



2013

Minturn Council Meeting

Wednesday August 7, 2013

Work Session: **5:00pm**
(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

**Note: This meeting will be held at
Colorado Mountain College – Edwards Campus
150 Miller Ranch Rd – Room 250
Edwards, CO 81632**

• (970) 827-5645

Wednesday August 7, 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

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

Work Session – 5:00pm

- Update on Eagle Street Construction – White
- Update on Water Rate Study – White Pg 4
- Update from Safebuilt – White

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

- July 17, 2013 Pg 22
- Action Item Report Pg 31

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

5. Special Presentations

- 1st and Main Advisors – White
- Farewell to Jerry Bumgarner, Town Councilman – White

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

6. Discussion/Action Item: Council to discuss and give direction on the potential need for a more strict animal control or leash law - Cerimele

7. Discussion/Action Item: Council appointment/reappointment to CML's 2013-2014 Policy Committee - White Pg 33

OTHER MATTERS

8. Planning Department Update

9. Town Manager's Report Pg 36

10. Town Council Comments

FUTURE AGENDA ITEMS

11. Next Meeting –August 21, 2013

- Work Session – Eagle Street Construction Update – White

12. Future Meeting

- Work Session – Eagle Street Construction Update – White
- Work Session – Continued work on the Town Council Vision Statement - White
- Work Session – Review Main Street Streetscape Concepts – White
- Marijuana Law discussion – White 9/4/13

- Discussion with Xcel Representative - White

13. Set Future Meeting Dates

- a) Council Meetings:
 - August 21, 2013
 - September 4, 2013
 - September 18, 2014

- b) Planning & Zoning Commission Meetings:
 - August 14, 2013
 - September 11, 2013
 - October 9, 2013

14. Other Dates:

15. Adjournment

COLORADO RURAL WATER ASSOCIATION

176 WEST PALMER LAKE DRIVE • PUEBLO WEST, COLORADO 81007
PHONE (719) 545-6748 • FAX (719) 545-6788



July 3, 2013

Jim White
Town of Minturn
P.O. Box 302
Minturn, CO 81645

RE: Water Rate Analysis/Study

The initial draft Rate Analysis/Study for the Town of Minturn is completed and is submitted for your review. The Analysis is based on the following assumption as reflected below:

1. The Town has 528 single family equivalents(SFEs) and 185 SFEs for the commercial customers for a total of 713 SFEs
2. The 2013 Budget was used as the base year and the Water Service Rates with an effective date of February 2103 were used to generate the 2013 projected revenue.
3. No growth has been projected in the Rate Study
4. An escalation factor of 3.5% was used, which means that the operating expenses increase by 3.5% in subsequent years, 2014 – 2017.

Based on the 2013 Budget, the Town expects to generate \$659,041 in the water system and anticipates operating expenses of \$587,695 including \$21,409 in pro-rata expenses and \$95,000 in depreciation. In addition, the Town has a debt service of \$52,628 for loans obtained for water improvements and a capital lease payment of \$8,628 (1/4 of \$34,513) through 2015, for a total expense of \$648,951. The expected revenue of \$659,041 and a total expense of \$648,951 leaves a net revenue of \$10,090 for transfer to the debt service reserve and/or a capital reserve. Based on the fact that the Town's budget for 2013 will generate sufficient revenue to cover its financial obligations in 2013, a rate increase is not warranted. Since the Rate Study reflects an escalation factor of 3.5%, the rates need to be increased by 3% in 2014 and in 2017 respectively, as reflected in Table 18 attached. No increases are necessary in 2015 and 2016 primarily because the debt service costs are reduced. The above comments are an over simplification of the rate analysis.

We now wish to address the specifics of the rate analysis. Table 3 reflects the projected expenses of \$587,695 (2013) including \$95,000 for depreciation. \$143,585 of the total is allocated as operational expenses, meaning that this costs are associated with the production, treatment and delivery of water to the ultimate customers and \$444,110 are fixed costs, that is to say that this costs need to be covered whether any water is sold or not. The fixed costs are such costs as administrative salaries and benefits, insurance, telephone, postage and similar costs. The fixed cost are further addressed later in this letter. The operational costs are then divided by the volume of water sold and the end result is the cost of producing, treating and delivering 35,140,000 gallons of water, the amount reflected as the volume of water provided to the customers. So the cost is essentially \$4.09 per 1,000 gallons. This cost is quite high, but I

believe it is this high because the water system actually produces about 85 million gallons, but loses over 60% through water leaks and other losses. If the loss or unaccounted for water was reduced to a reasonable loss of 10% or less, the costs would probably be reduced by about 50%, the similar reduction in water loss. The cost per 1,000 gallons would be more in line with other water systems at about \$2.00 or less. We understand that the Town has made a concerted effort in 2012 and 2013 to locate and fix the leaks, so the water loss or unaccounted for water will be substantially reduced going forward. By the way, the Rate Sheet reflects the charge of only \$2.65 per 1,000 gallons (House In-Town and over 10,000 gallons) while the cost based on the analysis is actually \$4.09/1,000 (Table 17).

Now for the fixed cost. The fixed expenses of \$444,110 plus the debt service expense of \$61,310 totals \$505,420. This amount is then divided by the total number of SFEs or 713 for a monthly charge of \$59.08. Table 17 reflects \$60.24. The difference is accounted for in the increase in the Fund Balance of \$10,036 reflected in Table 16. The applicable rates for 2014 through 2017 are reflected in Table 16. Assuming that the residential users being serviced by a ¾ inch or smaller tap are considered to be one SFE per customer, the monthly charge including the debt service charge would be \$60.24 based on the current budget, so:

528 SFEs for residential users X \$60.24 X 12 months generates	\$381,680
185 SFEs for commercial users X \$60.24 X 12 months generates	\$133,733
Plus 35.140 million gallons @ \$4.09/1000 gallons generates	<u>\$143,723</u>
Total Revenue	\$659,136

The 2013 Budget reflects an expected revenue of \$659,041 or \$95 less than the \$659,136 above. The difference is due to rounding. One big assumption is being made in this analysis. The assumption is that the calculations to determine the number of SFEs are correct. Generally, the SFE determination is accomplished by taking the water usage for the all residential customers for the year and dividing that number by the number of residential customers to determine the average water usage. The average residential usage is then divided into the total commercial water usage to determine the number of SFEs applicable to the commercial users. Another assumption is made in the above calculations to generate the \$659,136 in revenue. The assumption is that all customers are treated the same. That is to say, the commercial customers are individually converted to SFEs and each commercial customer then pays based on the SFE allocated. The assumption does not take in consideration for the differential for Out-of-Town customers. Most Towns charge a differential of 1.50% for Out-of-Town customers. Considering that the charges for Out-of-Town (OUT) customers would be 50% higher, then the In-Town (IN) customers should be lower. These charges can be derived via the equation below:

$(\text{Number of IN customer times } Y) + (\text{number of OUT customers times } 1.5Y) = \$515,413$ and we want to solve for Y.

I was unable to determine the number of SFEs applicable to the commercial customers, so I will make some assumptions. Let us assume that there are 500 In-Town residential customers and 100 SFEs for the In-Town commercial customers and 28 Out-of-Town residential customers and 85 SFEs for the Out-of-Town customers. So:

$(500 \text{ residential IN} + 100 \text{ SFEs (Comm IN)} \times Y) + (28 \text{ residential OUT} + 85 \text{ SFEs (Comm. Out)} \times 1.5Y) = \$515,413$. Where Y is the charge applicable to In-Town customers and 1.5Y is applicable to Out of Town customers.

$$(500 + 100) \times y + (28 + 85) \times 1.5y = \$515,413$$

$600y + 113(1.5y) = 600y + 169.5y = 769.5y = \$515,413$, so $y = \$669.81$ divided by 12 (months) equals \$55.82 for the In-Town customer per month per SFE and \$83.73 ($\55.82×1.50) for Out-of-Town customer per month per SFE.

