



**TOWN OF MOUNTAIN VILLAGE**

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**TOWN OF MOUNTAIN VILLAGE  
MINUTES OF THE DECEMBER 14, 2023  
REGULAR TOWN COUNCIL MEETING**

The meeting of the Town Council was called to order by Mayor Martinique Prohaska at 2:01 p.m. on Thursday, December 14, 2023. 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  
Harvey Mogenson (via Zoom)  
Jack Gilbride  
Pete Duprey (via Zoom)  
Tucker Magid  
Huascar E. Gomez (Rick)

**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  
Lizbeth Lemley, Finance Director  
Chris Broady, Police Chief  
Amy Ward, Community Development Director  
Kathrine Warren, Public Information Officer  
Lauren Tyler, GIS Administrator  
Scott Pittenger, Public Works Director  
Drew Nelson, Senior Planner  
Molly Norton, Community Engagement Coordinator  
Finn Kjome, Public Works Director  
Jason Habib, Planning Technician  
Julie Vergari, Assistant Finance Director

Tim Barber  
Madeline Gomez  
Yvette Rauff  
Kelsey Bresnan  
Amy Solomon  
Adelvia Gomez  
David Bulson  
Joanna Smith  
Doug Tooley  
Patrick Berry

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

Public comment was received from Doug Tooley.

**Staff Introductions: (3)**

**a. Drew Nelson, Senior Planner**

Community Development Director Amy Ward introduced new Senior Planner Drew Nelson.

**b. Scott Pittenger, Public Works Director**

Public Works Director Finn Kjome introduced new Public Works Director Scott Pittenger.

**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 November 16, 2023 Regular Town Council Meeting Minutes**
- b. **Consideration of Approval of the November 30, 2023 Special Town Council Meeting Minutes**

Town Clerk Susan Johnston presented. Council discussion ensued. On a **MOTION** by Tucker Magid and seconded by Jack Gilbride, Council voted unanimously to approve the Consent Agenda as with the correction of the spelling of Council Member Huascar E. Gomez (Rick) on the November 16 Regular and November 30 Special Town Council meeting minutes.

On a **MOTION** by Tucker Magid and seconded by Scott Pearson, Council moved to amend the executive session by adding the following item:

- a. Conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions pursuant to CRS 24-6-402(4)(b), specifically: (A) update on pending municipal court litigation vs. Ken Alexander; and (B) recent incidents at Village Court Apartments.

**Consideration of Appointment to the Business Development Advisory Committee (BDAC):**

- a. **Two Mountain Village Merchant Seats for One-Year Terms (5)**

Susan Johnston presented. Council discussion ensued. On a **MOTION** by Scott Pearson and seconded by Jack Gilbride, Council voted unanimously to appoint Joanna Smith and Kelsey Bresnan to the Merchant seats on the Business Development Advisory Committee (BDAC) for one-year terms.

**Department Updates (6)**

Town Manager Paul Wisor presented. Council discussion ensued.

**Town Council Acting as the Board of Directors for the Dissolved Mountain Village Metro District: (7)**

On a **MOTION** by Scott Pearson and seconded by Harvey Mogenson, Council voted unanimously to convene as the Mountain Village Metro District.

Finance Director Lizbeth Lemley and Assistant Finance Director Julie Vergari presented.

- a. **Consideration of a Resolution Adopting the 2024 Mountain Village Metro District Budget**

Board discussion ensued. On a **MOTION** by Scott Pearson and seconded by Tucker Magid, the Board voted unanimously to approve a Resolution summarizing expenditures and revenues for each fund and adopting a budget for the Mountain Village Metropolitan District for the calendar year beginning on the first day of January 2024 and ending on the last day of December 2024.

- b. **Consideration of a Resolution Appropriating Sums of Money for 2024**

Board discussion ensued. On a **MOTION** by Scott Pearson and seconded by Tucker Magid, the Board voted unanimously purpose as set forth in the Resolution, for the Mountain Village Metropolitan District for the 2024 budget year.

- c. **Consideration of a Resolution Revising the 2023 Budget**

Board discussion ensued. On a **MOTION** by Scott Pearson and seconded by Tucker Magid, the Board voted unanimously to approve a Resolution summarizing expenditures and revenues for each fund and adopting a revised budget for the dissolved Mountain Village Metropolitan District for the calendar year beginning on the first day of January 2023 and ending on the last day of December 2024.

- d. **Consideration of a Resolution Re-Appropriating Sums of Money for 2023**

Board discussion ensued. On a **MOTION** by Scott Pearson and seconded by Tucker Magid, the Board voted unanimously to approve a Resolution re-appropriating sums of money to the various funds and spending agencies, in the amounts and for the purpose as set forth in the Resolution, for the Mountain Village Metropolitan District for the 2023 budget year.

