



**Town Council**  
Mayor – Matt Scherr  
Mayor Pro Tem – Earle Bidez  
Council Members:  
Terry Armistead  
Harvey Craig  
Sidney Harrington  
Sage Pierson  
John Widerman

---

October 6, 2016

To: Residents of Minturn  
Fr: Willy Powell, Town Manager

Re: Memorandum of Understanding (MOU) between the Town and Battle Mountain Corporation

The Minturn Town Council considered and made a first review of the MOU at their meeting of October 5, and the MOU will be further considered at the next Council meeting of October 19. The MOU is somewhat complex and this memorandum is written to help the public understand the most important points of the MOU. The MOU follows along with a letter from the Town Attorney.

Important aspects of the MOU are the following.

- An MOU is not a binding agreement. Rather the MOU is an aspirational document which lays out a “roadmap” of land use submittals and reviews to occur and in conformance with the Municipal Code.
- Battle Mountain Corporation (BM) is proposing to develop on their private lands. No Forest Service land trades are contemplated now or in the future.
- BM contemplates an alternative development option using 35 acre or larger lots on the “mountain top.” The Bolts Lake area is contemplated for a residential PUD with densities to be decided during the review process. See conceptual maps contained as appendices to the MOU.
- Target dates for reviews contained within the MOU are not binding, rather a guideline. Timelines for land use reviews depend on many aspects including the following: timely and quality submittals by the applicant, thorough staff review, public hearings granting the Planning & Zoning Commission, Town Council and public sufficient time to consider the applicant submittal.
- The MOU does NOT amend the Annexation and Development Agreement (ADA) of 2008; renegotiation of the ADA to more closely align with any approved PUD and its commensurate density and effect on the Town will occur late in the process.

Town Council and Staff are committed that any Battle Mountain land use approvals will constitute responsible developments, will adequately mitigate impacts, and not place undue burdens on Minturn tax payers and utility rate payers.

Willy Powell  
[manager@minturn.org](mailto:manager@minturn.org)  
(970) 827-5645 x8