



2011

Minturn Council Meeting

Wednesday November 2, 2011

Work Session: **5:00pm**
(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 November 2, 2011

Work Session – 5:00pm
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

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

Work Session – 5:00pm

Please remember to bring your FY2012 Budget Book

- 2012 Council Goal Setting Discussion/Confirmation – White (15min)
- Work Session: FY2012 Budget question and answer session Retreat – Brunvand/White (60min)

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**
 - October 19, 2011
 - Action Item Report
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**
8. **Town Council Comments**

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

9. **Discussion/Action: 1st Public Hearing on proposed fiscal year 2012 Budget – review public funding requests – Brunvand/White (45min)**
 - c. **General comments**
 - d. **Community Funding Request presentations**
 - i. **Radio Free Minturn – David Eickholt**
 - e. **Council Q & A**
10. **Discussion/Action: Ordinance 12 – Series 2011 an Ordinance authorizing the Mayor to sign an Intergovernmental Agreement with the Eagle County Government for animal control services for the calendar year 2012 L. Martinez (10min)**
11. **Discussion/Action: Consideration and motion to approve and set 2012 Council Goals – White (10min)**

GENERAL IMPROVEMENT DISTRICT

12. **ADMINISTRATIVE MATTERS**
 - Approval of Agenda
 - Review and approve minutes from the February 2, 2011 Board Meeting.
13. **FINANCIAL MATTERS**
 - Discuss and consider ratifying appointment of Town Staff to prepare 2011 GID Budget.

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

14. LEGAL MATTERS

15. OTHER BUSINESS

- Discuss meeting dates for 2012
- Future meetings to be scheduled
 - February/March for audit exemption (2/1 or 2/15 or 3/7; Recommend 2/1/12)
 - Meeting in November for 2012 budget approval (Recommend 11/7/12)

16. ADJOURNMENT (AS GID AND RECONVENE AS COUNCIL)

EXECUTIVE SESSION

17. Executive Session – 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

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

FUTURE AGENDA ITEMS

19. Next Meeting – November 2, 2011

20. Future Meeting

- Meeting: Discussion/Action – 2nd Public Hearing on proposed fiscal year 2012 Budget and First Reading of Budget Ordinances – Brunvand/White 11/16/11 (45min)
- Worksession: Request from the Planning Commission for a work session with the Council to determine a sidewalk master plan. 12/7/11
- Meeting: Discussion/Action – 2nd and Final Reading of proposed 2012 Budget Ordinances – Brunvand/White 12/7/11 (15min)

- 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)

21. Set Future Meeting Dates

a) Council Meetings:

- November 16, 2011
- December 7, 2011
- December 21, 2011

b) Planning & Zoning Commission Meetings:

- November 9, 2011
- November 23, 2011
- December 14, 2011

c) Other Dates:

- November 11, 2011 – Town Hall Closed (Veteran’s Day)
- November 25, 2011 – Town Hall Closed (Thanksgiving)
- November 26, 2011 – Town Hall Closed (Thanksgiving)

22. Adjournment

**FROM THE DESK OF
JAY BRUNVAND, MINTURN FINANCE OFFICE
MEMORANDUM**

TO: Mayor and Town Council
 FROM: Jay Brunvand, Treasurer
 CC: Jim White, Town Manager
 DATE: 10/25/11
 RE: FY2012 Budget – Direction and Summary

At previous Council Meetings several items were covered and further information was requested by Council on some of the items. To date:

- We reviewed major revenue components of the budget to include sales and property taxes. The preliminary Assessed Property Valuation was received from the County and it was noted that although this was anticipated, this is significantly down from previous years. The table below is an historical comparison. It is noted that for the fiscal year 2012 our property tax collections will decline 23.39%. Our projection in 2011 for this adjustment was anticipated to drop between 20% and 30%. A summary was conducted of the Property Tax values, Sales Tax collections, Real Estate Transfer Tax trends and we reviewed how these projections will affect our budget, as well as our purchasing and reserve goals.
- We reviewed the Fiscal Year 2012 Budget page by page and each fund.
- We reviewed the various banks and investments that the Town holds.
- We reviewed the various types and the costs of insurance for the Town. Council requested time at the November 2nd Worksession to review and discuss this topic further. I have added information within this memo as requested by Council to facilitate this discussion.

1) Employee Insurance:

Currently, the Town of Minturn pays the full cost of insurance for the employee and dependents. The Town's employee insurance includes coverage for medical (Anthem Blue/Cross), dental (Sun Life), life/death and disability (Mutual of Omaha), and vision (VSP Inc). Our census is represented as follows:

- 2 Employees – Single
- 2 Employees – Single + Child
- 2 Employees – Married
- 5 Employees – Family
- 1 Employee – Position Vacant

During the budget presentation of October 5th the following table was presented:

YEAR	ACTUAL EMP'EE INSURANCE COST	TOTAL EMP'EES	COST PER EMPEE	PERCENT INC/(DEC)
2006	194,336.22	16	12,146.01	-
2007	209,670.24	15	13,978.02	13%
2008	230,803.52	14	16,485.97	15%
2009	204,771.96	14	14,626.57	-11%
2010	188,673.32	12	15,722.77	-8%
2011 est	190,600.00	12	15,883.33	1%

The chart above represents the average cost per employee and is demonstrative of the efforts taken by both Staff and Council to curb our employee insurance costs. As is evident, the average cost per employee remains under the 2008 average in each year since 2008. This is reflective of Council and Staff's work to provide a reasonable benefit in a cost effective manner for the employees.

This chart represents the average cost per employee for insurance coverage. Of this total the Town pays 42% to cover the employees and an additional 58% of the cost is attributable to dependent coverage. If the Town were to change this insurance policy whereby a percentage of the cost of dependents would be shouldered by the employee, the Town could potentially consider the following:

- Our current medical plan rates per month are displayed in the table below:

Single	\$526.67/mo
Single + Child	\$959.07/mo (Dependent Portion = \$432.40/mo)
Married	\$1,158.68/mo (Dependent Portion = \$632.01/mo)
Family	\$1,645.85/mo (Dependent Portion = \$1,119.18/mo)

- If the Town shifted 20% of the cost of the dependent family members to the employee, the Town would collect approximately \$1,975 per month or \$23,700 per year. The employee would see the following impact:

Single	no impact
Single + Child	\$97.08/mo or \$1,164.91/year
Married	\$137.55/mo or \$1,650.62/year
Family	\$249.01/mo or \$2,988.07/year

Most of our employees have more than just the employee in their insurance coverage. This change would result in an average reduction in wage of over 5.6%. Over the past several years the Town has faced increased financial difficulty with the downward spiraling economy. As a result the Town has frozen both staffing levels and wages for the past two consecutive years. Overall, Staff has been successful in trying to maintain the service levels to which our community has grown accustomed.

2) Paid Time Off Policy:

Council requested information on our leave policy and the accrued liability that the Town carries. In 1998 the Town's leave policy was modified to combine all leave as Paid Time Off and set an individual cap of two years at the current accrual level. Prior to the 1998 policy change the employee accrued 12 days sick leave per year, 10 vacation days per year, and one personal day; a total of 23 days. In addition to the sick and personal time, at the beginning of their fourth year the employee earned 15 vacation days, and beginning in the employee's eleventh year the employee earned 20 vacation days, everything else remained unchanged. Again prior to 1998, at termination of employment the employee would receive 100% of his or her vacation balance paid at their current rate of pay. By combining the leave into one group of Paid Time Off, paying out at 30%, 40%, and 50% based on years of service, and capping the accrual the Town was able to budget for the total liability, maintain a financially feasible benefit and a net savings over the previous policy that continues to this day.

As stated above, the current plan is a Paid Time Off (PTO) plan. This PTO incorporates sick leave and vacation into one program allowing the employee to have time off without the need to have vacation or sick qualifiers. The plan is set up based on years of service. The PTO accrues with each paycheck as follows:

The following section is pulled directly from the Minturn Employee Handbook:
Each full-time Salaried and Hourly employee shall accrue twenty three (23) days (184 hours) of paid time off for each year worked. There shall be no distinction made between vacation leave, sick leave, or personal leave. No PTO may be taken during the first six (6) months of employment unless approved to by both the Department Director and the Town Manager. Thereafter, each department will set advance notice requirements for leave time. Thereafter, employees receive 184 hours of paid time off in each year through the third (3rd) year employment anniversary. PTO shall accrue at the rate of 7.67 hours per pay period based upon 24 pay periods in each year.

- Beginning, the fourth (4th) year, employees receive 28 days (224 hours) of paid time off in each year. PTO shall accrue at the rate of 9.33 hours per pay period based upon 24 pay periods in each year.
- Beginning the eleventh (11th) year, employees receive 33 days (264 hours) of paid time off in each calendar year. PTO shall accrue at the rate of 11 hours per pay period based upon 24 pay periods in each year.

At the time of termination, his/her accrued PTO hours shall be paid at 30% for employment less than four years, 40% for employment over four years but less than 11 years, or 50% for employment over 11 years based on employment length of the employee's current rate in the employee's last pay check, less amounts owed the Town, if any. Any PTO payoff will require a minimum of six (6) months' continuous service with the Town.

The Town's Long Term Disability plan commences after three months of disability. The cap on the 10 year service level is intended to allow an employee injured and in need of the Long Term Disability (LTD) coverage the three months of disability time prior to the LTD commencing.

Annually, the liability for this benefit is calculated and included in the annual audit as per accounting standards as a long-term liability on the financial statements of both the General and Enterprise Funds. As of December 31, 2010 the liability was \$31,072. This information can be found on pages 3 and 8 of the audited financial statements dated December 31, 2010.

By way of comparison I have calculated the following:

Currently, our liability for the three categories is as follows:

		Current Liability	Maximum Liability
0-3years	4employees	\$ 4,923.10	\$15,214.66
4-10years	5employees	7,074.84	18,184.77
11years	<u>2employees</u>	<u>17,562.47</u>	<u>18,200.16</u>
	11employees	\$31,072.05	\$49,107.42

Our annual liability for this remains relatively constant year to year. For example, in 2008 our liability was \$26,734.25, and in 2009 our liability was \$32,685.99. Often fluctuations are seen more a result of the number of employees currently on staff than the comparable dollar figure.

3) Salary and Benefits Comparison:

a) Employee Compensation Studies

Council requested information from the various studies we had on our employee compensation. Following this memo are several worksheets that we have either received this year or had conducted in the recent past regarding the various salary and benefit packages offered by other jurisdictions. The important trend represented here is that the Town Staff is doing the same amount or more work with less core actual employees. Notably, staff levels and wages were frozen in 2010 and 2011. Although the Town did allocate funding during those years for the position of a 4th sworn police officer and a Director of Public Works, neither position has been filled nor will they be filled in 2012. The existing staff is either doing more with less or contracting out at significant savings for some of these services and bringing the non-contracted portions in house to be done with the remaining staff.

b) Budget Staffing Concepts – Recent

Over the past several years the Town has budgeted for several different growth options. For example, in 2008 the Town had an approved payroll budget of 20 Full Time Equivalent positions. The following table

shows the changes in staffing allowances over the past few years. The table below is based on budget, does not include taxes and benefits, but does show how we have either reduced or remained the same in actual employees each year to the previous year.

STAFFING FTE SUMMARY BUDGET TO ACTUAL

Position	2008	2009	2010	2011	2012
Manager		108,000.00	108,000.00	108,000.00	108,000.00
Interim Manager	162,000.00				
Event Coordinator	34,111.00				
Finance Director	85,000.00				
Treasurer/Clerk	65,637.00	71,703.60	71,703.60	71,703.60	71,703.60
Office Technician	38,327.00	32,000.00	40,000.00	40,000.00	40,000.00
Planning Director	85,000.00	86,333.96			
Planner	61,669.00	65,748.45	65,748.45	67,644.92	67,644.92
Police Chief	65,637.00	71,703.60	71,703.60	71,703.60	71,703.60
Officer #1	48,387.00	45,848.72	45,848.72	45,848.72	45,848.72
Officer #2	45,848.72	58,515.00	58,515.00	45,848.72	45,848.72
Officer #3	43,888.00	45,848.72	45,848.72	45,848.72	
Code Enforcement	43,888.00				
Court/Police Clerk	40,244.00	44,142.92	44,142.92	44,142.92	44,142.92
Public Works Dir	85,000.00	67,644.31	67,644.31	65,000.00	
Public Works Sup	58,000.00				
Water Works Sup	61,669.00				
Public Works Tech	38,334.00	42,036.80	42,036.80	42,036.80	42,036.80
Public Works Tech	36,504.00	36,504.00	36,504.00	36,504.00	36,504.00
Public Works Tech	44,366.00	44,366.40	44,366.40	44,366.40	44,366.40
Public Works Tech	40,248.00	40,248.00	40,248.00	40,248.00	40,248.00

Total budget	1,183,757.72	860,644.48	782,310.52	768,896.40	658,047.68
Actual Staff	827,737.72	793,000.17	668,817.49	658,047.68	658,047.68
Approved FTE	20.00	15.00	15.00	14.00	12.00
Actual FTE	15.00	14.00	12.00	12.00	12.00

c) Retirement Benefit funding

The Council requested information on the rate at which employee 401(k) retirements are being funded. The Town currently funds a retirement benefit for non-sworn police officers. Sworn police officers are on a separate retirement plan funded by the Town and as the plan is a 401(a) are also exempt from Social Security through their plan. In this alternative plan contribution rates are set by federal law at 8% and 2.4% disability and it is not available to the other employees.

During the 2009 budget discussions, Council directed a change in the retirement participation requirements. Where the plan was funded at 8% Council added the stipulation that, in order for the Town to contribute 8%, the employee must also contribute a 2% minimum. This change did not result in a cost savings for the Town as all otherwise eligible employees agreed to contribute at least 2%.

In the event the Council considers a reduction in the Town's 401k contribution rate in 2012, the Town would realize a cost savings of approximately \$4,927 per percentage point. For example, if the Council desired to fund at 7% rather than 8%; the Town would recognize a savings of \$4,927.

d) Pay Status for Town Council and Planning Commissioners

Council requested confirmation of the amount received by the Planning Commissioners for their services. Discussion also included the manner in which Council is paid. The Town Council sets compensation for both the Town Council and the Planning Commission by Ordinance as it directly modifies sections of the Town Municipal Code and did so as follows.

- a) Ordinance 12-2006 set the Planning Commissioner's pay at \$75.00 per each attended meeting, not to exceed \$150.00 per month effective August 2, 2006.
- b) Ordinance 13-2008 set the Mayor's pay at \$400.00 per month plus \$200.00 for any additional meeting attended and \$200 per month for plus \$100.00 for any additional meeting attended. It was determined and set by Council that an additional meeting would be a duly called and posted Special Meeting whereby the Council would be allowed to make decisions; it would not apply to the various committees and such Council Members may be appointed to serve on.

