



2011

Minturn Council Meeting

Wednesday August 17, 2011

Work Session: **6:00pm**
(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 August 17, 2011

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

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

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

COUNCIL MEMBERS:

Shelley Bellm
Earle Bidez
Jerry Bumgarner
Aggie Martinez
John Rosenfeld

When addressing the Council, please state your name and your address for the record prior to providing your comments. Please address the Council as a whole through the Mayor. All supporting documents are available for public review in the Town Offices – located at 302 Pine Street, Minturn CO 81645 – during regular business hours between 8:00 a.m. and 3:00 p.m., Monday through Friday, excluding holidays.

Work Session – 6:00pm

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

Regular Session – 6:30pm

- 1. Call to Order**
 - a. Roll Call
 - b. Pledge of Allegiance
- 2. Approval of Agenda**
 - a. Items to be Pulled or Added
- 3. Approval of Minutes and Action Report**
 - August 3, 2011 PG 1
 - Action Item Report PG 8

4. **Public comments on items, which are NOT on the agenda (5 minute time limit per person)**
5. **Special Presentations/Citizen Recognition**
6. **Planning Department Update**
7. **Town Manager's Report** PG 9
8. **Town Council Comments**

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

9. **Discussion/Action – Wendy Naugle of the Colorado Dept of Public Health and Environment (30min)** PG 11
10. **Discussion/Action – Resolution 5 – Series 2011 a Resolution concerning the issuance of Special Event Permits by the Town of Minturn Liquor Licensing Authority** PG 31

EXECUTIVE SESSION

11. **Pursuant to CRS 24-6-402(4)(f) for the purposes of discussing the Town Manager's annual review, Pursuant to CRS 24-6-402(4)(a) for the purposes to consult with the Town's Attorney(s) and receive direction regarding the negotiations of the USFS Boneyard property and Pursuant to CRS 24-6-402(4)(b) for the purposes to consult with the Town's Attorney(s) and receive direction regarding the negotiations of the Battle Mountain Resort property annexation, water right issues, and EPA update – Christensen** PG 34
12. **Executive Session – Action by Council or Direction to Staff as a result of the Executive Session (5min)**

FUTURE AGENDA ITEMS

13. **Next Meeting – September 7, 2011**
 - Town Manager's annual evaluation
 - Work Session - Discussion/update: Water Quality Control Professionals – White (30min)
 - Discussion/Action – Ordinance 10 - 2011 (Second Reading) an Ordinance granting and approving an Encroachment Agreement between the Minturn Towne Homes and the Town of Minturn – Cerimele (15min)

- Discussion/Action – Sidewalk Update Report – White/A. Martinez (30min)
- Discussion/Action – Update on items on the Town goals list – White (30min)

14. Future Meeting

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

15. Set Future Meeting Dates

a) Council Meetings:

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

b) Planning & Zoning Commission Meetings:

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

c) Other Dates:

16. Adjournment



Official Minutes

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

Wednesday August 3, 2011

Work Session – 4:45pm
Regular Session – 6:30pm

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

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

COUNCIL MEMBERS:

Shelley Bellm
Earle Bidez
Jerry Bumgarner
Aggie Martinez
John Rosenfeld

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 – 4:45pm

- Site Visit: Minturn Towne Homes **(MEET AT INTERSECTION OF TAYLOR ST AND LIONS LANE)** – Cerimele (45min)
- Discussion/update: VSSC Aldo Radamus – White (30min)

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 6:34pm.

Those present included: Mayor Hawkeye Flaherty, Mayor Pro Tem George Brodin, Council Members Shelley Bellm, Aggie Martinez, John Rosenfeld, Jerry Bumgarner and Earle Bidez. Staff present: Town Administrator 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 Shelley B., second by George B., to approve the agenda as amended; all voted in favor.

Add section **8b**, VSSC Update - Aldo Radamus.

3. Approval of Minutes and Action Report

- July 20, 2011

Motion by George B., second by Aggie M., to approve the minutes of July 20, 2011, as presented; all voted in favor.

- July 25, 2011 Special Meeting

Motion by Shelley B., second by George B., to approve the minutes of the Special Meeting July 25, 2011; all voted in favor.

- Action Item Report

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

Chief Lorenzo Martinez, Town of Minturn Police Department, hosted the first annual National night Out on August 2, 2011. 37 softball players and additional children in attendance had a great time. Special thanks to those who helped in the preparation of the evenings festivities.

5. Special Presentations/Citizen Recognition

6. Planning Department Update

07.27.11 Planning Commission Meeting Update

The 7.27.11 Planning Commission meeting was cancelled due to the property owner at 1688 Main Street withdrawing their variance application.

Community Wildfire Protection Plan

The Eagle River Fire Protection District is funding a program to create a Community Wildfire Protection Plan. A team of consultants in conjunction with fire district personnel will assess the wildfire danger within the fire district and make recommendations to mitigate the danger. Staff

attended the kick-off meeting for this planning effort last week in Edwards. Further information will be provided as the planning effort proceeds.

7. Town Manager's Report

XCEL Natural Gas Pipeline Project Continues!

The XCEL Pipeline Project from Edwards to Minturn will return to Minturn sometime in the next week or so once the gas line section at Dowd Junction from Eagle Vail reaches the Minturn Dowd Junction area. XCEL plans to work six days, twelve hour days from 7am to 7pm. XCEL was made aware of Minturn's Saturday weekly market and also was informed about the upcoming bike race event on August 6th. The Minturn section should take two to three weeks to complete per Jimmy Smith, project manager. Overall project completion is set for September 15, 2011. With any questions, please call XCEL at 1-877-481-6380.

Signage

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

Maloit Park Water Tank

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

Bone Yard Parcel

On Monday evening, August 8, 2011, the Town staff will make a formal presentation to the Eagle County Open Space Advisory Committee (OSAC) on the request for funding to purchase the Bone Yard property in Minturn. Toby Sprunk, new director for Eagle County's Open Lands Program, has been asked to arrange a site tour for the committee. We received very supportive commentary from committee members. The one predominant request was to secure funding from other partners. Meetings were held with the managers of the Towns of Vail and Avon. The USFS closing deadline for this transaction is September 8, 2011.

Holy Cross Franchise Agreement Extension

The Town of Minturn and Holy Cross have extended our franchise through September 21, 2011. 2nd reading of the ordinance is planned at tonight's meeting.

Sidewalk Replacement Plan

Staff has completed two sidewalk projects already this summer and is slated to complete another this week. E are also in the process of compiling a report for Town Council to be delivered at the September 7, 2011 Town Council meeting.

