2010

Minturn Council Meeting

Wednesday November 3, 2010

Executive Session **(Town Center)**	**5:15pm**
Work Session **(Town Center)**	**6:45pm**
Regular Session: **(Town Center)**	**7:00pm**

Council Goals:

TOP FIVE COUNCIL PRIORITIES:

- Transit
- Sidewalks
- Annex School Dist property
- Community communications strategy
- Enforce zoning laws

Agenda

MEETING OF THE MINTURN TOWN COUNCIL
Minturn Town Center, 302 Pine Street
Minturn, CO 81645 • (970) 827-5645

Wednesday November 3, 2010

Executive Session – 5:15pm
Regular Session – 7:00pm

MAYOR – Gordon "Hawkeye" Flaherty
MAYOR PRO TEM – George Brodin
Town Administrator – Jim White
TOWN CLERK/TREAS – Jay Brunvand

COUNCIL MEMBERS:
Shelley Bellm
Earle Bidez
Jerry Bumgarner
Aggie Martinez
John Rosenfeld

Please bring your FY2011 Budget book

When addressing the Council, please state your name and your address for the record prior to providing your comments. Please address the Council as a whole through the Mayor. All supporting documents are available for public review in the Town Offices – located at 302 Pine Street, Minturn CO 81645 – during regular business hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays.

Regular Session – 5:15pm

1. **Call to Order**
   a. Roll Call
   b. Pledge of Allegiance

EXECUTIVE SESSION

2. **<u>Executive Session</u> - Pursuant to CRS 24-6-402(4)(b) to consult with the Town's Attorney regarding the performance review of the Town Attorney and to discuss conditions of a contract – White/Christensen (90min)** Pg 1

Note: Council will recess into the work session after the Executive Session

Work Session – 6:45pm

- 2011 Town Council Goals – White (15min) Pg 2

Regular Session – 7:00pm

Note: Council will reconvene in to the Regular Meeting

3. **<u>Executive Session</u> – Action by Council or Direction to Staff as a result of the Executive Session (5min)**

4. **Approval of Agenda**
   - Items to be Pulled or Added

5. **Approval of Minutes and Action Report**
   - October 20, 2010 Pg 3
   - Action Item Report Pg 13

6. **Public comments on items, which are NOT on the agenda (5 minute time limit per person).**

7. **Special Presentations/Citizen Recognition**
   - Lisa Osborne

8. **Town Manager's Report**

9. **Town Council Comments** Pg 14

PUBLIC HEARINGS AND ACTION ITEMS

10. **<u>Discussion/Action</u> – 1st Public Hearing on proposed fiscal year 2011 Budget – review public funding requests – Brunvand/White (45min)**
    a. **General comments** Pg 16
    b. **Community Funding Request presentations** Pg 18
       i. **Minturn Community Fund – Maren Lantzy** Pg 19
       ii. **Radio Free Minturn – David Eickholt** Pg 28
       iii. **Public Q & A** Pg 41
    c. **Council Q & A**

11. **<u>Discussion/Action</u> – Resolution 17 – 2010: A Resolution of the Town Council of the Town of Minturn, Colorado establishing eligibility for annexation of the Quintana Country Club Tract – Cerimele (30min)** Pg 44

12. <u>Discussion/Action</u> – Ordinance 10 – 2010: An Ordinance amending the Town of Minturn Zone District Map as it pertains to the Quintana Country Club Tract – Cerimele (15 min) Pg 56

GENERAL IMPROVEMENT DISTRICT

13. ADMINISTRATIVE MATTERS

- Approval of Agenda Pg 57
- Review and approve minutes from the March 3, 2010 Board Meeting. Pg 59
- Discuss meeting dates for 2011.
- Future meetings to be scheduled
  - February/March for audit exemption (2/2 or 2/16 or 3/2; Recommend 2/2)
  - Meeting in November for 2012 budget approval (Recommend 11/2)

14. FINANCIAL MATTERS

- Discuss and consider ratifying appointment of Town Staff to prepare 2011 GID Budget.
- Discussion/Action – 2011 General Improvement District Budget: Public Hearing and Council Comments. Pg 61
- Discussion/Action – Consider adoption of Resolution No. 2010-11-01 Resolution to Adopt Budget Pg 62
- Discussion/Action – Resolution No. 2010-11-02 Resolution to Appropriate Sums of Money. Pg 65
- Discuss and consider appointment of Clifton Gunderson, LLP to prepare and file 2010 Application for Audit Exemption.

15. LEGAL MATTERS

- Discuss results of November 2, 2010 election.

16. OTHER BUSINESS

17. ADJOURNMENT

FUTURE AGENDA ITEMS

18. Next Meeting

- <u>Discussion/Action</u> – Update on the radio antennae contract. – Brunvand (15 min)
- <u>Discussion/Action</u> – Ordinance 10 – 2010 (First Reading) – An Ordinance amending the Town of Minturn Zone District Map as it pertains to the Quintana Country Club Parcel – 11/17/10 Council Meeting – Cerimele (15 min)

- Discussion/Action – 2nd Public Hearing on proposed fiscal year 2011 Budget 11/17/10 Council Meeting – Brunvand/White (45min)
- Discussion/Action – Ordinance ____ – Series 2010 (First Reading) – An Ordinance Creating a Supplemental Appropriation to the 2010 Town of Minturn Budget – Brunvand – 11/17/10 Council Meeting – (10 min)
- Discussion/Action – Ordinance ____ – Series 2010 (First Reading) – An Ordinance Setting the 2011 General Property Tax Mill Levy for the Town of Minturn – Brunvand – 11/17/10 Council Meeting (10 Min)
- Discussion/Action – Ordinance ____ – Series 2010 (First Reading) – An Ordinance Adopting the Fee Schedules for Fiscal Year 2011 for the Town of Minturn – Brunvand – 11/17/10 Council Meeting (10 Min)
- Discussion/Action – Ordinance ____ – Series 2010 (First Reading) – An Ordinance Adopting and Recognizing the Town of Minturn's 2011 Revenues and Expenses by Fund – Brunvand – 11/17/10 Council Meeting (10 Min)

19. Future Meeting

- Discussion/Action – Ordinance 10 – 2010 (Second Reading) – An Ordinance amending the Town of Minturn Zone District Map as it pertains to the Quintana Country Club Parcel – 12/01/10 Council Meeting – Cerimele (15 min)
- Discussion/Action – Ordinance ____ – Series 2010 (Second Reading) – An Ordinance Creating a Supplemental Appropriation to the 2010 Town of Minturn Budget – Brunvand – 12/01/10 Council Meeting – (5 min)
- Discussion/Action – Ordinance ____ – Series 2010 (Second Reading) – An Ordinance Setting the 2011 General Property Tax Mill Levy for the Town of Minturn – Brunvand – 12/01/10 Council Meeting (5 Min)
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- Discussion/Action – Ordinance ____ – Series 2010 (Second Reading) – An Ordinance Adopting and Recognizing the Town of Minturn's 2011 Revenues and Expenses by Fund – Brunvand – 12/01/10 Council Meeting (5 Min)

20. Set Future Meeting Dates

a) Council Meetings:

- November 17, 2010
- December 1, 2010
- December 15, 2010
- January 3, 2011

b) Planning & Zoning Commission Meetings:

- November 10, 2010
- November 24, 2010 – Cancelled
- December 8, 2010
- December 22, 2010 – Cancelled

c) Other Dates:

- November 11, 2010 - Town Hall Closed (Veteran's Day)
- November 25, 2010 - Town Hall Closed (Thanksgiving)
- November 26, 2010 - Town Hall Closed (Thanksgiving)

21. Adjournment

TOWN OF MINTURN
P.O. Box 309 (302 Pine Street)
Minturn, Colorado 81645-0309
970-827-5645 Fax: 970-827-5545
treasurer@minturn.org

FROM THE DESK OF
JAY BRUNVAND, TREASURER/FINANCE

MEMORANDUM

TO: Minturn Town Council
FROM: Jay Brunvand, Treasurer/Clerk
CC:
DATE: Wednesday, October 27, 2010
RE: Executive Session

At tonight's meeting the Council will need to convene in Executive Session to conduct and discuss the annual review of the Town Attorney. The following motion is recommended:

"Recommended motion: "I move to convene in Executive session Pursuant to CRS 24-6-402(4)(b) to discuss and conduct the annual review and future contract with the Town Attorney."

The Mayor will announce for the record if any decision is to be made as a result of the Executive Session once the Regular Session meeting reconvenes.

Please contact me in the event you have any questions.

Thank You, Jay

MEMORANDUM

At the October 20, 2010 Council meeting the Council and Staff discussed goals for the upcoming year. Following is a draft of what was heard during the meeting.

FINAL GOALS – Draft #1

- Develop and adhere to a cost effective coordinated Town marketing plan
- Develop and maintain a Town wide sidewalk/multi-use path and drainage improvement plan throughout Town
- Develop and coordinate a Town wide community survey to better epitomize the needs and desires of the citizens
- Initiate and plan for Phase II of the ECO Regional Trail Plan
- Begin to implement the Downtown Colorado Inc Plan

Official Minutes

MEETING OF THE MINTURN TOWN COUNCIL
Minturn Town Center, 302 Pine Street
Minturn, CO 81645 • (970) 827-5645

Wednesday October 20, 2010

Work Session – 5:00pm
Regular Session – 7:00pm

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MAYOR PRO TEM – George Brodin
Town Administrator – Jim White
TOWN CLERK/TREAS – Jay Brunvand

COUNCIL MEMBERS:
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John Rosenfeld

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Work Session – 5:00pm
Budget Retreat

- Establish 2010-2011 Goals – White (30min)
- Budget Review - Brunvand/White (90min)

Regular Session – 7:00pm

1. **Call to Order**
   a. Roll Call
   b. Pledge of Allegiance

The meeting was called to order by Mayor Flaherty at 7:08 pm.

Those present included: Mayor Hawkeye Flaherty, Mayor Pro Tem George Brodin, Council Members Jerry Bumgarner, Shelley Bellm, Earle Bidez, Jerry Bumgarner, and Aggie Martinez. *(Note: John Rosenfeld was excused absent)*

Staff present: Town Manager Jim White, Town Treasurer/Clerk Jay Brunvand, Chief of Police Lorenzo Martinez, Administrative Assistant/Deputy Clerk Michelle Metteer, Planner Chris Cerimele and Attorney Allen Christensen

2. Approval of Agenda

- Items to be Pulled or Added

Motion by Jerry B., second by George B., to approve the agenda as amended, all voted in favor. *(Note: John Rosenfeld was excused absent)*

3. Approval of Minutes and Action Report

- October 6, 2010
- Action Item Report

Motion by George B, second by Aggie M., to approve the minutes as presented, all voted in favor. *(Note: John Rosenfeld was excused absent)*

4. Public comments on items, which are NOT on the agenda (5 minute time limit per person).

Mr. Dave Williams, 1014 Main Street discussed the noises of the batch plant across the river from his residence. The noise is extensive enough that it is difficult to hear other talk while in his backyard. He is concerned about the operation hours (at times extending into the weekend). He feels unprotected in his ability to have a somewhat quite home atmosphere. He requests that some potential nomenclature be drafter to better protect the residents of the Town.

Mr. Frank Lorenti, 1081 Main Street, was interested in an update regarding the Town Signage contest. On another issue, Frank encourages folks to vote yes on 60, 61 & 101. He also discussed a "no" vote for 2A as he does not foresee the sidewalks happening. He reminds everyone that there is 11.6 million dollars in the bank that the Town of Minturn should obtain from the Battle Mountain Development.

Mr. Michael Gallagher, 475 Pine Street, encourages folks to vote no on 60, 61 & 101 as many different current expenses will be increased as a subsequent effect of these measures passing.

5. Special Presentations/Citizen Recognition

6. Town Manager's Report

Potential Position Planning Meeting
We are currently targeting October 27th for our facilitated meeting with all interested parties regarding the options presented to Town Council at the last meeting related to the proposal to fill a position to coordinate events and conduct operations during events.
Scheduling has proved difficult due to individual schedules. Alternate dates of November 5th and November 8th are also being considered.

School District Update
We are anxiously awaiting the submittal of the annexation petition. Final conversations about the issues related to the annexation submittal are being discussed by the attorneys of both parties. We anticipate the annexation petition to be submitted this month....first to be reviewed by the School Board and then submitted to the Town.

Radio Tower Contract
The Town Clerk followed up again with Dr. Hood regarding a longer term contract for the radio tower as the new lease is now past due. The new lease would require the installation of a vertical tower. Payment for 2010 remains unresolved, as well as the terms for the new extended contract. We are planning to impose late fees for the overdue payment as allowed in the existing contract and as directed by the Town Council. November 15, 2010 is the drop dead date for a final decision. Payment is required and legal action should be taken to ensure the Town of Minturn is reimbursed for balance due immediately. If payment is not received by November 15, then on November 16 the agreement is rendered void.

Tree Lighting Installation
On October 16, 2010 The Eagle River Fire Protection District, Xcel Energy and Dave Robinson all helped to decorate the front Town tree (previously known as the Chili Willy's tree) for the winter season. The on-duty crew for ERFPD was: Chris Perkins, Jesse Monahan, Sean Turley and Tyler Markovich. The Town of Minturn thanks all parties involved, as they were all generous in their assistance in making the tree light installation possible. Formal tree lighting will take place December 4, 2010 in conjunction with the Christmas on Main Street event, which is hosted by the Minturn Community Fund and the Holy Cross Powder Hounds Snowmobile Club.

Water Treatment Plant Telemetry
TST Engineering is overseeing the water treatment plant operations to ensure that all state reporting requirements are being met. John Volk, with Southwest Water, is serving the role of the plant operator. Both will be present at tonight's meeting to help provide an update on the water treatment plant. Arnold Martinez, Public Works Supervisor, will also attend.

TST Engineering has been working with Timberline Electric and Controls to access problems and to update our telemetry system at the water treatment plant. I have come up with a revised plan with the Forest Service to complete an amendment to our Special Use Permit to allow us to install solar panels on the hillside rather than remove the number of trees originally considered in anticipation of solar power being installed on the tank itself at the Maloit Park tank site. The main tank site in Town will have electric power and our Public Works crew has already readied the site for the installation of the electric power.

Battle Mountain Update
Dave Kleinkopf has agreed to come to Town Council meetings periodically, every four to six weeks, to provide updates on the activities related to the Battle Mountain development. His next visit will be scheduled in November.

A Million Lights in Minturn
Planning is underway to light up Minturn this Christmas and Holiday Season. Michelle Metteer is working with the Fire District, local business owners, Town staff, and local volunteers to coordinate the events related to this effort. She is seeking donations from some of our vendors. Donations have been sparse to date.

RFP/North Main Street Water Line Design
Construction has begun on the North Main Street Water Line by Western Pipeway, Inc. Western Pipeway sailed along smoothly until running into two large boulders on October 6th. Additionally alignment of the existing waterline turned out to be different from the alignment shown when we had locates done prior to the project. Consequently, Phase 1 construction has been extended and completion is now anticipated by November 16, 2010 rather than by November 5, 2010.

Ballot Issues
The Town of Minturn has placed two issues on the November ballot: consideration of use tax and a question to the voters about whether or not medical marijuana dispensaries should be allowed in Town.

Additionally, the Town Council passed resolutions stating its opposition related to Amendments 60 & 61 and also Proposition 101. If you need any further information, please refer to www.cml.org or to www.donthurtcolorado.com

Minturn Market
The Minturn Winter Market is scheduled for Saturday, December 11, 2010.

2011 Budget Planning
The proposed schedule for our budget process and meeting schedule has been prepared by the Town Clerk/Treasure and reviewed by the Town Manager. This process has been underway at the staff level since early summer and is accelerating the next two months following the prescribed calendar requirements articulated in the Colorado Revised Statues for annual budget approval.