COUNCIL DIRECTION REQUESTED:

In the FY2012 Budget distributed to Council for the October 5th meeting Staff did not include an increase in the Enterprise Fund for water and trash service rates. Although it is not anticipated that we will run a Enterprise Fund deficit in 2012, we will not show any material increase in our long term savings other than the allocation of our estimated \$65,000.00 annual depreciation. Further, in light of the current economic conditions and the fragility of our budget needs, the Town has continued responded to maintenance needs.

- In 2010, Council made no change in the base rate of water or trash service; however, they directed the base water usage allowed prior to a usage fee to decrease for residential users from 15,000gal/SFE to 10,000gal/SFE. The monthly trash service fee is \$26.86 per can and only barely covers the actual cost of the contracted and administrative services. The 2012 budget for this service shows revenues of \$94,000 and expenses of \$87,500. Although this represents a surplus of \$6,500 it is only an estimated amount and may change as the cost of a service charge of fuel cost per mile is reviewed by the contractor.
- In order to avert a Fund shortfall, in 2011 the Council adopted the Debt Service Fee. This Debt Service Fee is calculated by dividing the total annual Enterprise water debt liability by the total number of SFE's on the system. The fee is charged to all users, both residential and commercial based on the account's SFE count, however, if requested, seniors are exempt from this fee. Currently, over 90% of the seniors have opted out. Many of the remaining 10% of seniors, although eligible, are second homeowners.
- In 2011 the Council instituted a Debt Service Fee to cover cost of principal and interest for the bonds in the Enterprise Fund. In 2011 this fee was \$10.67 and, due to the retirement of a debt in 2012, the fee is scheduled to decrease to \$6.50 in 2012.
- Currently the metered water rates for the Town of Minturn are:
 - Residential: \$63.92 per Single Family Equivalent (SFE) plus \$2.48 per 1,000gal over the first 10,000gal.
 - Commercial: \$79.90 per SFE plus \$2.30 per 1,000gal over the first 30,000gal.

In 2012 the combined Residential and Commercial Use Fees generated by use in excess of the base allowance anticipates revenues of \$6,400.

Direction is requested on water and trash fees.

Previous Fee Action:

- 2011 None (the Debt Service Fee was introduced)
- 2010 None (Use fee was reduced from 15,000gal/SFE to 10,000gal/SFE)
- 2009 None
- 2008 5%
- 2007 None
- 2006 5%
- 2005 5%
- 2004 None
- 2003 5%
- 2002 5%

Below is a table showing the rates as compared to Minturn's from highest to lowest, the average rate is \$63.69. Previously, Red Cliff was not included in this table, I have added them.

Eagle County Residential Water Rates

Municipality	2011 Rates 10,000gal/mo
Red Sky Ranch	108.00
Red Cliff	98.10
Cordillera	87.35
Bachelor Gulch	83.57
Beaver Creek	83.57
Avon, Town of	80.87
Avon, Village at	80.87
Minturn, Town of	63.92
Berry Creek	61.30
Eagle Vail	61.30
Edwards	61.30
Vail, Town of	51.04
Arrowhead	31.30

The cost of water and the resulting fee assessed should be based on the cost to produce the water and run the department plus an amount sufficient to produce reasonable and responsible annual savings for major repairs and maintenance. At this point, the Town covers the cost of annual operations and puts an amount into reserve based on depreciation. The water plant and distribution system is aging and annually more and more repairs are necessary. Additionally, the Town has begun the process of developing and implementing an annual maintenance program whereby the lines are flushed, hydrants maintained, and valves are exercised. Even this maintenance has resulted in expensive repair jobs. We have also been working diligently to locate and repair leaks in the distribution system.

A second issue that needs Council attention is the cost of water taps. Although this is not a major source of revenue it should be reviewed nonetheless. Our water tap rates are as follows:

	Water Tap Fees	
	Minturn	ERWSD Sewer Tap
Residential (3/4 tap)	\$6,500/SFE	9,180.00
Commercial		
3/4 inch	9,500.00	10,488.00
1 inch	16,500.00	18,179.00
1.5 inch	36,500.00	40,554.00
2 inch	6,500.00	72,019.00
3 inch	145,000.00	160,818.00
4 inch	257,750.00	285,977.00
6 inch	580,000.00	643,972.00

The ERWSD comparison shows what the corresponding residential sewer tap would cost for a 3,000 square foot home and what a commercial sewer tap would cost.

Staff is requesting direction on fees for Water, Water Taps, and Trash.

Supporting Documentation:

- 1) Various salary surveys
 - a. Manager's Listserve – 10/03/11
 - b. NWCCOG – 08/26/11
 - c. Benefits comparison – 11/25/08
- 2) 2012 Budget wage and staff levels
- 3) Ordinance 12-2006: Planning Commission Pay
- 4) Ordinance 13-2008: Town Council Pay
- 5) Current Anthem/Blue Cross benefit plan summary

2012 Proposed Increases

Municipality	Merit	COLA	Bonus	Step	Benefits	Reduced	Last Incr.	Comments
Arvada	1.2%	0.0%	0.0%	1.6%	2(reclass)	33fte/09-10	1.7%-2011	Medical insurance and co-insurance will go up for emps. 4% is max; avg will be 3-3.5%
Aspen	4%		0	0			2%-8/2011	
Basalt	0%		0%	0%				
Bayfield	0.0%		0%	0.0%		0 2 fte's		Not rehiring/attrition
Breckenridge	3.0%	0.0%	0.0%	0.0%	\$15/year benefit credit	8 fte's	3%-2011	6 FTE's reduced 2009-2010; 1-2 more ftes under consideration
Craig	0%	2-3%	0%	0%		1fte	2%-2010	Building inspector let go/lack of activity
Crestone	0%		3%	0%	see note		0 3%-2009	Asking Board for five days of vaca/sick/personal time annually
Delores	3.0%		0%	0.0%	2% incr. match retirement		2009	\$250 bonus at Christmas last two years; changed from ppo to fully funded HAS for employee deductible; family deductible is paid by employee.
Dillon	0.0%		0%	0.0%			2%-2011	2011 was a COLA
Eagle	0.0%	2.5%	0.0%	0.0%		8 fte's		Lay off reductions over last 2.5 years
Fountain	0%		0%	0%			3%-2011	
Fraser	0.0%	0.0%	0.0%	0.0%	Grand Pass		2009	Limited salary adjustments 5-10% for operations reclassifications; poss create a couple of seasonal positions
Frisco	3.0%		0%	0.0%			3%-2011	2011 was merit incr; 3% was avg
Granby	0.0%	2.5%	0.0%	2.5%		Med ins.	3%-2011	Increase will be either/or (step/cola), not both
Grand Lake	0.0%	3.0%	0	0.0%			3%-2009	
Greenwood Village	0%		0%	0%				Lump sum bonus in 2011 ranging from \$250-\$1,500; smaller as salary increases.
Idaho Springs	0.0%	2.0%	\$0.00	0.0%			See note	Considering one time 2% bonus at end of 2011
Kersey	0.0%	0.0%	0%	0%			2010	Considering one time \$1,000 bonus at end of 2011
Kremmling	0.0%	2.15%	0.0%	0.0%			1.2%--2011	
Limon	2.25%	0.0%	0.0%	0.0%			2%-2011	similar incr. past 3 yrs; 2009 incr. insurance deduct incr. in 2009
Minturn	0.0%	0.0%	\$ --	3.0%			2011	\$1,000 bonus in 2011
Mt. Crested Butte	0.0%	0.0%	0.0%	0.0%			2009	Considering bonus in December 2011, and again in 2012
Ouray	2.0%		0.0%	0.0%		health bene	2%-2011	Raises likely won't keep pace with add'l insur costs
Rocky Ford	0.0%	0.0%	\$ 1,000.00	0.0%				Considering one-time bonus in 2012
Silverthorne	3.0%		0%	0.0%			2009	Salaries frozen since 2009
Silverton	0.0%	considering	0.0%	0.0%			1.7%-2011	2009-3.7% Cola; 1% merit, 1% flex incr; 2010-1.5% merit
Snowmass Village	0.0%	0.0%	see note	0.0%			3%-2011	July 1.3% merit after three years frozen; considering bonus in May of 2012
Superior	3.5%		0%	0%			2%-mid 2011	2010 instituted 2 more days off for tenured emps.
Telluride	0.0%	2%	0%	0%	See note		2%-2011	Percentage is max emp. May receive
Vail	3.0%	0.0%	0	0.0%				2% ATB and step and merit for 2012
Westminster	2.0%	2%	0%	0%			\$700-2011	Civilians-COLA, Sworn-Step depending on rank
Wheat Ridge	0%	3%	0-2%	3-6%			2008	Modifying insur to keep affordable for emps
Windsor	2.75%							5% pool; 3% if employee has met expectations (for cola) and last 2% merit for evals of meets, exceeds expectations or superior.
Winter Park	2.0%	3.0%	0.0%	0.0%				

NWCCOG Survey: Salary Increases

8/26/2011

	2011 Salary Increase?	How Much for 2011?	Salary Increase being proposed?	How much for 2012?	Comments
Eagle County	Yes	4% merit pool	Uncertain at this time	Uncertain at this time	We are hoping to have some funds for increases in 2012, but that is not certain at this time and those funds may not be used in an across the board type increase.
Basalt	No	o	Yes	3%	We are anticipating budget approval for 3% increase in 12.
Eagle	No	o	Unlikely	o	It has not yet been determined, but any increases are unlikely. If there are any increases, they will be minimal and perhaps only for lower paid employees.
Gypsum	No	o	No	o	Gypsum has had a wage freeze for 3 years
Minturn	No	o	Yes	3%	We did not do COL or merit in 2011; we did do a \$1,000 onetime bonus in December of 2011; At this point we are budgeting up to 3% raises in 2012 but I can see backsliding to a onetime bonus again in December 2011.
Vail	Yes	up to 2% merit	Yes	up to 3%	Nothing has been formalized/approved for 2012 as yet
Grand County	No	o	No	o	Grand County gave no salary raises in 2011 and reduced our contribution to the retirement fund match from 8% to 6%. There are no raises contemplated in 2012.
Fraser	No	o	Yet to be determined		TOF did not provide any COL or Merit increases in 2011. And, it's worth noting we asked our people to do more without any changes in compensation.; As for 2012, that is yet to be determined. Probably not, but possibly in some positions (where job duties and responsibilities have increased)
Granby	Yes	Average just under 3%	Yes	COLA equal to CPI	In 2011, the Town of Granby gave increases to all employees to put each position on a standard wage scale. The average of the increase was just under 3% (approximately 2.85%). For 2012: At this point I do not know the desire of the Board of Trustees, we will be building into the budget a COLA that will be equivalent to the CPI for our area, based upon an October-to-October calculation.
Grand Lake	No	o	Would like to propose	would like to propose in the 2-3% range	Summer sales tax really needs to materialize to justify requesting a pay raise for employees
Jackson County	Yes	3%	Have not made any decisions re: 2012		
Walden	No	o	Not sure		

Pitkin County	No	o	Yes	1%	
Aspen	Yes	2% on 8/1/11	Yes	up to 4%	We gave an across the board 2% increase on August 1, 2011. We will be requesting funding for merit raises up to 4% for 2012. These 2012 raises will probably average around 3-3.5%.
Summit County	Yes	2%	Unlikely at this time		
Dillon	Yes	2% COLA	Not at this time	o	
Frisco	Yes	3% (avg) merit	Yes	3%	We have budgeted for 3% merit increases in 2012, however, this is pending approval of the budget by Council. Again, no market adjustment.
Silverthorne	No	o	Yes	3%	No raises given in 2011. However, we did make whole the later part of 2009 merit increases that were never given. We froze salaries on June 1, 2009; Currently we have 3% in the 2012 budget but only because Lowes is coming. This has not been presented to Council or approved. Without Lowes we could not give anything for the third year.
Glenwood Springs	No	o	Not Likely	o	unlikely (no official determination yet) for 2012.

TOWN OF MINTURN BENEFITS COMPARISON

	Paid/Un-Paid Time Off	Health Insurance	Dental /Vision	Life Insurance	Disability Insurance/ Accidental D&D	Retirement FICA/ICMA	Recreation/Personal Wellness/Community
Minturn	PTO (Paid Time Off): * accrue twenty three (23) days (184 hours) of PTO for each year worked, no distinction made between vacation leave, sick leave, or personal leave. Holiday Pay: Each holiday observed by the Town will be a day off with pay for employees.	Town pays full cost for employee and dependents. PPO, \$500 deductible/person and \$1,000/family, 80% after deductible.	Town provides dental and vision with nominal co-pays.	Coverage is \$25k per employee	Long-term Disability Benefits: All employees are eligible. Town pays all premiums.	Retirement Plan -- 401K Festsuz 401 Plan (starts after 6 months & immediately fully vested) 8% employee. Town & Employer each pay FICA/MC 7.65%	Tuition Reimbursement for work-related courses. Housing available (if vacant). Ski pass repayment.
Vail	Vacation and Holiday Pay: eleven paid holidays and two weeks of vacation during the first year (based on a 40 hour workweek). Vacation and holiday hours are combined into one account since many employees must work holidays. Sick Leave: Employees earn 8 hours sick leave per month.	All employees and family members are eligible for the Town's group insurance plan. At 80% cost to employee is \$50/mth and family \$150/mth.	Town offers dental insurance without doctor network restrictions. This dental coverage has NO deductible.	Paid 100% by TOV. 21/2 times annual salary	Paid 100% by TOV. *Short-term and long-term disability. *Survivors Income Insurance *Accidental Death and Dismemberment paid 100% by TOV.	Pension Plan: The TOV pays all contributions. First year of service- 11.15% of base salary; after completing 1 year of service- 16.15% of base salary. NO retirement contributions to the Federal Social Security System. No employee match required. Employee vesting in the plan is 20% per year.	FREE golf, tennis and ice skating. Payments towards ski pass, athletic club or cash (value based on years of service).
Eagle County	Personal Leave: New employees accruing 12 days off annually. Holidays: County as approved 12 holidays per year. Two are float holidays selected by the Commissioners.	County pays 97%. Traditional PPO, HRA and the GOLD HSA.	County provides Dental, 80% of basic and major services, after a \$50 deductible; up to a max of \$1,500 per calendar year. Vision; any provider and reimbursed 100% of billed charges up to a calendar year max of \$400.	Coverage is one times annual salary with a \$50,000 min.	Paid by County. Short Term disability coverage at 60% of the employee's regular rate of pay for 26 weeks. Long Term disability coverage at 60% of the employee's regular rate of pay after a six-month waiting period.	Retirement 401k Eagle County 6% of an employee's compensation excluding overtime and bonus pay. Employees are required to contribute an amount equal to the county's 6%. Vesting occurs at 25% per year starting with first year.	Tuition Reimbursement: Enrolled in a degraded program or taking employment related courses are eligible for tuition reimbursement up to \$3,000 annually.
Eagle County Schools	Paid Leave: One day for every 18 days worked	Health Insurance, Dental Insurance and Prescription Card (single coverage) \$449.90 monthly district contribution.	Paid by employee: Vision: Single- \$8.77/mth Family- \$31.52/mth	PERA	PERA	PERA- Employee 8.5%, District 12.05%	none
Avon	PTO: Time off may be used as it accrues. New employees start accruing 8 hours per month. Holidays: 8 hours PTO accrued per each of the 10 designated holidays. Sick Time: Accrues at 8 hours per month.	Town pays full cost for employee and dependents. PPO, \$500 deductible/person and \$1,500/family, 80% after deductible.	Town offers dental and vision. Dental: \$50 annual deductible. Vision: \$80 per calendar year- no deductible.	benefit is twice salary.	Paid by Town of Avon. Long-term: Pays 66.7% of base salary while disabled. Short term: 60% of base not to exceed \$1,000/week.	Mandatory: 11% employee contribution matched by Town of Avon 11%. 5 year vesting.	Free rec center pass; ECO bus pass; Wellness benefit. Ski pass via payroll deduction.

