



2013

# Minturn Council Meeting

Wednesday November 20, 2013

<b>Regular Session:</b> (Town Center)	<b>5:00pm</b>
<b>Executive Session:</b> (Town Center)	<b>5:00pm</b>
<b>Work Session:</b> (Town Center)	<b>6:00pm</b>
<b>Regular Session:</b> (Town Center)	<b>6:30pm</b>

## **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 November 20, 2013**

**Regular Session – 5:00 pm**  
**Executive Session – 5:00 pm**  
**Work Session – 6:00 pm**  
**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  
Aggie Martinez  
John Rosenfeld  
Darell Wegert

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.

### **Regular/Executive Session – 5:00pm**

#### **EXECUTIVE SESSION**

- a) **Executive Session: Pursuant to Section 24-6-402(4)(e) for the purpose of determining positions, developing a strategy and instructing negotiators regarding the development of the Town Managers contract – Flaherty/White**
- a) **Action by Council or Direction to Staff as a result of the Executive Session - White**

**Work Session – 6:00pm**

**Please remember to bring your FY2014 Budget Book**

- Minturn Fitness Center Update and Discussion
- 2014 Budget Review – Brunvand/White
  - Review of Memo – Brunvand
  - Review Budget Ordinances
  - Question/Answer

**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**
  - November 6, 2013
  - Action Item Report
- 4. Public comments on items, which are NOT on the agenda (5 minute time limit per person)**
- 5. Special Presentations**
  - Augustana Care, Senior Care Community – Lisa Pease

**PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS**

- 6. Discussion/Action Item: 2<sup>nd</sup> Public Hearing on proposed fiscal year 2014 Budget – review public funding requests – White/Brunvand**
  - Review of Funding Requests - Brunvand
  - Question/Answer
- 7. Discussion/Action Item: Ordinance 10 – Series 2013 (First Reading) 1<sup>st</sup> Reading An Ordinance Creating a Supplemental Appropriation to the 2013 Town of Minturn Budget – Brunvand (10 min)**
- 8. Discussion/Action Item: Ordinance 11 – Series 2013 (First Reading) 1<sup>st</sup> Reading An Ordinance Setting the 2014 General Property Tax Mill Levy for the Town of Minturn – Brunvand (10 Min)**

9. **Discussion/Action Item: Ordinance 12 – Series 2013 (First Reading) 1<sup>st</sup> Reading An Ordinance Adopting the Fee Schedules for Fiscal Year 2014 for the Town of Minturn – Brunvand (10 Min)**
10. **Discussion/Action Item: Ordinance 13 – Series 2013 (First Reading) 1<sup>st</sup> Reading An Ordinance Adopting and Recognizing the Town of Minturn’s 2014 Revenues and Expenses by Fund – Brunvand (10 Min)**

#### OTHER MATTERS

11. **Planning Department Update**
12. **Town Manager’s Report**
13. **Town Council Comments**

#### FUTURE AGENDA ITEMS

14. **Next Meeting – Dec 4, 2013**
  - Work Session: Eagle Street Construction Update – White
15. **Future Meeting**
  - Work Session – Continued work on the Town Council Vision Statement – White
  - Discussion with Xcel Representative – White
  - Discussion/Action – 2<sup>nd</sup> and Final Reading of proposed 2014 Budget Ordinances – White/Brunvand 12/4/13
16. **Set Future Meeting Dates**
  - a) Council Meetings:
    - December 4, 2013
    - December 18, 2013
    - January 1, 2013 (Discuss alternate date)
  - b) Planning & Zoning Commission Meetings:
    - December 11, 2013
    - January 8, 2014
    - February 12, 2013
17. **Other Dates:**
18. **Adjournment**



TOWN OF MINTURN  
P.O. Box 309 (302 Pine Street)  
Minturn, Colorado 81645-0309  
970-827-5645 Fax: 970-827-5545  
treasurer@minturn.org

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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, November 15, 2013  
RE: Executive Session

At the Council meeting, Council will need to convene in Executive Session to discuss and direct Staff. The following motion is recommended:

*“Recommended motion: “I move To convene in Executive Session pursuant to Section 24-6-402(4)(e) for the purpose of determining positions, developing a strategy and instructing negotiators regarding the development of the Town Managers contract. – Flaherty/White*

The Mayor will announce for the record if any direction is to be given 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

Brad Lamb, Chief of Police  
P.O. Box 309 ♦ 302 Pine Street  
Minturn, CO 81645  
Phone: 970-827-5645  
Fax: 970-827-5545  
blamb@minturn.org



**Town Council**  
Mayor – Gordon “Hawkeye” Flaherty  
Mayor Pro Tem – George Brodin  
Councilwoman – Shelley Bellm  
Councilman – Earle Bidez  
Councilman – Aggie Martinez  
Councilman – John Rosenfeld  
Councilman – Darell Wegert

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## AGENDA ITEM COVER SHEET

<b>AGENDA TITLE:</b> Reallocation of funds
<b>MEETING DATE:</b> Nov 20, 2013
<b>PRESENTER:</b> Brad Lamb
<b>BACKGROUND:</b>  Reallocation of funds from the equipment line item, namely the Taser fund of \$3900.00. I will brief the council on the plan for the use of the funds
<b>CORE ISSUES:</b>
<b>BUDGET/FINANCE IMPLICATIONS:</b>
<b>STAFF RECOMMENDATION:</b>



## **Minutes**

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

**Wednesday November 6, 2013**

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

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

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

**COUNCIL MEMBERS:**

Shelley Bellm  
Earle Bidez  
Aggie Martinez  
John Rosenfeld  
Darell Wegert

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 – 5:00 pm**

**Please remember to bring your FY2014 Budget Book**

- 2014 Budget Review – White/Brunvand
  - Water fees – White
  - Future funding for 2015
  - Question/Answer

## **Regular/Executive Session – 5:30pm**

The Regular Meeting/Executive Session was called to order by Mayor Hawkeye Flaherty at 5:34 pm.

Those present included: Mayor Hawkeye Flaherty, Town Council members, Earle Bidez, John Rosenfeld, Shelley Bellm, Darell Wegert and Aggie Martinez. Note: George B. was excused absent.

Staff present: Town Manager Jim White, Town Planner Janet Hawkinson, and Town Treasurer/Town Clerk Jay Brunvand.

### **EXECUTIVE SESSION**

- a) Executive Session: Pursuant to Section 24-6-402(4)(b) for the purpose of receiving an update from the Town Water Attorney on matters related to water issues and Battle Mountain Resort – White**

Motion by Shelley B. second by John R. to convene in Executive Session Pursuant to Section 24-6-402(4)(b) for the purpose of receiving an update from the Town Water Attorney on matters related to water issues and Battle Mountain Resort. Motion Passed 6-0 Note: George B. was excused, absent from the meeting.

- b) Action by Council or Direction to Staff as a result of the Executive Session - White**

The Executive Session ended at 6:40. Direction from Council:

- Continue to work with the EPA on Bolts Lake
- Continue work on Tucker litigation that is still pending
- Continue with the Water Augmentation plan at Eagle Park Reservoir

## **Regular Session – 6:30 pm**

### **1. Call to Order**

- a. Roll Call

The Regular Meeting was called to order by Mayor Hawkeye Flaherty at 6:40 pm.

Those present included: Mayor Hawkeye Flaherty, Town Council members, Earle Bidez, John Rosenfeld, Shelley Bellm, Darell Wegert and Aggie Martinez. Note: George B. was absent, excused.

Staff present: Town Manager Jim White, Town Planner Janet Hawkinson, and Town Treasurer/Town Clerk Jay Brunvand.

b. Pledge of Allegiance

## **2. Approval of Agenda**

a. Items to be Pulled or Added

Add an Executive Session item to discuss the Town Manager's contract to be added to the Executive Session at the end of the meeting.

add (4)(e)

Motion to approve Shelley B., second Darell W. Motion passed 6-0. Mayor Pro Tem Brodin absent/excused.

## **3. Approval of Minutes and Action Report**

- October 16, 2013

Motion by John R, second by Aggie M., to approve the minutes as presented. Motion passed 5-0 with 1 abstention. All voted in favor. Note: George B. was excused absent. Darell W. abstained as he was absent from the last meeting.

- Action Item Report

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

## **5. Special Presentations**

- Moment of Silence in remembrance of Allen Christensen

# **PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS**

## **6. Discussion/Action Item: Proclamation in support of Colorado Gives Day - White**

Paula Palmateer, introduced the Proclamation as the representative of all those in support of Colorado Gives Day. CGD is a statewide effort county by county which allows people to give online to their favorite charity. On the Tuesday 12/10, those that participate will have their credit card fee waved and will be partially matched by First Bank. Beginning today, donations can be prescheduled to benefit the 34 organizations participating in Eagle County.

Hawkeye read the Colorado Gives Day Proclamation for the record.

Motion by Darell W. second by Shelley B., to approve the Proclamation as presented. Motion passed 6-0. Note: George B. was excused, absent.

**7. Discussion/Action Item: 1st Public Hearing on proposed fiscal year 2014 Budget – review public funding requests – White/Brunvand**

- **Community funding requests – White/Brunvand**
  - **Radio Free Minturn-David Eickholt 105 Williams St**

Radio Free Minturn highlighted their successes for the year and a summary of the organization. RFM is requesting \$1,000.

- **Walking Mountain Science Center-Doug Dusenberry 318 walking Mountains, Avon**

Doug Dusenberry introduced the Walking Mountain program. The center is requesting \$2,000 for 2014.

- **Vail Valley Partnership and Economic Council-Chris Romer 101 Faucet Rd, Avon**

The Partnership and Council is requesting \$5,000 for 2014. Funding will benefit the Economic Regional Development Plan.

- **Eagle County School District-John Widerman, Maloit Park Manager, 1951 S Hwy 24, Minturn**

This request from the Eagle County School District is to assist in mosquito control. The request is \$3,850 in 2014 and the request continues in each of the next five years for a total of potentially up to \$19,250.

Darell W. asked if the chemicals could negatively affect the Town's water treatment plant in the area. Mr. Widerman did not believe it would; however he would double check.

Concern was expressed why Minturn would be the sole provider and felt the other entities in the area should also participate.

- **Minturn Community Fund-Kate Gazunis 291 Main St, Minturn**

The Minturn Community Fund is requesting \$10,000.

- **EC School Dist Transit-Jim Shoun 600 Eagle St, Eagle**

This program is requesting \$1,000 in 2014.

Shelley B. asked if the money rewarded to the program would be used only for Minturn students; this could not be guaranteed.

- **Water Rate Analysis Study and discussion to consider 2014 water rates – White/Brunvand**

Jim W. stated the Water Rate Committee met last week and requested more information from ERWSD. The recommendation is to continue working on the full plan to be finalized in the 1<sup>st</sup> quarter of 2014. The immediate recommendation is to increase the rates 3% for 2014 and then present the full recommendation in early 2014.

