



2013

Minturn Council Meeting

Wednesday February 6, 2013

Work Session: **5:30pm**
(Town Center)

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

TOP COUNCIL PRIORITIES:

- Street and Drainage Projects Eagle Street, Toledo, Norman, Nelson
- Submit Grants for Infrastructure and Prioritize/Create a Regular Schedule
- 100 Block Streetscape
- Sidewalks/ Engineering South Minturn
- Submit DOLA Grant for Microfiltration Plant
- Electronic Packets (I-Pads or Comparable)
- Loop Water Lines



Agenda

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

Wednesday February 6, 2013

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

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

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

COUNCIL MEMBERS:

Shelley Bellm
Earle Bidez
Jerry Bumgarner
Aggie Martinez
John Rosenfeld

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

Work Session – 5:30pm

- Discussion regarding a Minturn Scholarship update with 1st and Main Financial Advisors – White (30min)
- Farewell to Police Chief Lorenzo Martinez

Regular Session – 6:30 pm

- 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

- January 16, 2012 Pg 4
- Action Item Report Pg 10

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

5. Special Presentations

- Eagle River Water and Sanitation District overview of Waste Water Master Plan – White (30 min) Pg 12
- Little Beach Park Improvements Master Plan and GOCO grant application update by Zehren & Associates – Cerimele (20 min) Pg 26

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

- 6. Discussion/Action Item:** Ordinance 1 – Series 2013; (Second Reading) An Ordinance amending Chapter 16 of the Town of Minturn Municipal Code by repealing and reenacting Section 16-16-30 as it pertains to minimum off-street parking requirements for health and athletic clubs, aerobics, recreational, amusement and entertainment facilities within the Town of Minturn. – Cerimele (10 min) Pg 30

GENERAL IMPROVEMENT DISTRICT

7. Administrative Matters

- GID Roll Call Pg 38
- Approval of Agenda
- Review and approve minutes from the November 7, 2012 GID Board Meeting. Pg 39

8. Financial Matters

- Discussion/Action – Consider adoption of Resolution No. 2013-02-01 an application for Exemption from Audit – Brunvand (5min) Pg 42

9. Legal Matters

10. Other Business

- Discuss and set meeting dates for 2013:
 - Board Meeting to consider budget approval set for November 6, 2013 6:30pm at the Minturn Town Center, 302 Pine Street, Minturn, CO 81645.

11. Adjournment (as GID and reconvene as Town Council)

OTHER MATTERS

12. Planning Department Update

13. Town Manager's Report Pg 50

14. Town Council Comments

- CML "If I Were Mayor" Essay Contest – Flaherty (10min) Pg 52

EXECUTIVE SESSION

15. Executive Session – To convene in Executive Session Pursuant to CRS 24-6-402(4)(a) for the purposes of discussing the purchase of certain USFS land and 64 Harrison Ave and pursuant to CRS 24-6-402(4)(b) for the purpose of an update from the Town's Attorneys regarding the Eagle Mine and the EPA – Christensen/White Pg 55

16. Executive Session – Action by Council or direction to Staff as a result of the Executive Session – White (5min)

FUTURE AGENDA ITEMS

17. Next Meeting – 6:30 p.m. February 20, 2013

- Magustos LLC Annual Renewal of a Hotel & Restaurant License; 101 Main St; Eric Cregon, Owner/Manager – Brunvand (10min)

18. Future Meeting

- Discussion/Action: Kayak course discussion and direction – White (20min) Date to be determined

19. Set Future Meeting Dates

a) Council Meetings:

- February 20, 2013
- March 6, 2013
- March 20, 2013

b) Planning & Zoning Commission Meetings:

- February 13, 2013
- March 13, 2013
- April 10, 2013

20. Other Dates:

21. Adjournment



Official Minutes

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

Wednesday January 16, 2013

Work Session – 5:00pm
Regular Session – 6:30pm

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

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

COUNCIL MEMBERS:

Shelley Bellm
Earle Bidez
Jerry Bumgarner
Aggie Martinez
John Rosenfeld

These minutes are formally submitted to the Town of Minturn Town Council for approval as the official written record of the proceedings at the identified Council Meeting. Additionally, all Council meetings are tape-recorded and are available to the public for listening at the Town Center Offices from 8:30am – 2:00 pm, Monday through Friday, by contacting the Town Clerk at 970/827-5645 302 Pine St. Minturn, CO 81645

Work Session – 5:00pm

- PUC Rule Making Discussion – White (10min)
- TST update regarding Battle Mountain Water Services Agreement – White (40min)
- Little Beach Park improvement update – White (40min)

After consultation with the Town’s water attorney, the Town’s Battle Mountain Subcommittee to meet with Dave Kleinkopf to discuss amendments to the Water Services Agreement in order to establish a plan moving forward.

Request for cost analysis of the two options of running the water line from the west to the east side of the river at Little Beach Park (LBP).

Resolution in support for the LBP improvements to take place the second meeting in February.

Regular Session – 6:30 pm

1. Call to Order

- a. Roll Call
- b. Pledge of Allegiance

The meeting was called to order by Mayor Hawkeye Flaherty at 6:43 pm.

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

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

2. Approval of Agenda

- a. Items to be Pulled or Added

Motion by Shelley B., second by George B, to approve the agenda as presented. Motion passed (7-0).

3. Approval of Minutes and Action Report

- December 19, 2012

Motion by George B., second by John R., to approve the Minutes of December 19, 2012 as presented. Motion passed (7-0).

- Action Item Report

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

5. Special Presentations

- Eagle River Fire Protection District update with Fire Chief Karl Bauer and ERFPD Board member Darell Wegert.

Mr. Darrell Wegert, ERFPD Board Member, addressed the Council to say “thank you” to the Town of Minturn for the vote in favor of the Eagle River Fire Protection District.

Mr. Karl Bauer, ERFPD Fire Chief, the Minturn Fire Station has been fully staffed since the passing of the Mill Levy and in addition, other events will become possible as well. Community Risk Managers within each Company will be conducting assessments of the Town in order to find options for lowering the fire risk to the Minturn Community.

- Little Beach Park Improvements update by Zehren & Associates

Mr. Pedro Campos, 48 E Beaver Creek Blvd, Avon. Provided an update on the Little Beach Park open house and continuing steps in the phase two process of the Little Beach Park improvements. Comments and feedback can be submitted to planner1@minturn.org or by calling Town Hall at (970) 827-5646 x104.

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

6. **Discussion/Action Item:** Resolution 1 – Series 2013 A Resolution setting the official posting sites for the Town of Minturn – Brunvand (15 min)

Motion by Shelley B, second by Aggie M, to approve Resolution 1 – Series 2013 A Resolution setting the official posting sites for the Town of Minturn as presented. Motion passed (7-0).

7. **Discussion/Action Item:** Ordinance 1 – Series 2013; An Ordinance amending Chapter 16 of the Town of Minturn Municipal Code by repealing and reenacting Section 16-16-30 as it pertains to minimum off-street parking requirements for health and athletic clubs, aerobics, recreational, amusement and entertainment facilities within the Town of Minturn. – Cerimele (20 min)

Motion by Shelley B, second by Jerry B, to approve Ordinance 1 – Series 2013 First Reading; An Ordinance amending Chapter 16 of the Town of Minturn Municipal Code by repealing and reenacting Section 16-16-30 as it pertains to minimum off-street parking requirements for health and athletic clubs, aerobics, recreational, amusement and entertainment facilities within the Town of Minturn. Motion passed (7-0).

OTHER MATTERS

8. Planning Department Update

Carter Burgess, now Jacobs Engineering, will be sending the Town of Minturn Planning Dept data from previous survey studies in an attempt to better establish a plan for south Minturn sidewalks as we move forward.

9. Town Manager's Report

Human Performance Center/Fitness Center at Maloit Park

The subcommittee will be meeting on Wednesday, January 16th to continue discussions now moving toward further planning and future construction of Phase 1 of the Human Performance Center/Fitness Center facility. We are using the professional guidance of our consultant, Ken Ballard, of Ballard and King, and Craig Bouck of Barker, Rinker, Seacat to formulate financial planning.

Bone Yard Property

We continue to work in conjunction with the Eagle County staff and County Commissioners in an effort to secure the purchase of the Bone Yard property in Minturn. Subsequently, we will be

working with the Eagle Land Trust on developing a conservation easement on the site. We confirmed a time on the Eagle County Commissioners schedule for January 15, 2013 to request formal approval for additional funding to purchase the property. We will discuss our negotiation strategy in Executive Session.

Little Beach Park Improvements Planned

The Town has secured the services of Zehren and Associates to lead the design phase of improvements for Little Beach Park. The first Open House was held on Thursday, December 20, 2012 from 4pm to 7pm. Pedro Campos of Zehren and Associates will be present at tonight's meeting to review comments received at that meeting and also by e-mail. He will discuss future steps in the process and continue to secure community input for the project. We will be submitting a GOCO grant in March, 2013.

Scholarship Committee

Our scholarship committee is working to formally complete the documents and register with the State of Colorado as the Minturn Education Foundation as a formal 501 (c). Investment options will then be pursued by 1st and Main Advisors, on behalf of the Town. Town Council has also discussed a smaller scholarship fund (\$25,000) to be considered with Colorado Mountain College here in Eagle County. We have secured the services of Kelly Lyle, CPA, to assist with the financial aspects of our preparation and planning.

