



**Town Council
MEETING MINUTES**

Monday, November 21, 2022

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 Monday, November 21, 2022, 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

4pm

2. ROLL CALL

Councilmembers Present: Bill Madsen, Tom Goode & Tom Fridstein.

Councilmember Virtual: Alyssa Shenk.

Councilmembers to be sworn in and present: Britta Gustafson & Susan Marolt.

Councilmembers Absent: Bob Sirkus

Staff Present: Clint Kinney, Town Manager; John Dresser, Town Attorney; Greg LeBlanc, Assistant Town Manager; Rose Abello, Tourism Director; Betsy Crum, Housing Director; Doug Goldfluss, IT Manager; and Megan Boucher, Town Clerk.

Public Present: Jody Goode & Doretta Johnson.

3. PROCLAMATIONS AND PRESENTATIONS

3.A. Presentation - In appreciation of Councilmember Tom Goode

Mayor Madsen read the proclamation in appreciation of Tom Goode and his service to the Town of Snowmass Village. The room stood and applauded. Councilmember Goode spoke words of thanks and gratitude.

3.B. New Councilmembers Oath of Office

Town Clerk Megan Harris Boucher swore Mayor Madsen in for his second term, Councilmember Susan Marolt and Councilmember Britta Gustafson for their first terms.

Mayor Madsen called for a short recess to change seats over for the new Councilmembers.

4. PUBLIC COMMENT

- This section is set aside for the Town Council to LISTEN to comments by the public regarding items that do not otherwise appear on this agenda. Generally, the Town Council will not discuss the issue and will not take an official action under this section of the agenda. (Five Minute Time Limit)

None.

5. CONSENT AGENDA

- These are items where all conditions or requirements have been agreed to or met prior to the time they come before the Council for final action. A Single Public Hearing will be opened for all items on the Consent Agenda. These items will be approved by a single motion of the Council. The Mayor will ask if there is anyone present who has objection to such procedure as to certain items. Members of the Council may also ask that an item be removed from the consent section and fully discussed. All items not removed from the consent section will then be approved. A member of the Council may vote no on specific items without asking that they be removed from the consent section for full discussion. Any item that is removed from the consent agenda will be placed on the regular agenda.

5.A. 2022 Agenda Overview

[Page 4](#) [2022 Agenda Overview](#)

5.B. Minutes for Approval

[Pages 5-10](#) [10-17-22 TC Minutes - DRAFT](#)

[Pages 11-12](#) [11-07-22 TC Minutes - DRAFT](#)

[Pages 13-20](#) [11-09-22 TC Minutes - DRAFT](#)

Councilmember Shenk had a few small changes to the minutes that she had sent to Town Clerk Boucher. Shenk also had an addition for January 9th to add a welcome and short presentation from the Mayor and visiting students of Shimukappu, Japan and representatives from the Aspen Sister Cities Program.

Councilmember Fridstein motioned to approve the Consent Agenda. Councilmember Gustafson seconded. All in favor.

6. PUBLIC HEARINGS - QUASI-JUDICIAL HEARINGS

- Public Hearings are the formal opportunity for the Town Council to LISTEN to the public regarding the issue at hand. For land use hearings the Council is required to act in a quasi-judicial capacity. When acting as a quasi-judicial body, the Council is acting in much the same capacity as a judge would act in a court of law. Under these circumstances, the judicial or quasi-judicial must limit its consideration to matters which are placed into evidence and are part of the public record. The Council must base their decision on the law and the evidence presented at the hearing.

7. POLICY/LEGISLATIVE PUBLIC HEARINGS

8. ADMINISTRATIVE REPORTS

8.A. IGA RE Vital mental Health Services

Town Manager Clint Kinney summarized information provided in the packet regarding mental health challenges in Pitkin County and the proposed IGA. The staff recommendation in the Agenda Summary is to have Council direct staff to execute the IGA and contribute 80 thousand dollars towards this from our Tobacco and Marijuana Tax.

