



2011

Minturn Council Meeting

Wednesday November 16, 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 16, 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

- Finalization of 2012 Council Goal Setting – White (30min)
- Work Session: FY2012 Budget question and answer session – Brunvand/White (60min) PG 4

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**
 - November 2, 2011 PG 5
 - Action Item Report PG 13
4. **Public comments on items, which are NOT on the agenda (5 minute time limit per person)**
5. **Special Presentations/Citizen Recognition**
 - Update: VSSC Aldo Radamus – White (30min) PG 14
6. **Planning Department Update**
7. **Town Manager’s Report PG 18**
8. **Town Council Comments**

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

9. **Discussion/Action – Resolution 4 – Series 2011 a Resolution approving a subdivision exemption plat for the Maloit Park - Town of Minturn Water Treatment Plant Parcel – Cerimele (15min) PG 20**
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) PG 26**
11. **Discussion/Action: 2nd Public Hearing on proposed fiscal year 2012 Budget – Brunvand/White (30min) PG 34**
12. **Discussion/Action – Ordinance 13 – Series 2011 (First Reading) – An Ordinance Creating a Supplemental Appropriation to the 2011 Town of Minturn Budget – Brunvand (30 min) PG 35**
13. **Discussion/Action – Ordinance 14 – Series 2011 (First Reading) – An Ordinance Setting the 2012 General Property Tax Mill Levy for the Town of Minturn – Brunvand (30 Min) PG 40**
14. **Discussion/Action – Ordinance 15 – Series 2011 (First Reading) – An Ordinance Adopting the Fee Schedules for Fiscal Year 2012 for the Town of Minturn – Brunvand (30 Min) PG 43**
15. **Discussion/Action – Ordinance 16 – Series 2011 (First Reading) – An Ordinance Adopting and Recognizing the Town of Minturn’s 2012 Revenues and Expenses by Fund – Brunvand (30 Min) PG 49**

16. Discussion/Action: Consideration and motion to approve and set 2012 Council Goals – White (10min)

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 PG 52

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

FUTURE AGENDA ITEMS

19. Next Meeting – December 7, 2011

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

20. Future Meeting

- 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:

- December 7, 2011
- December 21, 2011
- January 4, 2012

b) Planning & Zoning Commission Meetings:

- November 23, 2011
- December 14, 2011
- December 28, 2011

c) Other Dates:

- 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 Administrator
DATE: 11/09/11
RE: FY2012 Budget – Direction

During the November 2nd Council Meeting, Council requested time during the November 16th meeting to further consider additional information.

Council has requested of Staff to present options for closing the gap between projected 2012 revenues and expenses. This list will be provided at the Worksession and discussed in detail.

Direction requested:

- Direction will be requested on the budget reconciliations that will be provided.
- Direction is requested on the funding of the community funding request presented at the November 2nd Public Hearing
- Direction is requested on the Schedule of Fees included as Appendix “A” of Ordinance 15 – Series 2011.



OFFICIAL MINUTES

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

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

- 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

The meeting was called to order by Mayor Flaherty at 6:38 pm.

Those present included: Mayor Hawkeye Flaherty, Mayor Pro Tem George Brodin, Town Council members Shelley Bellm, Aggie Martinez, Earle Bidez, John Rosenfeld, and Jerry Bumgarner.

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

Motion by George B., second by John R., to approve the agenda as presented; all voted in favor.

3. Approval of Minutes and Action Report

- October 19, 2011
- Action Item Report

Motion by Shelley B., second by Aggie M., to approve the minutes as presented; all voted in favor. (Note: John R. abstained as he was not present at the Oct 19 meeting)

4. Public comments on items, which are NOT on the agenda (5 minute time limit per person) None

5. Special Presentations/Citizen Recognition N/A

6. 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

7. Town Manager's Report

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:

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**.

8. Town Council Comments

John R. thanked all the members of the community for a great Halloween. He also thanked those that participated in the sidewalk renewal program this past year, and noted that the improvements are making a difference. Special thanks to Town Staff and Town Council for the level of support following his father's passing.

George B. made note that the ECO Bus Transit System updated schedule is available.

The Minturn Community Fund is holding open auditions for the "Mutts of Minturn" calendar. Photos will be taken from 10:00am to 12:00pm Saturday, Nov 5th at the Minturn Town Hall lobby.

Mayor Hawkeye F, reminded residents and business owners that the winter parking schedule is now in effect, as of November 1, 2011. Please contact the Minturn Police Dept with any questions.

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

Mr. David Eickholt, Pres, Radio Free Minturn, thanked the Town of Minturn for its support over the past year and presented Radio Free Minturn's request for funding in the amount of \$2,000 asking it to be included in the Town's 2012 budget.

Jerry B made note that Town Council is working during the budget season to trim the budget in every area possible.

- 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)**

Motion by George B, second by Shelley B, to table 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 to November 16, 2011; all voted in favor.

- 11. Discussion/Action: Consideration and motion to approve and set 2012 Council Goals – White (10min)**

Direction to staff was to continue work on the development of a recommendation for goals.

GENERAL IMPROVEMENT DISTRICT

12. ADMINISTRATIVE MATTERS

- Approval of Agenda

Motion by Shelley B., second by Jerry B., to approve the agenda as amended; all voted in favor.

- Review and approve minutes from the February 2, 2011 GID Board Meeting.

Motion by George B., second by Shelley B., to approve the Feb 2, 2011 minutes as presented; all voted in favor.

13. FINANCIAL MATTERS

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

Motion by Jerry B., second by Aggie M., to appoint Town staff to prepare the 2012 budget; all voted in favor.

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

The Public Hearing was opened by the Chairman.
Hearing no comment from the public, the Public Hearing was closed.

- Discussion/Action – Consider adoption of Resolution No. 2010-11-01 Resolution to Adopt Budget

Motion by Jerry B., second by Shelley B., to approve Resolution No. 2010-11-01 Resolution to Adopt the Fiscal Year 2012 General Improvement District Budget as presented; all voted in favor.

- Discussion/Action – Resolution No. 2010-11-02 Resolution to Appropriate Sums of Money.

Motion by Shelley B., second by John R., to approve Resolution 2010-11-02 Resolution to appropriate Sums of Money for the Fiscal Year 2012 General Improvement District budget; all voted in favor.

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

Motion by John R., second by Jerry B., to appointment of Clifton Gunderson, LLP to prepare and file the 2011 Application for Audit Exemption; all voted in favor.

Motion by Jerry B., second by Aggie M., to adjourn the meeting of the Minturn GID; all voted in favor.

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)

Motion by John R., second by Shelley B., to set future meeting dates of February 1 and November 7, 2012 for hearings regarding the Minturn GID; all voted in favor

16. ADJOURNMENT (AS GID AND RECONVENE AS TOWN 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

Motion by Shelley B., second by John R 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. All voted in favor.