CML Fall District Meetings Schedule
Our district, CML District 12, held its meeting in Avon on Wednesday, October 13, 2010. Many of out elected officials were able to attend. I also attended the District meetings in Canon City on October 14th; Walsenburg on October 18th; and Cheyenne Wells on October 19th. The last district meeting will be held in Colorado Springs on Monday, October 25th.

Signage
Designs are still under review and other options will also be brought forth.

RFP for Prosecuting Attorney

The Request for Proposal (RFP) for a prosecuting attorney for the Town of Minturn was placed in the Vail Daily on October 14, 2010. It was also slated to run on Saturday, Sunday, and Monday, October 16th, 17th, and 18th. Responses were requested by October 22, 2010.

Interviews are planned to be held during November and a decision will be targeted by December 2010 to enable a start date in January, 2011.

7. Town Council Comments

George B., encourages everyone to get out and vote!

Mayor Hawkeye Flaherty encourages a "no" vote for 60, 61 & 101. He also reminds folks that for ballot measure 2B, a "yes" vote is to ban medical marijuana in the Town limits, and a "no" vote will allow the sale of medical marijuana in the Minturn Town limits.

PUBLIC HEARINGS AND ACTION ITEMS

8. Discussion/Action – Council Discussion with Eagle County Board of County Commissioners – White (45min)

The County Commissioners encourage a "no" vote on ballot measures 60, 61 & 101.

Eco Transit will be increasing their routes in the Minturn area. Kellie Collier is now the Director of ECO and Harry Taylor will be leading the Fleet Maintenance Division. The Town of Minturn is encouraged by the upcoming ECO schedule for the area of Minturn, and reminds folks of the alternative transit option whenever possible.

The Eagle County Commission encourages the County and individual Municipalities to work together in an effort to find common ground and problem solve when needed.

Currently there is no need for a fire ban, as deemed by the Eagle County Sheriff's Department.

Status of the jail: a ribbon cutting will take place shortly and the detention facility is already open and running. 3100 sq/ft will be added to the Sheriff's office and the Courts are expanding their facility by approximately 22,000 sq/ft. The cost of the Court improvements was approximately 16M, the detention facility and remodel totaled roughly 8M. Approximately 40 beds have been added to the detention facility and also 16 beds for the work release program.

County Budget process started in April of 2010 for the 2011 year. A financial advisory board, made up of experts from the community was utilized to determine the direction needed and the challenges that are currently being faced. The initial completed budget was finished and then a review was done as to how the budget would be affected if ballot measures 60, 61 & 101 were to pass.

Mr. Frank Lorenti discussed that due to the ability of the County to balance a budget in difficult times, he points to this as an example that cuts can be made and that the passing of 60, 61 & 101 can be managed.

The County discussed that with the passing of 60, 61 & 101, employee cuts alone for Eagle County staffing would be significant. It was noted that only in California is it easier to get an issue on the ballot.

Mr. Pete Vance 251 Main Street, feels that the last three years have been extremely difficult on an economic level. He believes that 60, 61 & 101 are an effort to make governments "work with less."

George B. encourages everyone to work together in an effort to see everyone benefit. He notes these are tough times and we all have a better chance of getting through these times if we work together.

Commissioner Peter Runyon reminded everyone, he is an Eagle County citizen doing his job helping the community. He is discouraged to see folks group all politicians as the enemy as many public servants work hard every day in an attempt to make this County a great place. Politicians are actually public servants and work had for the benefit of residents.

9. <u>Discussion/Action</u> – Public Works Project's Updates – White/Martinez/Volk (30min)

Mr. Steve Yuman, TST Engineering, discussed the array of current projects included the telemetry system, which Timberline Electric expects to have up and running by November 15.

Mr. John Volk, Southwest Water and Water Plant Operator. Correction of all data logging issues, as well as many area others that were in great need of repair.

Arnold Martinez, Minturn Public Works. Currently the Public Works crew is preparing for the winter season. The snow removal plan is being finalized and will be online once finished. He commented that safety issues at the water plant have all been addressed. Water filters are being cleaned. Regarding the water tank monitoring system, several trees were able to be saved on the school property by trenching instead of cutting. Water treatment plant has been cleaned. Scrap metal is being removed through a 75/25 plan.

10. <u>Discussion/Action</u> – Outdoor and Open Burning Regulations review – Cerimele (30min)

Current code provisions have been outlined by Chris C., Planner. He cites that currently there is only one approved outdoor fire pit in the Town of Minturn, so the belief that open burning is permitted is not accurate.

Potential options are: option one: a total ban on outdoor burning, option 2: adopt the 2009 International Fire Code, which allows for outdoor burning with certain regulations, or an alternate option that has not been brought forth.

Section 7-8-80 was adopted several years ago and section 7-4-90 was also adopted, but it is not recalled which was adopted first. These sections of the code contradict and corrections need to be reconciled.

The 2009 IFC sites recreational fires as being approved and an outdoor device must be approved.

Fire Chief Charlie Moore, encourages people to view outdoor burning devices not as safe or unsafe, but as different degrees of risk, which involves multiple factors, including owner, operator, weather, location, and more. He expresses that the compelling issue is the smoke given from the fire. He recommends that moving forward, if fire pits are permitted to remain, a clear outline within the code should be drafted to ensure code enforceability.

Ms. Anna Boyd, 502 ½ Eagle Street, asked that while inspections occur, if a potential device being approved is air pollution inspected.

Mr. Ernie Medina, 850 Main St, stated that three years ago the neighbors built a large bonfire, he asked if the Police or the Fire Department is legally able to ask residents to extinguish a fire. He was told that those departments were not legally able to do that. He described a large rock circle as the neighbor's outdoor fire are which concerns him from a safety issue. Time limits are recommended and most importantly there must be something in the code that is enforceable.

Mayor Hawkeye Flaherty brought to point that all safety regulations can be addressed in the code if this is allowed moving forward.

Mr. Chris Ralston, 303 Main Street, explained that before the "neighbor situation" happened he was able to have a responsible fire at his home. He expressed that his property has no backyard and he was shut down for a nuisance. His property lot is 25'x100' and this is a legal size lot, so he asks what would be "reasonable." He asks that the Town Council keep in mind that with lots being as small as they are, please consider proximity and that if this is disallowed, enforcement must be strictly enforced evenly and fairly across the board. Each Citizen should have a right of use and someone should be responsible

Mr. Pete Vance, 251 Main Street, would like to know why everyone is here. He asks if there have been fires in the area. He recommends that with proper enforcement this would not have to be an issue affecting everyone.

Earle B. explained some of the circumstances which have led to the discussion tonight.

Mr. Ernie Medina reminded Mr. Vance that several years ago he contacted the Police Department and the Police said they did not have the ability to enforce any such nuisance.

Mr. Kelly Toon, 531 Main Street, has lived in Minturn the last five years. He states that he has never seen any fire in Minturn reach an unsafe level. He believes fire pits can be safe as long as the operators are responsible. He agrees that regulations are necessary and those regulations must be clear and enforceable. Trash burning limits need to be considered, and time limits can help

solve problems. He doesn't believe that a conflict between two residents should affect all 1100 residents of the Town.

Ms. Anna Boyd, 502 ½ Eagle St., placement of the pit and levels of smoke should be considered when drafting code. She believes placement and proper zoning are the best way to make this work.

Mr. Leo Vasquez, 1151 Main Street, does not want to see a ban on fire pits. The subdivision he lives in has regulations concerning these activities. It works well and is effective.

Mr. Tim Campbell, 512 Main Street, has brought smores for Council and thanks the Fire Department for being involved. He agrees with the small town character of Minturn and would like to see folks allowed these types of small pleasures. This activity is a way for folks to gather as neighbors and enjoy the area we live in. He sites the Minturn Winter Market as an example where even the Town utilizes fire pits for public enjoyment. He reminds the Council that we are looking at an interpretation of code and changes to code need to be clearly drafted and enforceable.

Mr. Michael Gallagher, 475 Pine Street, reminds that if anyone sees an unattended fire in the middle of the night, call 911 and the Fire Department will assist to ensure safety.

Mr. Ernie Medina 850 Main Street, explains that he is not against a "friendly fire" but he does ask for clear code regulations that are easily enforceable.

Chris C. expressed that many of these issues can be addressed with the 2009 Fire Code and amendments can be drafted to meet the needs of Minturn residents while still allowing for enforceability. He does remind the Council that an ongoing issue has been the smoke and that is difficult to measure and regulate.

The Fire Dept looks at outdoor fire pits in the County on a case by case basis. Part of the problem is that people do not communicate their intention to neighbors who mistakenly call 911. Chief Moore does believe a common ground can be found on this issue.

Jerry B. does not believe burning should occur within the 30' setback of the river. That is the agreement the Town of Minturn made during the river restoration. The responsibility lies with the operator. He is not opposed to residents having approved devices but sometimes bad decisions are still made and this must be considered when drafting the code on this issue.

Shelley B. agrees with Jerry B. on the river setback regulation. She enjoys outdoor fires, but also has health issues that restrict he levels of exposure to smoke. She does not want to ban fires, but feels more neighborly respect and abiding by the laws will go a long way to improving this issue. The best way to handle this is through effective regulation.

Aggie M. agrees that a well drafted section of code that will keep neighbors safe is important to making this work for everyone.

Earle B. summarizes that this is a life and property safety issue that can be worked out with the Fire District and, separately, a nuisance issue. Disputes between neighbors are best handled between themselves without making the town get involved which then requires the town to limit everyone just to address the parties in dispute.

Mr. Ernie Medina, 850 Main Street, just reminds folks to consider the safety issue.

Mayor Hawkeye Flaherty does not want to ban outdoor fire pits, but he sites the four main points brought to the Council's attention are: respect, reasonableness, irresponsibleness and safety. He asks if the Fire Department will work with Town Staff to draft an enforceable code that follows the four main points.

11. Discussion/Action – Council Update on Town Signage – White (30min)

Jim W. will be meeting with some people this week in an effort to make an acceptable sign. Updates will follow.

Mayor Hawkeye recommended getting approval for a blank canvas, get the holes in the ground and the pillars in, then the sign can be drafted.

FUTURE AGENDA ITEMS

12. Next Meeting

- Discussion/Action – 1st Public Hearing on proposed fiscal year 2011 Budget – review public funding requests – (Regular Meeting 11/3/10) Brunvand/White (45min)
- Discussion/Action – GID Budget hearing – November 3, 2010
- Discussion/Action – Quintana Annexation and Zoning Map Amendment – November 3, 2010 – Cerimele (30min)
- Discussion/Action – Update on Lafarge and see how the noise complaint is coming along. – White (15 min)
- Discussion/Action – Update on the radio antennae contract. – Brunvand (15 min)
- Discussion/Action – Attorney's evaluation (Executive session prior to Council Meeting)

13. Future Meeting

- Discussion/Action – 2nd Public Hearing on proposed fiscal year 2011 Budget and First Reading of Budget Ordinances (Regular Meeting 11/17/10) – Brunvand/White (45min)
- Discussion/Action – 2nd and Final Reading of proposed 2011 Budget Ordinances (Regular Meeting 12/1/10) – Brunvand/White (15min)

14. Set Future Meeting Dates

a) Council Meetings

- November 3, 2010
- November 17, 2010
- December 1, 2010

b) Planning & Zoning Commission Meetings

- October 27, 2010
- November 10, 2010
- November 24, 2010 – Canceled
- December 8, 2010

c) Other

- Minturn Halloween – October 30, 2010 (Saturday)
- November 2, 2010 Election Day
- November 11, 2010 - Town Offices Closed

15. Adjournment

Motion by Jerry B, second by Aggie M. to adjourn at 9:54 pm. All voted in favor.

_____
Mayor Hawkeye Flaherty

ATTEST:

_____
Town Clerk, Jay Brunvand

Town of Minturn
Council Action Item Memo

TO: Staff Members/Council Members
FROM: Jim White/ Town Manager
DATE: November 3, 2010
SUBJECT: Status of Action Items from Town Council Meetings

Action Item	Action Required	Responsible Party	Progress Report
RFP for Municipal Prosecutor	Proposals have been collected (submit deadline of Oct 22). Town Council to determine Candidates for interview by November 5.	Town Council	Submitted proposals given to Council for review.
Obtain Land Deed for Water Plant	Work with Eagle County School District to annex the land the Town of Minturn's Water Plant is occupying	White/Christensen	Joint meetings in progress between Town and School Board. Annexation review by attorneys regarding easements, water & access. Nov submission expected.
Water Line	Repair/replace water line main in Rail Yard north of Turntable.	White/Public Works	Construction began Sept 27, 2010, work in progress. Estimated completion date: Nov 16
Town Sign Plan	Town entry signage ideas have been reviewed. Brodin/White review.	White/Brodin	Continuing to modify & review design.
Open Burning Regulations	Draft open burning regulations as an amendment to the 2009 International Fire Code.	Cerimele	Chris Cerimele to draft preliminary regulations in consultation with Fire and Police Chief.

Jim White
Town Manager
P.O. Box 309 ♦ 302 Pine Street
Minturn, CO 81645
Phone: 970-827-5645
Fax: 970-827-5545
Email: manager@minturn.org

TOWN COUNCIL
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Councilmember – Shelley Bellm
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Councilmember – Jerry Bumgarner
Councilmember – Aggie Martinez
Councilmember – John Rosenfeld

To: Mayor Flaherty and Minturn Town Council
From: Jim White, Town Manager
Date: October 28, 2010
Re: Manager's Report for the November 3, 2010 Meeting

Events Planning Meeting
We held our facilitated meeting on October 27th with all interested parties regarding the options presented to Town Council recently related to the proposal to fill a position or to fund events so events can be better coordinated and operations more defined during events.

School District Update
We are anxiously awaiting the submittal of the annexation petition. Final conversations about the issues related to the annexation submittal are being discussed by the attorneys of both parties. We anticipate the annexation petition to be submitted this month....first to be reviewed by the School Board and then submitted to the Town.

Radio Tower Contract
The Town Clerk followed up again with Dr. Hood regarding a longer term contract for the radio tower as the new lease is now past due. The new lease would require the installation of a vertical tower. Payment for 2010 remains unresolved, as well as the terms for the new extended contract. We are planning to impose late fees for the overdue payment as allowed in the existing contract and as directed by the Town Council.

Water Treatment Plant Telemetry
A new Rohn Mast stanchion was erected at the Maloit Park site to enable remote solar reading of the tank level. TST Engineering has been working with Timberline Electric and Controls to access problems and to update our telemetry system at the water treatment plant.

The main tank site in Town will have electric power and our Public Works crew has already readied the site for the installation of the electric power.

Battle Mountain Update
Dave Kleinkopf has agreed to come to Town Council meetings periodically, every four to six weeks, to provide updates on the activities related to the Battle Mountain development. His next visit will be scheduled in November.

A Million Lights in Minturn
Planning is underway to light up Minturn this Christmas and Holiday Season. Michelle Metteer is working with the Fire District, local business owners, Town staff, and local volunteers to coordinate the events related to this effort. She is seeking donations from some of our vendors. Donations have been sparse to date.

RFP/North Main Street Water Line Design
Construction is nearing completion on the North Main Street Water Line by Western Pipeway, Inc. Alignment of the existing waterline turned out to be different from the alignment shown when we had locates done prior to the project. Consequently, Phase 1 construction has been extended and completion is now anticipated by November 16, 2010. Peak Land Consultants' engineers have done a great job in managing this project.

Ballot Issues
We will recap the Town of Minturn ballot issues this evening: consideration of a use tax and a question to the voters about whether or not medical marijuana dispensaries should be allowed in Town.

Additionally, the Town Council passed resolutions stating its opposition related to Amendments 60 & 61 and also Proposition 101. We will provide a report tonight on last night's election results.