2012 WAGE BUDGET WITH CURRENT STAFF LEVELS

LAST UPDATE 10/25/2011

2011 15%
INSURANCE COST
12months @ \$112,800K

EMPLOYEE NAME	ACCOUNT NUMBER	2011 WAGE	2011 SS/FICA	2011 ICMA/FPPA	2011 INSURANCE COST	TOTAL
General Government	01-01-5012	108,000.00	8,262.00	8,640.00	13,881.28	138,783.28
	01-01-5014	71,703.00	5,485.28	5,736.24	7,699.30	90,623.82
	01-01-5014	40,000.00	3,060.00	3,200.00	20,446.36	66,706.36
SUBTOTAL		219,703.00	16,807.28	17,576.24	42,026.94	296,113.46
PLANNER 1	01-02-5010	67,645.00	5,174.84	5,411.60	17,992.03	96,223.47
SUBTOTAL		67,645.00	5,174.84	5,411.60	17,992.03	96,223.47
Police Dept	01-04-5010	77,500.00	0.00	8,215.00	25,224.74	110,939.74
	01-04-5012	44,142.92	3,376.93	3,531.43	25,578.02	76,629.31
	01-04-5012	51,548.72	3,196.02	5,464.16	8,043.47	68,252.37
	01-04-5012	51,548.72	3,196.02	5,464.16	24,235.28	84,444.18
	01-04-5012	0.00	0.00	0.00	0.00	0.00
SUBTOTAL		224,740.36	9,768.97	22,674.76	83,081.51	340,265.61
EVENT COORDINATOR	01-05-5010	12,000.00	918.00	960.00	5,150.00	19,028.00
SUBTOTAL		12,000.00	918.00	960.00	5,150.00	19,028.00
Public Works	01-06-5011	0.00	0.00	0.00	0.00	0.00
	01-06-5011	51,500.00	3,939.75	4,120.00	25,578.02	85,137.77
	01-06-5011	47,000.00	3,595.50	3,760.00	25,567.81	79,923.31
	01-06-5011	98,500.00	7,535.25	7,880.00	51,145.83	165,061.08
SUBTOTAL		146,500.00	11,470.50	15,760.00	102,291.66	375,922.14
Enterprise Fund	02-06-5010	0.00	0.00	0.00	0.00	0.00
	02-06-5010	53,750.00	4,111.88	4,300.00	23,925.20	86,087.08
	02-06-5010	42,500.00	3,251.25	3,400.00	17,974.36	67,125.61
SUBTOTAL		96,250.00	7,363.13	7,700.00	41,899.56	153,212.69
SUBTOTAL GENERAL FUND		622,588.36	40,204.35	54,502.60	199,396.31	916,691.62
SUBTOTAL WATER FUND		96,250.00	7,363.13	7,700.00	41,899.56	153,212.69
TOTAL COST		718,838.36	47,567.47	62,202.60	241,295.87	1,069,904.30

NOT BUDGETED IN 2012
44,138 + \$5k(ot) + 2,400 stipend
42,037 + \$5k (ot)

NOT BUDGETED IN 2012
48,672 + \$5k (ot)
40,040 + \$2,500 (ot)

**TOWN OF MINTURN, COLORADO
ORDINANCE 12 - 2006**

**AN ORDINANCE AMENDING CHAPTER 16 OF THE MINTURN MUNICIPAL CODE
BY THE CREATION OF A NEW SECTION AS IT PERTAINS TO COMPENSATION
FOR MEMBERS OF THE TOWN OF MINTURN PLANNING COMMISSION**

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, STATE OF COLORADO, THAT:

Section 1. Amendment. The Municipal "Code of the Town of Minturn is amended by the addition of a Chapter 16, Section 16.21.4 (C) (6) as follows:

(6). Compensation.

All members of the Commission shall serve with compensation at the rate of seventy-five dollars (\$75.00) per each attended meeting, not to exceed one hundred fifty dollars (\$150.00) per month, and be reimbursed for all authorized personal expenses incurred while performing duties as a Commission member.

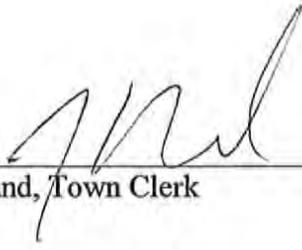
Section 2. Severability. If any part, section, sub-section, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance; and the Town Council for the Town of Minturn, Colorado, hereby declares that it would have passed this Ordinance and each part, section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more parts, sections, sub-sections, sentences, clauses or phrases be declared invalid.

Section 3. The repeal or the repeal and re-enactment of any provision of the Minturn Municipal Code as provided in this ordinance shall not affect any right which has accrued, and duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceeding as commenced under or by virtue of the provision repealed or repealed and re-enacted. The repeal of any provision hereby shall not revive any provision or any ordinance previously repealed or superseded unless expressly stated herein.

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL THE 19th DAY OF JULY, 2006 A public hearing on this ordinance shall be held at the regular meeting of the Town Council of the Town of Minturn, Colorado, on the 2nd day of August, 2006, at 7:00 P.M. at the Town Center, Minturn, Colorado.


Hawkeye Flaherty, Mayor

Attest:



Jay Brunvand, Town Clerk

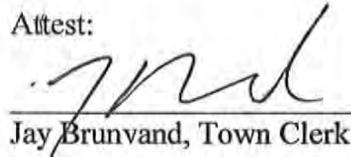


INTRODUCED, READ BY TITLE, PASSED ON SECOND READING, APPROVED AND ORDERED PUBLISHED BY TITLE ONLY THIS 2nd DAY OF AUGUST, 2006.



Hawkeye Flaherty, Mayor

Attest:



Jay Brunvand, Town Clerk



**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 13 - SERIES 2008**

**AN ORDINANCE AMENDING CHAPTER 2 OF THE MINTURN MUNICIPAL
CODE BY REPEALING AND RE-ENACTING SECTION 2-52 ESTABLISHING
AND PROVIDING FOR COMPENSATION FOR THE TOWN COUNCIL AND
THE MAYOR OF THE TOWN OF MINTURN, COLORADO.**

WHEREAS, the Mayor and Town Council periodically review compensation provided to the members of the Mayor and Town Council to ensure the Town's budgetary goals are met, and to ensure elected officials are adequately and fairly compensated for their time and talents; and

WHEREAS, the Home Rule Charter of the Town of Minturn, Colorado provides that compensation for the Mayor and Town Council members can neither be increased nor decreased during their term of office; and

WHEREAS, the regular municipal election is scheduled for April 8, 2008, and it is appropriate that compensation is established prior to newly elected officials taking office.

NOW, THEREFORE, THE TOWN OF MINTURN, COLORADO ORDAINS:

Section 1. AMENDMENT. Section 2-52 of the Minturn Municipal Code is repealed and re-enacted as follows:

As prescribed in the Minturn Home Rule Charter, Section 4.5, beginning with the April 8, 2008 regular election, this ordinance sets the monthly compensation for any member of the Town Council or Mayor elected in the regular municipal election of April 8, 2008, or elected or appointed thereafter, at Four Hundred Dollars (\$400.00) per month plus Two hundred Dollars (\$200.00) for any additional posted meeting attended for Mayor and Two Hundred Dollars (\$200.00) per month plus One Hundred Dollars (\$100.00) for any additional posted meeting attended for Council members during his or her term of office.

Section 2. SEVERABILITY. If any part, section, sub-section, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance; and the Town Council for the Town of Minturn, Colorado, hereby declares it would have passed this Ordinance and each part, section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more parts, sections, sub-sections, sentences, clauses or phrases be declared invalid.

**INTRODUCED, TITLE READ IN FULL, PASSED ON THE FIRST READING,
APPROVED AND ORDERED PUBLISHED IN FULL THIS 5th DAY OF MARCH,
2008.** A public hearing on this ordinance shall be held at the regular meeting of the Town Council of the Town of Minturn, Colorado on the 19th day of March, 2008, at 7:00 p.m. at the Minturn Town Center, 302 Pine Street, Minturn, Colorado.

Hanksey Flaherty
Mayor

Attest:

[Signature]
Town Clerk



**INTRODUCED, READ BY TITLE, PASSED ON SECOND READING,
APPROVED AND ORDERED PUBLISHED BY TITLE ONLY THIS 19th
DAY OF MARCH, 2008.**

Hanksey Flaherty
Mayor

Attest:

[Signature]
Town Clerk



**Colorado Health Benefit Plan Description Form
Anthem Blue Cross and Blue Shield**

Name of Carrier

PPO \$45 Copay GenRX

Name of Plan

PART A: TYPE OF COVERAGE

1. TYPE OF PLAN	Preferred provider plan
2. OUT-OF-NETWORK CARE COVERED? ¹	Yes, but the patient pays more for out-of-network care
3. AREAS OF COLORADO WHERE PLAN IS AVAILABLE	Plan is available throughout Colorado

PART B: SUMMARY OF BENEFITS

Important Note: This form is not a contract, it is only a summary. The contents of this form are subject to the provisions of the policy, which contains all terms, covenants and conditions of coverage. Your plan may exclude coverage for certain treatments, diagnoses, or services not noted below. The benefits shown in this summary may only be available if required plan procedures are followed (e.g., plans may require prior authorization, a referral from your primary care physician, or use of specified providers or facilities). Consult the actual policy to determine the exact terms and conditions of coverage. Coinsurance options reflect the amount the covered person will pay.

	IN-NETWORK	OUT-OF-NETWORK
4. Deductible Type ²	Calendar Year	Calendar Year
4a. ANNUAL DEDUCTIBLE ^{2a}		
a) Individual ^{2b}	\$750, excludes copayments	\$1,500
b) Family ^{2c}	\$1,500 aggregate, excludes copayments	\$3,000 aggregate
5. OUT-OF-POCKET ANNUAL MAXIMUM ³		
a) Individual	\$4,000 excludes deductible and copayments	\$8,000 excludes deductible
b) Family	\$8,000 aggregate, excludes deductible and copayments	\$16,000 aggregate, excludes deductible
	One member may not contribute any more than the individual out-of-pocket annual maximum toward the family out-of-pocket annual maximum.	One member may not contribute any more than the individual out-of-pocket annual maximum toward the family out-of-pocket annual maximum.
c) Is deductible included in the out-of-pocket maximum?	No	No
	Some covered services have a maximum numbers of days, visits or dollar amounts allowed during a calendar year. These maximums apply even if the applicable out-of-pocket annual maximum is satisfied.	Some covered services have a maximum numbers of days, visits or dollar amounts allowed during a calendar year. These maximums apply even if the applicable out-of-pocket annual maximum is satisfied.

An independent licensee of the Blue Cross and Blue Shield Association. Anthem Blue Cross and Blue Shield is the trade name of Rocky Mountain Hospital and Medical Service, Inc. © Registered marks Blue Cross and Blue Shield Association

Si usted necesita ayuda en español para entender este documento, puede solicitarla gratis llamando al número de servicio al cliente que aparece en su tarjeta de identificación o en su folleto de inscripción.

	IN-NETWORK	OUT-OF-NETWORK
6. LIFETIME OR BENEFIT MAXIMUM PAID BY THE PLAN FOR ALL CARE	\$6,000,000 per member in- and out-of-network combined for all covered services. Infertility diagnostic services have a lifetime maximum benefit of \$2,000 per member in- and out-of-network combined. Bariatric surgery has a lifetime maximum benefit of \$7,500 per member for services received from a Center of Excellence facility or a lifetime maximum benefit of \$1,500 per member for services received from a facility that has not been designated as a Center of Excellence; total lifetime maximum benefit shall not exceed \$7,500 per member in- and out-of-network combined.	\$6,000,000 per member in- and out-of-network combined for all covered services. Infertility diagnostic services have a lifetime maximum benefit of \$2,000 per member in- and out-of-network combined. Bariatric surgery has a lifetime maximum benefit of \$1,500 per member for services received from a facility that has not been designated as a Center of Excellence; total lifetime maximum benefit shall not exceed \$7,500 per member in- and out-of-network combined.
7A. COVERED PROVIDERS	Anthem Blue Cross and Blue Shield PPO provider network. See provider directory for complete list of current providers.	All providers licensed or certified to provide covered benefits.
7B. With respect to network plans, are all the providers listed in 7A accessible to me through my primary care physician?	Yes	Yes
8. MEDICAL OFFICE VISITS ⁴ a) Primary Care Providers b) Specialists	<p>\$45 copayment per visit; no coinsurance (100% covered) for all other services which are performed in the physician's office and billed by the physician (e.g., laboratory and x-ray services). Services performed or billed by another provider are not included in the visit copayment, see line 14 for payment information. Excludes MRI, CT, PET scans, nuclear medicine and other high-tech services, see line 14.</p> <p>\$45 copayment per visit; no coinsurance (100% covered) for all other services which are performed in the physician's office and billed by the physician (e.g., laboratory and x-ray services). Services performed or billed by another provider are not included in the visit copayment, see line 14 for payment information. Excludes MRI, CT, PET scans, nuclear medicine and other high-tech services, see line 14.</p>	<p>50% coinsurance after deductible</p> <p>50% coinsurance after deductible</p>
9. PREVENTIVE CARE a) Children's services b) Adults' services	<p>Up to age 13, \$45 copayment per office visit. Copayment includes services provided as preventive care.</p> <p>\$45 copayment per office visit. Copayment includes services provided as preventive care, including preventive colon cancer.</p> <p>Covered preventive services are not subject to coinsurance or deductible.</p>	<p>Up to age 13, \$90 copayment per office visit. Copayment includes services provided as preventive care.</p> <p>\$90 copayment per office visit. Copayment includes services provided as preventive care. For covered colonoscopy facility services, covered person pays \$500 copayment.</p> <p>Covered preventive services are not subject to coinsurance or deductible.</p>