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

Executive Session ended at 8:44pm. Town Council reconvened. Direction given to staff to continue with Battle Mountain negotiations and for the Town Manager to schedule another subcommittee meeting with Town Council representatives and Battle Mountain.

FUTURE AGENDA ITEMS

19. Next Meeting – November 16, 2011

- Work Session: FY2012 Budget question and answer session Retreat – Brunvand/White (60min)
- Discussion of Town goals
- Meeting: Discussion/Action – 2nd Public Hearing on proposed fiscal year 2012 Budget and First Reading of Budget Ordinances – Brunvand/White 11/16/11 (45min)

20. Future Meeting

- 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 (Canceled)
- December 14, 2011

c) Other Dates:

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

22. Adjournment

Motion by George B., second by Aggie M., to adjourn the meeting at 8:45pm. All voted in favor.

Mayor Hawkeye Flaherty

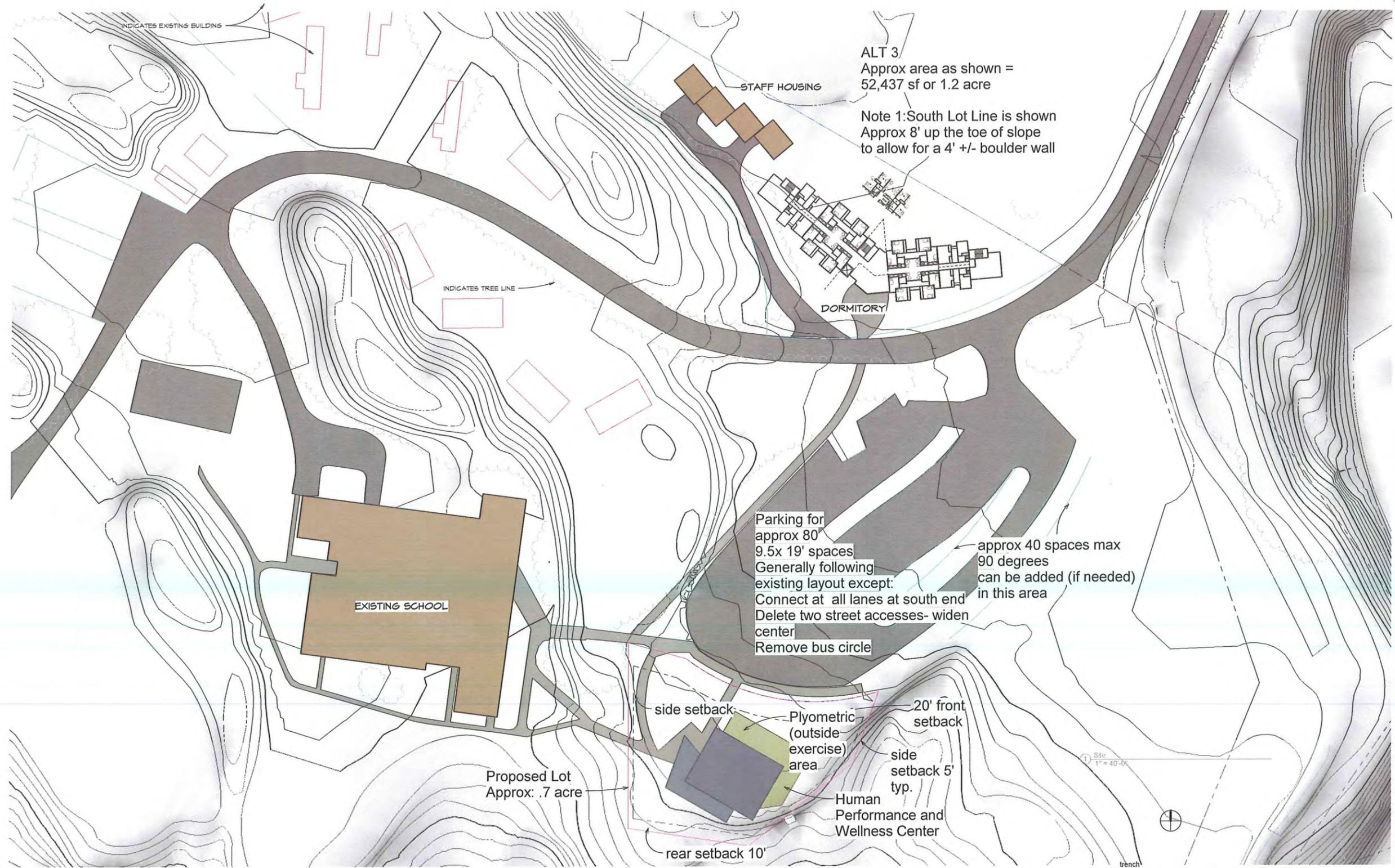
ATTEST:

Town Clerk, Jay Brunvand

**Town of Minturn
Council Action Item Memo**

TO: Staff Members/Council Members
FROM: Jim White/ Town Manager
DATE: November 16, 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 12/07/2011.
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.