Minturn Market
The Minturn Winter Market is scheduled for Saturday, December 11, 2010.

Signage
We are working on getting dimensions to the USFS for their review and approval.

RFP for Prosecuting Attorney
The Request for Proposal (RFP) for a prosecuting attorney resulted in four candidates submitting letters of interest and accompanying documentation.

Interviews are planned to be held during November and a decision will be targeted by December 2010 to enable a start date in January, 2011.

ECO Transit Bus Schedule Published
The 2010-2011 ECO Bus schedule ahs been published. A copy of the Minturn bus schedule has been included with this report. Special thanks to Jeff Wentzel at ECO Transit and to all others who participated in making this a reality for our residents.

TOWN OF MINTURN
P.O. Box 309 (302 Pine Street)
Minturn, Colorado 81645-0309
970-827-5645 Fax: 970-827-5545
treasurer@minturn.org

FROM THE DESK OF
JAY BRUNVAND, TREASURER/FINANCE

MEMORANDUM

TO: Mayor and Town Council
FROM: Jay Brunvand, Town Treasurer
CC: Jim White, Town Manager
DATE: 10/28/10 10:47 AM

NOVEMBER 3, 2010 COUNCIL MEETING

As required by Colorado law, the Town has set two Public Hearings for the FY2011 Budget. The November 3rd meeting is the first; the November 17th meeting is the second and final. As part of the Public Hearing, the citizen groups requesting funding in 2011 will be allowed to present their request to the Council in a short presentation not to exceed 15minutes each. To date, Staff has taken your comments and suggestions and incorporated them into the FY2011 Budget. If approved or directed by Council, the items will be included in the final budget. In the event any material changes come forth from the Public Hearing process, those changes also will be included in the proposed final passage of the budget ordinances on December 1st.

Following is the Public Hearing procedure recommended that you follow in order to make sure everything is covered procedurally and legally.

(a) The Mayor will introduce the agenda item and announce the Public Hearing as "I hereby by call to order the Public Hearing for the purpose of discussion and comment on the fiscal year 2011 proposed budget and to gather input, pro or con on the proposed Minturn Town Budget for the fiscal year January 1 through December 31, 2010. Any citizen that would like to speak needs to clearly state their name and physical address for the record from the podium (even if they are known by all.)"
(b) Take citizen input.
Please note the following spreadsheet that notates the Community Funding Requests.
    i) Minturn Community Fund – Maren Lantzy
    ii) Radio Free Minturn – David Eickholt
    iii) General Citizenry comments or questions
(c) Close the Public Hearing

(d) Council discussion on the budget and comment on the Public Hearing if any. Please note we have included a memo of the direction given to date. This memo also has several more questions for which we are asking direction.
(e) Announce this is the first Public Hearing on the budget document, a second Public Hearing will be held on November 17, 2010 at 7pm in the Town Council Chambers at 302 Pine St. and citizens are encouraged to contact the Town Hall with questions or comments during regular business hours as well at 827-5645

As stated previously, you are encouraged to come in or call to discuss any questions that you may have prior to the meeting. This will allow time to research your question and have a confirmed answer during the hearing.

FY2011 BUDGET FUNDING REQUESTS

	DISCRIPTION	REQUESTED BY	FUNDED FROM	FUNDED IN PROPOSED BUDGET	NOTES
1	Request from Minturn Community Fund **$7,500**	Minturn Community Fund - Maren Lantzy	Gen Fund (01)		Pg 19
2	Request from Radio Free Minturn **$2,000**	Radio Free Minturn - David Eickholt	Gen Fund (01)		Pg 28
3					
4					
5					
6					
7					
8					
9					
10					

Town of Minturn
302 Pine Street
P. O. Box 309, Minturn, CO 81645
(970) 827-5645 FAX (970) 827-5545

Request = 7500

REQUEST FOR FUNDING APPLICATION

NAME OF ORGANIZATION: Minturn Community Fund
DATE SUBMITTED: August 31, 2010
NAME OF REPRESENTATIVE: Maren Lantzy, Director
MAILING/STREET ADDRESS: PO Box 279 / 102 A Main Street Minturn, CO 81645
TELEPHONE NUMBER: 970-306-4284

Please indicate major funding source:
___ tax supported
x donations (corporate, foundation, private donors)
___ other government-entity grants

Please indicate type of organization:
___ health and human service
x recreation and culture
___ education
___ marketing
___ environmental
___ sports and athletics
x youth services
___ other _____

Quick Reference Financial Data:

___ Operating Revenue	_____	___ Operating Expenses	_____
___ Operating Revenue	_____	___ Operating Expenses	_____
___ Operating Revenue	_____	___ Operating Expenses	_____

Please answer the following questions on separate paper, not to exceed 3 pages. You may include an agency brochure, but please do not include any other additional materials.

1) WHAT IS YOUR ORGANIZATION'S MISSION?
2) SPECIFICALLY DESCRIBE THE PROJECT/PROGRAM THAT THE FUNDING WILL SUPPORT AND HOW THIS PROJECT/PROGRAM BENEFITS THE TOWN OF MINTURN.
3) HOW WILL YOU MEASURE THE SUCCESS OF THIS PROGRAM?
4) IS ANY OTHER AGENCY PROVIDING A SIMILAR SERVICE IN THE AREA?
5) HAVE PREVIOUS FUNDS BEEN AWARDED BY THE TOWN TO SUPPORT THIS ACTIVITY?
6) WHAT FUNDRAISING PROGRAMS DO YOU HAVE PLANNED TO ELIMINATE THE NEED FOR FUTURE TOWN FUNDING REQUESTS?
7) WHAT IS YOUR PROJECTED NEED FOR FUNDING FROM THE TOWN OF MINTURN FOR THE NEXT 5 YEARS?

Please attach the following:
*Financial Statements
*Budget (Including Revenue Sources)
*501(C)(3) Documentation
*List of Officers and/or Directors

funds requestors.doc

MINTURN COMMUNITY FUND

MINTURN MATTERS

1. Mission

The Minturn Community Fund (MCF) is a 501 © (3) non-profit organization that exists to connect people, enhance lives and to enrich and preserve the culture of Minturn.

Through the organization's work, Minturn will be a healthy, vibrant and authentic community that meets the challenge of change while preserving its rich history and small town character. The MCF is the only non-profit organization focused on the community of Minturn and its people, population 1,100.

We are seeking funding assistance from the Town of Minturn in order to maintain our current trajectory and presence in the community.

The MCF will strive to provide Minturn with a diverse selection of authentic events in 2011 aimed at connecting people, preserving culture, and enhancing lives. The MCF requests $7,500 from the Town of Minturn to ensure its continued existence in the community in 2011. Specifically, the funds received from the Town of Minturn will support a Fall Festival, Community Block Parties and the Movies in the Park series.

2. Projects

Fall Festival - to be held late September or early October 2011 in town and at Little Beach Park. We hope that this will grow to become an annual event for Minturn citizens to enjoy. The event will include festival activities, vendors, live entertainment and children's activities. With 2011, being the inaugural year for this event, we see great potential for it to expand and become an annual event. The MCF held an advisory committee meeting July 13, 2010 where an interest for this type of annual event was expressed. Of all the ideas discussed that day by Minturn community members, the fall festival was hands down the event that most people wanted to see happen.

Community Block Parties have been a huge success in the past. The model is simple. The request for a block party must be initiated by a community

member who then acts as neighborhood captain essentially spreading the word amongst their neighbors. MCF then does the rest - creates invites, coordinates with the town if necessary, provides the tents, hamburgers, drinks, etc. In every neighborhood new connections were made and neighbors were no longer strangers. We hope to continue these events in the fall of 2010 and summer 2011.

2. Projects Cont.

Movies in the Park - The first ever Movie in the Park was held Saturday, July 24th at Little Beach Park Amphitheater under a nearly full moon. This event was conceived by a Minturn citizen who wanted to make these events happen, but wasn't sure how. The MCF stepped in to help make it come to life. The movie night drew about 40 viewers and was promoted to the Colorado Municipal League who were in town for a conference, through a Town of Minturn eblast, through posters located around town and in a two page spread featuring Minturn in the Vail Daily. Mango's Mountain Grill donated the use of their popcorn machine and light refreshments were sold for a nominal fee to be put toward future movie nights. The second movie night is planned for Saturday, August 28th. Minturn citizens were encouraged to vote on the Town of Minturn website for which movie they would like to see. We hope that this event can be fully financially supported next summer so that we can expand the series to hold six movies nights per summer.

3. Success

Success is easily measured for MCF mission-centered events. Genuine events are often easily assessed. Community Block Parties seek to introduce neighbor to neighbor and create a community feel that will last beyond the hamburgers. If any new introductions are made then we feel successful. We hope to encourage at least five block parties to be hosted in 2010. The MinturnRocks concerts at Little Beach Park are successful simply if a crowd enjoys an afternoon of music in the charming setting of Little Beach Park. A happy crowd will seamlessly lead to a social setting thus creating inter-community links and pride in Minturn.

The MCF is the only non-profit focused solely on Minturn and its people.

The Town of Minturn provided $3,000 to the Minturn Community Fund in 2010. No funds were provided in 2009. In 2008, the town provided $500.00

which was then used to support bands at town organized clean-ups. The MCF is grateful for the in-kind help intermittently provided by the town in conjunction with our events.

4-7. Funding

The MCF continuously seeks support from other local and national grant organizations. We also seek to partner with local groups and non-profits in order to combine resources. Additionally, the MCF has actively been pursuing local businesses. The fundraising has been meager this summer with local businesses heavily resisting support on even the most modest levels. The MCF provides the large majority of its events without a participation charge, the exception being the Missoula Children's Theatre program which is discounted for Minturn residents.

The MCF will look towards the town for support at varying levels over the next five years. This will largely depend on what the community is able to provide. Regardless, the Minturn Community Fund will strive to ensure that Minturn Matters.

Proposed 2011 Budget Minturn Community Fund

Blue indicates line item affected by Funding Request.

Proposed 2011 Budget

	Beginning Cash Balance Approximate	$35,000.00	
Code	**Expense Account Description**		
10	Community Outreach	$1,000.00	
15	Missoula Children's Theatre	$7,050.00	
20	Movies in the Park	$2,500.00	*$2500.00 requested*
25	Bravo!	$600.00	
30	Halloween	$1,500.00	
35	Christmas on Main St.	$1,000.00	
40	Social	$3,000.00	Independence Day 2010, Bike Share, Concert Series
45	Insurance	$2,500.00	
50	Collateral	$2,000.00	*$1000.00 requested*
55	Contingency/ New Event / Fundraising	$2,000.00	*$2000.00 requested*
60	Insurance	$2,500.00	
65	Mail	$700.00	
70	Rent	$3,000.00	
75	Salary	$22,000.00	
80	Supplies/Block Parties	$3,000.00	*$1500.00 requested*
90	Board Meetings	$50.00	
95	Website	$350.00	
	Total	$54,750.00	
Code	**Contributions Account Description**		Made to other orgs or needy
100	Grant MCF- Coat Fund	$500.00	
105	Grant MCF Awarded	$0.00	
	Total	$500.00	
	Total Expenses/Contributions	$55,250.00	
Code	**Revenue Account Description**		
110	Donation- Major Gifts-Projected	$32,500.00	
115	Donation- Annual Campaign	$10,000.00	
120	Events	$8,000.00	Halloween Fundraiser, Steam Master Golf Tourney, Raffle, MCT
	Total Revenue	$50,500.00	
	Total Revenue – Expenses & Contributions 2010	-$4,750.00	
	Balance	$39,750.00	

501(c)3 Letter

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: NOV 10 2008

Employer Identification Number:
68-0524113
DLN:
17053299718068
Contact Person:
JOHN JENNEWEIN
Contact Telephone Number:
(877) 829-5500
Public Charity Status:
170(b)(1)(A)(vi)

ID# 31307

MINTURN COMMUNITY FUND INC
PO BOX 279
MINTURN, CO 81645-0000

Dear Applicant:

Our letter dated July 2003, stated you would be exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code, and you would be treated as a public charity, rather than as a private foundation, during an advance ruling period.

Based on the information you submitted, you are classified as a public charity under the Code section listed in the heading of this letter. Since your exempt status was not under consideration, you continue to be classified as an organization exempt from Federal income tax under section 501(c)(3) of the Code.

Publication 557, Tax-Exempt Status for Your Organization, provides detailed information about your rights and responsibilities as an exempt organization. You may request a copy by calling the toll-free number for forms, (800) 829-3676. Information is also available on our Internet Web Site at www.irs.gov.

If you have general questions about exempt organizations, please call our toll-free number shown in the heading.

Please keep this letter in your permanent records.

Sincerely yours,

Robert Choi
Director, Exempt Organizations
Rulings and Agreements

Letter 1050 (DO/CG)

Board of Directors

The Board of Directors include Andy Kaufman, President, Earle Bidez, Kelly Brinkerhoff, Tom Sullivan, Jay Huffard, Kirk Huffard and Dave Kleinkopf

VTA VAIL TAX & ACCOUNTING, INC.
PROFESSIONAL TAX CONSULTANTS

0100 W. BEAVER CREEK BLVD.— SUITE 208
P.O. BOX 5940
AVON, COLORADO 81620

SARA FAHRNEY, PRESIDENT

PHONE: (970) 949-5383
FAX: (970) 949-7105

May 26, 2010

Minturn Community Fund
P.O. Box 279
Minturn, CO 81645

Dear Board of Directors:

We have compiled the accompanying Statement of Assets, Liabilities, and Equity - Income Tax Basis as of December 31, 2009, and the related Statement of Revenues and Expenses – Income Tax Basis for the twelve months then ended, in accordance with Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants. These financial statements have been prepared on the accounting basis for income tax purposes, which is a comprehensive basis of accounting other than generally accepted accounting principles.

A compilation is limited to presenting in the form of financial statements information that is the representation of management. We have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or any other form of assurance on them.

The owners have elected to omit substantially all of the disclosures and cash flow statement ordinarily included in financial statements prepared on the income tax basis of accounting. If the omitted disclosures and statement were included in the financial statements, they might influence the user's conclusions about the Company's assets, liabilities, equity, revenues, and expenses. Accordingly, these financial statements are not designed for those who are not informed about such matters.

We are not independent with respect to Minturn Community Fund, Inc.