To determine the applicable water usage rate, the following equation can be used to determine the charge for water for In-Town users and Out-of-Town users:

Equation: $(\% \text{ of water used by In-Town customers} \times 35,140,000 \text{ gals} \times y) + (\% \text{ of water used by Out-of-Town customers} \times 35,140,000 \text{ gals} \times 1.5y) = \$143,723$.

Let us assume that the distribution is 70/30 where 70 represents the % of water for In-Town customers and 30 represents the % of water for the Out-of-Town customers.

$$\text{Solve for } y: (70\% \times 35,140,000 \times y) + (30\% \times 35,140,000 \times 1.5y) = \$143,723$$

$24,598,000y + (10,542,000 \times 1.5y) = 24,598,000y + 15,813,000y = \$143,723$, now drop the 3 end zero to convert to thousands of gallons or $24,598y + 15,813y = 40,411y$, so \$143,723 is divided by 40,411 and the result equals \$3.56/1000 gallons for In-Town customers and \$5.34/1000 gallons for Out-of-Town customers

I was unable to determine the number of customers in each category from the data sheet provided, so that is the reason for making the above assumptions. My email of April 22, 2013 requested certain data by category of customers. At the beginning of this letter, I indicated that this is an initial draft, so you can submit additional data as reflected in the April 22, 2013 email and I can be more specific on the applicable rates.

I now would like to evaluate your current rate structure and offer some recommendations. The Rate Sheet with a effective date of February 2013 reflects a charge of \$5.93 for debt service per SFE plus a metered rates starting at \$68.45/SFE for "House In-Town" to \$151.21/SFE for "Commercial Non-Town", to include a discounted rate for Senior Citizen of \$51.34/SFE and a Non-Metered Rate starting at \$78.11/SFE for "House In-Town" to \$170.87/SFE for "Commercial Non-Town" and again a discounted rate for Senior Citizen of \$58.58/SFE. The residential customers are provided 10,000 gallons of water with their respective pricing and the commercial customers are provided 30,000 gallons of water with their respective pricing. The rates are based on SFEs, so I question why the rate for a house is \$68.46 and the rate for a commercial customer is \$84.74. If the house is considered 1 SFE and each commercial is considered more than 1 SFE depending on their respective use, the rate per SFE should be the same. Generally, a residential property, a house, being served with a ¾ inch meter or smaller is

considered 1 SFE. In addition, most water systems also consider a commercial customer being served with a ¾ inch meter or smaller and using essentially the same amount of water as the average residential customer as 1 SFE. All other commercial users are converted to SFE either based on the meter size or volume of water used, generally more than 1 SFE. I do not know how the conversion was made in the Town of Minturn. The differential between the In-Town House rate and the Out-of-Town rate is 1.53%. I suggest going to just 1.50%. The differential between the In-Town Commercial rate and the Out-of-Town rate is 1.785%. My recommendation is to charge all out of town customers the same differential, 1.50%. The residential customers receive 10,000 gallons of water within the specific rate while the commercial customers receive 30,000 gallons. The pricing per 1,000 gallons, after the initial allocation, is also higher. The cost of production, treatment and delivery of 1,000 gallons of water is the same whether the user is residential or commercial. The cost differential between the "Base Rate" of \$68.45 for a "House" and the "Base Rate" of \$84.74 for a Commercial customer is only \$16.29. If a residential user uses 20,000 additional gallons to equal the volume of water provided to a commercial customer, the cost would be \$53 or \$36.71 more than the commercial user. It appears that the average monthly usage of water for all 713 SFEs is just above 4,000 (35,140,000/713=4,107/mo), so why provide 10,000 gallons to the residential and 30,000 gallons to the commercial customers. The Town also has a discounted rate for seniors. I believe that the Town could reduce the volume of water to say 2,000 - 3,000 gallons included in the Base Rate and eliminate the Senior Rate. In fact, many water systems are going to a Base Rate that only includes the fixed costs with no water included and creating a Usage Rate/Fee based on the cost of water. The usage of water would be the cost of production, treatment and delivery per 1,000 gallons up to a certain amount, say 8,000 gallons then charge a higher rate per 1,000 for high volume users to encourage conservation. The Town also has a non-metered rate. I suggest having the entire water system metered and the elimination of the non-metered rate. I also recommend that the debt service rate be included in the Base Rate.

In conclusion, the Town of Minturn could just simply increase the current rates by 3% in 2014 and 2017 and be done or it could revamp the entire water rate structure to incorporate my comments. The revamped water rate schedule would be more in line with other water systems (Towns) and simply the billing and the reasoning behind each rate. The intent would be to have a Base Rate/Fee that included the Fixed Costs which may or may not include any water and a Usage Rate/Fee for water usage with a Overage Fee for customers using more than an certain amount of water to encourage conservation. The commercial customers would pay based on the individual SFE determination. I believe that most of the commercial customers would be the same Base Rate/Fee as the residential customer if they have a ¾ inch or smaller meter and use essentially the same amount of water as the average residential customer. I am willing to assist the Town in developing a rate structure that is simple and takes into account the comments above.

I wish to compliment the Town for including the depreciation as an expense in the budget. Unfortunately, many water and wastewater systems (towns, districts and non-profit water systems) do not reflect the depreciation as an expense.

If you wish to provide the raw data requested in my email of April 22, 2013, I can than

determine the SFEs for the commercial users. By the way, the data should reflect residential customers (houses) only and commercial customers. Customers that are apartment complexes or have various mobile homes are considered commercial customers and are converted to SFEs based on their respective water usage or meter size.

If you have any questions, do not hesitate to call me.

Sincerely,

Leroy W. Cruz
Water Circuit Rider
Colorado Rural Water Association

Enclosure: Tables 1-17

Name of Organization	Minturn, Town of
Initial Year:	2013
Fiscal Year Starts:	1-Jan
Default Escalation/Inflation Rate	3.5%
Type of Utility	Water

Calendar Lookup Table	
Month Reference No.	Calendar Month
1	January
2	February
3	March
4	April
5	May
6	June
7	July
8	August
9	September
10	October
11	November
12	December

	2013	2014	2015	2016
Expected Demand Growth	0%	0%	0%	0%

2017

0%

Table 2
Minturn, Town of
Water Utility Financial Plan for Fiscal Year 2013-2017
Calculation of Renewal & Replacement Commitment

Description	FY2013	FY2014	FY2015	FY2016	FY2017
Without Inflation:					
Total Expansion-Related Improvement Costs	\$0	\$0	\$0	\$0	\$0
Total Renewal & Replacement Costs	6,750	0	0	0	0
Total Uninflated Costs	\$6,750	\$0	\$0	\$0	\$0
With Inflation:					
Total Expansion-Related Improvement Costs	\$0	\$0	\$0	\$0	\$0
Total Renewal & Replacement Costs	6,750	0	0	0	0
Total Costs w/ Inflation	\$6,750	\$0	\$0	\$0	\$0

Description	Code	Amount
No Renewal & Replacement	1	\$0
Minimum Renewal & Replacement	2	\$0
Average Renewal & Replacement	3	\$1,350
Maximum Renewal & Replacement	4	\$6,750
Override Renewal & Replacement	5	\$0

Description	Planned Renewal & Replacement Budget w/Inflation	Actual Renewal & Replacement Costs w/Inflation	Surplus/(Deficit) Renewal & Replacement	Override Renewal & Replacement (Phase-in)
No Renewal & Replacement	\$0	\$0	\$0	
Minimum Renewal & Replacement	0	0	0	
Average Renewal & Replacement	6,750	0	(6,750)	
Maximum Renewal & Replacement				
Override Renewal & Replacement				

