Village Court Apartments</b>		
	Current	\$637,780	93.7%	\$459,196	78.7%	(\$20,013)	131.1%
	30+ Days	5,093	0.7%	115,728	19.8%	2,160	-14.2%
	60+ Days	4,750	0.7%	5,730	1.0%	-	0.0%
	90+ Days	20,089	3.0%	2,669	0.5%	-	0.0%
	over 120 days	13,234	1.9%	514	0.1%	2,592	-17.0%
	Total	\$ 680,946	100.0%	\$ 583,837	100.0%	\$ (15,261)	100.0%
		<b>Other Billings - CDF, Construction Parking</b>		<b>Total All AR</b>		<b>Change Since Last Month - Increase (Decrease) in AR</b>	
	Current	\$ 41,211	75.0%	\$ 1,118,174	85.7%	\$ 446,476	79.4%
30+ Days	6,448	11.7%	129,429	9.9%	108,665	19.3%	
60+ Days	2,816	5.1%	13,295	1.0%	(14,716)	-2.6%	
90+ Days	464	0.8%	23,222	1.8%	18,732	3.3%	
over 120 days	4,001	7.3%	20,340	1.6%	2,978	0.5%	
Total	\$ 54,939	100.0%	\$ 1,304,461	100.0%	\$ 562,134	100.0%	
						<b>Other Statistics</b>	
						Population (estimated)	1,393
						(Active) Registered Voters	821
						Property Valuation	294,011,170



Memorandum

**To:** Town Council  
**From:** Kevin Swain, Finance Director  
**Date:** January 11, 2018  
**Re:** Town of Mountain Village Financial Statements through November 2017

**Mountain Village Financials Statements through November, 2017**

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

**General Fund Summary**

The General Fund currently reflects a surplus of \$1.5 million. Permit and use taxes are ahead of prior year and budget. Sales taxes show an increase of 5.73% over prior year and 2% over budget. Revenues of \$10.4 million were over budget by \$437,513 due mainly to sales taxes, development related fees, county R&B taxes, and contributions.

Total operating expenditures of \$7.3 million were under budget by \$883,000. Capital outlay through this period was for Sunset Plaza improvements, wayfinding, and police equipment.

Transfers to other funds include:

<b>Fund</b>	<b>This Month</b>	<b>YTD Budget</b>	<b>YTD Actual</b>	<b>Budget Variance</b>
Capital Projects Fund (From GF)	\$ -	\$ 264,669	\$ 264,669	-
Child Development Fund	\$ 12,066	\$ 110,477	\$ 85,820	(24,657)
Conference Center Subsidy	\$ -	\$ 174,031	\$ 174,089	58
Affordable Housing Development Fund (Monthly Sales Tax Allocation)	\$ 8,733	\$ 374,486	\$ 389,869	15,383
Vehicle & Equipment Acquisition Fund	\$ 2,136	\$ 557,914	\$ 557,914	-

Income transfers from other funds include:

<b>Fund</b>	<b>This Month</b>	<b>YTD Budget</b>	<b>YTD Actual</b>	<b>Budget Variance</b>
Overhead allocation from Broadband, W/S, Gondola, VCA and Parking Services	\$ 4,093	\$ 443,640	\$ 360,623	(83,017)
*Tourism Fund	\$ 1,473	\$ 24,327	\$ 31,665	7,337
*This transfer is comprised of administrative fees, interest, and penalties collected.				
Debt Service Fund (Specific ownership taxes)	\$ 11,900	\$ 76,586	\$ 137,823	61,237
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 to date: \$492,434.

**Capital Projects Fund – No Fund Income Statement Attached**

\$264,669 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.

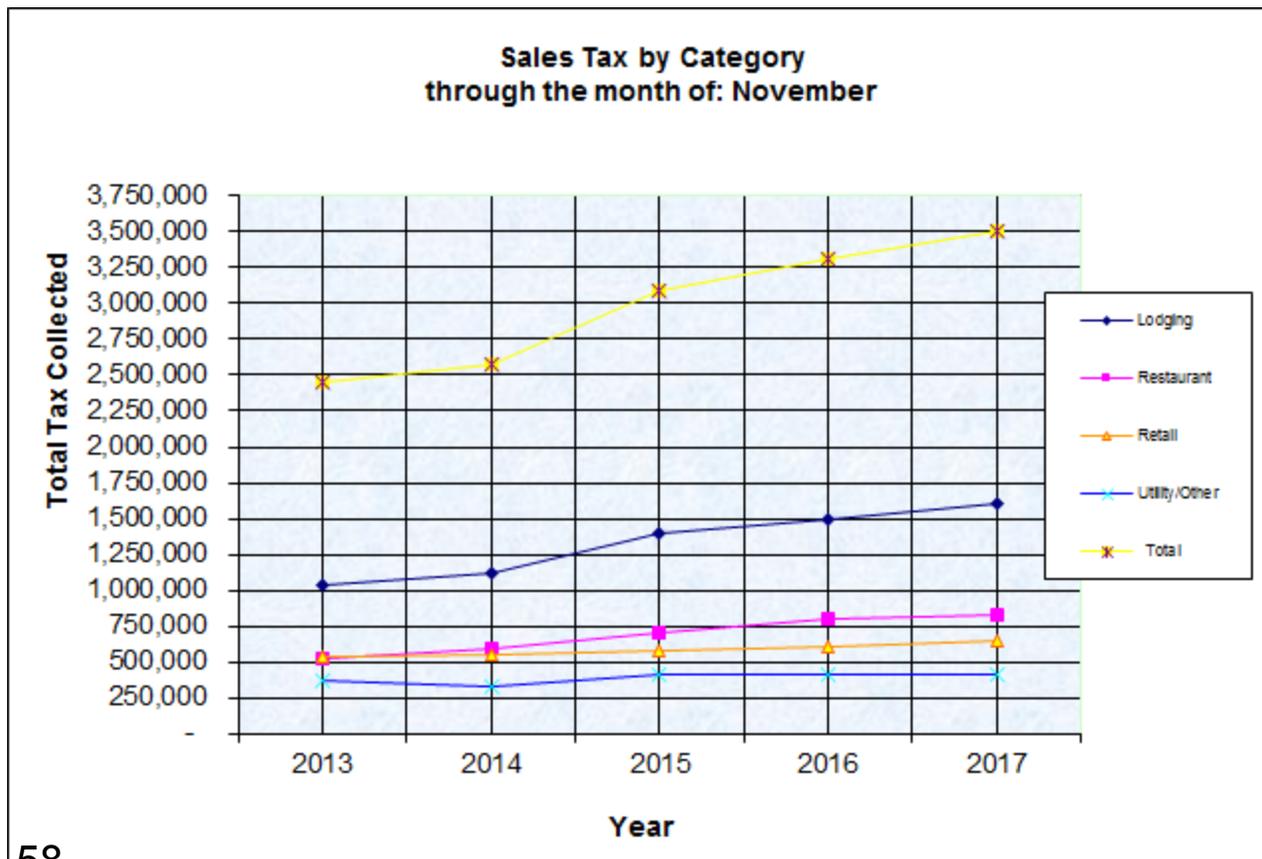
**Mortgage Assistance Fund – No Fund Income Statement Attached**

There has been no activity in this fund to date.

**Sales Tax**

Sales taxes of \$3.5 million are 5.73% over 2016 through this period and are over budget by 2%. Lodging shows the highest growth at 8%, followed by retail at 6.7%.

Actual Sales Tax Base By Class, Through November 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	22,921,017	24,782,025	8%	30,989,880	25%	33,155,524	7%	35,793,003	2,637,479	7.95%
Restaurant	11,472,831	13,054,070	14%	15,692,613	20%	17,635,513	12%	18,323,389	687,876	3.90%
Retail	11,847,824	12,180,992	3%	12,873,204	6%	13,600,447	6%	14,513,684	913,237	6.71%
Utility/Other	8,121,870	7,160,076	-12%	9,227,172	29%	9,264,723	0%	9,249,405	(15,318)	-0.17%
<b>Total</b>	<b>54,363,542</b>	<b>57,177,163</b>	<b>5%</b>	<b>68,782,868</b>	<b>20%</b>	<b>73,656,207</b>	<b>7%</b>	<b>77,879,482</b>	<b>4,223,275</b>	<b>5.73%</b>



## Tourism Fund

2017 restaurant taxes totaling \$367,063 have been collected and \$359,722 was tendered to the airline guarantee program. \$1,431,453 in lodging taxes were collected and \$1,409,981 was tendered to the airline guarantee program and to MTI. The Town retained \$28,813 in administrative fees, and penalties and interest of \$2,142.

Lodging taxes are exceeding prior year by 7.7% and exceeded budget by 5.2%. Restaurant taxes are ahead of prior year and budget by 4% and 5.7%, respectively.

Town of Mountain Village Colorado Lodging Tax Summary								
	2013	2014	2015	2016	2017	2016	2017	Budget
	Activity	Activity	Activity	Activity	Activity	Var %	Budget	Var %
	(4%)	(4%)	(4%)	(4%)	(4%)			
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	312,130	2.50%	308,050	1.31%
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	121,837	14.49%	109,059	10.49%
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	147,029	5.50%	143,338	2.51%
October	16,450	17,383	22,812	31,322	34,040	8.68%	32,360	4.94%
November	6,761	11,840	11,372	14,493	18,768	29.50%	14,881	20.71%
December	191,249	226,508	260,440	310,142	-	-100.00%	311,911	#DIV/0!
<b>Total</b>	<b>1,081,555</b>	<b>1,207,325</b>	<b>1,497,381</b>	<b>1,638,778</b>	<b>1,431,453</b>	<b>-12.65%</b>	<b>1,669,000</b>	<b>-16.59%</b>
<b>Tax Base</b>	<b>27,038,867</b>	<b>30,183,132</b>	<b>37,434,529</b>	<b>40,969,439</b>	<b>35,786,326</b>		<b>41,725,000</b>	

Town of Mountain Village Colorado Restaurant Tax Summary								
	2013	2014	2015	2016	2017	2016	2017	Budget
	Activity	Activity	Activity (2%)	Activity (2%)	Activity (2%)	Var %	Budget	Var %
	(2%)	(2%)						
January	34,448	38,239	46,261	48,594	53,677	10.46%	47,656	11.22%
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	34,259	-0.29%	33,693	1.65%
July	27,921	32,661	40,081	44,827	46,297	3.28%	43,959	5.05%
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	39,245	8.43%	35,495	9.56%
October	5,468	5,369	9,492	11,312	13,439	18.81%	11,094	17.45%
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	-	-100.00%	57,922	#DIV/0!
<b>Total</b>	<b>274,828</b>	<b>315,303</b>	<b>366,759</b>	<b>411,969</b>	<b>367,063</b>	<b>-10.90%</b>	<b>404,000</b>	<b>-10.06%</b>
<b>Tax Base</b>	<b>13,741,420</b>	<b>15,765,152</b>	<b>18,337,941</b>	<b>20,598,437</b>	<b>18,353,154</b>		<b>20,200,000</b>	

Business license fees of \$314,640 are over budget (2%) and prior year (8%). \$295,762 was remitted to MTI and \$30,857 in admin fees and penalties were transferred to the General Fund.

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

	2017					2016	2015	2014	
	Budget	Budget	Budget	Annual	Budget	Actual YTD	Actual YTD	Actual YTD	
	YTD	Variance	Variance	Budget	Balance				
Actual YTD		(\$)	(%)						
<b>Revenues</b>									
Charges for Services	\$ 469,573	\$ 353,808	\$ 115,765	32.72%	\$ 388,784	\$ (80,789)	\$ 310,155	\$325,499	\$254,635
Contributions	72,167	19,841	52,326	263.73%	30,922	(41,245)	66,037	42,344	20,453
Fines and Forfeits	8,077	6,027	2,050	34.01%	6,077	(2,000)	11,082	6,906	3,943
Interest Income	44,384	44,951	(567)	-1.26%	45,000	616	52,677	73,773	52,356
Intergovernmental	364,509	346,752	17,757	5.12%	379,333	14,824	367,871	365,405	355,165
Licenses and Permits	550,840	461,206	89,634	19.43%	505,467	(45,373)	288,455	333,824	248,087
Miscellaneous Revenues	246,122	229,171	16,951	7.40%	283,753	37,631	70,860	82,423	79,059
Taxes and Assessments	8,682,487	8,539,090	143,397	1.68%	9,407,934	725,447	7,732,947	7,384,496	6,535,884
<b>Total Revenues</b>	<b>10,438,159</b>	<b>10,000,846</b>	<b>437,313</b>	<b>4.37%</b>	<b>11,047,270</b>	<b>609,111</b>	<b>8,900,084</b>	<b>8,614,670</b>	<b>7,549,582</b>
<b>Operating Expenses</b>									
Legislation & Council	81,416	100,958	(19,542)	-19.36%	112,704	31,288	49,275	32,067	7,981
Town Manager	216,901	233,226	(16,325)	-7.00%	253,859	36,958	199,623	193,291	197,935
Administrative Services	345,602	346,782	(1,180)	-0.34%	396,852	51,250	314,996	293,345	294,137
Finance	722,943	742,721	(19,778)	-2.66%	821,896	98,953	701,273	714,046	696,730
Technical	170,064	191,141	(21,077)	-11.03%	218,837	48,773	154,722	127,212	136,367
Human Resources	264,678	292,724	(28,046)	-9.58%	313,963	49,285	263,337	246,829	217,804
Town Attorney	419,111	498,729	(79,618)	-15.96%	530,929	111,818	524,281	472,465	409,843
Marketing and Business Development	198,566	325,613	(127,047)	-39.02%	440,087	241,521	262,901	219,910	174,454
Municipal Court	25,686	26,874	(1,188)	-4.42%	31,633	5,947	24,025	24,076	24,413
Police Department	687,183	743,506	(56,323)	-7.58%	845,896	158,713	671,059	673,359	576,409
Community Services	44,287	44,989	(702)	-1.56%	51,687	7,400	40,724	42,416	41,747
Community Grants and Contributions	106,000	106,000	-	0.00%	106,000	-	59,250	66,500	79,000
Roads and Bridges	987,030	1,051,062	(64,032)	-6.09%	1,139,255	152,225	978,360	767,316	833,183
Vehicle Maintenance	517,409	521,628	(4,219)	-0.81%	598,977	81,568	404,966	378,656	380,535
Municipal Bus	185,695	187,375	(1,680)	-0.90%	207,834	22,139	166,530	142,412	141,022
Employee Shuttle	41,886	61,801	(19,915)	-32.22%	84,265	42,379	38,723	51,267	66,090
Parks & Recreation	453,152	515,474	(62,322)	-12.09%	584,888	131,736	391,789	339,075	350,516
Plaza and Environmental Services	972,391	1,201,495	(229,104)	-19.07%	1,402,815	430,424	1,063,142	953,345	1,008,593
Public Refuse Removal	44,916	57,130	(12,214)	-21.38%	62,759	17,843	43,221	45,652	39,627
Building/Facility Maintenance	150,239	180,773	(30,534)	-16.89%	205,816	55,577	142,368	139,220	89,756
Planning & Development Services	7,162	6,254	908	14.52%	6,649	(513)	6,777	5,623	4,928
Building Division	339,851	382,392	(42,541)	-11.12%	447,212	107,361	374,827	205,032	163,514
Housing Division Office	16,325	18,948	(2,623)	-13.84%	21,761	5,436	18,702	15,712	16,682
Planning and Zoning Division	324,235	368,197	(43,962)	-11.94%	457,031	449,869	372,259	271,933	299,379
Contingency	-	-	-	#DIV/0!	93,436	77,111	2,600	-	-
<b>Total Operating Expenses</b>	<b>7,322,728</b>	<b>8,205,792</b>	<b>(883,064)</b>	<b>-10.76%</b>	<b>9,437,041</b>	<b>2,415,061</b>	<b>7,269,730</b>	<b>6,420,759</b>	<b>6,250,645</b>
Surplus / Deficit	3,115,431	1,795,054	1,320,377	73.56%	1,610,229	(1,805,950)	1,630,354	2,193,911	1,298,937
Capital Outlay	840,207	845,937	(5,730)	-0.68%	977,577	137,370	82,949	157,400	267,757
Surplus / Deficit	2,275,224	949,117	1,326,107	139.72%	632,652	(1,642,572)	1,547,405	2,036,511	1,031,180
<b>Other Sources and Uses</b>									
Sale of Assets	-	-	-	#DIV/0!	-	-	4,822	30,034	10,568
Transfer (To) From Affordable Housing	(389,869)	(374,486)	(15,383)	4.11%	(440,572)	(50,703)	(362,409)	(349,418)	(285,621)
Transfer (To) From Broadband	-	-	-	#DIV/0!	-	-	-	143,620	184,532
Transfer (To) From Child Development	(85,820)	(110,477)	24,657	-22.32%	(134,209)	39,880	(35,161)	(27,313)	(57,242)
Transfer (To) From Capital Projects	(264,669)	(264,669)	-	0.00%	(300,000)	(331,665)	(355,658)	-	-
Transfer (To) From Debt Service	345,262	284,025	61,237	21.56%	83,909	(276,714)	124,620	136,157	130,293
Transfer (To) From Overhead Allocation	360,623	443,640	(83,017)	-18.71%	483,971	123,348	401,107	386,941	406,172
Transfer (To) From Parking Services	-	-	-	#DIV/0!	(83,031)	2,789	-	165,752	(683)
Transfer (To) From Conference Center	(174,089)	(174,031)	(58)	0.03%	(223,467)	(223,467)	(196,206)	(193,103)	(131,123)
Transfer (To) From Tourism	31,665	24,327	7,337	30.16%	24,533	(320,729)	16,002	58,912	48,152
Transfer (To) From Vehicle/Equipment	(557,914)	(557,914)	-	0.00%	(696,248)	(138,334)	(511,844)	(202,747)	(185,994)
Transfer (To) From Water/Sewer	-	-	-	#DIV/0!	-	-	-	-	-
<b>Total Other Sources and Uses</b>	<b>(734,811)</b>	<b>(729,583)</b>	<b>(5,228)</b>	<b>0.72%</b>	<b>(1,285,114)</b>	<b>(1,175,594)</b>	<b>(914,727)</b>	<b>148,835</b>	<b>119,055</b>

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

Surplus / Deficit \$ 1,540,413 \$ 219,534 \$1,320,879 601.67% \$ (652,462) \$ (2,818,166) \$ 632,678 \$ 2,185,346 \$ 1,150,235

<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
<b>Beginning Fund Balance</b>	<b>\$ 9,446,315</b>	<b>\$ 8,156,830</b>

<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	7,478,764	4,042,967
<b>Ending Fund Balance</b>	<b>\$ 10,986,728</b>	<b>\$ 7,504,368</b>

**Revenues**

Taxes & Assessments - Property taxes are under budget in large part because of abatements. Specific Ownership taxes collected are exceeding budget 13% and prior year 14%. Sales tax revenues are 2% over budget and 5.73% over prior year. Construction use tax is exceeding prior year and budget.  
Licenses & Permits - Construction, electrical, and plumbing permits are over budget.  
Intergovernmental - Intergovernmental revenues are over budget due to county road and bridge taxes.  
Charges for Services - DRB fees are over budget \$14,400 and plan review fees are exceeding budget \$45,600. Road impact fees are exceeding budget \$68,800.  
Fines & Forfeitures - Over budget due to traffic fines.  
Investment Income - Interest is slightly under budget and under prior year.  
Miscellaneous - Over budget in plaza rents.  
Contributions - Over budget due to the See Forever contribution for Sunset Plaza.

**Top Ten Budget Variances**

**Under Budget**

Plaza and Environmental Services - \$229,104 Employee, natural gas, and electricity savings. Savings also in planter/paver repair and supplies.  
Marketing and Business Development - \$127,047 Under budget in personnel costs due to vacancies and marketing collateral.  
Town Attorney - \$76,618 Litigation is running over budget but is offset by general and extraordinary legal.  
Road & Bridge - \$64,032 Gasoline and paving and bridge repair are under budget.  
Parks and Recreation - \$57,605 Under budget in gasoline and labor costs.  
Police - \$56,323 Savings in personnel costs.  
Planning & Zoning - \$43,962 Savings in consultation fees.  
Building Division - \$42,541 Under budget for environmental incentives.  
Building/Facility Maintenance - \$30,534 Under budget in snowmelt/boiler repair and maintenance..

**Over Budget**

Planning & Development - \$908 Communications and contract labor are over budget.