Direction from Council is to increase the water rates and the water use rates by 3%

- **Other Funding Questions – White/Brunvand**
- **Question/Answer**

## GENERAL IMPROVEMENT DISTRICT

The General Improvement District Board was called to order at 8:40 pm, those present included

<b><u>Board of Directors</u></b>
Gordon “Hawkeye” Flaherty, Mayor
George Brodin, Mayor Pro Tem
Shelley Bellm
Earle Bidez
Aggie Martinez
John Rosenfeld
Darell Wegert
David Kleinkopf
Sarah J. Baker, Esq.

George Brodin, absent, excused.

### **8. ADMINISTRATIVE MATTERS**

- **Approve Agenda**

Motion by Shelley B., second by Darell W., to approve the General Improvement District agenda as presented. Motion Passed 6-0. Note: George Brodin was excused absent

- **Review and approve minutes from the February 6, 2013 Board Meeting**

Motion by John R., second by Aggie M., to approve the General Improvement District minutes from the 2/6/13) meeting as presented. Motion Passed 5-0. Note: George Brodin was excused absent and Darell Wegert abstained.

## 9. FINANCIAL MATTERS

- **Discuss and consider ratifying appointment of Town Staff to prepare 2014 GID Budget**

**Action Recommended: Motion to Ratify the Appointment**

Motion by John R., second by Aggie M., to appoint the Town of Minturn Staff to prepare the 2014 GID Budget as presented. Motion passed 6-0. Note: George B. was excused absent.

- **Discussion/Action – 2014 General Improvement District Budget: Public Hearing and Board Comments**

**Action Recommended:**

- Open Public Hearing**
- Staff Presentation**
- Public Comment or Testimony**
- Council Comments**
- Close Public Hearing**

- **Discussion/Action – Consider adoption of Resolution No. 2013-11-01 a Resolution to adopt the Fiscal year 2014 Budget**

**Action Recommended: Motion to approve Resolution No. 2013-11-01 a Resolution to adopt the Fiscal year 2014 Budget as presented**

Motion by Shelley B., second by Darell W., to approve Resolution No. 2013-11-01 a Resolution to adopt the Fiscal year 2014 Budget as presented. Motion passed 6-0. Note: George B. was excused absent.

- **Discussion/Action – Consider approve of Resolution No. 2013-11-02 a Resolution to appropriate sums of money for the Fiscal year 2014 Budget**

**Action Recommended: Motion to approve Resolution No. 2013-11-02 a Resolution to appropriate sums of money for the Fiscal year 2014 Budget as presented**

Motion by John R., second by Shelley B., to approve Resolution No. 2013-11-02 a Resolution to appropriate sums of money for the Fiscal year 2014 Budget as amended for a typo . Motion passed 6-0. Note: George B. was excused absent.

- **Discuss/Action – Update of the need to prepare and file the Application for Audit Exemption for the Fiscal Year 2013 General Improvement District.**

**Action Recommended: No action requested**

## 10. OTHER BUSINESS

- Discuss and set meeting dates for 2014:
  - Board Meeting to consider budget approval set for November 5, 2014 6:30pm at the Minturn Town Center, 302 Pine Street, Minturn, CO 81645
    - a. Alternative Date: This item closely follows the State and the Town of Minturn's budget cycle. If an alternative is considered it should be considered as the Board in conjunction with the GID Council.

Motion by Shelley B., second by John R., to set the next GID Board meeting for November 5, 2014 6:30pm at the Minturn Town Center, 302 Pine Street, Minturn, CO 81645. (Note: George B. was excused absent.)

## 11. ADJOURNMENT (as GID and reconvene as Council)

Adjourn as the GID Board at 8:45 pm. Motion passed 6-0. Note: George B. was excused absent.

## OTHER MATTERS

### 12. Planning Department Update

Janet H. updated the Council on:

- Eagle Park Bathroom: \$100k would be a prefab bathroom and it would be less with initial design work being done internally.
- The A-Peak lease lot was moved and upgrades will be done to the area

#### Planning Department - November Identifying Grant Opportunities:

#### **1. CDOT Safe Routes to School - 100% funding - not matching - pay for sidewalks south town and bus stop facilities**

Partners: schools - police department - eco transit - sidewalk contractor - TST Engineering - CDOT Engineers (Mark Rogers) - educational component needs developed with schools - bike shop involvement - bike and pedestrian focus - distribute and develop programs for K-8

Deadline: December 6, 2013 - 4pm

#### **2. TAP - Transportation Alternative Program - \$300,000 for sidewalks - 80% town matches 20% Distributed by CDOT**

Deadline in February - not announced

#### **3. State Historical Fund Grant - History Colorado**

Begin a history park/ guided tour of Minturn History - create signs, historic structures, statues, a trail walk through Eagle Park to Minturn Water Tower -

\$35,000 or less and \$35,001 or more for historic education of rural areas

Deadline: April 1, 2014 - Notification June 1

**4. LiveWell Colorado Grants - multiple grants for community gardens - work with Minturn Community Fund to determine which grants**

Deadline: Most of these grants are due beginning of December, 2013.

**5. GOCO - Get Outdoors Colorado Grant - funding for the 'Boneyard' - to clean up debris, construct trail, fishing area? Erosion protection of Eagle River Bank?**

Partner with Rocky Mountain Youth Corp

Deadline: Fall 2013 have ended - waiting for announcement on Spring deadlines 2014

Other Planning News:

2 more streets address changes identified.

Sign for the Maloitt Park Recreation Center being constructed

Is there funding for Public Restrooms at Eagle Park? Cost: \$45,000.00 on the low end with one bathroom to \$100,000.00 with a pre-fabricated 2 stall bathroom.

Shelley B. noted the Safe Routes to School grants are not applicable because it is to get kids to school and we do not have a local school that would qualify. Janet indicated she would verify.

Aggie M. requested that we consider what we are doing before we do it. As example the A-Peak plant was moved and now looks terrible.

John R. asked that the storage lot next to L&H be reviewed for code violations.

**13. Town Manager's Report**

**To: Mayor Flaherty and Minturn Town Council**  
**From: Jim White, Town Manager**  
**Date: October 31, 2013**  
**Re: Manager's Report for the November 6, 2013 Town Council Meeting**

**Condolences**

The Town of Minturn, and the staff that I represent, express our condolences to the family of Allen Christensen, long time attorney for the Town of Minturn. It is with great sadness that we observe his empty chair tonight. Our thoughts are with his family and friends during their time of mourning and grief.

**Eagle Street Project**

A final "punch list" walk through took place on Thursday, October 31, 2013 with ELAM, TST, and the Town of Minturn all represented. A final report will be prepared for the next Town Council meeting that can be attended by Steve Humann, TST Engineering. We are currently planning to have him report at the November 20, 2013 meeting.

**DOLA Grant Projects**

We have completed the work on the additional isolation valves on the Main Line in Minturn as part of the DOLA grant. The Master Meter Vault construction work began during the week of October 28-November 1, 2013. Both projects are part of this year's DOLA grant.

### **Fitness Center**

Weekly owner architect construction progress meetings continue to move this project forward. Representatives from Viele Construction, RDK Architects, Ski and Snowboard Club Vail, and the Town of Minturn continue to review progress at this weekly meeting.

### **Water Subcommittee**

The Water Subcommittee met again on October 28, 2013 to review the results of the water rate study and to attempt to formulate a recommendation to Town Council for 2014 water rate adjustments. Mayor Pro-Tem George Brodin and Town Councilman Aggie Martinez represent the Town Council on this committee.

### **United Companies**

During the past two weeks, United Companies worked with the Town of Minturn public works department to tear out, form and pour (install) sidewalks around the Town Hall and Post Office building. In addition, we completed three local resident sidewalk projects, two on Main Street and one on Pine Street.

### **Battle Mountain Subcommittee**

The Battle Mountain Subcommittee will meet at 3:30pm on Wednesday, November 6, 2013 prior to the Town Council meeting. Town Councilwoman Shelley Bellm and Town Councilman Earle Bidez represent the Town Council on this committee.

### **Meeting with Vail Valley Foundation**

Michelle Metteer and I had a meeting on Tuesday October 29, 2013 with Michael Imhof of Vail Valley Foundation regarding planning for the 2015 World Ski Championships to be held in Vail and Beaver Creek in February 2015.

### **Minturn Halloween**

Minturn Halloween was safe and a grand success. Despite another multi vehicle accident on Vail Pass again this year on our Halloween night, traffic moved steadily through Town... thanks to the combined efforts of the Town of Minturn Police Department, Public Works, and Eagle River Fire District staff. Despite snow and cold weather, other Town staff handed out candy outside at Town Hall from 4pm till 8pm.

### **Officer Belz**

Officer Tommie Belz resigned effective Saturday November 2, 2103. We appreciate her work here in the Town of Minturn and wish her success in all future endeavors.

One of Tommie's last duties was to serve as Field Training Officer for our new officer, Jason Donfris.

### **Recent Events/Upcoming Events:**

The Store Front Decorating Contest is underway. By November 4, 2013, the judges were asked to cast the ballots for this year's winning entries!

### **Christmas Tree Lighting**

Our annual Christmas Tree Lighting celebration is set for Friday evening, November 15, 2013. We are also tying this into a “Founder’s Day” Celebration as the Town of Minturn was **incorporated on November 15, 1904!**

The Minturn Winter Markets are planned for December 7 and December 14, 2013 from 10am until 2pm.

#### **14. Town Council Comments**

John R. asked if XCEL could be asked to come back to a meeting. Jim W. stated the recent priorities were to have XCEL move the utility pole and complete the Eagle St project. Another invitation will be extended.

Aggie M. asked regarding cleaning up the Town if we had addressed abandoned cars etc. The Police Department is working on this. Aggie M. noted it is pretty bad.

Darell W. stated the Fire Dist. will be properly signing and addressing the fire station as a fire house.

### **EXECUTIVE SESSION**

- a) Executive Session: Pursuant to Section 24-6-402(4)(e) for the purpose of determining positions, develop a strategy and instruct negotiators regarding the process for replacement of the Town Attorney and pursuant to Section 24-6-402(4)(e) for the purpose of determining positions, developing a strategy and instructing negotiators regarding the Town Manager’s contract – White**

Motion by Shelley B. second by John R., to convene in Executive Session Pursuant to Section 24-6-402(4)(e) for the purpose of determining positions, develop a strategy and instruct negotiators regarding the process for replacement of the Town Attorney and pursuant to Section 24-6-402(4)(e) for the purpose of discussing the Town Manager’s Contract. Motion passed 6-0. Note: George B. was excused absent.

