



2011

Minturn Council Meeting

Wednesday September 7, 2011

Work Session: **5:45pm**
(Town Center)

Regular Session: **6:30pm**
(Town Center)

TOP FIVE COUNCIL PRIORITIES:

- Entry Signs
- Sidewalk Installations
- Street repairs with drainage (by priority)
- 100% completion of Telemetry
- Implement Streetscape Plan



Agenda

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

Wednesday September 7, 2011

Work Session – 5:45pm
Regular Session – 6:30pm

MAYOR – Gordon “Hawkeye” Flaherty
MAYOR PRO TEM – George Brodin

TOWN MANAGER – Jim White
TOWN CLERK/TREAS – Jay Brunvand

COUNCIL MEMBERS:

Shelley Bellm
Earle Bidez
Jerry Bumgarner
Aggie Martinez
John Rosenfeld

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 3:00 p.m., Monday through Friday, excluding holidays.

Work Session – 5:45pm

- Work Session – Public Works and Water Quality Control Professionals update – A. Martinez (45min) PG 1

Regular Session – 6:30pm

- 1. Call to Order**
 - a. Roll Call
 - b. Pledge of Allegiance
- 2. Approval of Agenda**
 - a. Items to be Pulled or Added
- 3. Approval of Minutes and Action Report**
 - August 17, 2011 PG 36

- Action Item Report PG 42
- 4. **Public comments on items, which are NOT on the agenda (5 minute time limit per person)**
- 5. **Special Presentations/Citizen Recognition**
- 6. **Planning Department Update**
- 7. **Town Manager's Report** PG 43
- 8. **Town Council Comments**

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

- 9. **Discussion/Action – Ordinance 10 - 2011 (Second Reading) an Ordinance granting and approving an Encroachment Agreement between the Minturn Towne Homes and the Town of Minturn – Cerimele (15min)** PG 48
- 10. **Discussion/Action – Minturn Cemetery District – A request for a variance to drill a well to provide potable water to the Minturn Cemetery mausoleum and Town of Minturn Public Works Building – White/Cerimele (30min)** PG 49
- 11. **Discussion/Action – Minturn Cemetery District – A request for a watershed permit to construct a sewage disposal system at the Minturn Cemetery – White/Cerimele (30min)** PG 67
- 12. **Discussion/Action – A Proclamation of the Minturn Town Council of the Town of Minturn, Colorado in support of joining the National Monument of Remembrance of the 10th Anniversary of September 11th – White (5min)** PG 78
- 13. **Discussion/Action – Update on items on the Town goals list – White (30min)**

EXECUTIVE SESSION

- 14. **Executive Session – Pursuant to CRS 24-6-402(4)(f) for the purposes of discussing the Town Manager's annual review, Pursuant to CRS 24-6-402(4)(a) for the purposes to consult with the Town's Attorney(s) and receive direction regarding the negotiations of the USFS Boneyard property and Pursuant to CRS 24-6-402(4)(b) for the purposes to consult with the Town's Attorney(s) and receive direction regarding the negotiations of the Battle Mountain Resort property annexation, water right issues, and EPA update – White/Christensen** PG 87

15. Executive Session – Action by Council or Direction to Staff as a result of the Executive Session (5min)

FUTURE AGENDA ITEMS

16. Next Meeting – September 21, 2011

- Work Session – 2012 Goal Setting – White (30min) Sept 21, 2011
- Discussion/Action – Sidewalk Updated Report – White/A. Martinez (30min)
- Discussion/Action – Special Events Update Report

17. Future Meeting

- Meeting: Discussion/Action – Resolution 4 – Series 2011 a Resolution approving a subdivision exemption plat for the Maloit Park Area – Cerimele (20min)
- Meeting: Discussion/Action – Ordinance 9 – 2011 (First and Second Readings) an Ordinance allowing the sale of Medical Marijuana (TBA Meetings in January 2012 45min, NOTE: this will require two readings)
- Worksession: Request from the Planning Commission for a work session time during September with the Council to determine a sidewalk master plan.
- Worksession: FY2012 Budget Review – 10/5/11 (45min)
- Meeting: Discussion/Action – Council Action Item to formally accept the FY2012 Budget – Brunvand/White 10/5/11 (10min)
- Worksession: FY2012 Budget Work Session Retreat – Brunvand/White 10/19/11 (45min)
- Meeting: Discussion/Action – 1st Public Hearing on proposed fiscal year 2012 Budget – review public funding requests – Brunvand/White 11/2/11 (45min)
- Meeting: Discussion/Action – 2nd Public Hearing on proposed fiscal year 2012 Budget and First Reading of Budget Ordinances – Brunvand/White 11/16/11 (45min)
- Meeting: Discussion/Action – 2nd and Final Reading of proposed 2012 Budget Ordinances – Brunvand/White 12/7/11 (15min)

18. Set Future Meeting Dates

a) Council Meetings:

- September 21, 2011
- October 5, 2011
- October 19, 2011

b) Planning & Zoning Commission Meetings:

- September 14, 2011
- September 28, 2011
- October 12, 2011

c) Other Dates:

19. Adjournment

Town of Minturn Public Works

2011



WTP Drainage Issues

Before



WTP Drainage Issues

Ground water seeping into plant. Potential raw surface water entering into clear well.



Solution: install drain pipe, gutter, add rotomill to top layer of soil to divert water away from building.



Drain Gutter



Rotomill



Conduit to Filter #3 Building



Conduit installed to #3 building for well and valve control wires.

Three conduits installed for any future upgrades.

Rebuilt Vertical Turbine Pump #1



- Pump #1 being installed.
- Technicians making sure pump is plumb.
- Pump ready to go.

Treatment Plant Grounds Clean-Up

- Loading up scrap metal.



- Water Plant grounds are clear of scrap metal clutter.



Treatment Plant Grounds Clean-Up



Safety

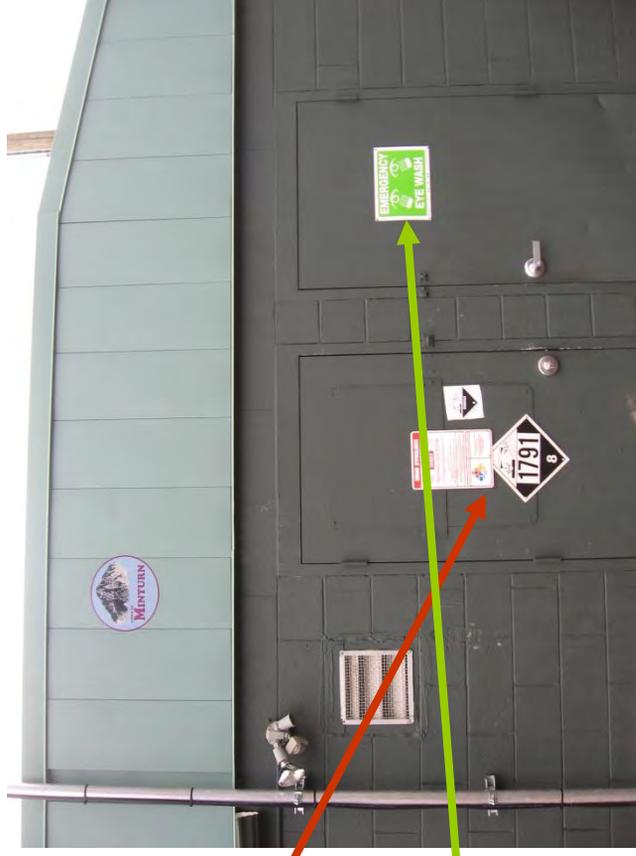
- First Aid Kit
- Fire Extinguisher
- Eye Wash Station
- Right to know charts
letting personnel
know what chemicals
are on-site.



Safety

- Chemical placards on Door

- Eyewash Station Notification



Aluminum Clear Well Access Hatch

- Aluminum box protects clear well from potential contaminants.
- Hatch lids open for sampling and flow monitoring.



Filter #3 Sand Addition

- Filter silica sand being installed.
- 5 tons of sand was added after cleaning.



Reduced Slow Sand Filter Cleaning

- Filters were being cleaned 2 to 3 times per year.
- Buy using our rights with wells #3 & #4 during runoff we are extending the life of the sand.
- Filters are now only cleaned once per year.
- This is reducing time and material costs to the Town.



New Analyzers

HACH Turbidity Analyzer



Hach CL-17
Chlorine Analyzer

Maloit Park Flow
Meter

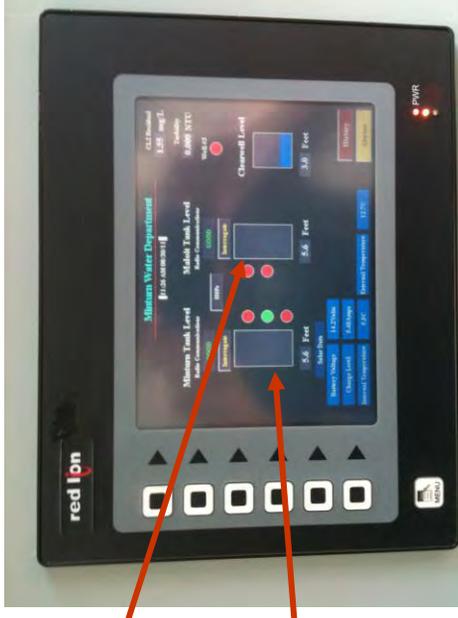
Instrumentation that
communicates with
new SCADA System

Redlion SCADA System



Current Operational Issues

- Main tank and Maloit Tank Level Sensors are only reading intermittently.



- Original radar level sensors. Being replaced the week of 9-19-11 with new ultrasonic sensors.



Minturn Distribution System

- Some hydrants are too low.
- Fireman have a hard time opening caps.
- Hard for locating in the Winter.
- Potential for plows to strike them due to the poor visibility.



Hydrant Extension

- Newly Installed
- Better visibility
- Easier access
- Easier for Fireman.



Hydrant Extensions



Hydrant Defenders

- Hydrant Defender prevents possible water theft at remote hydrants.
- Fire Department will cut lock during emergency.
- 4 Installed on most isolated hydrants

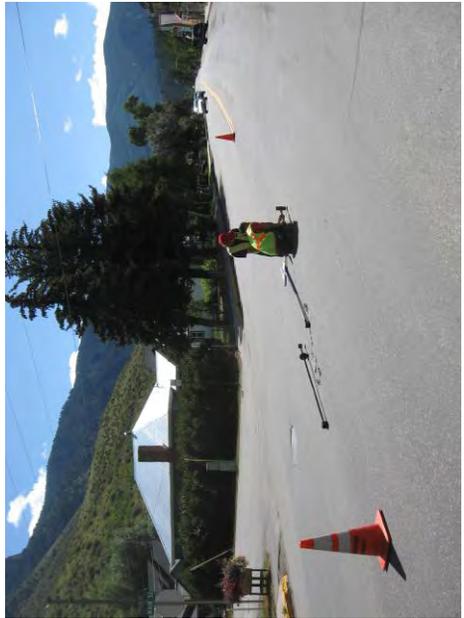


Distribution Flushing

- Annual flushing of all hydrants is recommended by the AWWA.
- Flushing lines removes sediment that can potentially cause valve damage.
- Flushing removes biological slimes that can grow in the water lines.
- Flushing program is 75% complete for the Summer. North end of town needs flushed.
- Completion Date Mid September 2011.