**Town of Mountain Village Monthly Revenue and Expenditure Report  
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	2017						2016	2015	2014
	Actual	Budget	Budget	Budget	Annual	Budget	Actual	Actual	Actual
	YTD	YTD	Variance	Variance	Budget	Balance	YTD	YTD	YTD
		(\$)	(%)						
<b>Tourism Fund</b>									
<b>Revenues</b>									
Business License Fees	\$ 314,640	\$ 307,771	\$ 6,868	2%	\$ 315,307	\$ 668	\$ 289,496	\$278,322	\$268,748
Lodging Taxes - Condos/Homes	769,396	688,293	81,103	12%	884,570	115,174	710,218	649,482	423,726
Lodging Taxes - Hotels	661,587	668,797	(7,210)	-1%	784,430	122,843	618,418	587,121	556,995
Lodging Taxes - Prior Year	692	-	692	#DIV/0!	-	(692)	824	4,840	781
Penalties and Interest	14,120	11,083	3,037	27%	15,000	880	11,723	25,547	11,609
Restaurant Taxes	367,063	346,079	20,985	6%	404,000	36,937	352,899	311,310	265,381
Restaurant Taxes - Prior Year	-	-	-	#DIV/0!	-	-	85	641	88
<b>Total Revenues</b>	<b>2,127,498</b>	<b>2,022,023</b>	<b>105,475</b>	<b>5%</b>	<b>2,403,307</b>	<b>275,809</b>	<b>1,983,662</b>	<b>1,857,264</b>	<b>1,527,328</b>
<b>Tourism Funding</b>									
Additional Funding	27,915	30,000	(2,085)	-7%	40,000	12,085	38,000	8,091	-
Airline Guaranty Funding	1,061,243	1,004,131	57,112	6%	1,213,730	152,487	997,359	914,020	741,096
MTI Funding	1,004,440	961,064	43,376	5%	1,122,544	118,103	929,801	873,741	738,080
<b>Total Tourism Funding</b>	<b>2,093,598</b>	<b>1,995,195</b>	<b>98,403</b>	<b>95%</b>	<b>2,376,274</b>	<b>282,675</b>	<b>1,965,160</b>	<b>1,795,852</b>	<b>1,479,176</b>
Surplus / Deficit	33,900	26,827	7,072	26%	27,033	(6,866)	18,502	61,412	48,152
<b>Administrative Fees</b>									
Audit Fees	2,235	2,500	(265)	-11%	2,500	265	2,500	2,500	-
<b>Total Administrative Fees</b>	<b>2,235</b>	<b>2,500</b>	<b>(265)</b>	<b>-11%</b>	<b>2,500</b>	<b>265</b>	<b>2,500</b>	<b>2,500</b>	<b>-</b>
Surplus / Deficit	31,665	24,327	7,337	30%	24,533	(7,131)	16,002	58,912	48,152
<b>Other Sources and Uses</b>									
Transfer (To) From Other Funds	(31,665)	(24,327)	(7,337)	30%	(24,533)	7,131	(16,002)	(58,912)	(48,152)
<b>Total Other Sources and Uses</b>	<b>(31,665)</b>	<b>(24,327)</b>	<b>(7,337)</b>	<b>30%</b>	<b>(24,533)</b>	<b>7,131</b>	<b>(16,002)</b>	<b>(58,912)</b>	<b>(48,152)</b>
Surplus / Deficit	\$ -	\$ -	\$ -		\$ -		\$ -	\$ -	\$ -

**Town of Mountain Village Monthly Revenue and Expenditure Report  
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	2017				Annual Budget	Budget Balance	2016	2015	2014
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)			Actual YTD	Actual YTD	Actual YTD
<b>Parking Services Fund</b>									
<b>Revenues</b>									
Contributions/Shared Facility Expenses	\$ 9,545	\$ 6,417	\$ 3,128	49%	\$ 7,000	\$ (2,545)	\$ 8,348	\$4,537	\$17,461
Fines and Forfeits	24,430	27,500	(3,070)	-11%	30,000	5,570	43,455	33,513	13,254
Gondola Parking Garage	110,085	96,250	13,835	14%	105,000	(5,085)	98,211	173,398	122,534
Heritage Parking Garage	175,399	137,500	37,899	28%	150,000	(25,399)	122,358	135,598	117,652
Parking Meter Revenues	15,736	11,000	4,736	43%	12,000	(3,736)	3,710	11,870	10,395
Parking Permits	9,398	9,284	114	1%	12,000	2,602	11,300	12,900	11,561
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	60,359	41,743
<b>Total Revenues</b>	<b>473,879</b>	<b>408,951</b>	<b>64,928</b>	<b>16%</b>	<b>437,000</b>	<b>(36,879)</b>	<b>353,279</b>	<b>432,175</b>	<b>334,600</b>
<b>Operating Expenses</b>									
Other Operating Expenses	52,521	40,993	11,528	28%	29,730	(22,791)	5,519	2,571	573
Personnel Expenses	105,415	116,218	(10,803)	-9%	135,212	29,797	98,639	99,442	104,474
Gondola Parking Garage	65,271	52,361	12,910	25%	62,445	(2,826)	30,872	29,373	34,660
Surface Lots	66,109	53,122	12,987	24%	54,900	(11,209)	17,364	30,016	22,058
Heritage Parking Garage	72,223	77,061	(4,838)	-6%	109,045	36,822	60,941	65,693	113,116
Meadows Parking	1,000	917	83	9%	1,000	-	15,454	1,000	2,000
<b>Total Operating Expenses</b>	<b>362,539</b>	<b>340,672</b>	<b>21,867</b>	<b>6%</b>	<b>392,332</b>	<b>29,793</b>	<b>228,789</b>	<b>228,095</b>	<b>276,881</b>
Surplus / Deficit	111,340	68,279	43,061	63%	44,668	(66,672)	124,490	204,080	57,719
<b>Capital</b>									
Capital	4,800	4,800	-	0%	94,800	90,000	4,800	10,895	29,232
Surplus / Deficit	106,540	63,479	43,061	68%	(50,132)	(156,672)	119,690	193,185	28,487
<b>Other Sources and Uses</b>									
Sale of Assets	-	-	-	#DIV/0!	-	-	-	-	-
Overhead Allocation	(21,840)	(21,840)	-	0%	(32,899)	(11,059)	(27,038)	(27,433)	(29,170)
Transfer (To) From General Fund	-	-	-	#DIV/0!	83,031	83,031	-	(165,752)	683
<b>Total Other Sources and Uses</b>	<b>(21,840)</b>	<b>(21,840)</b>	<b>-</b>	<b>0%</b>	<b>50,132</b>	<b>71,972</b>	<b>(27,038)</b>	<b>(193,185)</b>	<b>(28,487)</b>
Surplus / Deficit	\$ 84,700	\$ 41,639	\$ -	0%	\$ -	\$ 92,652	\$ -	\$ -	\$ -
<b>Beginning Fund Balance</b>	\$ -	\$ -	\$ -						
<b>Ending Fund Balance</b>	\$ 84,700	\$ 41,639	\$ 43,061						

Parking revenues are over budget \$64,900. HPG revenues are over budget and prior year 28% and 43%. This is primarily because there are no free hours. Parking meter (surface lots) revenues are over budget 43% and prior year 324%. GPG is over budget 14% and over prior year 12%. Personnel costs are under budget but other costs are over budget to wayfinding. GPG is over budget in asphalt repair. HPG is under budget due to shared expenses. Surface lots maintenance is over budget.

**Town of Mountain Village Monthly Revenue and Expenditure Report  
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	2017					2016	2015	2014	
	Actual YTD	Budget YTD	Budget Variance	Budget Variance	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD
			(\$)	(%)					
<b>Gondola Fund</b>									
<b>Revenues</b>									
Event Operations Funding	\$ 5,585	\$ -	\$ 5,585	#DIV/0!	\$ -	\$ (5,585)	\$ 5,381	\$ 16,663	\$ 5,525
Event Operations Funding - SMC/TOT	36,000	-	36,000	#DIV/0!	36,000	-	-	-	-
Operations Grant Funding	149,982	150,100	(118)	-0.08%	150,100	118	146,025	102,879	263,019
Capital/MR&R Grant Funding	88,000	88,000	-	0.00%	88,000	-	798,577	-	-
Insurance Proceeds	-	-	-	#DIV/0!	-	-	-	-	-
Miscellaneous Revenues	241	-	241	#DIV/0!	-	(241)	3,658	12,100	2,607
Sale of Assets	1,672	-	1,672	#DIV/0!	-	(1,672)	3,350	10,500	558
TMVOA Operating Contributions	2,762,563	3,186,150	(423,587)	-13.29%	3,792,978	1,030,415	2,776,166	2,811,137	2,561,367
TMVOA Capital Contributions	1,440,438	1,651,798	(211,360)	-12.80%	1,972,689	532,251	983,638	392,230	366,300
TSG 1% Lift Sales	163,196	156,187	7,009	4.49%	200,000	36,804	152,913	139,315	119,195
<b>Total Revenues</b>	<b>4,647,677</b>	<b>5,232,235</b>	<b>(584,558)</b>	<b>-11.17%</b>	<b>6,239,767</b>	<b>1,592,090</b>	<b>4,869,708</b>	<b>3,484,824</b>	<b>3,318,571</b>
<b>Operating Expenses</b>									
Overhead Allocation Transfer	39,786	41,250	(1,464)	-3.55%	45,000	5,214	39,740	40,093	40,174
MAARS	58,794	72,490	(13,696)	-18.89%	81,158	22,364	53,572	55,508	58,476
Chondola	284,001	280,141	3,860	1.38%	385,528	101,527	251,909	186,262	139,851
Grant Success Fees	-	-	-	#DIV/0!	14,286	14,286	-	-	-
Operations	1,408,438	1,560,106	(151,669)	-9.72%	1,816,807	408,370	1,386,873	1,419,095	1,330,148
Maintenance	975,615	1,123,654	(148,039)	-13.17%	1,270,214	294,599	996,794	1,052,269	993,417
FGOA	352,606	414,796	(62,190)	-14.99%	456,009	103,403	358,605	339,367	390,205
Major Repairs and Replacements	289,384	326,159	(36,775)	-11.28%	576,265	286,881	701,236	125,340	272,685
Contingency	-	-	-	#DIV/0!	110,076	110,076	-	-	-
<b>Total Operating Expenses</b>	<b>3,408,623</b>	<b>3,818,596</b>	<b>(409,973)</b>	<b>-10.74%</b>	<b>4,755,343</b>	<b>1,346,720</b>	<b>3,788,729</b>	<b>3,217,934</b>	<b>3,224,956</b>
Surplus / Deficit	1,239,054	1,413,639	(174,585)	-12.35%	1,484,424		1,080,979	266,890	93,615
<b>Capital</b>									
Capital Outlay	1,239,054	1,413,639	(174,585)	-12.35%	1,484,424	245,370	1,080,979	266,890	93,615
Surplus / Deficit	\$ -	\$ -	\$ -	#DIV/0!	\$ -	\$ -	\$ -	\$ -	\$ -

The gondola fund is \$410,000 under budgeted operating expenditures.

MARRS is under budget with savings in employee costs and supplies. Chondola expenses are under budget due mainly to worker's compensation and utilities. Gondola operations is under budget in worker's compensation and group insurance. Maintenance is under budget with savings in employee costs (to include worker's comp and group insurance) and contract labor. FGOA costs are under budget mainly in electricity and natural gas. Capital and MR&R expenditures are for haul ropes, cabin refurb, gondola cabins, 64 vehicle, and a generator.

**Town of Mountain Village Monthly Revenue and Expenditure Report  
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	2017						2016	2015	2014
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD
<b>Child Development Fund</b>									
<b>Revenues</b>									
Daycare Fees	\$ 250,306	\$ 252,375	(2,069)	-0.82%	\$ 275,396	\$ 25,090	\$ 258,848	\$231,491	\$223,838
Fundraising Revenues - Daycare	6,148	6,000	148	2.47%	8,500	2,352	14,467	13,417	10,136
Fundraising Revenues - Preschool	3,075	3,500	(425)	-0.27%	3,500	(145,925)	2,880	3,379	3,980
Grant Revenues - Daycare	25,650	23,038	2,612	11.34%	24,450	(1,200)	27,414	25,695	25,847
Grant Revenues - Preschool	13,000	12,167	833	6.85%	13,000	-	11,608	15,678	10,673
Preschool Fees	149,425	159,102	(9,677)	-6.08%	173,475	170,400	162,200	157,412	156,326
<b>Total Revenues</b>	<b>447,604</b>	<b>456,182</b>	<b>(8,578)</b>	<b>-1.88%</b>	<b>498,321</b>	<b>50,717</b>	<b>477,417</b>	<b>447,072</b>	<b>430,800</b>
<b>Operating Expenses</b>									
Daycare Other Expense	65,841	57,714	8,127	14.08%	64,246	(1,595)	64,662	53,163	53,222
Daycare Personnel Expense	296,045	319,393	(23,348)	-7.31%	357,428	61,383	287,521	289,611	268,948
Preschool Other Expense	34,867	40,966	(6,099)	-14.89%	45,560	10,693	31,649	32,244	39,480
Preschool Personnel Expense	136,671	148,586	(11,915)	-8.02%	165,296	28,625	128,746	99,367	126,392
<b>Total Operating Expenses</b>	<b>533,424</b>	<b>566,659</b>	<b>(33,235)</b>	<b>-5.87%</b>	<b>632,530</b>	<b>99,106</b>	<b>512,578</b>	<b>474,385</b>	<b>488,042</b>
Surplus / Deficit	(85,820)	(110,477)	24,657	-22.32%	(134,209)		(35,161)	(27,313)	(57,242)
<b>Other Sources and Uses</b>									
Contributions	-	-	-	#DIV/0!	-	-	-	-	-
Transfer (To) From General Fund	85,820	110,477	24,657	22.32%	134,209	48,389	35,161	27,313	57,242
<b>Total Other Sources and Uses</b>	<b>85,820</b>	<b>110,477</b>	<b>24,657</b>	<b>22.32%</b>	<b>134,209</b>	<b>48,389</b>	<b>35,161</b>	<b>27,313</b>	<b>57,242</b>
Surplus / Deficit	\$ -	\$ -	\$ -	#DIV/0!	\$ -		\$ -	\$ -	\$ -

Child Development revenues are \$8,600 under budget or 1.88%. Operating expenses are \$33,200 under budget due primarily to group insurance. The program has required \$85,820 in funds from the General Fund through this period.

**Town of Mountain Village Monthly Revenue and Expenditure Report  
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	2017						2016	2015	2014	
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD	
<b>Water &amp; Sewer Fund</b>										
<b>Revenues</b>										
Mountain Village Water and Sewer	\$ 2,298,618	\$ 2,259,791	\$ 38,827	1.72%	\$ 2,513,307	\$ 214,689	\$ 1,995,646	\$1,988,440	\$1,950,483	
Other Revenues	10,073	12,742	(2,669)	-20.95%	13,450	3,377	9,235	9,401	8,388	
Ski Ranches Water	143,819	144,622	(803)	-0.56%	158,111	14,292	127,688	120,421	120,250	
Skyfield Water	27,693	25,231	2,462	9.76%	27,525	(168)	24,717	20,458	22,831	
<b>Total Revenues</b>	<b>2,480,203</b>	<b>2,442,386</b>	<b>37,817</b>	<b>1.55%</b>	<b>2,712,393</b>	<b>232,190</b>	<b>2,157,286</b>	<b>2,138,720</b>	<b>2,101,952</b>	
<b>Operating Expenses</b>										
Mountain Village Sewer	420,646	417,538	3,108	0.74%	508,902	88,256	393,516	372,490	341,801	
Mountain Village Water	778,328	871,670	(93,342)	-10.71%	1,051,259	272,931	726,723	807,905	761,925	
Ski Ranches Water	57,644	31,947	25,697	80.44%	41,639	(16,005)	14,206	16,151	18,250	
Contingency	-	-	-	#DIV/0!	32,036	32,036	-	-	-	
<b>Total Operating Expenses</b>	<b>1,256,618</b>	<b>1,321,155</b>	<b>(64,537)</b>	<b>-4.88%</b>	<b>1,633,836</b>	<b>377,218</b>	<b>1,134,445</b>	<b>1,196,546</b>	<b>1,121,976</b>	
Surplus / Deficit	1,223,585	1,121,231	102,354	9.13%	1,078,557		1,022,841	942,174	979,976	
<b>Capital</b>										
Capital Outlay	327,643	330,000	(2,357)	-0.71%	470,220	142,577	304,522	1,681,002	300,142	
Surplus / Deficit	895,942	791,231	104,711	13.23%	608,337		718,319	(738,828)	679,834	
<b>Other Sources and Uses</b>										
Overhead Allocation Transfer	(108,453)	(108,453)	-	0.00%	(142,527)	(34,074)	(121,904)	(115,312)	(123,250)	
Mountain Village Tap Fees	255,316	250,000	5,316	2.13%	250,000	(5,316)	42,652	100,716	16,851	
Grants	-	-	-	#DIV/0!	-	-	-	-	-	
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)	-	-	(116,762)	
Telski Tap Fee/Water Credit	-	-	-	#DIV/0!	-	-	-	-	-	
Transfer (To) From General Fund	-	-	-	#DIV/0!	-	-	-	-	-	
<b>Total Other Sources and Uses</b>	<b>168,447</b>	<b>162,779</b>	<b>5,668</b>	<b>3.48%</b>	<b>128,705</b>	<b>(39,742)</b>	<b>(79,252)</b>	<b>(14,596)</b>	<b>(212,443)</b>	
Surplus / Deficit	\$ 1,064,389	\$ 954,010	\$ 110,379	11.57%	\$ 737,042		\$ 639,067	\$ (753,424)	\$ 467,391	
<b>Beginning Fund Balance</b>		\$ -	\$ -							
<b>Ending Fund Balance</b>	\$ 1,064,389	\$ 954,010	\$ 110,379							

MV Excess water fees are exceeding budget \$37,000 while other fees are slightly down. Skyfield excess usage fees are over budget and Ski Ranches is slightly under budget. Other revenues are under budget in maintenance and inspection fees. Sewer expenditures are under budget. MV water is under budget mainly in repairs, insurance, and electricity. Personnel costs are under due to more time being spent and allocated to Ski Ranches, which is over budget. 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**  
**November 2017**

	2017				2016	2015	2014		
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD
<b>Broadband Fund</b>									
<b>Revenues</b>									
Cable User Fees	\$ 820,640	\$ 840,541	\$ (19,901)	-2.37%	\$ 917,150	\$ 96,510	\$ 787,369	\$756,304	\$726,502
Internet User Fees	870,834	793,838	76,996	9.70%	867,899	(2,935)	792,300	717,410	645,717
Other Revenues	53,492	57,357	(3,866)	-6.74%	62,764	28,357	44,302	57,851	77,345
Phone Service Fees	34,408	32,226	2,182	6.77%	35,281	(18,211)	34,270	32,491	32,660
<b>Total Revenues</b>	<b>1,779,373</b>	<b>1,723,962</b>	<b>55,411</b>	<b>3.21%</b>	<b>1,883,094</b>	<b>103,721</b>	<b>1,658,241</b>	<b>1,564,056</b>	<b>1,482,224</b>
<b>Operating Expenses</b>									
Cable Direct Costs	706,844	760,287	(53,444)	-7.03%	828,736	121,893	721,318	598,217	521,977
Phone Service Costs	22,277	22,999	(723)	-3.14%	27,000	4,724	22,919	24,619	19,481
Internet Direct Costs	197,500	205,700	(8,200)	-3.99%	224,400	26,900	212,432	148,083	99,000
Cable Operations	490,948	502,319	(11,371)	-2.26%	579,363	88,415	472,436	467,426	463,228
Contingency	-	-	-	#DIV/0!	3,000	3,000	-	-	-
<b>Total Operating Expenses</b>	<b>1,417,568</b>	<b>1,491,305</b>	<b>(73,737)</b>	<b>-4.94%</b>	<b>1,662,499</b>	<b>244,931</b>	<b>1,429,105</b>	<b>1,238,345</b>	<b>1,103,686</b>
Surplus / Deficit	361,805	232,657	129,148	55.51%	220,595		229,136	325,711	378,538
<b>Capital</b>									
Capital Outlay	131,504	131,504	-	0.00%	126,500	(5,004)	48,649	126,654	37,365
Surplus / Deficit	230,301	101,153	129,148	127.68%	94,095		180,487	199,057	341,173
<b>Other Sources and Uses</b>									
Sale of Assets	-	-	-	#DIV/0!	-	-	-	-	-
Transfer (To) From General Fund	-	-	-	#DIV/0!	-	-	-	(143,620)	(184,532)
Overhead Allocation Transfer	(106,421)	(106,421)	-	0.00%	(145,028)	(38,607)	(116,973)	(105,437)	(106,641)
<b>Total Other Sources and Uses</b>	<b>(106,421)</b>	<b>(106,421)</b>	<b>-</b>	<b>0.00%</b>	<b>(145,028)</b>	<b>(38,607)</b>	<b>(116,973)</b>	<b>(249,057)</b>	<b>(291,173)</b>
Surplus / Deficit	\$ 123,880	\$ (5,268)	\$ 129,148	-2451.56%	\$ (50,933)		\$ 63,514	\$ (50,000)	\$ 50,000
<b>Beginning (Available) Fund Balance</b>	\$ 125,019	\$ 125,019	\$ -						
<b>Ending (Available) Fund Balance</b>	\$ 248,899	\$ 119,751	\$ 129,148						

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 6.75% due primarily to equipment rental and parts and labor revenues. Direct costs for cable are under budget and prior year. The prior year variance is due to prior year as well as current costs being paid in 2016. Internet costs are under budget. Phone service revenues are over budget by 6.8%, while phone service expenses are under budget by 3.1%. Cable operating expenses are under budget with small savings in multiple line items.