- b) Action by Council or Direction to Staff as a result of the Executive Session – White Pursue hiring an interim Town Attorney. No other action taken.**

### **FUTURE AGENDA ITEMS**

#### **15. Next Meeting – November 20, 2013**

- Meeting: Discussion/Action – 2nd Public Hearing on proposed fiscal year 2014 Budget – review public funding requests – White/Brunvand
- Meeting: Discussion/Action – 1<sup>st</sup> reading of proposed 2014 Budget Ordinances – White/Brunvand

#### **16. Future Meeting**

- Work Session – Continued work on the Town Council Vision Statement – White
- Discussion with Xcel Representative – White
- Meeting: Discussion/Action – 2<sup>nd</sup> and Final Reading of proposed 2014 Budget Ordinances – White/Brunvand 12/4/13

### **17. Set Future Meeting Dates**

- a) Council Meetings:
- November 20, 2013
  - December 4, 2013
  - December 18, 2013
- b) Planning & Zoning Commission Meetings:
- November 13, 2013
  - December 11, 2013
  - January 8, 2014

### **18. Other Dates:**

- Office Closed for Veterans Day – November 11, 2013
- Office Closed for Thanks Giving – November 28-29, 2013
- Minturn Holiday Market – December 7 and 14, 2013

### **19. Adjournment**

Motion by Shelley B., second by Earle B., to adjourn the meeting at 10:17 pm.

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Mayor Hawkeye Flaherty

ATTEST:

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Town Clerk, Jay Brunvand

**Town of Minturn  
Council Action Item Memo**

**TO:** Council Members/Staff Members  
**FROM:** Jim White/Town Manager  
**DATE:** November 20, 2013  
**SUBJECT:** Status of Action Items from Town Council Meetings

Action Item	Responsible Party	Progress Report
Parks and Recreation Master Plan 2013 Goal: Submit Grants for Infrastructure	Janet Hawkinson	We reached Vail Resorts <del>by phone again on the land ownership issue, and have finally been able to</del> and met with them. We recommend they attend a Town Council work session <del>.secure a formal meeting.</del> We have provided Town Council's comments to Vail Resorts representatives. <u>They have several requests in exchange for the formalization of land ownership at Little beach park. previously and will reiterate them in the meeting.</u>
2013 Goal: Town Street Repairs and Drainage.	Arnold Martinez	The Eagle Street project is led by TST Engineering and ELAM Construction. A final "punch list" walk through on the project took place on October 31, 2013. A final report <del>will be given at the November 20, 2013 meeting is anticipated soon.</del>
2013 Goal: Continue Sidewalk Installation Program/Improve Plan with Lafarge	Arnold. Martinez	We worked with Oldcastle representatives to complete repairs to sidewalks around Town Hall and the Post Office and we also completed sidewalks for several residents. <del>Steve Fisk, former LaFarge and current Oldcastle manager, was successful in working with new management to secure our working relationship in Minturn.</del>
2013 Goal: Implement Streetscape Plan	Janet Hawkinson	Staff has reviewed previously received 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 to further address this project with Town Council in a work session.
2013 Goal: Strengthen Marketing and Events	Michelle Metteer	Staff is coordinating scheduled co-op advertising opportunities for Minturn business license holders. Special events permits are now required for event planning. <u>Difficulty in getting support from the RR is impeding our efforts to coordinate new events.</u>
2013 Goal: Clean Up Parking Area on North Taylor Street	Chief Lamb/Arnold 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 has sent a letter authorizing the Town to enforce normal violations on RR property.
<b>Action Item</b>	<b>Responsible Party</b>	<b>Progress Report <a href="#">(move to top of page 2)</a></b>
2013 Goal: Opportunities & Submittals and scheduling and apply for infrastructure grants/loans	Jim White/ Janet Hawkinson	Staff to provide periodic updates to Council. Staff completed a Tier 1 DOLA grant for water system improvements. We submitted a Weed Mitigation grant proposal in cooperation with Eagle County on February 22, 2013 and were awarded that grant too. The first quarterly report on the DOLA grant for water infrastructure improvements has been completed. The next quarter grant is now due. <a href="#">We will need and extension to complete the final aspects of the grant .</a>
2013 Goal: South Minturn sidewalks	Jim White/Janet Hawkinson	Town Council wants to add engineering for the south Minturn sidewalks to the 2014 budget expenditures. <a href="#">I have spoken to our DOLA representative and will nmay be able to secure an administrative grant from DOLA for a portion of the costs of the engineering.</a>
CDOT Hwy 24 Work Project 2013 Goal: Street and Drainage Projects	Jim White/Janet Hawkinson	The Mayor and I met with Martha Miller, CDOT, on site in Minturn to review several issues including communication, overlays, and future repairs on Highway 24, rock mitigation, drainage, and crosswalks.
North Minturn Entrance Area 2013 Goal: Street and Drainage Projects	Jim White/Janet Hawkinson	Explore current conditions and develop review process and plan for site improvements. <a href="#">We dDid a</a> windshield tour with new Town planner to point out issues at north entrance to Town.
Minturn Fitness Center 2013 Goal: Submit Grants for Infrastructure	Jim White	Owner Architect Meetings occur weekly to address construction issues and costs for the MFC Project. <a href="#">The water line Utility Easements with the was approved by the School District Board at its November 13, 3013 School District are the current focus area.meeting.</a>



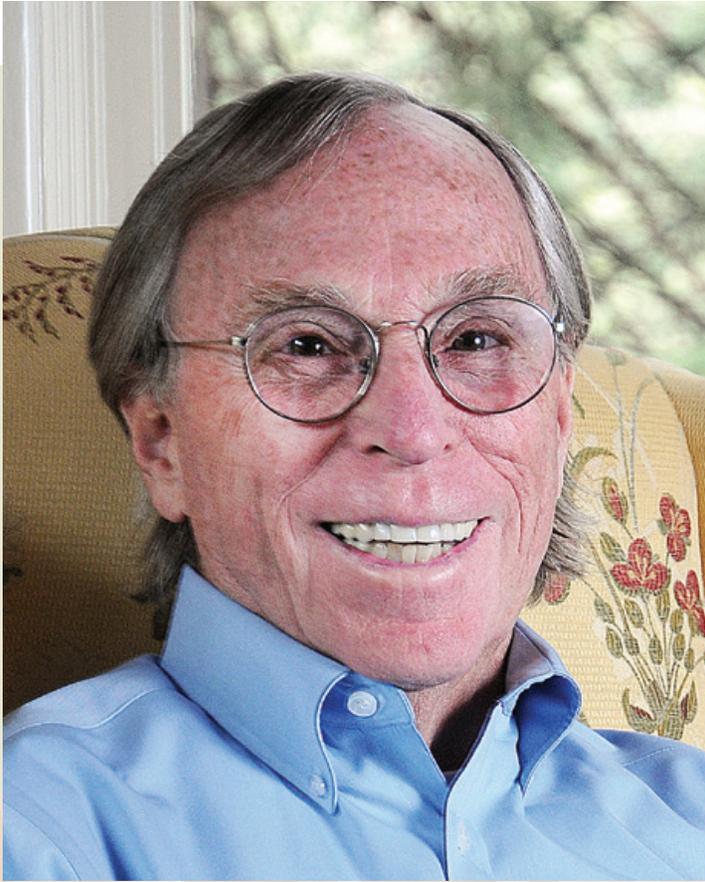
# CastlePeak

SENIOR CARE COMMUNITY

by  AugustanaCare

Making our Community Whole





**I'm proud to join many of you in supporting the Castle Peak Senior Community, which will bring assisted living, skilled nursing care, short-term rehabilitation and memory care to the Vail and Eagle County area. I invite everyone in our community to contribute so we can make this project a reality. This is an investment in something we will all need.**

*—Merv Lapin, Chair of Capital Campaign Committee*

**Eagle County's older adults tend to leave home because they can't find extended care. Those left behind lose the talent and wisdom of older neighbors and the community suffers economically. By joining Augustana Care and Eagle County in supporting this project, you can help those who live here remain here.**

*—Timothy H. Tucker, President/CEO of Augustana Care*





## A Care Community for Eagle County

The experience, generosity and insights of older generations, combined with the enthusiasm of other generations, make our community whole. Yet, most of us know older people who need extra support to stay in our beautiful valley. One day, the same may be said of each of us.

In the past, care was provided by family. But families today are smaller and women—the vast majority of caregivers—often work, so many older adults live alone. The reality is, we need to look beyond family for care and support.

In Eagle County, the number of older adults is increasing rapidly. Between 2010 and 2020, the number of adults aged 75 and older is projected to increase by 222 percent. Currently, older adults in Eagle County must travel long distances to find assisted living, skilled nursing, memory care or transitional rehabilitation services. They have to leave our community at the time they most need its support.

In 2013, Eagle County purchased five acres in Eagle Ranch that, with your help, will become the site of the Castle Peak Senior Care Community. The county chose the respected nonprofit organization Augustana Care to develop and own the care community.

Together with Eagle County, a capital campaign committee of dedicated volunteers and other concerned individuals, Augustana Care has embarked on a \$4.4 million capital campaign to construct and equip the Castle Peak Senior Care Community. The campus will include assisted living rental apartments, skilled nursing, memory care suites and short-term rehabilitation.

Please join us by participating in this effort and providing financial support to this initiative, which is so critical to maintaining the multi-generational fabric of Eagle County.



**A**s a life-long physician in Eagle County, I realize aging brings a variety of challenges. We have an obligation to provide an option for extended care to those who add so much to the fabric of our community. Everyone benefits—those who love—and are loved.

—*Jack Eck, MD*

# Responding to Change

Five critical reasons to invest in the Castle Peak Senior Care Community:

- Eagle County's population of adults 65 and older is predicted to increase faster than any other Colorado county's 65-plus population between 2010 and 2030.
- A recent study shows that nearly 70 percent of people who turned 65 in 2007 will need long-term care at some point; about 20 percent will spend five or more years in long-term care.
- Many baby boomers and others in their 70s and 80s will leave Eagle County if suitable care is not available, resulting in an annual \$43 million loss to the local economy.
- The average 75-year-old suffers from three chronic conditions and takes five prescription medications. While most people want to stay in their homes as they grow older, fewer family members are available to provide care.
- The Alzheimer's Association projects that by 2025, the number of people age 65 and older with Alzheimer's disease is estimated to reach 7 million—a 40-percent increase from those currently affected. Nearly 15 percent of caregivers live an hour or more from loved ones with Alzheimer's. Out-of-pocket expenses for long-distance caregivers are nearly twice as much as local caregivers' expenses.