Description	Code	Amount
No Renewal & Replacement	1	\$0
Minimum Renewal & Replacement	2	\$0
Average Renewal & Replacement	3	\$1,350
Maximum Renewal & Replacement	4	\$6,750
Override Renewal & Replacement	5	\$0

Description	Code	Amount
No Renewal & Replacement	1	\$0
Minimum Renewal & Replacement	2	\$0
Average Renewal & Replacement	3	\$1,350
Maximum Renewal & Replacement	4	\$6,750
Override Renewal & Replacement	5	\$0

Table 6
 Minturn, Town of
 Water Utility Financial Plan for Fiscal Year 2013-2017
 Calculation of Revenue Proration by Month (FY)

Month	Month	Average Revenue	Percent of Fiscal Year	Cumulative Percent Earnings	Historical Revenues Earned in FY:		
					2012	2011	2010
January	1	\$1	8%	100%	\$1	\$1	\$1
February	2	1	8%	92%	\$1	\$1	\$1
March	3	1	8%	83%	\$1	\$1	\$1
April	4	1	8%	75%	\$1	\$1	\$1
May	5	1	8%	67%	\$1	\$1	\$1
June	6	1	8%	58%	\$1	\$1	\$1
July	7	1	8%	50%	\$1	\$1	\$1
August	8	1	8%	42%	\$1	\$1	\$1
September	9	1	8%	33%	\$1	\$1	\$1
October	10	1	8%	25%	\$1	\$1	\$1
November	11	1	8%	17%	\$1	\$1	\$1
December	12	1	8%	8%	\$1	\$1	\$1
Total		\$12			\$12	\$12	\$12

Table 8
 Minturn, Town of
 Water Utility Financial Plan for Fiscal Year 2013-2017
 Projected Revenue Bond Debt Issue Size and Costs - Not Subject to Bond Ordinance

Description	FY2013	FY2014	FY2015	FY2016	FY2017
Issue Sizing					
Bond Proceeds Required	\$0	\$0	\$0	\$0	\$0
Issuance Costs	0.00%	0.00%	0.00%	0.00%	0.00%
Reserve Requirement	0.00%	0.00%	0.00%	0.00%	0.00%
Issue Size	\$0	\$0	\$0	\$0	\$0
Debt Service Requirements					
Terms (Years)	0	0	0	0	0
Interest Rate (APR)	0.00%	0.00%	0.00%	0.00%	0.00%
Month of Issue	6	6	6	6	6
Number of Debt Payments/Year	-	-	-	-	-
Normal Yearly Debt Service Payment for Issue	\$0	\$0	\$0	\$0	\$0
Annual Debt Service Costs (w/ prorating)	\$0	\$0	\$0	\$0	\$0
Accumulated Debt Service	\$0	\$0	\$0	\$0	\$0

Table 12
 Minturn, Town of
 Water Utility Financial Plan for Fiscal Year 2013-2017
 Calculation of Coverage Requirements (Excluding SDCs)

Description	FY2013	FY2014	FY2015	FY2016	FY2017
Calculation of Net Revenues					
Estimated Gross Revenue					
Rate Revenues	\$659,041	\$678,812	\$678,812	\$678,812	\$699,177
Other Revenues	0	0	0	0	0
Gross Revenues	\$659,041	\$678,812	\$678,812	\$678,812	\$699,177
Operating Expenditures					
Estimated O&M	\$587,695	\$603,441	\$619,737	\$636,605	\$654,062
Net Revenues	\$71,346	\$75,372	\$59,075	\$42,208	\$45,114
Estimated Coverage Calculation					
Net Revenues	\$71,346	\$75,372	\$59,075	\$42,208	\$45,114
Debt Service Subject to Coverage	52,682	52,682	52,682	35,840	30,226
Estimated Coverage	1.35	1.43	1.12	1.18	1.49
Required Coverage	1.10	1.10	1.10	1.10	1.10
Additional Revenues Required to Meet Required	\$0	\$0	\$0	\$0	\$0

Table 15
 Minturn, Town of
 Water Utility Financial Plan for Fiscal Year 2013-2017
 Capital Construction Funds

Description	FY2013	FY2014	FY2015	FY2016	FY2017
Interest on Fund Balance	0.00%	0.00%	0.00%	0.00%	0.00%
Sources of Funds					
Beginning Fund Balance	\$1,130,529	\$1,131,279	\$1,138,779	\$1,146,279	\$1,153,779
Grants & Contributions	0	0	0	0	0
Tap Fees/Impact Fees/PIF/System Dev. Fees	7,500	7,500	7,500	7,500	7,500
Revenue Bond Proceeds	0	0	0	0	0
Other Bond Proceeds	0	0	0	0	0
Net Revenues from Operations	0	0	0	0	0
Interest Earnings	0	0	0	0	0
Total Sources of Funds	\$1,138,029	\$1,138,779	\$1,146,279	\$1,153,779	\$1,161,279
Uses of Funds					
Capital Improvements Expenditures	6,750	0	0	0	0
Transfers Out	0	0	0	0	0
Ending Fund Balance	1,131,279	1,138,779	1,146,279	1,153,779	1,161,279
Total Uses of Funds	\$1,138,029	\$1,138,779	\$1,146,279	\$1,153,779	\$1,161,279

Table 16
 Minturn, Town of
 Water Utility Financial Plan for Fiscal Year 2013-2017
 Computation of Cash-Needs User Charge Revenue Requirement

Description	FY2013	FY2014	FY2015	FY2016	FY2017
Operation and Maintenance Costs	\$587,695	\$603,441	\$619,737	\$636,605	\$654,062
Cash Financed Capital Costs	0	0	0	0	0
Debt Service Payments	61,310	61,310	61,310	35,840	30,226
Increase (Decrease) in Fund Balance	10,036	14,062	(2,235)	6,368	14,888
Total Revenue Requirement	\$659,041	\$678,812	\$678,812	\$678,812	\$699,177
Total Non-Rate Revenues & Int. Earnings	\$0	\$0	\$0	\$0	\$0
Revenue Required from Rates	\$659,041	\$678,812	\$678,812	\$678,812	\$699,177