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

	2017					2016	2015	2014	
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD
<b>Telluride Conference Center Fund</b>									
<b>Revenues</b>									
Beverage Revenues	\$ -	\$ -	\$ -	#DIV/0!	\$ -	\$ -	\$ -	\$ -	\$ -
Catering Revenues	-	-	-	#DIV/0!	-	-	-	-	-
Facility Rental	-	-	-	#DIV/0!	-	-	-	-	-
Operating/Other Revenues	-	-	-	#DIV/0!	-	-	-	-	920
<b>Total Revenues</b>	-	-	-	#DIV/0!	-	-	-	-	920
<b>Operating Expenses</b>									
General Operations	5,058	5,000	58	1.17%	15,000	9,942	-	27	-
Administration	88,467	88,467	(0)	0.00%	88,467	0	82,422	82,639	78,598
Marketing	75,000	75,000	-	0.00%	100,000	25,000	100,000	100,000	14,819
Contingency	-	-	-	#DIV/0!	-	-	-	-	-
<b>Total Operating Expenses</b>	168,525	168,467	58	0.03%	203,467	34,942	182,422	182,666	93,417
Surplus / Deficit	(168,525)	(168,467)	(58)	0.03%	(203,467)		(182,422)	(182,666)	(92,497)
Capital Outlay/ Major R&R	5,564	5,564	-	0.00%	20,000	14,436	13,784	10,437	38,626
Surplus / Deficit	(174,089)	(174,031)	(58)	0.03%	(223,467)		(196,206)	(193,103)	(131,123)
<b>Other Sources and Uses</b>									
Damage Receipts	-	-	-	#DIV/0!	-	-	-	-	-
Insurance Proceeds	-	-	-	#DIV/0!	-	-	-	-	-
Sale of Assets	-	-	-	#DIV/0!	-	-	-	-	-
Transfer (To) From General Fund	174,089	174,031	58	0.03%	223,467	49,378	196,206	193,103	131,123
Overhead Allocation Transfer	-	-	-	#DIV/0!	-	-	-	-	-
<b>Total Other Sources and Uses</b>	174,089	174,031	58	74.00%	223,467	49,378	196,206	193,103	131,123
Surplus / Deficit	\$ -	\$ -	\$ 0	#DIV/0!	\$ -	\$ -	\$ -	\$ -	\$ -

Expenses to date are HOA dues, appraisal costs, and contracted marketing expenses.

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

	2017				2016	2015	2014		
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD
<b>Affordable Housing Development Fund</b>									
<b>Revenues</b>									
Contributions	\$ -	\$ -	\$ -	#DIV/0!	\$ -	\$ -	\$ -	\$ -	\$ -
Grant Proceeds	-	-	-	#DIV/0!	-	-	-	-	-
Rental Income	12,125	9,721	2,404	24.73%	12,778	653	12,095	11,560	11,177
Sales Proceeds	-	-	-	#DIV/0!	-	-	-	-	-
<b>Total Revenues</b>	<b>12,125</b>	<b>9,721</b>	<b>2,404</b>	<b>24.73%</b>	<b>12,778</b>	<b>653</b>	<b>12,095</b>	<b>11,560</b>	<b>11,177</b>
<b>Operating Expenses</b>									
Community Garden	-	-	-	#DIV/0!	1,000	1,000	-	2,495	-
HA Consultant	4,900	4,900	-	0.00%	13,000	8,100	-	-	-
RHA Funding	87,776	87,776	-	0.00%	87,776	-	88,500	82,138	69,280
Town Owned Properties	11,621	9,987	1,634	16.36%	9,987	(1,634)	9,928	9,841	9,822
Density bank	8,856	8,856	-	0.00%	9,013	157	8,856	8,856	8,856
<b>Total Operating Expenses</b>	<b>113,153</b>	<b>111,519</b>	<b>1,634</b>	<b>1.46%</b>	<b>120,776</b>	<b>7,623</b>	<b>107,284</b>	<b>103,330</b>	<b>87,958</b>
Surplus / Deficit	(101,028)	(101,798)	(770)	0.76%	(107,998)	(6,970)	(95,189)	(91,771)	(76,781)
<b>Other Sources and Uses</b>									
Transfer (To) From MAP	-	-	-	#DIV/0!	(60,000)	-	-	(30,000)	-
Transfer (To) From General Fund - Sales Tax	389,869	374,486	15,383	4.11%	440,572	50,703	362,409	349,418	285,621
Transfer (To) From Capital Projects Fund (1)	-	-	-	#DIV/0!	-	-	-	(437,864)	(19,254)
Transfer (To) From VCA	-	-	-	#DIV/0!	-	-	-	-	-
<b>Total Other Sources and Uses</b>	<b>389,869</b>	<b>374,486</b>	<b>15,383</b>	<b>4.11%</b>	<b>380,572</b>	<b>50,703</b>	<b>362,409</b>	<b>(118,446)</b>	<b>266,367</b>
Surplus / Deficit	\$ 288,841	\$ 272,688	\$ (16,153)	-5.92%	\$ 272,574	\$ 43,733	\$ 267,220	\$ (210,217)	\$ 189,586
<b>Beginning Fund Equity Balance</b>	<b>\$ 1,149,533</b>	<b>\$ 1,149,533</b>	<b>\$ -</b>						
<b>Ending Equity Fund Balance</b>	<b>\$ 1,438,374</b>	<b>\$ 1,422,221</b>	<b>\$ 16,153</b>						

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**

**November 2017**

	2017						2016	2015	2014
	Actual YTD	Budget YTD	Budget Vary (\$)	Budget Var (%)	Annual Budget	Budget Balance	Actual	Actual	Actual
<b>Village Court Apartments</b>									
<b>Operating Revenues</b>									
Rental Income	\$ 2,056,087	\$ 2,040,109	\$ 15,978	1%	\$ 2,225,944	\$ 169,857	\$ 2,084,713	\$2,074,789	\$2,017,267
Other Operating Income	85,598	70,094	15,504	22%	82,225	(3,373)	53,051	68,686	112,157
Less: Allowance for Bad Debt	-	(10,005)	10,005	-100%	(10,914)	(10,914)	(1,917)	(9,619)	(12,918)
<b>Total Operating Revenue</b>	<b>2,141,685</b>	<b>2,100,199</b>	<b>41,487</b>	<b>2%</b>	<b>2,297,255</b>	<b>155,570</b>	<b>2,135,847</b>	<b>2,133,856</b>	<b>2,116,506</b>
<b>Operating Expenses</b>									
Office Operations	151,664	176,627	24,963	14%	197,879	46,215	121,332	171,247	154,233
General and Administrative	126,380	135,460	9,079	7%	171,105	44,725	96,987	101,780	108,591
Utilities	339,248	349,372	10,124	3%	381,950	42,702	325,227	321,434	335,754
Repair and Maintenance	370,755	372,651	1,896	1%	412,516	41,761	329,671	308,174	308,777
Major Repairs and Replacement	135,383	151,677	16,294	11%	170,801	35,418	163,009	90,721	177,928
Contingency	-	-	-	0%	13,452	13,452	9,338	-	-
<b>Total Operating Expenses</b>	<b>1,123,430</b>	<b>1,185,786</b>	<b>62,357</b>	<b>5%</b>	<b>1,347,703</b>	<b>224,273</b>	<b>1,045,564</b>	<b>993,356</b>	<b>1,085,283</b>
<b>Surplus / (Deficit) After Operations</b>	<b>1,018,255</b>	<b>914,412</b>	<b>103,843</b>	<b>11%</b>	<b>949,552</b>		<b>1,090,283</b>	<b>1,140,501</b>	<b>1,031,223</b>
<b>Non-Operating (Income) / Expense</b>									
Investment Earning	(870)	(60)	810	1350%	(60)	810	(49)	(66)	(174)
Debt Service, Interest	406,398	406,401	3	0%	406,401	3	419,847	430,640	122,325
Debt Service, Fees	1,750	-	(1,750)	#DIV/0!	-	(1,750)	-	4,500	378,950
Debt Service, Principal	357,073	357,073	-	0%	357,073	-	367,621	356,834	285,801
<b>Total Non-Operating (Income) / Expense</b>	<b>764,351</b>	<b>307,577</b>	<b>(456,774)</b>	<b>-149%</b>	<b>763,414</b>	<b>(937)</b>	<b>787,419</b>	<b>791,907</b>	<b>786,903</b>
<b>Surplus / (Deficit) Before Capital</b>	<b>253,905</b>	<b>606,835</b>	<b>(352,930)</b>	<b>-58%</b>	<b>186,138</b>		<b>302,864</b>	<b>348,593</b>	<b>244,320</b>
Capital Spending	3,671	-	(3,671)	#DIV/0!	-	(3,671)	5,496	-	-
<b>Surplus / (Deficit)</b>	<b>250,234</b>	<b>606,835</b>	<b>(356,601)</b>	<b>-59%</b>	<b>186,138</b>		<b>297,368</b>	<b>348,593</b>	<b>244,320</b>
<b>Other Sources / (Uses)</b>									
Transfer (To)/From General Fund	(84,122)	(84,122)	-	0%	(118,518)	(119,486)	(95,451)	(98,567)	(106,936)
Sale of Assets	968	-	968	0%	-	-	-	-	-
Grant Revenues	-	-	-	0%	-	-	-	-	-
Transfer From AHDF	-	-	-	0%	-	83,154	-	-	-
<b>Total Other Sources / (Uses)</b>	<b>(83,154)</b>	<b>(84,122)</b>	<b>968</b>	<b>0%</b>	<b>(118,518)</b>	<b>83,154</b>	<b>(95,451)</b>	<b>(98,567)</b>	<b>(106,936)</b>
<b>Surplus / (Deficit)</b>	<b>167,080</b>	<b>522,713</b>	<b>(355,633)</b>	<b>-68%</b>	<b>67,620</b>		<b>201,917</b>	<b>250,026</b>	<b>137,384</b>

Rent revenues are meeting budget but are down from previous year. Other revenues are over budget 22% due mainly to lease break and unit transfer fees, credit check and pet fees.

Office operations are under budget 14%. This is primarily due to employee costs. General and administrative is under budget 7% due mainly to credit card charges and property insurance.

Utilities are 3% under budget with savings in electricity. Maintenance is at budget. MR&R is under budget 11%.

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  
November 2017**

	2017				Annual Budget	Budget Balance	2016	2015	2014
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)			Actual YTD	Actual YTD	Actual YTD
<b>Debt Service Fund</b>									
<b>Revenues</b>									
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	3,455,024	(40,676)	-1.18%	3,481,093	66,744	3,438,748	3,473,399	3,535,829
Reserve/Capital/Liquidity Interest	3,947	1,880	2,067	109.93%	2,053	(1,894)	1,150	1,489	10,407
Specific Ownership Taxes	137,823	76,586	61,237	79.96%	83,909	(53,914)	124,620	136,157	130,293
<b>Total Revenues</b>	<b>3,760,633</b>	<b>3,737,825</b>	<b>22,808</b>	<b>140.00%</b>	<b>3,771,390</b>	<b>10,756</b>	<b>3,772,493</b>	<b>3,817,320</b>	<b>3,880,954</b>
<b>Debt Service</b>									
<b>2001/2011 Bonds - Gondola - Paid by contributions from TMVOA and TSG</b>									
2001/2011 Bond Issue - Interest	89,515	89,515	-	77.84%	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
<b>2005 Bonds - Telluride Conference Center - (refunding portion of 1998 )</b>									
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
<b>2006/2014 Bonds - Heritage Parking</b>									
2014 Bond Issue - Interest	267,180	267,180	-	52.91%	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
<b>2007 Bonds - Water/Sewer (refunding 1997)</b>									
2007 Bond Issue - Interest	89,513	89,513	-	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
<b>2009 Bonds - Telluride Conference Center (refunding 1998 bonds)</b>									
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
<b>Total Debt Service</b>	<b>3,807,608</b>	<b>3,807,608</b>	<b>-</b>	<b>0.00%</b>	<b>3,808,233</b>	<b>625</b>	<b>3,329,675</b>	<b>3,571,186</b>	<b>3,626,226</b>
Surplus / (Deficit)	(46,975)	(69,783)	22,808	-32.68%	(36,844)		442,818	246,134	254,729
<b>Operating Expenses</b>									
Administrative Fees	1,900	1,900	-	0.00%	13,750	11,850	11,661	12,050	15,876
County Treasurer Collection Fees	102,762	102,342	420	0.41%	102,344	(418)	103,442	104,429	106,280
<b>Total Operating Expenses</b>	<b>104,662</b>	<b>104,242</b>	<b>420</b>	<b>0.40%</b>	<b>116,094</b>	<b>11,432</b>	<b>115,103</b>	<b>116,479</b>	<b>122,156</b>
Surplus / (Deficit)	(151,637)	(174,025)	22,388	-12.86%	(152,938)		327,715	129,655	132,573
<b>Other Sources and Uses</b>									
Transfer (To) From General Fund	(137,823)	(76,586)	(61,237)	79.96%	(83,909)	53,914	(124,620)	(136,157)	(130,293)
Transfer (To) From Other Funds (1)	(207,439)	(207,439)	-	0.00%	(207,439)	-	-	-	-
Bond Premiums	-	-	-	#DIV/0!	-	-	-	-	-
Proceeds From Bond Issuance	-	-	-	#DIV/0!	-	-	-	-	-
<b>Total Other Sources and Uses</b>	<b>(345,262)</b>	<b>(284,025)</b>	<b>(61,237)</b>	<b>21.56%</b>	<b>(291,348)</b>	<b>53,914</b>	<b>(124,620)</b>	<b>(136,157)</b>	<b>(130,293)</b>
Surplus / (Deficit)	\$ (496,899)	\$ (458,050)	\$ (38,849)	8.48%	\$ (444,286)		\$ 203,095	\$ (6,502)	\$ 2,280
<b>Beginning Fund Balance</b>	\$ 947,096	\$ 947,096	\$ -						
<b>Ending Fund Balance</b>	\$ 450,197	\$ 489,046	\$ (38,849)						

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



**PLANNING AND DEVELOPMENT SERVICES  
DEPARTMENT**

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

**Agenda Item No. 10**

**TO:** Town Council

**FROM:** Michelle Haynes, Planning and Development Services Director

**FOR:** Meeting of January 18, 2018

**DATE:** December 13, 2017

**RE:** 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.

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The applicant has requested that this item be continued to the February 15, 2018 regular Town Council meeting. Please see the attached email request.

Attachment: email from Tom Kennedy dated January 11, 2018

/mbh

**From:** [Thomas Kennedy](#)  
**To:** [Michelle Haynes](#)  
**Cc:** [Jim Mahoney](#)  
**Subject:** Request to Continue Pending Application for Lots 126R and 152R  
**Date:** Thursday, January 11, 2018 10:13:50 AM

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Michelle

My client requests that the Town continue its pending application seeking to amend and extend the vested rights with respect to the current PUD/Subdivision and related approvals for Lot 126R and Lot 152R from the January 18 Town Council meeting to the February Town Council meeting. My client is continuing to evaluate comments provided by the Design Review Board to determine how it would like to proceed with these matters.

Please advise if you have any questions.

Thank You  
Tom Kennedy

\*\*\*\*\*

The Law Offices of Thomas G. Kennedy  
P.O. Box 3081 (Mailing Address)  
The Willow Professional Building  
307 East Colorado Avenue, Suite 203  
Telluride, Colorado 81435  
Voice: (970)728-2424  
Fax: (970)728-9439  
Email Address [tom@tklaw.net](mailto:tom@tklaw.net)

**CONFIDENTIALITY NOTICE:**

This message is confidential and may be privileged. If you believe that this email has been sent to you in error, please do not open any attachment and then notify the sender that you have erroneously received this message and delete this email message and any attachments. Thank you.



**PLANNING AND DEVELOPMENT SERVICES  
DEPARTMENT**

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

**Agenda Item No. 11 & 12**

**TO:** Town Council

**FROM:** Michelle Haynes, Planning and Development Services Director

**FOR:** Meeting of January 18, 2018

**DATE:** December 6, 2017

**RE:** 1) First reading, 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 and 2) 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.

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**PROJECT GEOGRAPHY**

**Legal Description:** Lot 303R1, 304 and 305, Town of Mountain Village according to Plat Book 1, Page 2281 according to records of San Miguel County, Colorado.

**Address:** 313 Benchmark Drive, 317 Benchmark Drive & 101 Autumn Lane

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

**Owner:** Telluvista, LLC and Donald & Amy Smith

**Zoning:** Single Family

**Existing Use:** Single Family Homes (lots 303R1 & 305) Vacant land (lot 304)

**Proposed Use:** replat Lots 303R1, 304 and 305 into Lots 303R2 and 305R.

**Lot Size:** 1.784 acres

**Adjacent Land Uses:**

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

**ATTACHMENTS**

- Exhibit A: Applicant's Narrative dated November 3, 2017
- Exhibit B: Proposed replat document dated October 5, 2017
- Exhibit C: Existing Conditions plats and No Build Covenant Maps (4 plat/maps total)
- Exhibit D: Ordinance
- Exhibit E: Resolution
- Exhibit F: General Easement Agreement for an existing retaining wall on Lot 303R2
- Exhibit G: Release of General Easement Agreement for lot 305 for a drywell
- Exhibit H: No Build Covenant Document

## **BACKGROUND**

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. Lot 304 will be replat equally into Lot 303R and 305R. A substantial portion of the former lot 304 will have a private covenant called a no build zone depicted and by legal instrument on the newly replatted portions of Lots 303R2 and 305R (see exhibit C). 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. 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 January 18, 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 304 with conditions found in the proposed motion.

### **MINOR SUBDIVISION APPLICATION**

Associated with the density transfer and rezone application to move the single family density from lot 304 to the density bank, the Town Council must also review the Class 5 Minor Subdivision application to replat Lots 303R1, 304 and 305 into Lots 303R2 and 305R.

### **MINOR SUBDIVISION CRITERIA AND STAFF ANALYSIS**

The following criteria shall be met for the review authority to approve a lot line vacation, lot line adjustment, easement vacation or similar subdivision:

- a) The lots resulting from the adjustment or vacation are in compliance with Town Zoning and Land Use Regulations and Subdivision Regulations;
- b) The proposed subdivision is in general conformance with the goals, policies and provisions of the Comprehensive Plan;
- c) Subdivision access is in compliance with Town standards and codes unless specific variances have been granted in accordance with the variance provisions of this CDC;
- d) Easements are not affected, or have been relocated to the satisfaction of the utility companies and/or the benefited party under the easement or, in the case of
- e) vacated easements, the easement is no longer necessary due to changed
- f) conditions, and the easement vacation has been consented to by the benefited party under the easement; and
- g) The proposed subdivision meets all applicable Town regulations and standards.

The proposed application meets the above criteria.

### **SUBDIVISION DESIGN STANDARDS, GENERAL STANDARDS AND STAFF ANALYSIS** **(CDC Section 17.4.13.F)**

- The proposed replat meeting the subdivision design standards and general standards.
- No change to vehicular access or utility access is contemplated.
- The general easements are being relocated to comport with the new lot lines.
- The area formerly lot 304 is substantially restricted by plat and legal instrument to a no build zone so the replat makes lot 303R2 and 305R larger in land area with no change to the properties function or look today.

The only future change is that the maximum allowable site coverage increases relative to the two existing homes. Additions of building, deck or hardscape could otherwise be contemplated with an increase in land area and not to exceed 40%.

### **STAFF RECOMMENDATION**

Staff recommends approval of the first reading of an ordinance and the minor scale subdivision. If Town Council approves, please consider both recommended motions listed below.

### **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 density unit (four-person equivalent density) to the Density Bank for Lot 304 and direct the Town Clerk to set a public hearing on February 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.
2. Request the Town Clerk to set a public hearing on February 15, 2018.