Battle Mountain Update

Current issues include pending lawsuits related to responses to the EPA, quiet title action, and legal challenges to the annexation agreement.

Budget Calendar

The budget calendar is included in your packet for this evening's meeting. I will provide a brief review for planning purposes and to answer any preliminary questions Town Council may have.

Eagle County Airport Planning Meeting

The latest airport planning meeting was held yesterday in the Eagle County offices in Eagle, CO.

Lifetime Achievement Award

On August 1st, I travelled to the City of Arvada to present the first "Lifetime Achievement Award" to Craig Kocian, City Manager. He was awarded this honor by the Colorado City and County Managers' Association. I serve as president-elect of that organization and will become president in February 2012 at the annual conference.

Vacation

My wife and I will be away on vacation from August 15 through August 25th.

8. Town Council Comments

Shelley B., thanked the Minturn Community Fund and Missoula's Children's Theater for the wonderful performance at Little Beach Park over the July 30th weekend.

Request to review The Magusto's signage to ensure the Town's dark sky lighting ordinance is in compliance.

John R., thanked all those involved in making the National Night Out event such a success.

Aggie M., commented that the Minturn Market dog population is growing and to be sure to take adequate steps to ensure the safety of children and other pets.

Jerry B., attended the Airport Review meeting and provided an update of the progress being made.

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

8b. Discussion/Action – Vail Ski and Snowboard club (VSSC) update.

Mr. Aldo Radamus, Representative for VSSC, presented potential options for a training facility in conjunction with use by the public. He requested feedback from the Council within 4 to 8 weeks.

9. Discussion/Action – Ordinance 5 – 2011 (Second Reading) an Ordinance adopting the 2009 IBC as amended – Cerimele/Lanci

Motion by Shelley B., second by Jerry B., to approve Ordinance 5 – 2011 (Second Reading) an Ordinance adopting the 2009 IBC as presented. Motion passed. (John R, Aggie M, & Hawkeye F, nay).

10. Discussion/Action – Ordinance 11 – 2011 (Second Reading) Holy Cross Franchise Agreement – White

Motion by George B., second by Shelley B., to approve Ordinance 11 (Second Reading) Holy Cross Franchise Agreement as presented; all voted in favor.

11. Discussion/Action – Ordinance 10 - 2011 (Second Reading) an Ordinance granting and approving an Encroachment Agreement between the Minturn Towne Homes and the Town of Minturn – Cerimele

Mr. Buzz Reynolds, Reynolds Corp, Representative of the Townhome Management Company discussed the need to improve drainage and that the existing system is not adequate to support the water flow.

Mr. Tom Marcin, Engineer, expressed the attempt to divert the water before it gets to the drainage system.

Mr. Anthony Martinez, 232 Taylor St, opposes the engineering of a berm on Taylor St due to the scar that will be left.

Ms. Sandra Smaller, 210 Taylor St, recommends clearing the current drainage system before starting any new/alternate drainage systems.

Ms. Sandra Crucia, Property Manager with Bold Real Estate Solutions, suggested that even with the clearing of the current drainage system, the drainage problem will still exist.

Request by Council to have the original engineering reviewed and determine how, if a well maintained system will not work, a solution can be reached.

Motion by Jerry B., second by George B., to table Ordinance 10 – 2011 (Second Reading) an Ordinance granting and approving an Encroachment Agreement between the Minturn Townhomes and the Town of Minturn, to September 7, 2011; Motion passed 6-1 (Shelley B., nay).

EXECUTIVE SESSION

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

Motion by John R., second by Aggie M to convene into Executive Session for the purposes to consult with the Town's Attorney(s) and receive direction regarding the negotiations of the USFS Boneyard property and Pursuant to CRS 24-6-402(4)(b) for the purposes to consult with the Town's Attorney(s) and receive direction regarding the negotiations of the Battle Mountain Resort property annexation, water right issues, and EPA update; all voted in favor.

The following direction was give to Staff as a result of the Executive Session:

- Continue negotiations with Battle Mountain developer
- Town Manager to set up another committee meeting with Battle Mountain
- Pursue Bone Yard Funding through Eagle County OSAC committee
- Confirm Wendy Naugle/CDPHE attendance at August 17th meeting

FUTURE AGENDA ITEMS

13. Next Meeting – August 17, 2011

- Meeting: Discussion/Action – Ms. Wendy Naugle of the Colorado Dept of Public Health and Environment
- Executive Session – Town Administrator preliminary review
- Invite Inga Causey, Prosecuting Attorney to August 17th meeting

14. Future Meeting

- Town Administrator annual evaluation
- Worksession: Discussion/update: Water Quality Control Professionals – White (30min) (09/07/11)
- Meeting: Discussion/Action – Resolution 4 – Series 2011 a Resolution approving a subdivision exemption plat for the Maloit Park Area – Cerimele (20min)
- Meeting: Discussion/Action – Ordinance 9 – 2011 (First and Second Readings) an Ordinance allowing the sale of Medical Marijuana (TBA Meetings in January 2012 45min, NOTE: this will require two readings)

- Worksession: Request from the Planning Commission for a work session time during September with the Council to determine a sidewalk master plan.

15. Set Future Meeting Dates

a) Council Meetings:

- August 17, 2011
- September 7, 2011
- September 21, 2011

b) Planning & Zoning Commission Meetings:

- August 10, 2011
- August 24, 2011
- September 14, 2011

c) Other Dates:

16. Adjournment

Motion by Jerry B., second by John R., to adjourn the meeting at 9:43pm. 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: August 17, 2011
SUBJECT: Status of Action Items from Town Council Meetings

Action Item	Responsible Party	Progress Report
Town entry sign – South	White	Direction from 7/6/11 Council Meeting is to proceed with options for a sign with a goal of 2011 installation. Sign proposal has been accepted is being produced at House of Signs
Medical Marijuana Ordinance	White	The Medical Marijuana Ordinance 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.
Minturn Scholarship Funding	White	Council is interested in providing seed money and soliciting donations for scholarship funding. \$3,600.00 received from Battle Mountain on 8/4/2011.
Town Sidewalks	A. Martinez/White	First installations to occur on 7/11/11 on Main St and at the Town Hall. Staff and Planning Commission reviewing language to code to require sidewalks for new construction.
Town Priority list	White	Council requested at the 7/20/11 meeting for a full update on the status of each priority to be reviewed w/Council on 9/7/11
OSAC Funding for Boneyard purchase	White	Seek fundraising partners. Town staff met with Eagle County Staff. Staff plans to meet with OSAC on 8/8/11 with formal proposal.