	IN-NETWORK	OUT-OF-NETWORK
10. MATERNITY		
a) Prenatal care	\$45 copayment for first prenatal care office visit/delivery from the physician, no coinsurance (100% covered) for all other services which are performed in the physician's office and billed by the physician (e.g., laboratory and x-ray services). Services performed or billed by another provider are not included in the visit copayment, see line 14 for payment information.	50% coinsurance after deductible
b) Delivery & inpatient well baby care ⁵	40% coinsurance after deductible for facility services	50% coinsurance after deductible
11. PRESCRIPTION DRUGS Level of coverage and restrictions on prescriptions ⁶		
a) Inpatient care	Included with the inpatient hospital benefit (see line 12)	Included with the inpatient hospital benefit (see line 12)
b) Outpatient Pharmacy	Generic formulary \$15 copayment or 30% of the negotiated fee for generic self-injectable drugs, per prescription at a participating pharmacy up to a 30-day supply. <u>Prescription Drugs other than generic prescription drugs are not covered.</u>	Not covered
c) Prescription Mail Service	Generic formulary \$30 copayment, per prescription through the mail-order service up to a 90-day supply. Prescription Drugs other than generic prescription drugs are not covered. Includes coverage for smoking cessation prescription legend drugs when enrolled in a smoking cessation counseling program approved by Anthem, up a \$500 per lifetime maximum benefit. For drugs on our approved list, call customer service at 877-833-5734. Covered only when received from a participating pharmacy.	Not covered
12. INPATIENT HOSPITAL	40% coinsurance after deductible	50% coinsurance after deductible
13. OUTPATIENT/AMBULATORY SURGERY	40% coinsurance after deductible	50% coinsurance after deductible
14. DIAGNOSTICS		
a) Laboratory & x-ray	40% coinsurance after deductible for laboratory or x-ray services which are not included in the applicable visit copayment or that were billed on a different date than the office visit.	50% coinsurance after deductible
b) MRI, nuclear medicine, and other high-tech services	40% coinsurance after deductible	50% coinsurance after deductible
15. EMERGENCY CARE^{7,8}	40% coinsurance after deductible.	40% coinsurance after deductible.
16. AMBULANCE		
a) Ground	40% coinsurance after deductible	40% coinsurance after deductible
b) Air	40% coinsurance after deductible	40% coinsurance after deductible

	IN-NETWORK	OUT-OF-NETWORK
17. URGENT, NON-ROUTINE, AFTER HOURS CARE	\$45 copayment per visit; no coinsurance (100% covered) for all other services which are performed in the physician's office and billed by the physician (e.g., laboratory and x-ray services). Services performed or billed by another provider are not included in the visit copayment, see line 14 for payment information. Excludes MRI, CT, PET scans, nuclear medicine and other high-tech services, see line 14.	50% coinsurance after deductible
18. BIOLOGICALLY-BASED MENTAL ILLNESS CARE ⁹	Coverage is no less extensive than the coverage provided for any other physical illness.	Coverage is no less extensive than the coverage provided for any other physical illness.
19. OTHER MENTAL HEALTH CARE a) Inpatient care b) Outpatient care	40% coinsurance after deductible, subject to any applicable cost-share maximums imposed by law. Up to \$45 copayment per office visit, subject to any applicable cost-share maximums imposed by law.	50% coinsurance after deductible, subject to any applicable cost-share maximums imposed by law. 50% coinsurance after deductible, subject to any applicable cost-share maximums imposed by law.
20. ALCOHOL & SUBSTANCE ABUSE a) Inpatient Care b) Outpatient care	40% coinsurance after deductible, subject to any applicable cost-share maximums imposed by law. Up to \$45 copayment per office visit, subject to any applicable cost-share maximums imposed by law.	50% coinsurance after deductible, subject to any applicable cost-share maximums imposed by law. 50% coinsurance after deductible, subject to any applicable cost-share maximums imposed by law.
21. PHYSICAL, OCCUPATIONAL, AND SPEECH THERAPY a) Inpatient b) Outpatient	40% coinsurance after deductible. Covered for inpatient rehabilitation therapy for up to 30 non-acute inpatient days per calendar year in- and out-of-network combined. 40% coinsurance after deductible. Limited to 20 visits each for physical, occupational or speech therapy per calendar year in and out-of-network combined, from birth until the third birthday benefits are provided as required by applicable law..	50% coinsurance after deductible. Covered for inpatient rehabilitation therapy for up to 30 non-acute inpatient days per calendar year in- and out-of-network combined. 50% coinsurance after deductible. Limited to 20 visits each for physical, occupational or speech therapy per calendar year in and out-of-network combined, from birth until the third birthday benefits are provided as required by applicable law..
22. DURABLE MEDICAL EQUIPMENT	40% coinsurance after deductible with benefits limited to a maximum benefit of \$3,000 per calendar year. The \$3,000 maximum benefit is combined to include Durable Medical Equipment (line 22) and Oxygen (line 23). For prosthetic devices (arms and legs), benefits are provided with the same deductible and coinsurance as provided by Medicare. Prosthetic devices for arms and legs are not subject to, or limited by, the maximum benefit of \$3,000.	Not covered
23. OXYGEN	40% coinsurance after deductible with benefits limited to a maximum benefit of \$3,000 per calendar year, combined with durable medical equipment (see line 22).	Not covered

	IN-NETWORK	OUT-OF-NETWORK
24. ORGAN TRANSPLANTS a) Inpatient b) Outpatient	40% coinsurance after deductible \$45 copayment per visit; no coinsurance (100% covered) for all other services which are performed in the physician's office and billed by the physician (e.g., laboratory and x-ray services). Services performed or billed by another provider are not included in the visit copayment, see line 14 for payment information. Excludes MRI, CT, PET scans, nuclear medicine and other high-tech services, see line 14. Transportation and lodging services are limited to a maximum benefit of \$10,000; unrelated donor searches are limited to a maximum benefit of \$30,000	Not covered Not covered
25. HOME HEALTH CARE	40% coinsurance after deductible. Limited to 100 visits per calendar year.	Not covered
26. HOSPICE CARE	40% coinsurance after deductible	50% coinsurance after deductible
27. SKILLED NURSING FACILITY CARE	40% coinsurance after deductible. Limited to 100 days per calendar year in- and out-of-network combined.	50% coinsurance after deductible. Limited to 100 days per calendar year in- and out-of-network combined.
28. DENTAL CARE	Not covered	Not covered
29. VISION CARE	Not covered	Not covered
30. CHIROPRACTIC CARE	Not covered	Not covered
31. SIGNIFICANT ADDITIONAL COVERED SERVICES (list up to 5)	Nutritional Therapy \$20 copayment per visit for specialist. Limited to 4 visits per calendar year. Hearing Aids Benefit level determined by place of service. Hearing aids are covered up to age 18 and are supplied every 5 years, except as required by law. Second Opinion: Members who desire another professional opinion may obtain a second opinion.	Not covered Hearing Aids Benefit level determined by place of service. Hearing aids are covered up to age 18 and are supplied every 5 years, except as required by law. Second Opinion: Members who desire another professional opinion may obtain a second opinion.

PART C: LIMITATIONS AND EXCLUSIONS

32. PERIOD DURING WHICH PRE-EXISTING CONDITIONS ARE NOT COVERED. ¹⁰	6 months for all pre-existing conditions.
33. EXCLUSIONARY RIDERS. Can an individual's specific, pre-existing condition be entirely excluded from the policy?	No
34. HOW DOES THE POLICY DEFINE A "PRE-EXISTING CONDITION"?	A pre-existing condition is a condition for which medical advice, diagnosis, care, or treatment was recommended or received within the last six months immediately preceding the date of enrollment or, if earlier, the first day of the waiting period; except that pre-existing condition exclusions may not be imposed on a newly adopted child, a child placed for adoption, a newborn, other special enrollees, or for pregnancy.
35. WHAT TREATMENTS AND CONDITIONS ARE EXCLUDED UNDER THIS POLICY?	Exclusions vary by policy. A list of exclusions is available immediately upon request from your carrier, agent, or plan sponsor (e.g., employer). Review them to see if a service or treatment you may need is excluded from the policy.

PART D: USING THE PLAN

	IN-NETWORK	OUT-OF-NETWORK
36. Does the enrollee have to obtain a referral and/or prior authorization for specialty care in most or all cases?	No	No
37. Is prior authorization required for surgical procedures and hospital care (except in an emergency)?	Yes, the physician who schedules the procedure or hospital care is responsible for obtaining preauthorization.	Yes, the member is responsible for obtaining preauthorization unless the provider participates with Anthem Blue Cross and Blue Shield.
38. If the provider charges more for a covered service than the plan normally pays, does the enrollee have to pay the difference?	No	Yes, unless the provider participates with Anthem Blue Cross and Blue Shield.
39. What is the main customer service number?	877-833-5734	877-833-5734
40. Whom do I write/call if I have a complaint or want to file a grievance? ¹¹	Anthem Blue Cross and Blue Shield Complaints and Appeals 700 Broadway Denver, CO 80273 877-833-5734	Anthem Blue Cross and Blue Shield Complaints and Appeals 700 Broadway Denver, CO 80273 877-833-5734
41. Whom do I contact if I am not satisfied with the resolution of my complaint or grievance?	Write to: Colorado Division of Insurance ICARE Section 1560 Broadway, Suite 850 Denver, CO 80202	Write to: Colorado Division of Insurance ICARE Section 1560 Broadway, Suite 850 Denver, CO 80202
42. To assist in filing a grievance, indicate the form number of this policy; whether it is individual, small group, or large group; and if it is a short-term policy.	Policy form #'s 2986_GenRX Group – Small Group Only	Policy form #'s 2986_GenRX Group – Small Group Only
43. Does the plan have a binding arbitration clause?	Yes	Yes

¹ "Network" refers to a specified group of physicians, hospitals, medical clinics and other health care providers that your plan may require you to use in order for you to get any coverage at all under the plan, or that the plan may encourage you to use because it may pay more of your bill if you use their network providers (i.e., go in-network) than if you don't (i.e., go out-of-network).

² "Deductible Type" indicates whether the deductible period is "Calendar Year" (January 1 through December 31) or "Benefit Year" (i.e., based on a benefit year beginning on the policy's anniversary date) or if the deductible is based on other requirements such as a "Per Accident or Injury" or "Per Confinement."

^{2a} "Deductible" means the amount you will have to pay for allowable covered expenses under a health plan during a specified time period (e.g., a calendar year or benefit year) before the carrier will cover those expenses. The specific expenses that are subject to deductible may vary by policy. Expenses that are subject to deductible should be noted in boxes 8 through 31.

^{2b} "Individual" means the deductible amount you and each individual covered by a non-HSA qualified policy will have to pay for allowable covered expenses before the carrier will cover those expenses. "Single" means the deductible amount you will have to pay for allowable covered expenses under an HSA-qualified health plan when you are the only individual covered by the plan.

^{2c} "Family" is the maximum deductible amount that is required to be met for all family members covered by a non-HSA qualified policy and it may be an aggregated amount (e.g., "\$3000 per family") or specified as the number of individual deductibles that must be met (e.g., "3 deductibles per family"). "Non-single" is the deductible amount that must be met by one or more family members covered by an HSA-qualified plan before any covered expenses are paid.

³ "Out-of-pocket maximum" means the maximum amount you will have to pay for allowable covered expenses under a health plan, which may or may not include the deductibles or copayments, depending on the contract for that plan. The specific deductibles or copayments included in the out-of-pocket maximum may vary by policy. Expenses that are applied toward the out-of-pocket maximum should be noted in boxes 8 through 31.

⁴ Medical office visits include physician, mid-level practitioner, and specialist visits.

⁵ Well baby care includes an in-hospital newborn pediatric visit and newborn hearing screening. The hospital copayment applies to mother if complication of pregnancy and well-baby together: there are not separate copayments.

⁶ Prescription drugs otherwise excluded are not covered, regardless of whether preferred generic, preferred brand name, or non-preferred.

⁷ "Emergency care" means all services delivered in an emergency care facility which are necessary to screen and stabilize a covered person. The plan must cover this care if a prudent lay person having average knowledge of health services and medicine and acting reasonably would have believed that an emergency medical condition or life- or limb threatening emergency existed.

⁸ Non-emergency care delivered in an emergency room is covered only if the covered person receiving such care was referred to emergency room by his/her carrier or primary care physician. If emergency departments are used by the plan for non-emergency after-hours care, then urgent care copayments apply.

⁹ "Biologically based mental illnesses" means schizophrenia, schizoaffective disorder, bipolar affective disorder, major depressive disorder, specific obsessive-compulsive disorder, and panic disorder.

¹⁰ Waiver of pre-existing condition exclusions. State law requires carriers to waive some or all of the pre-existing condition exclusion period based on other coverage you recently may have had. Ask your carrier or plan sponsor (e.g., employer) for details.

¹¹ Grievances. Colorado law requires all plans to use consistent grievance procedures. Write the Colorado Division of Insurance for a copy of those procedures.



Official Minutes

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

Wednesday October 19, 2011

Work Session – 5:00pm
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 – 5:00pm

Please remember to bring your FY2012 Budget Book

- Work Session: FY2012 Budget Work Session Retreat – Brunvand/White (45min)
- Work Session: Request to vacate public land – White (30min)
- Work Session: Kevin Bakko, Radio Tower – 10/19/2011 (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 6:31pm.

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

Staff present: Town Manager Jim White, Town Attorney Allen Christensen, Treasurer/Clerk Jay Brunvand, Planner Chris Cerimele, and Deputy Clerk Michelle Metteer.

2. Approval of Agenda

a. Items to be Pulled or Added

Request to add Greg Sherman to Special Presentations for a debriefing on the solar panel system outside of the local Shop and Hop. (John Rosenfeld, absent, excused).

Motion by Aggie M., second by Earle B., to approve the agenda as amended; all voted in favor.

3. Approval of Minutes and Action Report

- October 5, 2011
- Action Item Report

Motion by George B., second by Shelley B., to approve the minutes as presented; all voted in favor. (John Rosenfeld, absent, excused).

4. Liquor License Authority

- Deutschman Family LLC, DBA Kirby Cosmo's BBQ Bar Annual Renewal of a Hotel & Restaurant License; 474 Main St.; Mark Tamberino, Manager – Brunvand (10min)

Motion by Shelley B., second by Aggie M., to approve the Deutschman Family LLC, DBA Kirby Cosmo's BBQ Bar Annual Renewal of a Hotel & Restaurant License; 474 Main St.; (John Rosenfeld, absent, excused).

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

Ms. Tessa Kirschner, Citizens for Eagle County Schools, asks for voter support on Eagle County ballot issue 3B this November.