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 January 18, 2018, with notice of such hearing as required by the Community Development Code.*

**PROPOSED MOTION MINOR SUBDIVISION**

I move to approve by Resolution a minor subdivision for Lots 303R1, 304 and 305 to replat into 303R2 and lot 305R with the findings contained within the staff report of record dated December 6, 2017 and with 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) Execute an encroachment agreement for the retaining wall shown on the existing conditions map for Lot 303R1 (replat property 303R2) in the north general easement.
- 3) Void the encroachment agreement for lot 305 at reception number 444697 for a drywell as it will no longer encroach into the general easement.
- 4) Staff will review the replat 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 execution of the final mylar.
- 5) The minor subdivision approval is conditioned upon final approval of a density transfer by Town Council.
- 6) Staff has the authority to provide ministerial and conforming comments on the mylar prior to recordation.

*This motion is based on the evidence and testimony provided at a public hearing held on January 18, 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.

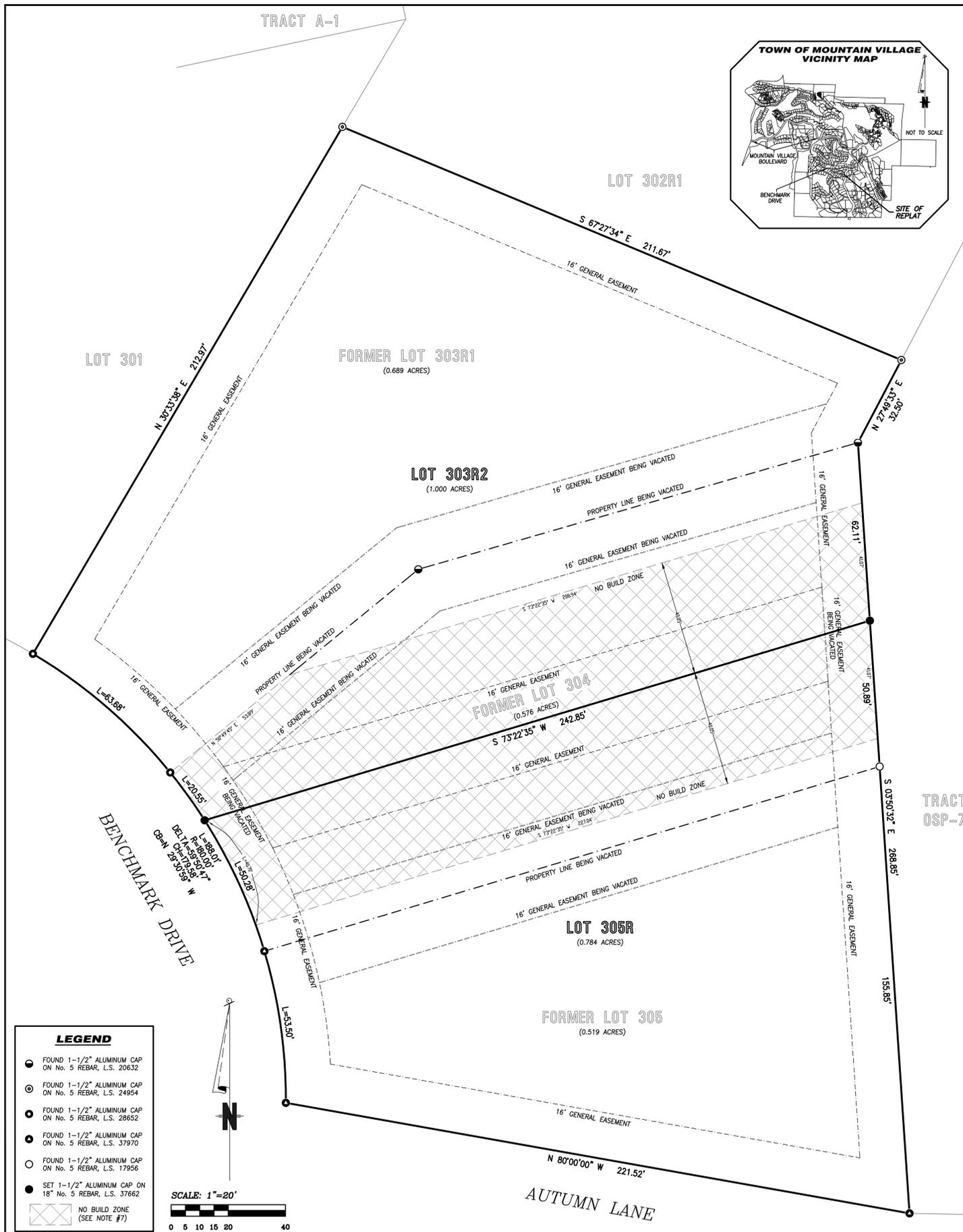
Please feel free to contact me with any questions, but in the meantime, Telluvista looks forward to working with the Mountain Village Planning Department regarding these applications.

Kind regards,

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

*/s/ Daniel Zemke, Esq.*

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



**OWNERS CERTIFICATE**

KNOW ALL PERSONS BY THESE PRESENTS that TELLUVISTA LLC, A Colorado limited liability Company, being the owner of the following described land:

Lot 303-R1, Town of Mountain Village, according to the recorded replat filed 02-14-2005 in Plat Book 1 at page 3442, County Of San Miguel, State Of Colorado, and Lot 304, Town of Mountain Village, according to the plat of Filing 10, Telluride Mountain Village recorded November 21, 1988 in Plat Book 1 at page 862, County of San Miguel, State of Colorado.

**AND THAT**

Donald B. Smith, Jr. And Amy M. Smith being the owners of the following described land:

Lot 305, Town of Mountain Village, according to the plat of Filing 10, Telluride Mountain Village recorded November 21, 1988 in Plat Book 1 at page 862, County of San Miguel, State of Colorado.

Have by these presents caused same to be laid out, platted and subdivided the same into lots, as shown on this plat under the name and style of LOT 303R2 AND LOT 305R, TOWN OF MOUNTAIN VILLAGE and, as Owners, 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 parties' side of the boundary lines set forth on this plat, and do hereby agree that the boundary lines shown on this plat are the boundary lines by agreement of adjoining owners pursuant to Colorado Revised Statutes sec. 38-44-112.

**OWNERS:**

Derek Kreunen, as \_\_\_\_\_ of TELLUVISTA LLC, A Colorado limited liability Company

Donald B. Smith, Jr.

Amy M. Smith

**ACKNOWLEDGMENT**

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss

The foregoing signature was acknowledged before me this day of \_\_\_\_\_, 20\_\_\_\_ A.D. by Derek Kreunen, as \_\_\_\_\_ of TELLUVISTA LLC, A Colorado 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 \_\_\_\_\_, 20\_\_\_\_ A.D. by Donald B. Smith, Jr.

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 \_\_\_\_\_, 20\_\_\_\_ A.D. by Amy M. Smith

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 \_\_\_\_\_ 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 \_\_\_\_\_ of Mountain Village Owner's Association, Inc.

My commission expires \_\_\_\_\_  
Witness my hand and seal.

Notary Public

**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 \_\_\_\_\_

**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

**SURVEYOR'S CERTIFICATE:**

I, David R. Bulson of Foley Associates, Inc., being a Colorado Licensed Surveyor, do hereby certify that this plat and survey of LOT 303R2 AND LOT 305R, TOWN OF MOUNTAIN VILLAGE 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.

**DRAFT**

P.L.S. No. 37662 \_\_\_\_\_ Date \_\_\_\_\_

**NOTES:**

- Approval of this plan may create a vested property right pursuant to Article 68 of Title 24, C.R.S., as amended.
- Easement research and legal descriptions provided by Land Title Guarantee Company, Order Number TLR86007261-6, dated July 21, 2017 at 5:00 P.M. as to Lot 303R-1 and Lot 304, Order Number TLR86007539, dated October 5, 2017 at 5:00 P.M. as to Lot 305.
- NOTES OF CLARIFICATION:
  - The Configuration of the following lots, tracts, and right-of-way have been modified by this plat: none
  - The following lots have been created by this plat: Lot 303R2 and Lot 305R
  - The following lots have been deleted by this plat: Lot 303R, Lot 304, and Lot 305
- BASIS OF BEARINGS:** The bearing between found monuments along the northwestern boundary of former Lot 303R, as shown hereon, assumed to have the record bearing of N 30°33'38" E according to Plat Book 1 at page \_\_\_\_\_.
- Lineal Units represented hereon are shown in U.S. Survey Feet or a decimal portion thereof.
- Mortgage's consent for Lot 305, Town of Mountain Village, is recorded at Reception No. \_\_\_\_\_.
- No Build Zone according to the terms and conditions of the document recorded in reception number \_\_\_\_\_.
- 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.

**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 \_\_\_\_\_

**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

Page \_\_\_\_\_  
Reception No. \_\_\_\_\_  
Time \_\_\_\_\_

San Miguel County Clerk

**Lot 303R2 and Lot 305R, Town of Mountain Village,**  
A Replat of Lots 303R1, 304 and 305, Town of Mountain Village,  
located within the SW1/4 of Section 3, T.42N., R.9W., N.M.P.M., County of San Miguel, State of Colorado.

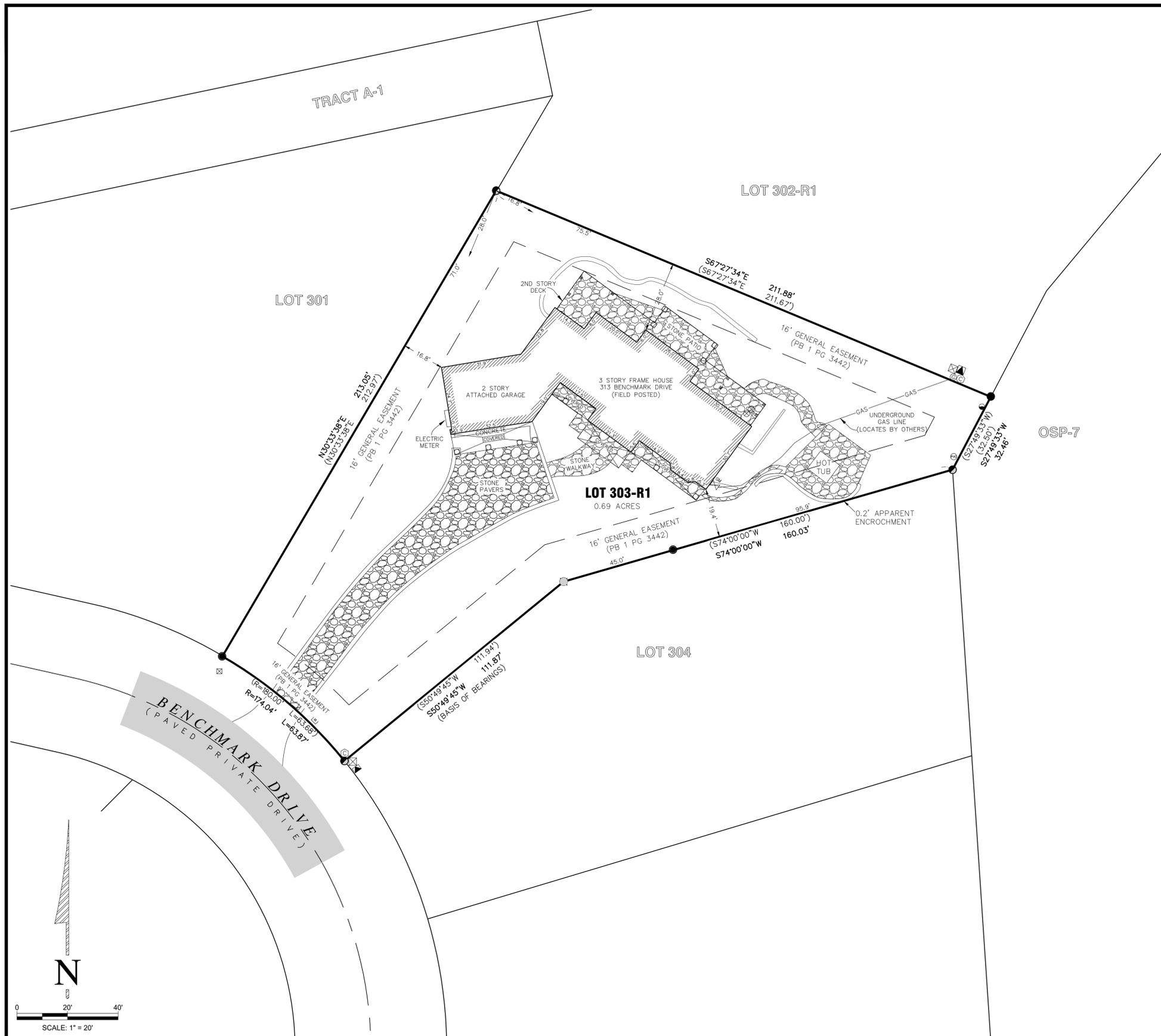
Project Mgr:	DB	Rev.	description	date	by
Technician:	MC	1	Changed No Build Zone to match Exhibit Rev. 1	10/12/2017	mc
Checked by:					
Start date:	10/05/2017				



970-728-6153 970-728-6050 fax  
P.O. BOX 1385  
125 W. PACIFIC, SUITE B-1  
TELLURIDE, COLORADO 81435

Drawing path: dws\89127 REPLAT 10-17.dwg

Sheet1 of 1 Project #: 89127



**LEGEND**

- FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP, LS 28652
- FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP, LS 20632
- FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP, LS 36577
- SET 18'7/24" LONG #5 REBAR WITH 1 1/2" ALUMINUM CAP, LS 36577
- ⊙ CABLE TELEVISION PEDESTAL
- ▲ ELECTRIC TRANSFORMER
- ⊙ GAS, CARSONITE POST
- ⊗ PHONE PEDESTAL
- ⊙ SEWER MANHOLE
- ⊗ CLEANOUT
- ⊗ GAS METER
- ⊙ 4" PVC
- ⊞ ADDRESS MONUMENT
- T-POST WITH BLUE PVC (SKI BARRIER)
- 1' X 1' WOOD POST
- 2' X 2' STONE COLUMN
- 4' X 4' STONE COLUMN
- ASPHALT PAVEMENT
- ( ) INDICATES RECORD BEARING & DISTANCE AS RECORDED IN PLAT BOOK 1 AT PAGE 3443

**NOTICE:**

According to Colorado Law, you must commence any legal action based upon any 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.

**NOTES:**

1. According to Flood Insurance Rate Map 08113C0286 C dated September 30, 1988, this parcel lies within Flood Zone "X" (Areas determined to be outside the 500-year flood plain).
2. Easement research from Land Title Guarantee Company, Commitment No. TLR86007261-1, Dated 07/21/2017 at 5:00 P.M.
3. Gas line location is based on locates by others, and is for informational purposes only.
4. Lineal Units U.S. Survey Feet

**PROPERTY DESCRIPTION:**

Lot 303-R1, Town of Mountain Village, according to the recorded replat filed 02-14-2005 in Plat Book 1 at page 3442.  
County of San Miguel,  
State of Colorado

**BASIS OF BEARINGS:**

The Basis of Bearings for this Improvement Survey Plat was derived from the southwest boundary line of Lot 303-R1, according to the plat recorded in Plat Book 1 at page 3442, said bearing being **S 50°49'45" W**, both being found monuments in March 2007, the Southwest Corner was reset during this survey.

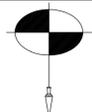
**SURVEYOR'S CERTIFICATE:**

I, Christopher R. Kennedy, of San Juan Surveying, being a Licensed and Registered Land Surveyor in the State of Colorado, do hereby certify that this Improvement Survey Plat prepared for Land Title Guarantee Company, Equity360, LLC and Telluride, LTD., a Texas Limited Partnership was performed under my direct responsibility, supervision, and checking, and that the information herein is true and accurate to the best of my belief and knowledge. I further certify that the monuments as shown were field set as required by Articles 50 and 51 of Title 38, C.R.S.

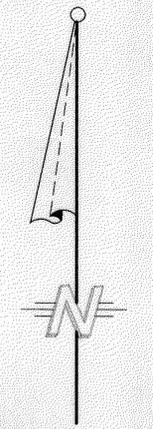
  
 Christopher R. Kennedy, P.L.S. 36577  
 07/28/2017



**IMPROVEMENT SURVEY PLAT**  
**LOT 303-R1, TOWN OF MOUNTAIN VILLAGE**


**SAN JUAN SURVEYING**  
 SURVEYING \* PLANNING  
 102 SOCIETY DRIVE TELLURIDE, CO. 81435  
 (970) 728 - 1128 (970) 728 - 9201 fax  
 office@sanjuansurveying.net

DATE:	07/28/2017
JOB:	99013
DRAWN BY:	ESS
CHECKED BY:	CRK
REVISION DATES:	
SHEET:	1 OF 1



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

CONTOUR INTERVAL = 2'

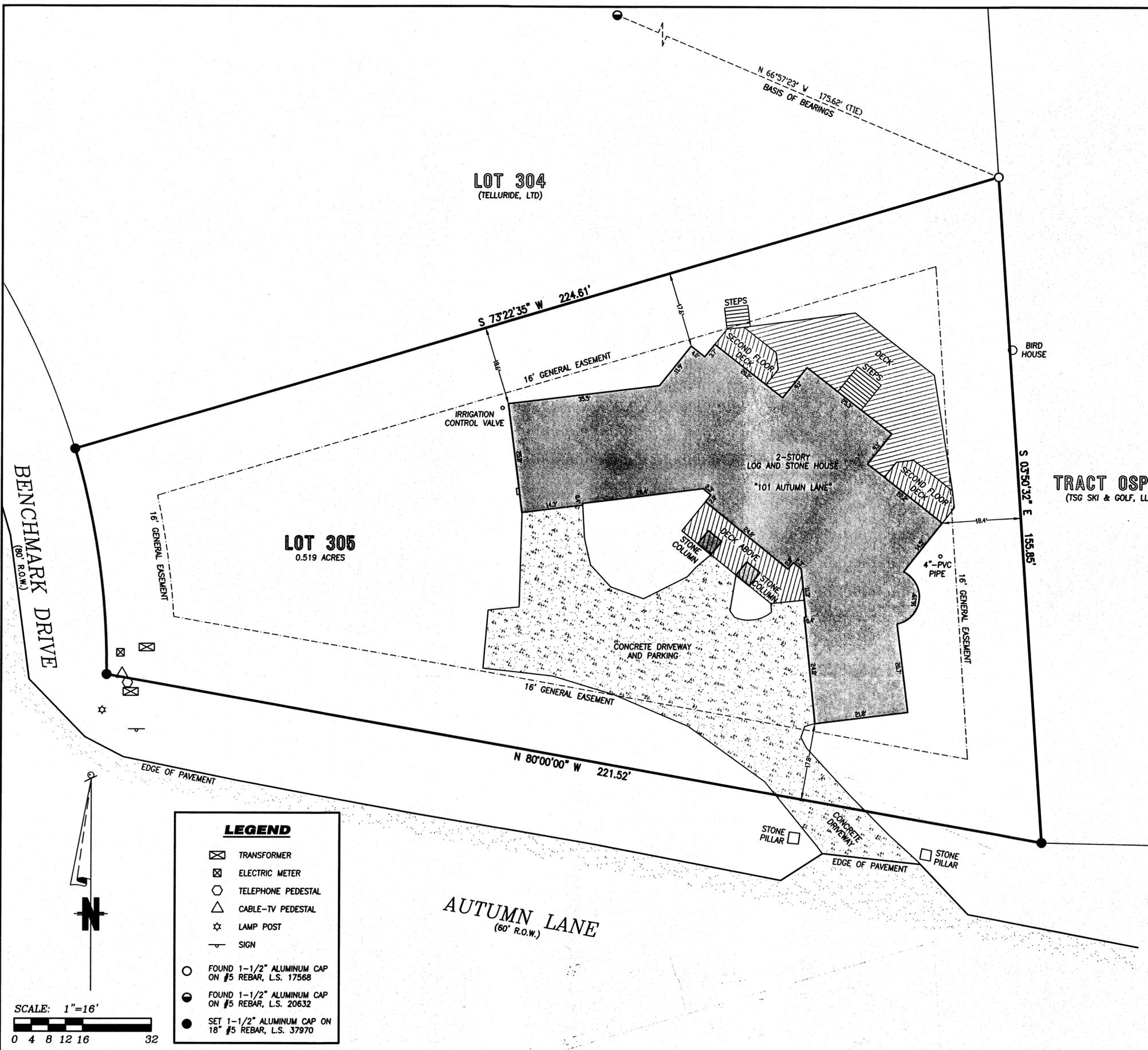
- TELEPHONE
- ELECTRIC BOX
- MANHOLE

NOTE: THIS TOPOGRAPHIC SURVEY IS DRAWN FROM FIELD SURVEY DATA COLLECTED IN OCTOBER, 1989. EDGE OF PAVEMENT, TIE LINE, AND UTILITIES FROM FIELD SURVEY DATA COLLECTED IN SEPTEMBER, 1994.