**e. Consideration of a Resolution Setting the Mill Levy for 2023 to be Collected in 2024**

Board discussion ensued. On a **MOTION** by Scott Pearson and seconded by Tucker Magid, the Board voted unanimously to approve a Resolution levying property taxes for the year 2023, to help defray the costs of government for the Mountain Village Metropolitan District for the 2024 budget year.

On a **MOTION** by Harvey Mogenson and seconded by Scott Pearson, the Board voted unanimously to reconvene as the Town of Mountain Village Town Council.

**Finance: (8)**

Lizbeth Lemley and Julie Vergari presented.

**a. Presentation of the November 30, 2023 Business & Government Activity Report (BAGAR)**

**b. Second Reading, Public Hearing and Council Vote on an Ordinance of the Town Levying Property Taxes for the Year 2023 to be Collected in 2024**

The Mayor opened the public hearing. There was no public comment. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Harvey Mogenson, Council voted 7-0 to approve an Ordinance of the Town levying property taxes for the year 2023 to be collected in 2024.

**c. Second Reading, Public Hearing and Council Vote on an Ordinance Adopting the 2024 Budget and Revising the 2023 Budget**

The Mayor opened the public hearing. There was no public comment. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Harvey Mogenson and seconded by Pete Duprey, Council voted 7-0 to approve an Ordinance adopting the 2024 budget and revising the 2023 budget.

**Consideration of a Resolution Adopting the Second Amended and Restated Intergovernmental Agreement Concerning the Implementation of an "E911" Emergency Telephone Service *Legislative (9)***

Police Chief Chris Broady presented. Mayor Prohaska opened the public hearing. There was no public comment. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Scott Pearson and seconded by Tucker Magid, Council voted unanimously to approve a Resolution adopting the Second Amended and Restated Intergovernmental Agreement Concerning the implementation of an "E911" emergency telephone service.

**Consideration of a Resolution Approving a Height Variance of 18.31' Above Maximum Allowable Height and 5.76' Above Average Allowable Height for Lot 165 Unit 3, Pursuant to CDC 17.3.11 and 17.4.16 *Quasi-Judicial This Item has Been Continued at the Request of the Applicant (10)***

Amy Ward presented stating that the application was not approved on the DRB level and the applicant requested that the item be continued. On a **MOTION** by Pete Duprey and seconded by Scott Pearson, Council voted unanimously to continue the consideration of a Resolution approving a height variance of 18.31' above the maximum allowable height and 5.76' above the average allowable height for Lot 165 Unit 3 to the February 15, 2024 regular Town Council meeting.

**First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Reenacting Community Development Code Amendment at Section 17.4.13.M with Corrections *Quasi-Judicial (11)***

Town Attorney David McConaughy corrected the agenda item from Quasi-Judicial to Legislative. GIS Administrator Lauren Tyler and Amy Ward presented. The Mayor opened the public hearing. There was no public comment. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Harvey Mogenson, Council voted 7-0 to approve on first reading an Ordinance with proposed changes to the Community Development Code at Section 17.4.13.M and to set the second reading for the January 18, 2024 regular Town Council meeting.

Council moved to agenda item 13.

**Discussion Regarding the Re-Addressing Project (12)**

Lauren Tyler and Public Information Office Kathrine Warren presented. Council discussion ensued. Council directed staff to modify the re-addressing communication to soften the language for the fines, to be consistent with the wording throughout the communications and to update Google maps with the correct street names for the Town. This was only a work session and did not require a public hearing.

Council moved to agenda item 14.

**Consideration of Council Boards and Commissions Appointments: (13)**

1. **Ethics Commission (One Regular, One Alternate)**
2. **Telluride Tourism Board (One Regular)**
3. **Colorado Flights Alliance (One Regular)**
4. **Transportation & Parking (Two Regular)**
5. **Budget & Finance Committee (Three Regular)**
6. **Telluride Historical Museum (One Regular)**
7. **Gondola Committee (Two Regular, One Alternate)**
8. **Mountain Village Community Grant Committee (Two Regular)**
9. **Telluride Conference Center Work Group (Two Regular)**
10. **San Miguel Authority for Regional Transportation (SMART) (Two Regular, One Alternate)**
11. **Collaborative Action for Immigrants (CAFI) (One Regular)**
12. **Mountain Village Business Development Advisory Committee (BDAC) (Two Regular)**
13. **Wastewater Committee (Two Regular)**
14. **Public Arts Commission (One Regular)**
15. **Colorado Communities for Climate Action (One Regular)**
16. **Housing Committee (Two Regular)**
17. **Ski Ranches Working Group (Two Regular)**
18. **Technology Working Group (Two Regular)**
19. **Telluride Mountain Village Owners Association Liaison (One Regular)**