6. Special Presentations/Citizen Recognition

- Eagle River Water and Sanitation District – South Minturn Sewer Easement, Leslie Eisom, 86 Forest Rd, Vail CO.

Ms. Becky Peterson, ERWSD, provided an overview of the proposed easement program.

Mr. Greg Sherman, Western Environment Ecology, provided an update regarding the reported release of a gasoline spill, of up to 1000 gallons, in July 2008 at the Shop and Hop in Minturn.

Request by the Council to request the presence of a County Health Inspector at an upcoming Town Council meeting for questions and answers regard this issue.

7. Planning Department Update

Planning Commission Meeting Update

The Planning Commission met on 10/12/11 to discuss open space requirements for planned unit developments and subdivisions. A reduction in the rear setback was also discussed for homeowners wishing to construct a detached garage. The intent of this amendment is to alleviate on-street parking by providing residents with greater flexibility to construct a detached garage. All other zoning requirements will remain in place.

Construction Update

- 251 Main Street.
 - a. The home owner had experienced delays with the utility company shutting off the gas to the property. This work was recently completed and excavation for the foundation is expected to occur the week of October 17th.
- 282 Main Street.
 - a. The footers for this single-family home were poured during the week of October 10th and the foundation is expected to be poured late in the week of October 17th. The framing of the home will follow shortly after. Per the Town's requirements, the foundation will be surveyed to ensure that it was poured in the proper place and not within the required setbacks.
- 221 and 601 Main Street
 - Construction on these two homes is expected to conclude prior to the end of the year.

Minturn Towne Homes

Several provisions were added to the revocable license agreement for the MTH. These include excavating the retention pond prior to the start of the drainage improvement project and annual maintenance obligations on all of the disturbed areas.

8. Town Manager's Report

Maloit Park Water Tank

The exterior painting has been completed. The Town and the School District are collaborating to complete a Memorandum of Understanding (MOU) to secure payment arrangements over a three year period. Universal Coatings completed the work on the exterior this fall. In the spring of 2012, we will set up a temporary tank, drain the Maloit Park tank, and sandblast, restore and paint the interior of the tank. We are also securing bids for fencing around the tank and around our solar unit at that site.

Vail Valley Theater Company

The Vail Valley Theater Company is presenting the Rocky Horror Picture Show. I just learned that the venue was moved from VSSA in Minturn to Homestake Peak School in Eagle Vail. The

live theatrical performance will take place on Friday and Saturday October 21 & 22, and October 28, and 29, 2011. Show time is 8pm all nights with an additional 11pm show on the last night.

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. The Town Council is considering a proposal made by Battle Mountain regarding the potential release of escrow funds. We will request another subcommittee following tonight's Town Council meeting.

Radio Tower Site

No further contact has been received to date from Kevin Bakko. He had inquired on September 15, 2011 about being on a future Town Council agenda to discuss the Radio Tower site. He had tentatively been scheduled on tonight's agenda.

Minturn Hosted the CML District 12 Meeting

The Town of Minturn hosted the Colorado Municipal League District 12 meeting last night, Thursday October 20th, 2011. Special thanks to Jay Brunvand and Michelle Metteer for all the work put into planning for this very successful event.

Minturn Community Fund Annual Fundraiser

The Minturn Community Fund Annual Fundraiser will be held on Friday evening, October 28, 2011 at the Minturn Saloon. More details will be available soon.

Minturn Fall Storefront Decorating Contest

Fourteen businesses are participating in the Fall Storefront Decorating Contest. Shop or dine in Minturn and cast your vote for your favorite festive storefront! You can vote at www.minturncommunityfund.org or at www.downtownminturn.com. You can also vote inside participating stores. The contest ends November 1, 2011.

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 and is currently set for some time in the month of November 2011. With any questions, please call XCEL at 1-877-481-6380.

Light Up "Welcome to Minturn" Entryway Sign(s)!

Solar lighting for the north entryway sign is about to be ordered and installation planned this fall.

Minturn Winter Markets

That's right! Markets! We will have two winter markets this year on Saturday, **December 10th** and Saturday, **December 17th**. Stay tuned for further details.

Planning for Another Bonfire

Staff is already planning a Saturday, **January 7, 2012** bonfire to burn Christmas trees that can be gathered throughout Minturn. Hot cider and hot chocolate may be added and maybe some snacks and more marshmallows!

Ski Joring

The Town of Minturn will be holding this new event on old Minturn Road on Saturday and Sunday **January 14th and 15th, 2012.**

9. Town Council Comments

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

10. Discussion/Action: Resolution 7 – 2011 a Resolution to assign portions of all governmental fund balances by adopting Governmental Accounting Standards Board standard 54 – Brunvand (15min)

Motion by Jerry B., second by Shelley B., to approve Resolution 7 – 2011 a Resolution to assign portions of all governmental fund balances by adopting Governmental Accounting Standards Board standard 54. All voted in favor. (John R., absent excused).

EXECUTIVE SESSION

11. Executive Session – 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

Motion by Shelley B., second by George B., to convene at 9:20pm into Executive Session 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. (John R., absent excused).

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

- Continue Battle Mountain Resort negotiations

Motion by Jerry B., second by Aggie M., to authorize the Mayor to sign the Manager's employment agreement as amended; all voted in favor. (John R., absent, excused)

FUTURE AGENDA ITEMS

13. Next Meeting – November 2, 2011

- Work session: Request from the Planning Commission for a work session with the Council to determine a sidewalk master plan. Schedule for December 7, 2011.

- Work session: Budget question and answer session
- Meeting: Discussion/Action – 1st Public Hearing on proposed fiscal year 2012 Budget – review public funding requests – Brunvand/White 11/2/11 (45min)

14. Future Meeting

- 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)
- 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)

15. Set Future Meeting Dates

a) Council Meetings:

- November 2, 2011
- November 16, 2011
- December 7, 2011

b) Planning & Zoning Commission Meetings:

- October 26, 2011
- November 9, 2011
- November 23, 2011

c) Other Dates:

16. Adjournment

Motion by George B., second by Shelley B., to adjourn at 9:23pm. All voted in favor. (John R., 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: November 2, 2011
SUBJECT: Status of Action Items from Town Council Meetings

Action Item	Responsible Party	Progress Report
Town entry sign – South	White	Entry sign solar lighting.
Draft Medical Marijuana Ordinance	White	The Draft has been completely reviewed by Staff and Council and is on hold until January 2012 at which time it will be brought back to Council for consideration.
Battle Mountain Annexation Scholarship Fund	White	Pursue interest money from Battle Mountain scholarship fund contributions. Negotiations with Battle Mountain are in progress.
Minturn Scholarship Funding	White	We have received \$3600 in scholarship funding. The Scholarship Committee met on 09/12/2011 to review one request. 10/15/2011 deadline has been set for 2011 applicants.
Town Sidewalks	Cerimele/White	Staff and Planning Commission reviewing language to code to require sidewalks for new construction. Need to set meeting with Planning & Zoning Commission 11/02/2011.
OSAC Funding for Boneyard purchase	White	Seek fundraising partners. Town staff communicating with Eagle County staff. Town staff seeking GOCO funding and conservation easement stipulations.



To: Minturn Town Council
From: Chris Cerimele, Town Planner
Date: October 28, 2011
Re: Planning Department Update

Active Building Projects – The following is a status update on existing building projects within town.

- 221 Main Street.
 - Single Family Home. The major construction phase has been completed. The homeowner is awaiting a final building inspection.
- 251 Main Street.
 - Single Family Home. Excavation for the foundation has commenced.
- 282 Main Street.
 - Single Family Home. The foundation walls have been poured. Framing is expected to commence the week of October 31th.
- 601 Main Street.
 - Single Family Home. The major construction phase has been completed. The homeowner is awaiting a final building inspection.
- 464 Eagle River Street.
 - Single Family Home. The major construction phase has been completed. The homeowner is awaiting a final building inspection.
- 525 Pine Street.
 - Single Family Home. The major construction phase has been completed. The homeowner is awaiting a final building inspection.
- 1688 Main Street.
 - Detached garage. Framing has been completed and work on the interior is progressing.

Future Planning Department Projects

- 2009 Community Plan and Future Land Use Map Update
- Revisions to the parking requirements
- Planning website update

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: October 28, 2011
Re: **Manager’s Report for the November 2, 2011 Town Council Meeting**

Hockey in Minturn?

The Town of Minturn is working with Andy Clark and the Vail Ski and Snowboard Academy and with the Vail Ski and Snowboard Club in tandem with Eagle School District to explore the possibility of bringing hockey to Minturn this winter.

Battle Mountain Update

Current issues include pending lawsuits related to responses to the EPA, quiet title action, and legal challenges to the annexation agreement. The Town Council is considering a proposal made by Battle Mountain regarding the potential release of escrow funds. Our subcommittee met on August 9, 2011, and again on August 30, 2011, and again on October 27, 2011. The Town Council will receive an update tonight.

Minturn Hosted the CML District 12 Meeting

The Town of Minturn hosted the Colorado Municipal League District 12 meeting on Thursday October 20th, 2011. Special thanks to Jay Brunvand and Michelle Metteer for all the work put into planning for this very successful event. Our Mayor did an excellent job in facilitating the meeting!

Minturn Meeting with CDOT

Chris Cerimele and I attended a meeting at CDOT with Martha Miller, Karen Berdoulay, and Brian Killian. We discussed future planning, right of way issues, Dowd Junction and other Minturn issues. Brian Killian agreed to visit to do a walkthrough to help determine current and future needs.

File Review at Department of Labor

Follow up on the incident that occurred three years ago was made by going to Denver to the office of the Department of Labor and reviewing the entire file related to the event. A more thorough explanation will be provided at the meeting (see attachment).

Minturn Fall Storefront Decorating Contest

The Fall Storefront Decorating Contest deadline was yesterday. And the winner is:

10/28/2011

Halloween Celebration

Sunday night, October 30, 2011, 5:30pm to 8:30pm/Minturn Halloween Celebration.

Cemetery/Town Working Together

As the cemetery works on installing its new well for a water supply and on its holding tank (vault) for its sewage, the Town and the cemetery have teamed up to connect these utilities to the Town's Public Works facility. The Town will have use of the same well water as the cemetery and use of the holding tank.

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 and is currently set for some time in the month of November 2011. With any questions, please call XCEL at 1-877-481-6380.

Minturn Winter Markets

That's right! Markets! We will have two winter markets this year on Saturday, **December 10th** and Saturday, **December 17th**. Stay tuned for further details.

Planning for Another Bonfire

Staff is already planning a Saturday, **January 7, 2012** bonfire to burn Christmas trees that can be gathered throughout Minturn. Hot cider and hot chocolate may be added and maybe some snacks and more marshmallows!

Ski Joring

The Town of Minturn will be holding this new event on old Minturn Road on Saturday and Sunday **January 14th and 15th, 2012.**

Respectfully submitted,
Jim White
Town Manager

WESTERN ENVIRONMENT AND ECOLOGY, INC

October 26, 2011

Jim White
Town Manager
Town of Minturn
P.O. Box 309
302 Pine Street
Minturn, Colorado 81645

Subject: Minturn Shop & Hop, 401 Main Street, Minturn, Colorado (OPS Event # 10652).
Western Environment and Ecology, Inc. Project Number 198-004-01.

Dear Mr. White;

At your request, I would like to briefly respond to Councilman Bidez concerns regarding the Shop & Hop release referenced above. Reading his e-mail of October 20th, I was aware of a misunderstanding with State inspections and inspectors responsible for gasoline service stations. The Colorado Division of Labor and Employment, Oil and Public Safety Division, Oil Inspection Section has the responsibility for verification of the accuracy of the fuel dispensers at retail gas stations and that the required equipment is in-place and operating. I can't provide you with a specific inspection schedule, however OPS technicians test dispensers approximately once a year and I would assume they also evaluate the operating systems at that time. You could ask Vinny Secondo at OPS what the actual schedule is.

As I mentioned the release at the Shop & Hop was caused by several failures of the spill prevention equipment required by the State. The source of the release was the flex connection between the submersible pump and the lines to the fuel dispensers. It is my experience that this is the most common source of fuel releases. The flex connection is located within a containment sump which is designed to isolate fuel in the lines and pump from the environment. The problem that arose at the Shop & Hop site was that flexible gaskets around the electrical connection to the pump were brittle and fuel was released to the groundwater. As Councilwoman Bellm indicated, if not for the prompt actions of the station operator that shut down the pump and Mr. Marcum, who completed repairs and contacted us to begin fuel removal, the event could have been significantly worst.

We have recently completed the Quarterly Groundwater and Vapor Monitoring for the Shop & Hop. This information is submitted to the OPS in what is referred to as an MRR (monitoring and remediation report). As promised, I will provide the Town with a copy of the report and offer to present the results to the Council at the next meeting.

However, to respond Councilman Bidez questions, the concentrations of benzene, toluene, ethyl-benzene and xylenes are currently above US EPA Drinking Water Standards (these levels are referred to as Drinking Water MCL's). Also, as mentioned during the presentation, we have not detected any soil vapors above State standards. Since the groundwater is not used within the contaminated area and soil vapors are not detected, **no human health issues are currently present.**

2217 WEST POWERS AVENUE * LITTLETON, COLORADO 80120
PHONE (303)730-3452 * FAX (303)730-3461
WWW.WESTERNENVIRONMENT.COM

In my October 20th, 2011 letter I apologized for the information disconnect between the regulatory agencies and the Town. Even though at the time of the release we notified the Town, County and State of the of the event, it is apparent that the information did not reach the proper authorities. As always, don't hesitate to contact me with any questions.

Sincerely,

Greg D. Sherman P.G.
President

cc. Terry Marcum, Shop & Hop Food Stores
att.



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

**FROM THE DESK OF
JAY BRUNVAND, TREASURER/FINANCE**

MEMORANDUM

TO: Mayor and Town Council
FROM: Jay Brunvand, Town Treasurer
CC: Jim White, Town Manager
DATE: October 27, 2011

NOVEMBER 2, 2011 COUNCIL MEETING

As required by Colorado law, the Town has set two Public Hearings for the FY2012 Budget. The November 2nd meeting is the first; the November 16th meeting is the second and final. To date, Staff has taken your comments and suggestions and incorporated them into the FY2012 Budget. If approved or directed by Council, the items will be included in the final budget. In the event any material changes come forth from the Public Hearing process, those changes also will be included in the proposed final passage of the budget ordinances on December 7th. As a budget page may be affected, those changes will be distributed at the December 7th meeting.