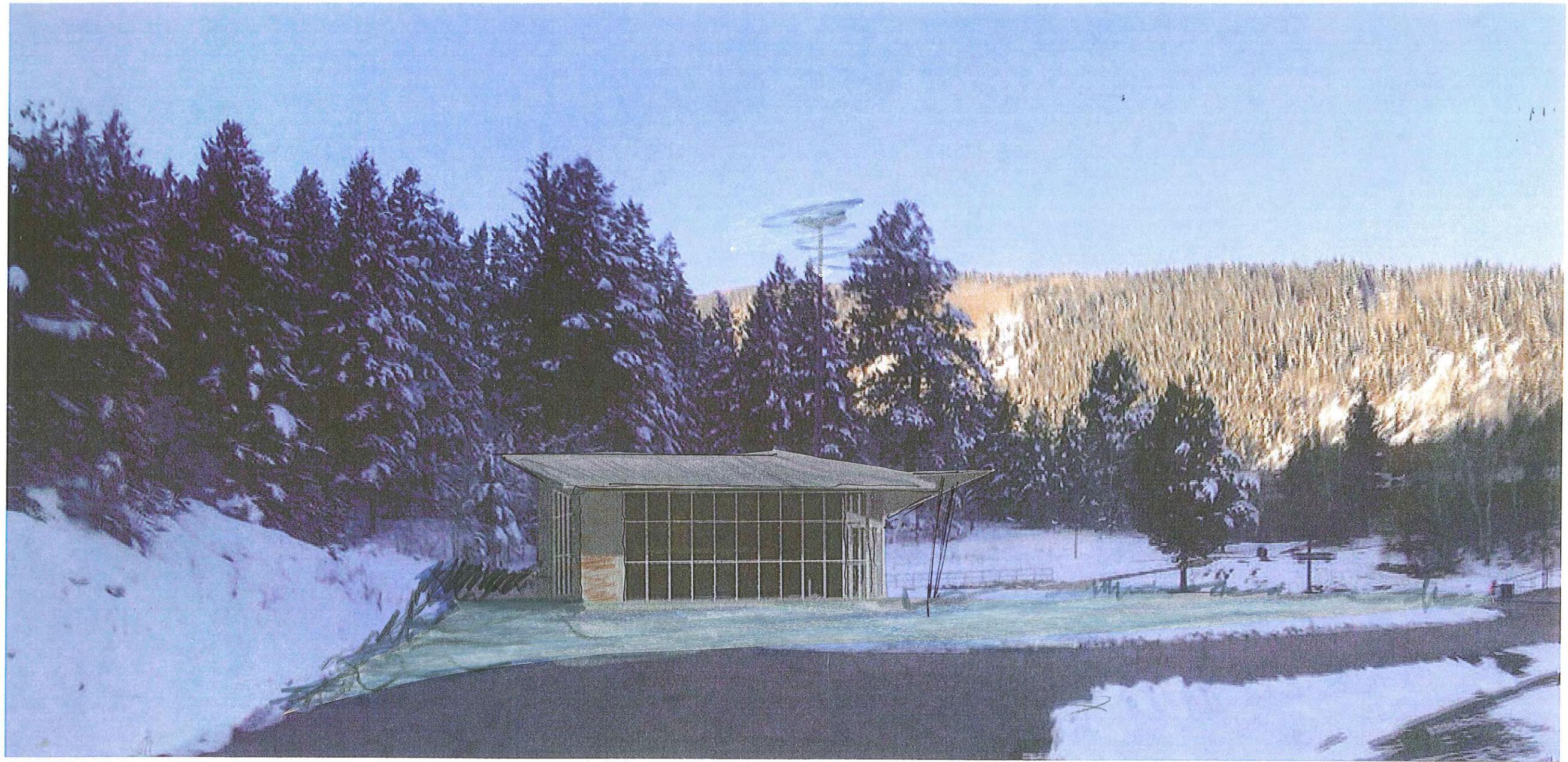


131 main street, ste 0204
den, CO 80501
ed-mhb address: 81632
314.501.0822
rko@rkoarch.com

VSSA Maloit Park Campus

Minturn, CO Edwards, CO 81632

Issue Date	Project Status	A1,
Revisions		Overall Site Plan Option 5
		job # 10023







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
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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: November 8, 2011
Re: **Manager’s Report for the November 16, 2011 Town Council Meeting**

Battle Mountain Update

Current issues include pending lawsuits related to responses to the EPA, quiet title action, and legal challenges to the annexation agreement. 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, August 30, 2011, October 27, 2011 and on November 10, 2011.

Minturn Receives Victim Assistance and Law Enforcement Grant

The Town of Minturn Police Department applied for funding from the Victim Assistance and Law Enforcement (V.A.L.E.) Board. We have been informed that we will receive \$1700 from the Victim and Law Enforcement Fund, contingent on funding availability. We will receive the funding in four quarterly installments. We will be responsible to submit narrative reports on April 30, 2012, July 31, 2012, October 31, 2012, and January 31, 2013.

Minturn Meeting with CDOT

Brian Killian, CDOT Region 3, came to Minturn to look at Highway 24 in its entirety. We discussed future planning, right of way issues, Dowd Junction and other Minturn issues. Brian agreed to assist in directing the Town to current and future funding sources. He also reviewed our needs and explained processes and timelines we need to meet to be considered for funding.

File Review at Department of Labor

Follow up on the incident that occurred three years ago was made by going to Denver on November 1, 2001 to the office of the Department of Labor and reviewing the entire file related to the event. We have invited representatives from the Department of Labor to attend a Town Council meeting.

XCEL Natural Gas Pipeline Project Continues

The XCEL Pipeline Project from Edwards to Minturn continues. Jimmy Smith is project manager. Overall project completion has been extended and is currently set for some time in the month of November 2011. With any questions, please call XCEL at 1-877-481-6380.

Recycling Earns Money

The Public Works crew rounded up some old scrap metal again this fall. Just like last year, we secured some additional funding. The results of this year's efforts to date total \$2305! Congratulations!

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**.

7th Copper Triangle Bike Event

The Town of Minturn will provide an aid station during next year's 7th Annual Copper Triangle on August 4, 2012. We have been asked to provide space at Little Beach Park. Chief Martinez has worked with race organizers to discuss safety arrangements for this event. The "Event Marketing Group", race sponsor, has the required two million dollar liability insurance policy. This event is a fund raiser for the Davis Phinney Foundation (Parkinson's Disease research). Set up will be at 6:30 am and will be broken down by 1pm. Assisted Cycling Tours will manage the aid station with 12-15 volunteers.

2012 Budget Preparation

Special thanks especially to Town Clerk/Treasurer, Jay Brunvand, for his efforts in working on the many iterations of this year's 2012 budget planning. Thanks also to all participating members of our staff.

Respectfully submitted,
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
Councilwoman – Shelley Bellm
Councilman – Jerry Bumgarner
Councilman – Earle Bidez
Councilman – Aggie Martinez
Councilman – John Rosenfeld

AGENDA ITEM COVER SHEET

AGENDA TITLE: Resolution No. 4 – Series 2011. A Resolution approving a subdivision exemption plat for the Maloit Park – Town of Minturn Water Treatment Plant Parcel.
MEETING DATE: November 16, 2011
PRESENTER: Chris Cerimele
BACKGROUND: see attached report.
CORE ISSUES: Approval of Resolution No. 4 – 2011 will legally create the 18.156 acre parcel of land that the Eagle County School District will convey to the Town of Minturn per the terms of the Maloit Park Annexation Agreement.
BUDGET/FINANCE IMPLICATIONS: none
RECOMMENDED MOTION: I move to approve Resolution 4 – 2011.

302 Pine Street
Post Office Box 309
Minturn, CO 81645
Phone: 970-827-4272
Fax: 970-827-7420



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

To: Minturn Town Council
Cc: Jim White, Town Manager
From: Chris Cerimele, Town Planner
Re: Resolution 4 - 2011
Date: November 10, 2011

Background

This item is a request for approval of a subdivision exemption plat that will legally create the 18.156 acre parcel of land that contains the Town’s water treatment and distribution facilities. Per section 4.2 of the approved annexation agreement with the Eagle County School District, the Town of Minturn shall approve a subdivision exemption plat to create this parcel.

The subdivision exemption process is a tool available to the Town Council to simplify the subdivision process. This process is outlined in Section 17-3-30 of the Minturn Municipal Code. Section 17-3-30 states:

The Town Council may, pursuant to a resolution duly adopted at a public meeting, exempt from the provisions of this Chapter any division of land if the Town determines that such division is not within the purposes of this Chapter and, in addition, the method of disposition adopted is not for the purpose of evading the provisions of this Chapter.

