

VAIL HOMEOWNERS ASSOCIATION



A New Town Manager The Booth Heights Appeals and The Town Council Election

October 11, 2019

New Town Manager. After a lengthy selection process, Scott Robson has been selected as the new Vail Town Manager. Robson has nearly 20 years of local government and nonprofit experience. He currently serves as the executive director of Denver’s Civic Center Conservancy and formerly led Denver Parks and Recreation. He has roots in Colorado having grown up in Boulder and receiving a bachelor’s degree in community planning and architecture from CU. He also has a master’s degree in community and regional planning from the University of Oregon. The VHA offers its congratulations and welcomes Robson to Vail. We look forward to working with him on the myriad issues facing the town.

The Booth Heights Appeals. Twenty-two appeals were filed to challenge the Booth Heights PEC decision. Seven of those appeals were held to have standing; 15 appellants were held not to have standing. Three of the appellants challenged their no-standing determinations, but those appeals were denied by the Town Council on a 4 – 3 vote (Chapin, Bruno, Moffet and Coggins for denial; Langmaid, Mason and Foley against denial).

A number of community members (147 persons) objected to Council member Greg Moffet participating in any way in the Booth Heights appeals because he was not impartial since he had announced unqualified “without reservations” support for the project before public review even began. Nonetheless, Mr. Moffet voted on the procedures and the standing appeals. It is not known whether Mr. Moffet will recuse himself or be disqualified from voting on the appeals.

In the midst of the turmoil over the Booth Heights appeals, Council member Jenn Bruno lead the publication of a Town Council letter calling for civility and an end to “personal attacks” on members of the town boards. Many saw that as a thinly veiled rebuke of the hundreds of people who questioned the ethics of PEC member John Lockman casting the deciding vote on the Booth Heights development when his employer, Vail Resorts, stood to make millions on the deal if it was approved. Rigorous public debate is a cornerstone of democracy that should not be suppressed. That’s why the preamble to the Town Charter is premised on “provid[ing] for and encourag[ing] citizen involvement and participation in matters of local government.” Democracy isn’t always neat and quiet; at times it is bawdy and brawling but that is what makes it work.

Against that backdrop, the seven appeals that have been allowed have been set for hearing at the Town Council meeting next Tuesday, October 15th. The appellants will have 10 minutes each to present their cases, and Triumph will have 70 minutes to respond. Public comment will also be allowed.

Even before those appeals are heard, the Booth Heights debacle appears to have shaken confidence in the town government. Large swaths of the community now are questioning the integrity and fairness of the Town's process and whether responsible decisions will be made. They believe that their voices and concerns are being ignored to favor special interests. This is a situation that needs to be addressed by the new town council as a first order of business.

The Town Council Election. Right after the Booth Heights appeals, on November 5th, the Town will hold its biannual election for four members of the town council. The seven candidates running are (in the order they will appear on the ballot) Pete Seibert, Barry Davis, Brian Stockmar, Kim Langmaid, Jen Mason, Kevin Foley and Karen Perez. The three with the most votes will receive four-year terms; the one with the next most votes will receive a two-year term. Early voting (from 8 a.m. to 5 p.m. at the Town municipal building) will begin on October 24th and run through November 1st. All citizens who are 18 years or older and lived in Colorado for at least 22 days immediately preceding the election are eligible to vote.

Three of the candidates are incumbents seeking a second term: Kim Langmaid, Jen Mason and Kevin Foley; three candidates have served on Town commissions: Brian Stockmar and Karen Perez on the PEC (Stockmar is the current chair) and Barry Davis on the Commission on Special Events. Pete Seibert is the only candidate with no prior experience in Town government.

As in past elections, the VHA has submitted questionnaires to the candidates and gathered other information to inform voters. The balance of this report is presented as a voter's guide to the election.

What's At Stake. This election comes in the midst of what is probably the most controversial issue in Vail's history—the proposed Booth Heights housing development and its impact on the bighorn sheep. That controversy has spotlighted a number of issues that VHA has long believed need to be addressed such as the importance to the community of open space, natural environment and the preservation of wildlife, the value of community input in government decisions and the integrity and transparency of the Town processes.

Many now believe that the Town is heading in the wrong direction with open space, the natural environment and wildlife being sacrificed for housing (there is good reason to believe that the Booth Heights development could be an extinction event for the bighorn sheep), the Town processes designed to prevent any meaningful community input (in most of the PEC sessions on the Booth Heights development public input was limited to three minutes per speaker, and the same rules will apply in the Booth Heights appeal process), executive sessions being used to prevent public scrutiny of town actions at both the Council and Commission levels and conflicted officials voting and deciding outcomes (PEC member, John Lockman's, deciding vote on the Booth Heights development and Council member, Greg Moffet, voting on the PEC appeal procedures notwithstanding that he was not an impartial decision-maker).

