



2013

Minturn Council Meeting

Wednesday February 20, 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 20, 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 of Ordinance ____ – Series 2013; (First Reading) An Ordinance temporarily banning the sale of marijuana and/or marijuana clubs as outlined in Colorado State Amendment 64 – White/Christensen (30min)
- Discussion regarding a Minturn Scholarship update with 1st and Main Financial Advisors – and CMC Scholarship White (30min)

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

- February 6, 2013 pg 4
- Action Item Report pg 12

4. Liquor License Authority

- Magustos LLC Annual Renewal of a Hotel & Restaurant License; 101 Main St.; Eric Cregon, Owner/Manager – Brunvand (10min) pg 14

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

6. Special Presentations

- Little Beach Park Improvements Master Plan and GOCO grant application update and review of cost estimates by Zehren & Associates – Cerimele (20 min)

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

- 7. Discussion/Action Item:** Ordinance 2 – Series 2013; (First Reading) An Ordinance temporarily banning the sale of marijuana and/or marijuana clubs as outlined in Colorado State Amendment 64 – White/Christensen (10 min)
- 8. Discussion/Action Item:** Proclamation Series 2013; A Proclamation in support of the Vail Public Library’s program of One Book One Valley – White (10 min) pg 19

OTHER MATTERS

- 9. Planning Department Update** pg 20
- 10. Town Manager’s Report** pg 22
- 11. Town Council Comments**

EXECUTIVE SESSION

- 12. Executive Session –To convene in Executive Session Pursuant to CRS 24-6-402(4)(a) for the purposes of discussing the property at 64 Harrison Ave and pursuant to CRS 24-6-402(4)(e) for the purpose of discussing a severance contract with the Town’s attorney and receiving instructions to the negotiators – Christensen/White**

13. Executive Session – Action by Council or direction to Staff as a result of the Executive Session – White (5min) pg 24

FUTURE AGENDA ITEMS

14. Next Meeting – March 6, 2013

15. Future Meeting

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

16. Set Future Meeting Dates

a) Council Meetings:

- March 6, 2013
- March 20, 2013
- April 3, 2013

b) Planning & Zoning Commission Meetings:

- March 13, 2013
- April 10, 2013
- May 8, 2013

17. Other Dates:

18. Adjournment



Official Minutes

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

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 – 5:30pm

- 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

The meeting was called to order by Mayor Hawkeye Flaherty at 6:33 pm.

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

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 Jerry B., second by George B, to approve the agenda as amended. Motion passed (6-0). (Note: John Rosenfeld was excused absent.)

Add: 6a. Discussion of severance pay for the Police Chief.

3. Approval of Minutes and Action Report

- January 16, 2012
- Action Item Report

Motion by Shelley B., second by Aggie M., to approve the Minutes of January 16, 2013 as presented. Motion passed (6-0). (Note: John Rosenfeld was excused absent.)

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)

Ms. Diane Johnson, ERSWD, introduced the *Headwaters Magazine*, a publication of the Colorado Foundation for Water Education.

Ms. Siri Roman, ERWSD, gave a presentation to the Council on the Wastewater Master Plan Update.

- Little Beach Park Improvements Master Plan and GOCO grant application update by Zehren & Associates – Cerimele (20 min)

Mr. Pedro Campos, Zehren & Associates, provided an update for the Master Plan to Little Beach Park, Phase Two upgrades.

Recommendation for Little Beach Park Subcommittee to meet with staff before the next Council meeting to review project costs.

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)

Motion by Shelley B, second by Jerry B, to approve 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. Motion passed (6-0). (Note: John Rosenfeld was excused absent.)

6a. Discussion of severance pay for the Police Chief.

Request from Council to see the costs pertaining to a 3 month and a 6 month severance option at the next Council meeting work session.

GENERAL IMPROVEMENT DISTRICT

7. Administrative Matters

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

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

Motion by Jerry B, second by Aggie M, to approve the minutes as presented. Motion passed (6-0). (Note: John Rosenfeld was excused absent.)

8. Financial Matters

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

Motion by Shelley B, second by George B to approve Resolution No. 2013-02-01 an application for Exemption from Audit. Motion passed (6-0). (Note: John Rosenfeld was excused absent.)

9. Legal Matters

10. Other Business

- Discuss and set meeting dates for 2013:

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

Motion by Shelley B, second by Earle B, to set the next GID Board meeting for November 6, 2013 6:30pm at the Minturn Town Center, 302 Pine Street, Minturn, CO 81645. (Note: John Rosenfeld was excused absent.)

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

Motion by Shelley B, second by Aggie M, to adjourn as the GID Board. Motion passed (6-0). (Note: John Rosenfeld was excused absent.)

