



2011

Minturn Council Meeting

Wednesday September 21, 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 September 21, 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 5:00 p.m., Monday through Friday, excluding holidays.

Work Session – 6:00pm

- Work Session – Millie Hamner, House of Representatives, District 56 – White (20min)

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

- September 7, 2011 PG 1
- Action Item Report Pg 2

4. Liquor License Authority

- Gail Crowder, DBA Minturn Mile Liquors Annual Renewal of a liquor store License; 341 Main St.; Gail Crowder, Owner – Brunvand (10min) PG 9
- Shop N Hop #12 Annual Renewal of a 3.2% Beer License; 401 Main St.; Terry Marcum and James Marcum, Owners – Brunvand (10min) PG 15

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

6. Special Presentations/Citizen Recognition

7. Planning Department Update PG 21

8. Town Manager's Report PG 22

9. Town Council Comments

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

- 10. Discussion/Action – Ordinance 10 - 2011 (Second Reading) an Ordinance granting and approving an Encroachment Agreement between the Minturn Towne Homes and the Town of Minturn – Cerimele (15min) PG 28**

EXECUTIVE SESSION

- 11. Executive Session –Pursuant to CRS 24-6-402(4)(b) for the purposes to consult with the Town's Attorney(s) and receive direction regarding the negotiations of the Battle Mountain Resort property annexation, water right issues, and EPA update – White/Christensen PG 29**

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

FUTURE AGENDA ITEMS

13. Next Meeting – October 5, 2011

- Work Session – 2012 Goal Setting – White (30min) 10/5/11
- Work Session - FY2012 Budget Review – Brunvand/White (45min) 10/5/11
- Discussion/Action – Council Action Item to formally accept the FY2012 Budget – Brunvand/White 10/5/11 (10min)

14. Future Meeting

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

15. Set Future Meeting Dates

a) Council Meetings:

- October 5, 2011
- October 19, 2011
- November 2, 2011

b) Planning & Zoning Commission Meetings:

- September 28, 2011
- October 12, 2011
- October 26, 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 September 7, 2011

Work Session – 5:45pm

Regular Session – 6:30pm

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

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

COUNCIL MEMBERS:

Shelley Bellm

Earle Bidez

Jerry Bumgarner

Aggie Martinez

John Rosenfeld

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 – 5:45pm

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

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 6:44 pm.

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

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

2. Approval of Agenda

- a. Items to be Pulled or Added

Motion by Shelley B., second by John R., to approve the agenda as amended; all voted in favor. (George B. and Earle B. were absent excused.)

Add personnel policy issues under Executive Session.

3. Approval of Minutes and Action Report

- August 17, 2011

Motion by Jerry B., second by John R., to approve the minutes as presented; all voted in favor. (George B. and Earle B. were absent excused.)

- Action Item Report

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

Mr. Frank Lorenti, 1081 Main Street, presented comments for the Council, citing poor road conditions, the loss of a maintenance staff member, the need to bid out work for excavation and snow removal, and he expresses that with a well-rounded maintenance crew money in Town could be better spent. Mr. Lorenti also expressed that the trailer on the Quintana property is still partially there and could present some safety concerns.

5. Special Presentations/Citizen Recognition

6. Planning Department Update

A property owner came in to discuss a potential upcoming development with the Planning staff. It was a preliminary conversation and the Council will continue to be updated as the project progresses.

7. Town Manager's Report

XCEL Natural Gas Pipeline Project Continues!

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

Maloit Park Water Tank

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

Bone Yard Parcel/OSAC

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

Sidewalk Replacement Plan

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

Battle Mountain Update

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

Budget Calendar

The budget review at the Town Council level will begin this month. Our Town Clerk/Treasurer indicated that he received the preliminary assessed valuation in August.

Our collections for 2012 are estimated to be \$443,000 which is \$135,000 less than 2011, or (-23%). Although this is a preliminary valuation, it is likely not to change much through the budget process as we anticipate revenues for 2012.

Comcast

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

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

Public Works Recycling Program

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

A request was presented to light the front tree during the off-season. Direction to staff to light the front tree during the off season on a trial basis.

8. Town Council Comments

Direction to staff to review the Magusto's outside lighting and ensure the dark sky lighting requirements are being met.

Shelley B., provided an update from the Battle Mountain Committee meeting, that work is taking place in an attempt to release some of the Battle Mountain escrow money. Updates will be provided as progress is made.

Vail Ski and Snowboard Academy will be leading a river clean-up crew for the county-wide clean-up day. Anyone interested in helping is encouraged to attend. Information to sign up can be obtained at www.minturn.org.

Eagle County remembers 9/11 will be this Sunday, September 11th from 1:00pm to 5:00pm at Edwards Freedom Park.