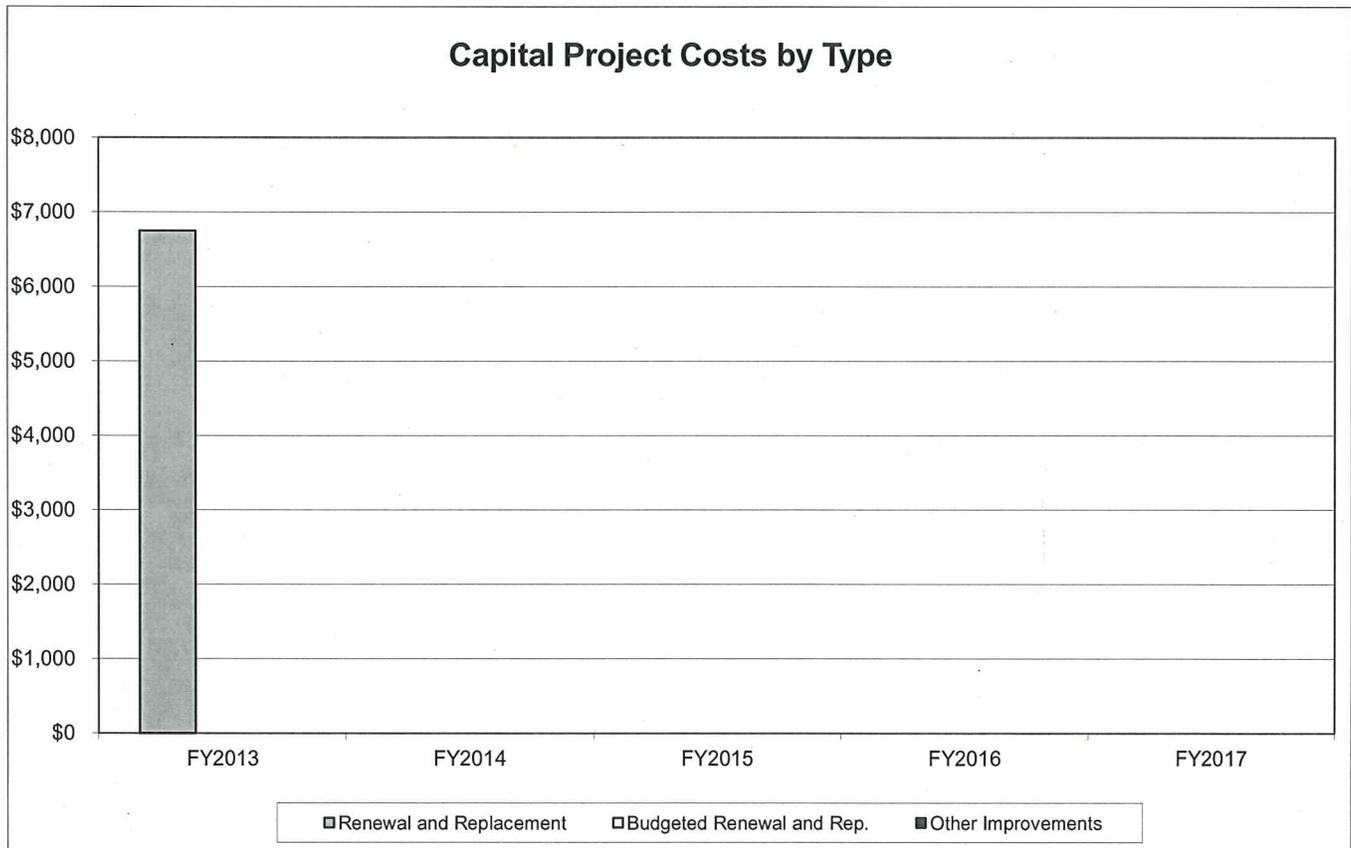
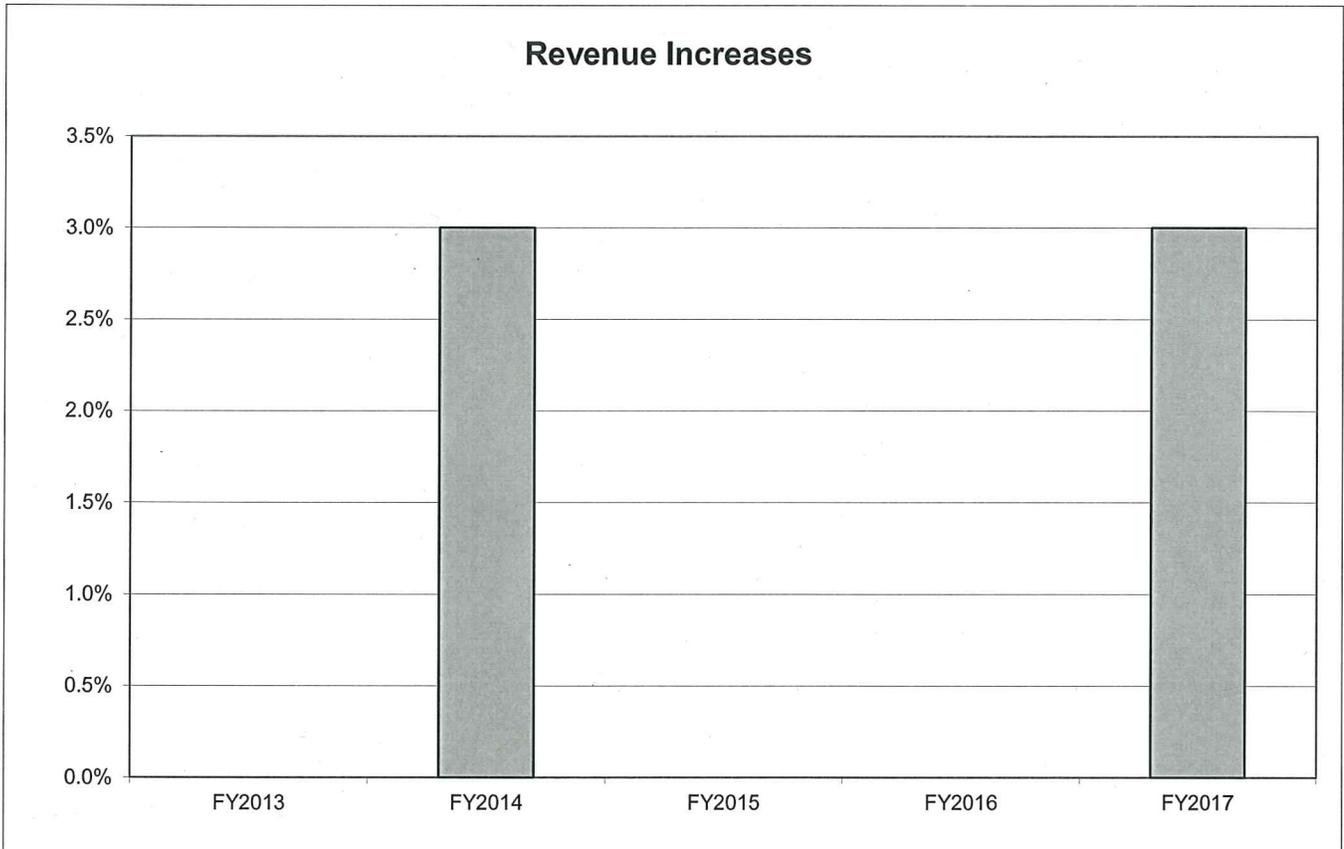
Table 17
 Minturn, Town of
 Water Utility Financial Plan for Fiscal Year 2013-2017
 Rate Calculation

Description	FY2013	FY2014	FY2015	FY2016	FY2017
User Charge Revenue Requirement	\$659,041	\$678,812	\$678,812	\$678,812	\$699,177
Percent of Revenue Requirement From Fixed Charges	78.21%	78.21%	78.21%	78.21%	78.21%
Projected Revenue from Fixed Charges	\$515,436	\$530,899	\$530,899	\$530,899	\$546,826
Projected Revenue from Commodity Charges	\$143,605	\$147,913	\$147,913	\$147,913	\$152,351
Enter Number of Equivalent Meters	713	713	713	713	713
Enter Volume of Demand in Thousands of Gallons/Yr.	35,140	35,140	35,140	35,140	35,140
Enter the Number Bills Sent/Yr.	12	12	12	12	12
Service Charge per Equivalent Meter	\$60.24	\$62.05	\$62.05	\$62.05	\$63.91
Rate per Thousand Gallons of Demand	\$4.09	\$4.21	\$4.21	\$4.21	\$4.34
Projected Revenues from Rates	\$659,041	\$678,812	\$678,812	\$678,812	\$699,177

Minturn, Town of Financial Plan

Table 18
Minturn, Town of
Water Utility Financial Plan for Fiscal Year 2013-2017
Calibration Table