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: August, 11, 2011
Re: **Manager’s Report for the August 17, 2011 Town Council Meeting**

XCEL Natural Gas Pipeline Project Continues!

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

Signage

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

Annual Review Information

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

Maloit Park Water Tank

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

Bone Yard Parcel/USFS/OSAC

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

Sidewalk Replacement Plan

Staff has completed three sidewalk projects already this summer and is checking with a resident to consider another potential project. Public Works is in the process of

8/12/2011

compiling a report for Town Council to be delivered at the September 7, 2011 Town Council meeting.

Battle Mountain Update

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

Budget Calendar

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

Colorado State Freight and Passenger Rail Plan Workshop

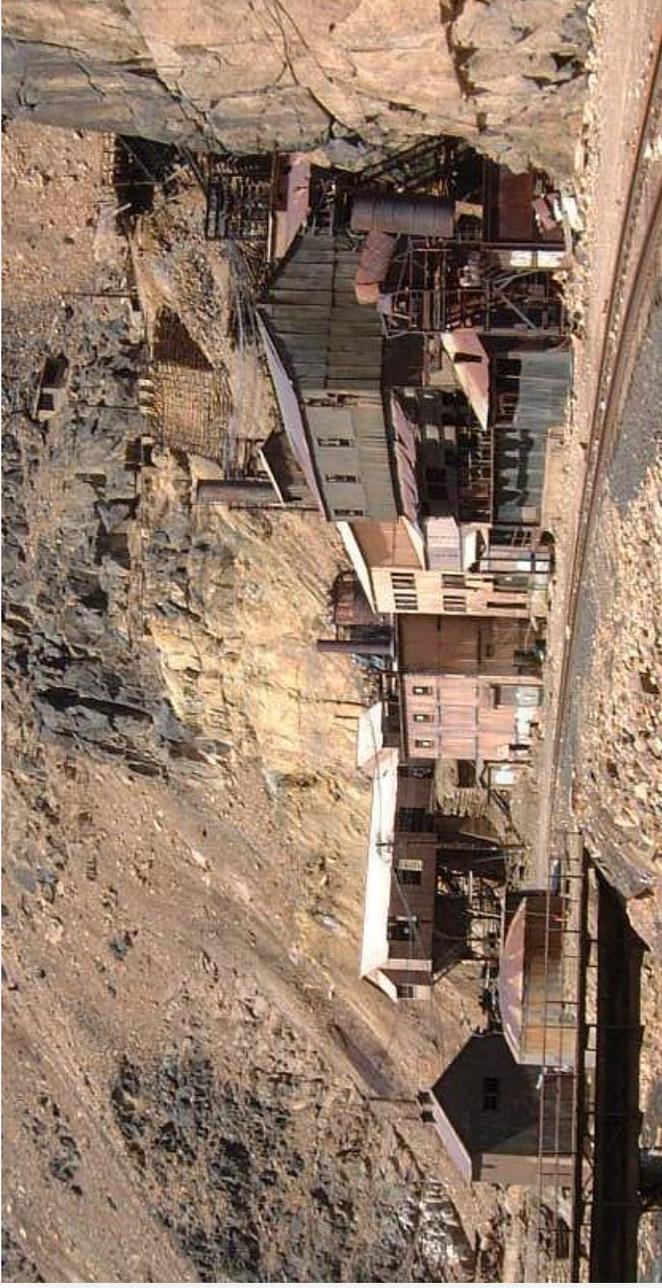
The Colorado Department of Transportation is holding a series of workshops around the state to receive input from key stakeholders. I plan to attend the September 1, 2011 session in Alamosa.