Valve Exercising

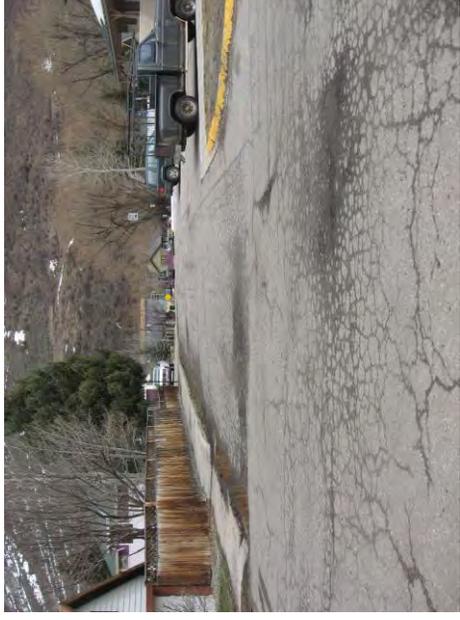


Roads In Need of Repair

- 1) Pine St. to Norman Ave.



- 2) Top of Norman Ave.



Roads In Need of Repair

- 3) Eagle St. by Park



- 4) Norman Ave. on East side of Hwy 24



Roads In Need of Repair

5) Mann Ave.

6) Top of Nelson Ave.
Street is un-paved.



Williams and Nelson



Sidewalk Repairs



Sidewalk Repairs



Dumpster Concrete Pad



River Bank Re-enforcement



Continuing Education

- Distribution Training at The Publicworks Shop.
- Crew attended water classes at the CMC Campus in Leadville for Technical Water Operations Training.



New Entrance Sign for The Town



New Entrance Sign for The Town







Official Minutes

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

Wednesday August 17, 2011

Work Session – 6:00pm
Regular Session – 6:30pm

MAYOR – Gordon “Hawkeye” Flaherty
MAYOR PRO TEM – George Brodin

TOWN MANAGER – Jim White
TOWN CLERK/TREAS – Jay Brunvand

COUNCIL MEMBERS:

Shelley Bellm
Earle Bidez
Jerry Bumgarner
Aggie Martinez
John Rosenfeld

These minutes are formally submitted to the Town of Minturn Town Council for approval as the official written record of the proceedings at the identified Council Meeting. Additionally, all Council meetings are tape-recorded and are available to the public for listening at the Town Center Offices from 8:30am – 2:00 pm, Monday through Friday, by contacting the Town Clerk at 970/824-5645 302 Pine St. Minturn, CO 81645

Work Session – 6:00pm

- **Discussion/Action – Inga Causey, Minturn Prosecuting Attorney – Hawkeye (15min)**

Regular Session – 6:30pm

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

The meeting was called to order by Mayor Flaherty at 6:46 pm.

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

Staff present: Town Attorney Allen Christensen, Treasurer/Clerk Jay Brunvand, and Deputy Clerk Michelle Metteer.

2. Approval of Agenda

- a. Items to be Pulled or Added

Motion by George B., second by Jerry B., to approve the agenda as presented; all voted in favor. (Note: Shelley B. and Aggie Martinez were absent excused.)

3. Approval of Minutes and Action Report

- August 3, 2011
- Action Item Report

Motion by George B., second by Jerry B., to approve the minutes as presented; all voted in favor. (Note: Shelley B. and Aggie Martinez were absent excused.)

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

5. Special Presentations/Citizen Recognition

Mayor Hawkeye Flaherty gave a special thanks and expression of gratitude to Chief Lorenzo Martinez and Court Clerk Lisa Osborne for their work and assistance during the passing of long-time Minturn resident Mr. Tito Eloy Montoya.

6. Planning Department Update

7. Town Manager's Report

XCEL Natural Gas Pipeline Project Continues!

The XCEL Pipeline Project from Edwards to Minturn has restarted at the northern entrance to Minturn. XCEL plans to work six days, twelve hour days from 7am to 7pm. XCEL was made aware of Minturn's Saturday weekly market. The Minturn section should take two to three weeks to complete per Jimmy Smith, project manager. Overall project completion is set for September 15, 2011. With any questions, please call XCEL at 1-877-481-6380.

Signage

The signage for the south end of Minturn is under construction. In addition, we are planning for directional signage at Cemetery Bridge for the entrance to Little Beach Park. We will be working on access agreements or easements needed for the signs.

Annual Review Information

Information and a new form were provided for you as you prepare for the Town Manager's annual review. I worked on the consolidation of multiple forms to create one that seemed to incorporate salient issues here in Minturn. Further discussion can be scheduled for the September 7, 2011 meeting.

Maloit Park Water Tank

Inspection of the Maloit Park water tank determined the need to make repairs. Public Works has secured two bids for the job. The plan would be to complete restoration of both the inside and outside of the tank. I met with a representative from the School District to discuss repairs and payment arrangements on this and other projects in Maloit Park.

Bone Yard Parcel/USFS/OSAC

On Monday evening, August 8, 2011, the Town staff made a formal presentation to the Eagle County Open Space Advisory Committee (OSAC) on the request for funding to purchase the Bone Yard property in Minturn. I also held meetings with the managers of the Towns of Vail and Avon. The Town of Avon provided a letter of support for our request.

Sidewalk Replacement Plan

Staff has completed three sidewalk projects already this summer and is checking with a resident to consider another potential project. Public Works is in the process of compiling a report for Town Council to be delivered at the September 7, 2011 Town Council meeting.

Battle Mountain Update

Current issues include pending lawsuits related to responses to the EPA, quiet title action, and legal challenges to the annexation agreement. Our committee met on August 9, 2011.

Budget Calendar

The budget review at the Town Council level will begin next month.

Colorado State Freight and Passenger Rail Plan Workshop

The Colorado Department of Transportation is holding a series of workshops around the state to receive input from key stakeholders. I plan to attend the September 1, 2011 session in Alamosa.

Vacation

My wife and I will be away on vacation from August 15 through August 26th. Jay Brunvand will be the primary contact on August 15-19 and Aug 22-23. Chris Cerimele will be the primary contact from August 24-26, 2011. If you need to reach me, I will be able to receive e-mails and phone calls while I am away.

8. Town Council Comments

George B., gave an update from the most recent OSAC meeting including a written plan, a conservation easement ensuring the land remain open space, supporting matching funding, weed mitigation, and a few other requests to fulfill before approval of funding for the purchase of the Boneyard could move forward with approval.

Hawkeye F., requested a work session with the Eagle County Sheriff to discuss jail fees.

Hawkeye F., also reminded folks that school year will be starting soon and to be cautious of children on Highway 24 and bus stops. He stated as a reminder that there is a zero tolerance for violators of the school stop driving laws.

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

9. Discussion/Action – Wendy Naugle of the Colorado Dept of Public Health and Environment (30min)

Wendy Naugle, Colorado Dept of Public Health and Environment came to present an update of the Eagle Mine Superfund Site. Mike Holmes and Warren Smith were also in attendance for introductions, questions and answers.

Next Wednesday, August 24 at 1:00pm at the Edwards Ambulance Station there will be an Eagle Mine Stakeholder meeting.

Mike Holmes will provide the Town of Minturn with a copy of the Audit Report given by the EPA to CBS Viacom.

10. Discussion/Action – Resolution 5 – Series 2011 a Resolution concerning the issuance of Special Event Permits by the Town of Minturn Liquor Licensing Authority

Motion by Jerry B., second by George B., to approve Resolution 5 – Series 2011 a Resolution concerning the issuance of Special Event Permits by the Town of Minturn Liquor Licensing Authority. All voted in favor. (Note: Shelley B. and Aggie Martinez were absent excused.)

Council Member Shelley B., arrived at the Council meeting at 8:10pm.

EXECUTIVE SESSION

11. Pursuant to CRS 24-6-402(4)(f) for the purposes of discussing the Town Manager's annual review, Pursuant to CRS 24-6-402(4)(a) for the purposes to consult with the Town's Attorney(s) and receive direction regarding the negotiations of the USFS Boneyard property and Pursuant to CRS 24-6-402(4)(b) for the purposes to consult with the Town's Attorney(s) and receive direction regarding the negotiations of the Battle Mountain Resort property annexation, water right issues, and EPA update – Christensen

Motion by Jerry B., second by George B., to convene in Executive Session pursuant to CRS 24-6-402(4)(f) for the purposes of discussing the Town Manager's annual review, Pursuant to CRS 24-6-402(4)(a) for the purposes to consult with the Town's Attorney(s) and receive direction regarding the negotiations of the USFS Boneyard property and Pursuant to CRS 24-6-402(4)(b) for the purposes to consult with the Town's Attorney(s) and receive direction regarding the negotiations of the Battle Mountain Resort property annexation, water right issues, and EPA update. All voted in favor. (Note: Aggie M., absent excused)

12. Executive Session – Action by Council or Direction to Staff as a result of the Executive Session (5min)

Adjourned Executive Session at 8:53 pm.

Direction to Staff:

- Town Council Members to bring their Individual Town Manager Reviews to the September 7, 2011 meeting.
- Earle B and George B., to be absent for the September 7, 2011 meeting.
- Town Manager, Jim White to complete the information request from the OSAC panel and to forward to Minturn Town Council with an update.
- Town Manager and Town Attorney and Council Members Bidez and Bellm to meet with Battle Mountain Corporation on August 30, 2011 to continue negotiations.

FUTURE AGENDA ITEMS

13. Next Meeting – September 7, 2011

- Town Manager's annual evaluation
- Work Session - Discussion/update: Water Quality Control Professionals – White (30min)
- Discussion/Action – Ordinance 10 - 2011 (Second Reading) an Ordinance granting and approving an Encroachment Agreement between the Minturn Towne Homes and the Town of Minturn – Cerimele (15min)
- Discussion/Action – Sidewalk Update Report – White/A. Martinez (30min)
- Discussion/Action – Update on items on the Town goals list – White (30min)

14. Future Meeting

- Work Session – 2012 Goal Setting – White (30min) Sept 21, 2011
- Meeting: Discussion/Action – Resolution 4 – Series 2011 a Resolution approving a subdivision exemption plat for the Maloit Park Area – Cerimele (20min)
- Meeting: Discussion/Action – Ordinance 9 – 2011 (First and Second Readings) an Ordinance allowing the sale of Medical Marijuana (TBA Meetings in January 2012 45min, NOTE: this will require two readings)
- Worksession: Request from the Planning Commission for a work session time during September with the Council to determine a sidewalk master plan.

