

**TOWN OF MINTURN, COLORADO  
RESOLUTION NO. 20 - 2009**

**A RESOLUTION ADOPTING A FEE FOR ENCROACHMENT APPLICATION**

**WHEREAS**, the Town of Minturn is a home rule municipality which may adopted revised fees by resolution, and

**WHEREAS**, the Town has recently adopted by Ordinance No. 4 – Series 2009 a process to regulate and apply for encroachments into public rights of way, and

**WHEREAS**, the Town may adopt a fee by resolution to cover some of the administrative costs for such application

**NOW, THEREFORE, BE IT RESOLVED** by the Town of Minturn Town Council, of the County of Eagle, State of Colorado, a revised fee schedule including a fee for application for encroachment, a copy of which is attached is hereby adopted.

**INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED** this 2 day of September 2009

TOWN OF MINTURN

By: Geoff Brock  
Mayor

ATTEST

  
Town Clerk



ITEM	DESCRIPTION	FEE	OTHER	Change
<b>Metered Water Rate</b>	Sec. 13-68			
(a) Residential, basic monthly charge	per SFE	\$63.92		
plus a monthly above 15,000 gals. use charge per 1,000 gallons		\$2.48		
(b) Commercial, basic monthly charge	per SFE	\$79.90		
plus a monthly above 30,000 gals. Use charge per 1,000 gallons		\$2.60		
(c) 25% discount for Residential Owner-Occupant over 65 years of age		\$47.94		
Out of Town Water Rate are 50% higher for Residential and 75% higher for Commercial	Sec. 13-29(b)(2)	\$79.90 \$99.88		
<b>Trash Collection</b>				
(a) Residential, Basic Monthly Charge	per contracted rates	\$26.86		
<b>Street Cut Fee</b>				
Basic permit fee		\$75.00		
Basic utility fee		\$50.00		
	per Sec. 11-26			
	replacement of paving w/oil&chip surface/ per sq. ft.	Per Bid		
	dirt cuts	Per Bid		
	Backfilling	time, material, staff time		
	Saw cuts per lineal foot w/min fee 25.00	time, material, staff time		
	Any re-work	time, material, staff time		
<b>Application for Encroachment</b>	Sec. 11-3	\$20.00		

↑  
only change  
SFB 9/4/09

**TOWN OF MINTURN, COLORADO  
RESOLUTION 22 – SERIES 2009**

**A RESOLUTION APPROVING VARIANCE APPLICATION VAR 09-02**

**WHEREAS**, Tom Sullivan has submitted a land use application for setback variances for a mixed-use building at 115 Nelson Street; and

**WHEREAS**, The Town of Minturn Town Council is commissioned with certain powers and duties contained in the Minturn Municipal Code Sec. 16.21.30; and

**WHEREAS**, public notice was given pursuant to Minturn Municipal Code Sec. 16.21.610; and

**WHEREAS**, on August 26, 2009 , the Planning Commission held a public hearing on the application pursuant to Minturn Municipal Code Section 16.21.620 and recommended approval of the application to the Minturn Town Council; and

**WHEREAS**, on September 2, 2009, the Town Council held a public hearing on the application pursuant to Minturn Municipal Code Section 16.21.620; and

**WHEREAS**, pursuant to Minturn Municipal Code Section 16.21.230, the Town Council makes the following findings:

- There are exceptional or extraordinary circumstances or conditions applicable to the site of the variance that do not apply generally to other properties in the same zone;
- The exceptional or extraordinary circumstances of the site create a situation in which the strict, literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of this chapter;
- That the granting of the variance would not be materially injurious to properties or improvements in the vicinity and would not result in substantial impairment to the purposes of the zoning code;

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO:**

**THAT** land use application VAR 09-02 be approved with the following setbacks: 3' 6" along the northern property boundary – excluding the awning; 0' on the southern property boundary; 3' 6" along the eastern boundary – excluding the awning and dormer; and 1' along the western property boundary.

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 2<sup>nd</sup> day of September, 2009.

TOWN OF MINTURN

By: Gary Brade  
Mayor

ATTEST:

[Signature]  
Town Clerk



**TOWN OF MINTURN, COLORADO**

**RESOLUTION 23 – SERIES 2009**

**A RESOLUTION AUTHORIZING THE MAYOR OF THE TOWN OF MINTURN TO SIGN A CONSTRUCTION CONTRACT WITH THE APPARENT LOW BIDDER TO CONSTRUCT THE DOWD JUNCTION TO MINTURN TRAIL PHASE I.**

**WHEREAS**, the Town of Minturn is planning to construct an approximately 1,300 foot section of trail known as the Dowd Junction to Minturn Trail Phase I – Federal Project # ES3 006A-043; and

**WHEREAS**, the construction of the trail is being fully funded through the American Recovery and Reinvestment Act of 2009; and

**WHEREAS**, in order to expedite the construction of the Dowd Junction to Minturn Trail Phase I, it is necessary to authorize the Mayor of the Town of Minturn to sign the construction contract immediately following Colorado Department of Transportation Authorization so that construction can commence this fall; and

**WHEREAS**, the Home Rule Charter of the Town of Minturn, Colorado, the Minturn Municipal Code and C.R.S. § 31-15-101, as amended, authorizes the Town to enter into contracts.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO:**

The Mayor of the Town of Minturn is authorized to sign the construction contract with the apparent low bidder for the Dowd Junction to Minturn Trail Phase I.

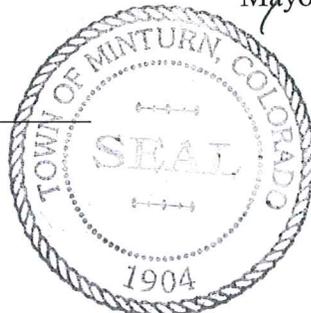
INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 2<sup>nd</sup> day of September, 2009.

TOWN OF MINTURN

By: *Greg Bruch*  
Mayor

ATTEST:

*[Signature]*  
Town Clerk



TOWN OF MINTURN, COLORADO

RESOLUTION NO. 17 – SERIES 2009

A RESOLUTION APPROVING A SPECIAL USE PERMIT FOR  
STRUCTURES LOCATED ON UNITED STATES FOREST  
SERVICE (USFS) LAND.

WHEREAS, the Town of Minturn owns multiple water system facilities that are located upon United States Forest Service (USFS) property, including a 100,000 gallon water storage tank, an associated water line, a municipal well and associated structures, the Minturn water diversion structure on Cross Creek, and an access road to the diversion dam; and

WHEREAS, the USFS had previously issued several permits allowing for such facilities under Permit numbers HOL102501 issued in 1989, HOL102502 issued in 1967, and HOL102503 issued in 1995; and

WHEREAS, the Town desires to consolidate these previously issued permits into one permit for ease of administration and tracking; and

WHEREAS, the Town's water attorney has reviewed this permit, found no significant issues, and recommends execution of the permit.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO:

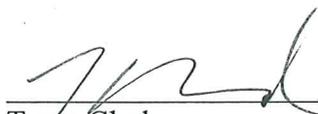
1. The Town Council of the Town of Minturn hereby approves the U.S. Department of Agriculture, Forest Service, Special Use Permit HOL 367, and authorizes the Mayor to sign execute the permit on behalf of the Town.

RESOLVED this 5<sup>th</sup> day of August, 2009.

TOWN OF MINTURN

By:   
Mayor

ATTEST:

  
Town Clerk