Please be aware that school is back in session and school busses are back in Town, use caution.

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

9. Discussion/Action – Ordinance 10 - 2011 (Second Reading) an Ordinance granting and approving an Encroachment Agreement between the Minturn Towne Homes and the Town of Minturn – Cerimele (15min)

Motion by John R., second by Aggie M., to table Ordinance 10 - 2011 (Second Reading) to September 21, 2011, an Ordinance granting and approving an Encroachment Agreement between the Minturn Towne Homes and the Town of Minturn.

10. Discussion/Action – Minturn Cemetery District – A request for a variance to drill a well to provide potable water to the Minturn Cemetery mausoleum and Town of Minturn Public Works Building – White/Cerimele (30min)

Mr. John Sheehan, Cemetery Rd, would like to move forward in getting water up to the Mausoleum.

Mr. Jim McNeil, Alpine Engineering, estimates that a 6,000 gallon tank will be pumped approximately twice a year, once every 4-6 months. It was indicated that two vent pipes will alleviate any concerns regarding gasses forming inside the vault. Monitors will be in place as well.

Motion by John R., second by Aggie M., to approve the request for a variance to drill a well to provide potable water to the Minturn Cemetery mausoleum and Town of Minturn Public Works Building. (George B. and Earle B. were absent excused.)

11. Discussion/Action – Minturn Cemetery District – A request for a watershed permit to construct a sewage disposal system at the Minturn Cemetery – White/Cerimele (30min)

Motion by Shelley B., second by John R., to approve a watershed permit with the following conditions:

- that all maintenance will be the sole responsibility of the Cemetery District
- within twelve months of new water and sewer lines being installed in the immediate area, the Cemetery District shall hook up to the Town of Minturn water distribution system and the Eagle River Water and Sanitation District sewer system

to construct a sewage disposal system at the Minturn Cemetery. All voted in favor. (George B. and Earle B. were absent excused.)

12. Discussion/Action – A Proclamation of the Minturn Town Council of the Town of Minturn, Colorado in support of joining the National Moment of Remembrance of the 10th Anniversary of September 11th – White (5min)

Direction to staff to post proclamation to the Minturn Town website, www.minturn.org.

Motion by Shelley B., second by Aggie M., to approve a Proclamation of the Minturn Town Council of the Town of Minturn, Colorado in support of joining the National Moment of Remembrance of the 10th Anniversary of September 11th All voted in favor. (George B. and Earle B. were absent excused.)

13. Discussion/Action – Update on items on the Town goals list – White (30min)

Entry signage to be completed by the end of 2011.

Financial sources are being sought for sidewalk installation for the south end of Town.

Street repairs with drainage have been assessed and a grant application has been submitted for potential 2012 funding.

Telemetry, phase 1, has been 100% completed. The sensors need to be made functional and then all systems will be working properly.

The streetscape plan is still in progress and proposals have been reviewed.

The drainage on the corner of Boulder and Meek St is in need of repair and the Engineer will be submitting recommendations.

Mr. Frank Lorenti, 1081 Main St, asked where the South Town sign was placed and it is indicated that the current location is looking to be just north of Tigowan Rd. Mr. Lorenti expressed that with the Battle Mountain annexation, the Town of Minturn actually begins much further south. With regards to south Minturn sidewalks, efforts are being made to locate survey work already completed by previous attempts at the south Minturn sidewalk project.

EXECUTIVE SESSION

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

Motion by Shelley B., second by John R., Pursuant to CRS 24-6-402(4)(f) for the purposes of discussing the Town Manager’s annual review, Pursuant to CRS 24-6-402(4)(a) for the purposes to consult with the Town's Attorney(s) and receive direction regarding the negotiations of the USFS Boneyard property and Pursuant to CRS 24-6-402(4)(b) for the purposes to consult with the Town's Attorney(s) and receive direction regarding the negotiations of the Battle Mountain Resort property annexation, water right issues, and EPA update. All voted in favor. (Earle B. and George B. were absent excused.)

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

Continue work on stipulations for potential purchase of the Boneyard property.
Continue Battle Mountain negotiations.

FUTURE AGENDA ITEMS

16. Next Meeting – September 21, 2011

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

17. Future Meeting

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

- Worksession: FY2012 Budget Review – 10/5/11 (45min)
- Meeting: Discussion/Action – Council Action Item to formally accept the FY2012 Budget – Brunvand/White 10/5/11 (10min)
- Worksession: FY2012 Budget Work Session Retreat – Brunvand/White 10/19/11 (45min)
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18. Set Future Meeting Dates

a) Council Meetings:

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

b) Planning & Zoning Commission Meetings:

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

c) Other Dates:

19. Adjournment

Motion by Jerry B., second by Aggie M., to adjourn the meeting at 10:34 pm. All voted in favor. (Note: Earle B., and George B., were absent excused.)