15. Set Future Meeting Dates

a) Council Meetings:

- September 7, 2011
- September 21, 2011
- October 5, 2011

b) Planning & Zoning Commission Meetings:

- August 24, 2011
- September 14, 2011
- September 28, 2011

c) Other Dates:

16. Adjournment

Motion by John R., second by Shelley B., to adjourn the meeting at 8:55 pm. All voted in favor.
(Note: Aggie Martinez was absent excused.)

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: September 7, 2011
SUBJECT: Status of Action Items from Town Council Meetings

Action Item	Responsible Party	Progress Report
Town entry sign – South	White	Direction from 7/6/11 Council Meeting is to proceed with options for a sign with a goal of 2011 installation. Sign proposal has been accepted is being produced at House of Signs
Battle Mountain Annexation Scholarship Fund	White	Pursue interest money from Battle Mountain scholarship fund contributions.
Minturn Scholarship Funding	White	Council is interested in providing seed money and soliciting donations for scholarship funding. \$3,600.00 received from Battle Mountain on 8/4/2011.
Town Sidewalks	A. Martinez/White	Council requested a full update on the status of each priority to be reviewed w/Council on 9/7/11
Town Priority list	White	Council requested at the 7/20/11 meeting for a full update on the status of each priority to be reviewed w/Council on 9/7/11
OSAC Funding for Boneyard purchase	White	Council requested at the 8/17/11 meeting for a full update on the status of all submissions to OSAC.

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
Mayor – Gordon “Hawkeye” Flaherty
Mayor Pro Tem – George Brodin
Councilmember – Shelley Bellm
Councilmember – Earle Bidez
Councilmember – Jerry Bumgarner
Councilmember – Aggie Martinez
Councilmember – John Rosenfeld

To: Mayor Flaherty and Minturn Town Council
From: Jim White, Town Manager
Date: September 1, 2011
Re: **Manager’s Report for the September 7, 2011 Town Council Meeting**

XCEL Natural Gas Pipeline Project Continues!

The XCEL Pipeline Project from Edwards to Minturn continues. Jimmy Smith is project manager. Overall project completion has been extended now and is currently set for September 27, 2011. With any questions, please call XCEL at 1-877-481-6380.

Maloit Park Water Tank

Inspection of the Maloit Park water tank determined the need to make repairs. Public Works has secured two bids for the job. The plan would be to complete restoration of both the inside and outside of the tank. I met with a representative from the School District to discuss repairs and payment arrangements on this and other projects in Maloit Park. We are still awaiting a response from the School District regarding their review of the bids on the project.

Bone Yard Parcel/OSAC

On Monday evening, August 8, 2011, the Town staff made a formal presentation to the Eagle County Open Space Advisory Committee (OSAC) on the request for funding to purchase the Bone Yard property in Minturn. Though we were formally denied the funding, we received a preponderance of support verbally and were given several stipulations to pursue. We were encouraged to bring the project back when the recommendations were resolved, or improved.

Sidewalk Replacement Plan

Staff has completed three sidewalk projects already this summer and is checking with a resident to consider another potential project. Public Works is in the process of compiling a report for Town Council to be delivered at the September 21, 2011 Town Council meeting. Conversations with La Farge are in progress.

Battle Mountain Update

Current issues include pending lawsuits related to responses to the EPA, quiet title action, and legal challenges to the annexation agreement. Our committee met on August 9, 2011, and again on August 30, 2011.

9/2/2011

Budget Calendar

The budget review at the Town Council level will begin this month. Our Town Clerk/Treasurer indicated that he received the preliminary assessed valuation in August. Our collections for 2012 are estimated to be \$443,000 which is \$135,000 less than 2011, or (-23%). Although this is a preliminary valuation, it is likely not to change much through the budget process as we anticipate revenues for 2012.

Comcast

Comcast is planning to digitize its cable system. Customers are being sent letters indicating what steps to take to make the transition occur with relative ease. Self-Install Kits (SIK) are being sent to customers upon request. Initial channel cuts are slated for October 1st, and final cuts are due on November 1st, 2011. On or about November 8th, new channels may be added. Without the new boxes installed, customers will lose many channels and only have basic channels.

Residential boxes and business boxes and costs are described in the attached letters. Please review them for more details and contact information.

Public Works Recycling Program

The Public Works Department recently worked with Josh Thompson of Thompson Welding from Gypsum to cut up and recycle scrap metal that has been cluttering several public works storage sites, predominantly the water treatment facility site. The Town received \$1179 for "mixed iron". In addition, Thompson Welding provided welding repairs on some of our Town equipment.

Respectfully submitted,

Jim White
Town Manager



Get Ready for More Choice and More Control with XFINITY™.

Order digital equipment for all your TVs to continue receiving all your channels.



Customer action required by October 11, 2011

John Q. Sample
123 Any Street
Apt. 1-A
Anytown, US 12345-6789

Unique Digital ID #: [XXXX-XXXX-XXXX-XXXX]
Home Phone #: [XXX-XXX-XXXX]

For service at address:

[SERVICE ADDRESS LINE 1]
[SERVICE ADDRESS LINE 2]

Dear John Q. Sample,

Soon Comcast will bring XFINITY to your neighborhood. Once complete, our network enhancement will bring you more choice, more control, more On Demand, more speed and more HD than ever before. To make sure you're ready to enjoy Expanded Basic channels 19, 21 & 24-69 broadcast exclusively in digital format, you'll need the right digital equipment for each TV in your home.

As a result of our network enhancement, any TV without a digital set top box will NOT receive expanded basic channels 24-75.

To receive all your current channels and more, order digital equipment for **each TV in your home** not connected to a digital set-top box. If you have a TV or other device that uses a CableCARD, no additional equipment is necessary for that TV.

You can receive one digital set-top box and up to two digital adapters at no additional monthly service charge.

If you'd like additional digital devices, set-top boxes start at \$2.50 per month, and digital adapters are \$1.99 per month. Here's what each digital equipment choice provides:

Digital Device	What It Offers	Here's How To Do It
 Digital Set-Top Box	<ul style="list-style-type: none"> • Access to On Demand, Interactive Program Guide and more • Access to more channels than you currently receive, like Sprout, SyFy, NBC Weather Plus & Lifetime Movie Network • Crisp digital picture and sound 	<p>1 CLICK OR CALL Click: comcast.com/digitalnow Call: 1-800-COMCAST from your home phone. Have your Unique ID # handy (<i>located at the top of this letter</i>).</p> <p>2 INSTALL Connect the equipment to all your TVs without digital equipment, then "click or call" us to activate.</p> <p>3 THAT'S ALL Enjoy all your current programming, plus more!</p>
 Digital Adapter	<ul style="list-style-type: none"> • Crisp digital picture and sound for your Limited Basic channels 	

We'll send your digital equipment to you in a simple self-install kit right to your home — there's no shipping charge for one digital set-top box and/or two digital adapters, and you won't have to pay installation charges (professional installation is available at an additional charge).

Call us by October 11, 2011 to get your equipment, and you'll be ready ahead of time!

Rich Jennings
Comcast Mile High Region, Senior Vice President

Once your equipment is connected, you'll be ready for XFINITY – only from Comcast. More choice. More control. More speed. And more HD than ever before.

Click: comcast.com/digitalnow
Call from your home phone:
1-800-COMCAST

XFINITY service not available in all areas. Limited to residential customers receiving Expanded Basic service. Digital set-top box and remote required to receive On Demand and HD services. Access to HD channels requires an HD set-top box at an additional cost. QAM tuner TVs will continue to receive Limited Basic channels 2-23, 76 & 95 without a digital device. Pricing subject to change. Applicable equipment, installation, taxes and franchise fees extra. Comparison to Comcast's offerings prior to network upgrades. Call for details. ©2011 Comcast. All rights reserved.





xfinity™



xfinity™



**Click or Call.
Install. That's All.**

comcast.com/digitalnow
1-800-XFINITY

Use this brochure to answer questions you have and to learn about the latest network upgrade taking place.



Ready for XFINITY™?

To keep all your current channels – make sure you have the right digital equipment for *all* of your TVs.

Your guide to Comcast's latest network upgrade on:
October 11, 2011

Inside:

- Check All of Your TVs
- Digital Channel Guide

XFINITY – more of the entertainment you want, when and how you want it.

Comcast

Comcast

Check all of your TVs

You'll need to verify that *all* of your TVs are connected to a **digital set-top box** or **digital adapter**, or use a CableCARD™. If you still need equipment, you can receive one digital set-top box and up to two digital adapters at no additional monthly service charge. **Without the right digital equipment, you may lose some of your current channels once the upgrade is complete.** Here's what each digital equipment choice provides:

Here's the equipment	Here's what it costs	Here's what you'll receive
Digital set-top box 	<ul style="list-style-type: none"> ■ If you do not currently have a digital set-top box, you may order one at no additional monthly service charge ■ Additional digital set-top boxes start at \$8.00 each per month 	<ul style="list-style-type: none"> ■ Access to On Demand, an Interactive Program Guide and more ■ All your current channels, plus channels only available through your set-top box (may differ depending on your package) ■ Crisp digital picture and sound on every TV
Digital adapter 	<ul style="list-style-type: none"> ■ No additional monthly service charge for up to 2 adapters ■ Additional adapters are \$1.99 each per month 	<ul style="list-style-type: none"> ■ All your current channels, plus additional channels you don't receive now, like Sprout, SyFy & NBC Weather Plus ■ Crisp digital picture and sound on every TV
No digital equipment		<ul style="list-style-type: none"> ■ Limited Basic channels 2-23, 76 & 95

Digital Channel Guide

This chart shows the channels current customers receive with Comcast. If you are a new customer with digital set-top boxes, you may already receive the channels listed below.

These channels are unaffected by our network enhancement.

2 KWGN	6 KRMA (PBS)	10 I-70 Live	13 KDVR (FOX)	18 Eagle County TV	23 The Discovery Channel
4 KCNC (CBS)	7 KMGH (ABC)	11 KDEN (Telemundo)	14 Azteca America	19 KBDI - SD	76 C-SPAN
5 Vail Valley Community TV	8 TV8	12 KTVD (My Network TV)	16 Plum TV	20 KPXC (Ion)	95 WGN
	9 KUSA (NBC)		17 Outside TV	22 KCEC (Univision)	

The following channels will require a digital set-top box or adapter.