Council briefly discussed some details and asked for some clarifications. Mayor Madsen asked how MindSprings fit into this IGA and process. Kinney clarified that they are one of three that bid on the RFP. Pitkin County and the funding partners are considering all the bids as to who is best to provide the different services. The funding mechanism was discussed - Pitkin County Tax - Health & Community Fund as well as monies from the funding partners. Council asked about the Steering Committee and Kinney clarified that it is made up of a representative from each of the funding partners. Kinney further clarified that he as Town Manager has been the contact/representative with regards to funding and that Chief Brain Olson has been attending the operations meeting. Council asked additional questions regarding how the amount of Snowmass Village's contribution was decided upon, how the existing services are funded and if a yearly assessment that will be available for review in the future.

Councilmember Fridstein motion to authorize the Town Manger to execute the IGA. Councilmember Marolt seconded. All in favor.

[Pages 21-23](#) [Vital Mental Health Services IGA Summary](#)

[Pages 24-30](#) [Vital Mental Health Services IGA Attachment A](#)

8.B. Transient Inventory Study - Pillow Count

[Pages 31-32](#) [Transient Inventory Study Summary](#)

[Pages 33-51](#) [Transient Inventory Study Nov 2022](#)

Tourism Director Rose Abello presented materials from the packet regarding our recent Transient Inventory study which we do together with the Aspen Skiing Company and the Aspen Chamber Resort Association approximately every three years starting in 2009.

This is an overview of the report. Staff has only had the report for 10 days and will continue to pull relevant data to present additional reports to the Council.

Council asked clarifying questions as Abello went through the data and presentation.

While numbers in the report are not exact, the study provides some clarity on the bigger picture and anticipate the Short-Term Rental Permit to fill in the remaining picture of SMV inventory.

Abello's key take aways from her presentation included that the total units in Snowmass Village is about 2,500 with 10,700 pillows; that most of Snowmass Village's inventory (85% +/-) is professionally managed; and that about 80-85% of what is on RBO sites are condos vs private homes.

8.C. Attorney Hiring Process

[Pages 52](#) [Town Attorney Hiring Process Summary](#)

Town Manager Clint Kinney summarized the agenda summary regarding the process of hiring a new Town Attorney.

Mayor Madsen asked Town Attorney Dresser to weigh in on process. Dresser said he would be happy to participate to the extent that Council needs him. Dresser read language from the Town Charter that simply established that Council shall appoint a Town Attorney with no mention of a process.

Councilmember Shenk made some points for Council to consider with regards to the selection criteria and the firm vs in-house attorney model. Councilmember Marolt and Fridstein shared concern regarding an interim plan while Council decides on criteria and interviews applicants. Kinney clarified that we could hire an outside firm to cover for the interim but he encouraged Council to make some decisions so that staff can move forward with the hiring process. He continued that the pool of applicants for this position reflects what is happening in the market currently in that there are fewer applicants to consider.

Kinney clarified for Council that both the criteria discussion and the interviews need to be done in a noticed meeting of the Town Council, although the interviews will not be televised, it will still be a noticed meeting of the Town Council. Kinney recommended that at least two panels are used to interview applicants – Town Council Panel and Department Head Panel with final decision from Town Council.

Council decided to discuss the criteria on December 5th and set up interviews on December 12th. Councilmember Fridstein also suggested that staff contact applicants to clarify that the interviews are conducted as part of a public process and determine if they are not comfortable with the public process that they will need to withdraw their application. In addition, Fridstein would like information regarding possible firms who could serve as an interim solution while Council interviews applicants.

8.D. Draw Site - Housing Project

[Pages 53-55](#) [Review of Housing Master Plan and Update on Draw Site Summary](#)
[Pages 56-65](#) [Attachment A - Workforce Master Housing Plan Executive Summary](#)
[Pages 66-73](#) [Attachment B - Draw Site Analysis from Workforce Master Housing Plan](#)

Housing Director Betsy Crum presented materials for the packet, gave some history and updated Council on our TOSV Housing Master Plan as well as the proposed Draw Site.

Council discussed the Draw Site plan and the Point Site challenges and potential as well as density and quality of life.