Description	FY2013	FY2014	FY2015	FY2016	FY2017
Financial Performance					
Coverage Test (Excluding SDCs)	1.35	1.43	1.12	1.18	1.49
Minimum Coverage	1.10	1.10	1.10	1.10	1.10
Additional Funds Needed to Meet Coverage	0	0	0	0	0
Revenue Required from Rates	659,041	678,812	678,812	678,812	699,177
Percent Increase/Decrease from Previous	N/A	3.0%	0.0%	0.0%	3.0%
OMR Ratio	1.12	1.12	1.10	1.07	1.07
OMR Target	1.00	1.00	1.00	1.00	1.00
Additional Funds Needed for OMR Goal	0	0	0	0	0
Debt Service as % of Revenue Requirements	0.093029114	0.090319528	0.090319528	0.052798106	0.043230852
Operating Costs as % of Revenue Requirements	89.17%	88.90%	91.30%	93.78%	93.55%
Cash Funding of CIP as % of Revenue Requirements	0.00%	0.00%	0.00%	0.00%	0.00%
Funding of Reserves as % of Revenue Requirements	1.52%	2.07%	-0.33%	0.94%	2.13%
Total	100.00%	100.00%	100.00%	100.00%	100.00%
Ending Fund Balances					
<i>Water Fund</i>	131,747	145,809	143,573	149,941	164,829
Target Water Fund Balance	0	0	0	0	0
Difference from Target Fund Balance	131,747	145,809	143,573	149,941	164,829
<i>Capital Construction Fund</i>	1,131,279	1,138,779	1,146,279	1,153,779	1,161,279
Target Capital Construction Fund Balance	0	0	0	0	0
Difference from Target Fund Balance	1,131,279	1,138,779	1,146,279	1,153,779	1,161,279
<i>Combined Fund Balances</i>	1,263,026	1,284,588	1,289,852	1,303,720	1,326,108
Action Items					
New Debt issued - Subject to Bond Ordinance	0	0	0	0	0
New Debt issued - Not Subject to Ordinance	0	0	0	0	0
Rate Revenue Increase	0.0%	3.0%	0.0%	0.0%	3.0%
This Year is Currently...	Calibrated	Calibrated	Calibrated	Calibrated	Calibrated
This Financial Plan is Currently	UNCALIBRATED				





Official Minutes

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

Wednesday July 17, 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:

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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

- Update on Eagle Street Construction – White
 - Discussed issues with the survey that caused the project to temporarily shut down demolition. These issues are in the process of being resolved.
 - Discussed that the south end of the project will be included to accommodate a small portion that was missed in the original bid request.
- Review of Water Payments Related to the 2010 Water Settlement – White
 - ERWSD 50cfs of water \$10k due for 2011, \$20k due for 2012, and \$30k for 2013; then \$40k for 2014, and \$50k for 2015.
- Update on Railroad Conditional Use Process – Cerimele
 - Discussion to enforce the Town codes. Direction to continue to discuss the issues with the UPRR and the Railroad Committee
- 1st and Main Advisors/Update on Investments/Minturn Education Fund – White
 - This item has been moved to the August 7, 2013

- Review of Resolution 6 – Series 2013 GASB-54 – Brunvand
- Boneyard Park name change
 - Discussion that this was directed to be put out on a website survey with a September 1st deadline.
- Update on water line drilling accidents (2) that occurred last week. These were not the fault of the Town but the Town helped orchestrate the repairs.
- Update on repairs needed on Nelson Ave (west of Williams St)
- UPRR crossings updates (will be part of the conversation with the UPRR)

Regular Session – 6:30 pm

1. Call to Order

- a. Roll Call

The regular meeting was called to order by Mayor Hawkeye Flaherty at 6:34pm.

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

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

- b. Pledge of Allegiance

2. Approval of Agenda

- a. Items to be Pulled or Added
 - i. Add the reading of Frank Sanders' letter to be read into the record
 - ii. Remove 1st and Main Advisors and place on next meeting

Motion by John R., second by Shelley B. , to approve the agenda as amended. Motion passed (7-0).

3. Liquor License Authority

- Education Foundation of Eagle County Request for Special Event Permit; 800 Cemetery Rd. – Brunvand

Mr. Matt Scherr represented the Education Foundation of Eagle County.

Motion by George B., second by John R., to approve the Education Foundation of Eagle County Request for Special Event Permit as presented with the following findings and conditions. Motion passed (7-0):

- That the Notice of Public Hearing on this matter was posted on the premises by the Town Clerk on July 5, 2013 at least 10 days prior to the Council Meeting consideration.

- That the selling liquor in the manner currently proposed in the application is not in violation of the Minturn Municipal Code.
- Staff requests that at least one experienced T.I.P.S certified, or equivalent, server be present at all times while alcoholic beverages are sold. We would like that those servers and certifications be identified to us in advance.
- Staff requests each entrance/exit be monitored to ensure no outside liquor is introduced to the event and that no liquor is removed from the premises.
- Refer to Little Beach Park rules and regulations as it applies to security, traffic, parking, and crowd control. The representative from the Foundation agreed to all the stipulations.

4. Approval of Minutes and Action Report

- June 19, 2013

Motion by Shelley B., second by Jerry B., to approve the minutes of June 19, 2013 as presented. Motion passed (7-0).

- Action Item Report

Jim W. updated the Council on recent changes to the current status.

Earle B. recommended we schedule a Work Session on streetscape concepts.

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

Mr. Lee Vazquez and Mr. Patrick Vazquez of 944 Main St. stated the curb and gutter on Hwy 24 is failing and claimed it has caused the retention wall on their property to collapse during the last rainstorm, causing significant damage. He has approached the Town and CDOT. The drainage and existing curb and gutter is in the CDOT right of way and needs to be addressed at his address and further south. Mr. Vasquez built the retaining wall but did not have a building permit.

Direction from Council is for Jim W. to work with CDOT and try to move the repairs forward on the drainage.

Mr. Darrell Wegert 1716 Main St. asked if the building on the USFS property on the north end of Town could be painted. This will be reviewed by Staff.

Jim W. read a letter into the record received by Mr. Frank Sanders. This letter will be included in the official minutes.

6. Special Presentations

- 1st and Main Advisors – White

This item was moved to the August 7th meeting

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

7. **Discussion/Action Item: Ski and Snowboard Club of Vail – White**

Jim W. updated the Council on the status of the Minturn Fitness Center and noted the Fitness Center is now under its own IRS Code 501(c)(7).

Mr. John Cole stated the SSCV is very excited about the Center and they are confident they will meet their ground breaking date and construction goals.

Mr. Jack Snow, RKD Architects, stated they have an RFP that will be available tomorrow (July 18, 2013) to go out. The RFP will have a three week turnaround time. The RFP has been distributed to the Council. Mr. Snow outlined how the selection of the General Contractor and the construction process will be undertaken.

Shelley B. stated the International Building Code as adopted by Minturn is adopted only through the 2009 Code, not the 2012 Code, as stated in the RFP. Jack Snow will amend the RFP accordingly.

John R. stated for the public that the RFP is for the Minturn Fitness Center. He stated tonight is to inform Council on the RFP schedule. John R. stated that the process has been very up and down, but commended everyone on the commitment and the way the group has cooperated together to form a very good project for the citizens of Minturn. It is very positive.

Earle B. stated the Minturn Community Fund has agreed to work very close with the community and the project leaders in order to inform the community.

Mr. Darrell Wegert, 1716 Main St, requested any information available be put on the Town's website.

8. **Discussion/Action Item: Resolution 6 – Series 2013 a Resolution authorizing the Town Council or its designee to designate the assigned portion of all Market Fund Balances for the Town Financial Statements for 2013 and subsequent years – Brunvand**

Jim W. stated this Resolution is a result of a request from the Town's audit firm to designate the Market Funds as appropriate for the annual Financial Statements.

Motion by Shelley B., second by John R., to approve Resolution 6 – Series 2013 a Resolution authorizing the Town Council or its designee to designate the assigned portion of all Market Fund Balances for the Town Financial Statements for 2013 and subsequent years as presented. Motion passed (7-0).

OTHER MATTERS

9. Planning Department Update

Chris C. stated that he had submitted his resignation from the Town and his last day will be August 30, 2013.

10. Town Manager's Report

Police Car

The Town of Minturn acquired a 2007 Charger from Avon Fleet maintenance. It's black and white and driven by Chief Brad Lamb. Brad negotiated the deal with the Avon Fleet manager. The base cost was \$3500; we also paid \$300 to have the car painted.

Eagle Street Project

Finishing touches on planning issues and survey staking have been completed on the Eagle Street Project. Some work is expected to start on Monday, July 15, 2013, including mobilization and staging efforts.