Mayor Hawkeye Flaherty

ATTEST:

Town Clerk, Jay Brunvand

**Town of Minturn
Council Action Item Memo**

TO: Staff Members/Council Members
FROM: Jim White/ Town Manager
DATE: September 21, 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 signage on the south entrance to Minturn. The sign is being produced at House of Signs.
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	A. Martinez/White	Staff and Planning Commission reviewing language to code to require sidewalks for new construction. Need to set meeting with Planning & Zoning Commission.
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.

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
MR. HAWKEYE FLAHERTY, MAYOR
MR. GEORGE BRODIN, MAYOR PRO TEM
MR. AGGIE MARTINEZ, COUNCILMAN
MR. EARLE BIDEZ, COUNCILMAN
MS. SHELLEY BELLM, COUNCILWOMAN
MR. JERRY BUMGARNER, COUNCILMAN
MS. JOHN ROSENFELD, COUNCILWOMAN

AGENDA ITEM COVER SHEET

AGENDA TITLE: – Gail W. Crowder, DBA The Minturn Mile, annual renewal of a Retail Liquor Store Liquor License; 341 Main Street; Gail Crowder, Owner/Manager
MEETING DATE: September 21, 2011
PRESENTER: Brunvand
BACKGROUND: This is an application for annual renewal of a Liquor Store liquor license. The application has been reviewed by the Clerk, Police Chief, and the Town Attorney. Any concerns were addressed at Staff level and this application is clear for approval.
CORE ISSUES:
BUDGET/FINANCE IMPLICATIONS: An annual renewal fee of \$122.50 has been paid to the Town.
STAFF RECOMMENDATION/MOTION: “Motion to approve Gail W. Crowder, DBA The Minturn Mile, annual renewal of a Retail Liquor Store Liquor License; 341 Main Street; Gail Crowder, Owner/Manager as presented.”

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**

CROWDER GAIL W
 MINTURN MILE LIQUORS
 PO BOX 1603
 VAIL CO 81658

License Number 26-35821-0000	License Type 1940
Liability Information 44 030 445310 I 111600	
Business Location 341 MAIN ST MINTURN CO	
Current License Expires NOV 15, 2011	
DEPARTMENTAL USE ONLY	
Total Amount Due	
Total Paid \$	Date

- This renewal reflects no changes from the last application. Complete page 2 and file now!
- Yes there are changes from the last application.** If applicant is a Corporation or Limited Liability company, use DR 8177 and send in with this renewal. Any other changes of ownership require a transfer of ownership. See your Local Licensing Authority immediately.

Wholesaler, manufacturer, importer, and public transportation system license renewals do not need Local Licensing Authority approval and must be returned directly to the Colorado Department of Revenue at least 30 days prior to the current license expiration date.

This application for renewal must be returned to your CITY OR COUNTY Licensing Authority at least 45 days prior to the expiration date of your current license. Failure to do so may result in your license not being renewed. Include both pages of this renewal and payment.

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge.

Authorized Signature <i>Gail W. Crowder</i>	Date 8/23/11	Business Phone 827-5220
Title <i>Owner</i>	Sales Tax Number 26-35821-0000	

REPORT AND APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S.
THEREFORE THIS APPLICATION IS APPROVED.

Local Licensing Authority for	Date
Signature	Title
Attest	

DO NOT DETACH

DO NOT DETACH

DO NOT DETACH

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your banking account electronically.

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Business Name MINTURN MILE LIQUORS	LICENSE NUMBER (Use for all reference) 26-35821-0000	PERIOD 11-12	
TYPE OF LICENSE ISSUED RETAIL LIQUOR STORE LICENSE - MALT, VINOUS, AND SPIRITUOUS	CASH FUND 2320-100(999) \$ 50.00	STATE FEE 1940-750(999) \$ 50.00	CITY 85% OAP 2180-100(999) \$ 127.50

SUB-TOTAL \$ 227.50

ADD \$100.00 TO RENEW RETAIL WAREHOUSE STORAGE PERMIT 2210-100(999) \$ _____

TOTAL AMOUNT DUE \$ _____

ATTACHMENT TO LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

**This page must be completed and attached to your signed renewal application form.
 Failure to include this page with the application may result in your license not being renewed.**

