



TOWN OF MOUNTAIN VILLAGE  
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## TOWN OF MOUNTAIN VILLAGE MINUTES OF THE SEPTEMBER 22, 2022 REGULAR TOWN COUNCIL MEETING

The meeting of the Town Council was called to order by Mayor Laila Benitez at 2:00 p.m. on Thursday, September 22, 2022. The meeting was held in person and with virtual access provided through Zoom.

### **Attendance:**

#### **The following Town Council members were present and acting:**

Laila Benitez, Mayor  
Dan Caton, Mayor Pro Tem  
Harvey Mogenson  
Marti Prohaska  
Jack Gilbride

#### **The following Town Council members were absent:**

Pete Duprey  
Patrick Berry

#### **Also in attendance were:**

Paul Wisor, Town Manager  
Michelle Haynes, Assistant Town Manager  
Susan Johnston, Town Clerk  
Kim Schooley, Deputy Town Clerk  
David McConaughy, Town Attorney (via Zoom)  
Lizbeth Lemley, Finance Director  
Kathrine Warren, Public Information Officer  
Chris Broady, Police Chief  
Jaime Holmes, HR Director  
Marleina Fallenius, Planning Technician/Housing Coordinator  
Kate Burns, Controller  
Zoe Dohnal, Director of Operations and Development  
Jim Soukup, Chief Technology Officer  
Julie Vergari, Assistant Finance Director  
Rodney Walters, Forester/GIS Assistant  
Lindsay Niehaus, HR Coordinator  
Jim Loebe, Transit & Recreation Director  
Lars Forsythe, Building Inspector  
Connor Reilly, VCA Manager  
JD Wise, Assistant Director of Public Works

Sean DeLand  
Jessica Garrow  
Dan Runzel  
Dave Stockton  
Neil Shaw  
Bruce Kimmel  
Jonathan Greenspan  
Kari Distefano  
Henry Hardy  
Sherri Reeder  
David Averill  
Patti Grafmyer  
Steven Paletz  
Ruth Hensen  
Frank Hensen  
Ankur Patel

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

Public comment was received from Jonathan Greenspan.

### **Work Session Regarding Proposed Norwood Development (3)**

Town Manager Paul Wisor, Assistant Town Manager Michelle Haynes, and Jessica Garrow with Design Workshop presented. Council discussion ensued.

**Staff Introductions: (4)**

**a. Molly Norton, Community Engagement Coordinator**

Director of Operations and Development Zoe Dohnal introduced new staff member Molly Norton as the Community Engagement Coordinator.

**Consent Agenda:**

**All matters in the Consent Agenda are considered to be routine by the Town Council and will be enacted with a single vote. There will be no separate discussion of these items. If discussion is deemed necessary, that item should be removed from the Consent Agenda and considered separately: (5)**

**a. Consideration of Approval of the August 18, 2022 Regular Town Council Meeting Minutes**

**b. Consideration of Approval of the August 25, 2022 Special Town Council Meeting Minutes**

**c. Consideration of Approval of the September 8, 2022 Special Town Council Meeting Minutes**

Town Clerk Susan Johnston presented. Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Harvey Mogenson, Council voted unanimously to approve the Consent Agenda with clerical changes as noted.

**Finance: (6)**

Finance Director Lizbeth Lemley presented.

**a. Introduction of Municipal Advisor**

Paul Wisor stated that due to unforeseen circumstances, the Municipal Advisor was unable to attend the meeting and will be introduced at a later date.

**b. Presentation of the August 31, 2022 Business & Government Activity Report (BaGAR)**

**c. Consideration of Approval of the July 31, 2022 Financials**

Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to approve the July 31, 2022 Financials as presented.

**d. 2023 Draft Budget Review**

Council discussion ensued.

**Consideration of Approval of a Settlement Agreement with Brown Dog, LLC Regarding Meadows Trail Litigation (7)**

Town Attorney David McConaughy presented. Council discussion ensued. Public comment was received from Jonathan Greenspan. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to approve the Settlement Agreement with Brown Dog, LLC regarding Meadows Trail litigation.

Council took a break from 3:28 to 3:36 p.m.

**Consideration of a Town Staff Salary Scale Adjustment (8)**

Human Resources Director Jaime Holmes and Lizbeth Lemley presented. Council discussion ensued. On a **MOTION** by Marti Prohaska and seconded by Jack Gilbride, Council voted unanimously to approve a salary increase of \$2 per hour for all town positions as a town-wide salary structure adjustment effective October 1, 2022.