LaFarge Acquisition

The LaFarge Concrete acquisition by United Companies, a.k.a. Oldcastle has been cancelled.

Fitness Center

The fitness center progress went to the Town's Planning and Zoning Commission following approval at the School District's Land Resource Committee. Several issues carried over to the P&Z, including enhanced landscaping, roofing reflectivity, and parking. The Town and SSCV continue discussions related to planning, and future construction of Phase 1 of the Human Performance Center/Fitness Center facility.

Camp Hale Meeting

The Camp Hale working group meetings were held in Minturn on July 8, 2013. Two working groups are discussing future plans for Camp Hale by reviewing Camp Hale history, current uses, and future planning efforts. Two committees were formed to discuss water rights issues; and history, culture, land stewardship, and recreational uses. When the committees conclude their efforts, a report will be provided to the USFS to review.

Water Line Break

On Wednesday, July 10, 2013, CGRS, working on Norman Street near Main Street, hit a water line which resulted in water outages for several local properties on Norman Street. A local contractor was called to make the repairs. We are investigating the incident.

New Hires in Public Works

Michael Martinez, from Minturn, has been hired full time and Mike Sellers, from Red Cliff, has been hired part time in Public Works. Both are scheduled to start on July 16, 2013.

Chris Cerimele Announces Resignation

Chris Cerimele, Town Planner, announced his resignation, which will be effective August 30, 2013. He began working for the Town of Minturn in January of 2007. Chris has a list of projects he plans to finish or substantially complete before his departure.

Scholarship Subcommittee

The plaque has been posted on the wall outside classroom #249 at Colorado Mountain College, named in honor of the Town of Minturn' endowment for future scholarships. CMC is requesting some dates we might consider to host a meeting in the new room.. We are working with the college to find a date to celebrate the naming of the room too!

Camp Hale Meeting

The Camp Hale working group meetings were held in Minturn on July 8, 2013. Two working groups are discussing future plans for Camp Hale by reviewing Camp Hale history, current uses, and future planning efforts. Two committees were formed to discuss water rights issues; and history, culture, land stewardship, and recreational uses. When the committees conclude their efforts, a report will be provided to the USFS to review.

Upcoming Events:

- Great job on the Independence Day Celebration and on the first several markets!!!
- The Minturn Market continues Saturdays, 9am-2pm through September 14, 2013.

11. Town Council Comments

Shelley B. stated that on Market days there is open parking within the Town even when it is full in the Railroad area.

Upon request from the Council, Allen C. responded to Mr. Sanders' letter. Allen C. reminded the Council that the issue of ownership of the land between Eagle Street and the Eagle River to include the Eagle Street right-of-way has been resolved on a number of occasions in the past years. The ownership issue has been determined by the state to belong to Minturn. Additionally, over the years, the Town has been to court over the issues several times and each time it has been determined that the Eagle Street and the disputed area of right-of-ways is owned by the Town.

Aggie M. asked regarding the 100 block sidewalks. Chris C. stated the land has been surveyed and studied. As a result it has been found that the street needs to be milled down to a reasonable level before sidewalks are installed. For the Town to install sidewalks now would result in them being significantly higher than the street once CDOT rebuilds Hwy 24/Main St. Therefore, the sidewalk will not be done until CDOT rebuilds the highway. CDOT has stated that Hwy 24 is a priority for reengineering and will be done, hopefully within the next three years or so. It was noted that this is the same issue in the south part of Minturn. If CDOT overlays the road, as opposed to reengineers the road, it will only make things worse for drainage and water flow.

Jerry B. informed the Council that effective August 7 he will be resigning from his Council seat.

Aggie M. updated the Council on the ECO Transit meeting he attended recently.

Shelley B. stated the trail maps are very well done and expressed her gratitude to Michelle M. for her work.

FUTURE AGENDA ITEMS

12. Next Meeting –August 7, 2013

- Work Session – Eagle Street Construction Update - White
- Special Presentations 1st and Main Advisors – White
- Discussion of Consideration of a Leash Law - White
- Nuisance Ordinance discussion - White

13. Future Meeting

- Work Session – Eagle Street Construction Update - White
- Work Session – Continued work on the Town Council Vision Statement - White
- Special Presentation – Water Rate Study – White 8/21/13
- Marijuana Law discussion – White 9/4/13
- Discussion with Xcel Representative – White

14. Set Future Meeting Dates

- a) Council Meetings:
 - August 7, 2013
 - August 21, 2013
 - September 4, 2013

- b) Planning & Zoning Commission Meetings:
 - August 14, 2013
 - September 11, 2013
 - October 9, 2013

15. Other Dates: National Night Out/Tuesday, August 6, 2013

16. Adjournment

Motion by Jerry B., second by Aggie M., to adjourn the meeting at 7:51pm.

Mayor Hawkeye Flaherty

ATTEST:

Town Clerk, Jay Brunvand

Public Record No 1

My name is Frank G Sanders Jr. I am sending this letter to the council to be read to the people. I want the people to know that I am not the bad guy here. The reason I don't go to the council, because they hear but don't listen to their people. The land on the 100 block + 200 block has a document that covers the people on the 100 block as homesteaders, Sig Nelson knew this.

In the 1950's the town of Minturn and the state asked residents of the 100 block to provide a place behind their houses to park. This request was due to problems with plowing and deliveries on main street. So, the 100 block residents brought in railroad ties and filler to build the alley and extend the river bank. This gave us room to park back there and made it easier for the town and the state to plow snow.

The land was extended for parking use only, since they didn't want us to park on main street, parking was for people of the 100 block only. It was not intended for easement for the town of minturn.

Public Record

NO 2

it was maintained by the people of the 100 block for more than 50 years. any response from the town of minturn should be in writing.

I seen the town manager the people who put in new roads july 1, 2013. I told them i wouldn't do it. I warned the town in 2006 when they took the land.

my advice to the town is to talk to the people who was here before jacks map of 1974. From the 100 block to the bone yard and find out why. It's not over till it's over. Have a nice day, more to come if need be.

Frank G Sanders jr

**Town of Minturn
Council Action Item Memo**

TO: Council Members/Staff Members
FROM: Jim White/Town Manager
DATE: August 7, 2013
SUBJECT: Status of Action Items from Town Council Meetings

Action Item	Responsible Party	Progress Report
Minturn Education Fund	White	We are incorporated now as the Minturn Education Fund, having completed the documentation to form the 501(c) 7 corporation. Bylaws are circulated to subcommittee members and a meeting will be set in the next two weeks. Jerry Bumgarner has announced his resignation from Town Council. A new representative to the Scholarship committee is needed. We have had a request to consider another scholarship for one of our past recipients.
Parks and Recreation Master Plan	Cerimele	The Town has curtailed work by Zehren and Associates to complete the design features for Little Beach Park improvements while we are working on land ownership issues. We are making progress with Vail Resorts on the land ownership issue. We have provided Town Council's comments to Vail Resorts.
2012/2013 Goal: Town Street Repairs and Drainage.	White/ Cerimele	The final report was submitted to DOLA by the deadline of June 30, 2013. We have received are awaiting payment of the DOLA portion of the grant. The Eagle Street Project had issues with the survey and had to be redrawn. is planned to start on July 15, 2013. This project is led by TST Engineering and ELAM Construction.
2012/2013 Goal: Continue Sidewalk Installation Program/Improve Plan with Lafarge	White/A. Martinez	We are working with Oldcastle Lafarge representatives and engineers in planning to repair sidewalks on the east side and west side of the 100 block this year, around Town Hall and the Post Office and we are also working with several residents. We were informed by CDOT that we are due a road replacement, probably by 2015 or 2016.
2012/2013 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. Staff will be placing this item on a future agenda would like to further address this project with Town Council in a work session.