**TOPOGRAPHIC SURVEY**

**TELLURIDE MOUNTAIN VILLAGE, LOT 304**

**FOLEY ASSOCIATES, INC. ENGINEERING & SURVEYING**  
 P.O. BOX 1385 TELLURIDE, COLORADO 81435  
 SHEET 1 OF 1 SEPTEMBER, 1994 89127 89127



**SURVEYOR'S STATEMENT:**

I, Jeffrey C. Haskell, a duly registered land surveyor licensed in the State of Colorado, do hereby state for and on behalf of Foley Associates, Inc. to Land Title Guarantee Company, that a survey of the premises of the parcel described hereon was conducted by me or under my direct responsibility, supervision, and checking on February 16, 2015; that said survey was made in substantial accordance with C.R.S. 38-51-102 (9) "Improvement Survey Plat"; and that the information contained herein is true and accurate to the best of my knowledge.



Jeffrey C. Haskell L.S. 37970

**PROPERTY DESCRIPTION:**

LOT 305, TELLURIDE MOUNTAIN VILLAGE, FILING 10, ACCORDING TO THE PLAT RECORDED NOVEMBER 21, 1988 IN PLAT BOOK 1 AT PAGE 862.

COUNTY OF SAN MIGUEL, STATE OF COLORADO.

**TRACT OSP-7**  
(TSG SKI & GOLF, LLC)

**NOTES:**

- Easement research and property description from Land Title Guarantee Company, Order Number TLR86004510, dated February 02, 2015 at 5:00 P.M.
- According to FEMA Flood Insurance Rate Map 08113C0287 D, Panel Number 0287-D, dated September 30, 1992, this parcel is within Zone X; Areas determined to be outside 500-year flood plain.
- The bearing between the found northeast corner of Lot 305 and the found northern angle point of Lot 304 was assumed to be the record calculated bearing of N 66°57'23" W.
- Lineal units represented hereon are shown in U.S. Survey Feet or a decimal portion thereof.
- This survey is valid only if a print or electronic copy has a seal and signature of the surveyor noted within the statement above.
- Any person who knowingly removes, alters, or defaces any public land survey monument and/or boundary monument or accessory, commits a class two (2) misdemeanor pursuant to C.R.S. 18-4-508.
- The word certify as used hereon means an expression of professional opinion regarding the facts of this survey and does not constitute a warranty or guarantee, expressed or implied.
- This survey is prepared for the exclusive use of the party or parties indicated within the surveyor's statement. Said statement does not extend to any unnamed person or parties without an express statement by the surveyor naming said entities.
- NOTICE:** According to Colorado law, you must commence any legal action based upon any 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.

**LEGEND**

- ☒ TRANSFORMER
- ⊠ ELECTRIC METER
- TELEPHONE PEDESTAL
- △ CABLE-TV PEDESTAL
- ☆ LAMP POST
- ▽ SIGN
- FOUND 1-1/2" ALUMINUM CAP ON #5 REBAR, L.S. 17568
- FOUND 1-1/2" ALUMINUM CAP ON #5 REBAR, L.S. 20632
- SET 1-1/2" ALUMINUM CAP ON 18" #5 REBAR, L.S. 37970

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

**Improvement Survey Plat**

Lot 305, Telluride Mountain Village, Filing 10, located within the SW/4 of Section 3, T.42N., R.9W., N.M.P.M., San Miguel County, Colorado.

Project Mgr:	JH
Technician:	MC
Checked by:	TC
Start date:	02/16/2015

**FOLEY ASSOCIATES, INC.**  
ENGINEERING PLANNING SURVEYING

970-728-6153 970-728-6050 fax  
PO Box 1385  
125 W. Pacific Ave., Suite B-1  
Telluride, Colorado, 81435



## 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:

<b>Lot No.</b>	<b>Zone District</b>	<b>Zoning Designation</b>	<b>Actual Units</b>	<b>Person Equivalent per Actual Unit</b>	<b>Total Person Equivalent Density</b>
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

<b>Lot No.</b>	<b>Zone District</b>	<b>Zoning Designation</b>	<b>Actual Units</b>	<b>Person Equivalent per Actual Unit</b>	<b>Total Person Equivalent Density</b>	<b>Notes</b>
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 15<sup>th</sup> 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 18<sup>th</sup> 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)

**RESOLUTION OF THE TOWN COUNCIL  
OF MOUNTAIN VILLAGE, RESOLUTION APPROVING A MINOR SUBDIVISION TO  
REPLAT LOTS 303R1, 304 AND 305 INTO LOTS 303R2 AND 305R**

**RESOLUTION NO. 2018**

- A. Telluvista, A Limited Liability Company And Donald And Amy Smith ("Owners") Of Record Of Real Properties Described As Lots 303R1, Town Of Mountain Village, According To The Recorded Replat Filed 02-14-2005 In Plat Book 1 At Page 3442, County Of San Miguel, State Of Colorado; Lot 304, Town Of Mountain Village, According To The Plat Filed In Plat Book 1 At Page 2281, And According To The Town Of Mountain Village Official Lot List, Recorded In Book 586 At Page 548, County Of San Miguel, State Of Colorado And Lot 305, Telluride Mountain Village, Filing 10, According To The Plat Recorded On November 21, 1988 In Plat Book 1 At Page 862, County Of San Miguel, State Of Colorado.
- B. The Owner has authorized the Law Offices of Daniel Zemke to pursue the approval of the minor subdivision application to replat Lots 303R1, 304 and 305 into Lots 303R2 and 305R ("Application").
- C. The Town Council approved the Minor Subdivision to replat the properties into Lots 303R2 and 305R along with evidence and testimony, at a public meeting on January 18, 2018.
- D. The Owners have addressed, or agreed to address, all conditions of approval of the Application imposed by Town Council.
- E. The Town Council finds that the minor subdivision meets the criteria for decision set forth in Section 17.4.13 of the CDC as follows:
  - 1. The lots resulting from the replat are in compliance with Town Zoning and Land Use Regulations and Subdivision Regulations;
  - 2. The proposed subdivision is in general conformance with the goals, policies and provisions of the Comprehensive Plan because the lots and the surrounding area will remain single-family in nature, the densities remain low consistent with single family zoning, and the properties will otherwise look and feel the same;
  - 3. Subdivision access complies with Town standards and codes.
  - 4. Easements are not affected, or have been relocated to the satisfaction of the utility companies and/or the benefited party under the easement or, in the case of vacated easements, the easement is no longer necessary due to changed conditions, and the easement vacation has been consented to by the benefited party under the easement; and
  - 5. The proposed subdivision meets all applicable Town regulations and standards.

**NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN COUNCIL HEREBY APPROVES THE MINOR SUBDIVISION AND AUTHORIZES THE MAYOR TO SIGN THE RESOLUTION 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) Execute an encroachment agreement for the retaining wall shown on the existing conditions map for Lot 303R1 (replat property 303R2) in the north general easement.
- 3) Void the encroachment agreement for lot 305 at reception number 444697 for a drywell as it will no longer encroach into the general easement.
- 4) Staff will review the replat 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 execution of the final mylar.
- 5) Applicant receives approval from the Town Council for the associated rezone and density transfer.
- 6) Staff has the authority to provide ministerial and conforming comments on the mylar prior to recordation.

**Section 1. Resolution Effect**

- A. This Resolution 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 resolutions repealed or amended as herein provided and the same shall be construed and concluded under such prior resolutions.
- B. All resolutions, of the Town, or parts thereof, inconsistent or in conflict with this Resolution, are hereby repealed, replaced and superseded to the extent only of such inconsistency or conflict.

**Section 2. Severability**

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

**Section 3. Effective Date**

This Resolution shall become effective on August 18, 2016 (the "Effective Date") as herein referenced throughout this Resolution.

**Section 4. Public Meeting**

A public meeting on this Resolution was held on the 18<sup>th</sup> day of January 2018 in the Town Council Chambers, Town Hall, 455 Mountain Village Blvd, Mountain Village, Colorado 81435.

**Approved** by the Town Council at a public meeting held on January 18, 2018.

**Town of Mountain Village, Town Council**

By: \_\_\_\_\_  
Laila Benitez, Mayor

**Attest:**

By: \_\_\_\_\_  
Jackie Kennefick, Town Clerk

Approved as to Form:

\_\_\_\_\_  
James Mahoney, Assistant Town Attorney



455 Mountain Village Boulevard • Mountain Village, CO 81435 • Phone 970-369-8242 • Fax 970-728-4342

## GENERAL EASEMENT AGREEMENT

The Town of Mountain Village (Town) hereby grants the Owner, Telluvista, LLC an encroachment into the northern General Easement for a retaining wall on Lot 303R2, 313 Benchmark Drive in Mountain Village.

Development within the Eastern 16' General Easement shall be performed at the Owner's sole risk and expense. Should the Town require the 16' GE for any purpose deemed necessary in its/their sole and absolute discretion, including but not limited to, those uses set forth in Community Development Code, the Town reserves the right to interrupt Owner's use in the 16' General Easement. Any costs associated with reestablishing Owner's use of the 16' General Easement shall be the sole responsibility of the Owner.

Owner hereby agrees to indemnify and hold harmless the Town from any and all liability for loss, injury, damage or otherwise (including reasonable fees) arising out of or in any way either directly or indirectly resulting from the allowed encroachment and the use associated therewith.

Executed on this \_\_\_\_\_ day of \_\_\_\_\_, 2018

Town of Mountain Village

By: \_\_\_\_\_  
Laila Benitez, Mayor, Town of Mountain Village

Attest:

Approved as to form:

\_\_\_\_\_  
James Mahoney, Assistant Town Attorney

\_\_\_\_\_  
Jackie Kennefick, Town Clerk

By: \_\_\_\_\_  
Telluvista, LLC,                      Owner



**Town of Mountain Village  
General Easement Agreement**

As an authorized representative of the Town of Mountain Village, Public Works Department, I have reviewed the Site Plan for Lot 303R2, 313 Benchmark Drive and have determined we do not currently use nor do we, at this time, have plans to use the affected portion of the 16' General Easement depicted in Exhibit A and have no objection (from a standpoint with regards to Utilities) to granting the Owner (s) of Lot 303R2 and/or assigns permission for encroachment in to the General Easement/, as shown attached hereto, that allows for a retaining wall and associated landscaping in the northern General Easement.

Town of Mountain Village, a municipal corporation and  
Political subdivision of the State of Colorado:

Approved by: \_\_\_\_\_  
Finn Kjome, Public Works Director Town of  
Mountain Village

Date: \_\_\_\_\_



WITNESS my hand and official seal.  
My commission expires: \_\_\_\_\_

(SEAL)

\_\_\_\_\_  
Notary Public

**RECIPROCAL NO BUILD COVENANT AND AGREEMENT**

THIS RECIPROCAL NO BUILD COVENANT AND AGREEMENT (the “**Covenant**”) is made and entered into effective as of this \_\_\_\_ day of \_\_\_\_\_, 2018 (the “**Effective Date**”), by and among (i) Donald B. Smith Jr. and Amy M. Smith, in their capacity as owners of the Lot 305R (defined below), as well as their successors and assigns as owners of the Burdened Property (collectively, the “**Lot 305R Property Owner**”) and (ii) TelluVista, LLC, a Colorado limited liability company, in its capacity as owner of Lot 303R2 (defined below), as well as its successors and assigns (collectively, the “**Lot 303R2 Property Owner**”). The Lot 305R Property Owner and the Lot 303R2 Property Owner are hereinafter referenced individually as “**Party**” and collectively as the “**Parties.**”

**RECITALS**

WHEREAS, the Parties desire to grant to each other a reciprocal no build zone located on a portion of each respective Party’s property.

WHEREAS, the Lots 305R Property Owner is the owner of the following described property (“**Lot 305R**”):

LOT \_\_\_\_\_, TELLURIDE MOUNTAIN VILLAGE, FILING 10, ACCORDING TO THE PLAT RECORDED \_\_\_\_\_, 2017 IN PLAT BOOK 1 AT PAGE \_\_\_\_\_, COUNTY OF SAN MIGUEL, STATE OF COLORADO,

County of San Miguel, State of Colorado

WHEREAS, the Lot 303R2 Property Owner is the owner of the following described property (“**Lot 303R2**”):

LOT \_\_\_\_\_, TELLURIDE MOUNTAIN VILLAGE, FILING 10, ACCORDING TO THE PLAT RECORDED \_\_\_\_\_, 2017 IN PLAT BOOK 1 AT PAGE \_\_\_\_\_, COUNTY OF SAN MIGUEL, STATE OF COLORADO,

County of San Miguel, State of Colorado.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, including the aforesaid recitals hereby incorporated into this Covenant, the receipt and sufficiency of which are hereby acknowledged and accepted, the Parties hereby agree as follows:

**1. Lot 305R and Lot 303R2 No Build Zone.**

a. The Lot 305R Property Owner expressly acknowledges confirms, grants, agrees, and covenants to and with the Lot 303R2 Property Owner that, except as specifically set forth below, no residences, structures, fixtures, driveways, or improvements of any kind (collectively, the “**Improvements**”) shall be constructed, installed, or altered on that portion of Lot 305R, as is depicted as the “No Build Zone” on the attached Schedule 1 (the “**No Build Zone**”).

b. The Lot 303R2 Property Owner expressly acknowledges confirms, grants, agrees,

and covenants to and with the Lot 305R Property Owner that, except as specifically set forth below, no residences, structures, fixtures, driveways, or improvements of any kind (collectively, the “**Improvements**”) shall be constructed, installed, or altered on that portion of Lot 303R2, as is depicted as the “No Build Zone” on the attached Schedule 1.

c. The Parties acknowledge, understand and agree that “Improvements” shall include, but not be limited to: residences, structures, fixtures, driveways, ancillary structures such as guest houses, greenhouses, maintenance sheds, recreational structures, or any structure, address monument, trash enclosure, utility boxes, or any other structure or improvement of any kind not explicitly listed herein, and that does not currently exist at the time of execution of this Covenant. By “No Build Zone” the Parties wish to ascribe the meaning that neither Party shall undertake any construction of any Improvements of any kind that results in a structure or monument being placed within the No Build Zone.

d. Notwithstanding the foregoing directly above, the Parties do not intend to limit the repair, maintenance, alteration and necessary replacement of current landscaping, including trees, shrubs, plantings, grasses, and other existing vegetation located within the No Build Zone. Removal of dangerous trees, dead growth, diseased or rotting vegetation, overgrown shrubs or plantings, shall be permitted without consent of either Party and maintained, repaired or replaced with similar vegetation in an effort to keep the No Build Zone in its current natural vegetative state.

e. Installation or construction of any other improvement by one Party within that Party’s own portion of the No Build Zone (the “**Improving Party**”) shall only be allowed with the express written approval of the other Party (the “**Impacted Party**”), which approval may be granted or withheld, at the sole and absolute discretion and on such terms as shall be required by the Impacted Party.

2. **Run with the Land.** The rights and obligations of the Parties contained and/or granted in this Covenant shall run with the land as follows:

a. The No Build Zone located within Lot 305R shall (i) burden and run with Lot 305R; and (ii) benefit and run with Lot 303R2, both in perpetuity. Further, the benefits and rights acknowledged, and the burdens, duties, and obligations imposed and accepted herein, shall be binding upon, inure to the benefit of, and/or be a burden upon, the designees, successors, and assigns of the respective Parties.

b. The No Build Zone located within Lot 303R2 shall (i) burden and run with Lot 303R2; and (ii) benefit and run with Lot 305R, both in perpetuity. Further, the benefits and rights acknowledged, and the burdens, duties, and obligations imposed and accepted herein, shall be binding upon, inure to the benefit of, and/or be a burden upon, the designees, successors, and assigns of the respective Parties.

3. **Entire Covenant.** The terms and conditions of this Covenant constitute the entire understanding and agreement of the Parties regarding the matters set forth herein, and supersede all prior agreements, whether oral or written, between the Parties respecting such matters.

4. **Default and Damages.** For any allegation of default of the Covenant and any obligations stated herein, the non-defaulting Party shall provide notice to the other Party of the default and specify how the event may be cured (“**Breach Event**”). The defaulting Party shall be allowed thirty (30) days to cure the Default Event at that Party’s sole cost and expense. If after completion of the thirty-day period, the non-

defaulting Party is not satisfied with the remedy, the non-defaulting Party may seek any remedy available to it provided by Colorado law, including injunctive relief, declaratory judgment, inclusive of legal fees and costs associated with seeking such relief. Any other damages, including consequential, incidental and punitive damages are hereby waived in any legal action related to this Covenant.

5. **Prevailing Party.** In the event of any controversy, claim, or dispute relating to, or arising from, the provisions of this Covenant, the primarily prevailing Party shall be entitled to recover legal fees and related expenses (including court costs and costs of any expert witnesses or consultants, as well as all post-judgment fees and expenses and costs of collection).

6. **Governing Law and Venue.** This Covenant shall be construed under the laws of Colorado, with venue for any action lying in any such court of competent jurisdiction in San Miguel County, Colorado.

7. **Recordation and Amendments.** This Covenant shall become effective only when fully executed and delivered by the Parties and recorded in the office of the San Miguel County Clerk and Recorder (the “**Official Records**”). The provisions, restrictions, and conditions of this Covenant shall only be amended or modified by written instrument duly executed by both Parties and recorded in the Official Records.

8. **Notice.** Any notice, consent, or approval that is required to be given under this Covenant shall be given by mailing the same, certified mail, return receipt requested, properly addressed to the mailing address of record with the San Miguel County Assessor’s Office for each Party, and with postage fully prepaid. Notices shall be considered delivered three days after postmarked.

*(Signatures on the following page)*





**Schedule 1**  
**To No Build Covenant and Agreement**

The “No Build Zone”



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

**Agenda Item No. 13**

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**TO:** Town Council  
**FROM:** Randy Kee, Town Building Official  
**FOR:** Town Council Public Meeting on January 18, 2018  
**DATE:** January 6, 2018  
**RE:** Consideration of Building Board of Appeals Appointment

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**Background**

The Building Board of Appeals consists of five regular members and two alternates.

**BBOA Members**

Adam Miller - Regular Member  
Erik Robinson - Regular Member  
David Eckman - Regular Member  
Richard Buckendorf - Regular Member  
Don Jones - Regular Member  
Dylan Henderson – Alternate Member  
Dennis Overly – Alternate Member

Dylan Henderson is now living out of state and is no longer eligible to sit on the board.

The vacant regular member position has been posted on the Town website and in the local newspaper “*We are currently seeking a volunteer candidate to fill a vacant seat on the Building Board of Appeals.*”

Only one qualified applicant has applied for the position Ryan Deppen. Mr. Deppen is highly qualified and I request Council appoint Ryan to the vacant seat as alternate member.

**Attachments:**

Exhibit A: Resume of Ryan Deppen

**Recommendation**

Staff recommends council appoint Ryan Deppen to the Board of Appeals effective immediately due to the current building code adoption process.

**RYAN J. DEPPEN**  
PO Box 4022  
TELLURIDE, CO 81435-4022  
PHONE: (970) 729.1002  
EMAIL: ryan.j.deppen@gmail.com

**OBJECTIVE: TO PROVIDE LEADERSHIP IN THE RESPONSIBLE DEVELOPMENT OF REAL ESTATE IN ORDER TO CREATE SUCCESSFUL, SUSTAINABLE, AND INSPIRING PROPERTIES.**

## **PROFESSIONAL EXPERIENCE**

---

### **FORTENBERRY & RICKS, LLC (Telluride, CO) - PROJECT MANAGER**

**June 2012 - Present**

- Oversee building process and lead teams prior to, during, and after construction of complex projects.
- Perform detailed subcontractor cost analysis studies and negotiate contracts with third party providers.
- Provide technical construction expertise.
- Organize construction budgets and schedules, monitor during project life cycle.
- Company representative when negotiating contracts and meeting with new clients.
- Provide consulting services on a very complex and involved project in South America, combining historic renovations w/ state of the art new construction. Navigating different cultures, building systems, and management techniques.

### **OVERLY CONSTRUCTION, INC. (Telluride, CO) - PROJECT MANAGER**

**April 2002 – June 2012**

- Lead estimating and bidding process through comprehensive review of architectural plans and examination of complex building systems.
- Perform detailed subcontractor cost analysis studies and negotiate contracts with third party providers.
- Implemented a digitized estimating process allowing improved record keeping and cost tracking, greatly enhancing efficiency and accuracy of complicated bid processes, simplifying change order protocol and allowing for review of architectural plans from remote locations.
- Interact with clients offering design guidance, explanation of systems, job progress reports, and present financial & status updates.
- Organize and lead meetings while providing thorough documentation throughout project and after job closeout.
- Act as Owner's Representative on behalf of client, ensuring value and correct implementation of design intent and aesthetics are met.
- Facilitate entitlement process with local jurisdictions to guarantee adherence to municipal codes and design regulations.
- Research green building techniques, new products and building systems.
- Actively manage website content and design, Director of Marketing, Daily Operations Manager, OSHA safety director.