Christmas Tree Bonfire

The Town of Minturn Christmas Tree Bonfire was held at Little Beach Park on Friday night, January 4, 2013. It was well attended and all present heralded the event.

Eagle Valley Land Exchange

Chris Cerimele and I attended the Eagle County Planning Commission review of the Eagle Valley Land Exchange (EVLEX). The Commission approved the location of the CDOT site on the State Land Board property. Details of the design of the site have yet to be approved. All of the concerns raised by the Town of Minturn were incorporated in the conditions attached to the approval.

Upcoming Events:

Martin Luther King Holiday, Monday, January 21, 2013. Town offices will be closed.

10. Town Council Comments

John R. thanked Lisa Osborne, Chief Martinez, Christy Martinez, the ERFPD, and everyone that took part in the gift exchange during the holidays.

Aggie M. provided an update from the ECO Transit meeting held today.

EXECUTIVE SESSION

11. Executive Session – To convene in Executive Session Pursuant to CRS 24-6-402(4)(a) for the purposes of discussing the purchase of certain USFS land – Christensen/White

Motion by Hawkeye F, second by George B to convene in Executive Session Pursuant to CRS 24-6-402(4)(a) for the purposes of discussing the purchase of certain USFS land. Motion passed (7-0).

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

Staff directed to continue negotiation with the USFS to purchase the USFS property in tandem with Eagle County. Executive Session ended at 8:02pm.

FUTURE AGENDA ITEMS

13. Next Meeting – 5:30 p.m. February 6, 2013

- Eagle River Water and Sanitation District overview of CBS/Viacom superfund site. – White (30 min)
- General Improvement District: Consider adoption of Resolution No. 2013-02-01 Resolution an Application for Exemption from Audit – Brunvand (10min)
- Work Session: Water Subcommittee update
- Work Session & Action/Discussion: Zehren and Associates

14. Future Meeting

- Discussion/Action: Kayak course discussion and direction – White (20min) Date to be determined
- Resolution in support for the LBP improvements to take place the second meeting in February.

15. Set Future Meeting Dates

a) Council Meetings:

- February 6, 2013
- February 20, 2013
- March 6, 2016

b) Planning & Zoning Commission Meetings:

- February 13, 2013
- March 13, 2013
- April 10, 2013

16. Other Dates:

17. Adjournment

Motion by Jerry B., second by Aggie M., to adjourn the meeting at 8:05pm.

Mayor Hawkeye Flaherty

ATTEST:

Town Clerk, Jay Brunvand

**Town of Minturn
Council Action Item Memo**

TO: Council Members/Staff Members
FROM: Jim White/Town Manager
DATE: February 6, 2013
SUBJECT: Status of Action Items from Town Council Meetings

Action Item	Responsible Party	Progress Report
Minturn Education Fund	White	Funding is from the Battle Mountain Annexation escrow money. The Scholarship Committee met on November 14, 2012 to create an investment policy statement in draft form and to continue developing our investment strategy. An investment option recommendation will be forthcoming from the subcommittee. We are awaiting completion with also be completing of the documentation to form the 501(c) 3 corporation so we can pursue our investment options with 1st and Main Advisors. The subcommittee will reconvene early in 2013 to continue preparation for investments. <u>On September 10, 2012, OSAC formally referred this to the The Eagle County Commissioners have for provided approval to support the Town's \$2,068,000 request for funding to purchase the Minturn Bone yard parcel. Town staff, in conjunction with Eagle County will pursue the purchase of the property through the USFS open bid process. Staff has prepared a draft management plan and is working with Eagle Valley Land Trust on a Conservation Easement. We received partial funding on December 4, 2012 and will return to the BoCC January 8, 2013 meeting to request more funding. Eagle Co has submitted the bid fee in order to be approved to participate in the bid process with USFS-GSA. The bid process is now underway. We are now in discussion with the USFS about purchasing the property.</u>
OSAC Funding for Boneyard Purchase	White	
Parks and Recreation Master Plan	Cerimele	Staff is creating an initial draft of a Park Master Plan for Planning Commission review. The Town has hired is working with Zehren and Associates to work on the design features for Little Beach Park improvements. Community involvement will be crucial. The subcommittee met Wednesday, December 12, 2012 to prepare for the public An Open House, which was later held on Thursday, December 20, 2012 from 4pm-7pm. Results of the Open House were will be presented at the one of the January <u>16, 2013</u> Town Council meetings.

Action Item	Responsible Party	Progress Report
2012 Goal: Town Street Repairs and Drainage.	White/ Cerimele	Staff received a storm drainage study proposal from TST Engineering and has -received DOLA grant approval of \$17, 325 to complete the study. The results of the study are expected in the first quarter of 2013.
2012 Goal: Continue Sidewalk Installation Program/Improve Plan with Lafarge	White/A. Martinez	We are working with LaFarge representatives in planning to repair sidewalks on the east side and west side of the 100 block next year. As the cold weather moved in- LaFarge recommended that we hold off on 100 block sidewalks until Spring 2013.
2012 Goal: Implement Streetscape Plan	White /Cerimele	Staff has reviewed previously submitted plans from OZ, and DCI. We have secured info on streetlights; and worked with the primary local property owner on design ideas for a mall/pedestrian area. We will continue to work on this over the winter to prepare for work in 2013.
2012 Goal: Strengthen Marketing and Events	Metteer	Staff is coordinating scheduled co-op advertising opportunities for Minturn business license holders. The final winter Minturn Market will be held on Saturday, December 15, 2012. A new "Concierge Industry Day" event was held on December 4, 2012.
2012 Goal: Clean Up Parking Area on North Taylor St	Cerimele/L. Martinez	Continue to monitor and remove abandoned vehicles to allow for organized and structured short term parking. Discussed this area with UPRR. Staff sent a draft lease proposal to UPRR for parking area. UPRR wants to lease a larger portion of the north end of Taylor Street and seek help from the Town in removing encroachments. We are addressing neighbors concerns with the UPRR officials as we consider this lease. The Town Manager, the Police Chief, and the Public Works Supervisor visited the site to review the signage, parking, and snow removal plan.
2012 Goal: Opportunities & Submittals and scheduling and apply for infrastructure grants/loans	White/Cerimele	Staff to provide periodic updates to Council. Received \$17, 325 DOLA grant for Master Drainage Plan. Staff completed a Tier 1 DOLA grant for water system improvements. We met the grant deadline of December 3, 2012 for the DOLA grant. A copy of the proposal was sent to Town Council members. The review period by DOLA is expected to conclude in March 2013. We are now working on a GOCO grant application for Little Beach Park improvements.
2012 Goal: South Minturn sidewalks	White/Cerimele	Over the winter, we will continue to work with CDOT to determine right of way, investigate grant funding opportunities, and begin planning and implementation. VSSA may be interested in multi-purpose path between Town and Maloit Park. The Town Manager will contact Sam Otero, BMR engineer, to review our plans
Water Subcommittee	White	The response to the initial request for data has been prepared and provided to the subcommittee is being prepared. The Water subcommittee will then meet to review and develop our strategy and to propose next steps to present to Town Council.



MEMORANDUM

TO: Minturn Town Council
FROM: Siri Roman, Wastewater Manager; Diane Johnson, Communications & Public Affairs
Eagle River Water & Sanitation District
DATE: February 6, 2013
RE: Eagle River Water & Sanitation District (ERWSD) Wastewater Master Plan Update

Summary of Subject:

Siri Roman will present the ERWSD Wastewater Master Plan Update and will discuss current operations, new wastewater effluent regulations required by the Colorado Water Quality Control Division (WQCD) and the implications of the new regulations – including benefits to stream health and impacts to rate payers. ERWSD is informing the Town of Minturn of the projects and cost associated with the wastewater master plan as it dovetails with local long range planning efforts and affects our mutual constituents. No action is requested from the Council.

Discussion/Background:

Eagle River Water and Sanitation District (ERWSD) treats wastewater from East Vail to Cordillera, including Minturn, at three treatment facilities. The facilities are located in Vail, Avon, and west Edwards and are regulated by effluent discharge permits provided by the Colorado WQCD. The WQCD has recently adopted more stringent nutrient regulations (Regulation 85 and Regulation 31) that will impact the operations of the facilities. The new regulations will require that the plants discharge less phosphorus and nitrogen (nutrients) to Gore Creek and the Eagle River. The WQCD will be working with ERWSD on a compliance schedule to meet the new regulations. However, it is possible that all three plants could have to comply with the new regulations as early as 2020, which would require significant capital improvements at each facility by that date.

In 2011, the District initiated an update to its existing Wastewater Master Plan in order to determine a preferred capital improvement plan and schedule that would meet the new regulations and future growth through 2025. The Wastewater Master Plan Update was completed in June 2012. Eight alternatives were evaluated on cost, water rights issues, land availability, maintenance, staff, sustainability, permitting, layout, scheduling and other criteria. The preferred alternative addresses necessary increased capacity at the facilities to meet future growth, upgrades the facilities to meet anticipatory regulatory limits, and consolidates the treatment of solids at the Edwards facility. Full implementation of the wastewater master plan is projected to cost \$95 million through 2028.