*Like Vi and Byron Brown, most people prefer to remain in their communities as they grow older.*



*As volunteers, neighbors and grandparents, older adults fill gaps in our communities we would not otherwise be able to address.*

## Closing a Gap to Strengthen our Community

There is a gap between the community's need for assisted living, skilled nursing, memory care and short-term rehabilitation and available services. Addressing this gap will strengthen Eagle County's ability to attract and retain residents of all ages:

- The availability and quality of medical care are among the top reasons people rank a community as a desirable place to live.
- Older adults make our communities better, both from a volunteer standpoint and economically.
- Residents of Eagle County who must travel long distances to find care for themselves or loved ones experience greater stress than those who live in an area where care is readily available.
- The Castle Peak Senior Care Community is projected to create 100 jobs during construction and 65 permanent jobs when operating.
- The financial structure of the Castle Peak Senior Care Community will allow it to be self-sustaining.

***The availability and quality of medical care are among the top reasons people rank a community as desirable.***



**Augustana Care brings more than a century of proven experience to our valley. Eagle County brings land and other resources needed to get Castle Peak Senior Care Community built with manageable debt. Our public-private partnership has all the components for success. Together, we can make this project happen.**

*—Sara Fisher,  
Eagle County Commissioner*

**Since my sister in Minnesota moved to Augustana Care’s Feeney Manor, she is getting exactly the kind of care she should be getting. I think Augustana Care’s experience with older generations and others will serve us well in Eagle County. We’re all getting older and it is good to know Augustana Care will be here if we need care.**

*—Mary Pownall*



*Augustana Care helps connect residents to the people and things that mean the most to them.*



## Augustana Care: Experience and Expertise

With a history that spans 115 years, Augustana Care is dedicated to helping older adults live life to the fullest. A non-profit organization responsible for 23 care communities in Minnesota and Colorado, Augustana Care is an acknowledged leader in providing responsive programs and services to older generations.

- Augustana Care's culture of person-centered care is provided in settings that offer the comforts of home. Castle Peak Senior Care Community will have self-contained "neighborhoods" that offer private housing to every resident.
- Augustana Care values older generations' talents and experience, and focuses on providing the care residents need—when and where they need it.
- Augustana Care connects residents to the people and things that mean the most to them.
- Augustana Care's leaders strive for a future where more people age in place through community-based services such as adult day programs, more people return to independent lifestyles through medical care and therapy, and residents experience fewer re-hospitalizations.

**The Castle Peak Senior Care Community is projected to create 100 jobs during construction and 65 permanent jobs when operating.**





## Castle Peak Senior Care Community At a Glance

- The care community will be designed to serve people at all economic levels.
- When fully occupied, it is expected to serve more than 110 people annually.
- Castle Peak Senior Care Community will be located on a five-acre site at the intersection of Capital Street and Sylvan Lake Road in Eagle Ranch, selected for its lower altitude, more moderate climate, lower cost and easy walking distance to local amenities. The care community will have the capacity to expand if demand for services increases.
- The 62,000-square-foot complex will include the following:
  - 20 assisted living rental apartments
  - 22 skilled nursing private units
  - 12 memory care private suites
  - 10 transitional care private suites
- The campus will include the following amenities:
  - Common dining areas
  - Multi-use activity spaces
  - Gym
  - Therapy rooms
  - Lounge areas
- Construction costs are estimated at \$240 per square foot.
- Outdoor areas surrounding the Castle Peak Senior Care Community will include the following:
  - Large semi-circular terrace area
  - Garden areas including a medicinal healing garden
  - Multiple partially shaded patios and courtyards
  - Rooftop terrace with planting areas for memory care residents
  - Courtyard areas and walkways
  - Park area with a three-hole putting green

# Making our Community Whole: The Capital Campaign for Castle Peak Senior Care Community

## CAMPAIGN GIFT TABLE

Gift Range \$	# of Gifts Required	\$ Per Range	Cumulative % of Goal	Cumulative \$
<b>Lead Gifts</b>				
\$1,000,000	1	\$1,000,000	23%	\$1,000,000
500,000	1	500,000	34%	1,500,000
250,000	3	750,000	51%	2,250,000
100,000	7	700,000	67%	2,950,000
<b>Major Gifts</b>				
\$50,000	5	250,000	73%	3,200,000
25,000	14	350,000	81%	3,550,000
15,000	10	150,000	84%	3,700,000
10,000	25	250,000	90%	3,950,000
<b>Community Gifts</b>				
\$5,000	20	100,000	92%	4,050,000
2,500	30	75,000	94%	4,125,000
Under 2,500	Many	275,000	100%	4,400,000

Your gift will help build the Castle Peak Senior Care Community. Gifts to the capital campaign are tax deductible to the extent allowed by the Internal Revenue Service. Project costs and funding sources are listed below.

### Project Costs:

\$15,100,000	Construction costs
2,600,000	Architecture, design and entitlement
1,645,000	Land*
1,500,000	Reserves and contingency
1,400,000	Furniture, fixtures and equipment
800,000	Financing and structure
400,000	Marketing and pre-opening

**Total Cost: \$23,445,000**

### Project Funding:

\$12,000,000	Long-term conventional debt
4,400,000	Eagle County loan (subordinated debt)
1,645,000	Eagle County land purchase*
1,000,000	Augustana Loan (subordinated debt)
<b>4,400,000</b>	<b>Capital Campaign goal</b>

**Total Funding: \$23,445,000**

\*Land is owned by Eagle County and will be leased to Augustana Care for \$1 per year.

# Donor Recognition and Naming Opportunities



Donors of \$25,000 or more to the Castle Peak Senior Care Community campaign may commemorate their gifts through named gift opportunities.

<b>Naming Site</b>	<b># Available</b>	<b>Naming Amount</b>
Skilled nursing building	1	\$1,000,000
Assisted living building	1	\$500,000
Memory care household, transitional care household and assisted living dining area	3	\$250,000
Dining/activity terrace and two skilled nursing kitchen/dining/living households	3	\$100,000
Multi-use activity room, gym, assisted living kitchen, club room	4	\$100,000
Activities/craft room, lobby, roof terrace, north courtyard, putting green	5	\$50,000
Outdoor garden areas	2	\$25,000
Lounge areas, conference room, staff lounges	6	\$25,000
Patios	4	\$25,000
Family dining room, library/business center	2	\$25,000

Donors of \$10,000 or more will be recognized on a donor recognition plaque at the Castle Peak Senior Care Community.

# Castle Peak Senior Care Community Capital Campaign

## DONOR PLEDGE FORM

Donor Name(s) \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ E-mail \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

I would like to make a one-time gift of \$ \_\_\_\_\_.

My check is enclosed, made payable to Augustana Care.

Please charge my credit card: \_\_\_ Visa \_\_\_ MC \_\_\_ AmEx \_\_\_ Diner's Club

# \_\_\_\_\_ Expiration Date \_\_\_\_\_

Signed \_\_\_\_\_

I pledge a gift of \$ \_\_\_\_\_, payable on or before \_\_\_\_\_

*Payment Schedule* \_\_\_\_\_

*(Payment dates – pledge payments may extend over a three- to five-year period.)*

My employer participates in a matching gift program. Name of employer \_\_\_\_\_

I would like my donation to be anonymous.

(Optional) My donation is in memory/in honor (circle one) of \_\_\_\_\_

Please send an acknowledgment to the following:

Name \_\_\_\_\_

Address \_\_\_\_\_

Please return to Augustana Care/Castle Peak Senior Care Community, PO Box 2127, Edwards, CO 81632

***Thank you!***



## Capital Campaign Committee

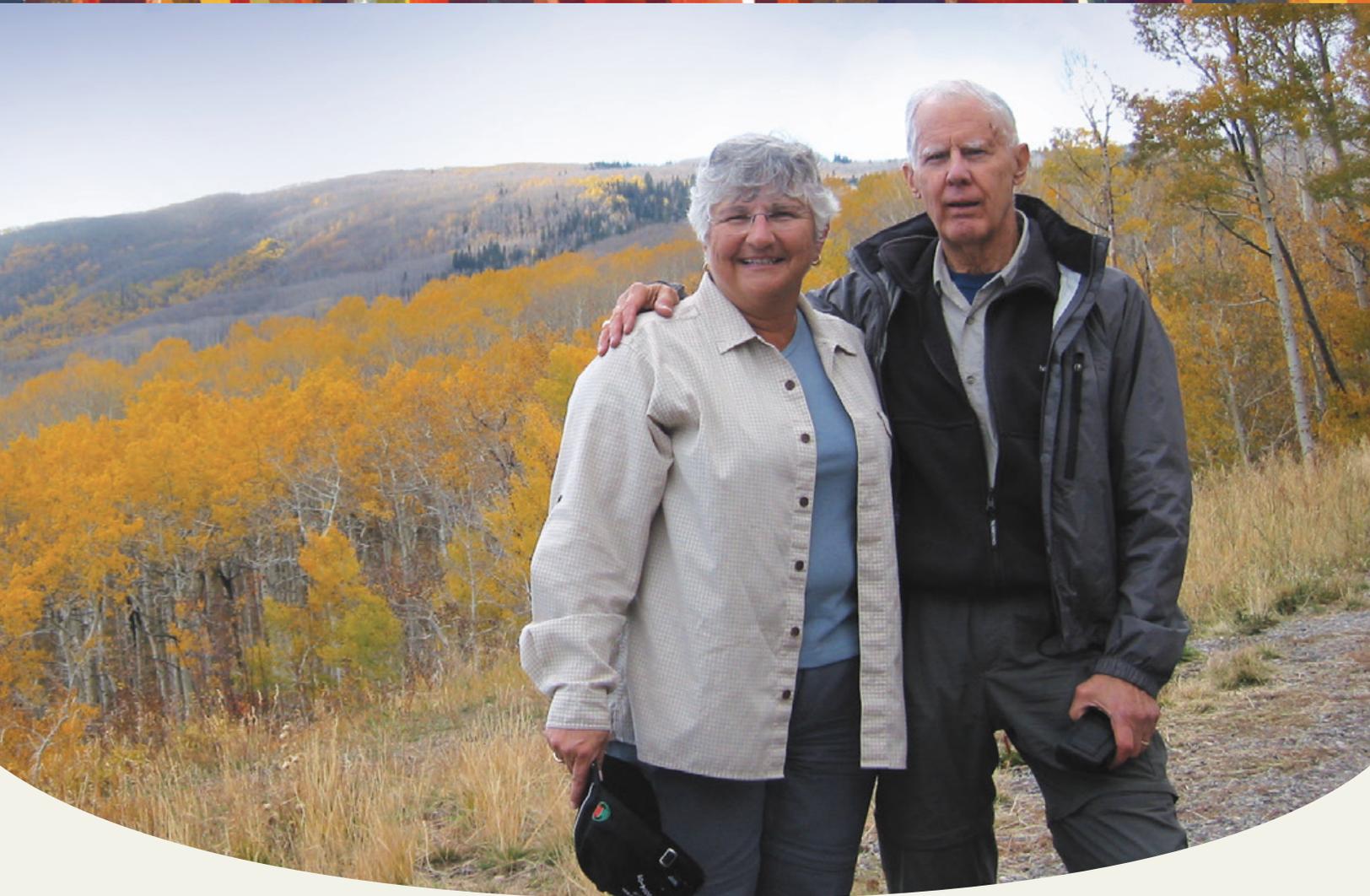
Merv Lapin, Chair  
Susie Davis  
Doris Dewton  
Kaye Ferry  
Louise Funk  
Dan Godec  
Deb Luginbuhl  
Melissa MacDonald  
Jerry Sibley  
Pam Smith  
Rick Smith  
Jon Stavney

### Augustana Care:

Timothy H. Tucker, President and CEO  
Kay Gudmestad, Vice President, Fund Development  
Lisa M. Pease, Director of Development, Colorado

### Assisted by Eagle County:

Kathy Chandler-Henry, Commissioner  
Sara Fisher, Commissioner  
Jill Ryan, Commissioner  
Jill Klosterman, Director of Housing  
Tori Franks, Housing Specialist



**T**here's a sadness in watching people leave because there isn't a place to care for their needs or their spouses' needs. We need to affirm our seniors' life experience and the many ongoing contributions they offer. They've been very active in their community and devoted volunteers. Their friends, and sometimes their families, are here. We need to keep them in our community.