Trade Name of Establishment <i>MINTURN MIBE LIQUOR</i>		State License Number <i>26-35821-0000</i>	
1. Operating Manager <i>GAIL CROWDER</i>		Home Address <i>Box 1603 Vail CO 81658</i>	
		Date of Birth <i>12/22/43</i>	
2. Do you have legal possession of the premises for which this application for license is made? Are the premises owned or rented: <u>OWNED</u> If rented, expiration date of lease: _____			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
3. Has there been any change in financial interest (new notes, loans, owners, etc.) since the last annual application? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders or owners, (other than licensed financial institutions) are materially interested.			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
4. Since the date of filing of the last annual application, has the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), been convicted of a crime? If yes, attach a detailed explanation.			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
5. Since the date of filing of the last annual application, has the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), been denied an alcoholic beverage license, had an alcoholic beverage license suspended or revoked, or had interest in any entity that had an alcoholic beverage license denied, suspended or revoked? If yes, attach a detailed explanation.			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
6. Does the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), have a direct or indirect interest in any other Colorado liquor license (include loans to or from any licensee, or interest in a loan to any licensee)? If yes, attach a detailed explanation.			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
7. Corporation or Limited Liability Company (LLC) or Partnership applicants must answer these questions. Since the date of filing of the last annual license application:			
(a) Are there, or have there been: any officers or directors; or managing members; or general partners added to or deleted from applicant for renewal of a 3.2 beer or liquor license?			Yes <input type="checkbox"/> No <input type="checkbox"/>
(b) Are there or have there been: any stockholders with 10% or more of the issued stock of the Corporation; or any members with 10% or more membership interest in the LLC; or any partners with 10% or more interest in the partnership added to or deleted from the applicant for renewal of a 3.2 beer or liquor license?			Yes <input type="checkbox"/> No <input type="checkbox"/>
(c) If Yes to (a) or (b), complete and attach Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, and all supporting documentation, and fees your Local Licensing Authority immediately.			
8. Sole proprietorships, Husband-Wife Partnerships or Partners in General Partnerships:			
EVIDENCE OF LAWFUL PRESENCE			
Each person identified above must complete and sign the following affidavit. Please make additional copies if necessary. Each person must also provide a copy of their driver's license or state issued identification card.			
In lieu of form DR 4679, the undersigned swears or affirms under penalty of perjury under the laws of the State of Colorado that (check one):			
<input checked="" type="checkbox"/> I am a United States Citizen <input type="checkbox"/> I am not a United States Citizen but I am a Permanent Resident of the United States <input type="checkbox"/> I am not a United States Citizen but I am lawfully present in the United States pursuant to Federal Law <input type="checkbox"/> I am a foreign national not physically present in the United States			
I understand that this sworn statement is required by law because I have applied for a public benefit. I understand that state law requires me to provide proof that I am lawfully present in the United States prior to receipt of this public benefit. I further acknowledge that making a false, or fraudulent statement or misrepresentation in this sworn affidavit is punishable under the criminal laws of Colorado Revised Statute 18-8-503 and it shall constitute a separate criminal offense each time a public benefit is fraudulently received.			
Signature <i>Gail Crowder</i>		Printed name <i>GAIL CROWDER</i>	
		Date <i>8-24-11</i>	

LIQUOR LICENSE RENEWAL FORM
LOCAL LICENSING AUTHORITY – TOWN OF MINTURN

Name of Establishment: Minturn Mile - Gail Crowder

Date of Submittal: 9/1/11 License Expires: 11/15/11

Application is a:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Renewal | <input type="checkbox"/> Change in Corporate |
| <input type="checkbox"/> Manager Registration | <input type="checkbox"/> Partnership or Trade Name |
| <input type="checkbox"/> Modification of Premise | <input type="checkbox"/> Transfer of Ownership |
| <input type="checkbox"/> Change on Corporate | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Change in Location | |

Scheduled for Council meeting on: _____

1. Fees paid: Local \$ 122.50 and State \$ 227.50
2. N/A Status of Corporation verified with Secretary of State and found to be in good standing. (Town Clerk's Initials)
3. Operating Manager verified and registered.
4. Sales tax submittals current.
5. Water bill submittals current.
6. Business license current.
7. Police Department approval for renewal.
 - a. Officer's report (see attached):
 - b. List of violations within the last year: _____



TOWN OF MINTURN
P.O. Box 309 (302 Pine Street)
Minturn, Colorado 81645-0309
970-827-5645 Fax: 970-827-4049
treasurer@minturn.org

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

MEMORANDUM

To: Chief Lorenzo Martinez
Allen C., Town Attorney (via fax PDF email)
CC:
Date: 9/6/11 9:12 AM
RE: Liquor License

Attached please find a copy of the Annual Liquor License Renewal Application for the Minturn Mile liquors located at 341 Main Street. I have reviewed the application and have affidavits on the Public Benefits as required under a Partnership. Because the license renewal is for a Partnership a Corporate Certificate of Goodstanding from the Secretary of State's Office is not available. This Renewal looks fine to me and is ready for your on-site investigation. Let me know if you have any questions.

PLEASE NOTE: Our standard reviewing process is for both Lorenzo and Allen to review AND approve PRIOR to this being scheduled for a Council meeting. Please inform me if you have any questions when you approve for forwarding to the Council.