Given the significant capital improvements required, ERWSD has secured funds to implement Phase 1 of the capital plan; ERWSD issued revenue bonds in December which will affect monthly service rates beginning in 2015. The monthly debt service rate associated with the 2012 bonds will be about \$6 per single family equivalent (a generic residential unit, up to 3,000 square feet).

With the release of fewer nutrients to Gore Creek and the Eagle River, the new regulations and associated capital improvements will benefit the biological health of the streams. Downstream drinking water facilities will also benefit due to improved source water.

ERWSD has commenced design on Phase 1 of the Capital Improvement Plan; the solids handling improvement project at the Edwards Treatment Facility. Design and planning will continue in 2013, including Eagle County's 1041 process, and construction should begin in 2014.



EAGLE RIVER
WATER & SANITATION
DISTRICT

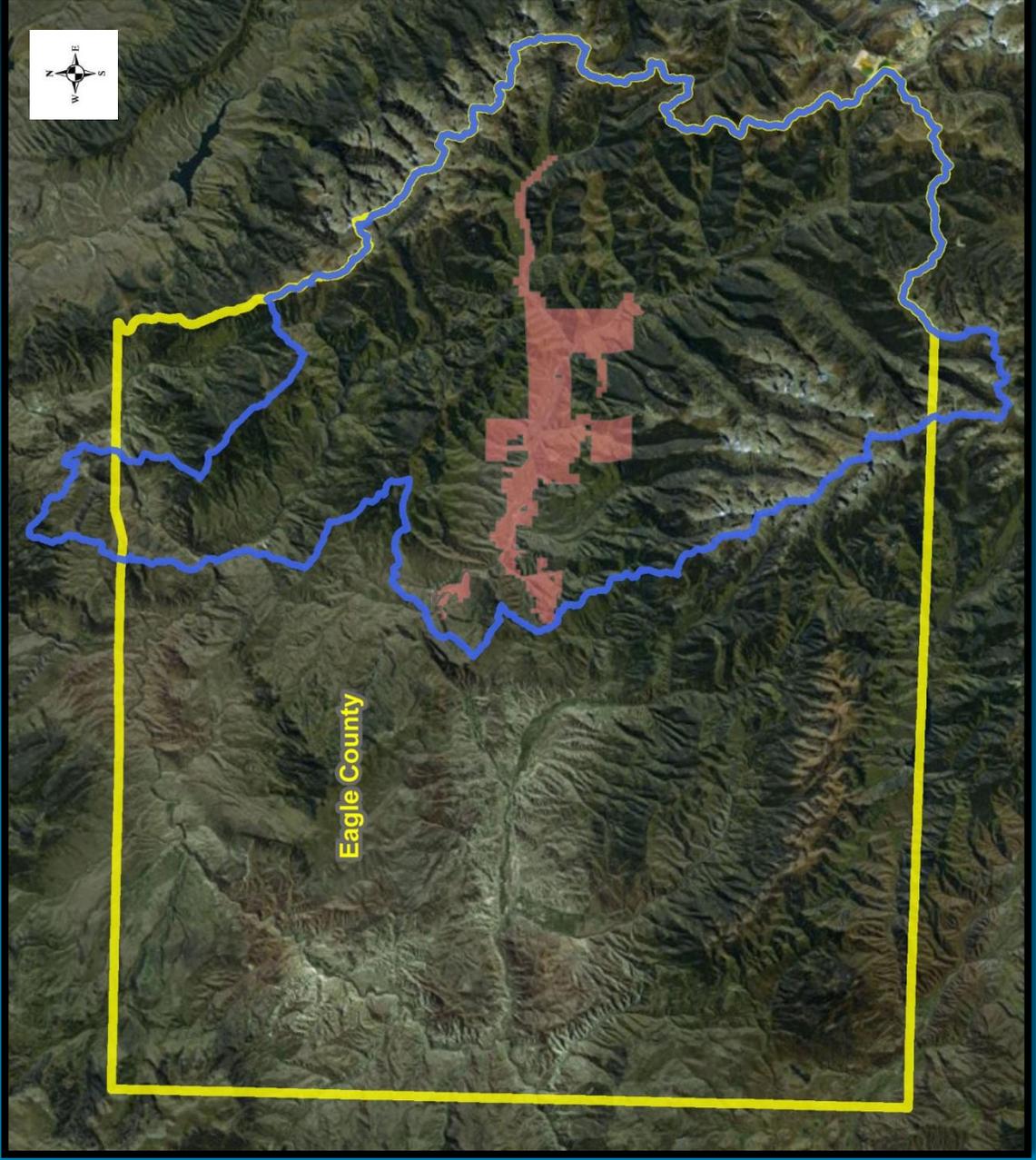
2012 Wastewater Master Plan Update

Minturn Town Council

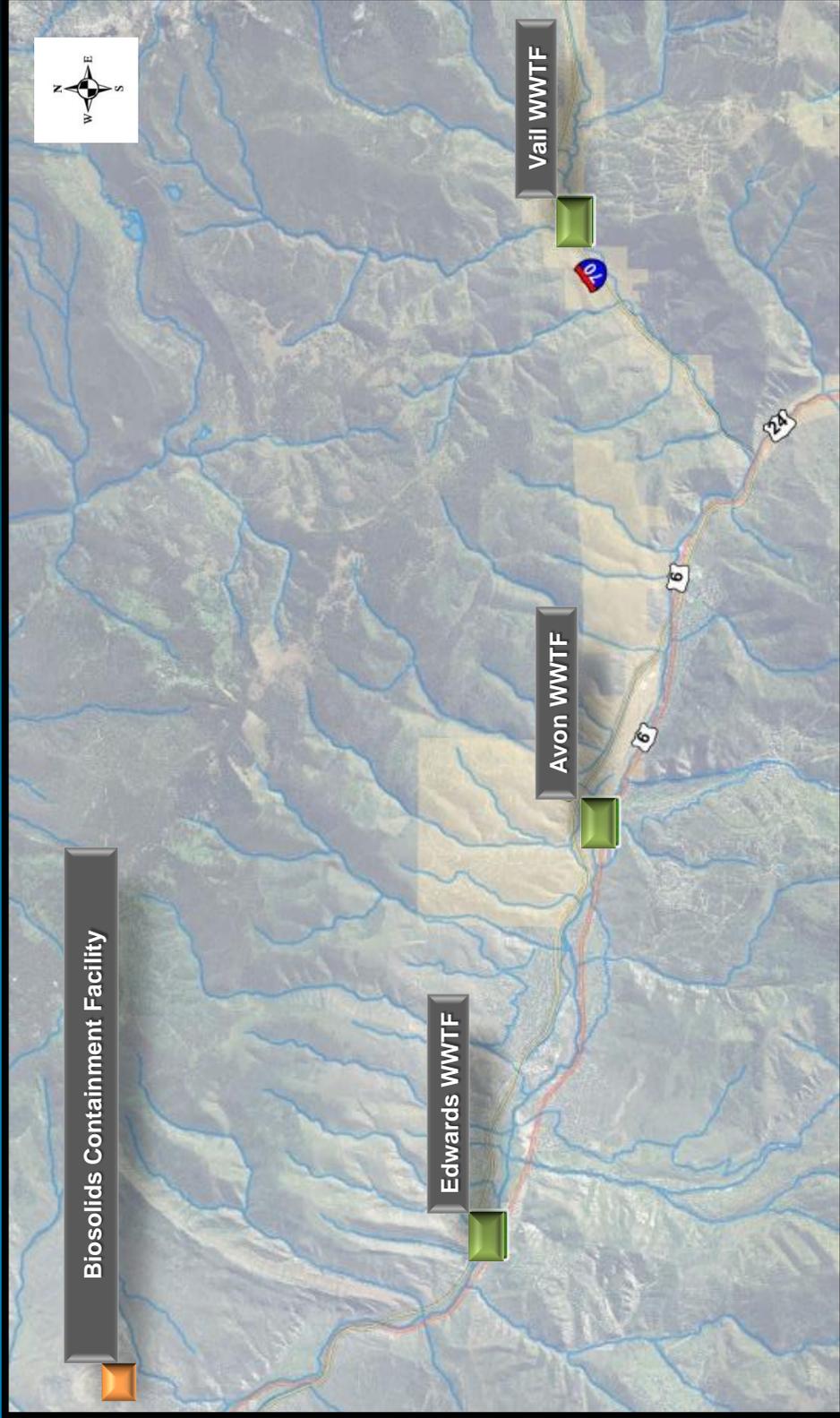
February 6, 2013

Siri Roman, Wastewater Manager

ERWSD Service Area and Watershed



Wastewater Overview



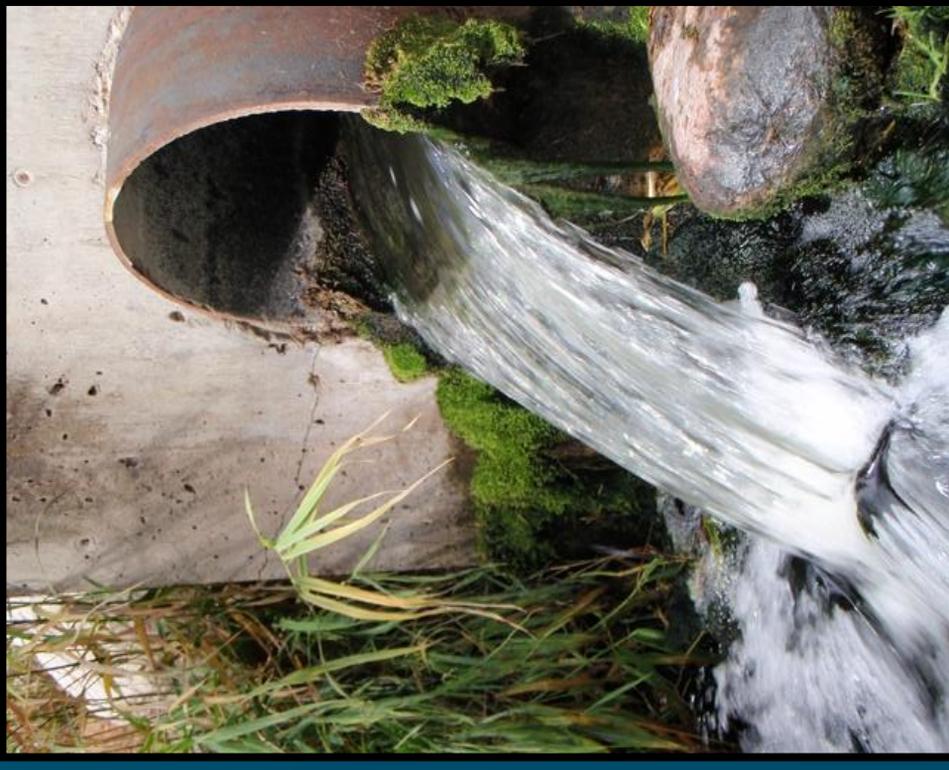
Wastewater Process

- Physical/biological process and relates to environmental health
- Treat two streams differently :
 - Liquids
 - Solids
- Treatment at the wastewater facilities mitigates the impact of humans on the environment



Wastewater Facility Facility Permitting

- Effluent Discharge Permit
- CDPHE new nutrient regulations
 - 60% reduction in nitrogen
 - 50-80% reduction in phosphorus
- Will improve stream health which will benefit downstream drinking water facilities



Wastewater Master Plan Update

- Completed in June 2012 by HDR
- Evaluated eight alternatives to meet growth and regulatory requirements through 2025
- Alternatives were evaluated on:
 - Cost
 - Water rights issues
 - Land availability
 - Maintenance
 - Staffing
 - Other criteria
 - Sustainability
 - Permitting
 - Project scheduling
 - Layout
 - Efficiency



Preferred Alternative

Vail WWTF

- Increased capacity to meet future growth
- Upgrade facility to meet anticipated regulatory limits

Vail Solids

Avon WWTF

- Increased capacity to meet future growth
- Upgrade facility to meet anticipated regulatory limits
- Send all solids from Vail, Minturn, and Avon to Edwards

All Solids

Edwards WWTF

- Increased capacity to meet future growth
- Upgrade facility to meet anticipated regulatory limits
- Consolidate the treatment of solids at the Edwards WWTF

Advantages of Preferred Alternative

- Lower cost
- Consolidates solids handling at Edwards facility
- Opportunity to install state-of-the-art odor control systems
- Provides space at Avon facility for future capacity/treatment addition
- Reduces truck trips – Edwards facility is closer to District BioSolids facility in Wolcott



Phase 1 Project Conceptual Layout



Impacts to the Rate Payer

- District issued a \$32M revenue bond to cover the plan for the next 3 years
- The monthly debt service rate associated with this bond will be approximately \$6 per single family equivalent (SFE) per month, beginning in 2015



Questions/Discussion





EAGLE RIVER WATER & SANITATION DISTRICT

www.erwsd.org

970-476-7480



Z E H R E N AND ASSOCIATES, INC.
ARCHITECTURE · PLANNING · INTERIORS · LANDSCAPE ARCHITECTURE
P.O. BOX 1976 Avon, Colorado 81620 (970) 949-0257 FAX (970)949-1080

MEMORANDUM

TO: Chris Cerimele, Town Planner
CC: Jim White, Town Manager
FROM: Pedro Campos, Landscape Architect
DATE: January 31, 2013
SUBJECT: Little Beach Park Master Plan – Town Council Update, February 6, 2013
PROJECT #: 2133.01

Chris:

With this memo please find attached the (3) conceptual options for the Little Beach Park master plan for review with the Town Council on February 6, 2013. These options were generated as a result of the Community Open House and subsequently feedback from the Town Council, and with the purpose to study potential improvements and expansion of Little Beach Park.

Zehren and Associates is in the process of coordinating preliminary cost estimates of Options 2 and 3 with TST, Inc Consulting Engineers (TST). Concurrently and in a related effort TST is investigating costs of expanding water infrastructure to the area in the vicinity of the park, and the intent is to coordinate the cost estimates to include in the GOCO grant application.