Sincerely,

Curtis C. Ortloff CPA
Enclosures

Minturn Community Fund Inc
Statement of Assets, Liabilities & Equity-Income Tax Basis
As of December 31, 2009

	Dec 31, 09	Dec 31, 08	$ Change
ASSETS			
Current Assets			
Checking/Savings			
1st Bank Checking	22,425.83	33,895.91	-11,470.08
Total Checking/Savings	22,425.83	33,895.91	-11,470.08
Total Current Assets	22,425.83	33,895.91	-11,470.08
TOTAL ASSETS	22,425.83	33,895.91	-11,470.08
LIABILITIES & EQUITY			
Equity			
Opening Balance Equity	23,405.43	23,405.43	0.00
Unrestricted Net Assets	10,490.48	0.00	10,490.48
Net Income	-11,470.08	10,490.48	-21,960.56
Total Equity	22,425.83	33,895.91	-11,470.08
TOTAL LIABILITIES & EQUITY	22,425.83	33,895.91	-11,470.08

See Accountant's Compilation Report

Minturn Community Fund Inc
Statement of Revenue and Expenses-Income Tax Basis
Twelve Months Ended December 31, 2009

	Jan - Dec 09	Jan - Dec 08	$ Change
Ordinary Income/Expense			
Income			
Direct Public Support	42,787.00	52,373.64	-9,586.64
Program Income	1,165.00	3,000.00	-1,835.00
Total Income	43,952.00	55,373.64	-11,421.64
Expense			
Awards and Grants	5,000.00	1,000.00	4,000.00
Business Expenses	444.00	1,486.00	-1,042.00
Contract Services	37,925.79	31,368.12	6,557.67
Facilities and Equipment	6,008.67	2,756.75	3,251.92
Operations	3,640.00	5,544.29	-1,904.29
Other Types of Expenses	2,403.62	2,728.00	-324.38
Total Expense	55,422.08	44,883.16	10,538.92
Net Ordinary Income	-11,470.08	10,490.48	-21,960.56
Net Income	-11,470.08	10,490.48	-21,960.56

See Accountant's Compilation Report

Town of Minturn
302 Pine Street
P. O. Box 309, Minturn, CO 81645
(970) 827-5645 FAX (970) 827-5545

Request: $2000

REQUEST FOR FUNDING APPLICATION

NAME OF ORGANIZATION: Radio Free Minturn, Inc
DATE SUBMITTED: September 15, 2010
NAME OF REPRESENTATIVE: David Eickholt
MAILING/STREET ADDRESS: P.O. Box 987 Minturn, CO 81645
TELEPHONE NUMBER: 203-246-9661

Please indicate major funding source:
___ tax supported
X donations (corporate, foundation, private donors)
___ other government-entity grants

Please indicate type of organization:
___ health and human service
___ recreation and culture
___ education
___ marketing
___ environmental
___ sports and athletics
___ youth services
X other non-commercial, community radio station

Quick Reference Financial Data:

2008 Operating Revenue	$30,356	Operating Expenses	$19,117
2009 Operating Revenue	$19,471	Operating Expenses	$16,085
2010 Operating Revenue	$26,775(e)	Operating Expenses	$26,775(e)

Please answer the following questions on separate paper, not to exceed 3 pages. You may include an agency brochure, but please do not include any other additional materials.

1) WHAT IS YOUR ORGANIZATION'S MISSION?
2) SPECIFICALLY DESCRIBE THE PROJECT/PROGRAM THAT THE FUNDING WILL SUPPORT AND HOW THIS PROJECT/PROGRAM BENEFITS THE TOWN OF MINTURN.
3) HOW WILL YOU MEASURE THE SUCCESS OF THIS PROGRAM?
4) IS ANY OTHER AGENCY PROVIDING A SIMILAR SERVICE IN THE AREA?
5) HAVE PREVIOUS FUNDS BEEN AWARDED BY THE TOWN TO SUPPORT THIS ACTIVITY?
6) WHAT FUNDRAISING PROGRAMS DO YOU HAVE PLANNED TO ELIMINATE THE NEED FOR FUTURE TOWN FUNDING REQUESTS?
7) WHAT IS YOUR PROJECTED NEED FOR FUNDING FROM THE TOWN OF MINTURN FOR THE NEXT 5 YEARS?

Please attach the following:
*Financial Statements
*Budget (Including Revenue Sources)
*501(C)(3) Documentation
*List of Officers and/or Directors

funds requestors.doc

RADIO FREE MINTURN
107.9 FM • KLNX LP

Post Office Box 987
Minturn, CO 81645
970-827-9079 tel
970-279-4244 fax
www.minturnradio.org
info@minturnradio.org

TOWN OF MINTURN
GRANT REQUEST--2011

Mission
To serve the Eagle River Valley community by providing radio programming that will reflect the musical and cultural interests and informational needs of the region, while offering a learning environment for fledgling broadcasters, students of journalism and music enthusiasts.

Project/program funding will support and how this project benefits Town of Minturn:
Radio Free Minturn (RFM) requests $2,000 of financial support from the Town of Minturn to assist the Station cover its annual operating expenses. These expenses include rent for studio and office space, utilities and supplies.

RFM officially began broadcast operations on June 23, 2006. The signal is strong and clear from Vail to Edwards and from Redcliff to the Tennessee Pass. RFM is a public broadcast corporation, operated by more than 50 volunteers, ranging in age from 15 to 75. RFM is a fun and creative community project where everyone can participate. In fact, the majority of the Station's DJ's have had no previous on-air radio experience but receive all of their orientation and training from RFM staff members.

RFM is the only community-created medium for music listening currently hosting 39 two-hour locally produced and hosted shows each week. The station is commercial-free and presents quality music from Eagle County residents' collections.

RFM (and its continued operation) provides substantial benefits to the Town of Minturn in many ways both direct and indirect. For example:

By its very name and unique programming, Radio Free Minturn promotes name recognition and reinforces the positive image of the Town of Minturn among listeners throughout the Valley and as far away as the Front Range where the Station's bumper stickers and T-shirts are spotted on a regular basis.

With studio and offices in Minturn, RFM attracts visitors and shoppers to Minturn businesses on a weekly basis, even if only the volunteers are considered.

Whenever possible, the Station conducts broadcast education programs in local high schools, middle schools and town libraries. These outreach programs include classroom and fieldwork and utilize our volunteer DJs as mentors. The goal is to teach technical and communication skills while empowering our youth through direct media access.

In 2011, a special focus will be placed on attracting additional DJ's to the Station and creating new programs devoted to Jazz, World Music and the music of Hispanic cultures.

How to measure success:
The number of active volunteers and youth participants as well as corporate and individual financial supporters will measure RFM's success. Interest in the station will also be measured through website traffic, phone calls and e-mail requests.

Other agencies or similar programs:
RFM is the only community radio station in Eagle County. The station is unique and there are no organizations providing similar over the air content or educational/outreach programs.

Previous Funds Awarded by the Town:
In 2010, Minturn provided $1,000 to support RFM. Because of RFM's healthy income/expense position, no funds were requested from the Town of Minturn for 2009. But, because of the economic down turn and anticipated equipment replacement expenses, the Station does need the Town's financial support in 2011.

Fundraising planned to eliminate the need for future funding:
RFM's fundraising includes an annual Birthday Bash to solicit support from past and first time donors, active solicitation of area and regional grants, underwriting from local businesses and two (2) on-air fund drives. Entering our fifth year of operation, more than half of RFM's funding comes from our listeners.

Projected need for future funding from Minturn:
Over the next five years, despite ambitious plans to expand operations, RFM anticipates that its funding request from Minturn will remain constant as additional revenue is raised from additional corporate and individual donations as well as foundation grants.

I am available to discuss this Request for Funding and answer any questions the Town of Minturn may have. Radio Free Minturn looks forward to hearing from you.

David Eichholz
President, Radio Free Minturn
KLNX-LP, 107.9 FM

30

VTA VAIL TAX & ACCOUNTING, INC.
PROFESSIONAL TAX CONSULTANTS

111 SWIFT GULCH ROAD — SUITE 301
P.O. BOX 5940
AVON, COLORADO 81620

SARA FAHRNEY, PRESIDENT

PHONE: (970) 949-5383
FAX: (970) 949-7105

Accountant's Compilation Report

To the Board of Trustees of
Radio Free Minturn

We have compiled the accompanying Statement of Assets, Liabilities & Equity – Income Tax Basis of Radio Free Minturn (a non-profit entity) as of June 30, 2010, and the related Statement of Revenues & Expenses for the period then ended. We have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or provide any assurance about whether the financial statements are in accordance with accounting principles generally accepted in the United States of America.

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America and for designing, implementing, and maintaining internal control relevant to the preparation and fair presentation of the financial statements.

Our responsibility is to conduct the compilation in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants. The objective of a compilation is to assist management in presenting financial information in the form of financial statements without undertaking to obtain or provide any assurance that there are no material modifications that should be made to the financial statements.

Management has elected to omit substantially all of the disclosures required by accounting principles generally accepted in the United States of America. If the omitted disclosures were included in the financial statements, they might influence the user's conclusions about the Organization's financial position, changes in net assets, and cash flows. Accordingly, these financial statements are not designed for those who are not informed about such matters.

We are not independent with respect to Radio Free Minturn.

Sara Fahrney
Accountant

Prepared 8/6/10

Radio Free Minturn
Statement of Assets, Liabilities & Equity - Income Tax Basis
As of June 30, 2010

Cash Basis

	Jun 30, 10
ASSETS	
Current Assets	
Checking/Savings	
FirstBank Checking	458.05
FirstBank Savings	41,906.13
Total Checking/Savings	42,364.18
Other Current Assets	
Prepaid Expenses	3,645.00
Total Other Current Assets	3,645.00
Total Current Assets	46,009.18
Fixed Assets	
Office Equipment	1,107.15
Studio & Broadcast Equipment	22,744.00
Accumulated Depreciation	-21,115.00
Total Fixed Assets	2,736.15
TOTAL ASSETS	48,745.33
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	4,052.86
Total Accounts Payable	4,052.86
Total Current Liabilities	4,052.86
Total Liabilities	4,052.86
Equity	
Unrestricted Net Assets	52,333.00
Net Income	-7,640.53
Total Equity	44,692.47
TOTAL LIABILITIES & EQUITY	48,745.33

See Accountant's Compilation Report

Radio Free Minturn
Statement of Revenues & Expenses - Income Tax Basis
April through June 2010

Cash Basis

	Apr - Jun 10	Jan - Jun 10
Ordinary Income/Expense		
Income		
Contributions		
General	55.00	90.00
Grants	0.00	1,000.00
Semi-Annual Fund Drive	6,409.80	9,837.12
Underwriting/Advertising	5,100.00	5,400.00
Total Contributions	11,564.80	16,327.12
Total Income	11,564.80	16,327.12
Expense		
Bank Fees	35.00	35.00
Advertising & Promotion	670.00	670.00
Commissions	0.00	30.00
Credit Card Fees	125.07	125.07
Dues & Memberships	0.00	200.00
Insurance	750.00	750.00
Internet Hosting & Projects	18.00	18.00
Internet Service	238.54	299.48
Licenses & Fees	0.00	629.00
Meals & Entertainment	47.99	47.99
Office Expense	109.12	235.08
Rent		
Studio Rent	1,500.00	3,000.00
Tower Rent	0.00	1,200.00
Total Rent	1,500.00	4,200.00
Telephone Expense	155.34	206.43
Total Expense	3,649.06	7,446.05
Net Ordinary Income	7,915.74	8,881.07
Other Income/Expense		
Other Income		
Interest Income	29.96	57.59
Prior Year Return Rec Discrep.	0.00	4,535.81
Total Other Income	29.96	4,593.40
Other Expense		
Prior Year Uncaptured Deprec.	0.00	18,760.00
Depreciation Expense	1,177.50	2,355.00
Total Other Expense	1,177.50	21,115.00
Net Other Income	-1,147.54	-16,521.60
Net Income	6,768.20	-7,640.53

See Accountant's Compilation Report

Radio Free Minturn
Statement of Revenues & Expenses - Income Tax Basis
April through June 2010

Cash Basis

	Apr - Jun 10	Budget	$ Over Budget
Ordinary Income/Expense			
Income			
Contributions			
General	55.00	250.00	-195.00
Grants	0.00	0.00	0.00
Merchandise Sales	0.00	56.25	-56.25
RFM Special Events	0.00	500.00	-500.00
Semi-Annual Fund Drive	6,409.80	0.00	6,409.80
Underwriting/Advertising	5,100.00	1,547.50	3,552.50
Total Contributions	11,564.80	2,353.75	9,211.05
Total Income	11,564.80	2,353.75	9,211.05
Expense			
Bank Fees	35.00	0.00	35.00
Advertising & Promotion	670.00	375.00	295.00
Commissions	0.00	125.00	-125.00
Credit Card Fees	125.07	0.00	125.07
Dues & Memberships	0.00	100.00	-100.00
Insurance	750.00	375.00	375.00
Internet Hosting & Projects	18.00	600.00	-582.00
Internet Service	238.54	182.50	56.04
Licenses & Fees	0.00	0.00	0.00
Meals & Entertainment	47.99	125.00	-77.01
Office Expense	109.12	200.00	-90.88
Professional Services	0.00	300.00	-300.00
Program & Music Acquisition	0.00	125.00	-125.00
Rent			
Studio Rent	1,500.00	1,500.00	0.00
Total Rent	1,500.00	1,500.00	0.00
Royalties	0.00	175.00	-175.00
Telephone Expense	155.34	165.00	-9.66
Travel & Conferences	0.00	87.50	-87.50
Utilities	0.00	62.50	-62.50
Total Expense	3,649.06	4,497.50	-848.44
Net Ordinary Income	7,915.74	-2,143.75	10,059.49
Other Income/Expense			
Other Income			
Interest Income	29.96	68.75	-38.79
Prior Year Return Rec Discrep.	0.00	0.00	0.00
Total Other Income	29.96	68.75	-38.79
Other Expense			
Depreciation Expense	1,177.50	1,000.00	177.50
Total Other Expense	1,177.50	1,000.00	177.50
Net Other Income	-1,147.54	-931.25	-216.29
Net Income	6,768.20	-3,075.00	9,843.20

See Accountant's Compilation Report

Radio Free Minturn
Statement of Revenues & Expenses - Income Tax Basis
Cash Basis

January through June 2010

	Jan - Jun 10	Budget	$ Over Budget
Ordinary Income/Expense			
Income			
Contributions			
General	90.00	500.00	-410.00
Grants	1,000.00	500.00	500.00
Merchandise Sales	0.00	112.50	-112.50
RFM Special Events	0.00	1,000.00	-1,000.00
Semi-Annual Fund Drive	9,837.12	6,500.00	3,337.12
Underwriting/Advertising	5,400.00	3,095.00	2,305.00
Total Contributions	16,327.12	11,707.50	4,619.62
Total Income	16,327.12	11,707.50	4,619.62
Expense			
Bank Fees	35.00	0.00	35.00
Advertising & Promotion	670.00	750.00	-80.00
Commissions	30.00	250.00	-220.00
Credit Card Fees	125.07	0.00	125.07
Dues & Memberships	200.00	200.00	0.00
Insurance	750.00	750.00	0.00
Internet Hosting & Projects	18.00	1,200.00	-1,182.00
Internet Service	299.48	365.00	-65.52
Licenses & Fees	629.00	0.00	629.00
Meals & Entertainment	47.99	250.00	-202.01
Office Expense	235.08	400.00	-164.92
Professional Services	0.00	600.00	-600.00
Program & Music Acquisition	0.00	250.00	-250.00
Rent			
Studio Rent	3,000.00	3,000.00	0.00
Tower Rent	1,200.00	1,200.00	0.00
Total Rent	4,200.00	4,200.00	0.00
Royalties	0.00	350.00	-350.00
Telephone Expense	206.43	330.00	-123.57
Travel & Conferences	0.00	175.00	-175.00
Utilities	0.00	125.00	-125.00
Total Expense	7,446.05	10,195.00	-2,748.95
Net Ordinary Income	8,881.07	1,512.50	7,368.57
Other Income/Expense			
Other Income			
Interest Income	57.59	137.50	-79.91
Prior Year Return Rec.Discrep.	4,535.81	0.00	4,535.81
Total Other Income	4,593.40	137.50	4,455.90
Other Expense			
Prior Year Uncaptured Deprec.	18,760.00	0.00	18,760.00
Depreciation Expense	2,355.00	2,000.00	355.00
Total Other Expense	21,115.00	2,000.00	19,115.00
Net Other Income	-16,521.60	-1,862.50	-14,659.10
Net Income	-7,640.53	-350.00	-7,290.53