Passage of Resolution 4 – 2011 will approve the subdivision exemption plat that legally creates the 18.156 acre parcel of land. Once the parcel has been legally created, the Eagle County School District will convey the land to the Town of Minturn per the terms outlined in section 4.5 of the approved annexation agreement. Section 4.5 of the annexation agreement states:

Section 4.5 Conveyance. In partial consideration of the mutual covenants, promises, and representations stated herein, in addition to the conveyance of easements as provided in Section 2.2 herein, the District agrees to convey to the Town, by general

warranty deed, title to the 18 acre parcel upon which the Town currently has located and operates its municipal potable water treatment plant and related facilities. The District's conveyance of the 18 acre parcel to the Town shall contain a reserved right of establishing an access through the parcel for emergency vehicles if such access is required by any fire/emergency rescue local authority, together with other reserved easements or covenants, all as more fully set forth herein in Section 4.4.5 and shall be subject to a covenant running with the land restricting the use of the 18 acre parcel for the following: ten individual dwelling units for Town, public or community service employees; and municipal utility purposes and associated municipal offices and facilities, excluding wastewater treatment, storage, or collection other than for collection of wastewater from the uses thereon. Any remodel or replacement of the Town's water treatment plant will be done in a rustic aesthetic manner consistent with the small town character of the Town and shall have appropriate landscaping. All such dwelling units, offices, and facilities shall be in accordance with the applicable design standards as required by the Municipal Code.

The District's conveyance of the 18 acre parcel shall also contain a reserved nonexclusive easement for the benefit of the public to provide recreational access to the segment of Cross Creek that crosses the Property, including the bed of Cross Creek and extending 20 feet onto the bank of Cross Creek that is located on the 18 acres. Such easement will reserve the District's right, subject to prior consultation with the Town, to impose reasonable controls with respect to fishing activities within such easement (e.g., catch and release restrictions) and reserve the District's right, in coordination with the Town, to construct or cause to be constructed stream improvements provided such improvements do not interfere with the Town's current or future water, water related, and water treatment plant facilities. By a covenant running with the land, grant of a similar easement or other appropriate instrument, the District shall ensure public recreational access to the segment of Cross Creek that crosses the Property, including the bed of Cross Creek and extending 20 feet onto the bank of Cross Creek that is located on the retained Property. Such instrument will reserve the District's right to impose reasonable controls with respect to fishing activities (e.g., catch and release restrictions). Such covenants, easements, or instruments shall not restrict public access, including

without limitation the District's invitees and licensees, to either side of Cross Creek or to crossover the bed of said Creek.

Recommendation

Staff has determined that the Maloit Park water treatment plant parcel is eligible for a subdivision exemption. Therefore, staff recommends the approval of Resolution 4 – 2011.

Any future divisions of land at Maloit Park will be subject to the regular subdivision procedures that are outlined in Chapter 17 – Subdivisions - of the Minturn Municipal Code.

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 4 – SERIES 2011**

**A RESOLUTION APPROVING A SUBDIVISION EXEMPTION PLAT FOR THE
MALOIT PARK AREA**

WHEREAS, the Town of Minturn, Colorado is a Home Rule Municipality under the Colorado Constitution; and

WHEREAS, section 17-3-30 of the Minturn Municipal Code grants the Town Council the power to exempt from the provisions of the subdivision regulations any division of land if the Town determines that such division is not within the purposes of the subdivision regulations and, in addition, the method of disposition adopted is not for the purposes of evading the provisions of the subdivision regulations; and

WHEREAS, the Minturn Town Council passed Ordinance No. 1 and 2 Series 2011 on May 18, 2011 that annexed into the Town a 104.5 acre parcel of land commonly referred to as Maloit Park; and

WHEREAS, in accordance with the Maloit Park Annexation, the Town of Minturn and the Eagle County School District RE 50J entered into an Annexation Agreement that stipulates that the Eagle County School District RE 50J will convey an 18.156 acre parcel of land to the Town of Minturn by general warranty deed, title to the parcel upon which the Town currently has located and operates its municipal potable water treatment plant and related facilities; and

WHEREAS, the exemption plat creates the 18.156 acre parcel of land that the Eagle County School District RE 50J will convey to the Town of Minturn pursuant to section 4.5 of the Annexation Agreement.

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

The Town Council hereby approves the Maloit Park Subdivision Exemption Plat.

INTRODUCED, READ, APPROVED AND ADOPTED AND RESOLVED this 16th day of November, 2011.

TOWN OF MINTURN

By: _____
Gordon "Hawkeye" Flaherty - Mayor

ATTEST:

Jay Brunvand - Town Clerk

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 309
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



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: November 10, 2011

NOVEMBER 16, 2011 COUNCIL MEETING

As required by Colorado law, the Town has set two Public Hearings for the FY2011 Budget. The November 2nd meeting was 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.
- (c) Close the Public Hearing
- (d) Council discussion on the budget and comment on the Public Hearing if any. (Council may comment on the budget itself at this time or in conjunction with the Ordinance reading further down the agenda.)

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 – Jerry Bumgarner
Councilman – Earle Bidez
Councilman – Aggie Martinez
Councilman – John Rosenfeld

AGENDA ITEM COVER SHEET

AGENDA TITLE: Ordinance 13 – Series 2011 an Ordinance to provide supplemental funding and expenditures for the 2011 Fiscal Year on First Reading
MEETING DATE: November 16, 2011
PRESENTER: Brunvand
BACKGROUND: This is an annual ordinance to account for various increases in revenues and expenditures in each Fund as necessary as detailed in Exhibit “A”.
CORE ISSUES: None.
BUDGET/FINANCE IMPLICATIONS: As indicated in Exhibit “A”.
STAFF RECOMMENDATION/MOTION: Motion to approve Ordinance 13 – Series 2011 (First Reading) amending the 2011 Budget as set forth in the following exhibit “A”, to authorize necessary interfund transfers and recognizing additional General Fund revenues in the amount of \$28,113.00 and appropriating additional General Fund expenditures of \$57,713.00, and appropriating additional Enterprise Fund revenues in the amount of \$23,845.00, and appropriating additional expenditures of \$43,160.00, and appropriating additional Conservation Trust Fund expenditures of \$24,500.00, and appropriating additional Arts Fund revenues in the amount of \$22,000.00, and appropriating additional Art Fund expenditures of \$11,735.00, and appropriating additional Capital Fund expenditures of \$7,600.00 as presented.