In particular please note Option 3, that reflects the Mayor's suggestion to study an alternative configuration that shifts the arrival path to the east and places the covered pavilion / concessions building to the west at the corner of the lawn, with some views of the stage. There are some other good opportunities created in this option worthy of consideration including a better circulation and arrival sequence. I will elaborate during the update with Council.

Following are the intended agenda items for the update with Town Council on February 6th:

- 1. Review of concept plan options 1, 2, and 3, program items being estimated.**
- 2. Overview and strategy for the GOCO grant application.**
- 3. Status and schedule.**

I look forward to discussing the master plan and grant application in more detail with the Council next week.

Regards

Pedro Campos, RLA
Landscape Architect

Vail
PO Box 1976
Avon, CO 81620

Santa Barbara
233 E. Canon Perdido Street
Santa Barbara, CA 93101

TOWN COUNCIL STAFF REPORT

Town Council Hearing Date: February 6, 2013

FILE NUMBER: Ordinance 1 - 2013 (second reading)
PROJECT TYPE: Zoning Text Amendment
LOCATION: The incorporated areas of Minturn
OWNER: Not Applicable
APPLICANT: Town of Minturn
REPRESENTATIVE: Chris Cerimele, Town Planner
Staff Recommendation: Approval

SUMMARY

This item is a request for approval of a zoning text amendment to revise the current parking requirements for recreation centers in the Town of Minturn. The current standard requires 1 parking space per 125 square feet of building area. The proposed code amendment would change the requirement to 1 parking space per every 250 square feet of building area, excluding storage areas.

Tonight's public hearing is the second reading of this ordinance. The ordinance was unanimously approved on first reading at the January 16, 2013 public hearing.

EXISTING CODE REQUIREMENT

Sec. 16-16-30. Parking required for commercial, office and institutional uses.

The following Table 16-11 sets forth the parking required for commercial, office and institutional uses:

TABLE 16-11
Commercial, Office, Places of Worship, School and Medical Facility Uses

<i>MINIMUM OFF-STREET PARKING REQUIRED FOR COMMERCIAL, OFFICE, PLACES OF WORSHIP, SCHOOL & MEDICAL FACILITY USES</i>	
<i>Use</i>	<i>Parking Standard</i>
Health & athletic clubs, aerobics, recreational, amusement and entertainment facilities	1 space per 125 square feet
Theatres, places of assembly, funeral homes and crematoriums	1 space per 4 seats provided within the facility.

General offices	1 space per 250 square feet, not including storage area
Medical offices, clinics	1 space per 135 square feet, not including storage area
Hospitals	1 space per 2 beds and 1 resident/doctor and 1 space per 2 employees (full- or part-time) per shift.
Places of worship	1 space per 4 seats provided within the facility.
General commercial and retail sales	1 space per 300 square feet, not including storage area
Dining & drinking establishments: Standing/eating without chairs: With dancing and/or entertainment: With outdoor dining & drinking areas:	1 space per 6 seats 1 space per 5 people based on maximum occupancy 1 space per 5 people based on maximum occupancy 1 space per 5 people based on maximum occupancy

PROPOSED

Sec. 16-16-30. Parking required for commercial, office and institutional uses.

The following Table 16-11 sets forth the parking required for commercial, office and institutional uses:

TABLE 16-11
Commercial, Office, Places of Worship, School and Medical Facility Uses

<i>MINIMUM OFF-STREET PARKING REQUIRED FOR COMMERCIAL, OFFICE, PLACES OF WORSHIP, SCHOOL & MEDICAL FACILITY USES</i>	
<i>Use</i>	<i>Parking Standard</i>
Health & athletic clubs, aerobics, recreational, amusement and entertainment facilities	1 space per 250 square feet of building area, not including storage area
Theatres, places of assembly, funeral homes and crematoriums	1 space per 4 seats provided within the facility.
General offices	1 space per 250 square feet, not including storage area
Medical offices, clinics	1 space per 135 square feet, not including storage area
Hospitals	1 space per 2 beds and 1 resident/doctor and 1 space per 2 employees (full- or part-time) per shift.
Places of worship	1 space per 4 seats provided within the facility.