See Accountant's Compilation Report

Radio Free Minturn
General Ledger
As of June 30, 2010

Type	Date	Num	Name	Memo	Split	Original Amount	Paid Amount	Balance
FirstBank Checking								101.95
Bill Pmt -Check	4/15/2010	1215	Colorado Casualty Insurance	Account# 800604870	Accounts Payable	-750.00	-750.00	-648.05
Bill Pmt -Check	4/16/2010	1216	Comcast	Acct# 8497505060224525	Accounts Payable	-87.94	-87.94	-736.00
Bill Pmt -Check	4/16/2010	1217	Elizabeth H Campbell	Reimbursements submitted 4/9/10	Accounts Payable	-214.49	-214.49	-950.49
Bill Pmt -Check	4/16/2010	1218	Hill Aevium	Acct# RFRE	Accounts Payable	-18.00	-18.00	-968.49
Transfer	4/16/2010			To cover 4/16 bill pay	FirstBank Savings	1,070.43	1,070.43	101.95
Bill Pmt -Check	4/26/2010	1219	Comcast	Account# 8497 50 506 0224525	Accounts Payable	-47.95	-47.95	144.00
Bill Pmt -Check	4/26/2010	1220	Dave Prater	Shirts	Accounts Payable	-570.00	-570.00	-426.00
Bill Pmt -Check	4/26/2010	1221	Steve Kiene	Marketing/Promo	Accounts Payable	-100.00	-100.00	-526.00
Transfer	4/26/2010			To cover 4/26 bill pay	FirstBank Savings	717.95	717.95	191.95
Check	5/1/2010	HW	Paul McCarthy	Handwritten by Liz for "Computer"	Office Equipment	-699.29	-699.29	-507.34
Transfer	5/21/2010			Funds Transfer	FirstBank Savings	1,000.00	1,000.00	492.66
Check	5/27/2010			Service Charge	Bank Fees	-35.00	-35.00	457.66
Check	6/1/2010	1222	Comcast	Account# 8497 50 506 0224525	Internet Service	-39.95	-39.95	417.71
Check	6/1/2010	1223	Elizabeth H Campbell	Reimburse expenses submitted 5/11	-SPLIT-	-160.66	-160.66	257.05
Transfer	6/2/2010			Funds Transfer	FirstBank Savings	201.00	201.00	458.05
Total FirstBank Checking							268.10	458.05
FirstBank Savings								33,425.62
Deposit	4/16/2010			Deposit	-SPLIT-	5,833.00	5,833.00	39,258.62
Transfer	4/16/2010			To cover 4/16 bill pay	FirstBank Checking	-1,070.43	-1,070.43	38,188.19
Transfer	4/26/2010			To cover 4/26 bill pay	FirstBank Checking	-717.95	-717.95	37,470.24
Deposit	4/27/2010			Deposit	-SPLIT-	2,657.90	2,657.90	40,128.14
Deposit	4/30/2010			Interest	Interest Income	8.82	8.82	40,137.16
Deposit	5/10/2010			Deposit from paypal	-SPLIT-	2,798.83	2,798.83	42,935.99
Deposit	5/20/2010			Deposit	-SPLIT-	150.00	150.00	43,085.99
Transfer	5/21/2010			Funds Transfer	FirstBank Checking	-1,000.00	-1,000.00	42,085.99
Transfer	6/2/2010			Funds Transfer	FirstBank Checking	-201.00	-201.00	41,884.99
Deposit	6/30/2010			Interest	Interest Income	21.14	21.14	41,906.13
Total FirstBank Savings							8,480.31	41,906.13
Prepaid Expenses								1,500.00
Bill	6/1/2010		Minturn Realty	June-Dec 2010 rent	Accounts Payable	3,000.00	3,000.00	4,500.00
Bill	6/15/2010		Beehive Insurance	6/10-6/11 D&O policy	Accounts Payable	645.00	645.00	5,145.00
General Journal	6/30/2010	VTA 1		Record 3 months rent	Studio Rent	-1,500.00	-1,500.00	3,645.00
Total Prepaid Expenses							2,145.00	3,645.00
Office Equipment								0.00
Check	5/1/2010	HW	Paul McCarthy	Handwritten by Liz for "Computer"	FirstBank Checking	699.29	699.29	699.29
Bill	6/30/2010		Elizabeth H Campbell	Computer	Accounts Payable	407.86	407.86	1,107.15
Total Office Equipment							1,107.15	1,107.15
Studio & Broadcast Equipment								22,744.00
Total Studio & Broadcast Equipment								22,744.00
Accumulated Depreciation								-19,937.50
General Journal	6/30/2010	VTA 2		Expense 3 months depreciation	Depreciation Expense	-1,177.50	-1,177.50	-21,115.00
Total Accumulated Depreciation							-1,177.50	-21,115.00
Accounts Payable								0.00
Bill Pmt -Check	4/15/2010	1215	Colorado Casualty Insurance	Account# 800604870	FirstBank Checking	750.00	-750.00	-750.00
Bill Pmt -Check	4/15/2010	1215	Colorado Casualty Insurance	Account# 800604870	FirstBank Checking	750.00	750.00	0.00
Bill Pmt -Check	4/16/2010	1216	Comcast	Acct# 8497505060224525	FirstBank Checking	87.94	87.94	87.94
Bill Pmt -Check	4/16/2010	1216	Comcast	Acct# 8497505060224525	FirstBank Checking	87.94	-87.94	0.00
Bill Pmt -Check	4/16/2010	1217	Elizabeth H Campbell	Reimbursements submitted 4/9/10	FirstBank Checking	-214.49	-214.49	-214.49
Bill Pmt -Check	4/16/2010	1217	Elizabeth H Campbell	Reimbursements submitted 4/9/10	FirstBank Checking	214.49	214.49	0.00
Bill Pmt -Check	4/16/2010	1218	Hill Aevium	Acct# RFRE	FirstBank Checking	18.00	18.00	18.00
Bill Pmt -Check	4/16/2010	1218	Hill Aevium	Acct# RFRE	FirstBank Checking	18.00	-18.00	0.00
Bill Pmt -Check	4/26/2010	1219	Comcast	Account# 8497 50 506 0224525	FirstBank Checking	47.95	-47.95	-47.95
Bill Pmt -Check	4/26/2010	1219	Comcast	Account# 8497 50 506 0224525	FirstBank Checking	47.95	47.95	0.00
Bill Pmt -Check	4/26/2010	1220	Dave Prater	Shirts	FirstBank Checking	570.00	570.00	570.00
Bill Pmt -Check	4/26/2010	1220	Dave Prater	Shirts	FirstBank Checking	570.00	-570.00	0.00
Bill Pmt -Check	4/26/2010	1221	Steve Kiene	Marketing/Promo	FirstBank Checking	100.00	100.00	100.00
Bill Pmt -Check	4/26/2010	1221	Steve Kiene	Marketing/Promo	FirstBank Checking	100.00	-100.00	0.00
Bill	6/1/2010		Minturn Realty	June-Dec 2010 rent	Prepaid Expenses	3,000.00	-3,000.00	-3,000.00
Bill	6/15/2010		Beehive Insurance	6/10-6/11 D&O policy	Prepaid Expenses	645.00	-645.00	-3,645.00
Bill	6/30/2010		Elizabeth H Campbell	Computer	Office Equipment	407.86	-407.86	-4,052.86
Total Accounts Payable							-4,052.86	-4,052.86
Unrestricted Net Assets								-52,333.00
Total Unrestricted Net Assets								-52,333.00
Contributions								-4,762.52
General								-35.00
Deposit	5/10/2010			Other Ind contribution per Liz	FirstBank Savings	-30.00	-30.00	-65.00
Deposit	5/20/2010	329		Achs, Scott	FirstBank Savings	-25.00	-25.00	-90.00
Total General							-55.00	-90.00
Grants								-1,000.00
Total Grants								-1,000.00
Semi-Annual Fund Drive								-3,427.52
Deposit	4/16/2010	1609		-MULTIPLE-	FirstBank Savings	-733.00	-733.00	-4,160.52
Deposit	4/27/2010	654		-MULTIPLE-	FirstBank Savings	-2,657.90	-2,657.90	-6,818.22
Deposit	5/10/2010			Fund Drive	FirstBank Savings	-2,893.90	-2,893.90	-9,712.12
Deposit	5/20/2010	561		-MULTIPLE-	FirstBank Savings	-125.00	-125.00	-9,837.12
Total Semi-Annual Fund Drive							-6,409.80	-9,837.12
Underwriting/Advertising								-300.00
Deposit	4/16/2010	2140		-MULTIPLE-	FirstBank Savings	-5,100.00	-5,100.00	-5,400.00
Total Underwriting/Advertising							-5,100.00	-5,400.00
Total Contributions							-11,564.80	-16,327.12
Bank Fees								0.00
Check	5/27/2010			Service Charge	FirstBank Checking	35.00	35.00	35.00
Total Bank Fees							35.00	35.00
Advertising & Promotion								0.00
Bill	4/26/2010		Steve Kiene	Marketing/Promo	Accounts Payable	100.00	100.00	100.00
Bill	4/26/2010		Dave Prater	90 Shirts	Accounts Payable	570.00	570.00	670.00
Total Advertising & Promotion							670.00	670.00
Commissions								30.00
Total Commissions								30.00
Credit Card Fees								0.00
Deposit	5/10/2010			Deposit from paypal	FirstBank Savings	125.07	125.07	125.07
Total Credit Card Fees							125.07	125.07
Dues & Memberships								200.00
Total Dues & Memberships								200.00
Insurance								0.00
Bill	4/16/2010		Colorado Casualty Insurance	Account# 800604870	Accounts Payable	750.00	750.00	750.00
Total Insurance							750.00	750.00
Internet Hosting & Projects								0.00
Bill	4/16/2010	51355	Hill Aevium	email hosting	Accounts Payable	18.00	18.00	18.00
Total Internet Hosting & Projects							18.00	18.00
Internet Service								60.94
Bill	4/16/2010		Elizabeth H Campbell	Reimbursements submitted 4/9/10	Accounts Payable	62.70	62.70	123.64
Bill	4/16/2010		Comcast	Acct# 8497505060224525	Accounts Payable	87.94	87.94	211.58
Bill	4/26/2010		Comcast	Account# 8497 50 506 0224525	Accounts Payable	47.95	47.95	259.63
Check	6/1/2010	1222	Comcast	Account# 8497 50 506 0224525	FirstBank Checking	39.95	39.95	299.48
Total Internet Service							238.54	299.48
Licenses & Fees								629.00
Total Licenses & Fees								629.00
Meals & Entertainment								0.00
Bill	4/16/2010		Elizabeth H Campbell	-MULTIPLE-	Accounts Payable	47.99	47.99	47.99
Total Meals & Entertainment							47.99	47.99

Radio Free Minturn
General Ledger
As of June 30, 2010

Type	Date	Num	Name	Memo	Split	Original Amount	Paid Amount	Balance
								125.96
Office Expense								235.08
Check	6/1/2010	1223	Elizabeth H Campbell	-MULTIPLE-	FirstBank Checking	109.12	109.12	
Total Office Expense							109.12	235.08
Rent								2,700.00
Studio Rent								1,500.00
General Journal	6/30/2010	VTA 1		Record 3 months rent	Prepaid Expenses	1,500.00	1,500.00	3,000.00
Total Studio Rent							1,500.00	3,000.00
Tower Rent								1,200.00
Total Tower Rent								1,200.00
Total Rent							1,500.00	4,200.00
Telephone Expense								51.09
Bill	4/16/2010		Elizabeth H Campbell	Vonage	Accounts Payable	103.80	103.80	154.89
Check	6/1/2010	1223	Elizabeth H Campbell	Vonage	FirstBank Checking	51.54	51.54	206.43
Total Telephone Expense							155.34	206.43
Interest Income								-27.63
Deposit	4/30/2010			Interest	FirstBank Savings	-8.82	-8.82	-36.45
Deposit	6/30/2010			Interest	FirstBank Savings	-21.14	-21.14	-57.59
Total Interest Income							-29.96	-57.59
Prior Year Return Rec Discrep.								-4,535.81
Total Prior Year Return Rec Discrep.								-4,535.81
Prior Year Uncaptured Deprec.								18,760.00
Total Prior Year Uncaptured Deprec.								18,760.00
Depreciation Expense								1,177.50
General Journal	6/30/2010	VTA 2		Expense 3 months depreciation	Accumulated Depreciation	1,177.50	1,177.50	2,355.00
Total Depreciation Expense							1,177.50	2,355.00
TOTAL							0.00	0.00

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: JUL 28 2006

RADIO FREE MINTURN INC
C/O LIZ CAMPBELL
PO BOX 987
MINTURN, CO 81645

Employer Identification Number:
20-2826734
DLN:
17053278002045
Contact Person:
JULIE CHEN
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
Yes
Effective Date of Exemption:
March 22, 2005
Contribution Deductibility:
Yes
Advance Ruling Ending Date:
December 31, 2009

ID# 31261

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

Please see enclosed Information for Exempt Organizations Under Section 501(c)(3) for some helpful information about your responsibilities as an exempt organization.

Sincerely,

Lois G. Lerner
Director, Exempt Organizations
Rulings and Agreements

Enclosures: Information for Organizations Exempt Under Section 501(c)(3)
Statute Extension

Letter 1045 (DO/CG)

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Radio Free Minturn

Board of Directors and Advisory Board

Board of Directors: March 1, 2009

President
Dave Eickholt
P. O. Box 6935
Avon, CO 81620
970-748-0612 (h)
203-246-9661 (c)
izehol@aol.com

Vice President
Alex Markels
1437 Mapleton Ave.
Boulder, CO
303-953-8726(h)
202-725-5802(c)
alex@markels.com

Secretary/Treasurer
Elizabeth Campbell
P.O. Box 752
Minturn, CO 81645
970.376.1389
liz@minturnradio.org

Dick Gustafson
1826 Alta Circle
Unit B
Vail, CO 81657
970-390-8605(c)
970-476-3276(h)
topper100@earthlink.com

Steve Balough
PO Box 8946
Avon, CO 81620
412-779-6214 (c)
steverrb@gmail.com

Advisory Board:

Tim Campbell	tim@hillaevium.com	970-926-6700 (w)
Rhodes Carter	rhodes@rhodescarter.com	970-331-1531 (c)

Leo Spaziani	programming@minturnradio.org	970-376-6079 (c) 719-486-5860 (h)
Kip Tingle	ktingle@vaildaily.com	937-286-0789 (c) 970-949-0555 (w)
Paul McCarthy	pmccarthy@email.com	303-720-6677 (c)
Howie Gillman	hgillman@gmail.com	760-641-6168 (c)

FROM THE DESK OF
JAY BRUNVAND, MINTURN FINANCE OFFICE
MEMORANDUM

TO: Jim White, Town Manager
FROM: Jay Brunvand, Treasurer
CC:
DATE: 10/27/10
RE: FY2011 Budget – Direction and summary

Over the past several Council Meetings we have reviewed several items that will play a significant role in the FY2011 Budget final product. To date we have:

- Reviewed the preliminary Assessed Property Valuation as received from the County and as compared historically over the years as depicted below. It is noted that for the fiscal year 2011 our property tax collections will reduce just less than 1%; however, preliminarily, we are anticipating a property tax reduction in 2012 of between 15% and 30%.

FISCAL YEAR	ASSESSED VALUE IN $	% GROWTH FROM PRIOR YEAR	REASSESSMENT YEAR (Y/N)	
1995	6,814,876.00		N	
1996	7,775,140.00	12.35%	Y	
1997	8,140,440.00	4.49%	N	
1998	10,754,730.00	24.31%	Y	
1999	11,281,540.00	4.67%	N	
2000	14,184,570.00	20.47%	Y	
2001	13,977,700.00	-1.48%	N	
2002	15,279,740.00	8.52%	Y	
2003	16,231,520.00	5.86%	N	
2004	15,513,790.00	-4.63%	Y	
2005	16,123,460.00	3.78%	N	
2006	17,318,540.00	6.90%	Y	
2007	17,742,330.00	2.39%	N	
2008	25,433,960.00	30.24%	Y	
2009	26,049,070.00	2.36%	N	
2010	32,509,760.00	19.87%	Y	BMR 1st tax yr
2011	31,951,530.00	-1.75%	N	

- Reviewed 2011 Net Income/Loss and considerations were entertained as to how best support the Town needs with any potential surplus.
- Reviewed departmental staffing needs and how the current staff level of 13 employees will be maintained in 2011 as well as how best to maintain the existing Town wide service levels.
- Reviewed the Town economic development needs as related to our marketing and event coordination. Further information will be forthcoming as a result of the facilitated meeting held on October 27.
- Reviewed Phase II of the water line replacement in the rail yard. The Town Manager recommended and the Council directed this be put on hold and funding removed from the 2011 budget. This item will be reconsidered during 2011 if state or federal funding or other grants become available that would reduce the Town's contribution.