**PUBLISHED WORK:** *Custom Home, LUXE Magazine, Mountain Living, Mountain Homestyle*

### **TIMELESS DEVELOPMENTS, LLC (Telluride, CO) – OWNERS REPRESENTATIVE/ PROPERTY MANAGER (PART TIME) 2008 - Present**

- Actively manage over \$56 Million worth of high-end luxury residential properties.
- Develop routine maintenance schedules and automated service protocols.
- Monitor property security systems and provide access to accredited professionals.
- Reduce operating costs by scrutiny of home mechanical systems and operations.
- Provide consultation and design guidance for capital improvements/ expenditures.
- Respond to emergencies when needed.

### **MICHAEL FULLER ARCHITECTS, P.C. (Telluride, CO) - SENIOR JOB CAPTAIN**

**November 1999 - April 2002**

- Listen to clients desires and lead them in a creative exploration of design possibilities.
- Administer design development concepts in a team environment.
- Create construction documents for high-end residential homes and renovation projects while solving critical issues concerning governing regulations and review processes.
- Fabricate and evaluate design details for complex building components.
- Provided full range of architectural services, including interior specifications and documentation.
- Provide Construction Administration for high-end, luxury construction projects and oversee contractors work as related to working drawings.
- Design architectural models and colored presentation materials for study and presentation purposes.

## APPOINTED BOARDS AND AFFILIATIONS

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### TOWN OF TELLURIDE PLANNING & ZONING COMMISSION (*Telluride, CO*)

October 2006- September 2009

- Provide comprehensive evaluation of development applications and review processes.
- Offer guidance and work with applicants to advocate mutually beneficial relationships in the public/ private sector.
- Review and advise Town Council regarding Town Master Plan updates, Annexations, development of Regional planning efforts, Re-zoning considerations, Community and Streetscapes Development; all while ensuring strict adherence to Telluride's Land Use Code and Master Plans.

### SAN MIGUEL COUNTY HISTORIC PRESERVATION COMMISSION (*San Miguel County, CO*)

October 2000 - March 2003

- Advocate and provide education concerning local landmarks, landscapes, and districts.
- Assist in grant writing efforts for funding of various conservation projects.

### URBAN LAND INSTITUTE, YOUNG LEADERS GROUP – MEMBER FAIRWAY 4 TOWNHOMES HOMEOWNERS ASSOC. –VICE PRESIDENT TOWN OF TELLURIDE ETHICS COMMISSION – APPOINTED MEMBER

June 2007 – June 2012  
October 2005 – January 2012  
December 2007 – December 2010

## PERSONAL BACKGROUND

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### OHIO UNIVERSITY (*Athens, OH*)

September 1994 - March 1999

- *Bachelor of Science: Environmental Geography.*
- Concentrations in Land Use Planning, Impact Analysis, Environmental Law, Geology.

### ASSOCIATED GENERAL CONTRACTORS OF AMERICA

April 2004 - June 2004

- Supervisory Training Program completion with an emphasis on Project Management.

### USGBC LEED GREEN ASSOCIATE

- Increase credibility and further my knowledge of Green Building Systems and Sustainable Design.

November 2010

### SKILLS

- Proficient in 3D ArchiCAD rendering, On-Screen Takeoff, Photoshop, Dreamweaver, American Contractor Accounting, Microsoft Office Suite, Microsoft Project, Moderate Spanish Speaking



You are invited to view Ryan's photo album: [Ryan Deppen Sample Portfolio](#)

On Project Management...

Urban development is a complex process involving a range of stakeholders and interests. It requires a deep understanding of the local context, as well as the ability to navigate the complex regulatory and political landscape. This portfolio highlights key projects and the challenges faced throughout the process.

### Ryan Deppen Sample Portfolio

Various shots taken over the years of my career. Many more available upon request.

[Click to Play slideshow](#)

Picasa™ Web Albums

# Upper San Miguel Basin Forest Health Landscape Assessment

Funding Partner Update

# Recent Progress

- ▶ June 2017: Dr. Jason Sibold presented the completed forest health landscape assessment maps to the stakeholder group
- ▶ August 2017: Stakeholder field trip to Boomerang Road to discuss future of the group and how to utilize the landscape assessment maps
- ▶ December 2017: Public education event

# Stakeholder Input and Direction

- ▶ The project began with the premise that beetle kill, disease, wildfire and climate change have the potential to significantly alter the nature of our forest landscape. Being aware of these processes and potential outcomes can help communities prepare for and potentially mitigate the impacts of these disturbances.
- ▶ Based on prior implementation of this landscape mapping exercise, we had expectations of getting to specific projects on the landscape. The stakeholders took this project in a different direction, not towards action but instead wanting more knowledge of the landscape.
- ▶ When the stakeholders talked values, the group decided that they valued the forests and habitats higher than specific uses on the landscape - although those are important as well.

# Stakeholders

- ▶ Alpine Arborist
- ▶ Colorado Division of Fire Protection and Control
- ▶ Colorado Parks and Wildlife
- ▶ Colorado State Forest Service
- ▶ Landowners and HOAs
- ▶ San Miguel County
- ▶ San Miguel County Sheriff's Office
- ▶ Sheep Mountain Alliance
- ▶ Telluride Arborist
- ▶ Telluride Foundation
- ▶ Telluride Ski and Golf
- ▶ Telluride Fire Protection District
- ▶ Telluride Mountain Village Owner's Association
- ▶ Town of Mountain Village
- ▶ Town of Ophir
- ▶ Town of Telluride
- ▶ United States Forest Service
- ▶ West Region Wildfire Council

# Forest in Flux Story Maps

- ▶ [www.sanmiguelcountyco.gov/501/Forest-Health](http://www.sanmiguelcountyco.gov/501/Forest-Health)
- ▶ Dr. Jason Sibold's landscape assessment maps were distilled 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
- ▶ A public education event was held on December 11, 2017 to introduce the project and story maps to the community

# Forests in Flux

More information... [f](#) [t](#) [l](#)

Upper San Miguel Basin Forest Health Landscape Assessment in Southwest Colorado

- The Project
- Changing Forests
- Current Conditions
- Disturbances
- Aspen
- Douglas-fir
- Ponderosa Pine
- Spruce-Fir
- Fire Risk
- Methodology

## Current Species Distribution

The distribution of forest types of the upper San Miguel watershed is characterized by a range of species adapted to warmer, drier conditions that are growing at lower and warmer aspects to species adapted to cooler, wetter conditions that are growing at higher elevations and cooler aspects.

In addition to the influences of elevation and topography, the legacies of past ecological disturbances, such as wildfire, insect outbreaks, timber harvesting and avalanches, continue to influence the distribution of species.

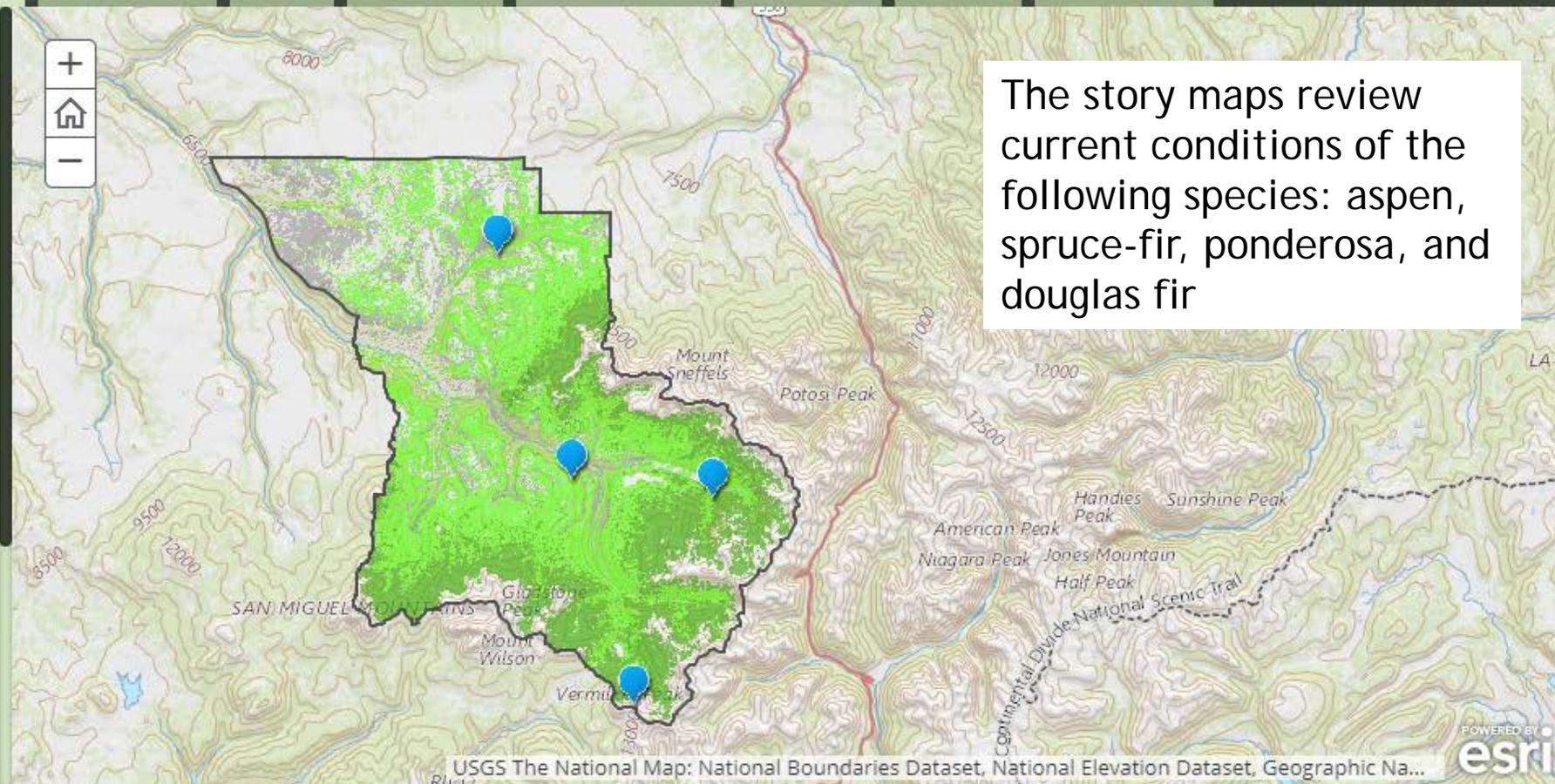
Click on the blue dots to learn more about specific forest types.

## Study Area



## Specific forest species info

Click on blue dots



The story maps review current conditions of the following species: aspen, spruce-fir, ponderosa, and douglas fir

# Forests in Flux

Upper San Miguel Basin Forest Health Landscape Assessment in Southwest Colorado

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- Fire R

### Projected Aspen Distribution 2060

Combining climate projections, topoclimate, elevation and hydrology, this interactive map shows the modeled distribution of aspen by the year 2060.

Based on the inputs mentioned above, aspen is projected to die out in much of its current range. Aspen's ability to resprout following disturbance, especially fire, however, means that it could be surprisingly resilient, which creates uncertainty when predicting its future range.

Slide bar to see projected change.

**Study Area**

**Future Suitability**

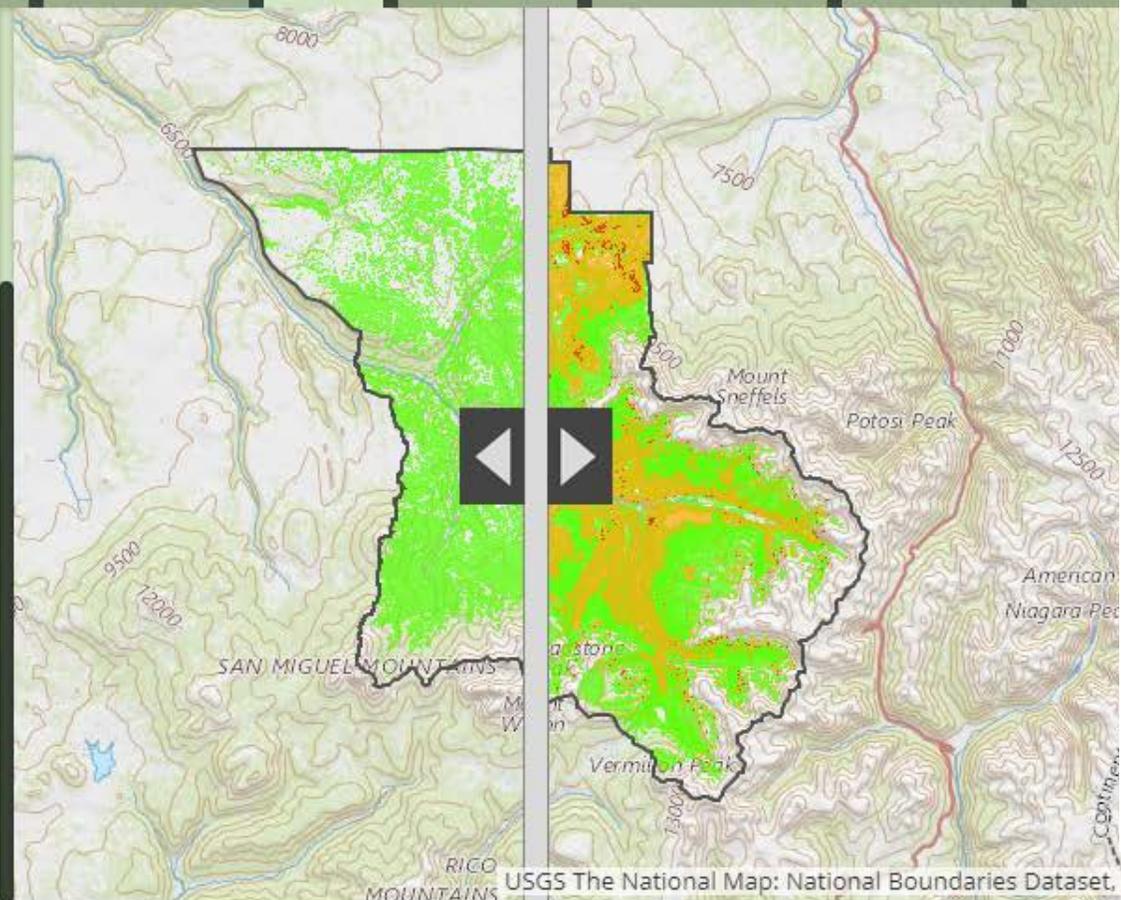
Rating

- Low
- Low-Medium
- High

**Present Day**

Aspen

- Present Day



The site reviews the current disturbance regime for each tree species and discusses potential changes to species distribution.

Projected distributions were created by combining existing forest health information with climate change projections and topoclimate, elevation and hydrology data.

# Forests in Flux

More information... [f](#) [t](#) [l](#)

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ponderosa pine, which could expand their range in a warming climate—the extent of the spruce-fir forest type is projected to decrease significantly.

This projection suggests that by mid-century spruce-fir forests will exist only at the highest elevations, on steep north-facing slopes, reducing the species to about half of its current distribution.

Slide bar to see projected change.

**Study Area**

**Future Suitability**

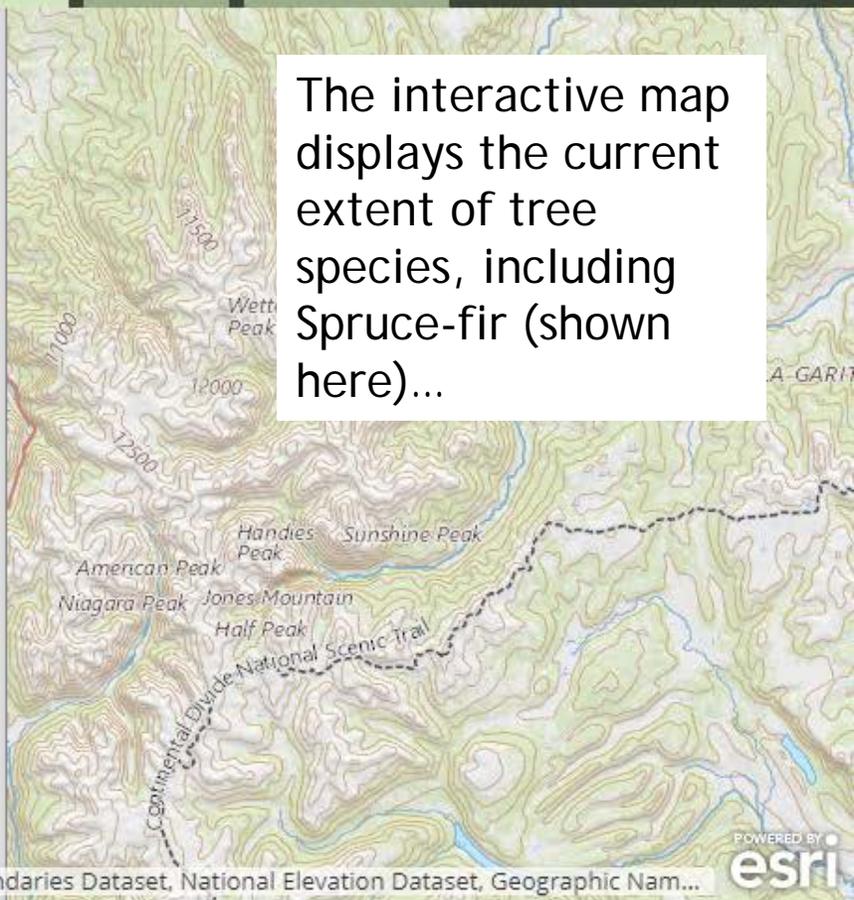
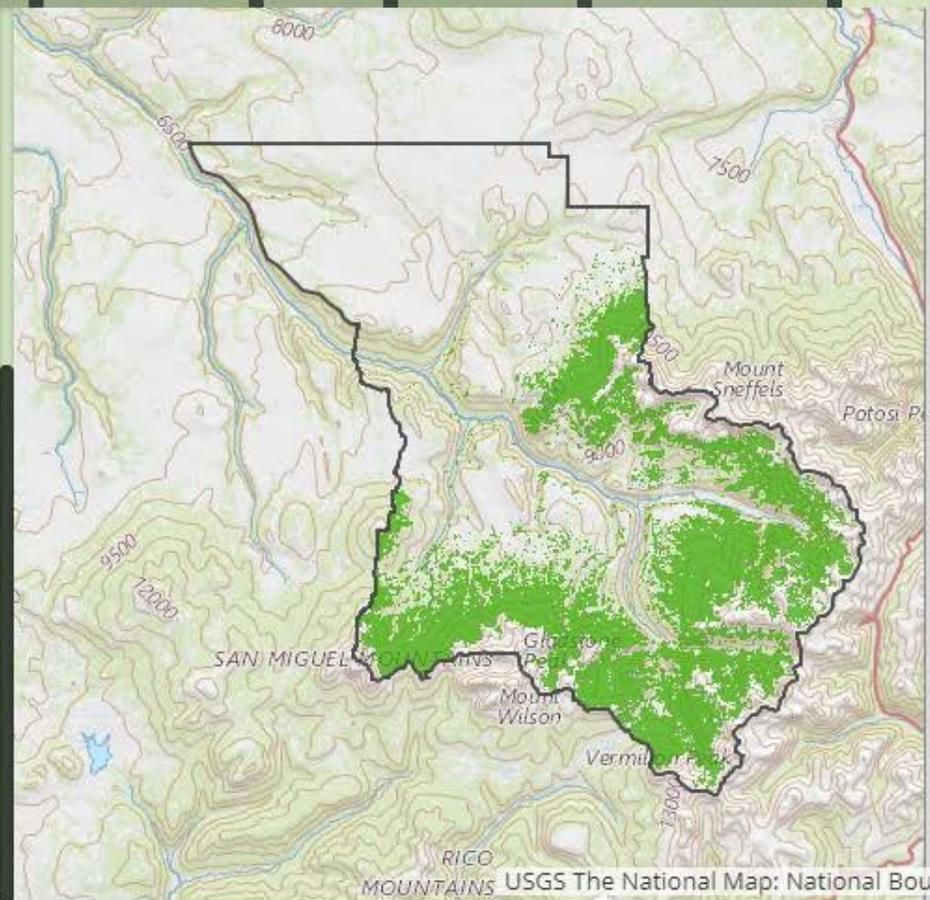
Rating

- Low
- Low-Medium
- High

Present Day

Spruce Fir

Present Day



The interactive map displays the current extent of tree species, including Spruce-fir (shown here)...

Legend

# Forests in Flux

More information... [f](#) [t](#) [l](#)

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Slide bar to see projected change.