General commercial and retail sales	1 space per 300 square feet, not including storage area
Dining & drinking establishments: Standing/eating without chairs: With dancing and/or entertainment: With outdoor dining & drinking areas:	1 space per 6 seats 1 space per 5 people based on maximum occupancy 1 space per 5 people based on maximum occupancy 1 space per 5 people based on maximum occupancy

STAFF ANALYSIS

In light of the pending construction of a new recreation center in the Town of Minturn, Staff compared Minturn's parking standards for recreation centers to those of several communities in the area including Gypsum, Breckenridge and Aspen / Pitkin County. Based on the information that was learned through this analysis, staff felt that the Town's recreation center parking requirement of 1 space per 125 feet of building area was too burdensome and not based on sound reasoning. Based on a proposed size of 8,000 square feet for the new recreation center, 64 parking spaces would be required for a facility of that size. This is an excessive amount of parking that would encumber a large portion of the site and require the developer to ask for a variance from the current parking standards.

The Gypsum standard is 1 parking space per every 300 square feet of building area, not to include storage areas. Breckenridge and Aspen / Pitkin County do not have a specific parking standard for recreation centers. Their parking requirement for these facilities is established by a special review and approved by their respective Planning Commissions.

The original staff recommendation to the Planning Commission (PC) was based on the Gypsum standard of 1 parking space for every 300 square feet of building area, not including storage areas. After some discussion and debate during the meeting, the PC agreed that the Minturn standard should be slightly more restrictive based on the following reasons. First, the Gypsum rec center is centrally located in the community and easily accessible by bicycle and foot. Second, the Gypsum rec center is part of a much larger complex that contains more than 150 overflow parking spaces in the surrounding area. Third, Minturn residents will be required to share the rec center with other user groups and it is expected to be a popular amenity for the community. Staff felt that these were all compelling reasons to set the standard at 1 parking space per every 250 square feet of building area. With an estimated size of 7,000 sf (8000 sf – storage/mechanical areas) for the proposed rec center, 28 parking spaces would be required for the facility.

The staff and PC felt that this number was reasonable to accommodate the staff and users of the proposed facility.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommended that the Town of Minturn parking standard for recreation centers be as follows:

1 parking space per 250 square feet of building area, not including storage area.

DRAFT MOTION ORDINANCE 1 - 2013:

I move to approve Ordinance 1 – 2013 on second reading.

Respectfully Submitted

Chris Cerimele, Planner

Attachments:

Ordinance 1 - 2013

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 1 - SERIES 2013**

AN ORDINANCE AMENDING CHAPTER 16 OF THE TOWN OF MINTURN MUNICIPAL CODE BY REPEALING AND REENACTING SECTION 16-16-30 AS IT PERTAINS TO MINIMUM OFF-STREET PARKING REQUIREMENTS FOR HEALTH AND ATHLETIC CLUBS, AEROBICS, RECREATIONAL, AMUSEMENT AND ENTERTAINMENT FACILITIES WITHIN THE TOWN OF MINTURN.

WHEREAS, the Town of Minturn, Colorado (“Town”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Town of Minturn Home Rule Charter of April 6, 1982 (“Charter”) and

WHEREAS, the Town, by virtue of its Home Rule status, may adopt such ordinances relative to local municipal matters as are necessary to effectuate the purposes and intent of the powers granted to municipalities.

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

Section 1. Amendment. Minturn Municipal Code Section 16-16-130 is repealed and reenacted as follows:

Sec. 16-16-30. Parking required for commercial, office and institutional uses.

The following Table 16-11 sets forth the parking required for commercial, office and institutional uses:

**TABLE 16-11
Commercial, Office, Places of Worship, School and Medical Facility Uses**

<i>MINIMUM OFF-STREET PARKING REQUIRED FOR COMMERCIAL, OFFICE, PLACES OF WORSHIP, SCHOOL & MEDICAL FACILITY USES</i>	
<i>Use</i>	<i>Parking Standard</i>
Health & athletic clubs, aerobics, recreational, amusement and entertainment facilities	1 space per 250 square feet, excluding storage area
Theatres, places of assembly, funeral homes and crematoriums	1 space per 4 seats provided within the facility.
General offices	1 space per 250 square feet, not including storage area
Medical offices, clinics	1 space per 135 square feet, not including storage area
Hospitals	1 space per 2 beds and 1 resident/doctor and 1 space per 2 employees (full- or part-time) per shift.
Places of worship	1 space per 4 seats provided within the facility.
General commercial and retail sales	1 space per 300 square feet, not including storage area
Dining & drinking establishments:	1 space per 6 seats
Standing/eating without chairs:	1 space per 5 people based on maximum occupancy
With dancing and/or entertainment:	1 space per 5 people based on maximum occupancy

With outdoor dining & drinking areas:	1 space per 5 people based on maximum occupancy
---------------------------------------	---

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

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

Section 4. The repeal and re-enactment of any provision of the Minturn Municipal Code as provided in this Ordinance shall not affect any right which has accrued, and duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceeding as commenced under or by virtue of the provision or any Ordinance previously repealed or superseded unless expressly stated herein.

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 16th DAY OF JANUARY 2013. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 6th DAY OF FEBRUARY 2013 AT 6:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Hawkeye Flaherty

 Hawkeye Flaherty, Mayor

ATTEST:

Jay Brunvand

 Jay Brunvand, Town Clerk



THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 6TH DAY OF FEBRUARY, 2013.

Hawkeye Flaherty, Mayor

ATTEST:

Jay Brunvand, Town Clerk

8823855

Ad Ticket #5

Acct: 1032852
Phone: (970)827-5645
E-Mail: MANAGER@MINTURN.OR
Client:
Caller: Jay
Receipt

Name: Town of Minturn
Address: P.O. Box 309

City: MINTURN
State: CO
Zip: 81645

Ad Name: 8823855A

Original Id: 0

Editions: 8VD/8VDI/

Class: 0990

Start: 01/24/13

Stop: 01/24/13

Color:

Issue 1

Copyline: ORDINANCE NO. 1 - SERIES 2013

Rep: Pam Schultz

TOWN OF MINTURN, COLORADO
ORDINANCE NO. 1 - SERIES 2013

Lines:	34
Depth:	2.85
Columns:	1
Discount:	0.00
Commission:	0.00
Net:	0.00
Tax:	0.00
Total	17.68
Payment	0.00

AN ORDINANCE AMENDING CHAPTER 16 OF THE TOWN OF MINTURN MUNICIPAL CODE BY REPEALING AND REENACTING SECTION 16-16-30 AS IT PERTAINS TO MINIMUM OFF-STREET PARKING REQUIREMENTS FOR HEALTH AND ATHLETIC CLUBS, AEROBICS, RECREATIONAL, AMUSEMENT AND ENTERTAINMENT FACILITIES WITHIN THE TOWN OF MINTURN.

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 16th DAY OF JANUARY 2013. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 6th DAY OF FEBRUARY 2013 AT 6:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Hawkeye Flaherty, Mayor

ATTEST:
Jay Brunvand, Town Clerk

Published in the Vail Daily January 24, 2013.
(8823855)

Ad shown is not actual print size

MINTURN GENERAL IMPROVEMENT DISTRICT

302 Pine Street
Minturn, CO 81645
(970) 827-5645

NOTICE OF MEETING AND AGENDA

DATE: Wednesday February 6, 2013

TIME: 6:30 P.M.

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

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

I. ADMINISTRATIVE MATTERS

- Approve Agenda.
- Review and approve minutes from the November 7, 2012 Board Meeting

II. FINANCIAL MATTERS

- Discussion/Action: Consider adoption of Resolution No. 2013-02-01 a Resolution to approving an Exemption from Audit for the Fiscal year 2012 – Brunvand (5min)

Action Recommended: Motion to approve

III. OTHER BUSINESS

- Discuss and set meeting dates for 2013:

1. Board Meeting to consider budget approval set for November 6, 2013 6:30pm at the Minturn Town Center, 302 Pine Street, Minturn, CO 81645.

IV. ADJOURNMENT

**Minturn General Improvement District Meeting Minutes
November 7, 2012
Minturn Town Hall**

Hawkeye convened the GID Board at 7:45pm and noted John Rosenfeld was absent excused and all other members of the Council were present and that Ms. Sarah Baker was present to Represent Battle Mountain Resort, and Mr. David Kleinkopf was absent.

1. ADMINISTRATIVE MATTERS

- **Approve Agenda**

Motion by Shelley B, second by George B to approve the agenda as presented. Motion passed (6-0). (Note: John Rosenfeld and Dave Kleinkopf were absent, excused.)

- **Review and approve minutes from the February 15, 2012 Board Meeting**

Motion by Shelley B, second by George B to approve the Minutes of February 15, 2012 as presented. Motion passed (6-0). (Note: John Rosenfeld and Dave Kleinkopf were absent, excused.)

2. FINANCIAL MATTERS

- **Discuss and consider ratifying appointment of Town Staff to prepare 2013 GID Budget**

Action Recommended: Motion to Ratify the Appointment

Motion by Shelley B, second by George B to approve the Town Staff to prepare the 2013 GID Budget. Motion passed (6-0). (Note: John Rosenfeld and Dave Kleinkopf were absent, excused.)

- **Discussion/Action – 2013 General Improvement District Budget: Public Hearing and Board Comments**

Action Recommended:

- a. **Open Public Hearing**

Hawkeye opened the GID Budget Public Hearing.

- b. **Staff Presentation**

Jay B. reviewed the budget and answered any questions.