21 C-SPAN2	31 ABC Family	39 History Channel	47 MSNBC	54 Oxygen	62 TNT
24 QVC	32 Cartoon Network	40 A&E	48 USA	55 Food Network	63 TBS Superstation
25 ESPN	33 Nickelodeon	41 Spike TV	49 Lifetime	57 AMC	64 Telefutera
26 ESPN2	34 TV Land	42 The Weather Channel	50 FX	58 Turner Classic Movies	65 Travel Channel
27 ROOT SPORTS	35 Hallmark Channel	43 CNN	51 Comedy Central	59 G4	67 Home Shopping Network
28 Altitude	36 truTV	44 CNN Headline News	52 Versus	60 MTV	69 Galavision
29 The Golf Channel	37 The Learning Channel	45 Fox News Channel	53 E!	61 VH-1	
30 Disney Channel	38 Animal Planet	46 CNBC			

These channels will be available when you receive your new equipment.

119 Sprout	160 SyFy	183 Style	246 KMGH - Cool TV	250 NBC Universal Sports	253 KDVR - Antenna TV
128 Bloomberg	164 Shop NBC	236 KPJR - Church	247 KMGH - News	251 KBDI - DOC	271 Investigation Discovery
136 G4	170 CSPAN2	238 KPJR - JCTV	249 NBC Weather Plus	252 KBDI - World	504 Lifetime Movie Network
149 Movieplex	180 Bravo	239 KPJR - Smile			

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XFINITY service not available in all areas. Limited to residential customers receiving Expanded Basic service. Digital set-top box and remote required to receive On Demand services. QAM tuner TVs will continue to receive Limited Basic channels 2-23, 76 & 95 without a digital device. No additional equipment is necessary for TVs that use a CableCARD. Pricing subject to change. Applicable equipment, installation, taxes and franchise fees extra. Call for details. ©2011 Comcast. All rights reserved.

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



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

AGENDA ITEM COVER SHEET

AGENDA TITLE: ORD 10 - 2011; An Ordinance granting and approving an encroachment agreement between the Minturn Towne Homes Home Owners’ Association and the Town of Minturn.
MEETING DATE: September 7, 2011
PRESENTER: Chris Cerimele
BACKGROUND: This item is a request from the Minturn Towne Homes Owners’ Association for an encroachment agreement to allow the construction of a berm and drainage system on Town owned land known as Grant Ave. The request was approved on first reading by the Town Council on July 22, 2011 but tabled at the August 10, 2011 meeting. At that time, the Town Council requested that the applicants explore alternative solutions that had less impact on the land. At the present time, the owners’ association is exploring alternative solutions with Marcin Engineering and are not ready to present to the Town Council.
CORE ISSUES: Extent of the impact on Town property.
BUDGET/FINANCE IMPLICATIONS: None.
STAFF RECOMMENDATION/MOTION: Table the application until the September 21, 2011 Town Council meeting.

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. AGGIE MARTINEZ
MR. EARLE BIDEZ
MR. JOHN ROSENFELD

TOWN OF MINTURN PLANNING DEPARTMENT
Town Council Staff Report
Subject: Minturn Cemetery District; A request for a variance to drill a well to provide potable water to the Minturn Cemetery mausoleum and Town of Minturn Public Works building
Chris Cerimele, Town Planner
HEARING DATE: September 7, 2011
Staff Recommendation: approval

Background

The Minturn Cemetery District has devised a plan to provide potable water and sanitary sewer service to their recently constructed mausoleum building and the Town's Public Works facility. The plan involves drilling a well and constructing a 6,000 gallon vault for waste disposal on Cemetery District property.



The Cemetery District was issued a well permit from the Colorado Division of Water Resources – Office of the State Engineer on June 2, 2011. As stated in the well permit, the use of the well is limited to providing drinking water and sanitary facilities for the Cemetery District site (mausoleum) and the Town of Minturn Public Works building. Water from the proposed well shall not be used for lawn or landscape irrigation or for any other purpose. The permit stipulates that the annual amount of ground water to be diverted by the well shall not exceed 1/3 acre-feet (108,600 gallons). Jim McNeil, engineer of record and Cemetery District representative, estimated the total water usage for the Mausoleum and Public Works building to be 24,600 gallons per year. This calculation was based on the following:

Public Works Building

Number of employees	X	Number of gallons per employee per day	X	Number of days employee works per year	=	Gallons per year
5	X	15	X	255	=	19,125

Mausoleum

Number of customers per day	X	Number of gallons per customer per day	X	Number of days facility is open per year	=	Gallons per year
1	X	15	X	365	=	5,475

=	Gallons per year
=	24,600

Issues

Chapter 13 of the municipal code – Municipal Utilities – outlines the applicable regulations governing the Town’s water distribution system. These regulations state that all consumers of water within the Town limits must connect to the Town’s water distribution system unless a variance is granted from the Town. The particular regulation is referenced in section **13.1.20-Exclusive authority of Town; exceptions**

(b) No water distribution system or consumer of water within the limits of the Town shall obtain water for distribution or consumption except from the Town and through the water distribution system of the Town, unless a variance is approved in writing.

Analysis

Construction of the well and associated water distribution lines will provide potable water for the mausoleum and Public Works building. If the variance is granted for the water distribution system, the Cemetery District will connect the Public Works building to the well at no cost to the Town. This is a substantial benefit to the Town and should be taken into consideration while reviewing this request.

Staff understands the reasoning for requiring a connection to the Town’s water distribution system. It is important for the Town to receive connection fees and monthly service fees to help maintain the water distribution system. However, in this instance extenuating circumstances exist that make it cost prohibitive to connect to the main water distribution line in Highway 24. These include boring under the Union Pacific rail lines and Eagle River.

At a previous Town Council meeting when the proposed well was presented, Council was concerned whether the Eagle River Water and Sanitation District (ERWSD) would object to the proposal. ERWSD has indicated that they have

no issue with the proposed well and it is within the Town's authority whether to approve or deny the Cemetery District's request.

Recommendation

Staff recommends approval of the Minturn Cemetery District's request for a variance for the proposed well system.

Chris Cerimele, Town Planner

Attachments:

Well permit application
State issued well permit



ALPINE ENGINEERING, INC.

August 29, 2011

Mr. Chris Cerimele
Town of Minturn, Planner
P.O. Box 309
Minturn, CO 81645

**RE: Minturn Cemetery District
Request for Variance**

Dear Chris,

On behalf of the Minturn Cemetery District (District), Alpine Engineering, Inc. (AEI) is requesting a variance from the Minturn Town code which required a connection to the Town's water system.

To the best of our knowledge, the applicable criteria has been that all properties within 400 feet of municipal services must connect to the existing facilities. In the case of the Cemetery District, there are no onsite facilities to provide potable water to the new mausoleum or the existing Public Works building. The nearest connection point for water service is in Hwy 6 which is more than 1200 feet from District property. A connection to the Town's water system would require a road cut in Hwy 6, a bridge crossing and a bore under the existing railroad tracks. The District believes that a connection to the Town's water system in Hwy 6 is cost prohibitive. The District has already applied for and received a permit to drill an Exempt Commercial Well on District property. The permit provides for potable water and sanitary uses only. The well is limited in production to 15 gpm or 108,600 gal/yr.

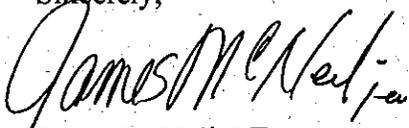
The combined water use from the mausoleum and the Public Works building has been estimated at 24,600 gal/yr (0.20 gpm). It is doubtful that such a marginal water demand

would be sufficient to circulate the potable water without it becoming stagnant; particularly with approximately 1250 lineal feet of a dead-end water main. The water line would need to be flushed on a continual basis. A 4-inch Dip pump discharge line will provide treated water from the well to a connection point with the existing 8-inch DIP water line; in close proximity to the Public Works building. The District will maintain the well and water treatment facilities.

Given the above considerations, the District is requesting a variance from the Town to install a well, water treatment facilities and associated 4-inch DIP pump discharge line. A copy of the well permit and design report for the State Engineer's Office have been included as an appendix in the Watershed Permit Application.

Should you have any questions or comments please do not hesitate to call our office.

Sincerely,



James McNeil, PE

JM/la

Cc: John Sheahan
Ernie Chavez

Form No.
GWS-25

OFFICE OF THE STATE ENGINEER
COLORADO DIVISION OF WATER RESOURCES
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

LIC

WELL PERMIT NUMBER <u>285851</u>			
DIV. 5	WD 37	DES. BASIN	MD

APPLICANT

Lot: 2 Block: Filing: Subdiv: RIVER VIEW CEMETERY

MINTURN CEMETERY DISTRICT
806 CEMETERY ROAD
PO BOX 297
MINTURN, CO 81645-

(970) 453-6064

APPROVED WELL LOCATION

EAGLE COUNTY

1/4 NE 1/4 Section 35

Township 5 S Range 81 W Sixth P.M.



DISTANCES FROM SECTION LINES

Ft. from Section Line

Ft. from Section Line

UTM COORDINATES (Meters, Zone: 13, NAD83)

Easting:

Northing:

PERMIT TO CONSTRUCT A WELL

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not ensure that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-92-602(3)(b)(I) and the policy of the State Engineer for appropriation of ground water tributary to Colorado River system.
- 4) The use of ground water from this well is limited to drinking and sanitary facilities as described in CRS 37-92-602(1)(c), for a commercial business (Minturn Cemetery District Site and Town of Minturn Public Works Site). Water from this well shall not be used for lawn or landscape irrigation or for any other purpose outside the business building structure(s).
- 5) The pumping rate of this well shall not exceed 15 GPM.
- 6) The annual amount of ground water to be diverted by this well shall not exceed 1/3 acre-foot (108,600 gallons).
- 7) Approved as the only well on a tract of land of 2.37 acre(s) described as lot no. 2, River View Cemetery, Eagle County, reference attached exhibit "A".
- 8) The return flow from the use of this well must be through an individual waste water disposal system of the non-evaporative type where the water is returned to the same stream system in which the well is located.
- 9) A totalizing flow meter must be installed on this well and maintained in good working order. Permanent records of all diversions must be maintained by the well owner (recorded at least annually) and submitted to the Division Engineer upon request.
- 10) Pursuant to Rule 6.2.3 of the Water Well Construction Rules, the well construction contractor shall submit the as-built well location on work reports required by Rule 17.3 within 60 days of completion of the well. The measured location must be accurate to 200 feet of the actual location. The location information must include a GPS location (UTM coordinates) pursuant to the Division of Water Resources' guidelines.