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

- (a) The Mayor will introduce the agenda item and announce the Public Hearing as "I hereby by call to order the Public Hearing for the purpose of discussion and comment on the fiscal year 2012 proposed budget and to gather input, pro or con on the proposed Minturn Town Budget for the fiscal year January 1 through December 31, 2012. Any citizen that would like to speak needs to clearly state their name and physical address for the record from the podium (even if they are known by all.)"
- (b) Take citizen input
 - Please note the following spreadsheet that notates the Community Funding Requests.
 - Radio Free Minturn – Mr. David Eickholt
- (c) Close the Public Hearing
- (d) Council discussion on the budget and comment on the Public Hearing if any. Please note we have included a memo of the direction given to date.
- (e) Announce this is the first Public Hearing on the budget document, a second Public Hearing will be held on November 16, 2011 at 7:00pm in the Town Council Chambers at 302 Pine St. and citizens are also encouraged to contact the Town hall with questions or comments during regular business hours at 827-5645.

FY2012 BUDGET FUNDING REQUESTS

DISCRIPTION	REQUESTED BY	FUNDED FROM	FUNDED IN PROPOSED BUDGET	NOTES
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1	Request from Radio Free Minturn \$2,000	Radio Free Minturn - David Eickholt	Gen Fund (01)	
2				
3				
4				
5				
6				
7				
8				
9				
10				



SEP 12 2011

REQUEST FOR FUNDING APPLICATION

NAME OF ORGANIZATION: Radio Free Minturn, Inc
 DATE SUBMITTED: September 12, 2011
 NAME OF REPRESENTATIVE: David G. Eickholt
 MAILING/STREET ADDRESS: P.O. Box 987 Minturn, CO 81645
 TELEPHONE NUMBER: 203-246-9661

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

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

Quick Reference Financial Data:

2009 Operating Revenue	\$19,471	Operating Expenses	\$16,085
2010 Operating Revenue	\$28,895	Operating Expenses	\$16,173
2011(e) Operating Revenue	\$19,500(e)	Operating Expenses	\$17,250(e)

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

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

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

RADIO FREE MINTURN 107.9 FM • KLNK

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

TOWN OF MINTURN GRANT REQUEST--2012

Mission

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

Project/program funding will support and how this project benefits Town of Minturn:

Radio Free Minturn (RFM) requests \$2,000 of financial support from the Town of Minturn to assist the Station cover its annual operating expenses. These expenses include rent for studio and office space, utilities and supplies.

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

RFM is the only community-created medium for music listening currently hosting 44 two-hour locally produced and hosted shows each week. The station is commercial-free and presents quality music from Eagle County residents' collections.

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

By its very name and unique programming, Radio Free Minturn promotes name recognition and reinforces the positive image of the Town of Minturn among listeners throughout the Valley and as far away as the Front Range where the Station's bumper stickers and T-shirts are spotted on a regular basis. For the past year, RFM has been streaming its broadcasts on the world wide web thereby broadening its reach to people throughout Eagle County and, in fact the world. Thus far in 2011, RFM has had listeners from 22 foreign countries (4 continents).

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

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

In 2012, a special focus will be placed on attracting additional DJ's to the Station and creating new programs devoted to Jazz, World Music and the music of Hispanic cultures.

How to measure success:

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

Other agencies or similar programs:

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

Previous Funds Awarded by the Town:

In 2011, Minturn provided \$2,000 to support RFM. Because of RFM's healthy income/expense position, no funds were requested from the Town of Minturn for 2009. But, because of the continued economic doldrums and anticipated equipment replacement expenses, the Station does need the Town's financial support in 2012.

Fundraising planned to eliminate the need for future funding:

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

Projected need for future funding from Minturn:

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

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



VAIL TAX & ACCOUNTING, INC.
PROFESSIONAL TAX CONSULTANTS

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

SARA FAHRNEY, PRESIDENT

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

Accountant's Compilation Report

To the Board of Trustees of
Radio Free Minturn

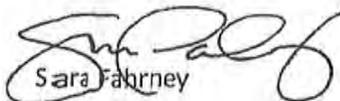
We have compiled the accompanying Statement of Assets, Liabilities & Equity – Income Tax Basis of Radio Free Minturn (a non-profit entity) as of June 30, 2011, and the related Statement of Revenues & Expenses for the period then ended. We have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or provide any assurance about whether the financial statements are in accordance with accounting principles generally accepted in the United States of America.

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

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

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

We are not independent with respect to Radio Free Minturn.


Sara Fahrney
Accountant

Prepared 8/1/11

Radio Free Minturn
Statement of Assets, Liabilities & Equity - Income Tax Basis
As of June 30, 2011

	Jun 30, 11
ASSETS	
Current Assets	
Checking/Savings	
FirstBank Checking	129.73
FirstBank Savings	33,355.57
Total Checking/Savings	33,485.30
Other Current Assets	
Prepaid Expenses	1,629.50
Total Other Current Assets	1,629.50
Total Current Assets	35,114.80
Fixed Assets	
Office Equipment	1,107.15
Studio & Broadcast Equipment	30,869.47
Accumulated Depreciation	-6,864.50
Total Fixed Assets	25,112.12
TOTAL ASSETS	60,226.92
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Credit Cards	
FirstBank Credit Card	335.49
Total Credit Cards	335.49
Total Current Liabilities	335.49
Total Liabilities	335.49
Equity	
Unrestricted Net Assets	64,564.23
Net Income	-4,672.80
Total Equity	59,891.43
TOTAL LIABILITIES & EQUITY	60,226.92

Radio Free Minturn
Statement of Revenues & Expenses - Income Tax Basis
 April through June 2011

	Apr - Jun 11	Budget	\$ Over Budget
Ordinary Income/Expense			
Income			
Contributions			
General	0.00	250.00	-250.00
Grants	0.00	625.00	-625.00
RFM Special Events	2,062.00	250.00	1,812.00
Semi-Annual Fund Drive	2,446.00	0.00	2,446.00
Underwriting/Advertising	600.00	1,000.00	-400.00
Total Contributions	<u>5,108.00</u>	<u>2,125.00</u>	<u>2,983.00</u>
Total Income	<u>5,108.00</u>	<u>2,125.00</u>	<u>2,983.00</u>
Gross Profit	5,108.00	2,125.00	2,983.00
Expense			
Advertising & Promotion	873.25	625.00	248.25
Bank Fees & Credit Card Fees	-20.00	12.50	-32.50
Commissions	0.00	50.00	-50.00
Dues & Memberships	0.00	50.00	-50.00
Insurance	353.75	275.00	78.75
Internet Hosting & Projects	0.00	237.50	-237.50
Internet Service	119.85	12.50	107.35
Licenses & Fees	10.00	0.00	10.00
Office Expense	275.10	100.00	175.10
Professional Services	0.00	300.00	-300.00
Rent			
Studio Rent	1,550.00	1,500.00	50.00
Tower Rent	673.60	375.00	298.60
Total Rent	<u>2,223.60</u>	<u>1,875.00</u>	<u>348.60</u>
Repairs & Maintenance	27.86	0.00	27.86
Royalties	126.10	325.00	-198.90
Telephone Expense	160.71	150.00	10.71
Total Expense	<u>4,150.22</u>	<u>4,012.50</u>	<u>137.72</u>
Net Ordinary Income	957.78	-1,887.50	2,845.28
Other Income/Expense			
Other Income			
Interest Income	16.86	25.00	-8.14
Total Other Income	<u>16.86</u>	<u>25.00</u>	<u>-8.14</u>
Other Expense			
Depreciation Expense	867.25	0.00	867.25
Total Other Expense	<u>867.25</u>	<u>0.00</u>	<u>867.25</u>
Net Other Income	<u>-850.39</u>	<u>25.00</u>	<u>-875.39</u>
Net Income	<u><u>107.39</u></u>	<u><u>-1,862.50</u></u>	<u><u>1,969.89</u></u>

Radio Free Minturn
Statement of Revenues & Expenses - Income Tax Basis
 January through June 2011

	<u>Jan - Jun 11</u>	<u>Budget</u>	<u>\$ Over Budget</u>
Ordinary Income/Expense			
Income			
Contributions			
General	0.00	500.00	-500.00
Grants	0.00	1,250.00	-1,250.00
RFM Special Events	2,062.00	500.00	1,562.00
Semi-Annual Fund Drive	3,934.64	5,500.00	-1,565.36
Underwriting/Advertising	600.00	2,000.00	-1,400.00
Total Contributions	<u>6,596.64</u>	<u>9,750.00</u>	<u>-3,153.36</u>
Total Income	<u>6,596.64</u>	<u>9,750.00</u>	<u>-3,153.36</u>
Gross Profit	6,596.64	9,750.00	-3,153.36
Expense			
Advertising & Promotion	1,057.25	1,250.00	-192.75
Bank Fees & Credit Card Fees	6.66	25.00	-18.34
Commissions	0.00	100.00	-100.00
Dues & Memberships	200.00	100.00	100.00
Insurance	515.00	550.00	-35.00
Internet Hosting & Projects	89.55	475.00	-385.45
Internet Service	199.75	25.00	174.75
Licenses & Fees	1,266.00	600.00	666.00
Office Expense	491.88	200.00	291.88
Professional Services	900.00	600.00	300.00
Rent			
Studio Rent	3,100.00	3,000.00	100.00
Tower Rent	1,073.60	750.00	323.60
Total Rent	<u>4,173.60</u>	<u>3,750.00</u>	<u>423.60</u>
Repairs & Maintenance	116.12	0.00	116.12
Royalties	126.10	650.00	-523.90
Telephone Expense	426.74	300.00	126.74
Total Expense	<u>9,568.65</u>	<u>8,625.00</u>	<u>943.65</u>
Net Ordinary Income	-2,972.01	1,125.00	-4,097.01
Other Income/Expense			
Other Income			
Interest Income	33.71	50.00	-16.29
Total Other Income	<u>33.71</u>	<u>50.00</u>	<u>-16.29</u>
Other Expense			
Depreciation Expense	1,734.50	0.00	1,734.50
Total Other Expense	<u>1,734.50</u>	<u>0.00</u>	<u>1,734.50</u>
Net Other Income	<u>-1,700.79</u>	<u>50.00</u>	<u>-1,750.79</u>
Net Income	<u><u>-4,672.80</u></u>	<u><u>1,175.00</u></u>	<u><u>-5,847.80</u></u>