TOWN OF MINTURN, COLORADO

ORDINANCE NO. 13 – SERIES 2011

AN ORDINANCE AMENDING THE 2011 BUDGET AS SET FORTH IN THE FOLLOWING EXHIBIT “A”, TO AUTHORIZE NECESSARY INTERFUND TRANSFERS AND RECOGNIZING ADDITIONAL GENERAL FUND REVENUES IN THE AMOUNT OF \$28,113.00, AND APPROPRIATING ADDITIONAL GENERAL FUND EXPENDITURES OF \$57,713.00, AND APPROPRIATING ADDITIONAL ENTERPRISE FUND REVENUES IN THE AMOUNT OF \$23,845.00, AND APPROPRIATING ADDITIONAL EXPENDITURES OF \$43,160.00, AND APPROPRIATING ADDITIONAL CONSERVATION TRUST FUND EXPENDITURES OF \$24,500.00, AND APPROPRIATING ADDITIONAL ARTS FUND REVENUES IN THE AMOUNT OF \$22,000.00, AND APPROPRIATING ADDITIONAL ART FUND EXPENDITURES OF \$11,735.00, AND APPROPRIATING ADDITIONAL CAPITAL FUND EXPENDITURES OF \$7,600.00.

WHEREAS, in accordance with Section 8.8 of the Minturn Home Rule Charter the Council may make additional appropriations by ordinance during the fiscal year, and;

WHEREAS, Jay Brunvand, Treasurer, has verified that additional funds are available for appropriations in each fund from actual and anticipated revenues of the current year and prior year cash reserves, and;

WHEREAS, the Town Council is advised that certain revenues, expenditures and transfers must be approved by ordinance.

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

Section 1.

Upon the Town Manager’s verification that there are current year revenues available for appropriation in the General Fund, Enterprise Fund, Lottery fund, Building Fund, Marketing Fund and Capital Fund and un-appropriated prior year cash balance available in one or more of those funds, the Town Council hereby makes supplemental appropriations as specified in attached Exhibit “A”.

Section 2.

The Town Council hereby authorizes and directs the Town Manager to enter into such contracts and execute such documents on behalf of the Town as may be necessary and customary to expend the funds hereby appropriated for all operations and capital projects within the budget as hereby amended in accordance with the requirements of the Home Rule Charter and the Town’s Financial Policies.

Section 3.

The adoption of this Ordinance will promote the health, safety and general welfare of the Minturn community.

Section 4.

If any provision of this Ordinance or portion thereof is held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any other provision which can be given effect without the invalid portion.

**ORDINANCE 13 – SERIES 2011
EXHIBIT “A”**

GENERAL FUND:		Addition	Revised Budget
Additional Revenue	\$ 28,113.00		
Muni Traffic Fines	01-00-4430	3,000	13,000
Town Hall Rent	01-00-4511	1,250	2,250
ERFPD Impact Fees	01-00-4512	5,013	5,013
Police Dept Grants	01-00-4550	10,190	10,190
CML Dinner	01-00-4563	1,460	1,460
Minturn Event Revenue	01-00-4591	1,450	1,450
Scholarship Donations	01-00-4596	3,750	3,750
Other Revenue	01-00-4597	2,000	2,000
 Additional Expense	 \$ 57,713.00		
Computer Support	01-01-5120	3,000	33,000
Legal & Professional	01-01-5220	10,000	40,000
ERFPD Impact Fees	01-01-5240	4,715	4,715
Unemployment Ins	01-01-5320	25	25
Veh Rep/Maint	01-04-5231	2,500	5,500
Dispatch Services	01-04-5245	500	500
ECO Sheriff Services	01-04-5246	7,500	7,500
Grant Expenses	01-04-5355	9,458	9,458
Promotions	01-05-5275	2,250	12,250
Principle-Caterpillar	01-08-7910	13,720	13,720
Interest-Caterpillar	01-08-7911	4,045	4,045
 ENTERPRISE FUND:			
Additional Revenue	\$ 23,845.00		
Water Meters	02-00-4240	1,845	1,845
Misc Revenue	02-00-4275	22,000	22,000
 Additional Expense	 \$ 43,160.00		
Telephone	02-06-5200	1,500	6,000
Engineering	02-06-5247	30,000	33,000
Water Plant/System	02-06-5293	11,660	60,000
 CONSERVATION TRUST FUND:			
Additional Revenue	\$ 0.00		
 Additional Expense	 \$ 24,500.00		
CTF Expenditures	03-00-5140	24,500	35,000
 ARTS FUND:			
Additional Revenue	\$ 22,000.00		
Revenue	05-00-4591	15,000	65,000
Sponsorship/Donations	05-00-4592	4,000	10,000
Sales/Promotions	05-00-4593	1,500	2,500
Advanced Participation Rev	05-00-4594	1,500	1,500
 Additional Expense	 \$ 11,735.00		
Supplies	05-01-5100	4,000	11,000
Contract Labor	05-01-5110	7,000	42,000
Promotion	05-01-5202	735	735

CAPITAL FUND:

Additional Revenue

\$ 0.00

Additional Expense

\$ 7,600.00

Dowd Trail

06-01-5250

7,600

7,600

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
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Councilman – John Rosenfeld

AGENDA ITEM COVER SHEET

AGENDA TITLE: Ordinance 14 – Series 2011 an Ordinance to approve the Fiscal Year 2012 mill levy on First Reading.
MEETING DATE: November 16, 2011
PRESENTER: Brunvand
BACKGROUND: This is an annual ordinance approved by Council to establish the mill levy on property assessments for the following year. Between first and second readings the County will finalize the assessed valuation. The result of this final number will be used to establish the 2012 property tax collections in the final document.
CORE ISSUES: None.
BUDGET/FINANCE IMPLICATIONS: This ordinance represents a major portion of the General Fund revenues and must be passed by the Council and certified by the County Commissioners not later than December 15.
STAFF RECOMMENDATION/MOTION: Motion to approve Ordinance 14 – Series 2011 (First Reading) an Ordinance levying General Property Taxes for the year 2012 to meet operating costs of government for the Town of Minturn, Colorado for the 2012 Budget Year.

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 14 – SERIES 2011**

AN ORDINANCE LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2012, TO MEET GENERAL OPERATING COSTS OF GOVERNMENT FOR THE TOWN OF MINTURN, COLORADO FOR THE 2012 BUDGET YEAR.

WHEREAS, the Minturn Town Council of the Town of Minturn, Colorado will adopt the annual budget in accordance with Local and State Government Budget Law, on December 7, 2011, and;

WHEREAS, the assessed valuation for the Town of Minturn, Colorado as certified by the Eagle County Assessor is approximately **\$24,708,890.00** and will generate approximately **\$443,129.00** based on the authorized 17.934 mills of the Town of Minturn, and;

WHEREAS, at General Election on November 3, 1998, the citizens of Minturn, Colorado have established the Town Mill Levy at 17.9340 mills in accordance with Article X, Section 20 of the Colorado Constitution, and;

WHEREAS, the final assessed valuation for the fiscal year 2012 will be available by December 1, 2011 from the County of Eagle Assessor in a timely manner to allow the passage of this Ordinance as a non-emergency in the normal course of events.