Please let me know if you have any questions or concerns, which I may be able to answer.

Thanks, jay

Jay Brunvand

From: Lorenzo Martinez
Sent: Wednesday, September 07, 2011 5:59 PM
To: Jay Brunvand
Cc: Jim White; 'Allen Christensen'
Subject: Minturn Mile Liquors

Please be advised that we conducted the requisite background investigation for the principal identified on the application, conducted an inspection of the premise, and reviewed the conduct of the establishment for the preceding year.

No information was ascertained as part of the background investigation that would be adverse. An inspection of the premise was made on 07 September 2011 and no deficiencies were noted. There were no noteworthy related incidents during the preceding year at this particular premise.

I reviewed the Town Attorney's comments regarding your belief this applicant is a partnership. Pursuant to Colorado Secretary of State records, Gail W. Crowder is the only person listed as True Name of person transacting business in this State under the trade name of Minturn Mile Liquors. The record for Minturn Mile Liquors, ID #14481057105, indicates Status as Effective; Form as Individual; Expiration Date as 01/01/2012. The records do not indicate any change from or to a partnership.

**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
MR. HAWKEYE FLAHERTY, MAYOR
MR. GEORGE BRODIN, MAYOR PRO TEM
MR. AGGIE MARTINEZ, COUNCILMAN
MR. EARLE BIDEZ, COUNCILMAN
MS. SHELLEY BELLM, COUNCILWOMAN
MR. JERRY BUMGARNER, COUNCILMAN
MS. JOHN ROSENFELD, COUNCILWOMAN

AGENDA ITEM COVER SHEET

AGENDA TITLE: – Terry and James Marcum DBA Shop n Hop #12 annual renewal of a 3.2% Beer Retail Liquor License; 401 Main Street; Terry and James Marcum, Owner/Manager
MEETING DATE: September 21, 2011
PRESENTER: Brunvand
BACKGROUND: This is an application for annual renewal of a 3.2% Beer Retail liquor license. The application has been reviewed by the Clerk, Police Chief, and the Town Attorney. Any concerns were addressed at Staff level and this application is clear for approval.
CORE ISSUES:
BUDGET/FINANCE IMPLICATIONS: An annual renewal fee of \$53.75 has been paid to the Town.
STAFF RECOMMENDATION/MOTION: “Motion to approve Terry and James Marcum DBA Shop n Hop #12 annual renewal of a 3.2% Beer Retail Liquor License; 401 Main Street; Terry and James Marcum, Owner/Manager as presented.”

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**



MARCUM TERRY S MARCUM JAMES D
 SHOP & HOP #12
 P O BOX 866
 EDWARDS CO 81632-0866

License Number 23-31218-0002	License Type 2122
Liability Information 44 030 445120 P 110298	
Business Location 401 MAIN STREET MINTURN CO	
Current License Expires NOV 01, 2011	
DEPARTMENTAL USE ONLY	
Total Amount Due	
Total Paid \$	Date

- This renewal reflects no changes from the last application. Complete page 2 and file now!
- Yes there are changes from the last application.** If applicant is a Corporation or Limited Liability company, use DR 8177 and send in with this renewal. Any other changes of ownership require a transfer of ownership. See your Local Licensing Authority immediately.

Wholesaler, manufacturer, importer, and public transportation system license renewals do not need Local Licensing Authority approval and must be returned directly to the Colorado Department of Revenue at least 30 days prior to the current license expiration date.

This application for renewal must be returned to your CITY OR COUNTY Licensing Authority at least 45 days prior to the expiration date of your current license. Failure to do so may result in your license not being renewed. Include both pages of this renewal and payment.

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge.

Authorized Signature 	Date 8/25/11	Business Phone 9707489660
Title Partner	Sales Tax Number 23-31218-0002	

REPORT AND APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S.
THEREFORE THIS APPLICATION IS APPROVED.

Local Licensing Authority for	Date
Signature	Title
	Attest

DO NOT DETACH

DO NOT DETACH

DO NOT DETACH

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your banking account electronically.

