



Town Council
Town Council Meeting Minutes
Tuesday, February 21, 2023
4:00 PM
130 Kearns Road
Town Council Chambers
Snowmass Village, CO, 81615

Mayor Madsen called to order the Regular Meeting of the Snowmass Village Town Council on Tuesday February 21, 2023, at 4:00 pm.

A complete live recording of this meeting can be found at www.tosv.com under Town Council Meetings. This meeting will be archived indefinitely, allowing you to view it anytime.

1) CALL TO ORDER
4:00pm

2) ROLL CALL

Council Members Present: Bill Madsen, Alyssa Shenk, Susan Marolt, Britta Gustafson & Tom Fridstein.

Council Members Absent: none.

Staff Present: Clint Kinney, Town Manager; Jeff Conklin, Town Attorney; Sam Guarino, Transportation Director; Mike Metheny, Chief Building Official; Andy Worline, Parks & Recreation Director, Riley Bonilla, Assistant Parks & Recreations Director; and Megan Boucher, Town Clerk.

Public Present: Jay Shumaker, Christy MacLear, Jamie Knowlton; Jim Snyder, Darce Vold, Barb Yocum, Markey Butler and Jim Finn.

3) **PROCLAMATIONS AND PRESENTATIONS**

3.A) Certificates of Appreciation for retiring B & Cs

[Page 4 Agenda Item Summary RE Certificates of Appreciation](#) 
[Pages 5-17 2023 Certs of Appreciation B &Cs](#) 

Mayor Madsen recognized all recently retired and termed members of the Town of Snowmass Village's Boards and Commissions with certificates of appreciation. Madsen read all member's names, the boards they served on and thanked them for their time and expertise during their terms. Planning Commission member Christy MacLear was present in person to accept her certificate. The Council and all present applauded and thanked her and all past members.

4) **PUBLIC COMMENT**

none

5) **CONSENT AGENDA**

5.A) 2023 Town Council Draft Agendas

[Pages 18-20 2023 Agenda Overview](#) 

Councilmember Shenk asked about timeline and if the Transit Center Agenda item would be on the Town Council schedule for more than one meeting. Kinney clarified that he anticipated that item would be on at least two if not more of Town Council's upcoming Regular Meeting Agendas.

5.B) [Meeting Minutes for Approval](#)

[Pages 21-27 02-06-23 TC Minutes for approval- Draft](#) 

Councilmember Fridstein had a correction to line 126 – it should say “building reviews.” Councilmember Shenk had a few corrections and emailed them to Town Clerk Boucher.

5.C) Ord No. 02, Series 2023 - 2nd Reading - Contractor License and Classification Fees

[Pages 28-29 Agenda Item Summary RE Contractors License and Classification Fees ORD 2 for 2-21-2023](#) 
[Pages 30-31 ORD No. 2 Series of 2023 - Contractor Classifications and Fees - 2nd reading](#) 

5.D) [Resolution No. 08, Series 2023 - Certificates and Assurances - Transportation Department](#)

[Pages 32-33 Agenda Item Summary FTA Certifications & Assurances 2023](#) 

[Pages 34-35 Resolution No. 08 Series of 2023 - FTA 2023 Certs Assurances](#) 

[Pages 36-57 FY23-Certifications and Assurances](#) 

Councilmember Fridstein asked for clarification regarding the Resolution on Certifications and Assurances. Town Manager Kinney and Transportation Director clarified that the resolution simply states that for any grant monies we receive, we will follow the Federal laws.

Councilmember Fridstein motioned to approve the Consent Agenda and Ordinance No. 02, Series 2023. Councilmember Shenk seconded. Town Clerk Boucher called a roll call vote. All in favor. None opposed.

6) PUBLIC HEARINGS - QUASI-JUDICIAL HEARINGS

7) ADMINISTRATIVE REPORTS

7.A) Resolution No. 09, Series 2023 RE Rodeo Lease

[Pages 58-59 Agenda Item Summary RE Approving a 5 Year Lease with the Snowmass Western Heritage Association for the Rodeo Grounds](#) 

[Pages 60-61 Resolution No. 09, Series 2023 - Rodeo Lease](#) 

[Pages 62-72 Draft Rodeo Lease 2023-2027 with Exhibit A & B](#) 

Andy Worline summarized the agenda item and introduced members of the Snowmass Western Heritage Association. Council asked a few questions.

Councilmember Fridstein suggested some language be added to the lease to clarify that the area underneath the stands is the Town's responsibility while the stands are the responsibility of the SWHA. All agreed. Council asked about the financial agreement outlined in the lease. Kinney clarified that there has never been a financial contribution to the town from the Rodeo and the Town has given the Rodeo 15k for the last 8 -10 years. The financial discussion continued regarding the 17K from the Rodeo for rent. Knowlton and Snyder classified it as a good will gesture from the Rodeo to Town to get the lease moved through the Town's process. Jamie Knowlton further clarified that the 115K for bleachers was a one-time capital contribution while the 17K yearly was for rent and a Good Faith offer.