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

Section 1. That for the purpose of meeting general operating expenses of the Town of Minturn during the 2012 budget year, there is hereby levied a tax of 17.934 mills upon each dollar of the total valuation for assessment of all taxable property with in the Town of Minturn for the 2012 budget year. This assessment of 17.934 mills shall be duly made by the County of Eagle, State of Colorado, as directed by the Colorado Revised Statutes (1983 as amended), and as otherwise required by law.

Section 2. The Minturn Town Treasurer is hereby authorized and directed to immediately certify to the County Commissioners of Eagle County, Colorado, the mill levies for the Town of Minturn, Colorado as here in above determined and set.

Section 3. The Minturn Town Council hereby finds, determines, and declares that this ordinance is necessary and proper for the health, safety, and welfare of the Town on Minturn, Colorado and the inhabitants thereof.

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, APPROVED ON THE FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL THE 16th DAY OF NOVEMBER 2011. 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 7th DAY OF DECEMBER, 2011 AT 6:30PM IN THE MINTURN TOWN CENTER, 302 PINE STREET, 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 7th DAY OF DECEMBER, 2011.**

HAWKEYE FLAHERTY, MAYOR

ATTEST:

JAY BRUNVAND, TOWN CLERK

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
Councilwoman – Jerry Bumgarner
Councilman – Earle Bidez
Councilman – Aggie Martinez
Councilman – John Rosenfeld

AGENDA ITEM COVER SHEET

AGENDA TITLE: Ordinance 15 – Series 2011 an Ordinance to approve the Fiscal Year 2012 fee schedule on First Reading.
MEETING DATE: November 16, 2011
PRESENTER: Brunvand
BACKGROUND: This is an annual ordinance approved by Council to establish the fee schedule. The Fee Schedule has been reviewed by each department and changes are reflected in the schedule. This schedule includes a 5% increase in water fees, water tap fees, and trash fees. No increase has been made on water rates in several years.
CORE ISSUES: None.
BUDGET/FINANCE IMPLICATIONS: This ordinance represents a significant portion of the annual revenues in the General and Enterprise Funds.
STAFF RECOMMENDATION/MOTION: Motion to approve Ordinance 15 – Series 2011 (First Reading) an Ordinance annually setting, amending and approving Town fees as set forth in the attachment to be included in Appendix “A” of the Minturn Municipal Code for the Town of Minturn, Colorado fees commencing January 1, 2012.

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 15 – SERIES 2011**

AN ORDINANCE ANNUALLY SETTING, AMENDING AND APPROVING TOWN FEES AS SET FORTH IN THE FOLLOWING ATTACHMENT TO BE INCLUDED IN APPENDIX “A” OF THE MINTURN MUNICIPAL CODE FOR THE TOWN OF MINTURN, COLORADO FEES COMMENCING JANUARY 1, 2012.

WHEREAS, The Town of Minturn reviews and approves such fees by ordinance annually and as necessary, and;

WHEREAS, The fee schedule is available for review during regular business hours at the Town Offices.

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

Section 1.

The following fees and deposits are hereby set as set forth or added in Appendix “A” is adopted.

Section 2.

In the event of a conflict between the fees, rates and charges listed in this Appendix A and the Text of any individual section of the Town Code, the provisions of The Minturn Municipal Code shall control.

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, APPROVED ON THE FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL THE 16th DAY OF NOVEMBER 2011. 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 7th DAY OF DECEMBER, 2011 AT 6:30PM IN THE MINTURN TOWN CENTER, 302 PINE STREET, MINTURN, COLORADO.

ATTEST:

HAWKEYE FLAHERTY, MAYOR

JAY BRUNVAND, TOWN CLERK

INTRODUCED, READ BY TITLE, PASSED ON SECOND READING, APPROVED AND ORDERED PUBLISHED BY TITLE ONLY THIS 7th DAY OF DECEMBER, 2011

ATTEST:

HAWKEYE FLAHERTY, MAYOR

JAY BRUNVAND, TOWN CLERK

Fees, Rates, and Charges Imposed Pursuant to the Minturn Town Code

ITEM	DESCRIPTION	FEE	OTHER	Amt of Change
General Government				
Administration				
Copies	per page	\$0.25		
CD-Town Code		\$50.00		
Bad Check fee		\$35.00		
Open Records Request				
Attorney-Administrative Description	per hour, minimum 1hr	\$185.00		
Town Staff-Administrative Description	per hour, minimum 1hr	\$50.00		
Past due monthly fee		\$35.00 plus 1.5%/month		
Real Estate Transfer Tax	per sale due at time of sale	1%		
Lodging Tax		1.5%		
Sales Tax - City		4%		
Credit Card Fee	For charges in excess of \$500	3%		
Meeting Room Fees				
	Deposit may be required			
Set-Up Fee		\$30.00		
Special Service Fee		\$30.00		
Flip Chart and Easel		\$15.00		
LCD Projector		\$50.00		
60% Room		\$75.00		
40% Room		\$50.00		
Full Room		\$125.00		
Full Room with Kitchen		\$175.00		
Cleaning Deposit		\$25.00		
Business Licenses:				
Initial License Fee		\$120.00		
Initial License Fee	(9/1-3/31=\$10/month	\$60.00		
Business License Fee	(Due 4/1-3/31)	\$120.00		
In-Home License Fee		\$36.00		
Home Business License	(Major household income)	\$120.00		
Outdoor Recreation License		\$120.00		
Snow Plow Business		\$120.00		
Each additional vehicle		\$12.00		
Peddler or Solicitor:				
License Fees				
1 Day		\$15.00		
2 Days Consecutively		\$30.00		
3 Days Consecutively		\$45.00		
5-Days Consecutively		\$75.00		
7 Days Consecutively		\$120.00		
30 Days consecutively		\$240.00		
Annual License	(Due 4/1)	\$240.00		
Contractor:				
Annual License Fee - General		\$240.00		
Annual License Fee - Sub Cont		\$120.00		
Business List Print Fee		\$40.00		
MISCELLANEOUS FEES				
Miscellaneous fees		Set administratively to cover the cost of services.		