Vacation

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

Respectfully submitted,

Jim White
Town Manager



The Eagle Mine Superfund Site: The Ongoing Quest to Improve Water Quality

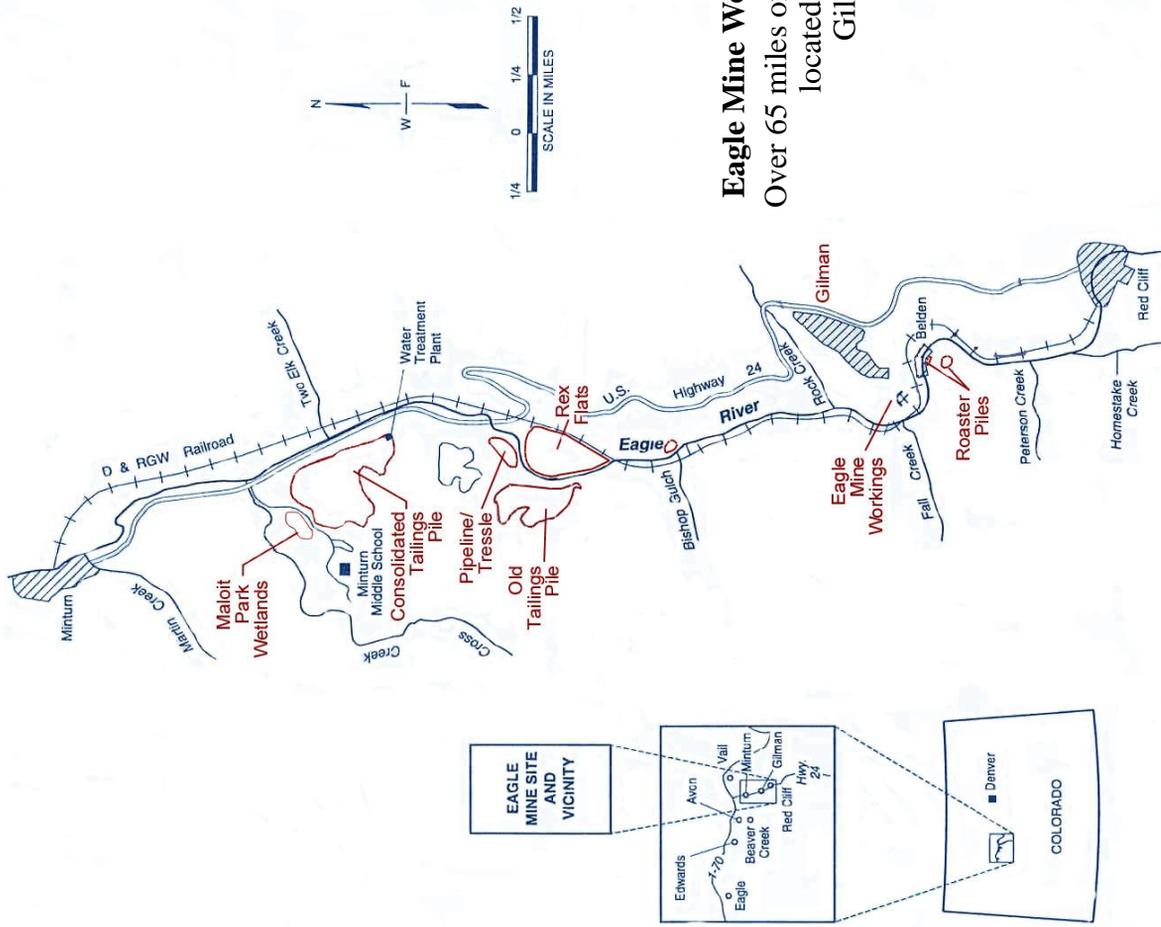
Wendy Naugle, Site Manager

Colorado Department of Public Health & Environment

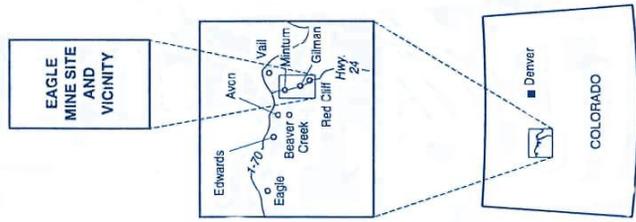
Mike Holmes, Remedial Project Manager

U.S. Environmental Protection Agency

Site Map



Eagle Mine Workings
Over 65 miles of tunnels
located beneath
Gilman



Eagle Mine Site and Vicinity Map

History of the Eagle Mine

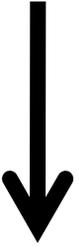
- **Late 1870s:** Gold and silver mining begin. Ore was originally processed using roasting and magnetic separation.
- **Mid-1890s:** Gold and silver mining decline.
- **1905:** Lead and zinc mining begin.
- **1912:** The Empire Zinc Company begins consolidating mining claims into what is now the Eagle Mine.
- **1929:** A lead and zinc mill is constructed inside the mine.
- **December 1977:** Gulf & Western closes the mill and most mining activities.
- **1983:** The mine is sold to Glenn Miller (Battle Mountain Corp.).
- **1984:** The property is abandoned, the electricity is shut off and the mine workings begin to flood.

History of the Eagle Mine

- **1983:** State of Colorado files lawsuit against the mine owners and former owners/operators.
- **1988:** Cleanup of major mine waste begins under settlement agreement.
- **1996:** EPA requires additional cleanup activities
- **2001:** EPA declares “Construction Complete.”
- **2008:** Water Quality Control Commission establishes new water quality standards for the Eagle River, requiring more cleanup.
- **2008-2009:** EPA Emergency Response builds retaining walls to control waste rock from deteriorating crib walls.

Mine Waste

Roaster Waste



Waste Rock &

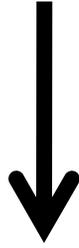
Cribbing



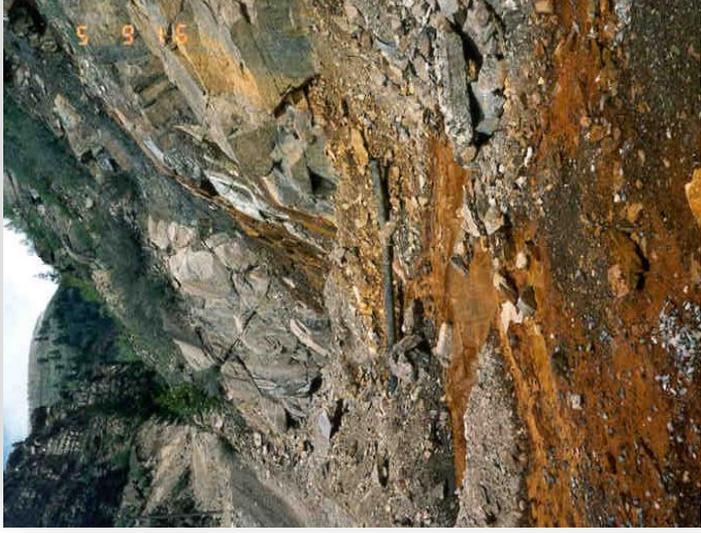
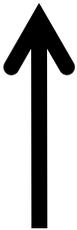
Tailings