**Consideration on Second Reading of an Ordinance Regarding a Major PUD Amendment to Extend the Length of Validity and Vested Property Rights for a Site-Specific Development Plan for Lot 109R from December 8, 2022 to December 8, 2024 Quasi-Judicial (9)**

Michelle Haynes presented. Applicant Ankur Patel with Tiara Telluride thanked Council for all the direction they have given with development. Council discussion ensued. The Mayor opened a public hearing. There was no public comment. The Mayor closed the public hearing. On a **MOTION** by Marti Prohaska and seconded by Dan Caton, Council voted 5-0 to adopt an Ordinance regarding a third major PUD amendment for Lot 109R to extend the PUD Agreement and the associated vested property rights to a period of nine months, expiring on September 8, 2023.

**First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Amending Community Development Code Section 17.2.3, Design Review Board, to Consider Compensation for Attendance Legislative (10)**

Dan Caton recused himself. Michelle Haynes presented. Council discussion ensued. The Mayor opened the public hearing. There was no public comment. The Mayor closed the public hearing. On a **MOTION** by Marti Prohaska and seconded by Jack Gilbride, Council voted 4-0 to approve on first reading an Ordinance amending CDC section 17.2.3 Design Review Board to provide compensation for attendance of \$300 per month for each DRB member and \$600 per month for the DRB Chairperson and set the second reading, public hearing and final Council vote for the October 20, 2022 Regular Town Council meeting with the amendment that compensation be per meeting.

**Discussion on the Use of Light Detection and Ranging (LIDAR) for Forest Management (11)**

Michelle Haynes and Forester/GIS Assistant Rodney Walters presented. Council discussion ensued. Council consensus was in favor of pursuing the LIDAR project this fall using existing available funds in the 2022 budget under Forest Management.

**Staff Report: (12)**

**a. Human Resources**

Jaime Holmes presented. Council discussion ensued.

**Executive Session for the Purpose of: (13)**

- a. Conference with the Town Attorney for the Purpose of Receiving Legal Advice on Specific Legal Questions, to Determine Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations and/or Instructing Negotiators in Connection with Town Water Rights, Pursuant to CRS 24-6-402(4)(b) and (c); and**
- b. Conference with the Town Attorney for the Purpose of Receiving Legal Advice on Specific Legal Questions, to Determine Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations and/or Instructing Negotiators in Connection with Legal Advice Regarding Mountain Village Broadband Operations, Pursuant to CRS 24-6-402(4)(b) and (c)**

On a **MOTION** by Jack Gilbride and seconded by Dan Caton, Council voted unanimously to move into Executive Session for the purpose of:

- a. Conference with the Town Attorney for the Purpose of Receiving Legal Advice on Specific Legal Questions, to Determine Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations and/or Instructing Negotiators in Connection with Town Water Rights, Pursuant to CRS 24-6-402(4)(b) and (c); and
- b. Conference with the Town Attorney for the Purpose of Receiving Legal Advice on Specific Legal Questions, to Determine Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations and/or Instructing Negotiators in Connection with Legal Advice Regarding Mountain Village Broadband Operations, Pursuant to CRS 24-6-402(4)(b) and (c)

at 4:29 p.m.

Council resumed regular session at 5:40 p.m.

**Consideration of Mountain Village Broadband Operations Request for Proposal (14)**

Chief Technology Officer Jim Soukup, Zoe Dohnal, Lizbeth Lemley and Dave Stockton with Uptown Services presented. Council discussion ensued. Council directed staff to proceed as discussed during Executive Session.


**Other Business (15)**

Paul Wisor asked for Council approval to sign a letter of support to the Colorado State Outdoor Recreation Grant Review Committee for a grant request for the Telluride Mountain Village Long-Term Gondola Plan. He also shared that a meeting last week discussing the wastewater treatment plant went well and that a formal discussion before Council will be on the agenda next month. Zoe Dohnal, Police Chief Chris Broady, and Jim Soukup discussed the recent internet outage. Mayor Benitez shared that she and Dan Caton

separately met with Chad Horning of Telluride Ski Resort regarding the Town's role in workforce housing in the area.

There being no further business, on a **MOTION** by Dan Caton and seconded Jack Gilbride, Council voted unanimously to adjourn the meeting at 5:51 p.m.

Respectfully prepared,

  
Kim Schooley  
Deputy Town Clerk

Respectfully submitted,

  
Susan Johnston  
Town Clerk