ITEM	DESCRIPTION	FEE	OTHER	Amt of Change
LIQUOR LICENSE APP FEES	All fees as set by State			
PUBLIC SAFETY				
Fingerprints	up to two cards, \$5 each for additional card	\$20.00		
Incarceration Fee	Assessed at current daily fee charged by the ECO Sheriff's Office		NEW	
Sex Offender Registration		\$40.00 (Initial/Annual) \$20.00 (Quarterly/Change)		
VIN Inspections	per inspection	\$10.00		
Records Requests-Criminal Justice		.25pg + \$5.00 Admin Fee		
Clearance Letter	per Individual	\$10.00		
Transcripts		\$250.00 Deposit/Actual Cost		
Court Fines	per Judge			
Portable Breath Test		\$10.00		
Court Fines-Payment Plan Fee	Per court direction	\$25.00		
Court Cost Fee		\$25.00		\$10.00
PUBLIC WORKS				
SNOW DUMP-TANDEM		\$50.00		
SNOW DUMP-END DUMP		\$90.00		
SNOW DUMP-FINE	ILLEGAL DUMPING-MINIMUM x4			
Water				
Cash deposit		\$100.00		
Debt Service Fee	Per SFE/Month	\$6.50		-\$4.17
Turn-on/Reconnect Fee		\$50.00		
Turn-off/Disconnect Fee		\$50.00		
Turn-on/Reconnect after 6/02	For non metered water only	\$400.00		
Tap, inspection, connection fee				
(1) Residential Unit; per unit up to 3,000 sq. feet floor area plus \$2.25 per sq foot floor area thereafter		\$7,500.00		\$1,000.00
(2) Hotel/Lodge/Motel/Lock-off/Accommodation Unit:				
(a) per efficiency room		\$3,250.00		
(b) per room		\$2,250.00		
Out of Town Tap Fees are 25% higher				
Tap, Inspection, Connection Fee				
Commercial Service Line Size in inches:		Cost per Tap		
	3/4	\$10,000.00		\$500.00
	1	\$17,250.00		\$750.00
	1 & 1/2	\$38,250.00		\$1,750.00
	2	\$68,250.00		\$2,350.00
	3	\$152,250.00		\$7,250.00
	4	\$270,500.00		\$12,750.00
	6	\$609,000.00		\$29,000.00
All out of Town Taps	Sec. 13-29(b)(1)	+ 50%		
Construction Use Rates	Sec. 13.65			
Any water use for construction purposes	per month flat fee plus use	\$100.00		
Portable meter fee		\$100.00		
Portable meter water use	\$3.83/1000 gal			\$0.18/1000 gal
Portable meter deposit or lost meter cost		\$1,400.00		

ITEM	DESCRIPTION	FEE	OTHER	Amt of Change
Unusual Water User Fee	Sec. 13.66	set Administratively		
Unmetered Water Rate	Sec. 13-67			
Monthly rate per SFE for	Residential	\$75.11		\$3.57
Policy related to other uses	Commercial	+ 25% (\$93.88)		\$4.46
Replaces Sec. 13-29(b)(2)	Residential out of Town	+ 50% (\$112.66)		\$5.36
	Commercial out of Town	+ 75% (\$164.29)		\$7.81
	Seniors (65 years or older)	-25%(\$53.66)		\$2.68
	After 6/02 - per month	\$400.00		
Metered Water Rate	Sec. 13-68			
(a) Residential, basic monthly charge	per SFE	\$67.11		
plus a monthly above 10,000 gals. use charge per 1,000 gallons		\$2.60		
(b) Commercial, basic monthly charge	per SFE	\$83.89		
plus a monthly above 30,000 gals. Use charge per 1,000 gallons		\$2.73		
(c) 25% discount for Residential Owner-Occupant over 65 years of age		\$50.33		
Out of Town Water Rate are 50% higher for Residential and 75% higher for Commercial	Sec. 13-29(b)(2)	\$100.66 \$139.82		\$4.78 \$6.98
Trash Collection				
(a) Residential, Basic Monthly Charge	per contracted rates	\$26.86		\$1.34
Street Cut Fee				
Basic permit fee		\$75.00		
Basic utility fee		\$50.00		
	per Sec. 11-26			
	replacement of paving w/oil&chip surface/ per sq. ft.	Per Bid		
	dirt cuts	Per Bid		
	Backfilling	time, material, staff time		
	Saw cuts per lineal foot w/min fee 25.00	time, material, staff time		
	Any re-work	time, material, staff time		
Application for Encroachment	Sec. 11-3	\$40.00		
Eagle River Fire Protection District Impact Fees				
new meter size:	3/4 inch	\$1,671.00		
	1 inch	\$2,841.00		
	1.5 inch	\$5,515.00		
	2 inch	\$8,857.00		
	3 inch	\$18,382.00		
	4 inch	\$28,409.00		
	6 inch	\$55,147.00		

PLANNING AND ZONING FEES - April 1, 2009

updated on 040109 by resolution no. 7 - 2009

ITEM	FEE	Plus
Pre-Application Conference	None	
PUD Concept Plan	\$ 450.00	\$50 per each commercial, industrial or residential unit in PUD
PUD Preliminary Development Plan	\$ 1,500.00	\$50 per each commercial, industrial or residential unit in PUD
PUD Final Development Plan	\$ 2,000.00	\$50 per each commercial, industrial or residential unit in PUD
Minor PUD Concept/Preliminary Development Plan	\$ 1,000.00	\$50 per each commercial, industrial or residential unit in PUD
Changes to Approved Plans-		
Approved by Planning Director	\$ 100.00	
Approved by Planning Commission	\$ 250.00	
Approved by Town Council	\$ 500.00	\$50 for each commercial, industrial or residential unit in PUD above previously approved plan
Amendments To Text of Land Use Regulations	\$ 1,250.00	
Amendments To Official Zone District Map	\$ 1,250.00	
Conditional Use Permit Application	\$ 750.00	\$50 per each commercial, industrial or residential unit
Limited Use Review	\$ 350.00	
Temporary Use Permit	\$ 800.00	
Temporary Use Permit Security Deposit	\$ -	Per Planning Director, impact dependent
Variance Permit	\$ 500.00	
Administrative Replat	\$ 500.00	
Preliminary Subdivision Plat	\$ 500.00	\$25 for each commercial, industrial or residential lot
Final Subdivision Plat	\$ 750.00	\$25 for each commercial, industrial or residential lot
Amended Final Plat	\$ 675.00	
Subdivision	\$ 850.00	\$50 per each commercial, industrial or residential unit
Vacation of Public Easements and ROW	\$ 750.00	
Sign Permit	\$ 250.00	
Design Review Board	\$ 200.00	
Special Planning Commission meeting	\$ 500.00	
Appeal - Planning Commission or Town Council	\$ 300.00	
Engineering Review - Single structure project < 1 acre	\$ 105.00	\$105 per each hour over initial hour
Multiple structure projects or projects 1 to 3 acre	\$ 210.00	\$210 per each hour over initial hour
Building Permits new construction - based on valuation:**		
\$1.00 to \$500.00	\$ 29.85	
\$501.00 to \$2,000.00	\$ 29.85	\$3.87 for each additional \$100 valuation over \$500.00
\$2,001.00 to \$25,000	\$ 87.95	\$17.78 for each additional \$1,000 valuation over \$2,000
\$25,001.00 to \$50,000	\$ 497.52	\$12.83 for each additional \$1,000 valuation over \$25,000
\$50,001.00 to \$100,000.00	\$ 817.56	\$8.89 for each additional \$1,000 valuation over \$50,000
\$100,001.00 to \$500,000.00	\$ 1,262.06	\$7.11 for each additional \$1,000 valuation over \$100,000
\$500,001.00 to \$1,000,000.00	\$ 4,106.86	\$6.03 for each additional \$1,000 valuation over \$500,000
\$1,000,001.00 and up	\$ 7,123.11	\$4.64 for each additional \$1,000 valuation over \$1,000,000
Single item permits ex: re-roofing, basement finish, mechanical, plumbing	\$ 75.00	\$75 for each additional inspection - to be determined by building official
Plan Review		65% of permit fee
Cleanup Deposit	\$ 500.00	
Street Use Fee		1/2% of the project valuation that is valued at \$500 or greater