**Study Area**

**Future Suitability**

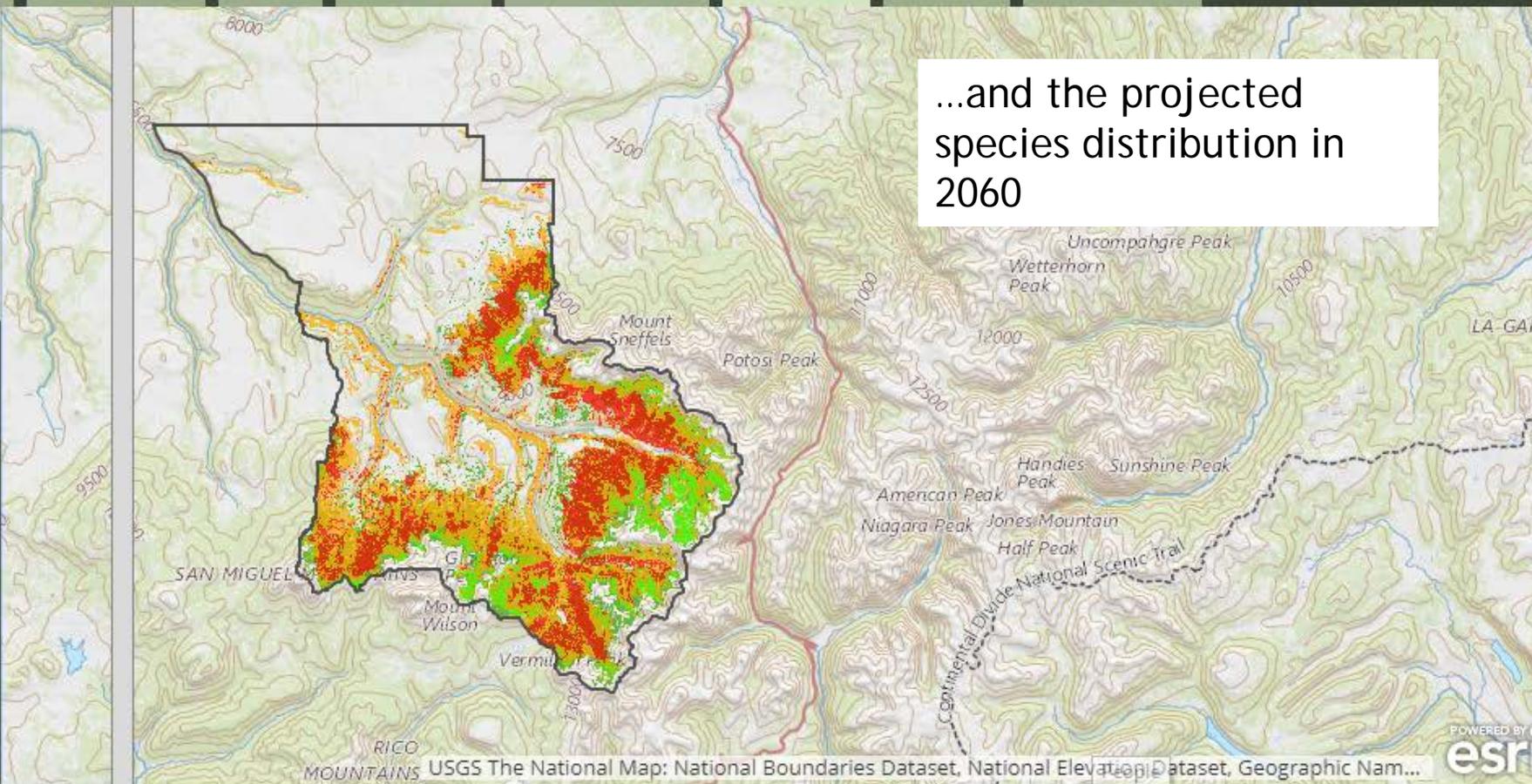
Rating

- Low
- Low-Medium
- High

Present Day

Spruce Fir

Present Day



...and the projected species distribution in 2060

# Forests in Flux

Upper San Miguel Basin Forest Health Landscape Assessment in Southwest Colorado

- The Project
- Changing Forests
- Current Conditions
- Disturbances
- Aspen
- Douglas-fir
- Ponderosa Pine
- Spruce-Fir
- Fire Risk
- Methodology

Assessment Site

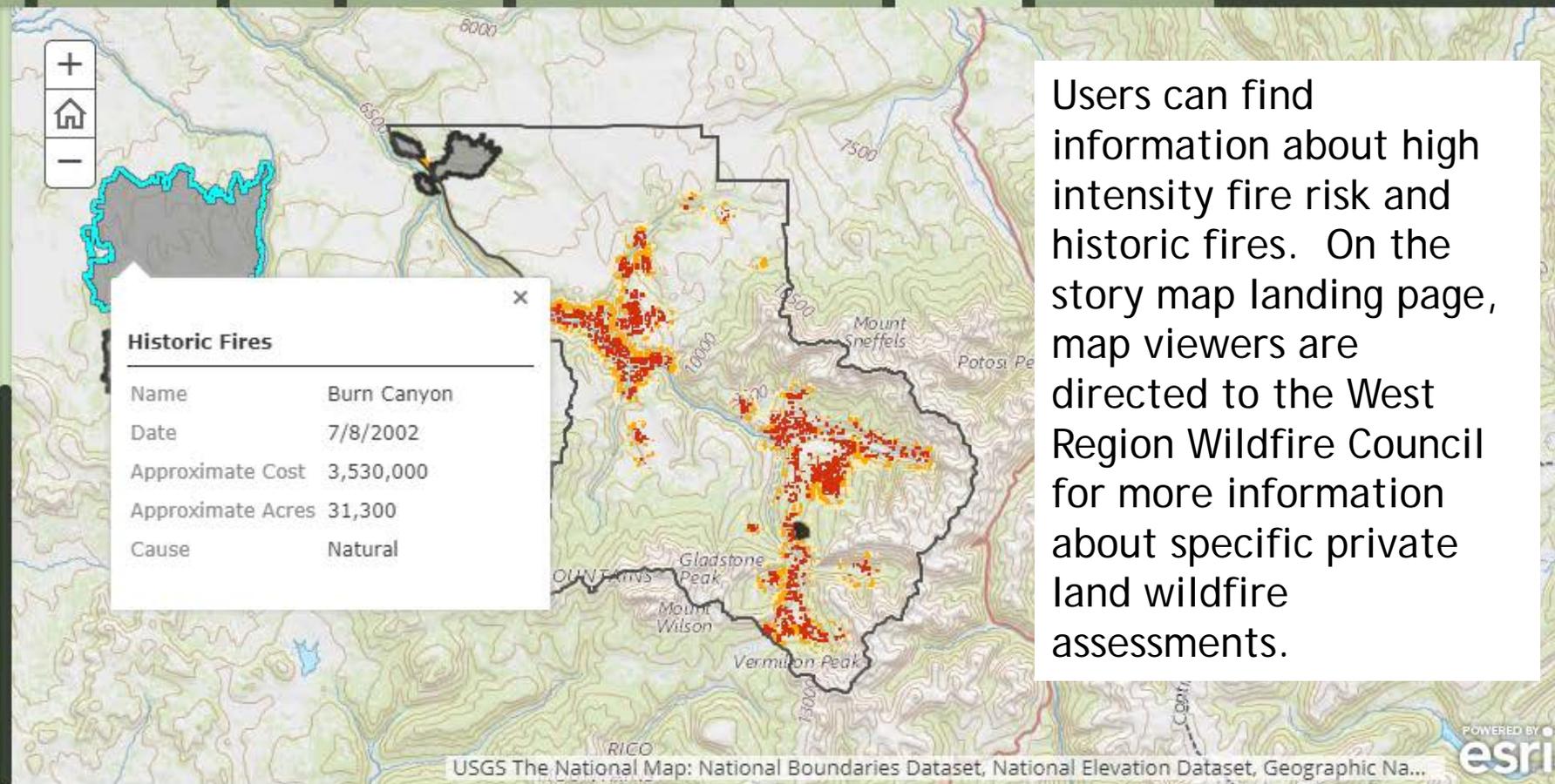
Click on the black outlines for recent local fire info.

Study Area

Historic Fire Perimeters (2002-2010)

High Intensity Fire Risk

- 0-500m from built up area
- 500-1000m from built up area
- 1000-1500m from built up area



Users can find information about high intensity fire risk and historic fires. On the story map landing page, map viewers are directed to the West Region Wildfire Council for more information about specific private land wildfire assessments.

# Next Steps

- ▶ Utilize remaining funding to obtain grants for monitoring and potential projects
- ▶ Continue hosting stakeholder meetings to discuss the future direction of the group
- ▶ Possible actions to consider:
  - ▶ Forest health treatment demonstration site
  - ▶ Support ongoing/upcoming forest health projects
  - ▶ Climate monitoring

Mr. Darren Olson  
Bureau of Reclamation  
Financial Assistance Operations Section  
Mail Code: 84-27852  
P.O. Box 25007  
Denver, CO 80225

Dear Mr. Olson:

I am writing this letter on behalf of the Town of Mountain Village Town Council. As a community which is positioned at the headwaters of the San Miguel River, water quality and habitat have been extremely important to our lifestyle.

Seeing the beauty of this river at its birth as well as the canyon that it has created to travel to the Dolores River makes us all realize the importance of a healthy watershed. We rely on this river for economic sustainability whether it contributes to our guests' and residents' experience in the form of tourism or how it sustains our agricultural neighbors to the west. Without a healthy San Miguel River, our valley would be a much different place to live.

We have supported the San Miguel Watershed Coalition since its inception. This group has grown from one that is primarily a volunteer based group which collected data at various sites throughout the area to one that has recently created a diverse Stakeholder Committee and is poised to spearhead restoration planning efforts within the watershed. It is important that sufficient funding be available to promote further engagement of diverse watershed stakeholders as our local communities plan for the future of the river. We consider the San Miguel Watershed Coalition a worthy recipient of this grant and hope that you will as well.

Thank you for your time and consideration.

Sincerely,

Laila Benitez  
Mayor, Town of Mountain Village

## **Green Team**

**Mission Statement:** To create and sustain a community that has a net zero impact on the natural environment.

The Mountain Village Green Team represents an environmentally focused community coalition that consists of representatives from the Town of Mountain Village staff, TMVOA, Town of Mountain Village Town Council, TSG Ski and Golf Co., and citizens at large. The coalition seeks to neutralize environmental impacts in Mountain Village by promoting practical well-vetted programs that offer measurable results to ensure the most efficient use of funding capital.

### **CORE EFFORTS**

**NEUTRALIZE ENVIRONMENTAL IMPACTS** – Multi-pronged effort to neutralize the environmental impacts from the Mountain Village commercial, residential and municipal sectors. This segment will focus primarily on short-term project based programs that enable environmental efficiencies, create closed loop systems and promote desired environmental human behaviors through economic incentives. Any resources remaining after short term project planning will flow to mid and long term projects and planning.

**COMMUNICATE AND EDUCATE** – Primarily involves creating and sharing content that educates and informs Mountain Village citizens about current Mountain Village environmental initiatives, challenges, and threats. Communication strategy will consist primarily of electronic media channels and word of mouth to maximize exposure and minimize environmental impacts.

**INDEX AND BENCHMARK** – Utilize data to create project specific performance metrics to evaluate the effectiveness of programs and initiatives. Participating entities will integrate data gathering strategies and infrastructure into day-to-day operations whenever possible. The coalition will also work with similar state, local, and regional organizations to avoid redundant efforts and gain synergies across organizational entities.

### **ANNUAL DELIVERABLES**

**PROJECTS AND INITIATIVES** – Provide a working list and description of planned short, mid, and long-term projects. The Green Team will also be responsible to provide an annual status report for in progress mid and long-term projects and initiatives.

**BUDGET** – Provide a supporting budget for proposed annual projects and initiatives.

**BENCHMARK** – Provide supporting benchmark technique/tactic for individual projects and initiatives.

**QUARTERLY UPDATES** – Provide Quarterly progress reports to the Mountain Village Town Council. Ad hoc projects with immediate impact will be presented on a case by case basis.



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To: Town Council

From: Bill Kight, marketing and business development director

For: January 18, 2018 Town Council Meeting

Date: January 11, 2018

Re: Consideration of a Resolution Supporting Reauthorization by the General Assembly of the Colorado Lottery Division in 2018

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This memo is in support of Reauthorization by the General Assembly of the Colorado Lottery Division in 2018.

Colorado voters provided for a statewide lottery, and in a subsequent election adopted the Great Outdoors Colorado (GOCO) amendment to the state constitution, which directs that lottery profits be used for parks, open space, wildlife, and outdoor recreation purposes.

The General Assembly then created a Lottery Division in the State Department of Revenue to administer the lottery, and as provided in the GOCO amendment, lottery profits are allocated to the Great Outdoors Colorado Trust Fund (GOCO Trust Fund), the Conservation Trust Fund, and to the Colorado Division of Parks and Wildlife.

Since 1992, the GOCO Trust Fund has distributed approximately \$1 billion in grants for projects to improve communities in all of Colorado's 64 counties. These funds have helped connect families to the outdoors, improve local trails and parks, built outdoor recreation facilities, preserve ranchlands, water resources, and view corridors, improve river access and quality and conserve wildlife habitat.

The Colorado Lottery Division is critical to the administration of the entire GOCO program and the Division is set to expire unless extended by the General Assembly, which during its 2018 session will consider legislation to extend the Division to 2039.

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.

**Motion:** I move to approve the resolution supporting 'Reauthorization by the General Assembly of the Colorado Lottery Division in 2018.'

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE, COLORADO, SUPPORTING REAUTHORIZATION BY THE GENERAL ASSEMBLY OF THE COLORADO LOTTERY DIVISION IN 2018**

**RESOLUTION NO. 2018 - \_\_\_\_\_**

**RECITALS:**

- A.** Colorado voters provided for a statewide lottery, and in a subsequent election adopted the Great Outdoors Colorado (GOCO) amendment to the state constitution, which directs that lottery profits be used for parks, open space, wildlife, and outdoor recreation purposes.
- B.** Following the voters' approval of a lottery, the General Assembly created a Lottery Division in the State Department of Revenue to administer the lottery.
- C.** As provided in the GOCO amendment, lottery profits are allocated to the Great Outdoors Colorado Trust Fund (GOCO Trust Fund), the Conservation Trust Fund, and to the Colorado Division of Parks and Wildlife.
- D.** Since 1992, the GOCO Trust Fund has distributed approximately \$1 billion in grants for projects to improve communities in all of Colorado's 64 counties. Funds have helped connect families to the outdoors, improved local trails and parks, built outdoor recreation facilities, preserved ranchlands, water resources, and view corridors, improved river access and quality and conserved wildlife habitat.
- E.** Since 1983 the Conservation Trust Fund has distributed approximately \$1 billion in grants to counties, municipalities, and special districts for acquisition, development, and maintenance of new conservation sites, capital improvements, and maintenance for recreational purposes on public sites.
- F.** The Conservation Trust Fund has distributed over \$179,530 directly to the Town of Mountain Village for these purposes.
- G.** Since 1992 the GOCO Trust Fund has distributed approximately \$215 million of lottery proceeds in support of Colorado's 42 state parks, funding parkland acquisition, park development and operations, trail construction and maintenance, environmental education, youth and volunteer programs and stewardship and natural resource management.
- H.** The Colorado Lottery Division is critical to the administration of the entire GOCO program and the Division is set to expire unless extended by the General Assembly, which during its 2018 session will consider legislation to extend the Division to 2039:

**NOW, THEREFORE, BE IT RESOLVED**, the Town Council of the Town of Mountain Village strongly urges the General Assembly to approve legislation during its 2018 session to reauthorize the Colorado lottery division until 2039.

**ADOPTED AND APPROVED** by the Town Council of the Town of Mountain Village, Colorado, at a regular meeting held on the 18<sup>th</sup> day of January, 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



**Proclamation**  
**A Proclamation Declaring January 2018 as**  
**Ski Mountain Employee Appreciation Month**

**RECITALS:**

- A.** A vibrant, carefully maintained, and safe on-mountain winter sports experience is vital to the success of visitor enjoyment and to the economies of Mountain Village and the entire region; and
- B.** The 2017-2018 holiday weeks were slated to bring record numbers of visitors to Mountain Village, both first timers and veteran skiers, who were anticipating a fun, varied, and safe ski experience; and
- C.** The beginning of ski season 2017-2018 experienced one of the lowest snowfall amounts in decades; and
- D.** The management and staff of Telluride Ski and Golf were challenged to rise above this weather challenge and provide the best experience possible; and
- E.** Near unanimous praise was expressed by visitors and locals alike for the coverage, quality, and grooming of the snow; the efficiency of mountain operations; and the welcoming and enthusiastic demeanor of mountain employees;

**NOW THEREFORE**, I, Laila Benitez, the Mayor of the Town of Mountain Village, do hereby proclaim the month of January 2018 as

**Ski Mountain Employee Appreciation Month**

During the month of January, we express our deepest appreciation to the snowmakers, groomers, lift operations, lift and vehicle maintenance, ski patrol, and the safety team. They faced the realities of a holiday season with little natural snowfall; who crafted creative approaches to the mechanics of snow creation and grooming; who worked many hours beyond what might have been expected to provide solutions; and who provided these services with a smile. We are mindful of the many visitors who related stories of the fun experiences, multiple activities, and holiday spirit they encountered. These guests will no doubt return to their homes with positive messages about our community and who will no doubt return to visit us again. For these successes we encourage all citizens to join the Town of Mountain Village Town Council in sincerely thanking these employees for their dedication and hard work.

Adopted and Approved by the Town Council of the Town of Mountain Village at a regular meeting held on the 18<sup>th</sup> of January, 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



## **1. INTRODUCTION**

### **1.1 Job Summary**

The Marketing and Business Development Department is responsible for the planning, development, and implementation of the Town of Mountain Village's (TMV) external and internal marketing and communication strategies, public relations, business development, and community and business outreach. Additional responsibilities include overseeing the development and implementation of support materials and services in the areas of marketing, communications, social media, and public relations.

To communicate strategically, the Marketing and Business Development Department utilizes marketing and communication tools to support two-way communication for the town's residents, businesses, property owners, visitors, community stakeholders and media. Information is compiled and disseminated promptly and approached thoroughly and precisely to communicate all town messaging clearly.

### **1.2 Primary Relationships**

The position reports to the Director of Administration/Town Clerk, Jackie Kennefick and serves as a member of the management team. Within the Town Hall, the position has primary working relationships with department heads (Directors), Management Team, additional staff, and service providers.

Outside of Town Hall, the position works with business and community members, coordinates town communications and events, works with the media, and partners.

### **1.3 Primary Accountabilities**

*Marketing, Communications, Public Relations and Business Development*

1. Responsible for creating, implementing and measuring the success of:
  - A marketing, communications and public relations program to enhance TMV's brand, events, programs and outreach within the business and residential community, and to facilitate internal and external departmental communications.
  - Coordinate and facilitate TMV's marketing, communications and public relations activities and materials to include advertising, publications, media relations, client acquisition, and business development.
2. Ensure articulation of Mountain Village's desired image and position, assure consistent communication of image and position throughout Mountain Village's events, and assure communication of image and status to all constituencies, both internal and external.
3. Responsible for editorial direction, design, and distribution of organization publications with departmental support.
4. Coordinate and represent media interests in Mountain Village and ensure consistent outreach with targeted media and an appropriate response to media requests.
5. Help coordinate the appearance of TMV's print and digital materials.

# MARKETING & BUSINESS DEVELOPMENT BIENNIAL REPORT – Agenda Item 20a

January 2018 to June 2018

Prepared by Bill Kight, Marketing & Business Development Director

6. Develop, coordinate and oversee programs, technical assistance, and resource materials to assist in town-led activities through marketing, communications, public relations and social media.
7. Monitor trends and conduct relevant market research to ensure that TMV stays current with neighboring municipalities.
8. Leads projects as assigned, such as cause-related marketing and special events.

## 1.4 Budgeting and Planning

1. Responsible for the achievement of marketing, communications, public relations, business development, goals and financial objectives.
2. Develop short and long-term plans and budgets for marketing, communications, public relations and business development program(s) and its activities.
3. Develop, implement and monitor systems and procedures necessary for the function of marketing, communications, public relations, and business development.

## 1.5 Organization Strategy

1. Responsible for the achievement of the marketing, communications, public relations and business development aligned with the department's mission, goals, and financial objectives.

## 1.6 Managing

1. Effectively enable staff when appropriate to take action on behalf of Town of Mountain Village by:
  - Transmitting Town of Mountain Village's values, mission, vision and direction.
  - Engaging people with the goals, and mission of TMV as outreach.
  - Respecting and using their skills, expertise, experience, and insights of people to allow them to communicate to help people transform information into hands-on customer service.

# MARKETING & BUSINESS DEVELOPMENT BIENNIAL REPORT – Agenda Item 20a

January 2018 to June 2018

Prepared by Bill Kight, Marketing & Business Development Director

The following list contains projects, programs, and events I have completed since I began during my first year.

