



TOWN OF MOUNTAIN VILLAGE
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**TOWN OF MOUNTAIN VILLAGE
MINUTES OF THE SEPTEMBER 19, 2024
REGULAR TOWN COUNCIL MEETING**

The meeting of the Town Council was called to order by Mayor Marti Prohaska at 2:00 p.m. on Thursday, September 19, 2024. The meeting was held in person and with virtual access provided through Zoom.

Attendance:

The following Town Council members were present and acting:

Marti Prohaska, Mayor
Scott Pearson, Mayor Pro Tem
Jack Gilbride
Harvey Mogenson (via Zoom)
Pete Duprey (via Zoom)
Tucker Magid
Huascar E. Gomez

Also in attendance were:

Paul Wisor, Town Manager
Michelle Haynes, Assistant Town Manager
Susan Johnston, Town Clerk
David McConaughy, Town Attorney
Lizbeth Lemley, Finance Director
Chris Broady, Police Chief
JD Wise, Economic Development & Sustainability Director
Kathrine Warren, Public Information Officer
Amy Ward, Community Development Director
Drew Nelson, Senior Planner
Molly Norton, Community Engagement Coordinator
Mae Eckard, Admin Assistant II – Town Hall & Housing
Lauren Tyler, GIS Administrator
Jim Loebe, Transit & Recreation Director
Rob Johnson, Transit Operations Manager
Rodney Walters, Town Forester/GIS Assistant
Chambers Squier, Mountain Munchkins Director
Jaime Holmes, Human Resources Director
Tim Barber
Scott Pittinger, Public Works Director
Erin Howe, Planner I

Clint Warren
Jason Corzine
Kim Riddle
Bailey Leppek
Douglas Tooley
Anna Kaplan
Dale Reed
Dan Jansen
David Averill
Juan Robledo
Madeline Gomez
Steve Rosenblatt
Terry Cope
Ryan Daigle
David Sorenson
Cath Jett
Zack Hodgkin
Dale Reed
Jonathan Greenspan
Tom Kennedy
Mary Rivorol

Jay Luchenbach
Elaine Demas
Jolana Vanek
Adam Locke
Jim Easter
Tayor Inman
Michelle Dodds
Beth Bailis

Tiffany Perry-Marks
Fletcher Otwell
Ann Reissner
Len Rybicki
Richard Thorpe
Julie Zahnisor
Laurie Easter

Public Comment on Non-Agenda Items (3)

There was no public comment.

Staff Introduction: (3)

a. Sydney Roop, Accounting Technician & Payroll

Finance Director Lizbeth Lemley introduced Sydney Roop, Accounting Technician & Payroll.

Consideration of a Proclamation Declaring September 2024 as Suicide Prevention Awareness Month (4)

Jack Gilbride read the proclamation. Tri-County Health representative Communities That Care Coordinator Ryan Daigle accepted and thanked Council for their continued support. On a **MOTION** by Huascar Gomez (Rick) and seconded by Tucker Magid, Council voted unanimously to adopt a Proclamation declaring September 2024 as Suicide Prevention Awareness Month.

Consent Agenda: (5)

All matters in the Consent Agenda are considered to be routine by the Town Council and will be enacted with a single vote. There will be no separate discussion of these items. If discussion is deemed necessary, that item should be removed from the Consent Agenda and considered separately: (6)

- a. **Consideration of Approval of the August 15, 2024 Regular Town Council Meeting Minutes**
- b. **Consideration of Approval of a Resolution Supporting the Passage of SMART Ballot Question 3A**
- c. **Consideration of Approval of a Resolution for Amendments to Community Grant Program Guidelines and Community Gant Committee Bylaws**

Town Clerk Susan Johnston presented. Council discussion ensued. On a **MOTION** by Scott Pearson and seconded by Huascar Gomez (Rick), Council voted unanimously to approve the Consent Agenda as presented.

Department Updates (6)

Town Manager Paul Wisor presented. Council discussion ensued.

Discussion Regarding a Request for Funding a Regional Down Payment Assistance Program from the Telluride Foundation (7)

Elaine Demas presented. Council discussion ensued.

Consideration of a Resolution Appointing an Alternate Seat to the Telluride Regional Airport Authority (TRAA) for the Remaining Four-Year Term Expiring July 2027 (8)

Susan Johnston presented. Applicant Clint Warren provided comments. Council discussion ensued. On a **MOTION** by Huascar Gomez (Rick) and seconded by Jack Gilbride, Council voted by ballot to approve a Resolution appointing Dan Garner, to the Alternate seat on the Telluride Regional Airport Authority for a four-year term expiring July 2027.