OTHER MATTERS

12. Planning Department Update

13. Town Manager's Report

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.

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.

Questions were asked regarding the approval of plans for the Human Performance Center. Intentions are to have a building inspector in place before approvals of this project are necessary. An RFP will go out for construction of the project.

Direction to staff to prepare an Ordinance placing a moratorium on the recreational use of marijuana, and/or establishment of marijuana clubs in Minturn for review at the next Town Council meeting.

14. Town Council Comments

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

Hawkeye and Jim W. outlined this program. Details have been distributed to the local Eagle County schools.

George B. stated the Water Subcommittee had met to discuss expenses for water, and look at comparisons of other communities. A water rate study will be conducted and results will be provided to the sub committee.

A concern was brought to attention addressing the water leak in the Post Office ceiling due to ice dams on the roof. It is anticipated a portion of the roof will require repair in the spring.

Pink Vail, which is a fundraiser for the Shaw Regional Cancer Center will be taking place on March 9, 2012. www.pinkvail.com is available for more information and for making donations.

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 and pursuant to 24-6-402(4)(e) to receive negotiation instructions as to interim police coverage – Christensen/White**

Motion by George B, second by Shelley 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 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 and pursuant to 24-6-402(4)(e) to receive negotiation instructions as to interim police coverage. Motion passed (6-0). (Note: John Rosenfeld was excused absent.)

- 16. Executive Session – Action by Council or direction to Staff as a result of the Executive Session – White (5min) Executive Session ended at 9:17pm. Direction was given to continue negotiations regarding the potential acquisition of 64 Harrison property; provide the full contribution from the Town toward the purchase of the Minturn Bone Yard property from the USFS; follow political strategies in work with the EPA; Town Manager to arrange temporary police coverage and a pursue hiring of a new police chief.**

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)
- Marijuana Ordinance/First Reading
- Review Little Beach Park cost estimates Work Session - Scholarship Fund funds transfer review, including CMC donation.
(check with consulting attorney)

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

Motion by Jerry B., second by Shelly B., to adjourn the meeting at 9:19pm.

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 20, 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.-. We are <u>nearing awaiting</u> completion– of the documentation to form the 501(c) 3 corporation so we can pursue our investment options with 1 st and Main Advisors. The subcommittee will <u>also</u> reconvene <u>early in 2013</u> to <u>consider requests for scholarship awards and</u> continue <u>final</u> preparation for investments.
OSAC Funding for Boneyard Purchase	White	The Eagle County Commissioners <u>and the Town of Minturn</u> have <u>provided approval to support the Town’s \$2,068,000 request for funding set march 14, 2013 as the closing date with the USFS</u> to purchase the Minturn Bone yard parcel. <u>Town staff, in conjunction with Eagle County pursued the purchase of the property through the USFS open bid process.</u> Staff has prepared a draft management plan and is working with Eagle Valley Land Trust on a Conservation Easement. <u>We are now in discussion with the USFS about purchasing the property.</u>
Parks and Recreation Master Plan	Cerimele	Staff is creating an initial draft of a Park Master Plan for Planning Commission review.- The Town- is working with Zehren and Associates to <u>work complete-on</u> the design features for Little Beach Park improvements. Community involvement will be crucial. <u>An Open House, was held on Thursday, December 20, 2012 from 4pm-7pm.</u> Results of the Open House were presented at the January 16, 2013 Town Council meeting. <u>We have cost projections to present. We are working on land ownership issues.</u>
2012 Goal: Town Street Repairs and Drainage.	White/ Cerimele	Staff received a storm drainage study proposal from TST Engineering and 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 <u>and engineers</u> in planning to repair sidewalks on the east side and west side of the 100 block next year. <u>LaFarge recommended that we hold off on 100 block sidewalks until Spring 2013.</u>

Action Item	Responsible Party	Progress Report
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. Special events permits now required for event planning.
2012 Goal: Clean Up Parking Area on North Taylor St	White/Cerimele/L. Martinez/A. 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.
Water Subcommittee	White	The response to the initial request for data has been prepared and provided to the subcommittee. The Water Subcommittee met will then meet to review the information and develop our strategy and to propose next steps to present to Town Council. We will be submitting information the Colorado Rural Water Association which will provide a preliminary water rate study.

**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: Magustos LLC, annual renewal of a Hotel/Restaurant Liquor License; 101 Main Street; Eric Cregon, Owner/Manager

MEETING DATE: February 6, 2013

PRESENTER: Brunvand

BACKGROUND: This is an application for annual renewal of a Hotel/Restaurant 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 \$125.00 has been paid to the Town.

STAFF RECOMMENDATION/MOTION: "Motion to approve Magustos LLC, annual renewal of a Hotel/Restaurant Liquor License; 101 Main Street; Eric Cregon, Owner as presented."

LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

Fees Due	
Renewal Fee	500 ⁻
Storage Permit \$100 x _____	-
Optional Premise \$100 x _____	-
Amount Due/Paid 500.00	

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 may collect the payment amount directly from your banking account electronically.

PLEASE VERIFY & UPDATE ALL INFORMATION BELOW

RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE

Licensee Name MAGUSTOS LLC		DBA MAGUSTOS	
Liquor License # 15-78746-0000	License Type Hotel + Restaurant LIQUOR LICENSE	Sales Tax License # 1578746-008	Expiration Date FEB 15, 2013
Street Address 101 MAIN ST MINTURN CO 81645		Phone Number 970-827-5450	
Mailing Address PO BOX 1043 MINTURN CO 81645			
Operating Manager ERIC CREGON	Date of Birth 10/07/1970	Home Address 242 MAIN ST MINTURN CO	Phone Number 970 390 7194

1. Do you have legal possession of the premises at the street address above? YES NO
 Is the premises owned or rented? Owned Rented* *If rented, expiration date of lease 12-31-15
2. Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. YES NO
NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS: If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
3. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. YES NO
4. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. YES NO
5. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. YES NO
6. **SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:** Each person must complete and sign the DR 4679: Affidavit – Restriction on Public Benefits (available online or by calling 303-205-2300) and **attach a copy of their driver's license, state-issued ID or valid passport.**

AFFIRMATION & CONSENT
 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.

Type or Print Name of Applicant/Authorized Agent of Business ERIC CREGON	Title OWNER
Signature <i>Eric Cregon</i>	Date Jan 23, 2013

REPORT & 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

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 MAGUSTOS LLC				State License Number 15-78746-0000			
1. Operating Manager ERIC CREGON		Home Address 242 MAIN ST MINTURN CO 81645		Date of Birth 10-7-70			
2. Do you have legal possession of the premises for which this application for license is made? Are the premises owned or rented: <u>yes</u> If rented, expiration date of lease: <u>12/31/15</u>						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. Sole owners or husband-wife partnerships answer this question. Since the date of filing of the last annual license application: Has ownership changed in whole or in part, from a sole owner to any other person, partnership, corporation, or limited liability company other than the licensee listed on your state liquor license? If yes, this license must be transferred to the new owner and may not be renewed. Contact your Local Authority immediately.						Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
8. Partnership applicants must answer this question. Since the date of filing of the last annual license application: (a) Are there, or have there been any general partners added to, or deleted from the partnership? If yes, this license must be transferred to the new partnership and may not be renewed. Contact your Local Authority immediately. (b) Are there, or have there been any limited partners with a 10% or more interest, added or deleted from the partnership? If yes, this license must be transferred to the new partnership and may not be renewed. Contact your Local Authority immediately.						Yes <input type="checkbox"/>	No <input type="checkbox"/>
9. Corporate applicants must answer this question. Since the date of filing of the last annual license application: (a) Are there, or have there been any officers or directors added to, or deleted from the corporation? If yes, complete and attach DR 8177 and submit to your Local Authority immediately. (b) Are there, or have there been any stockholders with 10% or more of the issued stock, added to, or deleted from the corporation? If yes, complete and attach DR 8177 and submit to your Local Authority immediately. (c) Date of filing last annual corporate report with the Colorado Secretary of State: _____						Yes <input type="checkbox"/>	No <input type="checkbox"/>
10. Limited Liability Company applicants must answer this question. Since the date of filing of the last annual license application: (a) Are there, or have there been any managing members added to, or deleted from the company? If yes, complete and attach DR 8177 and submit to your Local Authority immediately. (b) Are there, or have there been any members with 10% or more membership interest, added to, or deleted from the company? If yes, complete and attach DR 8177 and submit to your Local Authority immediately. (c) Date of filing last annual LLC report with the Colorado Secretary of State: <u>1/17/12</u>						Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
11. Bed and Breakfast applicants must answer this question and certify compliance with 12-47-118.5 C.R.S., to the state licensing authority by initialing the following listed questions: _____ That it has no more than 20 sleeping rooms, and _____ That it provides at least 1 meal per day at no charge other than for overnight lodging, and _____ That it does not sell alcoholic beverages by the drink or in sealed containers, and _____ That it shall not serve alcoholic beverages for more than 4 hours in any one day , as follows:							
MONDAY HOURS	TUESDAY HOURS	WEDNESDAY HOURS	THURSDAY HOURS	FRIDAY HOURS	SATURDAY HOURS	SUNDAY HOURS	
From: <u>4 P.m.</u> To: <u>2 A.m.</u>	From: <u>4 P.m.</u> To: <u>2 A.m.</u>	From: <u>4 P.m.</u> To: <u>2 A.m.</u>	From: <u>4 P.m.</u> To: <u>2 A.m.</u>	From: <u>4 P.m.</u> To: <u>2 A.m.</u>	From: <u>4 P.m.</u> To: <u>2 A.m.</u>	From: <u>4 P.m.</u> To: <u>2 A.m.</u>	

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE

I, Scott Gessler, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Magustos LLC

is a **Limited Liability Company** formed or registered on 11/22/2010 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20101638608.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 01/22/2013 that have been posted, and by documents delivered to this office electronically through 01/23/2013 @ 14:43:50.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 01/23/2013 @ 14:43:50 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 8441117.