Waste Rock



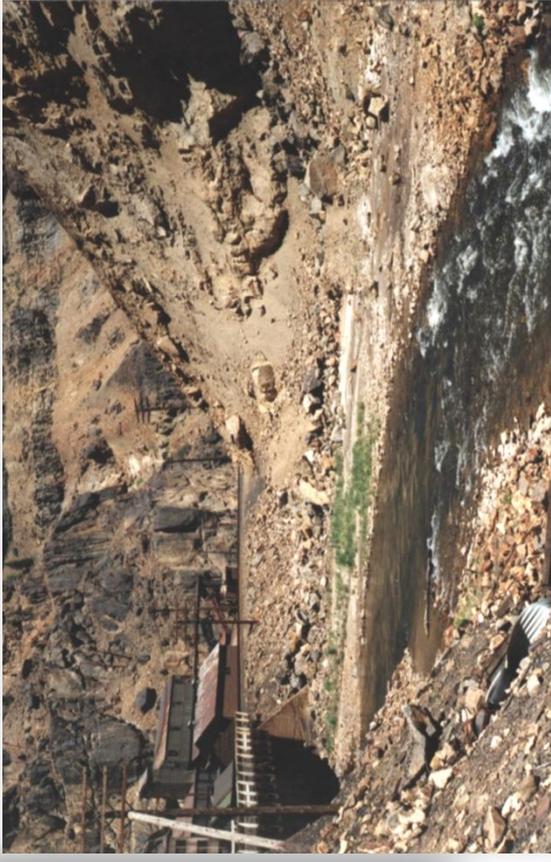
Acid Mine Drainage



Before and After. Roaster Pile Remediation



**Roaster Pile #3
Before Removal
Circa 1988**



**Roaster Pile #3
After Remediation
1994**

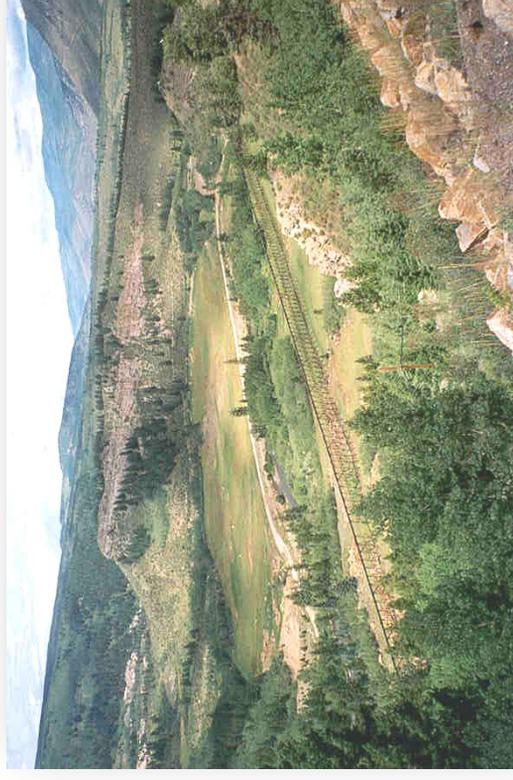
66,300 cubic yards of roaster material were removed from 5 Roaster Piles in 1988 and 1989 and placed in the CTP.

Before and After. . . . Old Tailings Pile Reclamation



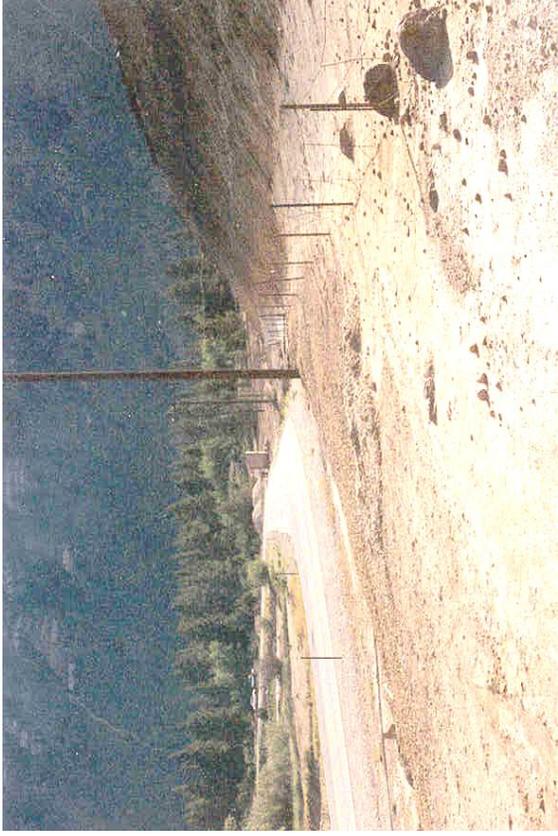
**The Old Tailings Pile
In 1989**

Nearly 1 million cubic yards of tailings were removed from the OTP, Rex Flats and Maloit Park and placed in the CTP between 1988 and 1996.



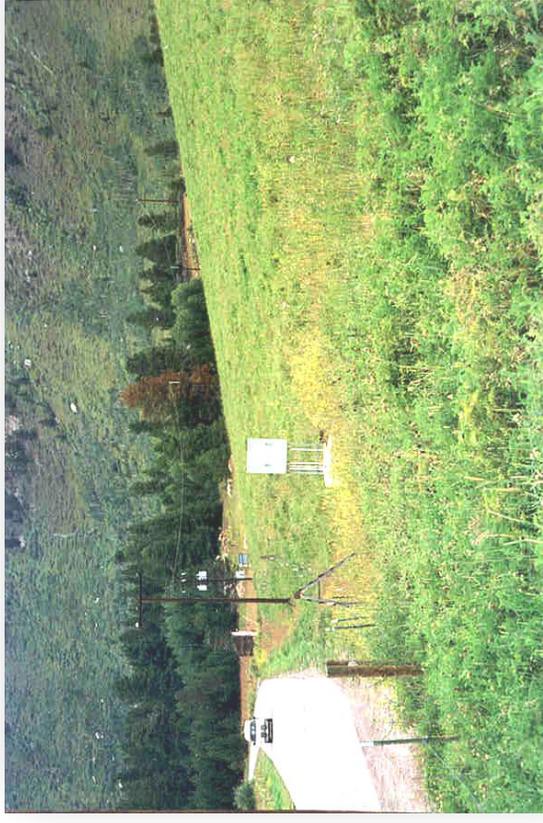
**The Old Tailings Pile
After Reclamation
1999**

Before and After. . . . Consolidated Tailings Pile Side Slope



**The Consolidated Tailings Pile
Prior to 1989**

Side slopes were cut back to prevent erosion.
¹⁸ Engineered cap constructed and vegetation established.



**The Consolidated Tailings Pile
After Reclamation
1999**

Before and After. . . . Consolidated Tailings Pile Reclamation



**The Consolidated Tailings Pile
In 1989**

Tailings were sent in a slurry to this unlined pond.
Groundwater seepage is collected and treated.
Foreground of “After” shot shows WTP and sludge cell.



**The Consolidated Tailings Pile
After Reclamation
1999**

Before and After. . . . Maloit Park Wetlands



**Maloit Park Wetlands
In 1993**



**Maloit Park Wetlands
After Remediation
1999**

Water Treatment

Contaminated Water Sources:

- 1) Mine Pool
- 2) Groundwater
- 3) Seeps



Eagle Mine Water Treatment Plant



At the water treatment plant, metals are removed using lime-precipitation process.

Environmental Monitoring Activities

- Effluent sampling at the Water Treatment Plant
(*Colorado Discharge Permit System Permit issued by the Water Quality Control Division*)
- Surface water samples from the river (*Surface Water and Groundwater Monitoring Plan updated annually & approved by CDPHE/EPA*)
- Groundwater samples (*Surface Water and Groundwater Monitoring Plan updated annually*)
- Biological monitoring in the river (*conducted independently by the CDOW*)

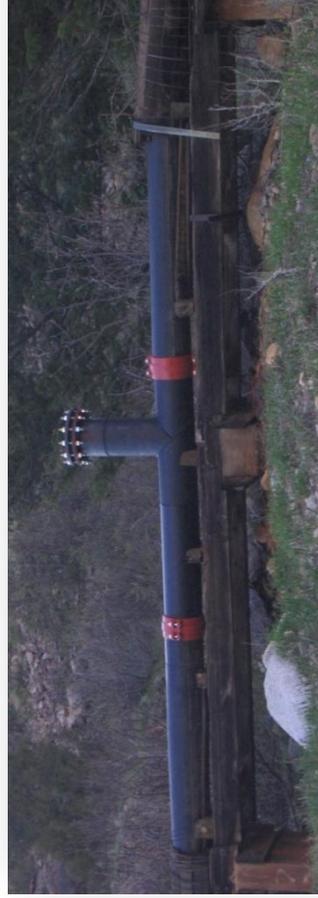
Recent Events

Winter 2009-2010: Trestle line freezes, raising concerns about a possible threat to the Eagle River.