Water Sewer Capital Reserve Study (9)

Finance Director Lizbeth Lemley, Kimberly Riddle and Bailey Leppek of SGM presented. Council discussion ensued.

Council took a break from 4:11 to 4:15

Council moved to agenda item 11.

Finance: (10)

a. Presentation of the August 31, 2024 Business & Government Activity Report (BAGAR)

Lizbeth Lemley presented. Council discussion ensued.

b. 2025 Draft Budget Review

Lizbeth Lemley presented. Council discussion ensued.

Consideration of Approval of the Revised Plaza Vending Regulations (11)

Economic Development & Sustainability Director JD Wise presented. Council discussion ensued. On a **MOTION** by Huascar Gomez (Rick) and seconded by Scott Pearson, Council voted unanimously to approve revisions to the Plaza Vending Regulations as presented.

Council moved to agenda item 10.

Consideration of a Resolution Regarding Road Right of Way Encroachments for Development on Lots OS 3Y, 69R2, 67, 71R, OS 3BR-2R-2, TRACT OS 3XRR-2 and 161C-R (12)

Amy Ward presented. Council discussion ensued. Dale Reed Chief Operating Officer for Merrimac

Ventures answered Council questions regarding the soil nails. On a **MOTION** by Pete Duprey and seconded by Jack Gilbride, Council voted unanimously to approve a Resolution for a Road Right-of-Way Encroachment for development at Lots 69R2, OS 3Y, 67, 71R, OS 3BR-2R 2, Tract OS 3XRR 2, 71 R and 161C-R, TBD Mountain Village Boulevard, based on the evidence provided in the staff record of memo dated September 9 2024, and the findings of this meeting, with the following conditions:

1. Prior to issuance of building permit, the engineered soil nail design will be reviewed by Town Public Works and/or Town Engineers for necessary approvals.
2. An encroachment agreement with the Town for any road right of way encroachments will be entered into prior to the issuance of a building permit. The form of the agreement shall be reviewed by the Town Attorney and may be approved by the Town Manager without further Council action.
3. An updated as built exhibit showing all constructed encroachments in the right of way will be recorded with the license agreement and recorded with the County prior to the issuance of a Certificate of Occupancy.
4. The right-of-way encroachments are premised on the subdivision and site-specific design approvals. If the design approval expires, the right of way encroachment approval also expires.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance to Consider a Rezone and Density Transfer Application for Lots 373R and 374R per Community Development Code Sections 17.4.9 and 17.4.10 Quasi-Judicial (13)

Senior Planner Drew Nelson presented. Council discussion ensued. Attorney Tom Kennedy and representative to the applicant answered Council questions. The Mayor opened a public hearing. Public comment was received from Douglas Tooley. The Mayor closed the public comment. Council discussion ensued regarding agendizing, at a future date, an item to amend the Community Development Code allowing for the re-division of a lot that had been previously combined. On a **MOTION** by Pete Duprey and seconded by Jack Gilbride, Council voted 7-0 to approve on first reading, an Ordinance regarding the Density Transfer and Rezone application, pursuant to CDC Sections 17.4.9 & 17.4.10 of the Community Development Code, to rezone Lots 373R and 374R and transfer 1 single-family density unit (4-person equivalent density) to the density bank based on the evidence provided within the staff report of record dated September 9, 2024, and with the following conditions:

1. Prior to the recordation of the associated ordinance approving the Density Transfer and Rezone, the owner must obtain Town Council approval of the Class 5 Minor Subdivision.
2. 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.

and to direct the Town Clerk to set the second reading, public hearing and final vote for the October 17, 2024 Town Council meeting.

Consideration of a Resolution to Approve a Minor Subdivision for Lots 373R and 374R to Replat into Lot 374R2 per Community Development Code Section 17.4.13 Quasi-Judicial (14)

Drew Nelson presented. Council discussion ensued. On a **MOTION** by Huascar Gomez (Rick) and seconded by Tucker Magid, Council voted unanimously to adopt a Resolution Approving a Minor Subdivision for Lots 373R and 374R to replat into Lot 374R2 per Community Development Code Section 17.4.13.