Action Item	Responsible Party	Progress Report
2012/2013 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. The Education Foundation of Eagle County is planning a Special Event on August 24, 2013 at Little Beach Park. <u>The Special Event Permit was approved on July 17, 2013.</u>
2012/2013 Goal: Clean Up Parking Area on North Taylor Street	White/Cerimele//A. Martinez	Continue to monitor and remove abandoned vehicles to allow for organized and structured short term parking. UPRR wants to lease a larger portion of the north end of Taylor Street and seek help from the Town in removing encroachments. UPRR will send a draft encroachment letter for staff review. We are still awaiting a letter from UPRR. <u>A request for a telephone conference with UPRR was made. We were asked to submit our issues in writing and subsequently will be sending a letter soon.</u>
2012/2013 Goal: Opportunities & Submittals and scheduling and apply for infrastructure grants/loans	White/Cerimele	Staff to provide periodic updates to Council. Staff completed a Tier 1 DOLA grant for water system improvements.-. We are now working on a GOCO grant application for Little Beach Park improvements (August submittal). We submitted a Weed Mitigation grant proposal in cooperation with Eagle County on February 22, 2013 and were awarded that grant too. Our share is \$6,000 and we will receive \$3,000.
2012 Goal: South Minturn sidewalks	White/Cerimele	We met with CDOT on March 15, 2013 to discuss right of way issues, investigate grant funding opportunities, and begin planning and implementation for future Minturn projects. VSSA may be interested in multi-purpose path between Town and Maloit Park. <u>I have requested a meeting with Martha Miller, CDOT, on site in Minturn to review several issues including rock mitigation, drainage, and crosswalks.</u>
CDOT Hwy 24 Work Project	White	We met with CDOT and were informed that we are due to have an overlay of Highway 24 from Dowd Junction to Maloit Park. This project is slated for 2015 or 2016. We have made arrangements with CDOT to have our crosswalks restriped this summer.
Water Subcommittee	White	The response to the initial request for data has been prepared and provided to the subcommittee. - We reviewed the information with Leroy Cruz from the Colorado Rural Water Association. <u>We are expecting his report within two weeks.(mid-July)-. The Water Subcommittee reviewed the report with Leroy Cruz and he will be present at the August 7, 2013 Town Council Work Session.</u>



THE VOICE OF COLORADO'S CITIES AND TOWNS

1144 Sherman Street, Denver, CO 80203 • (p) 303-831-6411 / 866-578-0936 • (f) 303-860-8175 • www.cml.org

To: CML Member Mayors, Managers, and Clerks
From: Kevin Bommer, Deputy Director
Date: July 19, 2013
Subject: Appointment/Reappointment to CML's 2013-2014 Policy Committee

This memo is being sent to you because it is again time for member municipalities to make appointments to the League's Policy Committee. The Policy Committee is an important part of the policy development process at CML and all members are encouraged to take advantage of the opportunity to be represented. A description of the appointment procedure and the Policy Committee process is below.

COMMITTEE COMPOSITION AND RESPONSIBILITIES

Each member municipality of CML is entitled to designate one representative to the League's Policy Committee. One alternate may also be designated. (Cities over 100,000 population are entitled to designate two representatives and an alternate) In addition, CML Section chairs are automatically appointed as non-voting members of the Committee.

Appointments to the Policy Committee are made each following the CML Annual Conference in June, and members serve for a one-year period. Marc Williams, CML Board President and Arvada mayor, will appoint a committee chair after members name their representatives to the committee.

The Policy Committee has significant policy development responsibilities. The committee is responsible for reviewing legislative and policy proposals and then recommending specific positions to the CML Executive Board. Prior to each annual conference in June, the Policy Committee may also propose to revisions to the League's Policy Statement that guides League positions on policy issues affecting municipalities.

To ensure time for members to prepare and consider recommendations, the committee will meet twice before the end of 2013. In 2014 the committee will be scheduled to meet during the legislative session as well as prior to the annual conference. Meetings are held in Denver, usually from 10:00 a.m. to early afternoon.

MEETING DATES

Confirmed dates for the first two meetings are as follows:

- First meeting at CML – Friday, October 18, 10:00 AM.
- Second meeting at CML – Friday, December 6, 10:00 AM.

The meeting held during the 2014 legislative session will be held in conjunction with our CML Legislative Workshop. Based on member feedback over the past couple of years, we are trying to schedule the workshop on a Thursday so the Policy Committee is on the next day. Based on space

availability for the workshop location, the workshop is tentatively scheduled for Thursday, February 13 and the committee meeting would follow on Friday, February 14.

Regardless, a final meeting may be scheduled for mid-May 2014. All 2014 dates will be confirmed in the near future.

COMMITTEE MEMBERSHIP

A list of the 2012-2013 committee members (as of July 1, 2013) is attached. **Members will carry over, unless CML is provided with the name of a different individual to represent your municipality.** If your municipality is not currently represented but would like a member on the committee, please appoint an official (or two if your municipality is over 100,000 population) who will be willing to take the time and effort to serve. Your representative(s) may be elected, appointed, or an employee. Please e-mail your representative's name, email address, phone number, and title to Dia (dlovato@cml.org) or call Dia by August 16 at (303) 831-6411 or (866) 578-0936.

COMMITTEE PROCESS AND YOUR MUNICIPALITY'S ROLE

Each municipality has the opportunity to propose policy positions or proposed legislation to the full committee for consideration. Your policy committee member should be prepared to present consensus proposals from your municipality and will later be asked to represent your municipality in consideration of the proposals of others. The first step in this process is solicitation of proposals from member municipalities.

Legislative/Policy Position Proposals

Enclosed with this memo is a "Proposal for Legislation or Policy Position" which your municipality may use to submit proposals for specific legislation your municipality (or section) would propose CML initiate or policy positions on specific issues not already specified in the CML 2013-2014 Policy Statement. (The Policy Statement was amended at the CML annual conference and the updated version is online at <http://bit.ly/13-14Policy>) The proposal form may be copied or additional copies can be downloaded at http://bit.ly/pos_req. Following the instructions on the form, please return one form (and any necessary supporting material) for each proposal.

CML's advocacy staff will compile and organize the proposals. In September, CML will distribute the proposals to each committee member for review and discussion within that member's municipality. Committee members should review proposals with their municipality or constituency and be prepared to discuss and debate proposals on behalf of their respective municipality at the October meeting. CML staff may also submit suggested policy and/or legislative items for the committee's consideration.

At the October meeting, members will present proposals and the committee will discuss each proposal and determine an appropriate action. Staff recommendations will be offered on each proposal for the purpose of providing the committee with additional background information. Further action may be required at subsequent committee meetings, depending on the issue and the recommendation.

In December, the committee may be presented with any additional legislative items that staff believes may be introduced during the 2014 legislative session. The committee will be asked to make final position recommendations to the CML Board.

More details about committee responsibilities will be included in the meeting announcement. If you have any questions about the process, please call or email me at kbommer@cml.org, (303) 831-6411 or (866) 578-0936.



PROPOSAL FOR LEGISLATION OR POLICY POSITION

CML member municipalities may use this form to submit proposals for:

1. Specific legislation that your municipality believes CML should sponsor, or;
2. Policy positions on specific issues not already specified in the 2013-2014 CML Policy Statement.

Your appointed member to the CML Policy Committee should be prepared to present the proposal to the committee on behalf of your municipality at the October 2013 meeting. (Should your municipality choose not to appoint a policy committee member but still wish to have a proposal considered, please contact Kevin Bommer at kbommer@cml.org, (303) 831-6411, or (866) 578-0936.

Please use one form for each proposal and include any supporting material, if applicable, following the instructions below. The CML Policy Committee will consider each proposal and make a determination on whether to forward the proposal to the CML Board with a recommendation. Members should be aware that there is no guarantee a proposal will be approved, and both the Policy Committee and the CML Board will have to consider many factors, as well as considerations of the advocacy staff's input, in shaping CML's legislative and policy positions.