1. Environmental Outreach for town environmental incentives and green gondola project (May)
2. Town Council Meetings & Mayor's Minute (March to Present)
3. Create LinkedIn and Instagram for TMV for additional community and regional outreach (May to Present)
4. Enhance and built-up TMV's Social Media channels and outreach (May to Present)
5. Mountain Village Wayfinding Phase I completion implementation (June to Present)
6. Management and maintenance of wireless internet system (Ongoing)
7. Review Sites: Trip Advisor, Yelp!, Bing, Google Pages (Ongoing)
8. Vending Cart Application Deadlines (April & September)
9. Design Review Board (DRB) Open Seats (February & December)
10. Market on the Plaza Vendor Marketing, Advertising & PR (March)
11. Town Hall Center Subarea & Planning (March-June)
12. Coffee with a Cop Marketing, Advertising & PR (May, October & December)
13. Election Open Seats Marketing, Advertising & PR (May)
14. Election Register Voters Marketing, Advertising & PR (May & June)
15. Candidate Forum Marketing, Advertising & PR (June)
16. Town Council Election (June)
17. Mountain Film Partner Booth for TMV Environmental Incentive Programs and Public Outreach (May)
18. Heat Trace Incentive Program (May; Ongoing)
19. Solar Energy Incentive Program (May; Ongoing)
20. Wildfire Mitigation Incentive Program & Forum (May; Ongoing)
21. Smart Water Controls Incentive Program (May; Ongoing)
22. Green Gondola Initiatives and Marketing, Advertising & PR (May & June)
23. Business Directory Improvements (Ongoing)
24. Public Works Outreach for Road and Bridge summer and fall work (July)
25. Summer Hiking & Biking, Disc Golf and Bike Park Maps (May)
26. Mountain Munchkins Touch-A-Truck Event Marketing, Advertising & PR (June)
27. Construction Projects: Trail Closures/Detours, Cell Tower, Lift & Gondola Maintenance (April; Ongoing)
28. Market on the Plaza (June-August)
29. FirstGrass Concert Marketing, Advertising & PR (June)
30. New Director Marketing, Advertising & PR (July)
31. The Ride Festival Kick Off Party Marketing, Advertising & PR (July)
32. Community Grant Program (July)
33. National Night Out (August)
34. Cable & Internet Website (Ongoing)
35. Hired a Marketing Coordinator (September)
36. Town Hall Center Subarea Plan Amendment revisions (July to November)
37. Meadows Improvement Plan Open House and Program Outreach (September)
38. Cedar Shake Incentive Fire Mitigation Program Outreach (November)
39. DRB Community Development Code Work session (December)
40. Create TMV Communication Policies for Social Media, Filming, Photographer, Media, Wi-Fi and Email.
41. Wayfinding Phase I (May to December)
42. Wayfinding Phase 2 (November to present)
43. New Website Service Agreement Contracted for Websites (December)
44. Contractor hired for WiFi email collection built-out and enhancement (December)

# MARKETING & BUSINESS DEVELOPMENT BIENNIAL REPORT – Agenda Item 20a

January 2018 to June 2018

Prepared by Bill Kight, Marketing & Business Development Director

## The following list contains projects, programs, and events projected in 2018

1. Wayfinding Phase II Completion and Implementation
2. New Website Developer Built Out
3. New Email Marketing Client and Program Enhancement
4. Collect and Assimilate Water and Sewer Emails for Town Communication
5. Voter Registration Emails by Resident and Non-Resident
6. Village Court Apartments (VCA) Brand, Marketing & Web page Development.
7. Style and Format All Website Forms
8. Website Business Directory Enhancements & Categorization for all TMV business entities
9. Create Online Press Kit and Image Gallery
10. Renovate and Development New Town Email Marketing Templates
11. Review Annual Work Plan Tasks
12. Business Development: Jump Start, Incentive Package, Resource Guide, and Strategic Plan
13. Launch Cable & Internet Website
14. Build Animated/Interactive Website Maps
15. Improve Website Event Calendar Module
16. Create Web pages for Visit Telluride, Recreation, Media/Press, Building & Planning, Wayfinding, Business Directory, Residents, Emergency Response, and Code Red.
17. Create and Build a YouTube Video Channel for Archiving
18. Deploy Parkmobile App Marketing
19. Update Website Lead Generator Email Links (Seasonally)
20. Create and Manage Online Photo Library for Departments and Media
21. Create Online Visitor Photo Galleries for Showcasing Mountain Village Accolades and Events
22. Implement TMV Communication Policies to Include Social Media, Filming, Photographer, Media, Wi-Fi Use and Email Communications.
23. Manage Esse Design, Co-Creative, VentureWeb, and Telluride Conference Center Contracts
24. Improve and Manage Meraki WI-FI Collection Systems
25. Implement Future Targeted Email Marketing & Communication with Collected WiFi Emails
26. Audit and enhance Social Media Accounts
27. Add and Improve Website Search (SEO) Results to Website
28. Community Grant Program Committee Advertising and Marketing
29. Town-led Event PR and Marketing
30. Market on the Plaza Vendor Survey
31. Town of Mountain Village Brand Development + Style Guide

# MARKETING & BUSINESS DEVELOPMENT BIENNIAL REPORT – Agenda Item 20a

January 2018 to June 2018

Prepared by Bill Kight, Marketing & Business Development Director

GOAL	MEASUREMENT	COMMENT
1. Build a consistent and robust email marketing and communication platform for the Town of Mountain Village.	The growth of business, community and visitor email lists specially targeted to categorized interests to help drive business to our retail, lodging and restaurant community.	Consistent email sign-up sheets at all town meetings, utility customers proprietary email collection, and email collection through our free Wi-Fi services.
2. Develop a town-led business & economic development incentive program.	Create a business incentive resource package for local, regional and national business outreach.	Cortez and Montrose as an example have strong business incentive packages to entice new businesses with tax and rental breaks with additional business resources available to them.
3. Create internal and external town policies for filming, photography, media, drone and social media.	Implement town communication policies.	Policies are drafted for legal counsel review
4. Create strategic marketing, PR, and communication plan for Town of Mountain Village.	Assimilate increased communication through growth on all town platforms to include email marketing, website visitation, public relations outreach, messaging boards and social media (Facebook, Google+, Instagram, Twitter and LinkedIn).	Consistent awareness and interdepartmental communication are needed to achieve this goal.

# MARKETING & BUSINESS DEVELOPMENT BIENNIAL REPORT – Agenda Item 20a

January 2018 to June 2018

Prepared by Bill Kight, Marketing & Business Development Director

<p>5. Continue implementation of strategic signage and wayfinding program for the Town of Mountain Village.</p>	<p>Finalized wayfinding strategic plan for Phase I, and execute Phase 2 for completion in 2018.</p>	<p>Phase I design is complete with update to be provided.</p>
<p>6. Develop, create and implement digital and print marketing campaigns to promote town-related amenities, events, programs, public works, policies, and significant developments. Distribution will involve the use of all appropriate communication tools available to the town.</p>	<p>A list of projects is compiled for town-related amenities, events, programs, and policies. A list of tools used to promote town-related amenities, events, programs and procedures will be outlined in the director's fall biennial report.</p>	<p>I can provide additional details and examples for each project upon request.</p>
<p>7. Complete development of new Cable and Broadband Department website.</p>	<p>Launch in spring of 2018</p>	<p>Contingent on new web developer service contract.</p>
<p>8. Renovate and improve free Wi-Fi and email collection system in Mountain Village and Telluride (Oak Street Plaza area).</p>	<p>An audit of the platform and equipment has been concluded with sourced quotes to enhance our system and take control of the platform for more data-driven and business development capabilities.</p>	<p>The overall objective of this project is to put this improved collection capability to work for the benefit of the visitors, locals, and most importantly our business community.</p>
<p>9. Prepare and stay within the Marketing and Business Development Department's approved budget amount.</p>	<p>Marketing and business development director stay within the approved 2018 budget.</p>	<p>Director follows Town procurement procedures, looks for ways to save money wherever possible, and does not spend more than what is allocated in 2018.</p>

# MARKETING & BUSINESS DEVELOPMENT BIENNIAL REPORT – Agenda Item 20a

January 2018 to June 2018

Prepared by Bill Kight, Marketing & Business Development Director

## BUSINESS DEVELOPMENT HIGHLIGHTS

1. As a new board member of the Small Business Resource Center Committee (SBRC) under Region 10, I have attended meetings, workshops and classes about the creation of a business curriculum for new and existing businesses seeking business assistance and consulting in the region. Also, SBRC staff will continue to build a presence in both Mountain Village and Telluride by holding business-related classes throughout the year. [Region 10](#) was established in 1972 and is a 501C3 non-profit organization offering public programs in support of 18 local communities and six counties in western Colorado. The organization's mission is to provide programs and services that meet the needs of the people in the region, are cost-effective, reduce the burden of the governments, leverage available resources, and support charitable status.
2. Mountain Village (and Telluride) funds the Colorado Small Business Development Center (SBDC) at \$2,500 annually through the Marketing & Business Development budget. An accessible and invaluable service offered by the SBDC is free to access to one-on-one business consulting and low-cost business training.
3. Attended three Region 10 workshops in Montrose with other economic development community leaders. The point of these meetings was to share ideas on how to grow entrepreneurship in one's community through the use of a shared facility. Additionally, these meetings discussed their business tools and resources available to our business community.
4. Attended the Telluride Venture Accelerator (TVA), an initiative of the Telluride Foundation fifth annual Demo Day on June 30, where seven graduating companies presented their businesses to the community. Each company presented their business in a seven-minute pitch with five minutes of Q&A. Following the presentations, there was a trade-show style event held where the community could talk to each of the founders and interact with products and platforms.
5. The town will once again partner with the Telluride Tourism Board (MTI) on providing guest service this summer and winter season. Additional improvements have been made to the Oak Street Plaza Station with newly adding imagery and wall hangings with some capital improvements to include new door, paint and, signage.
6. The Telluride Foundation announced the \$50,000 Innovation Prize recipient as the Pinhead Climate Institute for an effective innovative idea which will bring increased business vitality to those who live, work and visit the Telluride Region.
7. Our Department has provided one-on-one outreach to the local businesses for marketing and PR support to enhance their business promotion.
8. Our department has concluded a local business audit for an online, digital and social media footprint to help lead a town-led initiative to improve their digital & online presence.
9. Mountain Village Center Wayfinding business directories and online maps completed.

# MARKETING & BUSINESS DEVELOPMENT BIENNIAL REPORT – Agenda Item 20a

January 2018 to June 2018

Prepared by Bill Kight, Marketing & Business Development Director

## BUSINESS DEVELOPMENT GOALS

1. Implement community engagement events and initiatives that leverage town-led business programming, and digital content to strengthen the Town of Mountain Village as a community and business-friendly institution.
2. Cultivate community partnerships with key organizations and become the town's subject-matter expert on their goals and missions, as a means to develop new business opportunities within the community.
3. In the next two quarters, I will strive to connect business owners to SBDC for consulting services and sessions. According to Region 10, most of the past requests have come from individuals with businesses in Mountain Village and Telluride.
4. Develop a town-led business & economic development incentive program.
5. Create a comprehensive-business driven email and social media marketing campaign to promote all local business entities through targeted promotions. Emails collected through our free Wi-Fi systems will be the pillar of this outreach.
6. Projects to plan and development in 2018 include:
  - a. Help TMVOA promote their Mountain Village Merchant meetings to allow more business engagement across the community as a resource for local businesses.
  - b. Create and lead local business resources with Region 10's support for *social media 101* and best practices, *Google My Business* set-up and maintenance for an online digital business footprint. The goal of these classes is to provide resources, but more importantly give the keys to local businesses to garner more exposure to their businesses, and to attract other companies.
  - c. Create a biannual ascertainment group meeting for non-profits in the region to showcase their work and mission as a presentation to our community members and local and regional media.
7. Develop and present for Town Council Approval, a marketing and social media support program through the town by a third-party vendor. If the town could offer this marketing service as a paid business development initiative, we could help amplify our local businesses to better promote our community and prospective companies.

**Town of Mountain Village**  
**Cable Department**  
**Semi-Annual Report to Town Council**  
**July 2017 to Dec 2017**

**Department Goals**

1. Service the community with the newest technologies available for video services.
2. Service the community with the newest technologies available for Internet services
3. Full compliance with FCC guidelines and reporting requirements.
4. Provide Mountain Village the highest level of customer service.
5. Service the community with the newest technologies available for Phone services
6. Operating the enterprise does not require general tax subsidy.

**Performance Measures**

1. Maintain 75% of units in Mountain Village as video customers.
2. Maintain 80% of units in Mountain Village as data customers.
3. Complete all FCC reports on time
4. Average number of service calls per month with all calls being completed within 24 hours.
5. Average down time of phone customers to be .03% or less
6. The enterprise operates without transfers from the General Fund or other funds of the Town.

The Cable Department is responsible for the care and maintenance of 37 miles of plant which serves 2048 homes, condos, hotels, and apartments.

### **Performance Report**

1. We have maintained 77% (national average is 48%) of video customers of homes passed for the 2nd half of 2017. Net increase of 15 Subs
2. We have maintained 85% (national average is 42%) of internet customers of homes passed for the 1st half of 2017. Net increase of 23 Subs
3. All FCC reports are current.
4. We provide approximately 60 service calls and change of service calls per month all within 24 hours of request.
5. We had 7 Internet outages the last 6 months 6 were Century link for a total of 7.45 hours and 1 was bad power supply for 45 min
6. The Cable department is fully self-funded.
7. We completed 310 service truck rolls and 121 cable locates for 2<sup>nd</sup> half of 2017

### **Cable Department Projects and Issues**

Currently adding more HD channels to our line up and completed fiber project adding fiber capacity to all of Mountain Village



**TOWN OF MOUNTAIN VILLAGE  
TOWN MANAGER  
CURRENT ISSUES AND STATUS REPORT  
JANUARY 2018**

**1. Great Services Award Program**

- **Great Services Award – December**
  - **Julie Vergari** - for helping an inexperienced business owner get a business license
  - **Daniel Gleason**, nominated by Cecilia Curry, for going beyond what was asked of him and filling in the potholes at VCA
  - Finn Kjome & crew, nominated by Michelle Haynes, for grading and filling potholes at the shop at VCA
  - The dynamic duo of **Finn Kjome and Bill Kight** for their efforts with wayfinding. This project has been a serious challenge and Bill has really gone deep into the details to make sure everything is perfect. Finn and his team have produced some amazing finished projects with the kiosks. This entire project has proven to be a monster and they are killing it!
  - **JD Wise and the Plaza Services crew** for keeping the plazas clean and neat over the holiday. I spent my entire holiday working parking and gondola lines and witnessed firsthand the number of people in the core. It was the busiest I've ever seen it for such a prolonged period of time and everything looked great. They are truly a first-class operation.
  - **The Gondola Maintenance Department including Jim Loebe**, for their incredible dedication in repairing a bull wheel on the gondola. These heroes worked all night to minimize impacts, limit interruptions to the public and accommodate ski groups that were in town – **WINNER FOR DECEMBER**

**2. Cassidy Ridge Condo Unit**

- Executed the completed contract for purchase, cut the earnest money check and set up the closing on the unit for February 20, 2018 with the title company
- A lottery of interested employees will be conducted with priority being given to employees with seniority and exemplary evaluations
- The unit will be sold to the winning employee with the Town retaining the first right of refusal should the employee wish to sell the unit in the future. Upon termination of employment, the employee will have six months to convey the unit back to the Town with an appreciation cap of 3% per annum

**3. IT Status**

- Due to an inability to come to mutually agreeable contractual terms, we were unable to renew our IT contract with Rocky Mountain Computer Solutions
- This became effective immediately in the New Year
- San Miguel County has graciously agreed to assist the Town with their IT needs during a transition

- Steven Lehane will be the point person for IT requests and will coordinate with the County's IT department during the transition
- We will embark on the RFP process relating to increased cyber security, policies and procedures as well as a short and long-term analysis of the services needed for the Town, actually increasing the breadth of options that we can pursue regarding IT

#### 4. Miscellaneous

- Attended the Community that Cares Board and Key Leader meeting to review data results on January 9th
- Attended the Merchant's Meeting at the Peaks to support the community, particularly TSG with a message regarding the ski season. Many rumors have been circulating about the ski resort shutting down due to lack of natural snow. Bill Jensen with TSG communicated their message that they were going to stay open and continue operating throughout the ski season
- Met with Lynn Black and Ross Herzog to just check in with our regional partners and ensure we are working well together



## **Proclamation**

### **A Proclamation Recognizing the Extraordinary Service by the Town's Transit and Plaza Services Departments**

#### **RECITALS:**

- A.** A vibrant, carefully maintained, and safe transit system and plaza experience is vital to the success of visitor enjoyment and to the economies of Mountain Village and the entire region; and
- B.** The 2017-2018 holiday weeks were slated to bring record numbers of visitors to Mountain Village; and
- C.** The beginning of ski season 2017-2018 experienced one of the lowest snowfall amounts in decades bringing additional use and stress on the Gondola and the Town's plazas; and
- D.** The Transit Department and their staff experienced an additional challenge of having to replace a bull wheel overnight during a busy operating season for the Gondola; and
- E.** The Transit Department and Plaza Maintenance Department took extraordinary efforts to operate the Gondola and maintain the plazas during the holiday season; and
- F.** Near unanimous praise was expressed by visitors and locals alike for the operation of the Gondola, maintenance of the plazas; and the welcoming and enthusiastic demeanor of Transit and Plaza Services staff;

**NOW THEREFORE**, I, Laila Benitez, the Mayor of the Town of Mountain Village, do hereby recognize the extraordinary efforts of both our Transit and Plaza Services Departments and staff.

During this holiday season the gondola maintenance department showed incredible dedication to reducing impacts to residents, visitors and guests by working through the night to replace a bull wheel on the gondola in order to limit interruption to the public and ski groups in town. We also recognize the entire Gondola operations staff for their stellar performance. With no front-side of the ski resort open to skiers they handled the multi –day crowds in a friendly and efficient manner. Not only did they have throngs of guests to accommodate, 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. They were among the shining stars of our holiday season.

Additionally, the Plaza Services Department and staff went beyond the call of duty in order to ensure that the plazas stayed clean and neat over the holiday season, which was the busiest ever seen on the plazas for such a prolonged period of time. Many witnessed firsthand the number of people in the core and commented on the first-class operation on the plazas. They truly went above and beyond.

Adopted and Approved by the Town Council of the Town of Mountain Village at a regular meeting held on the 18<sup>th</sup> of January, 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

**TOWN OF MOUNTAIN VILLAGE**  
**Town Council Meeting**  
**January 18, 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:
Dan Jansen	EMAIL:
Jack Gilbride	EMAIL:
Patrick Berry	EMAIL:
Laila Benitez	EMAIL:
Dan Caton	EMAIL:
Bruce Macintire	EMAIL:
Natalie Binder	EMAIL:
Jackie Kennefick	EMAIL:
Susan JOHNSON	EMAIL:
Christina Lambert	EMAIL:
Jim Mahoney	EMAIL:
Michelle Haynes	EMAIL:
Chris Broady	EMAIL:
Bill Kight	EMAIL:
Tim Johnson	EMAIL:
R. STEPHAMM - TSG	EMAIL:
Kenny Maerpa - TRAA	EMAIL:
Anton Benitez	EMAIL:
John Buchanan	EMAIL:
Carly Shaw	EMAIL:
Oranith Pulling	EMAIL:
Jolene Vance	EMAIL:
Kevin Swain	EMAIL:



## Susan Johnston

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**Subject:** FW: Agenda Item #18

**From:** Cath Jett <[cathjett@gmail.com](mailto:cathjett@gmail.com)>  
**Date:** January 17, 2018 at 3:41:23 PM MST  
**To:** Jackie Kennefick <[jkennefick@mtnvillage.org](mailto:jkennefick@mtnvillage.org)>  
**Subject:** Agenda Item #18

Hi Jackie,

Please pass this on to Council. Happy New Year and hope you are doing well.

Best,  
Cath  
--  
Catherine Jett

Dear Town Council:

I am writing regarding your proclamation declaring this month as Ski Mountain Appreciation Month.

How disheartening for those of us who lost work despite the fact that we "crafted creative approaches", who "worked many hours beyond what might have been expected to provide solutions" and who went above and beyond to create a memorable guest experiences even after losing revenue on Thanksgiving weekend when the Ski Mountain didn't even open.

Yes, the snow making crew did an amazing job and created a product that was satisfactory despite the challenges Mother Nature threw at them. But to single out one business, is simply not fair to everyone else who was creating exemplary guest experiences while also trying to keep employees motivated to simply stay here.

I suggest that you change the title of your proclamation simply to Regional Employee and Business Month, aka Surviving Mother Nature.

Thank you for your service.