



**Town Council
Regular Meeting
MEETING MINUTES**

Monday, October 17, 2022

4:00 PM

Regular Meeting

130 Kearns Road

Town Council Chambers

Snowmass Village, CO 81615

1. CALL TO ORDER

Mayor Madsen called to order the Regular Meeting of the Snowmass Village Town Council on Tuesday, October 17, 2022, at 4:00 p.m.

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.

2. ROLL CALL

Council Members Present: Bill Madsen, Alyssa Shenk, Tom Goode & Tom Fridstein.

Council Members Absent: Bob Sirkus

Staff Present: Clint Kinney, Town Manager; Greg LeBlanc, Assistant Town Manager; Marianne Rakowski, Finance Director; Jen Beach, Financial & Sales Tax Analyst; Sam Guarino, Transportation Director; and Megan Boucher, Town Clerk.

Public Present: Doug Faurer & Linda DuPriest, EOTC.

3. PROCLAMATIONS AND PRESENTATIONS

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)

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 an 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 Draft Agenda

[Pages 4-5](#) [2022 Agenda Overview](#)

5.B. Minutes for approval

[Pages 6-10](#) [10-03-22 DRAFT TC Minutes](#)

5.C. Resolution - Roaring Fork Valley Wildfire Collaborative IGA

[Pages 11-12](#) [Agenda Summary - Roaring Fork Valley Wildfire Collaborative IGA](#)

[Pages 13-14](#) [Resolution 25, Series 2022 Approving MOU for RFVWC](#)

[Pages 15-31](#) [RFVWC MOU Final](#)

5.D. Ordinance - POST Fund Budget - 1st Reading

[Pages 32-33](#) [Agenda Summary - Ordinance No. 7 of 2022-1st Reading-POST FUND](#)

[Pages 34-35](#) [Ordinance No. 7, of 2022 Revised Budget Ordinance No. 7---1st reading-POST Grant](#)

[Pages 36](#) [POST Grant Budget Summary-2023](#)

Councilmember Sherk made a suggestion regarding language in Resolution 25, Series 2022. The language was not changed in the resolution.

Councilmember Goode motioned to approve the consent agenda. Councilmember Fridstein seconded. All in favor. None opposed. Councilmember Bob Sirkus absent.

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.

None.

7. POLICY/LEGISLATIVE PUBLIC HEARINGS

7.A. Ordinance - STR - 1st Reading

Pages 37-38	Agenda Summary RE Ordinance 6 of 2022 - STR - 1st Reading
Pages 39-41	ORD 6 of 2022 - STR Permits
Pages 42-50	Short-term rental comments Lodges and Property Managers
Pages 51-56	Short-Term Rental Regulations
Pages 57-64	Short-Term Rental Permit Types
Pages 65-67	Short-Term Rental Self-Compliance Affidavit
Pages 68-75	Short-Term Rental Permit FAQs
Pages 76-80	STR Good Neighbor Guide

Town Manager Clint Kinney summarized and provided background information on the history of the Town's activity up to this point in the STR permit process.

Kinney pointed out a change in language to the fees and asked for feedback and discussion. Language in 18.1 is proposed to read "up to" on the fee amounts so that staff would have discretion with regards to the significance of a violation and flexibility during the education period of this new permit.

Councilmember Fridstein expressed concern regarding the language being too discretionary and burdensome on staff as well as possibly losing some of the nuances that Town Council had extensively discussed over the past year. Kinney suggested language be added to the Ordinance which would give the Town Council final say on STR policy & permit regulations.

Council further discussed the possibility of the Ordinance going forward as soon as possible but regulations, fees, etc would be delayed until more details are decided. Council suggested moving the Ordinance forward and adopting the permit regulations in an upcoming meeting.

Additional items discussed included fee structure for Types 1-4; occupancy regulations, and a summer start date for permits (minute 23:00).

Type 4 was discussed and with regards to changing the fee structure to \$100 or \$300 total per home regardless of the number of bedrooms. Open to idea of changing it in the future but keeping it simple for this first year. (minute 38:00) Council decided on \$300 for Type 4 permit annually (minute 41:00).

Council decided Type 2 annual permit fee would be \$100 for complex then if they want to rent outside the complex they are now a Type 3 and they need their own permit at \$300 (minute 45:00).

Council decided Type 2 occupancy regulations are regulated by the front desk and not by permit but that Type 3 are not utilizing the front desk, they have their own permit and therefore have occupancy regulations set forth by the Type 3 permit (minute 47:00).

Council discussed adding language to the affidavit that is already included in the Life Safety Violations. Council decided to have a bullet point added to the Affidavit that specifically addresses legal bedrooms and that all have a legal egress and ventilation as required by the municipal code (minute 56:00).