3600

Radio Free Minturn
General Ledger
As of June 30, 2011

Type	Date	Num	Adj	Name	Memo	Split	Debit	Credit	Balance
FirstBank Checking									299.52
Bill Pmt -Check	4/18/2011	1250		Colorado Casualty Insurance	VOID: Policy #CBP8662418	Accounts Payable	0.00		299.52
Bill Pmt -Check	4/18/2011	1257		Comcast	8497 50 609 0224525	Accounts Payable		36.05	263.47
Bill Pmt -Check	4/18/2011	1258		JB T's Custom Silkscreen and Embroidery	Inv#8549	Accounts Payable		687.50	-423.93
Bill Pmt -Check	4/18/2011	1259		SESAC	ID#20928	Accounts Payable		121.00	-548.93
Bill Pmt -Check	4/18/2011	1260		Traxer Air LLC	Inv#967	Accounts Payable		273.69	-822.53
Transfer	4/18/2011				Funds Transfer	FirstBank Savings	1,893.00		1,070.47
Bill Pmt -Check	4/19/2011	1261		Colorado Casualty Insurance	Policy #CBP8662418	Accounts Payable		750.00	320.47
Bill Pmt -Check	4/23/2011	1262		SoundExchange, Inc.	Late fees for 2011 Minimum Fee & Proxy Fee	Accounts Payable		5.10	315.37
Bill Pmt -Check	4/20/2011	1263		Keen I Design	Stickers for 107.0 FM	Accounts Payable		185.75	129.62
Check	4/20/2011	1264		Paul McCarthy	Reimburse cost of streaming PC	Studio & Broadcast Equipment		534.00	-405.27
Transfer	4/20/2011				Funds Transfer	FirstBank Savings	535.00		129.73
Bill Pmt -Check	4/27/2011	1265		Beehive Insurance	Acct#RADFR-1, Policy #EPPP4567345	Accounts Payable		672.00	-542.27
Transfer	4/29/2011				Funds Transfer	FirstBank Savings	672.00		129.73
Total FirstBank Checking							3,100.00	3,209.79	129.73
FirstBank Savings									31,877.15
Check	4/12/2011				Cash for change for event - redeposited with in...	RFM Special Events		200.00	31,877.15
Deposit	4/4/2011				Deposit	RFM Special Events	2,202.00		33,023.15
Check	4/20/2011			FirstBank Credit Card	auto pay	FirstBank Credit Card		147.22	33,701.03
Deposit	4/14/2011				Deposit	Semi-Annual Fund Drive	215.00		34,006.93
Transfer	4/18/2011				Funds Transfer	FirstBank Checking		1,893.00	32,113.93
Deposit	4/18/2011				Deposit	Semi-Annual Fund Drive	125.00		32,238.93
Deposit	4/29/2011				Interest	Interest Income	5.25		32,244.18
Deposit	4/20/2011			FirstBank Credit Card	Deposit	-SPLIT-	2,248.00		34,490.18
Check	4/20/2011				auto pay	FirstBank Credit Card		241.99	34,248.00
Deposit	4/20/2011				Deposit	-SPLIT-	350.00		34,598.00
Credit Card Credit	4/21/2011			FirstBank Credit Card	Interest	FirstBank Credit Card		169.13	34,440.88
Deposit	4/21/2011				Interest	Interest Income	0.00		34,440.88
Transfer	4/20/2011				Funds Transfer	FirstBank Checking		535.00	33,011.98
Deposit	4/18/2011				Deposit	Semi-Annual Fund Drive	110.00		34,021.98
Transfer	4/29/2011				Funds Transfer	FirstBank Checking		672.00	33,349.98
Deposit	4/30/2011				Interest	Interest Income	5.01		33,355.57
Total FirstBank Savings							5,324.88	3,846.44	33,355.57
Prepaid Expenses									3,261.25
General Journal	4/1/2011	VTA ...	*		Reverse of GJE VTA 3 -- Accrued prepaid rent	Studio Rent		1,630.00	1,711.25
Bill	6/9/2011	65207	*	Beehive Insurance	Directors & Officers Liability 6/15/11 - 6/15/12	Accounts Payable	672.00		2,383.25
General Journal	6/30/2011	VTA 2	*		Expense prepaid rent	Tower Rent		490.00	1,893.25
General Journal	6/30/2011	VTA 1	*		Expense 3 months prepaid insurance- DBO	insurance		353.75	1,629.50
Total Prepaid Expenses							672.00	2,303.75	1,829.50
Office Equipment									1,107.15
Total Office Equipment									1,107.15
Studio & Broadcast Equipment									30,334.58
Check	4/9/2011	1264		Paul McCarthy	Streaming PC	FirstBank Checking	534.00		30,809.47
Total Studio & Broadcast Equipment							534.00	0.00	30,809.47
Accumulated Depreciation									-5,907.25
General Journal	6/30/2011	VTA 3	*		Expense quarterly depreciation	Depreciation Expenses		807.25	-6,664.50
Total Accumulated Depreciation							0.00	807.25	-6,664.50
Accounts Payable									-1,832.10
Bill	4/5/2011	8497 ...		Comcast	8497 50 609 0224525	Internet Service		39.95	-1,872.05
Bill Pmt -Check	4/18/2011	1256		Colorado Casualty Insurance	VOID: Policy #CBP8662418	FirstBank Checking	0.00		-1,872.05
Bill Pmt -Check	4/18/2011	1257		Comcast	8497 50 609 0224525	FirstBank Checking	39.95		-1,832.10
Bill Pmt -Check	4/18/2011	1258		JB T's Custom Silkscreen and Embroidery	Inv#8549	FirstBank Checking	687.50		-1,144.60
Bill Pmt -Check	4/18/2011	1259		SESAC	ID#20928	FirstBank Checking	121.00		-1,023.60
Bill Pmt -Check	4/18/2011	1260		Traxer Air LLC	Inv#967	FirstBank Checking	273.69		-750.00
Bill Pmt -Check	4/19/2011	1261		Colorado Casualty Insurance	Policy #CBP8662418	FirstBank Checking	750.00		0.00
Bill	4/29/2011	Late L...		SoundExchange, Inc.	Late fees for 2011 Minimum Fee & Proxy Fee	Royalties		5.10	-5.10
Bill Pmt -Check	5/23/2011	1262		SoundExchange, Inc.	Late fees for 2011 Minimum Fee & Proxy Fee	FirstBank Checking	5.10		0.00
Bill	5/27/2011			Keen I Design	Stickers for 107.0 FM	Advertising & Promotion		185.75	-105.75
Bill Pmt -Check	6/8/2011	1263		Keen I Design	Stickers for 107.0 FM	FirstBank Checking	185.75		0.00
Bill	6/9/2011	65207		Beehive Insurance	Acct#RADFR-1, Policy #EPPP4567345	Prepaid Expenses		672.00	-672.00
Bill Pmt -Check	6/27/2011	1265		Beehive Insurance	Acct#RADFR-1, Policy #EPPP4567345	FirstBank Checking	672.00		0.00
Total Accounts Payable							2,734.90	602.60	0.00
FirstBank Credit Card									-348.39
Credit Card Char...	4/3/2011			Comcast	Internet Service	FirstBank Savings		39.95	-388.31
Check	4/4/2011			FirstBank Credit Card	auto pay	FirstBank Savings	147.22		-241.09
Credit Card Char...	4/12/2011			Secretary of State	Annual report	Licenses & Fees		10.00	-251.09
Credit Card Char...	4/12/2011			Home Depot		Repairs & Maintenance		27.90	-278.95
Credit Card Char...	4/15/2011			Office Depot		Office Expense		96.70	-385.65
Credit Card Char...	4/21/2011			Vonage		Telephone Expense		53.57	-440.22
Check	5/4/2011			FirstBank Credit Card	auto pay	FirstBank Savings	241.00		-178.13
Credit Card Credit	5/5/2011				Refund late fees	Bank Fees & Credit Card Fees	20.60		-157.53
Credit Card Char...	5/7/2011			Office Depot		Office Expense		153.39	-310.92
Credit Card Char...	5/17/2011			USPS		Office Expense		24.08	-335.00
Credit Card Char...	5/21/2011			Vonage		Telephone Expense		53.67	-388.67
Credit Card Credit	5/31/2011			FirstBank Credit Card		FirstBank Savings	169.13		-219.54
Credit Card Char...	6/2/2011			Comcast		Internet Service		39.95	-259.49
Credit Card Char...	6/17/2011			USPS		Office Expense		10.95	-270.44
Credit Card Char...	6/22/2011			Vonage		Telephone Expense		53.57	-324.01
Total FirstBank Credit Card							588.44	553.57	-335.40
Unrestricted Net Assets									-64,105.18
Total Unrestricted Net Assets									-64,105.18
Contributions									-1,488.84
RFM Special Events									0.00
Check	4/12/2011				Cash for change for event - redeposited with in...	FirstBank Savings	200.00		-2,082.00
Deposit	4/4/2011				Deposit	FirstBank Savings		2,202.00	-2,082.00
Total RFM Special Events							200.00	2,202.00	-2,082.00
Semi-Annual Fund Drive									-1,468.64
Deposit	4/14/2011				Deposit	FirstBank Savings	219.00		-1,703.64
Deposit	4/18/2011				Deposit	FirstBank Savings	125.00		-1,828.64
Deposit	5/4/2011				Deposit	FirstBank Savings	1,948.00		-3,774.64
Deposit	5/6/2011				Deposit	FirstBank Savings	50.00		-3,824.64
Deposit	6/16/2011				Deposit	FirstBank Savings	110.00		-3,934.64
Total Semi-Annual Fund Drive							0.00	2,448.00	-3,934.64
Underwriting/Advertising									0.00
Deposit	5/4/2011				Deposit	FirstBank Savings		300.00	-300.00
Deposit	5/9/2011				Deposit	FirstBank Savings		300.00	-600.00
Total Underwriting/Advertising							0.00	600.00	-600.00
Total Contributions							200.00	5,399.00	-6,696.64

8:23 AM

05/01/11

Accrual Basis

Radio Free Minturn
General Ledger
As of June 30, 2011

Type	Date	Num	Adj	Name	Memo	Split	Debit	Credit	Balance
Advertising & Promotion									871.50
Bill	5/7/2011			Keen I Design	stickers for 107.9 FM	Accounts Payable	165.75		1,057.25
Total Advertising & Promotion							165.75	0.00	1,057.25
Bank Fees & Credit Card Fees									26.66
Credit Card Credit	6/2/2011				Refund late fees	FirstBank Credit Card		26.00	6.66
Total Bank Fees & Credit Card Fees							0.00	26.00	6.66
Insurance									161.25
General Journal	6/2/2011	VTA 1	*		-MULTIPLE-	-SPLIT-	353.75		515.00
Total Insurance							353.75	0.00	515.00
Internet Hosting & Projects									77.00
Total Internet Hosting & Projects									77.00
Internet Service									79.90
Credit Card Char...	4/2/2011					FirstBank Credit Card	39.95		110.85
Bill	4/2/2011	8497	...	Comcast	Internet 4/15 - 5/15	Accounts Payable	39.95		150.80
Credit Card Char...	6/2/2011			Comcast		FirstBank Credit Card	39.95		199.75
Total Internet Service							119.85	0.00	169.75
Licenses & Fees									1,248.00
Credit Card Char...	4/2/2011			Secretary of State	Annual report	FirstBank Credit Card	10.00		1,258.00
Total Licenses & Fees							10.00	0.00	1,258.00
Office Expense									85.00
Credit Card Char...	4/2/2011			Office Depot		FirstBank Credit Card	89.70		171.70
Credit Card Char...	5/7/2011			Office Depot		FirstBank Credit Card	153.39		325.09
Credit Card Char...	5/7/2011			USPS		FirstBank Credit Card	24.06		349.15
Credit Card Char...	6/7/2011			USPS		FirstBank Credit Card	10.95		360.10
Total Office Expense							278.10	0.00	360.10
Professional Services									800.00
Total Professional Services									800.00
Rent									2,223.60
Studio Rent									1,600.00
General Journal	4/1/2011	VTA ...	*		Accrued prepaid rent	Prepaid Expenses	1,550.00		3,100.00
Total Studio Rent							1,550.00	0.00	3,100.00
Tower Rent									673.60
General Journal	6/30/2011	VTA 2	*		Expense prepaid rent	Prepaid Expenses	400.00		1,973.60
Total Tower Rent							400.00	0.00	1,973.60
Total Rent							1,950.00	0.00	4,173.60
Repairs & Maintenance									88.26
Credit Card Char...	4/12/2011			Home Depot		FirstBank Credit Card	27.86		116.12
Total Repairs & Maintenance							27.86	0.00	116.12
Royalties									121.00
Bill	4/29/2011	Late f...		SoundExchange, Inc.	Late fees for 2011 Minimum Fee and Proxy Fee	Accounts Payable	5.10		126.10
Total Royalties							5.10	0.00	126.10
Telephone Expense									160.71
Credit Card Char...	4/21/2011			Vonage		FirstBank Credit Card	53.57		214.28
Credit Card Char...	5/21/2011			Vonage		FirstBank Credit Card	53.57		267.85
Credit Card Char...	6/22/2011			Vonage		FirstBank Credit Card	53.57		321.42
Total Telephone Expense							160.71	0.00	321.42
Interest Income									-16.85
Deposit	4/29/2011				Interest	FirstBank Savings		5.25	-22.10
Deposit	5/31/2011				Interest	FirstBank Savings		6.00	-28.10
Deposit	6/30/2011				Interest	FirstBank Savings		5.61	-33.71
Total Interest Income							0.00	16.86	-33.71
Depreciation Expense									867.25
General Journal	6/30/2011	VTA 3	*		Expense quarterly depreciation	Accumulated Depreciation	867.25		1,734.50
Total Depreciation Expense							867.25	0.00	1,734.50
TOTAL							17,088.48	17,088.48	0.00

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

DEPARTMENT OF THE TREASURY

Date: JUL 28 2006

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

Employer Identification Number:
20-2826734

DLN:

17053278002045

Contact Person:

JULIE CHEN

ID# 31261

Contact Telephone Number:

(877) 829-5500

Accounting Period Ending:

December 31

Public Charity Status:

170(b)(1)(A)(vi)

Form 990 Required:

Yes

Effective Date of Exemption:

March 22, 2005

Contribution Deductibility:

Yes

Advance Ruling Ending Date:

December 31, 2009

Dear Applicant:

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

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

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

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

Sincerely,



Lois G. Lerner

Director, Exempt Organizations
Rulings and Agreements

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

Radio Free Minturn

Board of Directors and Advisory Board

Board of Directors: July 1, 2011

President

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

Vice President

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

Secretary/Treasurer

AnneMarie Lombard
PO Box 23 76
Edwards, CO 81632
917-445-1130
annEmarie@dLOMa.com

Advisory Board:

Tim Campbell	tim@hillaevium.com	970-926-6700 (w)
Leo Spaziani	programming@minturnradio.org	970-376-6079 (c) 719-486-5860 (h)
Kip Tingle	ktingle@vaildaily.com	937-286-0789 (c) 970-949-0555 (w)
Paul McCarthy	pmccarthy@email.com	303-720-6677 (c)
Scott Bellingrath	sbellingrath@hotmail.com	970-231-7250 (c)

P.O. Box 309 ♦ 302 Pine Street
Minturn, CO 81645
Phone: 970-827-5645
Fax: 970-827-5545
Jay Brunvand, Treasurer/Clerk
Email: treasurer@minturn.org



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

AGENDA ITEM COVER SHEET

AGENDA TITLE: Ordinance 12 – Series 2011 an Ordinance authorizing the Mayor to sign the 2012 animal control Intergovernmental Agreement.
MEETING DATE: November 2, 2011
PRESENTER: Brunvand
BACKGROUND: Annually, the Town of Minturn contracts with Eagle County to provide animal control services. This agreement provides for randomly scheduled patrols, emergency service, and impound services. The proposed monthly fee is the same as 2011 as is the \$50 emergency call out. This item is annually anticipated and was included as an expense in the proposed 2012 budget presented to Council on 10/5/11.
CORE ISSUES: N/A
STAFF RECOMMENDATION/MOTION: Motion to approve Ordinance 12 – Series 2011 an Ordinance authorizing the Mayor to sign an Intergovernmental Service Agreement between the Eagle County Government and the Town of Minturn contracting for animal control services as presented.

TOWN OF MINTURN, COLORADO

ORDINANCE NO. 12 – SERIES 2011

AN ORDINANCE AUTHORIZING THE MAYOR OF THE TOWN OF MINTURN TO SIGN AN INTERGOVERNMENTAL SERVICE AGREEMENT BETWEEN THE EAGLE COUNTY GOVERNMENT AND THE TOWN OF MINTURN CONTRACTING FOR ANIMAL CONTROL SERVICES IN THE TOWN OF MINTURN, COLORADO.

WHEREAS, The Town of Minturn desires Eagle County to provide animal control services on an annual contractual basis; and

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

SECTION 1. The Mayor is authorized to sign an agreement, and such other documents as are reasonably necessary, with the Eagle County Government to enter into an agreement to provide animal control services in the Town of Minturn, Colorado.

SECTION 2. This Ordinance shall not take effect until the agreement is signed by the representatives of all the necessary parties thereto.

SECTION 3. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance; and the Town Council hereby declares it would have passed this ordinance, and each part, section, subsection, sentence, clause or phrase thereof, regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 4. The Town Council hereby finds, determines and declares that this Ordinance is necessary and proper for the health, safety and welfare of the Town of Minturn and the inhabitants thereof.

SECTION 5. The repeal or the repeal and reenactment of any provisions of the Minturn Municipal Code as provided in this ordinance shall not affect any right which has accrued, any duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceeding as commenced under or by virtue of the provision repealed or repealed and reenacted. The repeal of any provision hereby shall not revive any provision or any ordinance previously repealed or superseded unless expressly stated herein.

INTRODUCED, read by title, approved on the first reading and ordered published in full the 2nd day of November, 2011. The 16th day of November, 2011, at 6:30 p.m. at the Minturn Town Hall, 302 Pine Street, Minturn, Colorado 81645 is set for public hearing hereon.

TOWN OF MINTURN

By: _____
Mayor

ATTEST:

Town Clerk

THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE
ENACTED AND ORDERED PUBLISHED BY TITLE ONLY ON SECOND READING THIS
16th DAY OF NOVEMBER 2011.

Mayor

ATTEST:

Town Clerk

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE COUNTY OF EAGLE, STATE OF COLORADO
AND
THE TOWN OF MINTURN**

This Agreement made this _____ day of _____, 2011 by and between the County of Eagle, State of Colorado, a body corporate and politic (the "County") and the Town of Minturn, a municipal corporation (the "Town").

WITNESSETH

WHEREAS, the Town desires to contract with the County for the performance of the hereinafter described Animal Services on the terms and conditions hereinafter set forth; and

WHEREAS, the County is agreeable to rendering such Animal Services on the terms and conditions hereinafter set forth; and

WHEREAS, this Intergovernmental Agreement is authorized pursuant to Sections 29-1-201 and 30-11-101, Colorado Revised Statutes, as amended, and Article XIV, Section 18, of the Colorado Constitution.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants, conditions and promises contained herein, the parties hereto agree as follows:

SECTION 1. TERRITORY COVERED.

The territory covered by this Agreement is all of that certain property legally described as the Town of Minturn.

SECTION 2. DEFINITIONS

Emergency On Call Service is defined as an emergency call received by the County for which Animal Services assistance is required and no Animal Services Officer is on duty to respond.