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Business Name SHOP & HOP #12	LICENSE NUMBER (Use for all reference) 23-31218-0002		PERIOD 11-12
TYPE OF LICENSE ISSUED 3.2 PERCENT BEER RETAIL LICENSE (OFF PREMISES)	CASH FUND 2330-100(999) \$ 50.00	STATE FEE 2122-750(999) \$ 25.00	CITY 85% OAP 2180-100(999) \$ 21.25

TOTAL AMOUNT DUE \$.96.25

ATTACHMENT TO LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

**This page must be completed and attached to your signed renewal application form.
 Failure to include this page with the application may result in your license not being renewed.**

Trade Name of Establishment <i>Shy & Hep #12</i>		State License Number <i>23-31218-0002</i>	
1. Operating Manager <i>Terry Marcan</i>	Home Address <i>20 Shotgun Circle Edwards Co 81632</i>	Date of Birth <i>8/2/53</i>	
2. Do you have legal possession of the premises for which this application for license is made? Are the premises owned or rented: <i>owned</i> If rented, expiration date of lease: _____			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
3. Has there been any change in financial interest (new notes, loans, owners, etc.) since the last annual application? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders or owners, (other than licensed financial institutions) are materially interested.			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
4. Since the date of filing of the last annual application, has the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), been convicted of a crime? If yes, attach a detailed explanation.			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
5. Since the date of filing of the last annual application, has the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), been denied an alcoholic beverage license, had an alcoholic beverage license suspended or revoked, or had interest in any entity that had an alcoholic beverage license denied, suspended or revoked? If yes, attach a detailed explanation.			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
6. Does the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), have a direct or indirect interest in any other Colorado liquor license (include loans to or from any licensee, or interest in a loan to any licensee)? If yes, attach a detailed explanation. <i>Breckenridge Shy & Hep #4, #7 Steamboat, #3A Vero</i>			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
7. Corporation or Limited Liability Company (LLC) or Partnership applicants must answer these questions. Since the date of filing of the last annual license application:			
(a) Are there, or have there been: any officers or directors; or managing members; or general partners added to or deleted from applicant for renewal of a 3.2 beer or liquor license?			Yes <input type="checkbox"/> No <input type="checkbox"/>
(b) Are there or have there been: any stockholders with 10% or more of the issued stock of the Corporation; or any members with 10% or more membership interest in the LLC; or any partners with 10% or more interest in the partnership added to or deleted from the applicant for renewal of a 3.2 beer or liquor license?			Yes <input type="checkbox"/> No <input type="checkbox"/>
(c) If Yes to (a) or (b), complete and attach Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, and all supporting documentation, and fees your Local Licensing Authority immediately.			
8. Sole proprietorships, Husband-Wife Partnerships or Partners in General Partnerships:			
EVIDENCE OF LAWFUL PRESENCE			
Each person identified above must complete and sign the following affidavit. Please make additional copies if necessary. Each person must also provide a copy of their driver's license or state issued identification card.			
In lieu of form DR 4679, the undersigned swears or affirms under penalty of perjury under the laws of the State of Colorado that (check one):			
<input checked="" type="checkbox"/> I am a United States Citizen			
<input type="checkbox"/> I am not a United States Citizen but I am a Permanent Resident of the United States			
<input type="checkbox"/> I am not a United States Citizen but I am lawfully present in the United States pursuant to Federal Law			
<input type="checkbox"/> I am a foreign national not physically present in the United States			
I understand that this sworn statement is required by law because I have applied for a public benefit. I understand that state law requires me to provide proof that I am lawfully present in the United States prior to receipt of this public benefit. I further acknowledge that making a false, or fraudulent statement or misrepresentation in this sworn affidavit is punishable under the criminal laws of Colorado Revised Statute 18-8-503 and it shall constitute a separate criminal offense each time a public benefit is fraudulently received.			
Signature <i>Terry Marcan</i>		Printed name <i>Terry Marcan</i>	
		Date <i>2/25/11</i>	

LIQUOR LICENSE RENEWAL FORM
LOCAL LICENSING AUTHORITY – TOWN OF MINTURN

Name of Establishment: Shop N Hop #12

Date of Submittal: 8/29/11 License Expires: NOV 1, 2011

Application is a:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Renewal | <input type="checkbox"/> Change in Corporate |
| <input type="checkbox"/> Manager Registration | <input type="checkbox"/> Partnership or Trade Name |
| <input type="checkbox"/> Modification of Premise | <input type="checkbox"/> Transfer of Ownership |
| <input type="checkbox"/> Change on Corporate | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Change in Location | |

Scheduled for Council meeting on: _____

- Fees paid: Local \$ 53.75 and State \$ 96.25.
- N/A Status of Corporation verified with Secretary of State and found to be in good standing. (Town Clerk's Initials)
- Operating Manager verified and registered.
- Sales tax submittals current.
- Water bill submittals current.
- Business license current.
- Police Department approval for renewal.

- _____ Officer's report (see attached):
- _____ List of violations within the last year: _____



TOWN OF MINTURN
P.O. Box 309 (302 Pine Street)
Minturn, Colorado 81645-0309
970-827-5645 Fax: 970-827-4049
treasurer@minturn.org

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

MEMORANDUM

To: Chief Lorenzo Martinez
Allen C., Town Attorney (via fax PDF email)
CC:
Date: 9/6/11 9:01 AM
RE: Liquor License

Attached please find a copy of the Annual Liquor License Renewal Application for the Shop N Hop #12 located at 401 Main Street. I have reviewed the application and have affidavits on the Public Benefits as required under a Partnership. Because the license renewal is for a Partnership a Corporate Certificate of Goodstanding from the Secretary of State's Office is not available. This Renewal looks fine to me and is ready for your on-site investigation. Let me know if you have any questions.