Submitted by (name) _____
 On behalf of (municipality or section): _____
 Phone: _____
 Email: _____

Proposal for:
 CML-sponsored legislation
 Policy position on a specific issue*

Topic: _____

Background (For CML-sponsored legislation, please list (1) The change in existing law that is needed, and (2) The specific issue or issues in your municipality that a statutory change would remedy): _____

Recommended position/action: _____

* "Policy position on a specific issue" means establishing a position or policy on an issue that is not already covered by an existing portion of the CML Policy Statement and may refer to specific issues that members would like to see CML support or oppose should they arise in a legislative or regulatory setting.

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: July 31, 2013
Re: Manager’s Report for the August 7, 2013 Town Council Meeting

Eagle Street Project

Revisions to the design and realignment of the storm sewer line resulted in delays on the project. Excessive rain also played a part. The project is back on track now. Survey staking has been completed on the Eagle Street Project. Steve Humann, TST Engineering is monitoring this project for the Town.

LaFarge Acquisition

The LaFarge Concrete acquisition by United Companies, a.k.a. Oldcastle was unexpectedly put back on the table the next day following our last Town Council meeting on July 17, 2013. Subsequently, Oldcastle did formally complete the transaction of LaFarge, effective July 19, 2013. We received an official letter verifying the transaction.

Fitness Center

RFPs were issued July 22, 2013 and a site visit was hosted for contractors on July 24, 2013. The fitness center RFPs were due on Friday August 2, 2013. The Town and SSCV planned review of the RFPs on Monday August 5th and Tuesday, August 6th. We will be discussing this issue further at tonight’s meeting. Earle Bidez and John Rosenfeld have been representing the Town Council on the subcommittee.

Planning Position Advertised

The Town’s Planning position has been advertised and posted on our website. We are working to fill the position prior to the departure of the current Town Planner.

Police Officer Interviews

On Monday, August 5, 2013, we had interviews for two candidates being considered to fill our vacant Police Officer position.

Scholarship Subcommittee

The scholarship committee will be meeting soon to review two more scholarship applications for the 2013 Fall Semester. We will need a new Town Council representative on the committee in September. I am recommending that Jerry Bumgarner remain on the Committee for the review of the two current applicants.

07/31/13

Water Subcommittee

The Water Subcommittee met on Friday, July 26, 2013 with Leroy Cruz, Colorado Rural Water Association. Leroy reviewed his preliminary work and made several recommendations for Town Council consideration. Leroy will be at the meeting tonight to discuss his findings and recommendations.

CGRS/Shop &Hop

During the week of July 29- August 2, 2013, Remington Co was working on Main Street in Minturn continuing remediation efforts by injecting chemicals into the test wells recently installed along Main Street.

Recent Events/Upcoming Events:

The Copper Triangle Bike Ride came through Minturn on Saturday, August 3, 2103. This aid station was orchestrated by the Minturn Community Fund. The Town's Public Works Department helped in picking up and delivery supplies for the Minturn Aid station.

The Minturn Market continues Saturdays, 9am-2pm through September 14, 2013.

Respectfully submitted,
Jim White
Town Manager



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, CLERK/TREASURER/FINANCE**

MEMORANDUM

TO: Jim White, Town Manager
FROM: Jay Brunvand, Treasurer/Clerk
CC:
DATE: Tuesday, July 30, 2013
RE: Discussion regarding Council Appointment

Background:

In light of Council Member Jerry Bumgarner's pending resignation, the Mayor has recommended Option 1 (see below) and supports publication in the newspaper. Due to the pending resignation Council must act to fill the position by appointment within 30 days after such vacancy occurs. Staff recommends Council direct both of the following procedures at the August 7 Council Meeting:

1. Posted the Town Center website and posting boxes with requests for Letters of Interest from qualifying citizens.
2. In addition to #1, Staff would publish in the newspaper.

Vacancies:

Section 4.6 Vacancies.

An elective office shall become vacant whenever any officer is recalled, dies, becomes incapacitated, removes from or becomes a nonresident of the Town, absents himself from meetings of the Council for sixty (60) days, unless excused by resolution thereof, is convicted of a felony or is judicially declared a mental incompetent. In case of vacancy the remaining Council Members shall choose by majority vote, within thirty (30) days after such a vacancy occurs, a duly qualified person to fill the unexpired term so vacant. If more than three vacancies occur simultaneously, the remaining Council Members shall call a special election to fill such vacancies provided there will not be a regular general municipal election within thirty (30) days.

If a councilmember's office is vacated during the first two (2) years of a four-year term, the term of the newly appointed councilmember shall expire at the next regular municipal election, and the qualified electors shall elect a councilmember to complete the final two plus years of that term.

This seat was filled during the April 2012 election so the appointment will carry to the April 2014 regular Municipal Election at which time it will be filled for an initial two year term and then reset back to a four year term during the April 2016 Election.

Candidate Qualifications:

Minturn Town Charter Section 4.3 Qualifications.

No person shall be eligible to be elected or appointed to the office of Mayor or Council Member unless he has been a citizen of the United States for not less than seven (7) years, is at least twenty-five (25) years of age and shall have been a resident of the Town of Minturn not less than two (2) years immediately preceding such election or appointment or in the case of the Mayor, five (5) years immediately preceding such election or appointment. Each elected official shall maintain his residency in the Town throughout his term of office. If an elected official shall move from the Town during his term of office, his seat shall be vacant and such vacancy shall be filled as provided by this Charter. A person who has been convicted of a felony shall not be eligible to become a candidate for a Town office.

Recommended Time Line:

- August 6 J. Bumgarner's effective resignation as of close of meeting
- August 8- Solicit Letters of Interest
August 28
- September 4 Interview and appoint interested applicant

I have attached a recommended Public Notice for posting.

PUBLIC NOTICE

The Town of Minturn Town Council is soliciting letters of interest for appointment to the Town Council.

Letters of Interest are to be submitted to Jay Brunvand, Town Treasurer/Clerk by the end of business on Wednesday August 28, 2013.

During the regularly scheduled Meeting on September 4, 2013 all applicants on file will have 3-5 minutes to introduce themselves to the Council and community with a question and answer forum to follow. At the conclusion of the question period Council will vote, by secret ballot, for the Council Appointment.

GENERAL INFORMATION

Minturn is a Home Rule Town, with a Council-Manager form of government. The Council consists of seven members including the Mayor. Council members receive a salary of \$200 per month and the Mayor receives a \$400 monthly salary plus \$100/\$200 for Special Meetings. The Mayor Pro-Tem is appointed by the Mayor from among the council members subject to approval by the council.

The Council meets regularly on the first and third Wednesday of each month. The work sessions begin at approximately 5:30pm and the Council Meeting follows at 6:30pm

CANDIDATE QUALIFICATIONS

No person shall be eligible to be elected or appointed to the office of Mayor or council member unless he or she has been a citizen of the United States for not less than seven (7) years, is at least twenty-five (25) years of age and shall have been a resident of the Town of Minturn not less than two (2) years immediately preceding such election or appointment or in the case of the Mayor, five (5) years immediately preceding such election or appointment. A person who has been convicted of a felony shall not be eligible to become a candidate for a Town Office.

VACANCY

In the case of vacancy the remaining Council Members shall choose by majority vote, within thirty (30) days after such a vacancy occurs, a duly qualified person to fill the un-expired term so vacant.

If a Councilmember's office is vacated during the first two (2) years of a four-year term, the term of the newly appointed Council Members term shall expire at the next regular municipal election, and the qualified electors shall elect a Councilmember to complete the final two plus years of that term.

In this instance the Council will appoint a qualified candidate for remainder of the first 2-years. The position will stand for election in April 2014 for a 2-year position. The position will then be elected for a for a four- (4) year seat in April 2016.