NOTE: Parcel Identification Number (PIN): 19-2103-351-10-002

NOTE: Assessor Tax Schedule Number: R053895

J m n
06/02/2011

APPROVED
DMW

State Engineer

By

55

Receipt No. 9503461

DATE ISSUED 06-02-2011

EXPIRATION DATE 06-02-2013

STATE OF COLORADO
OFFICE OF THE STATE ENGINEER
821 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581 Fax (303) 866-3589

INFORMATION FOR WELL PERMITS APPROVED PURSUANT TO CRS 37-92-602
(HOUSEHOLD, DOMESTIC, LIVESTOCK AND EXEMPT COMMERCIAL USES)

Carefully read the conditions of approval on your well permit. The conditions and the information on this information sheet must be complied with in order for the permit to remain valid.

THE PERMIT EXPIRATION DATE IS TWO YEARS FROM THE DATE ISSUED. The well must be constructed and evidence of it's construction must be received by this office in the form of a Well Construction and Test report from the well construction contractor confirming that the well was constructed prior to expiration of the well permit. The well permit number is located in the upper right hand corner of the permit, and the expiration date is located in the lower right hand corner. The expiration date of the permit may be extended one year at a time at the discretion of the State Engineer for good cause shown. **If an extension of time is necessary to construct the well, a written request for the extension of time must be received by this office prior to the expiration date of the well permit. In the request, you must provide the well permit number, your name and mailing address and the reasons why the well has not been constructed and approximately when it will be constructed.**

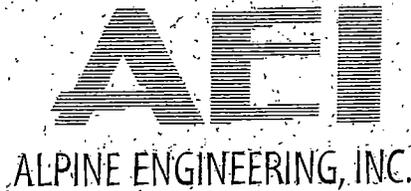
Water well construction and pump installation contractors are specifically licensed in Colorado to perform these specialized tasks. It is illegal for contractors who do not hold these licenses to construct wells and/or install pumping equipment in or on wells. The well must be constructed and the pump installed by contractors with current license(s) issued by the State of Colorado unless exempted as described on the reverse side. Please ask to see their license(s). Backhoe Operators and Licensed Plumbers may or may not hold the respective Well Construction and/or Pump Installation licenses. Please be aware of this when you contract to construct the well and install pumping equipment. The well construction report including a test of the well yield must be submitted to the office of the State Engineer within sixty (60) days of completion of the work or within seven days after expiration of the permit, whichever is earlier. The pump installation report including a pumping system test must be submitted within sixty (60) days of completion of the work. The contractor(s) must provide you with a copy of the work report(s) filed with the State Engineer. The Well Construction and Test Report, Form Number GWS-31 and the Pump Installation and Test Report, Form Number GWS-32 are available from the Division of Water Resources offices. Additional information regarding well construction, pump installation, required testing and well plugging and sealing regulations are found on the reverse side of this sheet.

You have been provided with at least two copies of the well permit. Keep a copy for your records. There is also a copy for the pump installation contractor. Copies have been sent to the driller if you indicated a driller license number on the application; or two additional copies have been enclosed. You may make additional copies for the well construction contractor if you select one different from the one indicated in your application.

The original permit is on file in the Denver office Records Section. Copies may be obtained for a fee of 50 cents per page. Statutes require that any change of mailing address or ownership be reported to the State Engineer. Form number GWS-11 is used both by new owners to report ownership changes and current owners to report address changes.

If you have questions, contact the Denver Office, or the Division Office in the area where your well is located.

Division 1 810 9 th St. 2 nd Floor Greeley, CO 80631 (970) 352-8712 Fax (970) 392-1816	Division 2 310 E. Abriendo Ave Ste B Pueblo, CO 81004 (719) 542-3368 Fax (719) 544-0800	Division 3 301 Murphy Drive Alamosa, CO 81101 (719) 589-6683 Fax (719) 589-6685	Division 4 1871 East Main St. Montrose, CO 81401 (970) 249-6622 Fax (970) 249-8728
Division 5 Direct mail to Box 396 Glenwood Spgs CO 81602 50633 U.S. Hwy 6 & 24 Glenwood Spgs., CO 81601 (970) 945-5665 Fax (970) 945-8741 Call first	Division 6 Direct mail to Box 773450 505 Anglers Dr. Suite 101 Steamboat Spgs, CO 80477 (970) 879-0272 Fax (970) 879-1070	Division 7 160 Rock Point Dr., Ste. E Durango, CO 81301 (970) 247-1845 Fax (970) 259-0944	Denver Office 1313 Sherman St. Rm. 818 Denver, CO 80203 (303) 866-3581 Fax (303) 866-3589



May 10, 2011

Mr. Dwight Whitehead
Division of Water Resources, Division 5
202 Center Drive
P.O. Box 396
Glenwood Springs, CO 81602

RE: Minturn Cemetery District - Well Permit Application

Dear Mr. Whitehead:

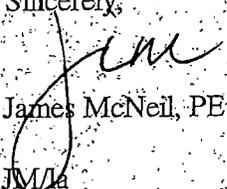
Enclosed for your review is a well permit application and design report for the Riverview Cemetery in Minturn, Colorado. The Cemetery District (District) is applying for a Commercial exempt/small capacity permit inasmuch as the proposed well will only service the drinking and sanitary sewer needs of the facilities.

The most immediate need is to obtain a well permit for the Cemetery District and its recently constructed mausoleum. The Town of Minturn's Public Works building is immediately adjacent to the District property and, as with the Cemetery mausoleum, does not have water or wastewater facilities. To that end, we are submitting the well permit application not only for the Cemetery District but also for the Town's Public Works building which is on Town property.

If the inclusion of the Town's facility precludes the Cemetery District from obtaining a well permit, then we will omit the Town from participation in the proposed well and just include the Cemetery mausoleum in our application.

We look forward to your review of the application. Should you require additional information please do not hesitate to contact our office.

Sincerely,



James McNeil, PE

JM/A

attachment

COLORADO DIVISION OF WATER RESOURCES
DEPARTMENT OF NATURAL RESOURCES
 1313 SHERMAN ST, RM 818, DENVER, CO 80203
 phone - info: (303) 866-3587 main: (303) 866-3581
 fax: (303) 866-3589 http://www.water.state.co.us

Office Use Only Form GWS-45 (07/2009)

GENERAL PURPOSE
Water Well Permit Application
 Review instructions on reverse side prior to completing form.
 The form must be completed in black or blue ink or typed.

1. Applicant Information

Name of applicant
MINTURN Cemetery District

Mailing address
806 Cemetery Rd / P.O. Box 297

City *MINTURN* State *CO* Zip code *81645*

Telephone # *970-453-6064* E-mail (Optional) *ALPINE.MCNEIL@COMCAST.NET*

2. Type Of Application (check applicable boxes)

- Construct new well
- Replace existing well
- Use existing well
- Change or increase use
- Change source (aquifer)
- Reapplication (expired permit)
- COGCC well
- Other:

3. Refer To (if applicable)

Well permit # *NA* Water Court case # *NA*
 Designated Basin Determination # *NA* Well name or # *NA*

4. Location Of Proposed Well (Important! See Instructions)

County *Eagle* *NE* 1/4 of the *1/4*

Section *35* Township *5* N or S Range *81* E or W Principal Meridian *6th*

Distance of well from section lines (section lines are typically not property lines)
180' South from N S *1660 West* from E W

For replacement wells only - distance and direction from old well to new well
 feet direction

Well location address (Include City, State, Zip) Check if well address is same as in Item 1.

Optional: GPS well location information in UTM format You must check GPS unit for required settings as follows:

Format must be UTM
 Zone 12 or Zone 13
 Units must be Meters
 Datum must be NAD83
 Unit must be set to true north
 Was GPS unit checked for above? YES Remember to set Datum to NAD83

5. Parcel On Which Well Will Be Located (YOU MUST ATTACH A CURRENT DEED FOR THE SUBJECT PARCEL)

A. Legal Description (may be provided as an attachment):
Re: ATTACHMENTS

B. # of acres in parcel *2.37 (LOT 2)* C. Owner *Minturn Cem. Dist.*

D. Will this be the only well on this parcel? YES NO (if no - list other wells)

E. State Parcel ID# (optional):

6. Use Of Well (check applicable boxes)

- Attach a detailed description of uses applied for:-
- Industrial
 - Municipal
 - Irrigation
 - Commercial
 - Dewatering System
 - Geothermal (production or reinjection)
 - Other (describe):

7. Well Data (proposed)

Maximum pumping rate *15* gpm Annual amount to be withdrawn *0.08* acre-feet

Total depth *± 60* feet Aquifer

8. Land On Which Ground Water Will Be Used

Legal Description (may be provided as an attachment):

Re: ATTACHMENTS

(If used for crop irrigation, attach a scaled map that shows irrigated area.)

A. # Acres *NA* B. Owner *NA*

C. List any other wells or water rights used on this land:
-0-

9. Proposed Well Driller License #(optional):

10. Signature Of Applicant(s) Or Authorized Agent

The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104 (13)(a). I have read the statements herein, know the contents thereof and state that they are true to my knowledge.

Sign here (Must be original signature) *Paul A. Chang* Date *04/21/11*

Print name & title *SECRETARY / TREASURE*

Office Use Only

USGS map name DWR map no. Surface elev.

Receipt area only

AQUAMAP
 WE
 WR
 CWCB
 TOPO
 MYLAR

COMMERCIAL DRINKING AND SANITARY WELL WORKSHEET

Name and Type of Business District Cemetery / Town Public Works Bldg.

1. Is this application for a new well?

Yes
 No If no, is this application for a change of use for an existing well?

Yes Permit Number of well (if applicable) _____
 No For wells used for drinking and sanitary purposes prior to May 8, 1972, a field inspection of the well to verify historic uses is required. See form GWS-12 *Registration of Existing Well* for further information.

2. Is another source of water available to the property? (i.e. water district or another well)

Yes If yes, indicate what this other source is _____ (name of water district or well permit number)
 No

3. Type of disposal system:

<input checked="" type="checkbox"/>	Septic tank/absorption leach field
<input type="checkbox"/>	Central System (district name:)
<input type="checkbox"/>	Vault (location sewage hauled to:)
<input type="checkbox"/>	Other (attach copy of engineering design)

4. Water Demand Calculations (for average factors for water demand see below)

Employees

Number of Employees	X	Number of Gallons per Employee per Day	X	Number of Days Employee Works per Year	=	Gallons per Year
5	X	15	X	255	=	19,125 A

Customers

Number of Customers per Day	X	Number of Gallons per Customer	X	Number of Days Business is Open per Year	=	Gallons per Year
1	X	15	X	365	=	5475 B

Other Uses (Note: No uses outside of the building would be permitted for these types of wells)

Type of Use	X	Gallons per Use per Day	X	Days per Year	=	Gallons per Year
-0-	X	-0-	X	-0-	=	-0- C

Total amount of water required:

=	Gallons per Year (A+B+C)
=	24,600

For wells used for commercial drinking and sanitary purposes on and after May 8, 1972, the total water demand cannot exceed 108,600 gallons (1/3 of an acre-foot) per year.