9. TOWN COUNCIL REPORTS AND ACTIONS

- Reports and Updates

Councilmember Shenk reported that in addition to the Shimukappu, Japan representatives visit in January, that Sister Cities has a Resident Artist from Bariloche, Argentina as part of the Arts & Cultural Exchange. On December 1st from 5-7pm at the Red Brick, she will have an exhibition. In addition, the public is invited to watch her create a mural at the Red Brick November 14, 15 and 17th. Shenk reported that at the RFTA meeting it was discussed that GWS is conducting a regional origin and destination study and the Hwy 82 congestion. These projections will help guide their transportation and land use decisions. A key take away was that 50% of south bound vehicles on Grand Avenue in the peak of the morning commute are from western Garfield County and they are heading up to Carbondale, Basalt, Aspen, SMV, etc. Mayor Madsen commented on cell phone data that that study had collected indicated that many of those commuters through GWS are heading to Carbondale. Shenk also reported that the Food Bank is still going on from 10-12 on Wednesday.

Councilmember Fridstein reported on the RWAPA meeting and that one of the big efforts which RWAPA focuses on is protecting Reudi from a mussel infestation. Colorado has a sighting of mussels in a state reservoir but not in Reudi. In addition, Aspen is looking at augmenting the generator at the dam to be able to operate at lower flow velocities. They also continue to discuss the idea of establishing a standard schedule throughout the valley for water use to help coordinate and standardize in the valley. They are aiming for this spring/summer water season to start education and implementation. Fridstein further recommended to the Council that the Town hear from Jay Shumaker regarding the Mall Transit Center Project.

Councilmember Marolt shared that she is happy and honored to work with this group and encouraged all to continue to engage with the community and get their feedback as the Council goes through these different processes.

Councilmember Gustafson echoed Marolt's sentiments and is looking forward to the responsibilities. Stressing the need to keep lines of communication open in the community.

Mayor Madsen welcomed all and reported on the Community Thanksgiving Potluck. Madsen further reported on Nordic council and potential snowmaking to expand the season.

10. Executive Session

- Town Council will now meet in Executive Session pursuant to C.R.S. 24-6-402(4) and Snowmass Village Municipal Code Section 2-45(c), to specifically discuss one item:

a) Conferences with an attorney for the purposes of receiving legal advice on specific legal questions pursuant to C.R.S. 24-6-402(4)(c) and Snowmass Village Municipal Code Section 2-45(c)(2). (Lease provisions).

Provided, there is an affirmative vote of two-thirds of the quorum present at this meeting to hold an Executive Session and for the sole purpose of considering item (a) above. Provided further, that no adoption of any proposed policy, position, resolution, regulation, or formal action shall occur at this Executive Session.

10.A. Executive Session

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

Mayor Masen read the Executive Session language and asked if there was a motion to move to Executive Session. Councilmember Fridstein motioned to move to Executive Session. Councilmember Shenk seconded. All in favor.

At 6:56pm, Councilmember Fridstein moved to adjourn the Executive Session and reconvene the Special Meeting, Councilmember Shenk seconded. All in favor. Councilmember Marolt had left the Executive Session.

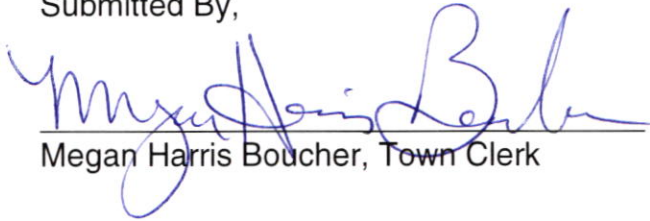
Immediately following, Councilmember Fridstein moved to adjourn the Regular Meeting, Councilmember Shenk seconded. All in favor.

11. ADJOURNMENT

6:57pm

The Snowmass Village Town Council approved this set of meeting minutes at their Regular Meeting on Monday, December 19, 2022.

Submitted By,

A handwritten signature in blue ink, appearing to read "Megan Harris Boucher", is written over a horizontal line.

Megan Harris Boucher, Town Clerk