- c. **Public Comment or Testimony**

There were no public comments.

d. Council Comments

There were no Council comments.

e. Close Public Hearing

The Public Hearing was closed.

- **Discussion/Action – Consider adoption of Resolution No. 2012-11-01 a Resolution to adopt the Fiscal year 2013 Budget**

Motion by George B, second by Jerry B, to approve Resolution No. 2012-11-01 a Resolution to adopt the Fiscal year 2013 Budget as presented. Motion passed (6-0). (Note: John Rosenfeld and Dave Kleinkopf were absent, excused.)

- **Discussion/Action – Consider approval of Resolution No. 2012-11-02 a Resolution to appropriate sums of money for the Fiscal year 2013 Budget**

Motion by Jerry B, second by George B, to approve Resolution No. 2012-11-02 a Resolution to appropriate sums of money for the Fiscal year 2013 Budget. Motion passed (6-0). (Note: John Rosenfeld and Dave Kleinkopf were absent, excused.)

- **Discuss and consider appointment of CliftonLarsonAllen, LLP to prepare and file the Application for Audit Exemption for the Fiscal Year 2012 General Improvement District.**

Motion by Jerry B, second by George B to approve the appointment of Clifton/Larson/Allen, LLP to prepare and file the Application for Audit Exemption for the Fiscal Year 2012 General Improvement District. Motion passed (6-0). (Note: John Rosenfeld and Dave Kleinkopf were absent, excused.)

3. OTHER BUSINESS

- Discuss and set meeting dates for 2013:
 1. Board Meeting to consider audit exemption set for February 6, 2013 6:30pm at the Minturn Town Center, 302 Pine Street, Minturn, CO 81645
 - a. Alternative dates: February 20 or March 6, 2012
 2. Board Meeting to consider budget approval set for November 6, 2013 6:30pm at the Minturn Town Center, 302 Pine Street, Minturn, CO 81645
 - a. Alternative Date: This item closely follows the State and the Town of Minturn's budget cycle. If an alternative is considered it should be considered as the Board in conjunction with the GID Council.

Meeting dates were set for February 6 and November 6, 2013

4. ADJOURNMENT (AS GID AND RECONVENE AS COUNCIL)

Motion by Shelley B, second by Aggie M to adjourn as GID. Motion passed (6-0). (Note: John Rosenfeld and Dave Kleinkopf were absent, excused.)

Hawkeye Flaherty, President

ATTEST:

Jay Brunvand, Secretary

RESOLUTION NO. 2013-02-01

RESOLUTION FOR EXEMPTION FROM AUDIT

A RESOLUTION APPROVING AN EXEMPTION FROM AUDIT FOR THE FISCAL YEAR 2012 FOR THE MINTURN GENERAL IMPROVEMENT DISTRICT, EAGLE COUNTY, COLORADO

WHEREAS, the Board of Directors of the Minturn General Improvement District (“District”) wishes to claim exemption from the audit requirements of Section 29-1-603, C.R.S.; and

WHEREAS, Section 29-1-604, C.R.S. states that any local government where neither revenues nor expenditures exceed five hundred thousand dollars may, with the approval of the state auditor, be exempt from the provision of Section 29-1-603, C.R.S.; and

WHEREAS, neither revenues nor expenditures for the Minturn General Improvement District exceeded \$100,000 for fiscal year 2012; and

WHEREAS, an application for exemption from audit for the Minturn General Improvement District has been prepared by Mr. Jason Carrol of CliftonLarsonAllen, LLP, a person skilled in government accounting; and

WHEREAS, said application for exemption from audit has been completed in accordance with regulation issued by the state auditor.

NOW, THEREFORE, BE IT RESOLVED BY THE Board of Directors of the Minturn General Improvement District, Eagle County, Colorado that the application for exemption from audit for the Minturn General Improvement District for the fiscal year ended December 31, 2012, has been reviewed and is hereby approved by a majority of the Minturn General Improvement District Board of Directors; that those members of the Minturn General Improvement District have signified their approval by signing below; and that this resolution shall be attached to, and shall become part of the application for exemption from audit of the Minturn General Improvement District for the fiscal year ended December 31, 2012:

APPROVED AND ADOPTED this 6th day of February, 2013.

MINTURN GENERAL IMPROVEMENT
DISTRICT

By: _____
President

Attest:

By: _____
Secretary

Type or Print Names of
Members of Governing Body

Date Term
Expires

Signature

Hawkeye Flaherty

April 2014

George Brodin

April 2016

Earle Bidez

April 2014

Jerry Bumgarner

April 2016

Aggie Martinez

April 2014

Shelley Bellm

April 2014

John Rosenfeld

April 2016

APPLICATION FOR EXEMPTION FROM AUDIT - *SHORT FORM* - FOR GOVERNMENTS WITH REVENUES AND EXPENDITURES OF \$100,000 OR LESS

Name of Government:	Minturn General Improvement District	For the Fiscal Year Ended December 31, 2012 or fiscal year ended:
Address:	8390 E. Crescent Parkway Suite 600 Greenwood Village, CO 80111	
Contact Person:	Jason Carroll	
Telephone:	303-779-5710	
Email:	Jason.Carroll@CliftonLarsonAllen.com	
Fax:	720-482-6668	

Return to: Office of the State Auditor
Local Government Audit Division
225 E. 16th Ave., Suite 555
Denver, CO 80203
Fax: 303-866-4062
Email: OSA.LG@state.co.us
Call (303) 866-3338 if you need help completing this form.

**PLEASE READ THE
ABOVE INSTRUCTIONS
BEFORE SUBMITTING**

Section 29-1-604, C.R.S., outlines the provisions for an exemption from audit. Generally, any local government for which neither revenues nor expenditures exceed \$500,000 in any fiscal year may qualify for an exemption. **If either revenues or expenditures are \$100,000 or greater, but not more than \$500,000, you may NOT use this form. Please use the LONG FORM of this application. If both revenues and expenditures are less than \$100,000 individually, use this short form application for exemption from audit.**

Please review ALL instructions prior to the completion of this form.

Instructions:

1. Prepare this form completely and accurately. Please note that there are 11 parts to this form, and all questions must be answered for the application to be considered complete.
2. File this form with the Office of the State Auditor within **3 months** after the end of the fiscal year.
For years ended December 31, the form **must** be received by the Office of the State Auditor by **March 31**.
3. The form **must** be completed by a person skilled in governmental accounting.
4. The application must be personally reviewed and approved by a majority of the governing body as evidenced by one of the following methods:
 - a. Resolution of the governing body - application may be emailed, faxed, or mailed.
 - b. Original signatures - application must be mailed. Email or fax will NOT be accepted.
5. The **preparer must sign** the application that is submitted in order for it to be accepted.
6. Additional information may be attached to the exemption at the preparer's discretion.

CERTIFICATION OF PREPARER

I certify that I am skilled in governmental accounting and that the information in the application is complete and accurate, to the best of my

Name:	Jason Carroll
Title:	Accountant for the District
Firm Name (if applicable):	CliftonLarsonAllen LLP
Address:	8390 E. Crescent Pkwy., Greenwood Village, CO 80111
Telephone Number:	303-779-5710
Date Prepared:	16-Jan-13

Preparer Signature (Required): The application will be rejected if not signed by the preparer.

See accountant's compilation report.

Please indicate whether the following financial information is recorded using Governmental or Proprietary fund types	Governmental	Proprietary
	X	

PART 2 - REVENUE

REVENUE: All revenues for all funds must be reflected in this section, including proceeds from the sale of the government's land, building, and equipment, and proceeds from debt or lease transactions. Financial information will not include fund equity information.

Line#	Description	(Omit cents)
2-1	Taxes: Property	\$ -
2-2	Specific ownership	\$ -
2-3	Sales and use	\$ -
2-4	Other (specify):	\$ -
2-5	Licenses and permits	\$ -
2-6	Intergovernment Grants	\$ -
2-7	Conservation Trust Funds (Lottery)	\$ -
2-8	Highway Users Tax Funds (HUTF)	\$ -
2-9	Other (specify):	\$ -
2-10	Charges for services	\$ -
2-11	Fines and forfeits	\$ -
2-12	Special assessments	\$ -
2-13	Investment income	\$ -
2-14	Charges for utility services	\$ -
2-15	Debt proceeds (should agree with line 4-3, column 2)	\$ -
2-16	Lease proceeds	\$ -
2-17	Developer Advances received (should agree with line 4-3)	\$ -
2-18	Proceeds from sale of capital assets	\$ -
2-19	Fire and police pension	\$ -
2-20	Donations	\$ -
2-21	Other (specify):	\$ -
2-22		\$ -
2-23		\$ -
2-24	(add lines 2-1 through 2-23) TOTAL REVENUE all sources	\$ -

PART 3 - EXPENDITURES

EXPENDITURES: All expenditures for all funds must be reflected in this section, including the purchase of capital assets and principal and interest payments on long-term debt. Financial information will not include fund equity information.