*—Doris Dewton and her husband, Richard Gretz*

For more information, contact Lisa Pease  
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Castle Peak Senior Care Community is a project of Augustana Care, a 501(c)(3) non-profit organization.

# Castle Peak Senior Care Community

## Capital Campaign Proposal

The Town of Minturn, November 20, 2013



## **Castle Peak Senior Care Community:**

Castle Peak Senior Care Community (CPSCC) is a 64-unit skilled nursing and assisted living facility that will be located in Eagle, Colorado. Castle Peak will be the first project of its kind in Eagle County and will serve all income levels. The project will include: 20 assisted living apartments, 22 private skilled nursing units, 10 private rehabilitation suites and 12 private memory care suites. While the focus at CPSCC is on senior care, the skilled nursing, rehabilitation care and memory care units may serve people of all ages.

## **History and Project Progress:**

In 2009, the Eagle County Commissioners sat down to discuss the greatest opportunities and challenges facing Eagle County. A topic that easily fit both categories was the lack of senior care services. In 2010, with the full understanding that Eagle County Government did not have the expertise to own or operate a senior living facility, it released a Request for proposal for a senior living developer/operator partner. Eagle County chose Augustana Care as a development partner and owner/operator of CPSCC through a rigorous community interview process in August of 2010. Since then, Eagle County and Augustana Care have been working together to develop the Castle Peak Senior Care Community. Much of the pre-development work (financial and market analysis, site selection, initial building design) took place in 2010 through 2012. So far in 2013, the Castle Peak project has made a lot of progress:

- In February 2013 the project received unanimous approvals for the required zoning changes from the Eagle Town Board.
- In April 2013, Eagle County Housing and Development Authority closed on the purchase of the land for the project. See the attached site plans.
- In July 2013, the Capital Campaign officially launched.
- In September 30, 2013, Augustana Care received approval of its loan application from USDA Rural Development Community Facilities Loan program for the \$12 million long-term debt for the project.
- In November 2013, the Eagle County Commissioners approved the donation of the 3-acre parcel of land for Phase 1 valued at \$988,000 for the development of CPSCC.

## **Augustana Care:**

Augustana Care, a nonprofit 501(c)(3) organization, will own and operate the Castle Peak Senior Care Community. Augustana Care's mission is to foster fullness of life for older adults and others in need through housing, health care and community-based services. Augustana Care has over 100 years of experience, owns and/or manages 23 properties in Minnesota and Colorado, and provides care to an estimated 3,000 individuals daily. Augustana Care is dedicated to helping those served to live the lives that most inspire them. Priorities are to value older generations' talents and experience; provide the care residents need, when and where they need it; and to connect residents to the people and things that mean the most to them.

**Need and Benefits:**

Older adults are the fastest growing segment of Eagle County’s population. Eagle County’s 65+ and 75+ populations are forecasted to grow by 158.6% and 221.7% respectively, in the current decade, 2010-2020.

*Eagle County Population Growth:*

	2000	2010	% Increase	2010	2020	% Increase
All ages	43,290	52,064	20.3%	52,064	68,350	31.3%
65+	1,298	3,005	131.5%	3,005	7,772	158.6%
75+	389	738	89.7%	738	2,374	221.7%

Currently, no skilled nursing or assisted living facilities exist in Eagle County. Many of our fellow community members, are forced to move out of the county to obtain the care they require. The effects of losing our older residents are felt deeply by the friends, family and communities they leave behind. With Minturn’s 65 and older population comprising 3% of this segment of the population in Eagle County and 8% of the town itself (2010 census), clearly these services will be needed and utilized by Minturn residents in the coming years.

Recent research from the CSU Economics Department shows the estimated annual cost of seniors leaving Eagle County due to a lack of housing and health care options at \$43 million. It is projected that Castle Peak will serve, on average, 110 people annually, create 100 jobs during construction and 65 permanent jobs when operating.

While the need for a facility like Castle Peak is easy to see, in order to ensure a successful project, Augustana Care will only be building to 53% of the total demand. Below is a chart comparing the forecasted 2014 market demand for a skilled nursing and assisted living facility to what is planned for phase one of the Castle Peak Project. The land, in Eagle Ranch, where the project will be located, can accommodate a “Phase 2.” Phase 2 is not planned and will depend on market demand, but the current design of the building will allow for an expansion of both the assisted living and skilled nursing wings along with the potential addition of independent living apartments.

	2014 Demand	Castle Peak Plan
Skilled Nursing Units	74	44
Assisted Living Units	46	20
Total	120	64

**Financial Structure and Analysis:**

Below are the basic costs of construction of the Castle Peak Senior Care Community. Also see the attached Castle Peak Senior Care Community Development Budget.

Total Cost of Project	\$21,824,000
USDA Rural Development Loan	\$12,024,000
Eagle County Loan (subordinate to USDA loan)	\$4,400,000
Augustana Care Loan (subordinate to USDA loan)	\$1,000,000
<b>Funding Gap (private philanthropy, grants, fee waivers, etc.)</b>	<b>\$4,400,000</b>

**USDA Loan:**

The financing of CPSCC is structured to allow the project to be self-sustaining when 90% occupancy is achieved; *no additional future operational subsidies are contemplated*. The project’s conventional debt is a \$12,024,000 loan from the USDA RD Community Facilities Loan Program. When the project received loan approval from USDA RD, it was able to lock in a 3.5% interest rate over a 40-year term. The below market interest rate and favorable loan terms play a large role in allowing the project to achieve sustainability.

Augustana Care received final loan approval September 30, 2013. The \$12,024,000 loan requires a 1.25 Debt Service Coverage Ratio (DSCR). For every dollar borrowed the project must have \$1.25 to repay the debt. The project achieves 1.25 DSCR between years 5 and 6. See the attached 10-Year Proforma. Additionally, one of the conditions of the loan approval is that Augustana Care provides a 5-year operating guarantee to the project to cover any cash flow shortages.

Augustana Care and Eagle County are contributing a combined \$5.4 million in subordinate debt. The subordinate loans will both have 55-year terms and will carry a 2% simple interest rate. The loans will only begin to receive repayments after the project is open and operating successfully and maintains a 1.25x debt service coverage ratio on the USDA loan. After this minimum DSCR is achieved, 30% of the remaining cash flow will remain at the project in reserves and other project funds, and the remaining 70% of the cash flow will be split between Eagle County and Augustana Care. Currently, it is anticipated that Eagle County and Augustana Care will receive their first debt payments in 2022 with a full repayment of the loan in 2070.

The chart below shows the required cash the project must generate to pay the USDA loan and maintain the required DSCR for a loan of \$12,024,000 and a loan of 16,424,000. With a loan of

\$12,024,000, the project just breaks even when it reaches revenue/lease up stabilization. With a loan of \$16,424,000 (\$12,024,000 + \$4,400,000) the project would need \$251,326 in additional cash on an annual basis to cover this loan payment and required DSCR. This would translate into an increase in rents of \$850 per month per resident in all of the market rate units, which would potentially send rental rates beyond what the market will support. In the pre-development phase, it became clear to the project team that increasing the conventional debt to cover the funding gap was not a viable option.

	Current Loan	Loan with Fundraising Gap
Loan Amount	\$12,024,000	\$16,424,000
Interest Rate	3.50%	3.50%
Amortization Period (years)	40	40
Annual Loan Payment	\$558,959	\$763,501
Minimum Debt Service Coverage Ratio (DSCR)	1.25	1.25
Required Cash Available to meet DSCR	\$698,698	\$954,376
Castle Peak Stabilized Cash Available	\$703,049	\$703,049
Annual Excess (Shortfall) in Cash Available	\$4,351	\$(251,326)

**Project Affordability:**

Augustana Care and Eagle County are committed to bringing a senior living project to the county that will serve residents of all income levels. Castle Peak will provide both Medicaid and Medicare units in the skilled nursing wing. The skilled nursing units comprise approximately 70% of the total units, with the assisted living units comprising the remaining 30%. The State of Colorado sets the rate the project can charge a skilled nursing Medicaid resident and the federal government determines the price the project can charge a skilled nursing Medicare resident. Additionally, private insurance sets the rates it will pay for Medicaid and Medicare residents. Castle Peak is budgeting for the highest allowable rates for these payer sources.

Market and focus group research has determined what the pricing should be for the private pay assisted living units and the skilled nursing units. The research shows Eagle County residents would pay up to 20% more in rent than comparable Front Range care communities to live in a facility locally. If local rental rates were to climb beyond 20% above the Front Range comparables, Eagle County residents would most likely choose to move rather than pay the increased local rates. The project has budgeted for rental rates (both private pay and Medicaid/Medicare) that are within our market’s acceptable range. Increasing the rents beyond the acceptable range would price the lower income residents out, which would result in an entirely private pay facility.

### **Augustana Care and Eagle County contributions:**

Augustana Care is investing \$1,000,000 in cash to the project. Eagle County is investing \$4,400,000 in cash to the project; these cash contributions have been approved through the USDA RD loan application and will be treated as subordinate debt. When the project is operational, Eagle County's only involvement will be as a subordinate lender. Having the loan in place, will allow Eagle County recourse if the project encounters financial difficulty or Augustana Care were to want to use the facility as anything other than a senior living/healthcare facility. Eagle County Housing and Development Authority purchased 5 acres of land for the project in April 2013 for \$1,645,000. On November 12, 2013, Eagle County donated approximately 3 acres of the land upon which "Phase 1" of the care community will be constructed. The value of this donation is \$988,000. This amount is not included in the subordinate debt and will not be repaid by CPSCC to Eagle County. All of the funds Eagle County is contributing to the project are a result of the refinance of the debt on Lake Creek Village Apartments, a property owned by Eagle County.