Consideration of a Resolution Regarding a Conditional Use Permit for Telecommunications Facilities (5G) to be Located in Public Rights-of-Way, Pursuant to CDC Section 17.6.5 Continued from the July 18, 2024 Regular Meeting (15)

Harvey Mogenson recused himself. Drew Nelson presented. Council discussion ensued. Representatives Terry Cope and Zach Hodgkin on behalf of applicant Toro Vertical, Inc. dba/Toro Blanco Group answered Council questions. The Mayor opened the public hearing. Public comments were received from Adam Locke, Laurie Easter, Jay Easter, Julie Zahniser, Jolana Vanek. The Mayor closed the public hearing. On a **MOTION** by Huascar Gomez (Rick) and seconded by Jack Gilbride, Council voted 6-0 to adopt a Resolution denying a Conditional Use Permit for Telecommunications Facilities (5G) to be located in public rights of way

Council broke for dinner from 6:15 p.m. to 6:25 p.m.

Consideration of Approval of Proposed Winter Parking Policies and Rates (17)

Director of Transit and Recreation Jim Loebe and Transit Operations Manager Rob Johnson presented. Council discussion ensued. Public comments were received from Jonathan Greenspan and Douglas Tooley. On a **MOTION** by Huascar Gomez (Rick) and seconded by Jack Gilbride, Council voted unanimously to approve the proposed winter parking policies and rates.

Forestry Program Seasonal Update (18)

Town Forester/GIS Assistant Rodney Walters presented. Council discussion ensued.

Council Boards and Commissions Updates: (19)

1. **Telluride Tourism Board – Gomez**
2. **Colorado Flights Alliance – Gilbride**
3. **Transportation & Parking – Duprey & Mogenson**
4. **Budget & Finance Committee – Duprey, Pearson, & Mogenson**
5. **Gondola Committee – Mogenson, Prohaska, & Pearson**
6. **Colorado Communities for Climate Action – Pearson**
7. **San Miguel Authority for Regional Transportation (SMART) – Magid, Mogenson, & Gomez**
8. **Telluride Historical Museum – Prohaska**

9. Collaborative Action for Immigrants (CAFI) – Gomez
10. Mountain Village Business Development Advisory Committee (BDAC) – Pearson & Duprey
11. Wastewater Committee – Duprey & Magid
12. Housing Committee – Duprey & Magid
13. Telluride Conference Center Committee – Duprey & Magid
14. Miscellaneous Boards and Commissions
15. Mayor's Update

Other Business (20)

There was no other business.

Executive Session for the Purpose of: (2)

- a. Determining Positions Relative to Matters that May be Subject to Negotiations; Developing Strategy for Negotiations; and Instructing Negotiators Regarding Wastewater Treatment Plant Pursuant to C.R.S. 24-6-402(4)(e)
- b. Determining Positions Relative to Matters that May be Subject to Negotiations; Developing Strategy for Negotiations; and Instructing Negotiators Regarding the Ilium Community Housing Parcel Pursuant to C.R.S. 24-6-402(4)(e)
- c. Conference with Town Attorney for the purpose of Receiving Legal Advice on Specific Legal Questions Regarding Proposed Legislation Pursuant to C.R.S. 24-6-402(4)(b)
- d. Determining Positions Relative to Matters that May be Subject to Negotiations; Developing Strategy for Negotiations; and Instructing Negotiators Regarding the Acquisition of Land Pursuant to C.R.S. 24-6-402(4)(a), (b), and (e)
- e. Determining Positions Relative to Matters that May be Subject to Negotiations; Developing Strategy for Negotiations; and Instructing Negotiators Regarding Negotiations with TSG Pursuant to C.R.S. 24-6-402(4)(a), (b), and (e)

On a **MOTION** by Tucker Magid and seconded Scott Pearson, Council voted unanimously to move into Executive Session for the purpose of:

- a. Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators regarding a wastewater treatment plant pursuant to C.R.S. 24-6-402(4)
- b. Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators and conference with the town attorney for legal advice regarding an acquisition of land pursuant to C.R.S. 24-6-402(b) and (e)
- c. Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators and conference with the town attorney for legal advice regarding an intergovernmental agreement between the town of mountain village and the town of telluride to provide electrical inspection services pursuant to C.R.S. 24-6-402(b) and (e)
- d. Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators, and for legal advice from the town attorney, all

regarding future gondola funding pursuant to C.R.S. 24-6-402(4)

There being no further business, on a **MOTION** by Huascar Gomez (Rick) and seconded by Jack Gilbride, Council voted unanimously to adjourn the meeting at 8:58 p.m.

Respectfully prepared and submitted by,

A handwritten signature in cursive script that reads "Susan Johnston". The signature is written in black ink and is positioned above the printed name.

Susan Johnston

Town Clerk