Council asked clarifying questions and further discussed additional aspects of the permit process including the FAQ permit process (minute 59:00), the Good Neighbor guidelines (minute 1:03:00), and the fines and violations (minute 1:05:00), and the renewal process (minute 1:08:00), regulations on Type 2 & 3 to reflect discussions from earlier in the meeting (minute 1:12:00), inspection process and homeowner responsibility with the affidavit (minute 1:15:00).

Council returned to the discussion on amending the Ordinance to add language regarding Town Council approval of STR permit process and potential start timeframe (minute 1:18:00).

Public Comments –

Doug Faurer, Alpine Property Management & TOSV Planning Commission – Faurer agrees with the need for a permit and safety regulations but would like to comment further on the permit regulations.

Diane Hayes, Wood Road home and TOV condo owner. They rent both out and utilize Alpine Prop Mgmt. Why are we doing this?

Council addressed some of their questions and concerns (minute 1:27:00) and the possibility of a property management company providing sales tax data as alternative to each of the homes they manage obtaining a business license. Faurer will provide additional information for the Council to consider in the coming weeks.

Council discussed the Ordinance and suggested additional language and changes (minute 1:36:00). “Said rules and regulations shall be approved by the Town Council.”

Councilmember Shenk motioned to approve as modified Ordinance 06, Series 2022 on first reading. Councilmember Fridstein seconded. All in favor. Bob Sirkus absent. Second reading for November 9, 2022.

8. ADMINISTRATIVE REPORTS

8.A. EOTC Presentation - Prep for 10/27/22 Meeting

[Pages 81 EOTC Preparation Meeting Agenda Summary](#)

[Pages 82-138 EOTC Packet - Oct 27 2022](#)

[Pages 139-150 Oct 27 EOTC Prep Presentation](#)

Sam Guarino, Transportation Director and Linda DuPriest, Regional Transportation Administrator, Pitkin County and the EOTC briefed the Council and presented information from the packet in preparation to the October 27th EOTC meeting at City Hall 4pm (minute 1:41:00).

4-minute break (minute 2:00:00)

8.B. Budget Review

[Pages 151-153 Agenda Summary - 2023 Budget Introduction 10-17-22](#)

[Pages 154-161 Budget Message -2023--FINAL-Council](#)

[Pages 162-246 Budget Presentation-Council-2023](#)

[Pages 247-309 Budget Backup-2023](#)

Clint Kinney and Marianne Rakowski presented the review of the budget. They highlighted several points from the Budget Memo for discussion and clarification (minute 2:04:00).

Council will be presented a Resolution on November 9, 2022 to officially adopt the budget.

9. TOWN COUNCIL REPORTS AND ACTIONS

9.A. RWAPA Update

[Pages 310-311 RWAPA Fund Memo](#)

Councilmember Fridstein summarized the RWAPA Fund Memo that was included in the packet and clarified why dues would be increased. Increase dues by \$2450 to a total of \$8500 (minute 1:32:00).

Council updates-

Councilmember Goode has a CORE meeting coming up and will update at the next council meeting.

Councilmember Shenk attended a RFTA meeting where they approved TOSV additional ask for money for the Transit Center project. Shenk reported that RFTA's winter season & staffing changes would affect the Snowmass Valley Direct bus (minute 2:36:00). Shenk and Mayor Madsen also reported that there is supply chain issue with the Bike Share Program expansion. NWCOG meeting is coming up and she will report on that in an upcoming meeting. Shenk also attended a Sister Cities meeting where they discussed the current Japan Trip. This is the first trip in 3 years and the group returns at the end of the week.

Mayor Madsen has CAST (Colorado Association of Ski Towns) meeting coming up with sustainable tourism and housing on the agenda.

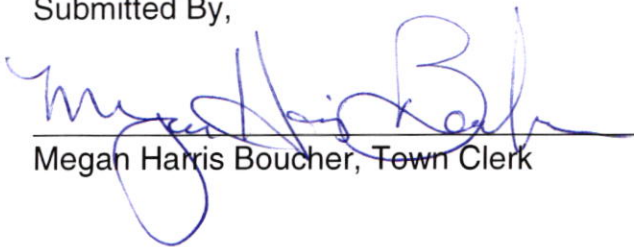
10. ADJOURNMENT

Councilmember Goode motion to adjourn. Councilmember Fridstein seconded. All in favor. Councilmember Bob Sirkus absent.

Adjourned at 6:41pm

The Snowmass Village Town Council approved this set of meeting minutes at their Regular Meeting on Monday November 21, 2022.

Submitted By,



Megan Harris Boucher, Town Clerk