Booth Heights is just one part of a larger housing issue which includes location, financing and transportation questions. And there are many other important issues facing the Town: among them the development of a town civic center (and a possible events center), the impact of short-term rentals on neighborhoods and housing availability, parking availability and related public safety concerns and the prospect of future tax increases.

The Candidate's Positions. Over the past few months, six of the candidates have taken a position on the Booth Heights development. Brian Stockmar, the current chair of the PEC, voted against the project, and Kim Langmaid, Jen Mason and Kevin Foley, the incumbent Council members, voted first against the Town's plans to develop the project and then for a call up of the PEC's decision to approve the project. On the other hand, Karen Perez, currently a member of the PEC, voted for the project, and Pete Seibert appeared before the PEC and spoke in favor of the project. Barry Davis is the one candidate who did not express any position on the project.

To gather more information on the candidates and their positions on other issues of importance and their qualifications and reasons for running, the VHA submitted this questionnaire to each candidate:

Dear Candidate: As a candidate for the Vail Town Council the VHA would like to have a public conversation with you via the internet. The following are matters on which we would like your views. All responses are to be by email and will be posted on the VHA website. As part of your response, please provide a photograph that we can post with your responses.

Candidate Questions:

1. Why are you running for the Town Council?
2. What qualifications and life experiences would you bring to the Vail Town Council?
3. What do you believe are the three most important issues facing the Town today? Please explain why and provide what you think needs to be done to address those issues.
4. Population projections forecast large growth in the Vail Valley in the coming years. What are your views about how the Town of Vail should respond to those forces?
5. Some believe that short-term rentals are changing the character of neighborhoods and undercutting the availability of employee housing. Do you believe that any changes are needed in the Town's current short-term rental policies and, if so, what should those be?
6. The Town of Vail is facing some large capital needs in the immediate future such as providing more employee housing, needed traffic infrastructure improvements, a new civic center, to name just a few. What is your view on seeking new taxes to finance some or all of those needs?
7. There is a perception that the community has been split apart by the wildlife preservation issue in East Vail. Do you believe that is so? If so, what do you believe needs to be done to heal those divisions?
8. During the recent debates over the Booth Heights project, some believed that conflict of interest issues existed. What are your views about the TOV current conflict of interest provisions? If you believe that they need to be changed, please provide details on what you believe needs to be done.
9. Some have criticized the use of Executive Sessions, at both Council meetings and some commission meetings, as allowing the public's business to be done in secret. What are your views about the current practices? If you believe that they need to be changed, please provide details on what you believe needs to be done.
10. The TOV conducts elections by at-the-polls balloting; Eagle County uses mail-in balloting. Which system do you favor and why?
11. Are there any other issues you think should be emphasized in this discussion?

So far, only two candidates have responded. Barry Davis declined to answer. He claimed he was advised not to respond although he didn't claim that any question was improper or unfair, nor did he explain why voters should be denied knowing why he was running, what were his qualifications and his views on the important issues facing the community.



Brian Stockmar answered VHA's questionnaire, and his response appears below. As other candidates respond, VHA will post their responses on its website.

Brian Stockmar

Why are you running for the Town Council?

I am running for Town Council to help ensure that Vail continues to be a vibrant, enjoyable and successful community, a place of cultural excellence with a strong business community, and commercial opportunities that fulfill our goal to be the preeminent international resort destination.

As a 50 plus year participant in the Vail community, I hope to bring my legal and financial experience to the Town Council as we enter a new phase in the evolution of Vail. We have always had a symbiotic relationship with the ski area, Vail Resorts, and its predecessors. The company is now a multi-national, multi-ski area owner and operator, with its corporate headquarters in Broomfield, Colorado. [Read more:](#)

This election will be a ballot-at-the polls election, although absentee ballots will be available through the Town Clerk's Office or on-line at <http://www.vailgov.com> (they must be applied for by Nov. 1st). That is another matter that VHA believes should be addressed. In-person balloting suppresses voter participation making it easier for special interests to dominate the voting process; that is why Eagle County utilizes mail-in ballots.

Finally, if you are not already registered to vote, you can register at <http://www.govotecolorado.com> or at the Eagle County Clerk and Records office up to the day of the election.

**MARK YOUR CALENDARS
VOTE ON NOVEMBER 5TH OR DURING EARLY VOTING**

Remember, if you do not vote, you are allowing others to decide who will govern Vail's future.

Post Office Box 238 Vail, Colorado 81658
Telephone: (970) 827-5680 E-mail: yha@vail.net Web Site: www.vailhomeowners.com