Additionally, Augustana Care and Eagle County have been covering employee salaries for work on this project since 2010. Each organization's salary contributions are estimated at well in excess of \$200,000. Neither Augustana Care nor Eagle County will be collecting a developer fee, an estimated savings to the project in excess of \$1,000,000. As stated above, as a condition of the USDA RD loan approval Augustana Care will be guaranteeing the project's cash flow for the first 5 years of operation.

### **The Capital Campaign:**

As explained above, the costs of building the Castle Peak Senior Care Community are more than Eagle County and Augustana Care can contribute. The project cannot support additional conventional debt without severely affecting the affordability to the residents. In July 2013, Augustana Care officially launched a, one-time, \$4.4 million dollar capital campaign to raise the remaining funds needed to make Castle Peak a reality. Augustana Care hired Lisa Pease, a resident of Eagle County, to manage the capital campaign. Lisa is supported by a group of Eagle County volunteers, who have made personal contributions to the capital campaign. Merv Lapin and Dr. Tom Steinberg, both long-time Vail residents, serve as the campaign's chairman and honorary chairman, respectively. As of November 13, 2013 the campaign has raised (in cash and pledges) \$1,767,587 40.17% of the total goal. This amount includes commitments from the Towns of Eagle, Gypsum and Avon.

### **The Town of Minturn:**

Augustana Care respectfully requests that the Town of Minturn contribute \$25,000 to \$50,000 towards the capital campaign and help make our community whole by making the Castle Peak Senior Care Community a reality. The capital campaign can accept pledges with payment terms over a three-year period. The capital campaign must raise 75-85% (\$3,300,000-\$3,740,000) of the campaign goal in order to break ground on the construction of the building. The goal for ground breaking is late spring/early summer 2014.

The Towns of Gypsum, Avon, and Vail have received capital campaign requests for donations of \$200,000 each. On November 12<sup>th</sup>, the Town of Gypsum approved a \$200,000 donation to be paid over a three year period, and the Town of Avon approved the addition of \$50,000 to be added to their 2014 budget with further discussion of the future donations to bring the total to the \$200,000 requested to occur on November 26<sup>th</sup>. The Town of Vail is hearing our request at its meeting of November 19<sup>th</sup>. The Town of Eagle was the first town the capital campaign approached. The Town of Eagle has pledged a total contribution package of \$600,000. Eagle will contribute \$155,000 over 3 years and has agreed to waive building and development fees up to \$45,000 for a total cash contribution of \$200,000. The remaining \$400,000 of Eagle's contribution is in the form of water tap fee re-calculations. The capital campaign committee is soliciting contributions from all the municipalities, unincorporated metro districts (if allowable), local businesses, foundations and individuals.

The availability and quality of medical care are among the top reasons people rank a community as a desirable place to live. While not yet assessed and quantified, it is believed that having a complete spectrum of services will allow our older population to more freely commit their time and financial resources to their community in Eagle County knowing they will have a choice to stay here if they so desire. Additionally the development of Castle Peak will provide Minturn residents the option of relocating a loved one in need of care to Eagle County. This will prevent current residents from having to make the difficult decision to leave the community to care for a loved one elsewhere.

By filling the gap in housing and health care for seniors, the services at the Castle Peak Senior Care Community will complement the medical industry in our county. Augustana Care has a history of leadership by sharing best practices with a variety of community partners and service providers. Potential collaborations include and are not limited to, inter-generational programming with the schools, utilization of local hospice services, working with the county to enhance transportation and day programs, and the potential establishment of internships with students pursuing healthcare degrees at Colorado Mountain College. All of these partnerships will potentially benefit the residents of Minturn. Augustana Care will continue to leverage new technologies and innovative practices to best serve the needs of our aging population throughout Eagle County.

Medicaid, Medicare and USDA RD loan regulations all prohibit Castle Peak from providing waitlist preference to Eagle County residents or reserving units in exchange for capital campaign donations, at any level. In Augustana Care's experience, all of the residents that reside in skilled nursing or assisted living communities choose this type of living environment because they need care and/or services. Augustana Care's waiting lists are developed based on people's need for services and care. At Augustana Care's assisted living community, Elk Run, in Evergreen, Colorado, 80% of the residents come from the Evergreen community. The other 20% of the residents move to Elk Run to be closer to a family member that lives in Evergreen. This pattern holds true based on our experience at the Golden Eagle senior housing where 48 out of 50 units are currently occupied by Eagle County residents or those that have moved to Eagle County to live close to adult children who reside here. Elk Run experiences a 50% annual

turnover rate. It is anticipated that Castle Peak will experience similar lease-up and turnover patterns allowing Minturn residents who need additional care and services the option to move to Castle Peak and remain close to friends, family and community.

Minturn has long been recognized as one of the hubs in the valley for senior activities and care. This will only be enhanced by the presence of the Castle Peak Senior Care Community. Thank you for this opportunity and for your consideration of this proposal.

Respectfully Submitted,

*Castle Peak Senior Care Community Capital Campaign Committee and  
Honorary Council*

**Capital Campaign Committee:**

Merv Lapin – Chair  
Susie Davis  
Doris Dewton  
Dan Godec  
Peter Feistmann  
Kaye Ferry  
Louise Funk  
Topper Hagerman  
Deb Luginbuhl  
Melissa MacDonald  
Pam Smith  
Rick Smith  
Jon Stavney

**Capital Campaign Committee Honorary Council:**

Dr. Tom Steinberg - Chair  
Dr. Bill and Martha Bevan  
Dr. Kent and Martha Petrie  
Martha Head and Dr. John Feagin  
Dr. Jon Feeney  
Dr. William Foutz  
Dr. Phil Freedman  
John and Linda Galvin  
Renee and Dave Gorsuch  
Paul Gotthelf  
Sheika and Pepi Gramshammer  
R.A. "Chupa" Nelson  
Monica and Buz Reynolds

**Staff Support:**

Lisa Pease, Director of Development, Colorado  
Kay Gudmestad, Vice President of Fund Development  
Tori Franks, Eagle County Housing Department

# Site Plan



# Site Plan – Phase I



**Castle Peak Senior Care Community**  
**SUBJECT TO CHANGE**

DEVELOPMENT USES	Total
Construction	\$ 13,253,335.00
Construction Contingency	\$ 925,322.00
Fees and Insurance	\$ 858,551.00
Furniture and Fixtures	\$ 1,379,700.00
<b>Total Construction Cost</b>	<b>\$ 16,416,908.00</b>
Architect and Engineering	\$ 1,235,000.00
Land Planning	\$ 127,855.00
Estimating	\$ 33,500.00
Fees and Permits	\$ 1,066,567.00
Tests and Studies	\$ 125,484.00
<b>Total Entitlement Costs</b>	<b>\$ 2,588,406.00</b>
Fundraising Consultant and Materials	\$ 300,000.00
Debt Issuance Fees	\$ 211,000.00
Legal Fees	\$ 255,000.00
Developer Fee	\$ -
<b>Total Financing and Structure Costs</b>	<b>\$ 810,000.00</b>
Salaries	\$ 150,000.00
Marketing Materials	\$ 150,000.00
Preopening Events	\$ 85,000.00
<b>Total Marketing and Preopening Costs</b>	<b>\$ 385,000.00</b>
Owner's Contingency	\$ 229,000.00
Debt Service Reserve	\$ 600,000.00
Lease-up Reserve	\$ 500,000.00
Operating Reserve	\$ 292,000.00
<b>Total Contingency</b>	<b>\$ 1,621,000.00</b>
<b>TOTAL PROJECT COSTS</b>	<b>\$ 21,821,314.00</b>

DEVELOPMENT SOURCES	Total
Long Term Conventional Debt (USDA RD)	\$ 12,024,000.00
Fundraising Need (Gap)	\$ 4,397,314.00
Eagle County Contribution (not including land cost)	\$ 4,400,000.00
Augustana Contribution	\$ 1,000,000.00
<b>TOTAL SOURCES OF FUNDS</b>	<b>\$ 21,821,314.00</b>

**Castle Peak Senior Care Community  
10 Year Pro Forma**

Revenue	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Nursing Facilities	\$2,125,348	\$4,774,247	\$5,527,009	\$5,672,271	\$5,821,780	\$5,976,378	\$6,136,068	\$6,301,225	\$6,471,994	\$6,648,584
Contributions	0	0	0	0	0	0	0	0	0	0
Other Revenue	0	0	0	0	0	0	0	0	0	0
<b>Total Revenue</b>	<b>\$2,125,348</b>	<b>\$4,774,247</b>	<b>\$5,527,009</b>	<b>\$5,672,271</b>	<b>\$5,821,780</b>	<b>\$5,976,378</b>	<b>\$6,136,068</b>	<b>\$6,301,225</b>	<b>\$6,471,994</b>	<b>\$6,648,584</b>
<b>Expense</b>										
Nursing	\$907,470	\$1,918,219	\$2,280,800	\$2,337,400	\$2,395,835	\$2,455,770	\$2,517,124	\$2,580,082	\$2,644,553	\$2,710,887
Medical Records	32,816	33,606	34,448	35,035	35,911	36,838	38,283	39,814	41,806	43,888
Social Services	122,067	126,414	129,223	132,419	135,729	139,841	144,894	150,482	157,254	165,117
Therapeutic Programs	88,557	105,676	109,119	111,199	113,979	117,349	121,508	126,368	132,055	138,657
Dietary	244,384	500,369	568,440	606,300	624,489	643,233	662,520	682,398	702,867	723,953
Housekeeping	74,899	143,901	169,468	172,756	176,211	179,755	183,330	186,986	190,736	194,551
Maintenance	344,817	419,000	443,444	456,152	468,697	481,656	494,829	508,437	522,419	536,786
Laundry	18,066	52,656	63,889	65,065	66,692	68,653	71,097	73,941	77,268	81,131
Administration	618,383	734,752	769,865	777,281	785,054	792,994	800,833	808,841	816,930	825,099
Ancillaries	115,766	245,453	300,002	308,424	316,135	324,068	332,139	340,443	348,954	357,678
Depreciation	715,506	715,986	716,581	717,175	717,769	718,356	719,735	721,015	722,729	725,186
Amortization	7,143	7,143	7,143	7,143	7,143	7,143	7,143	7,143	7,143	7,143
Interest	420,849	420,849	418,392	412,908	407,229	401,338	395,258	388,951	382,420	375,657
Other	0	0	0	0	0	0	0	0	0	0
<b>Total Expense</b>	<b>\$3,720,324</b>	<b>\$5,422,028</b>	<b>\$6,037,124</b>	<b>\$6,136,257</b>	<b>\$6,250,872</b>	<b>\$6,367,115</b>	<b>\$6,488,483</b>	<b>\$6,614,879</b>	<b>\$6,746,934</b>	<b>\$6,885,312</b>
<b>Excess of Revenue, Gains and Other Revenue Over Expense</b>	<b>(\$1,594,978)</b>	<b>(\$647,778)</b>	<b>(\$509,315)</b>	<b>(\$466,986)</b>	<b>(\$429,092)</b>	<b>(\$390,737)</b>	<b>(\$352,427)</b>	<b>(\$313,655)</b>	<b>(\$274,940)</b>	<b>(\$236,728)</b>
<b>Excess of Revenue, Gains and Other Revenue Over Expense</b>	<b>(\$1,594,978)</b>	<b>(\$647,778)</b>	<b>(\$509,315)</b>	<b>(\$466,986)</b>	<b>(\$429,092)</b>	<b>(\$390,737)</b>	<b>(\$352,427)</b>	<b>(\$313,655)</b>	<b>(\$274,940)</b>	<b>(\$236,728)</b>
<b>Add:</b>										
Depreciation	715,506	715,986	716,581	717,175	717,769	718,356	719,735	721,015	722,729	725,186
Amortization	7,143	7,143	7,143	7,143	7,143	7,143	7,143	7,143	7,143	7,143
Interest	420,849	420,849	418,392	412,908	407,229	401,338	395,258	388,951	382,420	375,657
<b>Cash Available For Debt Service</b>	<b>(\$451,479)</b>	<b>\$496,201</b>	<b>\$637,801</b>	<b>\$670,240</b>	<b>\$703,049</b>	<b>\$736,218</b>	<b>\$769,709</b>	<b>\$803,455</b>	<b>\$837,352</b>	<b>\$871,259</b>
<b>Debt Service</b>	<b>\$420,849</b>	<b>\$420,849</b>	<b>\$572,576</b>	<b>\$572,576</b>	<b>\$572,576</b>	<b>\$572,476</b>	<b>\$572,576</b>	<b>\$572,576</b>	<b>\$572,576</b>	<b>\$572,576</b>