COUNCIL DIRECTION REQUESTED:

- At tonight's Council Meeting we were presented with two requests from the community for funding. **Direction will need to be given as to if or how much to fund these requests.**
  - Minturn Community Fund ($7,500)
  - Radio Free Minturn ($2,000)
- During the September 15, 2010 the Eagle River Watershed Council, Mr. Kirby Wynn, gave an extended PowerPoint presentation and requested funding assistance in 2011. The amount requested was $2,000. This request is a general annual funding of dues or fees and is not part of the community funding requests. **Direction is requested on this funding request.**
- In the 2010 fiscal year the Town instituted a wage freeze, this freeze was carried over to 2011 and no money has been budgeted for employee recognition in 2011. On request from the Council; information was prepared by the Treasurer and reviewed with Council at the October 20th Budget Retreat meeting. Council has asked this be discussed at this meeting. **Direction is requested on this matter so that 2010 arrangements can be made or a decision can be included in the budget for 2011.**
- Review of the 2011 Enterprise Fund revealed a shortfall of approximately $75,000. Council reviewed reports that showed the historical base rate increases over the past years and a summary is provided below. Council requested numbers supporting the changes made in 2010. In 2010, Council made no change in the base rate of water or trash service; however, they directed the base water usage allowed prior to a usage fee to decrease for residential users from 15,000gal/SFE to 10,000gal/SFE.

  For the months January through September of 2009 (prior to the use decrease):
  Residential use fee = $5,450
  Commercial use fee = $ 204
  Combined use fee = $5,654

  Residential use fee = $7,574
  Commercial use fee = $1,007
  Combined use fee = $8,581

  In 2010 the 5,000gal/SFE decrease generated a combined revenue of $2,927. It is estimated this change will represent a revenue increase in 2010 water rates of less than one half of one percent. Four options were presented and Council requested this item be brought forth at this meeting giving them time to consider the options or to bring forth other options.

  Option #1: Increase water and trash fees 5% = $33,750
  Option #2: Increase water and trash fees 7.5% = $50,625
  Option #3: Increase water and trash fees 10% = $67,500
  Option #4: Debt Service fee* = $94,784

  *The Debt Service fee takes the total debt service for the water plant and infrastructure an divides that by the total SFE count for residential and commercial use. This amounts to approximately $10.67 per SFE. In 2012 this fee would be $6.51 to allow for retirement of maturing debt.

  Direction is requested on water and trash fees.

  Previous Fee Action:
  - 2010 No (Use fee was reduced from 15,000gal/SFE to 10,000gal/SFE)
  - 2009 No
  - 2008 5%
  - 2007 No
  - 2006 5%
  - 2005 5%
  - 2004 No
  - 2003 5%
  - 2002 5%

BALLOT ISSUES:

On November 2, 2010 the Town participated in a coordinated election. This election is a mid-term national election with several items that have been reviewed over the past several meetings that could dramatically affect the Town's future financial picture including:

- Amendment 60
  - Repeal the current voter-approved authority of local governments to keep property taxes above their constitutional limits;
  - Establish expiration dates for future voter-approved property tax increases;
  - Cut local property tax rates for public schools' operating expenses in half over ten years and replace this money with state funding each year;
  - Require publicly owned enterprises to pay property taxes and reduce local property tax rates to offset the new revenue; and
  - Provide new voting rights to certain property owners in Colorado and permit citizens to petition all local governments to reduce property taxes.
- Amendment 61
  - Prohibit all new state government borrowing after 2010;
  - Prohibit new local government borrowing after 2010, unless approved by voters;
  - Limit the amount and length of time of local government borrowing; and
  - Require that tax rates be reduced after borrowing is fully repaid.
- Proposition 101
  - Reduce the state income tax rate from 4.63 percent to 4.5 percent in 2011, and to 3.5 percent gradually over time;
  - Reduce or eliminate taxes and fees on vehicle purchases, registrations, leases, and rentals over the next four years;
  - Eliminate all state and local taxes and fees on telecommunication services, except 911 fees; and
  - Require voter approval to create or increase fees on vehicles and telecommunication services.

In addition the Town of Minturn has two ballot questions of our own:

- Question 2A

  This question asks the Town citizens for permission to collect a use tax on construction material bought outside of Town for projects built within the Town's limits. This tax would be collected at the time building permit is issued and would be collected in lieu of sales tax collected at the time of the sale. It is important to note this tax will not increase the cost to the consumer; rather it will redirect sales taxes to the Town of Minturn allowing development to better pay for its effects as they occur.
- Question 2B

  This question asks the Town citizens if the Town shall ban the operation and licensing of medicinal marijuana centers and cultivation operations. This decision is important as, under Colorado law, these operations will be legal unless specifically banned effective June 1, 2011. A vote on this now will allow the Council clear voter direction on this issue for the future.

Town of Minturn
302 PINE STREET
P. O. BOX 309, MINTURN, CO 81645
(970) 827-5645 FAX (970) 827-5545

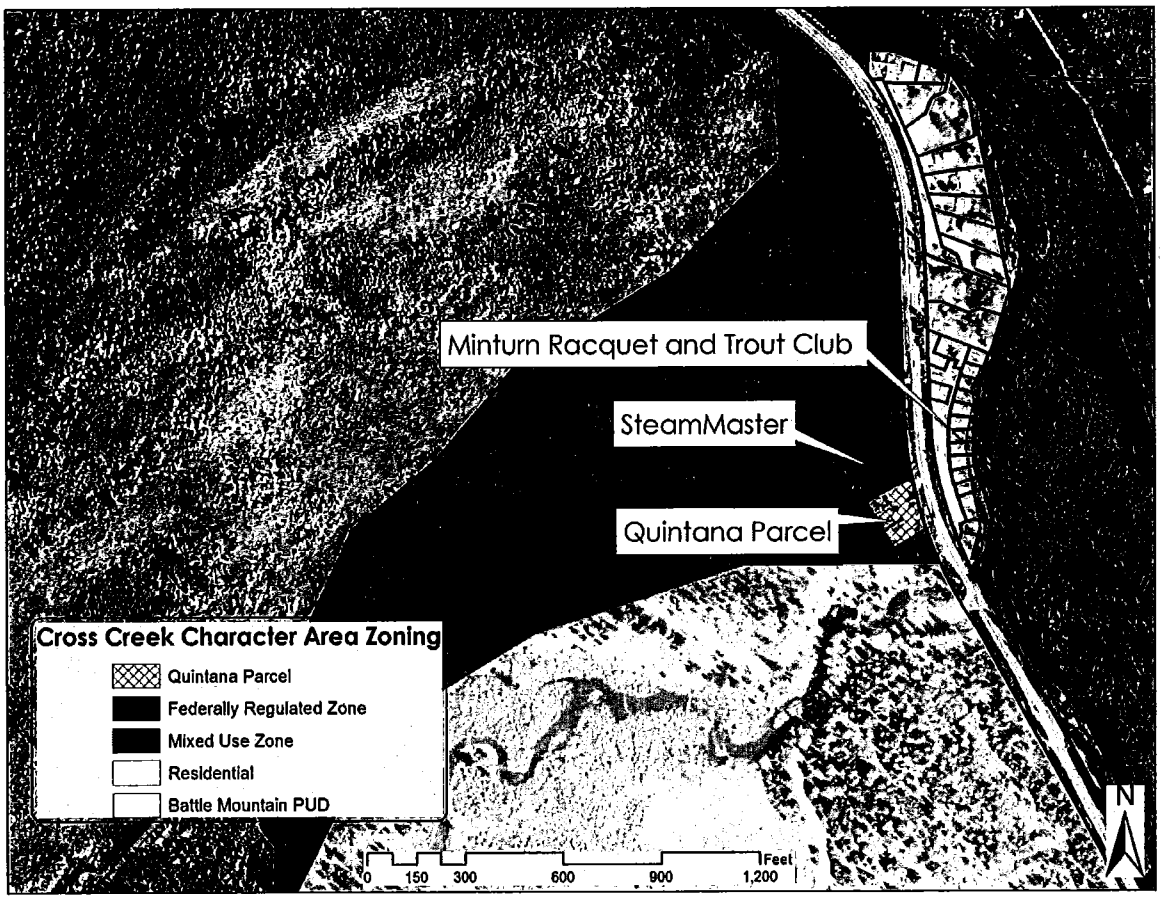
Town Council
MR. GORDON FLAHERTY, MAYOR
MR. GEORGE BRODIN, MAYOR PRO TEM
MRS. SHELLEY BELLM
MR. JERRY BUMGARNER
MR. EARLE BIDEZ
MR. AGGIE MARTINEZ
MR. JOHN ROSENFELD

TOWN OF MINTURN PLANNING DEPARTMENT
Subject: Resolution 17 – 2010; A Resolution Establishing Eligibility For Annexation of the Quintana Country Club Parcel
Chris Cerimele, Town Planner
Hearing Date: November 3, 2010
Staff Recommendation: Approval

APPLICANT
Frances Quintana

AGENDA ITEM BRIEF
This item is a public hearing on Resolution 17 – 2010. The purpose of this hearing is for the Town Council to determine whether the area proposed to be annexed meets the applicable requirements of sections 31-12-104 and 31-12-105 of the Colorado Revised Statute (C.R.S.) and is eligible for annexation.

LOCATION: 1973 Highway 24



BACKGROUND

The applicant submitted a petition for annexation to the Town Clerk on August 20, 2010. Staff reviewed the petition and presented it to the Town Council at the September 15, 2010 meeting. Per staff recommendation, the Town Council passed a Resolution stating that the petition met the substantial requirements of the State Statute pertaining to annexations and set the public hearing date for the annexation petition for November 3, 2010. The November 3rd hearing is to determine whether the Quintana Country Club Parcel is eligible for annexation into the Town of Minturn.

ANALYSIS

Per Section 16-1-70 (Annexation Procedure) of the Minturn Municipal Code, "*annexation of land shall be governed by the Colorado Municipal Annexation Act of 1965, as now existing or hereafter amended, except as otherwise provided in the Home Rule Charter or by ordinance hereafter enacted.*"

Public notice of the annexation was provided in accordance with C.R.S. 31-12-108 – Setting Hearing Date – Notice Given. A copy of the notice is attached to this report. Furthermore, notice of the annexation proceedings was provided to the following agencies: Eagle County Planning Department; Eagle County Board of County Commissioners; Eagle County School District; United States Forest Service; CO Department of Wildlife; C.D.O.T.; CO Department of Local Affairs; and the Towns of Red Cliff, Avon and Vail. These agencies were given the opportunity to provide comments on the proposed annexation. Eagle County and Vail were the only agencies to respond and neither objected to the proposal.

A parcel of land is eligible for annexation if it meets the requirements of C.R.S. 31-12-104 – Eligibility for Annexation and 31-12-105 - Limitations. The criteria for annexation are as follows:

- *That not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the annexing municipality.*

- *That a community of interest exists between the area proposed to be annexed and the annexing municipality; that said area is urban or will be urbanized in the near future; and that said area is integrated with or is capable of being integrated with the annexing municipality.*

The Country Club Tract Annexation Map indicates contiguity between the subject parcel and the Town of Minturn along the Country Club Tract's northern boundary. This boundary line is 150.74 feet in length. The total perimeter of the

Country Club Tract is 565.45 feet. Therefore, the contiguous boundary with the Town, as shown on the annexation map, is 26.6% of the Country Club Tract's total perimeter. This exceeds the one-sixth (16.6%) requirement by ten percent. What is not indicated on the map is that the entire parcel shares a boundary with the Town of Minturn.

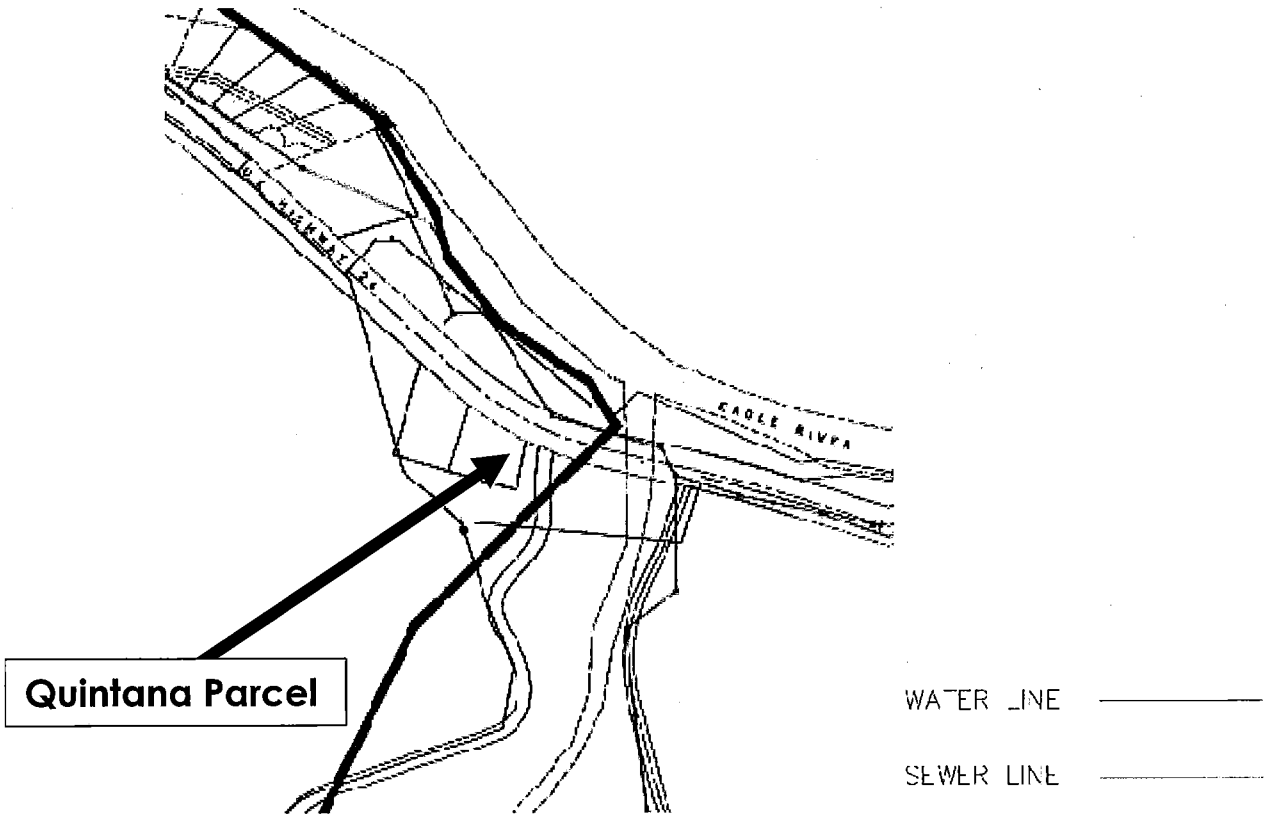
To support the second eligibility requirement, a community of interest *does* exist between the two areas. This is evidenced by the fact that the parcel is entirely surrounded by land that is within the municipal boundary of the Town of Minturn. Furthermore the property is currently served by Minturn's municipal water service.

C.R.S. 31-12-108.5 Annexation Impact Report – Requirements - states that an annexation impact report is not required for annexations that are ten acres or less in total area. Nonetheless, staff has addressed the applicable components of an annexation impact report.