Line#	Description	(Omit cents)
3-1	Administrative	\$ -
3-2	Salaries	\$ -
3-3	Payroll taxes	\$ -
3-4	Contract services	\$ -
3-5	Employee benefits	\$ -
3-6	Insurance	\$ -
3-7	Accounting and legal fees	\$ 523
3-8	Repair and maintenance	\$ -
3-9	Supplies	\$ -
3-10	Utilities and telephone	\$ -
3-11	Fire/Police	\$ -
3-12	Streets and highways	\$ -
3-13	Public health	\$ -
3-14	Culture and recreation	\$ -
3-15	Utility operations	\$ -
3-16	Capital outlay (should agree with line 6-1, column 2)	\$ -
3-17	Debt service principal (should agree with line 4-3, column 2)	\$ -
3-19	Debt service interest	\$ -
3-18	Repayment of Developer Advances (should agree with line 4-3)	\$ -
3-20	Contribution to pension plan (should agree to line 7-2)	\$ -
3-21	Contribution to Fire & Police Pension Assoc. (should agree to line 7-2)	\$ -
3-22	Other (specify):	\$ -
3-24		\$ -
3-25		\$ -
3-26	(add lines 3-1 through 3-25) TOTAL EXPENDITURES all categories	\$ 523

Note: If Total Revenue (Line 2-24) or Total Expenditures (Line 3-26) are greater than \$100,000 - **STOP**. You may not use this form. Please use the "Application for Exemption from Audit - Long Form".

PART 6 - CAPITAL ASSETS

Please answer the following questions by marking in the appropriate boxes.		Yes	No
6-1	Does the entity have land, buildings, and/or equipment?		X
If yes:	Has the entity performed an annual inventory of property and equipment (capital assets) in accordance with Section 29-1-506, C.R.S.,? If no, please explain:		X
Complete the following table:			
		Balance - beginning of the year	Additions
		Deletions	Year-End Balance
	Land	\$ -	\$ -
	Buildings	\$ -	\$ -
	Machinery and equipment	\$ -	\$ -
	Furniture and fixtures	\$ -	\$ -
	Construction In Progress (CIP)	\$ -	\$ -
	Other (explain):	\$ -	\$ -
	Accumulated Depreciation	\$ -	\$ -
	Total	\$ -	\$ -
6-2	Please use this space to provide any explanations or comments:		

PART 7 - PENSION INFORMATION

Please answer the following questions by marking in the appropriate boxes.		Yes	No
7-1	Does the entity have an "old hire" firemen's pension plan?		X
7-2	Does the entity have a volunteer firemen's pension plan?		X
If yes:	Who administers the plan?		
	Indicate the contributions from:		
	Tax (property, SO, sales, etc.):	\$ -	
	State contribution amount:	\$ -	
	Other (gifts, donations, etc.):	\$ -	
	Total:	\$ -	
	What is the monthly benefit paid for 20 years of service per retiree as of Jan 1?	\$ -	
7-3	Please use this space to provide any explanations or comments:		

PART 8 - BUDGET INFORMATION

Please answer the following questions by marking in the appropriate boxes.		Yes	No
8-1	Did the entity file a 2012 budget with the Department of Local Affairs? If no, please explain:	X	
8-2	Did the entity pass an appropriations resolution? In no, please explain:	X	
If yes:	Please indicate the amount appropriated for each fund for 2012:		
	Fund Name	Budgeted 2012 Expenditures	
	General Fund	500	
8-3	Please use this space to provide any explanations or comments:		

PART 9 - TAX PAYER'S BILL OF RIGHTS (TABOR)

Please answer the following question by marking in the appropriate box			
		Yes	No
9-1	Is the entity in compliance with all the provisions of TABOR [State Constitution, Article X, Section 20(5)]?	X	
	Note: An election to exempt the government from the spending limitations of TABOR does not exempt the government from the 3 percent emergency reserve requirement. All governments should determine if they meet this requirement of TABOR.		
9-2	Please use this space to provide any explanations or comments:		

PART 10 - GENERAL INFORMATION

Please answer the following questions by marking in the appropriate boxes.			
		Yes	No
10-1	Is this application for a newly formed governmental entity?		X
If yes:	Date of formation:		
10-2	Has the entity changed its name in the past or current year?		X
If Yes:	Please list the NEW name & PRIOR name:		
10-3	Is the entity a metropolitan district?		X
10-4	Please indicate what services the entity provides:		
10-5	Does the entity have an agreement with another government to provide services?		X
If yes:	List the name of the other governmental entity and the services provided:		
10-6	Has the district filed a <i>Title 32, Article 1 Special District Notice of Inactive Status</i> during the year? [Applicable to Title 32 special districts only, pursuant to Sections 32-1-103 (9.3) and 32-1-104 (3), C.R.S.]		X
If yes:	Date Filed:		
10-7	Please use this space to provide any explanations or comments:		



CliftonLarsonAllen LLP

www.cliftonlarsonallen.com

Accountant's Compilation Report

Board of Directors
Minturn General Improvement District
Eagle County, Colorado

We have compiled the Application for Exemption from Audit of Minturn General Improvement District as of and for the year ended December 31, 2012, included in the accompanying prescribed form. Our compilation is limited to presenting, in the form prescribed by the Colorado State Auditor's Office, information that is the representation of management. We have not audited or reviewed the accompanying Application for Exemption from Audit and, accordingly, do not express an opinion or provide any assurance about whether the Application for Exemption from Audit is in accordance with accounting principles generally accepted in the United States of America.

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

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

The Application for Exemption from Audit is presented in accordance with the requirements of the Colorado State Auditor's Office, which differ from accounting principles generally accepted in the United States of America. This report is intended solely for the information and use of the Colorado State Auditor's Office and is not intended to be and should not be used by anyone other than this specified party.

We are not independent with respect to Minturn General Improvement District.

Greenwood Village, Colorado
January 21, 2013

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: February 1, 2013
Re: Manager’s Report for the February 6, 2013 Town Council Meeting

Lorenzo Martinez Resignation

Chief Lorenzo Martinez resigned his position effective February 15, 2013. He has been with the Town of Minturn for 27 years. He was first a police officer, then Sergeant, and finally as Chief of Police. We are grateful for his long service to the Town. We extend our best wishes to him and his family in their future pursuits.

Human Performance Center/Fitness Center at Maloit Park

The subcommittee will be meeting again soon to continue discussions now moving toward planning and future construction of Phase 1 of the Human Performance Center/Fitness Center facility. A May 1, 2013 groundbreaking has been targeted. Plans to review the design at the Planning Commission have been outlined and a timeline created. We continue to use the professional guidance of our consultants, Ken Ballard, of Ballard and King, and Craig Bouck of Barker, Rinker, Seacat for financial and design elements respectively.

Bone Yard Property

We continue to work in conjunction with the Eagle County staff and County Commissioners in an effort to secure the purchase of the Bone Yard property in Minturn. We will discuss our negotiation strategy in Executive Session.

Little Beach Park Improvements Planned

The Town has secured the services of Zehren and Associates to lead the design phase of improvements for Little Beach Park. Pedro Campos of Zehren and Associates will be present at tonight’s meeting to update the progress on proposed park improvements. He will discuss next steps in the process and continue to secure community input for the project. We will be submitting a GOCO grant by March 6, 2013.

CCCMA

The Colorado City and County Managers’ meeting will be held in Glenwood Springs from Thursday February 14, 2013 through Saturday February 16, 2013 in Glenwood Springs, CO. I will be completing my full year as president of the organization and will become immediate past president for the upcoming year.

2/1/13

Scholarship Committee

Our scholarship committee is working to formally complete the documents and register with the State of Colorado as the Minturn Education Foundation as a formal 501 (c) entity. Investment options will then be pursued by 1st and Main Advisors, on behalf of the Town. Town Council has also discussed a smaller scholarship fund (\$25,000) to be considered with Colorado Mountain College here in Eagle County. We have secured the services of Kelly Lyle, CPA, to assist with the financial aspects of our preparation and planning. The committee will meet on the afternoon of February 1, 2013.

Marijuana Businesses

In light of the recent passage of Amendment 64 by Colorado voters, the Town staff will be bringing a draft Ordinance forward for Town Council consideration related to marijuana businesses in the Town of Minturn. The Colorado State Legislature will be addressing this issue in the upcoming months during the legislative session.

Upcoming Events:

Ski Joring will take place in Minturn on Saturday, February 23, 2013 and Sunday, February 24, 2013.

Respectfully submitted,
Jim White
Town Manager



The Voice of Colorado's Cities and Towns



Good afternoon, Gordon Flaherty!

Do you want your young residents to know more about municipal government? Then share this email with the middle school teachers, principals, and/or school administrators in your community!

CML is proud to launch the 2013 "If I Were Mayor ..." essay contest, and we need your help to spread the word and encourage the seventh and eighth graders in your city or town to participate. This year we are very excited to have Dr. Patricia Nelson Limerick serving as the contest's honorary chair. Now in its sixth year, this contest provides an opportunity for students to think about and tell others how they would make their city or town the best place to live, if elected mayor.

Sponsored by COLOTRUST, four winners will receive certificates of achievement, \$500 to establish a scholarship account with CollegenInvest, and the opportunity to attend the 91st CML Annual Conference in Vail to receive their awards and present their essays during the Elected Officials Luncheon on Friday, June 21.

[Click here to view the contest brochure](#), which provides details and deadline information. The educators in your community may also be interested in the resources on the [Lessons on Local Government website](#) before assigning the essay.