On a **MOTION** by Scott Pearson and seconded by Tucker Magid, Council voted unanimously to appoint the following Council members to the Council Boards and Commissions:

1. Ethics Commission: Pete Duprey (regular member), Jack Gilbride (alternate member)
2. Telluride Tourism Board: Huascar E. Gomez (Rick)
3. Colorado Flights Alliance: Jack Gilbride
4. Transportation & Parking: Pete Duprey and Harvey Mogenson
5. Budget & Finance Committee: Pete Duprey, Scott Pearson, and Harvey Mogenson
6. Telluride Historical Museum: Marti Prohaska
7. Gondola Committee: Harvey Mogenson and Marti Prohaska (regular members); Scott Pearson (alternate member)
8. Mountain Village Community Grant Committee: Marti Prohaska and Jack Gilbride
9. Telluride Conference Center Work Group: Tucker Magid and Pete Duprey
10. San Miguel Authority for Regional Transportation (SMART): Tucker Magid and Harvey Mogenson (regular members); Huascar E. Gomez (Rick) (alternate member)
11. Collaborative Action for Immigrants (CAFI): Huascar E. Gomez (Rick)
12. Mountain Village Business Development Advisory Committee (BDAC): Scott Pearson and Pete Duprey
13. Wastewater Committee: Pete Duprey and Tucker Magid
14. Public Arts Commission: Harvey Mogenson
15. Colorado Communities for Climate Action: Scott Pearson
16. Housing Committee: Tucker Magid and Pete Duprey
17. Ski Ranches Working Group: Harvey Mogenson and Marti Prohaska
18. Technology Working Group: Jack Gilbride and Huascar E. Gomez (Rick)

19. Telluride Mountain Village Owners Association Liaison: Harvey Mogenson and Scott Pearson Council directed staff to review the bylaws of each board and commission to ensure that any board or commission with voting rights has the appropriate number of Town representatives. Council also directed staff to add a Telluride Medical Center Working Group with Scott Pearson and Tucker Magid as members. Lastly, Council directed staff to add a final item to the end of the monthly Council updates for any miscellaneous board or commission that met and has information to be shared with Council and the community.

Council took a break from 3:18 to 3:35 p.m.

Mayor Prohaska presented former Council member Patrick Berry with an award and thanked him for his years of service on behalf of the Town.

Council moved to agenda item 12.

#### **Other Business (14)**

There was no other business.

#### **Executive Session for the Purpose of: (15)**

- a. **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 the Wastewater Treatment Plant Pursuant to C.R.S. 24-6-402(4)(b) and (e)**
- b. **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 the Ski Ranches Pursuant to C.R.S. 24-6-402(4)(b) and (e)**
- c. **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 the Telluride Conference Center Pursuant to C.R.S. 24-6-402(4)(b) and (e)**
- d. **Determining Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations and/or Instructing Negotiators, In Connection With Telluride Ski & Golf Pursuant to C.R.S. 24-6-402(4)(e)**
- e. **Conference with the Town Attorney for the Purpose of Receiving Legal Advice on Specific Legal Questions Pursuant to CRS 24-6-402(4)(b), Specifically: (A) Update on Pending Municipal Court Litigation vs. Ken Alexander; and (B) Recent Incidents at Village Court Apartments**

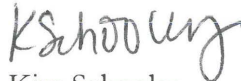
On a **MOTION** by Jack Gilbride and seconded Tucker Magid, Council voted unanimously to move into Executive Session for the purpose of:

- a. 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 the Wastewater Treatment Plant pursuant to C.R.S. 24-6-402(4)(b) and (e)
- b. 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 Ski Ranches pursuant to C.R.S. 24-6-402(4)(b) and (e)
- c. 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 the Telluride Conference Center pursuant to C.R.S. 24-6-402(4)(b) and (e)
- d. Determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations and/or instructing negotiators, in connection with Telluride Ski & Golf pursuant to C.R.S. 24-6-402(4)(e)


e. Conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions pursuant to CRS 24-6-402(4)(b), specifically: (A) update on pending municipal court litigation vs. Ken Alexander; and (B) recent incidents at Village Court Apartments  
at 4:04 p.m.

There being no further business, on a **MOTION** by Tucker Magid and seconded by Huascar E. Gomez (Rick), Council voted unanimously to adjourn the meeting at 6:54 p.m.

Respectfully prepared,

  
Kim Schooley  
Deputy Town Clerk

Respectfully submitted,

  
Susan Johnston  
Town Clerk