PLEASE NOTE: Our standard reviewing process is for both Lorenzo and Allen to review AND approve PRIOR to this being scheduled for a Council meeting. Please inform me if you have any questions when you approve for forwarding to the Council.

Please let me know if you have any questions or concerns, which I may be able to answer.

Thanks, jay

Jay Brunvand

From: Lorenzo Martinez
Sent: Wednesday, September 07, 2011 12:51 PM
To: Jay Brunvand
Cc: Jim White; 'Allen Christensen'
Subject: Shop & Hop #12

Please be advised that we conducted the requisite background investigation for the principals identified on the application, conducted an inspection of the premise, and reviewed the conduct of the establishment for the preceding year.

No information was ascertained as part of the background investigation that would be adverse. An inspection of the premise was made on 02 September 2011 and no deficiencies were noted. There were no noteworthy related incidents during the preceding year at this particular premise. I would like to thank the owners and management for their Cooperation and Community Spirit throughout the year.

I reviewed the Town Attorney's comments about the co-applicant's, James Marcum, required documentation and concur. As the State of Missouri driver's license was expired on 25 December 2009, it is no longer valid. Therefore it is not valid documentation of legal presence.

Lorenzo W. Martinez
Chief of Police

Post Office Box 309
302 Pine Street
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: Planning Department Update
Date: September 16, 2011

Planning Commission Meeting Update

The Planning Commission met on 9/14/2011 to hear a design review application for a single family residence at 272 Main Street. The application was unanimously approved by the Planning Commission. As this property is a previously undeveloped lot, the Town will receive a \$6,500 payment for a new water tap along with the applicable building permit fees.

251 Main Street

The applicant for the single family residence that was approved by the Planning Commission in March of this year has submitted an application for a building permit along with construction drawings for the project. The Building Inspector is currently reviewing the plans and the building permit is expected to be issued the week of September 19th. Construction on the site is anticipated to begin by the end of the month.

Nuisance Enforcement

Several residents were recently sent violation notices informing each respective property owner that nuisance ordinance violations existed at their properties. Staff has requested that each property owner show demonstrated progress towards cleaning up their properties prior to the onset of winter with a goal of full compliance by the time of the annual spring cleanup.

Jim White
Town Manager
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Fax: 970-827-5545
Email: manager@minturn.org



TOWN COUNCIL
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Councilmember – Aggie Martinez
Councilmember – John Rosenfeld

To: Mayor Flaherty and Minturn Town Council
From: Jim White, Town Manager
Date: September 12, 2011
Re: Manager’s Report for the September 21, 2011 Town Council Meeting

XCEL Natural Gas Pipeline Project Continues!

The XCEL Pipeline Project from Edwards to Minturn continues. Concerns have been addressed about the excavation done on the hillside on the north end of Town. Jimmy Smith is project manager. Overall project completion has been extended and is currently set for September 27, 2011. With any questions, please call XCEL at 1-877-481-6380.

Maloit Park Water Tank

Inspection of the Maloit Park water tank determined the need to make repairs. Public Works has secured two bids for the job. The plan would be to complete restoration of both the inside and outside of the tank. I have negotiated with the School District to have them pay for the repairs per a 1964 Agreement between the Town and the School District. We will create a Memorandum of Understanding (MOU) to secure full payment over a four year period. Universal Coatings has been selected to do the work and has been given a notice to proceed.

CDOT Highway Maintenance Agreement

Last week, CDOT sent a revised annual contract for maintenance on Highway 24 through Minturn. The annual costs did not change/ \$27,000 annually. Additionally, I requested repairs in several areas where our storm drainage and catch basins are deteriorated. A letter will be prepared and sent to document the areas where repairs by CDOT are most needed.

Vail Valley Theater Company

The Vail Valley Theater Company is tentatively planning to present the Rocky Horror Picture Show in Minturn on October 21, 22, 28, and 29, 2011. We are working to find partners to help sponsor this event.

I-70 Mountain Corridor Mobility and Operational Assessment

The I-70 Assessment has been completed and a lengthy document prepared. It is dated August 2011. It summarizes a week long workshops focused on improving traffic operations and mobility on the I-70 Mountain Corridor through potential low cost and no cost options.

9/15/2011

Battle Mountain Update

Current issues include pending lawsuits related to responses to the EPA, quiet title action, and legal challenges to the annexation agreement. Our committee met on August 9, 2011, and again on August 30, 2011. The meeting scheduled for September 13, 2011 was postponed to a future date. I visited the upper mountain site on Thursday, September 15th with Mike Jackson.