A handwritten signature in cursive script, appearing to read "Scott Gessler".

Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Certificate Confirmation Page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click Business Center and select "Frequently Asked Questions."



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: 1/29/13 3:40 PM
RE: Liquor License

Attached please find a copy of the Annual Liquor License Renewal Application for Magustos LLC located at 101 Main St. I have reviewed the application and am forwarding it on to you for further review.

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

OFFICIAL PROCLAMATION

ONE BOOK, ONE VALLEY, 2013

A Valley-wide reading program sponsored by
the Towns of Avon, Eagle, Minturn, and Vail

WHEREAS, community-read programs have united and uplifted hundreds of cities and principalities throughout the United States of America; and,

WHEREAS, the novel “Into the Beautiful North” by Luis Alberto Urrea is a wondrous and riotously funny story filled with unforgettable characters and especially a joyful timely tale of one young woman’s quest; and

WHEREAS, this Eagle Valley community read will feature book talks, discussions, film showings and other special presentations about the novel; and,

WHEREAS, the Town of Vail Public Library, in collaboration with the Eagle Valley Library District, Colorado Mountain College, and the Bookworm of Edwards have resolved to bring this valley-wide reading project to the citizens of Eagle County; and,

WHEREAS, the One Book, One Valley initiative will encourage literacy and shared enjoyment of reading throughout Eagle County

NOW, THEREFORE, we, the Minturn Town Council, do hereby promote the One Book, One Valley initiative and officially announce and promote the novel “Into the Beautiful North” to all Eagle County residents for their enjoyment and the enjoyment of all.



To: Minturn Town Council
From: Chris Cerimele, Town Planner
Date: February 15, 2013
Re: Planning Department Update

Downtown Streetscapes

Staff has consulted with three lighting companies to provide fixture examples and prepare cost estimates for the planned streetscape improvement project. Preliminary estimates for the light posts and fixtures are in the range of \$2,500 – 3,500 per pole. Installation costs are estimated to be in the \$2,000 - 3,000 range. A few fixture examples are provided below. These are full cut-off fixtures that are “dark-sky” compliant. Expect to see more examples with detailed cost estimates at the March 6th meeting.

LaFarge has been notified of our intent to implement the streetscape improvements this spring on the 100 Block of Main Street and will partner with the Town on the sidewalk installation.





South Town Sidewalks

TST Engineering is reviewing preliminary sidewalk plans that were prepared by Carter Burgess in 2007. The plans indicate a 6 foot wide sidewalk with attached curb and gutter on the east side of the road that stretches approximately 3,600 linear feet from Cemetery Bridge to the Boneyard property. Cost estimates for the entire length of the project were approximately \$540,000 and include a retaining wall and new storm sewer infrastructure.

Steve Humann at TST indicated that the plans are preliminary in nature but will serve as a solid foundation for future planning. His initial concern is with added steepness to a number of driveways in the area that will result from grading activities associated with sidewalk construction. He stated that a follow up step would be further examination of the plans and a detailed analysis focusing on the driveways in the project area.

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 14, 2013
Re: Manager’s Report for the February 20, 2013 Town Council Meeting

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. Our revised bid has been accepted and the Town has contributed 10% of the outstanding balance (\$205,000) to GSA. The closing date has been set for March 14, 2013.

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 are working on land issues related to the project. We will be submitting a GOCO grant by March 6, 2013.

CCCMA

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

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)

2/14/13

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 22, 2013 to consider scholarship awards.

Marijuana Businesses

In light of the recent passage of Amendment 64 by Colorado voters, the Town staff has brought forth a draft Ordinance 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



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

MEMORANDUM

TO: Minturn Town Council
FROM: Jay Brunvand, Treasurer/Clerk
CC:
DATE: Friday, February 15, 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 property at 64 Harrison Ave, and to discuss the terms of a severance contract with the Town's attorney's. 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 property at 64 Harrison Ave and pursuant to CRS 24-6-402(4)(e) for the purpose of discussing a severance contract with the Town's attorney and receiving instructions to the negotiators. – 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