For wells used for commercial drinking and sanitary purposes prior to May 8, 1972, the total water demand cannot exceed 325,900 gallons (1 acre-foot) per year.

General Guidelines for Water Demand in Gallons per Day

- Day Workers at Offices - 15 gallons/person/day
- Food Service Establishments (with toilet and kitchen wastes) - 10 gallons/patron/day
- Churches (does not include food service) - 5 gallons/seat/day
- Overnight Lodging - 50 gallons/customer/day
- On-Site Proprietor of Overnight Lodging (i.e. on-site owner of a Bed & Breakfast) - 80 gallons/person/day

Additional water demand figures may be obtained from a private water consultant or from a technical reference on this subject.

**WELL PERMIT
APPLICATION REPORT
FOR THE**

MINTURN CEMETERY DISTRICT

MAY 2011

Prepared for: Minturn Cemetery District
PO Box 297
Minturn, CO 81645

Prepared by: Alpine Engineering, Inc.
P.O. Box 4603
Frisco, CO 80443
(970) 453-6064

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I. LOCATION

The Minturn River View Cemetery is located in the NE ¼ of Section 35, Township 5 South, Range 81 West of the 6th Principal Meridian in Eagle County, Colorado. The cemetery site has been re-platted over the years and is currently comprised of Lots 1, 2 and 3 and Parcel A. The proposed well site is currently located in Lot 2 which was formerly the Addition to the River View Cemetery located in the North ½ of the Northeast ¼ of Section 35, Township 5 South, Range 81 West of the 6th Principal Meridian in Eagle County, Colorado. The property was conveyed to the Cemetery District in 1967 and recorded in Book 211, Page 705. A deed conveying this property to the Cemetery District and a legal description have been included as part of the application package.

The Minturn Cemetery site is situated on the east side of Highway 6 and the Eagle River. The cemetery site is bounded on the southwest by the Union Pacific Railroad and associated 200-foot right-of-way, on the north, east and west (Parcel 7) by the Town of Minturn and on the southeast by the Town of Minturn's Public Works building. The Cemetery site is approximately 1200 feet from the intersection of Highway 6 and Cemetery Road (Ballpark Rd).

II. PROJECT NECESSITY

As previously stated, the River View Cemetery and the Town's Public Works building are located on the east side of Highway 6 and the Eagle River. The sites are approximately 1200 feet from an existing intersection with Highway 6. Currently, there are no water or sanitary sewer services available on the east side of the river. The available connection points are located in the Highway 6 road platform.

In the fall of 2010, construction of a new cemetery mausoleum was completed and included the installation of a mausoleum restroom with a sink and toilet. The infrastructure to connect the water and sanitary sewer facilities was installed at the time of construction but, lacking a source of potable water, the restroom cannot be used nor can the restroom in the Public Works building be used.

The District and the Town have evaluated the cost to extend the water and sanitary sewer lines the 1200 feet from Highway 6. Inasmuch as these costs would include crossing the Eagle River and boring under the Union Pacific Railroad tracks the construction costs became prohibitive. The District also evaluated the possibility of installing a potable water storage tank and purchasing the water from a commercial provider. This system would require the installation of a water distribution pumping system with associated alarms and controls. This approach presented numerous construction and operational issues. The cemetery site is limited in available space as much of the site is currently allocated for existing and future gravesites. The amount of space necessary to bury a water storage tank is prohibitive. Further, we anticipate the water demands for the Cemetery and the Public Works building as being exceedingly low. The issue of the stored potable becoming stagnant, over time, is viewed as acute and would necessitate the need to retrofit the existing bathrooms in the mausoleum and the Public Works building with some sort of UV disinfection system. Inasmuch as the proposed water facilities will be located on Cemetery District property and infrequently used, inspection and monitoring of water storage levels and water quality would be difficult.

To that end, the District feels that the most reliable and efficient means of providing water is through a well system. Depending on the well water quality, sufficient disinfection facilities will be installed to comply with all State requirements. It is hoped that the Town, in consideration of

a potential connection, will help maintain the system. If the Town does not wish to assume the responsibility, the District will contract with a licensed operator to provide monitoring and maintenance for the facilities.

Wastewater services will be provided through an on-site septic tank and absorption field. The infrastructure to accommodate sanitary sewer flows is currently in place and will be sized to serve the mausoleum and the Public Works building. The septic system will be located on Cemetery District property and will be designed and constructed under the auspices of the Eagle County Environmental Health Department. All of the required easements and intergovernmental agreements between the Town and the District will be provided as required.

III. PROPOSED IMPROVEMENTS

Currently, power, phone and gas service are available to the Cemetery site. The nearest water and sanitary sewer facilities are located in Highway 6, approximately 1200 feet from the Cemetery site. It is cost-prohibitive to extend these utilities to the site. To that end, the District would like to install a well, on its property, to provide water service to its newly constructed mausoleum and if possible the Town's Public Works building which currently has no water or sanitary sewer facilities.

The newly constructed mausoleum has a single restroom with provisions for potable water and a single toilet. The on-site water and sanitary sewer infrastructure was installed as part of the mausoleum construction and was designed to provide future service not only to the mausoleum but to the adjacent Public Works building. While the Public Works building is clearly on Town property, its proximity to the common property line with the Cemetery would suggest that inclusion of the Town's facility be incorporated in the Cemetery District's well permit application.

Subsequent to the well drilling, the well characteristics and the water quality will be analyzed to determine the appropriate water disinfection requirements. The District is aware that the pumping requirements for a Commercial exempt/small capacity are limited to drinking and sanitary purposes only. Water usage is limited to 1/3 acre-feet annually (108,600 gal).

Ultimate discharge of sanitary sewer waste for the mausoleum and the Town's Public Works building will be to an on-site septic system with an absorption field. The facilities will be installed by a licensed septic system installer under the auspices of the Eagle County Environmental Health Department.

IV. WATER USAGE

Projected water demands for a Commercial exempt/small capacity well have been estimated per the form GSW-57 worksheet and included as part of the application package. For estimating purposes we have included water consumption demands for the mausoleum use as well as the Public Works building.

In estimating water demands for the Public Works building, we have been informed by the Town that there are currently three (3) employees that use the facility. To accommodate future growth we have estimated water demands for five (5) employees which is shown under 4. EMPLOYEES on the GSW57 worksheet.

Water usage for the mausoleum has been estimated at three (3) funerals per year (District records) with 12 attendees per funeral (36 total per year). For demand estimates, this translates to 1 person per day for 365 days and is shown under 4. CUSTOMERS on the GSW-57 worksheet.

Total annual demand for the mausoleum and the Town's Public Works building are 24,600 gallons per year (0.08 ac/ft per year). In accordance with the requirements for a Commercial exempt/small capacity well permit, water consumption is limited to drinking and sanitary purposes only.

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. AGGIE MARTINEZ
MR. EARLE BIDEZ
MR. JOHN ROSENFELD

TOWN OF MINTURN PLANNING DEPARTMENT
Town Council Staff Report
Subject: A request by the Minturn Cemetery District for a watershed permit to construct a sewage disposal system.
Chris Cerimele, Town Planner
HEARING DATE: September 7, 2011
Staff Recommendation: approval

Background

The Minturn Cemetery District is seeking approval for the construction of a well and waste disposal system on Cemetery District Property. Private waste disposal systems are prohibited in the Town of Minturn unless a watershed permit is granted by the Town.



The Cemetery District is proposing to construct a 6,000 gallon holding tank for waste disposal. The tank will be monitored by a float system inside the vault that will signal an alarm when the system needs to be pumped. All maintenance of the system will be the responsibility of the Minturn Cemetery District. This system differs from the originally proposed traditional septic system in that there will be no leach field and all waste will be periodically pumped from the storage vault.

Issues

Waste disposal systems are not permitted within the Town limits unless a watershed permit has been issued by the Town. This regulation is found in section 13.6.50 of the MMC.

13.6.50 – Prohibited Activity, permitted activity and notice of other activity states:

(a) It is unlawful for any person to engage in any of the following activities within the watershed, which the Town Council finds pose a risk to the water supplies or waterworks, unless such person, prior to undertaking such activity, obtains a watershed permit for such activity under the provisions of the Article:

- 1. Constructing a sewage disposal system*

Analysis

Section 13.6.60-B(2) of the Minturn Municipal Code states the following in regards to the review of a watershed permit application: *In undertaking the analysis of any proposed activity, the following factors, among any others that may be deemed relevant shall be considered:*

- a) The nature and extent of the proposed activity;*
- b) The proximity to existing water courses;*
- c) Drainage and erosion patterns and control measures;*

- d) *Soil criteria;*
- e) *Slope steepness and stability;*
- f) *Effects of the proposed activity and denudation;*
- g) *Geologic hazards, including but not limited to avalanche paths, floodplains, high water tables, fault zones and similar factors;*
- h) *Point source discharges and emissions into air and water;*
- i) *Ambient and nonpoint source emissions into air and water;*
- j) *Vehicular and motorized activity; and*
- k) *Fire hazard.*

Staff believes that the proposed holding tank will pose no threat to the waterways or water distribution system of the Town. As stated in the watershed permit application, the holding tank will be installed at a depth of 8 ft. and have approximately 7 ft. of ground cover over the top of the vault. Furthermore, the inside and outside of the tank will have a bituminous coating to prevent the possibility of groundwater intrusion or the leaking of sanitary sewer effluent to the surrounding ground.

Jim McNeil of Alpine Engineering has concluded the following in respect to the proposed waste disposal system:

Combined wastewater flows from the mausoleum and the Public Works building have been estimated at 75 gallons per day or 0.0003 cfs. It is highly unlikely that such a minor wastewater flow would even reach a connection point with the Town's systems; there is simply not enough effluent to establish a self-cleansing velocity of 2 feet per second.

Given the above considerations and given the sensitive environmental concerns at the cemetery, Alpine Engineering is recommending the installation of a 6,000 gallon holding tank.

Colorado and County regulations require that a permit be issued by the Environmental Health Office before a property owner constructs or repairs a septic system. Town staff has coordinated with the Eagle County Department of Environmental Health in reviewing the Cemetery District's request for the waste disposal system. They have concluded that a storage vault is preferable to a traditional septic system. In addition, Eagle County Department of Environmental Health has indicated that they would not issue a permit for the waste disposal system before the Town issues a watershed permit and detailed plans of the system have been submitted and approved by the Eagle County Department of Environmental Health.

At the current time, the proposed well and septic system is the only feasible option for providing water and sewer service to the mausoleum and Public Works building. While it is not in the public interest to support the proliferation of private wells and waste disposal systems, the Cemetery District is in a unique position that necessitates these solutions.

Recommendation

Staff recommends approval of the watershed permit with the following conditions:

- All maintenance of the sewage disposal system shall be at the sole expense and responsibility of the Minturn Cemetery District; and
- The Minturn Cemetery District shall hook up to the Town of Minturn water distribution system and Eagle River Water and Sanitation Sewer system within 12 months of these facilities being installed in the area.