Early 2010: Bypass line built.

Sept. 30-Oct.1, 2010: URS audits collection, conveyance systems.

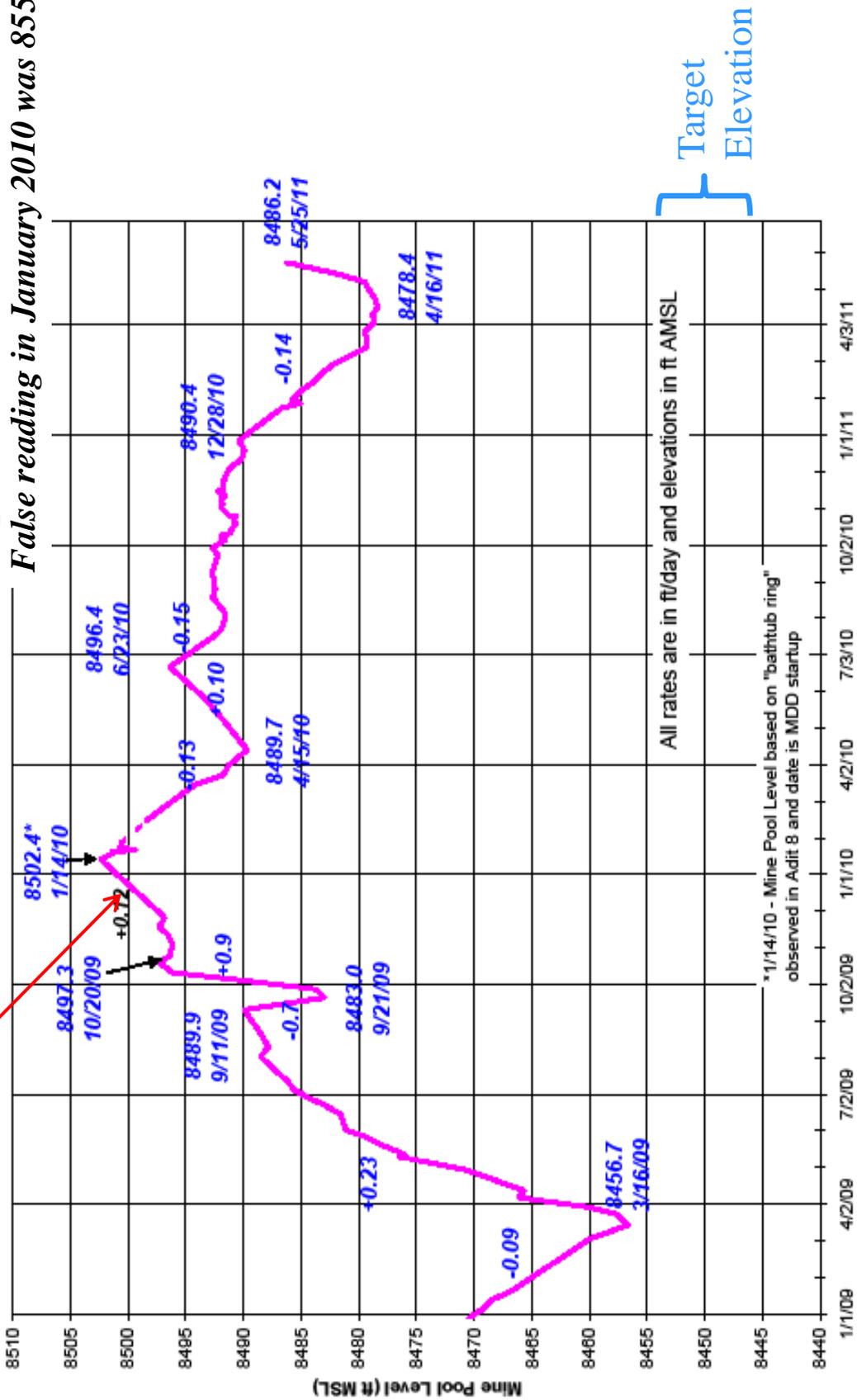
January 2011: URS releases audit report.



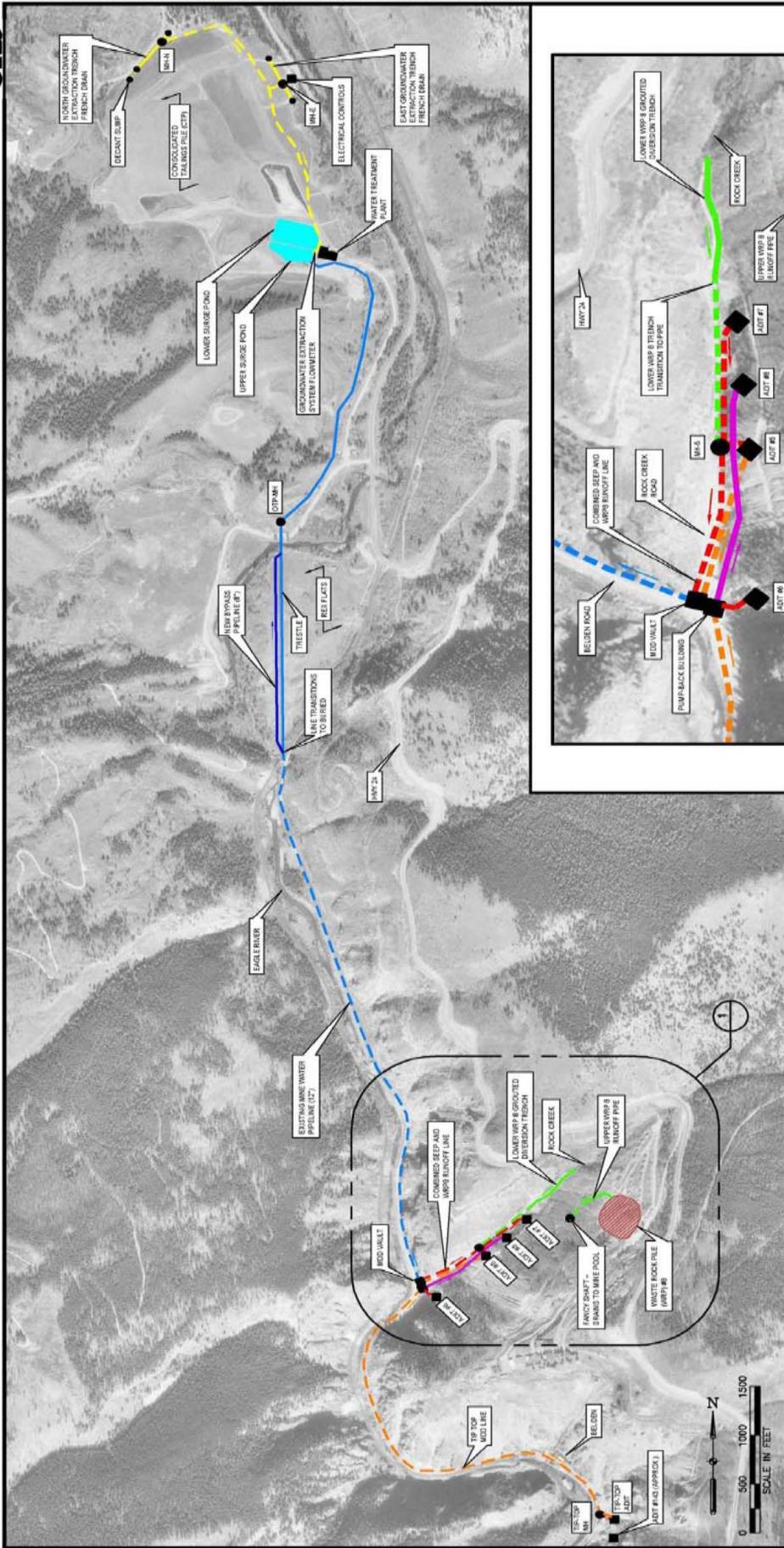
**Eagle Mine Water Level
2009-2011 (through 5/25/11)**