Drainage Issue/491 Main Street

Steve Humann, TST engineer representing the Town of Minturn, visited a property in Minturn to address drainage issues. His recommendations are included following this report.

Budget Calendar

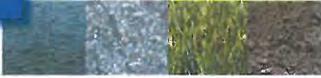
The budget review at the Town Council level will begin at the October 5, 2011 meeting. Much preliminary discussion at the staff level began earlier this summer.

Radio Tower Site

I received a call from an individual named Kevin Bakko on Thursday morning, September 15, 2011 inquiring about being on a future Town Council agenda to discuss the Radio Tower site. He has been scheduled on the October 19th, 2011 agenda.

Respectfully submitted,

Jim White
Town Manager



September 12, 2011

Mr. Jim White
Town Administrator
P.O. Box 309
302 Pine Street
Minturn, CO 81645

*Re: 491 Main Street – Drainage Concern Investigation
Project Number: 1149.0000.00*

Dear Jim,

On Friday, September 9, 2011, Arnold and I investigated the concern raised by the residents of 491 Main Street being Amadeo and Dolores Gonzales. My understanding of their concerns is that storm drainage (especially snow melt) does not get into the inlet at the southwest corner of Meek Ave. and Pine Street. This is apparently due to snow covering the inlet and specifically piles of snow from plowing. Arnold did release water from a water truck so we could see if Meek Avenue sloped to the south toward the drain at Pine Street.



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As you can see from the above picture, looking west, Pine Street does in fact slope south as it drains east and the majority of the runoff gets to the inlet. If runoff originates in the intersection (past the inlet) or if the inlet becomes covered or plugged, some runoff will continue down the south side of Meek Ave. in an asphalt swale, however, some will also travel down the north.



As you can see in the above picture, there is a small swale along Pine St. that directs flow to the north, however, any overflow of said swale will travel downhill to the east and into the foundation of the home and garage. There is also no swale or curb along Meek Ave. on the north side as can be seen in the following picture. Also note that the structure is at a lower elevation than both Pine St. and Meek Ave.



My first suggestion is to assure that the inlet at the intersection of Meek Ave. and Pine St. stay open. The snow plowing activity that buries the inlet, according to Arnold, is not the Town's plowing but the plowing of the private parking lot on the southwest corner of the intersection. The Town should notify the owner of that lot that it is critical that the inlet not be covered during snow plowing activities.

Secondly, if the Gonzales' have a concern about runoff flowing to their foundation beyond the covering of the inlet, it is due to the fact that the foundation is lower than the adjacent streets. This can be addressed by installing curbing which would limit access to their garage or by installing a swale (earthen or asphalt) along the edge of the pavement. The swale option would need to be graded such that it day lighted (tapered back to no swale) at Main Street.

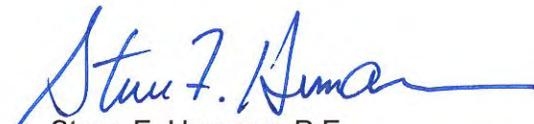


These are certainly some options but if the primary concern was the covering of the inlet in the winter, as I believe it was, the simple and most cost effective solution is to require that the inlet not get buried when snow plowing. This should be (and probably is) a requirement throughout Town.

Please feel free to contact me if you should have any questions or concerns.

Respectfully,

TST, Inc.


Steve F. Humann, P.E.

SFH/efg

P.O. Box 309 ♦ 302 Pine Street
Minturn, CO 81645
Phone: 970-827-5645
Fax: 970-827-5545
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AGENDA ITEM COVER SHEET

AGENDA TITLE: ORD 10 - 2011; An Ordinance granting and approving an encroachment agreement between the Minturn Towne Homes Home Owners’ Association and the Town of Minturn.
MEETING DATE: September 21, 2011
PRESENTER: Chris Cerimele
BACKGROUND: This item is a request from the Minturn Towne Homes Owners’ Association for an encroachment agreement to allow the construction of a berm and drainage system on Town owned land known as Grant Ave. The request was approved on first reading by the Town Council on July 22, 2011 but tabled at the August 10, 2011 meeting. At that time, the Town Council requested that the applicants explore alternative solutions that had less impact on the land. At the present time, the owners’ association is exploring alternative solutions with Marcin Engineering.
CORE ISSUES: Extent of the impact on Town property.
BUDGET/FINANCE IMPLICATIONS: None.
STAFF RECOMMENDATION/MOTION: Table the application until the October 5, 2011 Town Council meeting.



TOWN OF MINTURN
P.O. Box 309 (302 Pine Street)
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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, September 15, 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 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 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