Chris Cerimele, Town Planner

Attachments:

Watershed permit application

Site Plan

Correspondence from the Eagle County Department of Environmental Health

MINTURN CEMETERY DISTRICT WATERSHED PERMIT APPLICATION

As part of the next phase of the Minturn Cemetery District's expansion plans, the District would like to:

1. Expand the cemetery site to include the upper bench adjacent to the new mausoleum.
2. Install a septic system.
3. Install a well, water treatment facilities and a 4-inch potable water line.
4. Extend the existing irrigation system.
5. Remove the existing metal storage sheds (2) and replace them with a new pre-fabricated steel shed.

The above-referenced improvements are more particularly described as follows:

1. Cemetery Site Expansion

The upper bench, immediately adjacent to the new mausoleum, will be graded to provide for approximately 300 additional grave sites. The site will have some asphalt paved paths as well as gravel paths for maintenance equipment and pedestrian access. All paths will be ADA accessible. In order to regrade the upper bench to make it ADA accessible, a new retaining wall will be required. The new wall will essentially parallel the existing boulder wall which is in-place and will vary in height. The appearance of the new wall will be similar to the existing memorial wall at the mausoleum. The regraded upper bench will be completely revegetated.

2. Septic System

Currently, there is no sanitary sewer collection system for the District's mausoleum or the Town's Public Works building. The nearest connection point for sanitary sewer service is in Hwy 6 which is more than 1200 feet from the District's property. A connection to the Town's sanitary sewer system would require a Hwy 6 road cut, a bridge crossing and a bore under the existing railroad tracks. The District view the installation of a sanitary sewer main as being cost-prohibitive.

Combined wastewater flows from the mausoleum and the Public Works building have been estimated at 75 gpd or 0.0003 cfs. It is highly unlikely that such a minor wastewater flow would even reach a connection point with the Town's system in Hwy 6; there is simply not enough effluent to establish a self-cleansing velocity of 2 fps.

Given the above considerations and given the sensitive environmental concerns at the cemetery, AEI is recommending the installation of a 6000 gallon holding tank. The holding tank will be approximately 8-feet wide and approximately 12-feet in length. The depth of the tank will be 8-feet deep and will have approximately 7-feet of cover over the top of the vault. The inside and outside of the tank will have a bituminous coating to prevent the possibility of groundwater intrusion or the leaking of sanitary sewer effluent to the surrounding ground. Float switches will be installed in the tank which will signal when the tank needs to be pumped. The signal will be monitored from the new maintenance building.

AEI has reviewed several septic system approaches with the Eagle County Environmental Health Department to determine the most efficient and environmentally sensitive system available. They concur with the installation of a holding tank as the most practical approach. The District will monitor and maintain the system. A plan and profile of the proposed system has been included with this application.

3. Water System

The proposed water system will be comprised of a new well, water treatment facilities and a proposed 4-inch DIP water line. A Request for Variance from the Town's Code has been submitted with this Watershed Permit Application. A copy of the well permit and design report for the State Engineer's Office have been included as an appendix to this application.

4. Irrigation System

The District will extend the existing cemetery irrigation lines to provide service to the newly established upper bench adjacent to the mausoleum. The new lines will be installed from a tap to the existing 2-inch irrigation line.

5. Storage Shed

The existing storage sheds (2) at the cemetery are in a state of structural disrepair and will be replaced with a new pre-fabricated steel building. The facility will be 200-square feet and will be located in close proximity to one of the existing sheds.

The District will work with the Town to insure that the appearance of the building is consistent with Town standards.

SUMMARY

The Minturn Cemetery is approximately 1250 feet from the Eagle River. The proposed improvements will add very little impermeable area and consequently virtually no increase in developed runoff. Historic drainage patterns will be maintained. Soil profile holes have been drilled where the proposed maintenance building will be located and

where the proposed retaining wall will be constructed. The geotechnical studies will determine the bearing capacity of the existing soils for the construction of the proposed structural facilities. The geotechnical reports have been included as an appendix in this permit application.

To the best of our knowledge and belief, there are no point or non-point emissions or discharges into the air or water. Vehicular and motorized traffic is limited to periodic maintenance and funeral services.

Chris Cerimele

From: Ray Merry [Ray.Merry@eaglecounty.us]
Sent: Wednesday, August 31, 2011 5:49 PM
To: Chris Cerimele; Jim White
Cc: Laura Fawcett; Terri Vroman; Keith Montag
Subject: RE: minturn cemetery - holding tank

Chris & Jim,

Eagle County has been in touch with Jim McNeil with Alpine Engineering who is helping the Minturn Cemetery District find interim water and wastewater solutions for their mausoleum until such time as there are public sewer lines available in this area. The direction that they are headed in is to have the property served by a 6,000 gallon vault with telemetry which will signal the appropriate entity responsible for maintenance. We also understand that the Town will be sharing this vault with the District to receive wastewater from your adjacent maintenance facility. We await Alpine Engineering's design for the vault along with our on-site wastewater permit application/fees and will wait until the Town has issued your Watershed [Protection] Permit before we issue a permit to install the vault.

There are a few details that the Town may want to consider that I thought I'd share with you. Besides financial arrangements, it will be important to determine who will be notified when a high water alarm sounds and how; who will be responsible to assure the plumbing fixtures are tight to avoid the expense of premature pumping; and where will the contents of the vault be taken for proper disposal when pumping occurs. We will suggest to the design engineer that the alarm floats be set at a point where there are at least a few days of "free board" to allow ample response time in order to avoid overflow.

We understand that it is not currently feasible to provide public water and sewer services to the aforementioned facilities north of the Eagle River and believe that the temporary well and vault is the most practical interim solution. It may be prudent to post signs on the water fixtures indicating that the water is not potable (or not intended for human consumption) since the water system will not likely be considered a "public water system" by the state due to its very limited use.

Please let me know if I can be of further assistance.

Thanks.

Raymond P. Merry, REHS
Managing Director of Sustainable Communities
Eagle County Government
P.O. Box 179
500 Broadway
Eagle, CO 81631
(970) 328-8757
Ray.merry@eaglecounty.us

 *Thanks for not printing electronic media*

From: Chris Cerimele [<mailto:planner1@minturn.org>]
Sent: Wednesday, August 31, 2011 11:37 AM

PROCLAMATION

A PROCLAMATION OF THE MINTURN TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO IN SUPPORT OF JOINING THE NATIONAL MONUMENT OF REMEMBRANCE OF THE 10TH ANNIVERSARY OF SEPTEMBER 11TH.

WHEREAS, the governing body of the Town of Minturn expresses their support of the United State's Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 p.m. Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001; and

WHEREAS, at 8:46 a.m., on September 11, 2001, hijacked American Airlines Flight 11 crashed into the upper portion of the North Tower of the World Trade Center in New York City, New York; and

WHEREAS, 17 minutes later, at 9:03 a.m., hijacked United Airlines Flight 175 crashed into the South Tower of the World Trade Center; and

WHEREAS, at 9:37 a.m., the west wall of the Pentagon was hit by hijacked American Airlines Flight 77, the impact of which caused immediate and catastrophic damage to the headquarters of the Department of Defense; and

WHEREAS, at approximately 10:00 a.m., the passengers and crew of hijacked United Airlines Flight 93 acted heroically to retake control of the airplane and thwart the taking of additional American lives by crashing the airliner in Shanksville, Pennsylvania, and, in doing so, gave their lives to save countless others; and

WHEREAS, nearly 3,000 innocent civilians were killed in the heinous attacks of September 11, 2001; and

WHEREAS, tens of thousands of individuals narrowly escaped the attacks at the Pentagon and World Trade Center and, as witnesses to this tragedy, are forever changed; and

WHEREAS, countless fire departments, police departments, first responders, governmental officials, workers, emergency medical personnel, and volunteers responded immediately and heroically to those horrific events; and

WHEREAS, the Fire Department of New York suffered 343 fatalities on September 11, 2001, the largest loss of life of any emergency response agency in United States history; and

WHEREAS, the Port Authority Police Department suffered 37 fatalities in the attacks, the largest loss of life of any police force in United States history in a single day; and

WHEREAS, the New York Police Department suffered 23 fatalities as a result of the terrorist attacks; and

WHEREAS, the impact of that day on public health continues through 2011, as nearly 90,000 people are at risk of or suffering from negative health effects as a result of the events of September 11, 2001, including 14,000 workers and 2,400 community residents who are sick, and tens of thousands of others whose health is being monitored; and

WHEREAS, 10 years later, the people of the United States and people around the world continue to mourn the tremendous loss of innocent life on that fateful day; and

WHEREAS, 10 years later, thousands of men and women in the United States Armed Forces remain in harm's way defending the United States against those who seek to threaten the United States; and

WHEREAS, on the 10th anniversary of this tragic day, the thoughts of the people of the United States are with all of the victims of the events of September 11, 2001 and their families; and

WHEREAS, the lives of Americans were changed forever on September 11, 2001, when events threatened the American way of life; and

WHEREAS, in 2009, Congress and the President joined together to designate September 11 as a National Day of Service and Remembrance under the Serve America Act (Public Law 111-13; 123 Stat. 1460); and

WHEREAS, in September 2009 and 2010, President Obama issued Proclamation 8413 (74 Fed. Reg. 47045) and Proclamation 8559 (75 Fed. Reg. 56463) proclaiming September 11, 2009, and September 11, 2010, respectively, as Patriot Day and National Day of Service and Remembrance; and

WHEREAS, September 11 will never, and should never, be just another day in the hearts and minds of all people of the United States;

NOW, THEREFORE BE IT PROCLAIMED that the governing body of the Town of Minturn:

(1) recognizes September 11, 2011, as a day of solemn commemoration of the events of September 11, 2001, and a day to come together as a Nation; and

(2) offers its deepest and most sincere condolences to the families, friends, and loved ones of the innocent victims of the September 11, 2001, terrorist attacks; and

(3) honors the heroic service, actions, and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers, and countless others who aided the

innocent victims of those attacks and, in doing so, bravely risked and often gave their own lives; and

(4) recognizes the valiant service, actions, and sacrifices of United States personnel, including members of the United States Armed Forces, the United States intelligence agencies, the United States diplomatic service, homeland security and law enforcement personnel, and their families, who have given so much, including their lives and well-being, to support the cause of freedom and defend the security of the United States; and

(5) reaffirms that the people of the United States will never forget the challenges our country endured on and since September 11, 2001, and will work tirelessly to defeat those who attacked the United States; and

BE IT FURTHER PROCLAIMED that on the 10th anniversary of this tragic day in United States history the governing body of the Town of Minturn calls upon all of the people and institutions of the United States to observe a moment of remembrance on September 11, 2011, including (i) media outlets; (ii) houses of worship; (iii) military organizations; (iv) veterans organizations; (v) airlines; (vi) airports; (vii) railroads; (viii) sports teams; (ix) the Federal Government; (x) State and local governments; (xi) police, fire, and other public institutions; (xii) educational institutions; (xiii) businesses; and (xiv) other public and private institutions; and

BE IT FURTHER PROCLAIMED that the governing body of the Town of Minturn encourages the observance of the moment of remembrance to last for 1 minute beginning at 1:00 p.m. Eastern Daylight Time by, to the maximum extent practicable ceasing all work or other activity; and marking the moment in an appropriate manner, including by ringing bells, blowing whistles, or sounding sirens.