Please contact [Christine Taniguchi](#) at CML, if you have any questions or need additional information. Special thanks to COLOTRUST for once again sponsoring this contest, and to Dr. Patricia Nelson Limerick, who is serving as the contest's honorary chair.



Colorado Municipal League
1144 Sherman Street | Denver, CO 80203
(p) 303-831-6411 or 866-578-0936 | (f) 303-860-8175



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THE COLORADO MUNICIPAL LEAGUE AND COLOTRUST PRESENT THE SIXTH ANNUAL

“IF I WERE MAYOR ...” ESSAY CONTEST

The Colorado Municipal League wants to hear your ideas!

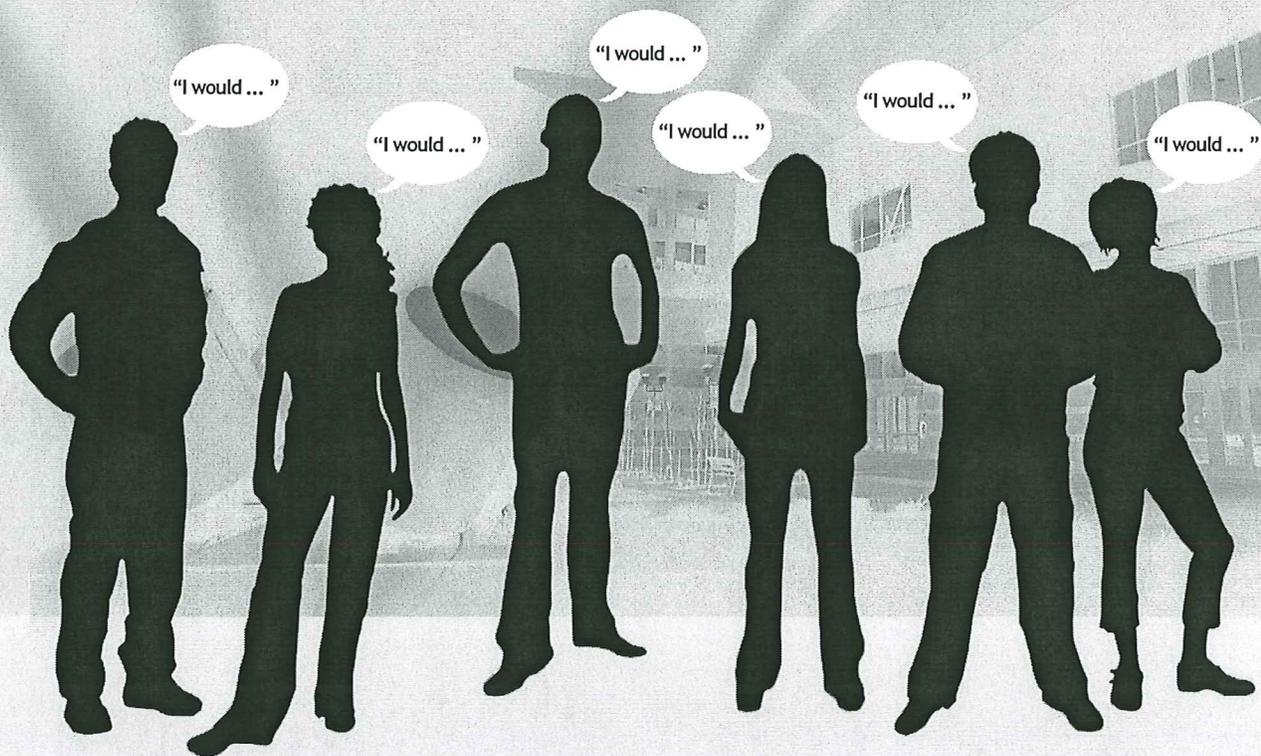
Our statewide “If I Were Mayor ...” essay contest gives seventh and eighth grade students the opportunity to tell others what they would do as mayor to make their city or town the best place to live.

Winners will receive a certificate of achievement, \$500 to establish a scholarship account with CollegInvest, and the opportunity to be recognized during the

91st CML Annual Conference June 18–21 in Vail.

(For contest details and entry form, see reverse side.)

CML is pleased to announce that the honorary chair for this year’s essay contest is Faculty Director and Chair of the Board of the Center of the American West at the University of Colorado **Dr. Patricia Limerick!**



www.cml.org

The Colorado Municipal League serves the cities and towns that serve you.

CML is a nonprofit, nonpartisan organization that has served and represented Colorado’s cities and towns since 1923. CML encourages involvement in municipal government so people can help shape the policies that impact their lives, families, homes, and environment in the belief that community issues and needs should be addressed at the local level. CML provides training and resources for elected officials and municipal staff, helping them better serve their municipality and its residents.



www.colotrust.com

COLOTRUST is a statutory trust organized and existing under the laws of the State of Colorado and is intended solely for the use of Colorado local governments.

COLOTRUST serves over 1,500 local government entities and is designed to provide local governments with a convenient method for investing in short-term investments carefully selected to provide maximum safety and liquidity, while still maximizing interest earnings.

IF YOU WERE ELECTED MAYOR, HOW WOULD YOU MAKE YOUR CITY OR TOWN THE BEST PLACE TO LIVE?

“IF I WERE MAYOR ... ” OFFICIAL ENTRY FORM

All entries should be submitted by teachers using the form below by **Friday, April 5, 2013**:

Teachers may submit any number of entries using one form and may make photocopies of this form if needed. Questions? Call Christine Taniguchi at 303-831-6411 or send an email to ctaniguchi@cml.org.

School: _____

School Address: _____

City: _____ Zip _____

Name of Teacher Submitting Entries:

Phone: _____

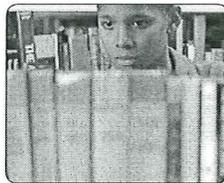
Email: _____

MAIL ENTRY FORM WITH ESSAYS TO:

CML
1144 SHERMAN STREET
DENVER, CO 80203

CONTEST RULES

- The contest is open to all Colorado students enrolled in the **seventh or eighth grades** during the 2012–13 school year. Students who are home schooled are also eligible. *In order to avoid any real or apparent favoritism, no submissions will be accepted from students who are related to any Colorado municipal official or employee. Students who won in 2012 are not eligible to win in 2013.*
- Only one essay per student may be submitted.
- Essays should be approximately 500 words or less.
- Essays will be judged by a committee of CML and COLOTRUST officials and other community leaders based on the following:
 - Displayed knowledge about the role of a mayor
 - Essay relation to contest topic
 - Creativity
 - Legibility, spelling, and proper use of grammar
- Students must include their first and last names, school, teacher's name, and total number of words at the top of their essays. The official entry form must also be submitted with the entries.
- Essays must be received by **Friday, April 5, 2013**. Winners will be notified by May 3, 2013.
- Teachers should submit all of their students' essays with the attached entry form.
- Essays will not be returned and will become the property of CML.



ABOUT MUNICIPAL GOVERNMENT

What is a municipality? A municipality is a city or a town. Cities and towns collect taxes, make contracts, provide services and make laws or ordinances for the health, safety, and well-being of its residents.

Why is municipal government important? Of the three major forms of government in the United States — federal, state and local — none affects citizens more directly than local government. Many city and town governments provide vital services including police and fire protection, streets and roads, libraries, recreation, and clean water.

Who are the leaders? The elected leaders of a city or town are the mayor and city or town councilmembers or trustees. In Colorado, councilmembers, trustees, and alderman are elected directly by citizens. In some cities and towns, the mayor is elected by citizens; in others, the mayor is elected by the council.

How are cities/ towns funded? Colorado's cities and towns depend heavily on sales tax revenue. That means that the city/town collects a percent of every item or service purchased within its boundaries. Cities and towns also receive revenue from other fees such as for water service to your home and licenses such as dog or bike licenses.

USEFUL VOCABULARY TERMS:

Tax: A percentage of money paid to the government for services such as streets, sewers, police, fire, libraries, etc. Most people don't like paying taxes, but none of the services provided by municipal government would be possible without taxes. Municipal governments in Colorado collect two kinds of taxes from citizens: Property tax and sales tax.

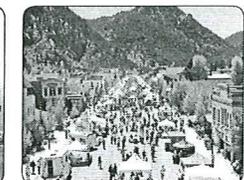
Property tax: A tax paid yearly by everyone in Colorado who owns property, based on the value of the property. The more the property is worth, the more tax the owner pays.

Sales tax: A tax paid, as a percentage of the total bill, every time you buy a product or service.

Budget: A careful plan of expenses (money needed) and revenue (money received) of an organization, usually produced on a yearly basis. When expenses and revenue are equal, the budget is said to be "balanced."

Ordinance: A law made by a city or town government.

For additional resources, visit www.coloradocitiesandtowns.org and www.lessonsonlocalgovernment.org.





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, February 01, 2013
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 negotiation update of the land purchase from the USFS, the property at 64 Harrison Ave, and to receive an update regarding the Eagle Mine. The following motion is recommended:

“Recommended motion: “I move To convene in Executive Session Pursuant to CRS 24-6-402(4)(a) for the purposes of discussing the purchase of certain USFS land and 64 Harrison Ave and pursuant to CRS 24-6-402(4)(b) for the purpose of an update from the Town’s Attorneys regarding the Eagle Mine and the EPA – White/Christensen

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