C.R.S. 31-12-108.5 §A requires a map or maps of the municipality and adjacent territory to show the following information:

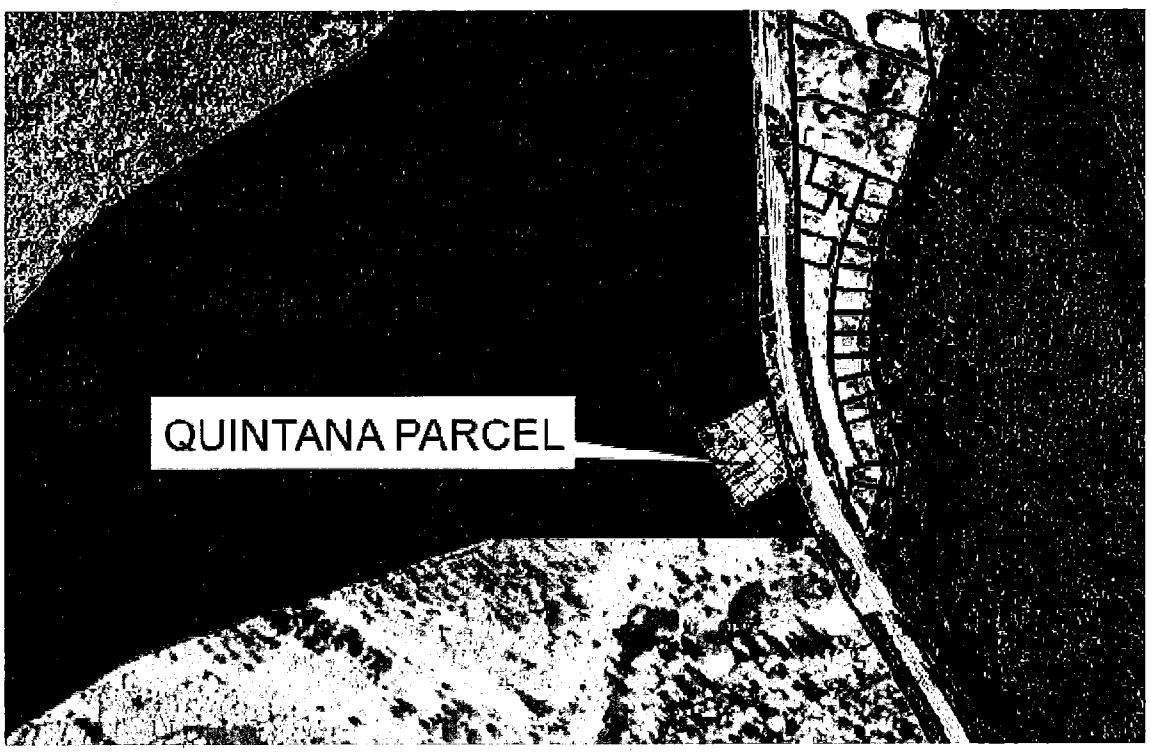
- The present street, major trunk water mains, sewer interceptors and outfalls, other utility lines and ditches, and the proposed extension of such street and utility lines in the vicinity of the proposed annexation.

The following map illustrates water and sewer trunk lines in the vicinity of the annexation parcel.



- The existing and proposed land use pattern in the areas to be annexed.

This map shows existing land use paterns in the vicintiy of the proposed annexation. The parcel is bordered to the west and south by United States Forest Service Land. A mixed use parcel borders the site to the north, and a residential development is located to the east. The applicant is proposing a mixed-use zoning designation for this parcel. Council will consider this request at an upcoming meeting.



Cross Creek Character Area Zoning

- Quintana Parcel
- Federally Regulated Zone
- Mixed Use Zone
- Residential
- Battle Mountain PUD

Other additional requirements of an annexation impact report include:

- A statement setting forth the plans of the municipality for extending to or otherwise providing for, within the area to be annexed, municipal services performed by or on behalf of the municipality at the time of annexation.

No extension of the municipal water system is required to service this parcel.

Mon, Sep 20, 2010 12:51:37

5598600

Ad Ticket #5

Acct: 1003134
Phone: (303)827-5645
E-Mail:
Client:
Caller: Chris Cerimele
Receipt

Name: Town of Minturn
Address: PO Box 309

City: Minturn
State: CO **Zip:** 81645-0309

Ad Name: 5598600A
Editions: 8VD/8VDI/
Start: 09/26/10
Color:
Copyline: 5598600 Quintana Annexation

Original Id: 0
Class: 0990
Stop: 10/31/10
Issue 6
Rep: Pam Schultz

Lines:	31
Depth:	2.6
Columns:	1
Discount:	0.00
Commission:	0.00
Net:	0.00
Tax:	0.00
Total	144.15
Payment	0.00

PUBLIC NOTICE

Notice is hereby given that the Town of Minturn has received a Petition for Annexation for a .436 acre parcel of land commonly referred to as the "Country Club Parcel".

On September 15, 2010, The Town Council for the Town of Minturn passed Resolution 16 - 2010. This Resolution sets the public hearing on the Petition for Annexation for the following date, time and place.

- November 3, 2010
- 7:00 pm
- Minturn Town Center
- 302 Pine Street
- Minturn, CO 81645

At the above place, date and time, the Town Council will hold a hearing upon Resolution 16-2010 for the purpose of determining and finding whether the area proposed to be annexed meets the applicable requirements of sections 31-12-104 and 31-12-105 of the Colorado Revised Statute and is considered eligible for annexation. Please direct any questions to the Minturn Town Planner at 970-827-5645.

Published in the Vail Daily September 26, 2010 and October 3, 10, 17, 24, and 21, 2010. (5598600)

Ad shown is not actual print size

Since the annexation parcel is within the current municipal boundary, the annexation will create no additional demands on the municipal police force.

- A statement setting forth the method under which the municipality plans to finance the extension of the municipal services into the area to be annexed

N/A

- A statement identifying existing districts with the area to be annexed.

The subject parcel is a part of the following districts: Eagle River Water and Sanitation District; Eagle County School District and Eagle River Fire Protection District.

- A statement on the effect of annexation upon local-public school district systems, including the estimated number of students generated and the capital construction required to educate such students.

The parcel is currently a part of the Eagle County School District. As such, no new capital construction will be necessary.

STAFF RECOMMENDATION

Staff recommends approval of Resolution 17 – Series 2010. Approval of this Resolution will certify that the parcel is eligible for annexation and that the governing body may thereupon annex the area proposed to be annexed by Ordinance (C.R.S. 31-12-111)

DRAFT MOTION

I move to approved Resolution 17 – 2010

OR:

I move an alternate motion

Respectfully Submitted

Chris Cerimele

Chris Cerimele, Town Planner

ATTACHMENTS:

Resolution 17 – 2010
Annexation map
Proof of publication

TOWN OF MINTURN, COLORADO
RESOLUTION NO. 17 – SERIES 2010

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLOARDO ESTABLISHING ELIGIBILITY FOR ANNEXATION OF THE QUINTANA COUNTRY CLUB PARCEL

WHEREAS, Pursuant to Section 31-12-107 (1) (a), C.R.S., a Petition for annexation to the Town of Minturn, Colorado of unincorporated land located in the County of Eagle, State of Colorado as more particularly described in the legal description, a copy of which is attached hereto as Exhibit A and incorporated herein by reference, was submitted to the Town Clerk on August 20, 2010, and referred there from to the Town Council of the Town of Minturn, and;

WHEREAS, the Town Council of the Town of Minturn passed Resolution No. 16 – Series 2010 finding and determining that a public hearing should be held to determine if the proposed annexation complies with section 30 of article II of the State Constitution; Sections 31-12-104 and 31-12-105, C.R.S., or such parts thereof as may be required to establish eligibility for annexation to the Town of Minturn under the terms of Sections 31-12-101, to 31-12-123 C.R.S.

WHEREAS, public notice of the hearing was provided in accordance with the provisions of C.R.S. 31-12-108 and held such hearing on November 3, 2010, which date was not less than 30 days nor more than 60 days after the effective date of the resolution setting the hearing.

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

Section 1. Findings of Fact. The Town Council of the Town of Minturn has determined that requirements of the applicable parts of Sections 31-12-104 and 31-12-105, C.R.S. have been met including the following findings of fact:

1. Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the Town of Minturn.
2. A community of interest exists between the area proposed to be annexed and the Town of Minturn, based on contiguity between the Town and the area proposed to be annexed.
3. The area is urban or will be urbanized in the future.
4. The area is integrated with or is capable of being integrated with the Town of Minturn.
5. No land held in identical ownership has been divided into separate parts or parcels without the written consent of the landowners thereof.
6. No land comprising twenty acres or more with a valuation for assessment in excess of two hundred thousand dollars for ad valorem tax purposes for the year next preceding the annexation has been included without written consent of the landowners
7. No annexation proceedings concerning the area proposed to be annexed have been commenced by another municipality.
8. This proposed annexation will not result in the detachment of the area proposed to be annexed from the Eagle County School District RE50J
9. No part of the area proposed to be annexed extends the existing Town of Minturn boundary more than three miles in any direction from the Town in any one year.
10. No additional terms and conditions are being imposed by the Town upon the area

proposed to be annexed in accordance with C.R.S. 31-12-112.

11. No petition for annexation election has been submitted and an election is not required pursuant to C.R.S. 31-12-107 (2) and 31-12-112.
12. Notice of this hearing was published and mailed as required by C.R.S. 31-12-108
13. No annexation impact report is required because the proposed annexation is less than 10 acres.

Section 2. Conclusions. The Town Council of the Town of Minturn, pursuant to C.R.S. 31-12-110, therefore further finds and concludes the following:

1. The area proposed for annexation as the Quintana Country Club Annexation is eligible for annexation pursuant to the applicable parts of C.R.S. 31-12-104.
2. None of the limitations C.R.S. 31-12-105 apply to restrict annexation of such parcel.
3. The requirements of the applicable parts of C.R.S. 31-12-104 and 31-12-105 have been met.
4. A determination has been made that additional terms and conditions are not to be imposed.
5. An election is not required under C.R.S. 31-12-107(2)
6. Said parcel may be annexed by Ordinance pursuant to C.R.S. 31-12-107 (1) (g) and 31-12-11 without election.
7. Having found that the Quintana Country Club Annexation Parcel is eligible to be annexed, the Town Council of the Town of Minturn hereby resolves that the parcel should be annexed to the Town of Minturn by Ordinance and the Town Council of the Town of Minturn will undertake further proceedings to pass such an Ordinance confirming and adopting the Resolution in accordance with the applicable provisions of the Minturn Municipal Code and Charter and Municipal Annexation Act of 1965.

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 3rd day of November, 2010.

TOWN OF MINTURN

By:_____
Mayor

ATTEST:

_____
Town Clerk

EXHIBIT A

TO PETITION FOR ANNEXATION

LEGAL DESCRIPTION OF ANNEXATION PROPERTY

COUNTRY CLUB TRACT

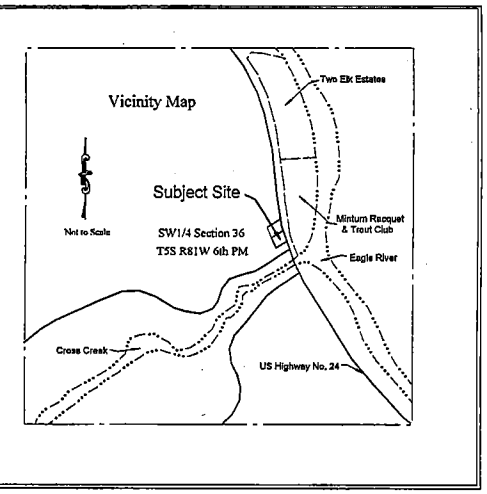
COUNTRY CLUB TRACT ANNEXATION DESCRIPTION

A tract of land designated the " Country Club Tract " located in Section 36, Township 5 South, Range 81 West of the 6th Principal Meridian according to the Dependent Resurvey of said Township and Range approved by the U.S. Department of Interior General Land Office in Denver, Colorado on September 13, 1943; said tract of land being more particularly described as follows, to wit: Beginning at Corner No. 1 located on the westerly right-of-way boundary line of U.S. Highway No. 24 from which the South Quarter Corner of Section 36 bears S 27°37'50" E 1568.35 feet distant; and also an iron pin Witness Corner for Corner No. 1 with an aluminum cap marked " W.C. " bears N 56°24'30" E, 9.45 feet distant from Corner No. 1; thence continuing along said highway right-of-way boundary line 151.58 feet on a curve to the right having a radius of 756.30 feet, the chord of which bears N 13°39'10" W, 151.33 feet to Corner No. 2 from which an iron pin Witness Corner for Corner No. 2 with an aluminum cap marked " W.C. " bears N 61°04'40" E, 2.26 feet distant; thence departing from said highway right-of-way boundary line and following an existing fence line S 61°04'40" W, 150.74 feet to Corner No. 3, an iron pin monument with an aluminum cap marked " PROP. COR. " ; thence S 29°55'30" E, 154.84 feet to Corner No. 4, an iron pin monument with an aluminum cap marked " PROP. COR. " ; thence following the existing fence N 56°24'30" E, 108.54 feet to Corner No. 1, the place of beginning; said tract of land containing 0.436 of an acre, more or less.

Country Club Tract Annexation Map

Part of Section 36, Township 5 South, Range 81 West of the 6TH Principal Meridian

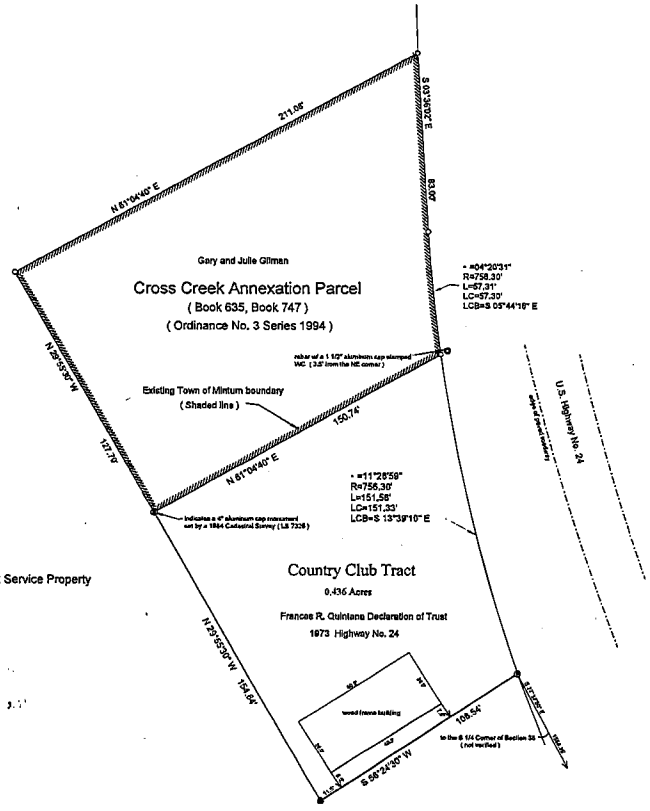
County of Eagle, State of Colorado



Contiguous Boundary Statement

The contiguous boundary with the Town of Mintum Boundary is greater than one-sixth of the total perimeter of the Country Club Tract.

Specifically the contiguous boundary with the town is 150.74 feet. The perimeter of the Country Club Tract is 565.45 feet.



General Notes:

1) Date of Annexation Map Preparation: July 2010

2) Basis of Bearings: based upon the northerly boundary line of the Country Club Tract having a bearing of N 61°04'40" E. Monuments as indicated on the drawing.

3) According to Colorado law, you must commence any legal action based upon any defect on this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown hereon.