Councilmember Marolt had some questions on the precedence the 17K rent might set for other possible future uses of the space and their cost, ex a Special Use Permit who use that space when Rodeo is not. After further discussion, Council and the Town Attorney clarified that this 17K rent from the Rodeo does not directly affect future Special Event use and costs.

Councilmember Shenk had some additional questions which were discussed regarding rent vs contribution. Council and SWHA further discussed rain-out vs true canceling the Rodeo, ex public health regulations regarding gatherings or forest fire, defining both scenarios. Kinney clarified that the Council decides yearly for the Town to contribute 15K towards the Rodeo and that the Town writes a check for that amount as opposed to it being an in-kind amount.

Town Attorney Conklin clarified the changes agreed to by Council and SWHA with regard to the lease. Including Councilmember Shenk's addition of the word "of" in section 2B of the lease, second sentence – in advance "of" the activity date; in 2C change to "or during any previously approved activity by the Town of Snowmass Village;" in 5A, third sentence, add "scheduled rodeo" to clarify that the Rodeo will pay the 17K a year as long as the event is not canceled due to something like Covid, forest fire, road closure, etc; that the Resolution date needs to be updated; and Councilmember Fridstein's clarifying suggestion as to the area under the stands that house the maintenance facility to be the responsibility of TOSV's Parks & Recreation Department.

It was again clarified that rain does not constitute an event cancelation. Any further changes to the lease were challenged by Finn. Finn wants to stay with what they have written in the lease except for the few typographical errors and changes listed by Town Attorney Conklin, otherwise the SWHA board will have to be consulted and time is of the essence.

Councilmember Shenk moved to approve Resolution No. 09, Series 2023 with the amendments described. Councilmember Fridstein seconded. All in favor.

Council asked Worline to briefly summarize the Special Event Permit process.

8) [TOWN COUNCIL REPORTS AND ACTIONS](#)

Councilmember Marolt reported on the recent Board of Health meeting. They discussed Prop 122 – Legalization of Mushrooms – and the need for structure. Fridstein clarified that what has been approved is only for natural mushrooms and dosage is difficult to control. Medical professionals are concerned.

Marolt and Madsen reported on the recent Nordic Council meeting. The discussion regarding rental equipment for Nordic skiing continues at their meetings. Many trails are underutilized, and the Nordic Council continues to look at ways to improve and expand their use.

Councilmember Shenk asked Council to discuss the email from Renee Grossman regarding regulations on MJ in the Village, the limit of 2 shops, and the delivery restrictions. Clint asked if Council would like to add it to a future meeting or discuss briefly during this meeting. After a brief discussion, Council concluded that the way the regulations are written currently reflect Council's viewpoint and no one proposed to change those regulations or offer further discussion at this time.

Councilmember Fridstein and Madsen attended the RWAPA meeting. Fridstein summarized the organization briefly. Water is a large and complicated issue in the state. RWAPA has budget concerns and they are looking at their scope and future role in the region. They are continuing to develop a regional plan which included water standards throughout the valley with regards to home irrigation and getting communities on a schedule for watering their properties. They also manage the ANS, the mussels problem, in Ruedi Reservoir. These mussels are suspected to have come from Lake Powell and possibly other lakes where the boats have docked previously. Madsen clarified that they do not run the power facility and CPW manages the water itself.

Councilmember Gustafson has upcoming CORE and Sister Cities meetings which she will report on in a future meeting. Gustafson was able to briefly attend the Town's Mardi Gras celebration. Gustafson reported that Danielle and Glitter Belle were there entertaining the kids and all seemed to be enjoying themselves.

9) EXECUTIVE SESSION

9.A) Executive Session

[Pages 73-74 Agenda Item Summary for Exec Session - Negotiation](#) 

Madsen read the legal language for the Executive Session. At 5:05pm Councilmember Shenk motioned to go into Executive Session. Councilmember Marolt seconded. All in favor.

At 5:35pm, Councilmember Fridstein moved to adjourn the Executive Session and reconvene the Regular Meeting, Councilmember Shenk seconded. All in favor.

Immediately following, Councilmember Shenk moved to adjourn the Regular Meeting, Councilmember Fridstein seconded. All in favor.

10) ADJOURNMENT

5:35pm adjourned.

The Snowmass Village Town Council approved this set of meeting minutes at their Regular Meeting on Monday, March 6, 2023.

Submitted By,



Megan Harris Boucher, Town Clerk