Pipeline Frozen

*Seepage occurred around 8520 in 1990
False reading in January 2010 was 8559*



Target Elevation



Job No. : 22241891
 Prepared By : MCR
 Date : 10/22/10

- LEGEND**
- ABOVE GROUND LINE
 - - - BURIED LINE
 - MDS LINES
 - WRP#8 DRAINAGE
 - SEEPAGE LINES
 - PUMP-BACK LINE
 - EXISTING MINE WATER TRANSPORT LINE
 - NEW BYPASS LINE
 - CTF GROUNDWATER COLLECTION SYSTEM
 - FRENCH DRAIN

2010 Collection and Conveyance System Audit Report

Recommendations: Mine Draw Down Vault

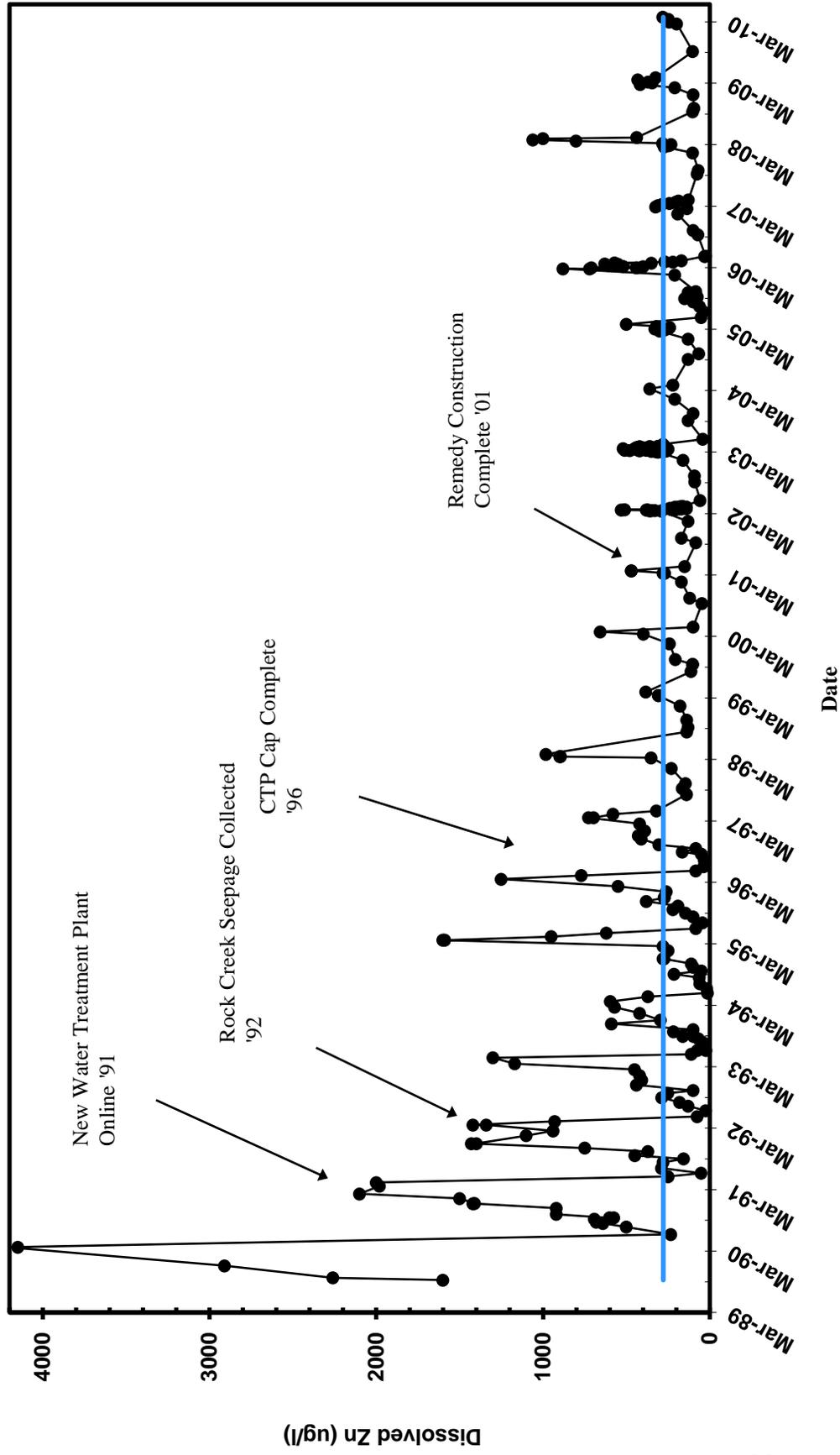


- Install metal hatch
- Enclose valves, other equipment
- Add redundant, remote ways to measure & control mine pool water level

Where are we now?