Shelter means the Eagle County Animal Shelter located at 1400 Fairgrounds Road, Eagle, Colorado, and any other shelter facility operated or designated by the County.

Unclaimed Day is defined as a calendar day or any part thereof during which an unclaimed animal is confined in Shelter on behalf of the Town.

SECTION 3. SCOPE OF SERVICES.

The County agrees to provide General Animal Services and Emergency On-Call Services within the Town of Minturn.

- A. General Animal Services shall include:

- i. A minimum of 10 hours per month of randomly-scheduled patrols , consisting of inspection tours looking for violations or responding to complaints.
 - ii. Administration and enforcement of the Eagle County Animal Services Resolution presently in effect and as may be subsequently amended as applied within the Town of Minturn or the Municipal Ordinance as may apply to the control and licensing of animals within the Town boundaries.
 - iii. The County shall provide the Town with monthly reports and an annual report of services provided pursuant to this Agreement. Such reports shall include, by way of example only, the number of calls for service, number of animals sheltered, number of Unclaimed Days, and number of citations issued.
 - iv. Animal sheltering services for animals attributable to the Town, of the nature and quality customarily provided at the Shelter. Animals attributable to the town are animals impounded within the Town of Minturn and animals owned by persons dwelling, permanently or temporarily, in the Town of Minturn.
- B. Twenty-four (24) hours per day Emergency On Call Service.
- i. Emergency on Call service will be provided during the period when an Eagle County Animal Services Officer is not on duty. In the event that an Eagle County Animal Services Officer is not immediately available to respond to an incident or emergency, the Town of Minturn will provide available personnel to secure the scene and administer control of the situation until the Eagle County Animal Services Officer arrives to resolve said incident.

SECTION 4. OFFICIAL STATUS.

For the purpose of performing the Animal Services and functions set forth in this agreement, Eagle County Animal Services shall enforce, as the Town’s agent, the Municipal Ordinances relating to animals now in effect and as amended from time to time.

SECTION 5. EQUIPMENT.

The County shall furnish and supply, at its sole expense, all necessary labor, supervision, equipment, motor vehicles, office space, and operating and office supplies necessary to provide the services to be rendered hereunder.

SECTION 6. COMPENSATION.

The Town of Minturn agrees to pay the County, monthly, the sum of \$640.00 for General Animal Services.

Emergency On-Call Services will be billed at: \$50.00 per hour.

The Town of Minturn agrees to pay the County, on or before the fifteenth day of each month, for services rendered the previous month, plus any additional billing received for On Call Emergency Service..

All fees and expenses recovered at or for the Shelter will remain with the County.

All court fines and costs will remain with the court of venue.

SECTION 7. PERSONNEL.

The Eagle County Animal Services Officer shall have full cooperation from the Town of Minturn, its public works, its police officers and/or their respective officers, agents, and employees, so as to facilitate the performance of this Agreement.

The rendition of Animal Services provided for herein, the standards of performance, the discipline of officers, and other matters incident to the performance of such services and the control of personnel so employed, shall remain in the County.

All persons employed in the performance of such Animal Services for the Town of Minturn, pursuant to this agreement, shall be County employees, except for Town personnel used to secure the scene as described in Section 3.

SECTION 8. LIABILITY AND INSURANCE.

- A. The County, its officers and employees, shall not be deemed to assume any liability for intentional or negligent acts, errors, or omissions of the Town or of any officer or employee thereof. Likewise, the Town, its officers and employees, shall not be deemed to assume any liability for intentional or negligent acts, errors or omissions of the County or by any officer or employee thereof.
- B. The County agrees to indemnify, defend and hold harmless to the extent allowed by law, the Town, its respective agents, officers, servants and employees of and from any and all loss, costs, damage, injury, liability, claims, liens, demands, action and causes of action whatsoever, arising out of or related to the County's intentional or negligent acts, errors or omissions or that of its agents, officers, servants, and employees, whether contractual or otherwise. Likewise, the Town agrees to indemnify, defend and hold harmless to the extent allowed by law, the County, its respective agents, officers, servants and employees of and from any and all loss, costs, damage, injury, liability, claims, liens, demands, action and causes of action whatsoever arising out of or related to the Town's intentional or negligent acts errors or omissions or that of its agents officers, servants and employees, whether contractual or otherwise.
- C. The County and the Town shall respectively provide its own public liability, property damage, and errors and omissions insurance coverage as each party may deem adequate and necessary for any potential liability arising from this Agreement. Further, the County and the Town, respectively, shall name, subject to the approval of each respective party's insurance carriers, the other respective party as a co-insured under

such insurance policies to the extent of any potential liability arising under this Agreement and, upon reasonable written request, shall furnish evidence of the same to the other respective party.

SECTION 9. TERM AND TERMINATION.

This Agreement is effective January 1, 2012 and shall end on the 31st day of December, 2012. Either party shall have the right to terminate this agreement with or without cause at any time by giving the other party thirty (30) days' prior written notice of termination. Upon termination, the County shall be entitled to compensation for services performed prior to such termination (calculated by prorating the monthly rate for the number of days the County performed General Animal Services and adding all charges for any additional services, including Emergency On Call Services, performed by the County during that time), and both parties shall thereafter be relieved of any and all duties and obligations under this Agreement.

Obligations of the Town of Minturn and the County, respectively, after the current fiscal year, are contingent upon funds for the purpose set forth in this Agreement being appropriated, budgeted and otherwise made available.

SECTION 10. GENERAL PROVISIONS.

- A. Notices. All notices, requests, consents, approvals, written instructions, reports or other communication by the Town of Minturn and the County, under this Agreement, shall be in writing and shall be deemed to have given or served, if delivered or if mailed by certified mail, postage prepaid or hand delivered to the parties as follows:

Town of Minturn:

Town Manager
Town of Minturn
P.O. Box 390
Minturn, CO 81645

County of Eagle:

Eagle County Attorney
P.O. Box 850
Eagle, CO 81631

Either party may change the address to which notices, requests, consents, approvals, written instructions, reports or other communications are to be given by a notice of change of address given in the manner set forth in this paragraph A.

- B. This agreement does not and shall not be deemed to confer upon or grant to any third party any right to claim damages or to bring any lawsuit, action or other proceedings against either the Town or the County because of any breach hereof or because of any terms, covenants, agreements or conditions contained herein.
- C. No modification or waiver of this Agreement or of any covenant, condition, or provision herein contained shall be valid unless in writing and duly executed by the party to be charged therewith.
- D. This written Agreement embodies the whole agreement between the parties hereto and there are no inducements, promises, terms, conditions, or obligations made or entered into either by the County or the Town other than those contained herein.
- E. This Agreement shall be binding upon the respective parties hereto, their successors or assigns and may not be assigned by anyone without the prior written consent of the other respective party hereto.
- F. All agreements and covenants herein are severable, and in the event that any of them shall be held invalid by a court of competent jurisdiction, this Agreement shall be interpreted as if such invalid Agreement or covenant were not contained herein.
- G. The Town has represented to the County and, likewise, the County has represented to the Town, that it possesses the legal ability to enter into this Agreement. In the event that a court of competent jurisdiction determines that either of the parties hereto did not possess the legal ability to enter into this Agreement, this Agreement shall be considered null and void as of the date of such Court determination.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

COUNTY OF EAGLE, STATE OF
COLORADO, By and Through Its
BOARD OF COUNTY COMMISSIONERS

ATTEST:

By: _____ By: _____

Clerk to the Board of
County Commissioners

Jon Stavney, Chairman

ATTEST:

TOWN OF MINTURN

By: _____ By: _____

Town Clerk

Mayor

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

NOTICE OF MEETING AND AGENDA

DATE: Wednesday November 2, 2011

TIME: 6:30 P.M.

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

<u>Board of Directors</u>
Gordon "Hawkeye" Flaherty, Mayor
George Brodin, Mayor Pro Tem
Shelley Bellm
Earle Bidez
Jerry Bumgarner
Aggie Martinez
John Rosenfeld
David Kleinkopf
Sarah J. Baker, Esq.

I. ADMINISTRATIVE MATTERS

- Approve Agenda.
- Review and approve minutes from the November 2, 2011 Board Meeting

II. FINANCIAL MATTERS

- Discuss and consider ratifying appointment of Town Staff to prepare 2012 GID Budget

Action Recommended: Motion to Ratify the Appointment

- Discussion/Action – 2012 General Improvement District Budget: Public Hearing and Board Comments

Action Recommended:

- a. Open Public Hearing
- b. Staff Presentation
- c. Public Comment or Testimony
- d. Council Comments
- e. Close Public Hearing

MINTURN GENERAL IMPROVEMENT DISTRICT

Wednesday November 2, 2011

Notice of Meeting and Agenda

Page 2

- Discussion/Action – Consider adoption of Resolution No. 2011-11-01 a Resolution to adopt the Fiscal year 2012 Budget

Action Recommended: Motion to approve Resolution No. 2011-11-01 a Resolution to adopt the Fiscal year 2012 Budget as presented

- Discussion/Action – Consider approve of Resolution No. 2011-11-02 a Resolution to appropriate sums of money for the Fiscal year 2012 Budget

Action Recommended: Motion to approve Resolution No. 2011-11-02 a Resolution to appropriate sums of money for the Fiscal year 2012 Budget as presented

- Discuss and consider appointment of Clifton Gunderson, LLP to prepare and file the Application for Audit Exemption

Action Recommended: Motion to Ratify the Appointment

III. OTHER BUSINESS

- Discuss and set meeting dates for 2012:
 1. Board Meeting to consider audit exemption set for February 1, 2012 6:30pm at the Minturn Town Center, 302 Pine Street, Minturn, CO 81645
 - a. Alternative dates: February 15 or March 7, 2012
 2. Board Meeting to consider budget approval set for November 7, 2012 6:30pm at the Minturn Town Center, 302 Pine Street, Minturn, CO 81645
 - a. Alternative Date: This item closely follows the State and the Town of Minturn's budget cycle. If an alternative is considered it should be considered as the Board in conjunction with the GID Council.

IV. ADJOURNMENT

**Minturn General Improvement District Meeting Minutes
February 2, 2011
Minturn Town Hall**

Hawkeye convened the GID Board at 7:50pm and noted all members of the Council were present and that Ms. Sarah Baker was present to Represent Battle Mountain Resort. (*David Kleinkopf was absent/excused*)

1. ADMINISTRATIVE MATTERS

- Approval of Agenda

Motion by George B., second by Johnie R., to approve the GID board agenda as presented. All voted in favor.

- Review and approve minutes from the November 3, 2010 Board Meeting.

Motion by Johnie R., second by Aggie M., to approve the November 3, 2010 GID Board Meeting Minutes. All voted in favor. George B., abstained.

2. FINANCIAL MATTERS

- Discuss and consideration for approval of Minturn GID Resolution 2011-02-01 an Application for Exemption from Audit – Brunvand (5min)

Motion by Jerry B., second by Shelley B., to approve the GID Resolution 2011-02-01 an Application for Exemption from Audit. All voted in favor.

3. LEGAL MATTERS

4. OTHER BUSINESS

- Next GID Board Meeting set for November 2, 2011 7:00pm at the Minturn Town Center, 302 Pine Street, Minturn, CO 81645 – Brunvand (5min)

It was noted the November 2, 2011 meeting had been set at the November 3, 2010 Board meeting and no action was required.

5. ADJOURNMENT

Motion by Shelley B., second by Aggie M., to convene as the Minturn Town Council at 8:05. All voted in favor.

Hawkeye Flaherty, President

ATTEST:

Jay Brunvand, Secretary

RESOLUTION NO. 2011-11-01

RESOLUTION TO ADOPT BUDGET

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE MINTURN GENERAL IMPROVEMENT DISTRICT, EAGLE COUNTY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2012, AND ENDING ON THE LAST DAY OF DECEMBER 2012

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

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

WHEREAS, upon due and proper notice, published in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on November 2, 2011, and interested taxpayers were given the opportunity to file or register any objections to said proposed budget; and

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

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

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

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

General Fund: \$500.00

2. That estimated revenues or previous year carry forward for each fund are as follows:

General Fund: \$500.00

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

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

APPROVED AND ADOPTED this 2nd day of November, 2011.

MINTURN GENERAL IMPROVEMENT
DISTRICT

By: _____
President

Attest:

By: _____
Secretary

**MINTURN GENERAL IMPROVEMENT DISTRICT
PROPOSED BUDGET
GENERAL FUND
FOR THE YEAR ENDING DECEMBER 31, 2012**

	ACTUAL 2010	EST YE 2011	PROPOSED 2012
Beginning Funds Available	\$10,426	\$4,925	\$3,925
Revenue			
Property Taxes	\$0	\$0	\$0
Specific Ownership Taxes	\$0	\$0	\$0
Developer Advance	\$0	\$0	\$0
Miscellaneous Income	\$0	\$0	\$0
Total Revenue	\$0	\$0	\$0
Total Funds Available	\$10,426	\$4,925	\$3,925
Expenditures			
Accounting	\$0	\$0	\$0
Insurance	\$0	\$0	\$0
SDA Dues	\$0	\$0	\$0
Legal	\$5,501	\$1,000	\$500
District Management (Town Staff)	\$0	\$0	\$0
Reimbursement of ending Fund Balance to Developer	\$0	\$0	\$0
Operations and Maintenance of Public Improvements	\$0	\$0	\$0
Total Expenditures	\$5,501	\$1,000	\$500
Emergency Reserve	-	-	-
Total Expenditures Requiring Appropriation	\$5,501	\$1,000	\$500
Ending Funds Available	\$4,925	\$3,925	\$3,425

RESOLUTION NO. 2011-11-02

RESOLUTION TO APPROPRIATE SUMS OF MONEY

A RESOLUTION APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNT AND FOR THE PURPOSE AS SET FORTH BELOW, FOR THE MINTURN GENERAL IMPROVEMENT DISTRICT, EAGLE COUNTY, COLORADO, FOR THE 2012 BUDGET YEAR.

WHEREAS, the Board of Directors has adopted the annual budget in accordance with the Local Government Budget Law, on November 2, 2011, and;

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

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

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

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

General Fund:	\$ 500.00
Debt Service Fund:	\$ 0.00
Capital Projects Fund:	\$ 0.00
Emergency Reserve Fund:	\$ 0.00
Enterprise Fund:	\$ 0.00

ADOPTED this 2nd day of November, 2011.

MINTURN GENERAL IMPROVEMENT
DISTRICT

By: _____
President

Attest:

By: _____
Secretary



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: Thursday, October 27, 2011
RE: Executive Session

At the Council meeting, Council will need to convene in Executive Session with the Attorney to discuss and direct Staff regarding the negotiations of the Battle Mountain Resort Property annexation, water right issues, and an update from the EPA. The following motion is recommended:

“Recommended motion: “I move to convene in Executive Session 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.”

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