TOWN OF MINTURN

By: _____
Mayor

ATTEST:

Town Clerk

9/11 NATIONAL MOMENT OF REMEMBRANCE

STOP & REMEMBER

SEPTEMBER 11, 2011 • 1:00 PM EDT

The U.S. Senate has unanimously passed a resolution (S. Res. 237) calling on all Americans to participate in a Moment of Remembrance on September 11, 2011. For one minute, first responders, houses of worship, towns, and others throughout the country will sound sirens and bells in a signal to each of us to STOP AND REMEMBER the 10th anniversary of the tragedies of September 11, 2001.

*On September 11, 2011,
will you join us in committing to
STOP AND REMEMBER?*

1:00 PM EDT
12:00 PM CDT
11:00 AM MDT
10:00 AM PDT

Spread the word:

www.lautenberg.senate.gov/stopandremember



For more information please contact:

stopandremember@lautenberg.senate.gov

Office of Senator Frank R. Lautenberg

www.lautenberg.senate.gov | Tel: 202-224-3224 | Toll Free: 888-398-7642

FRANK R. LAUTENBERG

NEW JERSEY

COMMITTEES:

APPROPRIATIONS

COMMERCE, SCIENCE, AND
TRANSPORTATION

ENVIRONMENT AND
PUBLIC WORKS

United States Senate

WASHINGTON, DC 20510

August 9, 2011

Dear Mayor:

This year we mark the 10th anniversary of the terrorist attacks of September 11, 2001, a day that changed America forever. To commemorate this occasion and pay tribute to those we lost, I introduced the enclosed resolution establishing a national Moment of Remembrance at 1:00 p.m. Eastern Daylight Time on September 11, 2011. In an overwhelming demonstration of unity, the Senate unanimously passed the resolution with the cosponsorship of all 100 United States Senators. I write to request that you join us in making this Moment of Remembrance a symbol of solidarity throughout your city and across the country.

During the Moment of Remembrance, every person across the country is called upon to *stop and remember* those we lost in the September 11th attacks. The Moment of Remembrance will take place for one full minute at 1:00 p.m. Eastern Time on September 11, 2011, and cities and towns, firehouses, churches and other institutions across the country are called upon to sound sirens and ring bells during that minute. These sirens and bells will be a signal for each person to stop and remember the people we lost and demonstrate the perseverance the American people have shown since that fateful day.

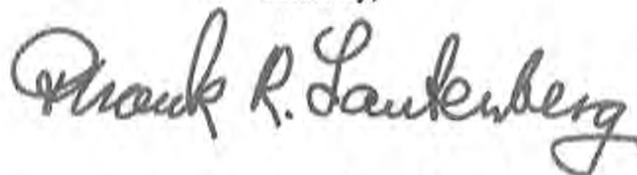
I hope you will participate by:

- Working with and contacting firehouses, police, churches, and other institutions in your municipality to sound sirens and ring bells for one minute at 1:00 p.m.;
- Passing a resolution or issuing a proclamation recognizing the Moment of Remembrance;
- Hosting an event to commemorate the 10th anniversary of the September 11th attacks that includes the Moment of Remembrance; and
- Notifying your constituents of the forthcoming Moment of Remembrance by noting it on your website and through local papers, social media and other outreach mechanisms.

I have created a website for the Moment of Remembrance where you can get more information: www.lautenberg.senate.gov/stopandremember. You can also contact my office at stopandremember@lautenberg.senate.gov or 202-224-3224 for additional information.

Thank you for your consideration.

Sincerely,



112th CONGRESS
1st Session

S.RES.237

Expressing the sense of the Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 PM Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001.

IN THE SENATE OF THE UNITED STATES

July 22, 2011

Mr. LAUTENBERG (for himself, Mr. TOOMEY, Mr. MENENDEZ, Mr. SCHUMER, Mrs. GILLIBRAND, Mr. CASEY, Mr. LIEBERMAN, Mr. BLUMENTHAL, Mr. WEBB, Mr. WARNER, Mr. REID, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BINGAMAN, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mr. FRANKEN, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. ISAKSON, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KERRY, Mr. KIRK, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. LUGAR, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to

S. RES. 237

Expressing the sense of the Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 PM Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001.

Whereas at 8:46 AM, on September 11, 2001, hijacked American Airlines Flight 11 crashed into the upper portion of the North Tower of the World Trade Center in New York City, New York;

Whereas 17 minutes later, at 9:03 AM, hijacked United Airlines Flight 175 crashed into the South Tower of the World Trade Center;

Whereas at 9:37 AM, the west wall of the Pentagon was hit by hijacked American Airlines Flight 77, the impact of which caused immediate and catastrophic damage to the headquarters of the Department of Defense;

Whereas at approximately 10:00 AM, the passengers and crew of hijacked United Airlines Flight 93 acted heroically to retake control of the airplane and thwart the taking of additional American lives by crashing the airliner in Shanksville, Pennsylvania, and, in doing so, gave their lives to save countless others;

Whereas nearly 3,000 innocent civilians were killed in the heinous attacks of September 11, 2001;

Whereas tens of thousands of individuals narrowly escaped the attacks at the Pentagon and World Trade Center and, as witnesses to this tragedy, are forever changed;

Whereas countless fire departments, police departments, first responders, governmental officials, workers, emergency medical personnel, and volunteers responded immediately and heroically to those horrific events;

Whereas the Fire Department of New York suffered 343 fatalities on September 11, 2001, the largest loss of life of any emergency response agency in United States history;

Whereas the Port Authority Police Department suffered 37 fatalities in the attacks, the largest loss of life of any police force in United States history in a single day;

Whereas the New York Police Department suffered 23 fatalities as a result of the terrorist attacks;

Whereas the impact of that day on public health continues through 2011, as nearly 90,000 people are at risk of or suffering from negative health effects as a result of the events of September 11, 2001, including 14,000 workers and 2,400 community residents who are sick, and tens of thousands of others whose health is being monitored;

Whereas 10 years later, the people of the United States and people around the world continue to mourn the tremendous loss of innocent life on that fateful day;

Whereas 10 years later, thousands of men and women in the United States Armed Forces remain in harm's way defending the United States against those who seek to threaten the United States;

Whereas on the 10th anniversary of this tragic day, the thoughts of the people of the United States are with all of the victims of the events of September 11, 2001, and their families;

Whereas the lives of Americans were changed forever on September 11, 2001, when events threatened the American way of life;

Whereas in December 2001, Congress and the President joined together to designate September 11 as Patriot Day (Public Law 107-89);

Whereas in September 2002, and each September thereafter through September 2008, President Bush issued Proclamations 7590, 7702, 7812, 7929, 8047, 8174, and 8286 (67 Fed. Reg. 57125; 68 Fed. Reg. 53013; 69 Fed. Reg. 55717; 70 Fed. Reg. 54467; 71 Fed. Reg. 53959; 72 Fed. Reg. 51553; 73 Fed. Reg. 52773) proclaiming September 11 of that year, respectively, as Patriot Day;

Whereas in 2009, Congress and the President joined together to designate September 11 as a National Day of Service and Remembrance under the Serve America Act (Public Law 111-13; 123 Stat. 1460);

Whereas in September 2009 and 2010, President Obama issued Proclamation 8413 (74 Fed. Reg. 47045) and Proclamation 8559 (75 Fed. Reg. 56463) proclaiming September 11, 2009, and September 11, 2010, respectively, as Patriot Day and National Day of Service and Remembrance; and

Whereas September 11 will never, and should never, be just another day in the hearts and minds of all people of the United States: Now, therefore, be it

Resolved, That the Senate--

- (1) recognizes September 11, 2011, as a day of solemn commemoration of the events of September 11, 2001, and a day to come together as a Nation;
- (2) offers its deepest and most sincere condolences to the families, friends, and loved ones of the innocent victims of the September 11, 2001, terrorist attacks;
- (3) honors the heroic service, actions, and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers, and countless others who aided the innocent victims of those attacks and, in doing so, bravely risked and often gave their own lives;
- (4) recognizes the valiant service, actions, and sacrifices of United States personnel, including members of the United States Armed Forces, the United States intelligence agencies, the United States diplomatic service, homeland security and law enforcement personnel, and their families, who have given so much, including their lives and well-being, to support the cause of freedom and defend the security of the United States;
- (5) reaffirms that the people of the United States will never forget the challenges our country endured on and since September 11, 2001, and will work tirelessly to defeat those who attacked the United States; and
- (6) on the 10th anniversary of this tragic day in United States history--
 - (A) calls upon all of the people and institutions of the United States to observe a moment of remembrance on September 11, 2011, including--
 - (i) media outlets;
 - (ii) houses of worship;
 - (iii) military organizations;
 - (iv) veterans organizations;
 - (v) airlines;
 - (vi) airports;
 - (vii) railroads;
 - (viii) sports teams;
 - (ix) the Federal Government;

- (x) State and local governments;
- (xi) police, fire, and other public institutions;
- (xii) educational institutions;
- (xiii) businesses; and
- (xiv) other public and private institutions; and

(B) encourages the observance of the moment of remembrance or prayer to last for 1 minute beginning at 1:00 PM Eastern Daylight Time by, to the maximum extent practicable--

- (i) ceasing all work or other activity; and
- (ii) marking the moment in an appropriate manner, including by ringing bells, blowing whistles, or sounding sirens.



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: Friday, September 02, 2011
RE: Executive Session

At the Council meeting, Council will need to convene in Executive Session with the Attorney to discuss the USFS Boneyard and issues regarding Battle Mountain Resort and to discuss the Town Manger's annual review. The following motion is recommended:

“Recommended motion: “I move to convene in Executive Pursuant to CRS 24-6-402(4)(a) for the purposes to consult with the Town's Attorney(s) and receive direction regarding the negotiations of the USFS Boneyard property and Pursuant to CRS 24-6-402(4)(b) for the purposes to consult with the Town's Attorney(s) and receive direction regarding the negotiations of the Battle Mountain Resort property annexation, water right issues, and EPA update and pursuant to CRS 24-6-402(4)(a) for the purpose of discussing the Town Manger's annual review.”

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