- Original cleanup required by the State and EPA is complete
- More cleanup is needed to meet water quality standards
- CBS currently preparing a Focused Feasibility Study (FFS) that examines different remedy options and compares options using EPA criteria
- EPA will issue a proposed cleanup plan for public review and comment. The proposed plan will describe the remedy alternatives. After considering all public comment, EPA will then amend the Record Of Decision to include the preferred remedy alternative.
- **CBS' obligation to conduct Long-term Operation, Maintenance, Monitoring at the site is on-going and does not end once water quality standards are attained.**
- EPA and State are currently working with the property owners – Battle Mountain – to determine what cleanup will be needed to allow for their development to move forward

Graph Showing Water Quality Changes Over Time



Redevelopment & Superfund

Development activities at the Site must do three things:

- 1. protect human health**
- 2. protect the environment**
- 3. protect the existing remedy**

- **Original Remedy did not contemplate residential uses.**
- **CDPHE and EPA have been working with Battle Mountain to determine what wastes remain on-site and to devise a remediation and development plan that complies with the three requirements above, including protection of wetlands.**

Contacts and Additional Information



Colorado Department
of Public Health
and Environment

Wendy Naugle, Project Manager

Toll free: 1 (888) 569-1831, ext 3394
wendy.naugle@state.co.us

Warren Smith, Community Involvement Manager

Toll free: 1 (888) 569-1831, ext.3373
warren.smith@state.co.us

www.cdphe.state.co.us/hm/rpeagle.htm



Mike Holmes, Remedial Project Manager

Toll free: 1(800) 227-8917, ext. 6607
holmes.michael@epa.gov

Jennifer Chergo, Public Affairs Specialist

Toll free: 1 (800) 227-8917, ext. 6601
chergo.jennifer@epa.gov

www.epa.gov/region8/superfund/co/eagle/



View Documents at:

Minturn Town Hall
P.O. Box 309
Minturn, CO 81645
(970) 827-5645

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

<p>AGENDA TITLE: Resolution 5 – Series 2011 a Resolution concerning the issuance of Special Event Permits by the Town of Minturn Liquor Licensing Authority</p>
<p>MEETING DATE: August 17, 2011</p>
<p>PRESENTER: Brunvand</p>
<p>BACKGROUND: During the 2011 State Legislative session the State of Colorado approved modifications to the Special Event Permit process and this was signed into law effective August 10, 2011. The modifications will help make the process of applying for and receiving a special event permit more efficient by allowing local licensing authorities to elect sole authority to approve or deny applications for special event permits. Doing so would remove the state licensing authority from its current obligation of reviewing and promptly acting on the issuance of state permits for those local jurisdictions that elect to act as sole reviewer. The maximum number of event dates per calendar year can increase from 10 days to 15 days. In discussion with the State Liquor Authority this law does not change any other features of the previous requirements such as a public hearing and posting the site 10days prior to that hearing. Simply this Resolution will allow the Town to review and consider a permit application without the additional step of the States dual authority thereby cutting the time of processing a Special Event Permit from near 45days down to potentially 10-15days. By way of example, the Town’s own Independence Day liquor permit was submitted to the Town on May 18, approved by the Minturn Council on June 1st, and received from the state on June 24; a total of 38 days. Using the new regulations, the application would have been submitted on May 18 and approved and finalized on June 1st for a total of 15 days.</p> <p>Note: This item was not presented in a Work Session as the concept has been previously reviewed by Council and this resolution is a product of those discussions. It was held to this meeting as I felt it prudent to await the bill becoming a law prior to the Town opting to utilize the process.</p>
<p>CORE ISSUES: N/A</p>
<p>STAFF RECOMMENDATION/MOTION: Motion to approve Resolution 5-2011, a Resolution concerning the issuance of Special Event Permits by the Town of Minturn Liquor Licensing Authority.</p>

TOWN OF MINTURN

RESOLUTION NO. 5 – SERIES 2011

A RESOLUTION CONCERNING THE ISSUANCE OF SPECIAL EVENT PERMITS BY THE TOWN OF MINTURN LIQUOR LICENSING AUTHORITY

WHEREAS, the Colorado legislature recently passed and the Governor signed into law Senate Bill 11-066, entitled “An Act Concerning The Issuance of Special Event Permits to Serve Alcohol Beverages”; and

WHEREAS, Senate Bill 11-066 became effective August 10, 2011; and

WHEREAS, Senate Bill 11-066 authorizes a local licensing authority to elect not to notify the state licensing authority to obtain the state licensing authority’s approval or disapproval for a special event permit; and

WHEREAS, Section 2-10-20 of the *Minturn Town Code* provides that the Liquor Licensing Authority has all of the powers of the liquor licensing authority for the Town as set forth in applicable law; and

WHEREAS, pursuant to Section 2-10-20 of the *Minturn Town Code* the Liquor Licensing Authority has the power to elect to exercise, on behalf of the Town of Minturn, the discretion provided by Senate Bill 11-066; and

WHEREAS, pursuant to the authority granted by Senate Bill 11-066, the Liquor Licensing Authority finds and determines that it should elect not to notify the state licensing authority to obtain the state licensing authority’s approval or disapproval for a special event permit.

NOW, THEREFORE, BE IT RESOLVED BY THE LIQUOR LICENSING AUTHORITY OF THE TOWN OF MINTURN, COLORADO, as follows:

Section 1. Pursuant to Section 12-48-107(5)(a), C.R.S. (as adopted by Senate Bill 11-066), the Liquor Licensing Authority of the Town of Minturn elects not to notify the state licensing authority to obtain the state licensing authority’s approval or disapproval for a special event permit.

Section 2. When exercising his administrative duties with respect to an application for a special event permit, the Town Clerk (acting as the secretary of the Liquor Licensing Authority) shall comply with the requirements of Section 12-48-107(5), C.R.S., and shall do and perform all action required of the Liquor Licensing Authority by such statute.

Section 3. This resolution shall become effective upon its adoption.

INTRODUCED, READ, APPROVED AND ADOPTED this 17th day of AUGUST 2011.

GORDON “HAWKEYE” FLAHERTY, MAYOR

ATTESTS:

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: Friday, August 12, 2011
RE: Executive Session

At the Council meeting, Council will need to convene in Executive Session with the Attorney to discuss the USFS Boneyard and issues regarding Battle Mountain Resort and to discuss the Town Manger's annual review. Note, the Town Manager will not be present at the meeting therefore will not be in the Executive Sessions. The following motion is recommended:

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

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

Please contact me in the event you have any questions.

Thank You, Jay