Leland Lechner PLS 30946 County Rd. 356, Buena Vista, Co. 81211 (719)395-9160

Legal description:

Country Club Tract Annexation Parcel

A tract of land designated the " Country Club Tract " located in Section 36, Township 5 South, Range 81 West of the 6th Principal Meridian according to the Dependent Resurvey of said Township and Range approved by the U.S. Department of Interior General Land Office in Denver, Colorado on September 13, 1943; said tract of land being more particularly described as follows, to wit:
Beginning at Corner No. 1 located on the westerly right-of-way boundary line of U.S. Highway No. 24 from which the South Quarter Corner of Section 36 bears S 27°37'55" E 1568.23 feet distant; and also an iron pin Witness Corner for Corner No. 1 with an aluminum cap marked " W.C. " bears N 56°24'30" E, 9.45 feet distant from Corner No. 1; thence continuing along said highway right-of-way boundary line 151.58 feet on a curve to the right having a radius of 756.30 feet, the chord of which bears N 13°39'10" W, 151.33 feet to Corner No. 2 from which an iron pin Witness Corner for Corner No. 2 with an aluminum cap marked " W.C. " bears N 61°04'40" E, 2.26 feet distant; thence departing from said highway right-of-way boundary line and following an existing fence line S 61°04'40" W, 150.74 feet to Corner No. 3, an iron pin monument with an aluminum cap marked " PROP. COR. "; thence S 29°55'57" E, 154.84 feet to Corner No. 4, an iron pin monument with an aluminum cap marked " PROP. COR. "; thence following the existing fence N 56°24'30" E, 108.54 feet to Corner No. 1, the place of beginning; said tract of land containing 0.436 of an acre, more or less.

Note:
The legal description was taken from a deed recorded at Reception No. 246612. The monumentation and fencing described in this description have been lost and were replaced by the monuments set in more recent surveys (by others) and are described on the drawing hereon.

Owner: Frances R. Quintana Declaration of Trust

By: Frances R. Quintana, Trustee

_____

Address: _____
Box 261
Mintum, CO 81645

The foregoing instrument was acknowledged before me the _____ day of _____, A.D. 2010 by Frances R. Quintana who is personally known to me by such persons.

My commission Expires: _____

Witness my hand and seal.

STATE OF _____)
) SS
COUNTY OF _____)

_____
Notary Public

Surveyor's Certificate

I, Leland Lechner being a professional land surveyor in the State of Colorado do hereby certify that this Country Club Tract Annexation Map was prepared by me and I further certify that the contiguous boundary with the Town of Mintum is greater than one-sixth of the total perimeter of the Country Club Tract.

Leland Lechner PLS 25506

_____

Mintum Town Council Certificate

The Town Council of Mintum, Colorado by Resolution No. _____ duly adopted on the _____ day of _____, found and determined that annexation of the property described hereon as Country Club Tract complies with the requirements contained in Article 12, Title 31 C.R.S. as amended and that said property is eligible for annexation to the Town of Mintum.

The Town Council of the Town of Mintum, Colorado by Ordinance No. _____ duly adopted on the _____ day of _____ 2010 did annex the property described hereon as Country Club Tract to the Town of Mintum.

Mayor

_____

Town Clerk

Attest:

_____

Clerk and Recorder's Certificate

This Annexation Map was filed for record in the Office of the Clerk and Recorder at _____ o'clock _____, on this _____ day of _____, 2010 and is duly recorded at Reception No. _____

_____
Clerk and Recorder

By: _____
Deputy

54

Mon, Sep 20, 2010 12:51:37

5598600

Ad Ticket #5

Acct: 1003134
Phone: (303)827-5645
E-Mail:
Client:
Caller: Chris Cerimele

Name: Town of Minturn
Address: PO Box 309
City: Minturn
State: CO **Zip:** 81645-0309

Receipt

Ad Name: 5598600A
Editions: 8VD/8VDI/
Start: 09/26/10
Color:
Copyline: 5598600 Quintana Annexation

Original Id: 0
Class: 0990
Stop: 10/31/10
Issue 6
Rep: Pam Schultz

Lines:	31
Depth:	2.6
Columns:	1
Discount:	0.00
Commission:	0.00
Net:	0.00
Tax:	0.00
Total	144.15
Payment	0.00

PUBLIC NOTICE

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- November 3, 2010
- 7:00 pm
- Minturn Town Center
- 302 Pine Street
- Minturn, CO 81645

At the above place, date and time, the Town Council will hold a hearing upon Resolution 16-2010 for the purpose of determining and finding whether the area proposed to be annexed meets the applicable requirements of sections 31-12-104 and 31-12-105 of the Colorado Revised Statute and is considered eligible for annexation. Please direct any questions to the Minturn Town Planner at 970-827-5645.

Published in the Vail Daily September 26, 2010 and October 3, 10, 17, 24, and 21, 2010. (5598600)

Ad shown is not actual print size

55

P.O. Box 309 ♦ 302 Pine Street
Minturn, CO 81645
Phone: 970-827-5645
Fax: 970-827-5545
Email: manager@minturn.org

Minturn

TOWN COUNCIL
Mayor – Gordon "Hawkeye" Flaherty
Mayor Pro Tem – George Brodin
Councilwoman – Shelley Bellm
Councilman – Jerry Bumgarner
Councilman – Earle Bidez
Councilman – Aggie Martinez
Councilman – John Rosenfeld

AGENDA ITEM COVER SHEET

AGENDA TITLE: Ordinance 10 - 2010
MEETING DATE: November 3, 2010
PRESENTER: Chris Cerimele
BACKGROUND: If passed this Ordinance will result in an amendment to the official zoning map of the Town of Minturn. The applicant, Frances Quintana, is requesting that a 4.36 acre of parcel of land undergoing annexation proceedings be assigned a mixed use zoning designation. Staff is requesting that this item be tabled until after passage of Resolution 17 - 2010.
CORE ISSUES: none
BUDGET/FINANCE IMPLICATIONS: none
STAFF RECOMMENDATION/MOTION: Staff is requesting that this item be tabled until the November 17, 2010 hearing.

MINTURN GENERAL IMPROVEMENT DISTRICT ("GID")
302 Pine Street
Minturn, CO 81645
(970) 827-5645

NOTICE OF MEETING AND AGENDA

DATE: Wednesday, November 3, 2010

TIME: 7:00 P.M.

PLACE: Minturn Town Center
302 Pine Street
Minturn, CO 81645
(970) 827-5645

Board of Directors	Office	Term Expires
Gordon "Hawkeye" Flaherty, Mayor	President	April 2012
George Brodin, Mayor Pro Tem	Assistant Secretary	April 2012
Shelley Bellm	Assistant Secretary	April 2014
Earle Bidez	Assistant Secretary	April 2014
Jerry Bumgarner	Assistant Secretary	April 2012
Aggie Martinez	Assistant Secretary	April 2014
Matt Scherr	Assistant Secretary	April 2012
David Kleinkopf	Non-voting Ex-Officio Board Member	N/A
Sarah J. Baker, Esq.	Non-voting Ex-Officio Board Member	N/A
Jay Brunvand	Secretary and Treasurer	N/A

I. ADMINISTRATIVE MATTERS

A. Approval of Agenda.

B. Review and approve minutes from the March 3, 2010 Board Meeting.

C. Discuss meeting dates for 2011. Meetings to be scheduled for February/March for audit exemption and a meeting in November for 2012 budget approval.

II. FINANCIAL MATTERS

A. Discuss and consider ratifying appointment of Town Staff to prepare 2011 GID Budget.

B. Discussion/Action – 2011 General Improvement District Budget: Public Hearing and Council Comments.

C. Discussion/Action – Consider adoption of Resolution No. 2010-11-01 Resolution to Adopt Budget and Resolution No. 2010-11-02 Resolution to Appropriate Sums of Money.

D. Discuss and consider appointment of Clifton Gunderson, LLP to prepare and file 2010 Application for Audit Exemption.

III. LEGAL MATTERS

A. Review and consider approval of the proposed 2011 Operation Funding Agreement by and among the Minturn General Improvement District, Ginn Battle North, LLC, Ginn Battle South, LLC, and Ginn-LA Battle One, LTD, LLLP.

B. Discuss results of November 2, 2010 election.

IV. OTHER BUSINESS

V. ADJOURNMENT

There are no other meetings scheduled for 2010.

Minturn General Improvement District Meeting Minutes
March 3, 2010
Minturn Town Hall

1. Convene as GID Board

Mayor Hawkeye convened the Minturn General Improvement District Board meeting at 8:57 p.m.

Those present included Hawkeye Flaherty, George Brodin, Shelley Bellm, Jerry Bumgarner, Aggie Martinez, and Ex-Officio Member Sarah Baker. *(Note: Matt Scherr & Lorraine Haslee were excused absent)*

2. Approval of Agenda

Motion by Shelley B., second by Aggie M., to approve the agenda as amended; all voted in favor. *(Note: Matt Scherr & Lorraine Haslee were excused absent)*

3. Review and Approval of minutes

- **February 17, 2010 Board Meeting Minutes**

Motion by Aggie M., second by George B., to approve the General Improvement District Board meeting minutes of February 17, 2009 as presented; all voted in favor. *(Note: Shelley B abstained as she was not present at the February 17, 2010 meeting Matt Scherr & Lorraine Haslee were excused absent)*

4. <u>Discussion/Action</u>: Resolution NO. 2010-03-01, A Resolution approving exemption from audit for the fiscal year 2009 for the Minturn General Improvement District, Eagle County, Colorado.

Hawkeye noted the changes to the Resolution that have been presented to the Board. This revised Resolution would be considered.

Motion by Shelley B., second by Jerry B., to approve the redlined version of Resolution NO. 2010-03-01, A Resolution approving exemption from audit for the fiscal year 2009 for the Minturn General Improvement District, Eagle County, Colorado; all voted in favor. *(Note: Matt Scherr & Lorraine Haslee were excused absent)*

5. Financial Matters

- Discuss and consider approval of the 2009 Application for Exemption from Audit

Hawkeye introduced the agenda item for discussion. Ms. Sarah Baker and Jay B. outlined the pertinent information and reason for the Application for Exemption.

Motion by Jerry B., second by George B., to approve the Minturn General Improvement District Application for Exemption from Audit for the Fiscal Year 2009; all voted in favor. *(Note: Matt Scherr & Lorraine Haslee were excused absent)*

- Discuss the District's written notification to Ginn Battle North, LLC, Ginn BattleSouth, LLC and Ginn-LA Battle One LLLP of any remaining amounts on deposit with the District under the 2009 Operation Funding Agreement

Hawkeye introduced the agenda item for discussion. Ms. Sarah Baker referred to a letter that was distributed to the Board. Mr. Dave Kleinkopf, Jim W. and Jay B. met in late 2009 to discuss the funding of the GID. It was agreed at that time for Battle Mtn Dev. to forward sufficient funds to cover the existing and anticipated funds to cover the fiscal year 2009 and to further fund the budget for 2010. As this was done in 2009 the letter notes the additional 2010 funds and stipulated those funds for 2010.

Motion by Shelley B., second by George B., to approve the Minturn General Improvement District funding for fiscal year 2010; all voted in favor. *(Note: Matt Scherr & Lorraine Haslee were excused absent)*

6. Other GID Business

7. Future Meetings

- November 3, 2010

8. Adjourn as GID Board; convene as Minturn Town Council

Motion by Aggie M., second by Shelley B., to adjourn as the GID Board and reconvene as Minturn Town Council.

_____

Hawkeye Flaherty, President

ATTEST:

_____

Jay Brunvand, Secretary Date

MINTURN GENERAL IMPROVEMENT DISTRICT
ADOPTED BUDGET
GENERAL FUND
FOR THE YEAR ENDING DECEMBER 31, 2011

	ACTUAL 2009	EST YE 2010	PROPOSED 2011
Beginning Funds Available	$0	$10,426	$5,014.00
Revenue			
Property Taxes	$0	$0	$0.00
Specific Ownership Taxes	$0	$0	$0.00
Developer Advance	$16,250	$0	$0.00
Miscellaneous Income	$0	$0	$0.00
Total Revenue	$16,250	$0	$0.00
Total Funds Available	$16,250	$10,426	$5,014.00
Expenditures			
Accounting	$1,124	$912	$500.00
Insurance	$0	$0	$0.00
SDA Dues	$0	$0	$0.00
Legal	$4,577	$4,500	$4,500.00
District Management (Town Staff)	$123	$0	$0.00
Operations and Maintenance of Public Improvements	$0	$0	$0.00
Total Expenditures	$5,824	$5,412	$5,000.00
Emergency Reserve	-	-	-
Total Expenditures Requiring Appropriation	$5,824	$5,412	$5,000.00
Ending Funds Available	$10,426	$5,014	$14.00

RESOLUTION NO. 2010-11-01

RESOLUTION TO ADOPT BUDGET

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE MINTURN GENERAL IMPROVEMENT DISTRICT, EAGLE COUNTY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2011, AND ENDING ON THE LAST DAY OF DECEMBER 2011

WHEREAS, the Board of Directors of the Minturn General Improvement District ("District") appointed Town staff to prepare and submit a proposed budget to said governing body at the proper time; and

WHEREAS, Town staff submitted a proposed budget to this governing body for its consideration; and

WHEREAS, upon due and proper notice, published in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on November 3, 2010, and interested taxpayers were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, the budget has been prepared to comply with all terms, limitations and exemptions, including, but not limited to, reserve transfers and expenditure exemptions, under Article X, Section 20 of the Colorado Constitution ("TABOR") and other laws or obligations which are applicable to or binding upon the District; and

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE Board of Directors of the Minturn General Improvement District, Eagle County, Colorado:

1. That estimated expenditures for each fund are as follows:

   General Fund: $5,000.00

2. That estimated revenues for each fund are as follows:

   General Fund: $5,000.00

3. That the budget as submitted, and hereinabove summarized by fund, hereby is approved and adopted as the budget of the Minturn General Improvement District for the year stated above.

4. That the budget hereby approved and adopted is made a part of the public records of the Minturn General Improvement District.

APPROVED AND ADOPTED this 3rd day of November, 2010.

MINTURN GENERAL IMPROVEMENT DISTRICT

By: _____
President

Attest:

By: _____
Secretary

I, _____, hereby certify that I am a Director and the duly elected and qualified Secretary of the Minturn General Improvement District, and that the foregoing is a true and correct copy of the budget for the budget year 2012, duly adopted at a meeting of the Board of Directors of the Minturn General Improvement District held on the 3rd day of November, 2010.

_____
Secretary

RESOLUTION NO. 2010-11-02

RESOLUTION TO APPROPRIATE SUMS OF MONEY

A RESOLUTION APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNT AND FOR THE PURPOSE AS SET FORTH BELOW, FOR THE MINTURN GENERAL IMPROVEMENT DISTRICT, EAGLE COUNTY, COLORADO, FOR THE 2011 BUDGET YEAR.

WHEREAS, the Board of Directors has adopted the annual budget in accordance with the Local Government Budget Law, on November 3, 2010, and;

WHEREAS, the Board of Directors has made provision therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget, and;

WHEREAS, it is not only required by law, but also necessary to appropriate the revenues provided in the budget to and for the purposes described below, thereby establishing a limitation on expenditures for the operations of the Minturn General Improvement District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MINTURN GENERAL IMPROVEMENT DISTRICT, EAGLE COUNTY, COLORADO:

1. That the following sums are hereby appropriated from the revenue of each fund, to each fund, for purposes stated:

General Fund:	$5,000.00
Debt Service Fund:	$ 0.00
Capital Projects Fund:	$ 0.00
Emergency Reserve Fund:	$ 0.00
Enterprise Fund:	$ 0.00

ADOPTED this 3rd day of November, 2010.

MINTURN GENERAL IMPROVEMENT DISTRICT

By: _____
President

Attest:

By: _____
Secretary

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