**Castle Peak Senior Care Community  
10 Year Pro Forma**

<b>Coverage Ratio</b>	(1.07)	1.18	1.11	1.17	1.23	1.29	1.34	1.40	1.46	1.52
<b>Beginning Cash</b>	\$1,392,028	\$548,464	\$495,608	\$438,503	\$480,569	\$515,733	\$591,563	\$466,879	\$350,190	\$366,659
<b>Cash Available For Debt Service:</b>	(451,479)	496,201	637,801	670,240	703,049	736,218	769,709	83,455	837,352	871,259
<b>Add: Increase in Accounts Payable</b>	156,618	19,932	(7,500)	3,381	3,449	3,518	3,588	3,660	3,733	3,808
<b>Increase in Accrued Payroll Expense</b>	83,233	28,390	763	11,026	11,431	11,848	12,276	(38,979)	10,377	10,789
<b>Increase in Accrued Interest</b>	35,071	0	(450)	(466)	(482)	(499)	(517)	(536)	(555)	(574)
<b>Less: Debt Service</b>	(420,849)	(420,849)	(572,576)	(572,576)	(572,576)	(572,576)	(572,576)	(572,576)	(572,576)	(572,576)
<b>Increase in Accounts Receivable</b>	(141,800)	(89,567)	(32,167)	(6,588)	(6,753)	(6,922)	(7,095)	(7,272)	(7,454)	(7,640)
<b>Increase in Prepaid Insurance</b>	(3,500)	(108)	(108)	(93)	(95)	(98)	(100)	(102)	(105)	(108)
<b>Increase in Replacement Reserve</b>	(12,800)	(12,800)	(12,800)	(12,800)	(12,800)	(25,600)	(25,600)	(2,000)	(48,000)	(64,000)
<b>Increase in Debt Reserve</b>	(57,258)	(57,258)	(57,258)	(57,258)	(57,258)	(57,258)	(57,258)	57,258	(57,258)	(57,258)
<b>Increase in Fixed Assets</b>	(12,800)	(12,800)	(12,800)	(12,800)	(12,800)	(12,800)	(12,800)	(2,800)	(25,800)	(32,000)
<b>Payment of Secondary Debt</b>							(254,311)	94,280	(121,446)	(126,359)
<b>Total Cash at Year End</b>	\$548,464	\$495,608	\$438,503	\$480,569	\$515,733	\$591,563	\$446,879	\$350,190	\$366,659	\$393,898
<b>Total Annual Increase (Decrease) in Cash</b>	(\$845,564)	(\$50,856)	(\$57,105)	\$22,068	\$55,164	\$75,830	(\$144,684)	(\$96,689)	\$18,469	\$25,339



TOWN OF MINTURN  
P.O. Box 309 (302 Pine Street)  
Minturn, Colorado 81645-0309  
970-827-5645 Fax: 970-827-5545  
treasurer@minturn.org

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

*MEMORANDUM*

TO: Mayor and Town Council  
FROM: Jay Brunvand, Town Treasurer  
CC: Jim White, Town Manager  
DATE: October 29, 2013

**NOVEMBER 20, 2013 COUNCIL MEETING**

As required by Colorado law, the Town has set two Public Hearings for the FY2014 Budget. The November 4<sup>th</sup> meeting was the first; the November 20<sup>th</sup> meeting is the second and final. To date, Staff has taken your comments and suggestions and incorporated them into the FY2014 Budget. If approved or directed by Council, the items will be included in the final budget. In the event any material changes come forth from the Public Hearing process, those changes also will be included in the proposed final passage of the budget ordinances on December 4<sup>th</sup>. I will distribute updated pages for the November 20<sup>th</sup> meeting and as a budget page may be affected at that meeting, those changes will be distributed at the December 4<sup>th</sup> meeting.

Following is the Public Hearing procedure recommended that you follow in order to make sure everything is covered procedurally and legally.

- (a) The Mayor will introduce the agenda item and announce the Public Hearing as “I hereby by call to order the Public Hearing for the purpose of discussion and comment on the fiscal year 2014 proposed budget and to gather input, pro or con on the proposed Minturn Town Budget for the fiscal year January 1 through December 31, 2014. Any citizen that would like to speak needs to clearly state their name and physical address for the record from the podium (even if they are known by all.)”
- (b) Take citizen input
- (c) Close the Public Hearing
- (d) Council discussion on the budget and comment on the Public Hearing if any. Council will discuss the budget during the Worksession and any direction given could be incorporated into the comments as a summary.

- (e) Announce this is the second and last Public Hearing on the Fiscal Year 2014 Preliminary Budget and citizens are encouraged to contact the Town Hall with questions or comments during regular business hours at 827-5645.

P.O. Box 309 ♦ 302 Pine Street  
Minturn, CO 81645  
Phone: 970-827-5645  
Fax: 970-827-5545  
Jay Brunvand, Treasurer/Clerk  
Email: treasurer@minturn.org



TOWN COUNCIL  
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Mayor Pro Tem – George Brodin  
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Councilman – John Rosenfeld  
Councilman – Darell Wegert

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## AGENDA ITEM COVER SHEET

<b>AGENDA TITLE:</b> Ordinance 10 – Series 2013 an Ordinance to provide supplemental funding and expenditures for the 2013 Fiscal Year on First Reading
<b>MEETING DATE:</b> November 20, 2013
<b>PRESENTER:</b> Brunvand
<b>BACKGROUND:</b> This is an annual ordinance to account for various increases in revenues and expenditures in each Fund as necessary as detailed in Exhibit “A”.
<b>CORE ISSUES:</b> None.
<b>BUDGET/FINANCE IMPLICATIONS:</b> As indicated in Exhibit “A”.
<b>STAFF RECOMMENDATION/MOTION:</b> Motion to approve Ordinance 10 – Series 2013 (First Reading) amending the 2013 Budget as set forth in the following exhibit “A”, to authorize necessary interfund transfers and recognizing additional General Fund revenues in the amount of \$66,000.00 and appropriating additional General Fund expenditures in the amount of \$387,030.00, and appropriating additional Enterprise Fund expenditures in the amount of \$207,155.00, and appropriating Conservation Trust Fund expenditures in the amount of \$1,000.00, and appropriating additional Building Fund revenues in the amount of \$33,300.00 and appropriating additional Building Fund expenditures in the amount of \$31,80000.00, and appropriating additional Market Fund revenues in the amount of \$7,200.00, and appropriating additional Art Fund expenditures in the amount of \$21,500.00, and appropriating additional Capital Fund revenues in the amount of \$750.00, and appropriating additional Scholarship Fund revenues in the amount of \$1,100.00, and appropriating additional Scholarship Fund expenditures in the amount of \$1,500.00 and appropriating additional Battle Mountain Resort expenditures in the amount of \$4,500 as presented.

**TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 10 – SERIES 2013**

**AN ORDINANCE AMENDING THE 2013 BUDGET AS SET FORTH IN THE FOLLOWING EXHIBIT “A”, TO AUTHORIZE NECESSARY INTERFUND TRANSFERS AND RECOGNIZING ADDITIONAL GENERAL FUND REVENUES IN THE AMOUNT OF \$66,000.00, AND APPROPRIATING ADDITIONAL GENERAL FUND EXPENDITURES IN THE AMOUNT OF \$387,030.00, AND APPROPRIATING ADDITIONAL ENTERPRISE FUND EXPENDITURES IN THE AMOUNT OF \$207,155.00, AND CONSERVATION TRUST FUND EXPENDITURES IN THE AMOUNT OF \$1,000.00, AND APPROPRIATING ADDITIONAL BUILDING FUND REVENUES IN THE AMOUNT OF \$33,300.00 AND APPROPRIATING ADDITIONAL BUILDING FUND EXPENDITURES IN THE AMOUNT OF \$31,800.00, AND APPROPRIATING ADDITIONAL MARKET FUND REVENUES IN THE AMOUNT OF \$7,200.00, AND APPROPRIATING ADDITIONAL ART FUND EXPENDITURES IN THE AMOUNT OF \$21,500.00, AND APPROPRIATING ADDITIONAL SCHOLARSHIP FUND REVENUES IN THE AMOUNT OF \$1,100.00, AND APPROPRIATING ADDITIONAL SCHOLARSHIP EXPENDITURES IN THE AMOUNT OF \$1,500, AND APPROPRIATING ADDITIONAL BATTLE MOUNTAIN RESORT EXPENDITURES IN THE AMOUNT OF \$4,500.00.**

**WHEREAS**, in accordance with Section 8.8 of the Minturn Home Rule Charter the Council may make additional appropriations by ordinance during the fiscal year, and;

**WHEREAS**, Jay Brunvand, Treasurer, has verified that additional funds are available for appropriations in each fund from actual and anticipated revenues of the current year and prior year cash reserves, and;

**WHEREAS**, the Town Council is advised that certain revenues, expenditures and transfers must be approved by ordinance.