** Valuation is based upon the national average per/square foot construction cost published semi-annually by the International Code Council, with a 1.4 multiplier applied as a regional cost differential.

Other:

*For all applications requiring legal descriptions to be published in the newspaper, additional fees will be charged on a per cost basis, for publications that are in excess of \$50

*Review fees charged by a state or federal agency shall be made payable to the reviewing agency based on current rates and paid at the time of application.

*Professional consultant fees (legal, engineering, etc) as required and agreed to by applicant and Town, shall be at cost.

*No application shall be considered or reviewed until the application fees are paid in full and the application is deemed complete. Where multiple applications are required, multiple fees shall be assessed. Fees are not required for Town-initiated applications.

*Application fees shall be paid by cash or by a check made payable to the Town of Minturn, and shall be submitted with the application to the Town of Minturn Planning Department.

*Additional Town Staff services may be billed at an hourly rate if necessary.

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
Councilwoman - Jerry Bumgarner
Councilman - Earle Bidez
Councilman - Aggie Martinez
Councilman - John Rosenfeld

AGENDA ITEM COVER SHEET

AGENDA TITLE: Ordinance 16 – Series 2011 an Ordinance approving and adopting the Fiscal Year 2012 annual budget on First Reading.
MEETING DATE: November 16, 2011
PRESENTER: Brunvand
BACKGROUND: This ordinance reports, allocates, and appropriates the beginning fund balance, the revenue, and the expenses for each fund as detailed in the budget document. It is anticipated that several changes will be made in the budget prior to Second Reading after tonight's discussions. During the last Council Worksession a question was raised if the Mill Levy could be approved but not the budget by the December 15 deadline. The budget must be approved prior to the certification of the mill levy as provided in C.R.S 29-1-108(3); therefore, this ordinance does need to be passed prior to December 15.
CORE ISSUES: None.
BUDGET/FINANCE IMPLICATIONS: This is the funding mechanism per State law in the budget approval process.
STAFF RECOMMENDATION/MOTION: Motion to approve Ordinance 16 – Series 2011 (First Reading) an Ordinance recognizing revenues, appropriating expenditures, approving transfers and adopting the Town of Minturn budget for the period beginning on the first day of January 2012 and ending on the last day of December 2012.

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 16 – SERIES 2011**

AN ORDINANCE APPROPRIATING REVENUES, APPROPRIATING EXPENDITURES, APPROVING TRANSFERS AND ADOPTING THE TOWN OF MINTURN BUDGET FOR THE PERIOD BEGINNING ON THE FIRST DAY OF JANUARY, 2012 AND ENDING ON THE LAST DAY OF DECEMBER, 2012.

WHEREAS, the Minturn Town Council of the Town of Minturn, Colorado has appointed Jay Brunvand, Treasurer, to prepare and submit a proposed budget to said governing body at the proper time, and;

WHEREAS, Jay Brunvand, Treasurer, has submitted a proposed 2012 Budget to this governing body on October 5, 2011, for its consideration, and;

WHEREAS, upon due and proper notice, published and posted in accordance with the law, said proposed budget was open for inspection by the public as required by law at the Minturn Town Center, the first public hearing was scheduled and held on November 2, 2011 and a second public hearing was scheduled and held on November 16, 2011, and interested citizens were given the opportunity to file or register any objections to said proposed budget, and;

WHEREAS, this proposed budget balances by fund as required by law, and;

WHEREAS, the final assessed valuation will be available by December 1, 2011 from the County of Eagle Assessor in a timely manner to allow the passage of this Ordinance as a non-emergency in the normal course of events.

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

Section 1.

The budget for the Town of Minturn, Colorado for the fiscal year 2012 as submitted and summarized by fund as described below is hereby adopted, which adoption shall constitute appropriations of the amounts specified therein as expenditures from the Funds indicated or expenses from Enterprise Funds; and that the estimated Beginning Balances, Revenues and Other Sources are hereby declared to be a reasonable projection of the amount of Revenue available for appropriation and to provide an adequate Fund Balance at the close of the fiscal year beginning January 1, 2012 and ending December 31, 2012 more particularly described as follows:

FUND DESCRIPTION	BEGINNING FUND EST. BALANCE	FY2012 REVENUE	FY2011 EXPENSES
General Fund	\$ 1,486,499	\$1,344,610	\$1,496,743
Enterprise Fund	\$ 942,471	\$ 714,100	\$ 693,436
Conservation Trust Fund	\$ 7,428	\$ 10,500	\$ 15,000
Minturn Building Fund	\$ 205,475	\$ 228,688	\$ 228,688
Market Fund	\$ 16,011	\$ 57,000	\$ 57,000
Capital Fund	\$ 23,700	\$ 0	\$ 0
Scholarship Fund	\$ 358,350	\$ 700	\$ 0

Section 2.

The Town Council hereby authorizes and directs the Town Manager and Treasurer to enter into such contracts and execute such documents on behalf of the Town as may be necessary and customary to expend the funds hereby appropriated for all operations and capital projects within the budget as hereby adopted all in accordance with the requirements of the Home Rule Charter and the Town's Financial Policies.

Section 3.

The budget hereby approved and adopted shall be signed by the Mayor and Town Clerk and made a part of the public records of the Town of Minturn, Colorado.

INTRODUCED, TITLE READ IN FULL, APPROVED ON THE FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL THE 16th DAY OF NOVEMBER 2011. 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 7th DAY OF DECEMBER, 2011 AT 6:30PM IN THE MINTURN TOWN CENTER, 302 PINE STREET, 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 7th DAY OF DECEMBER, 2011

HAWKEYE FLAHERTY, MAYOR

ATTEST:

JAY BRUNVAND, TOWN CLERK



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, November 10, 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