**NOW, THEREFORE, THE TOWN OF MINTURN, COLORADO ORDAINS:**

Section 1.

Upon the Town Manager’s verification that there are current year revenues available for appropriation in the General Fund, Enterprise Fund, Lottery fund, Building Fund, Marketing Fund and Capital Fund and un-appropriated prior year cash balance available in one or more of those funds, the Town Council hereby makes supplemental appropriations as specified in attached Exhibit “A”.

Section 2.

The Town Council hereby authorizes and directs the Town Manager to enter into such contracts and execute such documents on behalf of the Town as may be necessary and customary to expend the funds hereby appropriated for all operations and capital projects within the budget as hereby amended in accordance with the requirements of the Home Rule Charter and the Town’s Financial Policies.

Section 3.

The adoption of this Ordinance will promote the health, safety and general welfare of the Minturn community.

Section 4.

If any provision of this Ordinance or portion thereof is held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any other provision which can be given effect without the invalid portion.

**INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 20<sup>TH</sup> DAY OF NOVEMBER, 2013. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 4<sup>TH</sup> DAY OF DECEMBER, 2013 AT 6:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.**

**TOWN OF MINTURN, COLORADO**

\_\_\_\_\_  
**Hawkeye Flaherty, Mayor**

**ATTEST:**

By: \_\_\_\_\_  
**Jay Brunvand, Town Clerk**

**THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 4<sup>TH</sup> DAY OF DECEMBER, 2013.**

\_\_\_\_\_  
**Hawkeye Flaherty, Mayor**

**ATTEST:**

By: \_\_\_\_\_  
**Jay Brunvand, Town Clerk**

**ORDINANCE 10 – SERIES 2013**

**EXHIBIT “A”**

GENERAL FUND:		Addition	Revised Budget
Additional Revenue	\$ 66,000.00		
County Sales Tax	01-00-4040	1,500	19,500
City Sales Tax	01-00-4050	30,000	475,000
Muni Victim Restitution	01-00-4436	4,000	4,000
Police Dept Grants	01-00-4550	500	500
RETT	01-00-4680	30,000	90,000
 Additional Expense	 \$387,030.00		
Mayor	01-01-5010	200	5,200
Council	01-01-5011	600	15,600
Council Supply	01-01-5100	1,500	7,750
Meeting Food/Drink	01-01-5270	900	2,900
Flowers on Main St	01-01-5275	270	270
Supplies-Office	01-04-5100	750	2,000
Veh Rep/Maint	01-04-5231	4,000	9,000
Victim Restitution	01-04-5240	4,000	4,000
Training & Development	01-04-5265	3,500	6,500
Public Building R&M	01-06-5290	4,000	12,000
Streets and Sidewalks	01-06-5352	340,000	380,000
Transfer to Other Fund	01-07-6100	27,310	77,264
 ENTERPRISE FUND:			
Additional Revenue	\$ 0.00		
 Additional Expense	 \$207,155.00		
Telephone	02-06-5200	1,500	6,000
Professional Contracts	02-06-5247	10,000	30,000
Water Plant/System	02-06-5293	127,000	175,000
Annual H2O Rights	02-06-5352	58,665	102,000
Trans to Building Fund	02-00-4570	9,990	31,399
 CONSERVATION TRUST FUND:			
Additional Revenue	\$ 0.00		
 Additional Expense	 \$ 1,000.00		
CTF Expense	03-00-5140	1,000	11,500
 BUILDING FUND:			
Additional Revenue	\$ 33,300.00		
Trans from Other Funds	04-00-4570	33,300	104,662
 Additional Expense	 \$ 31,800.00		
Construction	04-01-5449	25,000	25,000
Building Upkeep	04-01-5250	6,800	6,800
 MARKET FUND:			
Additional Revenue	\$7,200.00		
Sales	05-00-4593	850	850
Trans from Gen Fund	05-00-4570	4,000	4,000
Parking	05-00-4597	2,350	2,350
 Additional Expense	 \$ 21,500.00		
Supplies	05-01-5100	13,000	25,000
Promotion	05-01-5105	8,500	26,000

SCHOLARSHIP FUND:

Additional Revenue	\$ 1,100.00		
Investment Earned	08-00-4540	1,100	1,800
Additional Expense	\$1,500 .00		
BMR Scholarship Awards	08-01-5300	1,500	9,000

BATTLE MOUNTAIN RESORT FUND:

Additional Revenue	\$ 0.00		
Additional Expense	\$ 4,500.00		
BMR Land	09-05-5100	4,500	236,500

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Councilman – Darell Wegert

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## AGENDA ITEM COVER SHEET

**AGENDA TITLE:** Ordinance 11 – Series 2013 an Ordinance to approve the Fiscal Year 2013 mill levy on First Reading.

**MEETING DATE:** November 20, 2013

**PRESENTER:** Brunvand

**BACKGROUND:** This is an annual ordinance approved by Council to establish the mill levy on property assessments for the following year. Between first and second readings the County will finalize the assessed valuation. The result of this final number will be used to establish the 2014 property tax collections in the final document.

**CORE ISSUES:** None.

**BUDGET/FINANCE IMPLICATIONS:** This ordinance represents a major portion of the General Fund revenues and must be passed by the Council and certified by the County Commissioners not later than December 15.

**STAFF RECOMMENDATION/MOTION:** Motion to approve Ordinance 11 – Series 2013 (First Reading) an Ordinance levying General Property Taxes for the year 2014 to meet operating costs of government for the Town of Minturn, Colorado for the 2014 Budget Year.

**TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 11 – SERIES 2013**

**AN ORDINANCE LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2014, TO MEET GENERAL OPERATING COSTS OF GOVERNMENT FOR THE TOWN OF MINTURN, COLORADO FOR THE 2014 BUDGET YEAR.**

**WHEREAS**, the Minturn Town Council of the Town of Minturn, Colorado will adopt the annual budget in accordance with Local and State Government Budget Law, on December 4, 2013, and;

**WHEREAS**, the assessed valuation for the Town of Minturn, Colorado as certified by the Eagle County Assessor is approximately **\$22,919,150.00** and will generate approximately **\$411,170.00** based on the authorized 17.934 mills of the Town of Minturn, and;

**WHEREAS**, at General Election on November 3, 1998, the citizens of Minturn, Colorado have established the Town Mill Levy at 17.9340 mills in accordance with Article X, Section 20 of the Colorado Constitution, and;

**WHEREAS**, the final assessed valuation for the fiscal year 2014 will be available by December 1, 2012 from the County of Eagle Assessor in a timely manner to allow the passage of this Ordinance as a non-emergency in the normal course of events.

**NOW, THEREFORE, THE TOWN OF MINTURN, COLORADO ORDAINS:**

Section 1. That for the purpose of meeting general operating expenses of the Town of Minturn during the 2014 budget year, there is hereby levied a tax of 17.934 mills upon each dollar of the total valuation for assessment of all taxable property with in the Town of Minturn for the 2014 budget year. This assessment of 17.934 mills shall be duly made by the County of Eagle, State of Colorado, as directed by the Colorado Revised Statutes (as amended), and as otherwise required by law.

Section 2. The Minturn Town Treasurer is hereby authorized and directed to immediately certify to the County Commissioners of Eagle County, Colorado, the mill levies for the Town of Minturn, Colorado as here in above determined and set.

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

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

**INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 20<sup>th</sup> DAY OF NOVEMBER, 2013. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 4<sup>TH</sup> DAY OF DECEMBER, 2013 AT 6:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.**

**TOWN OF MINTURN, COLORADO**

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**Hawkeye Flaherty, Mayor**

**ATTEST:**

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**Jay Brunvand, Town Clerk**

**THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 4<sup>TH</sup> DAY OF DECEMBER, 2013.**

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**Hawkeye Flaherty, Mayor**

**ATTEST:**

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**Jay Brunvand, Town Clerk**

P.O. Box 309 ♦ 302 Pine Street  
Minturn, CO 81645  
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## AGENDA ITEM COVER SHEET

**AGENDA TITLE:** Ordinance 12 – Series 2013 an Ordinance to approve the Fiscal Year 2014 fee schedule on First Reading.

**MEETING DATE:** November 20, 2013

**PRESENTER:** Brunvand

**BACKGROUND:** This is an annual ordinance approved by Council to establish the fee schedule. The Fee Schedule has been reviewed by each department and changes are reflected in the schedule.

**CORE ISSUES:** None.

**BUDGET/FINANCE IMPLICATIONS:** This ordinance represents a significant portion of the annual revenues in the General and Enterprise Funds.

**STAFF RECOMMENDATION/MOTION:** Motion to approve Ordinance 12 – Series 2013 (First Reading) an Ordinance annually setting, amending and approving Town fees as set forth in the attachment to be included in Appendix “A” of the Minturn Municipal Code for the Town of Minturn, Colorado fees commencing January 1, 2014.

**TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 12 – SERIES 2013**

**AN ORDINANCE ANNUALLY SETTING, AMENDING AND APPROVING TOWN FEES AS SET FORTH IN THE FOLLOWING ATTACHMENT TO BE INCLUDED IN APPENDIX “A” OF THE MINTURN MUNICIPAL CODE FOR THE TOWN OF MINTURN, COLORADO FEES COMMENCING JANUARY 1, 2014.**

**WHEREAS,** The Town of Minturn reviews and approves such fees by ordinance annually and as necessary, and;

**WHEREAS,** The fee schedule is available for review during regular business hours at the Town Offices.

**NOW, THEREFORE, THE TOWN OF MINTURN, COLORADO, ORDAINS:**

Section 1.

The following fees and deposits are hereby set as set forth or added in Appendix “A” is adopted.

Section 2.

In the event of a conflict between the fees, rates and charges listed in this Appendix A and the Text of any individual section of the Town Code, the provisions of The Minturn Municipal Code shall control.

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

**INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 20<sup>th</sup> DAY OF NOVEMBER, 2013. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 4<sup>TH</sup> DAY OF DECEMBER, 2013 AT 6:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.**

**TOWN OF MINTURN, COLORADO**

---

**Hawkeye Flaherty, Mayor**

**ATTEST:**

---

**Jay Brunvand, Town Clerk**

**THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 4<sup>th</sup> DAY OF DECEMBER, 2013.**

---

**Hawkeye Flaherty, Mayor**

**ATTEST:**

---

**Jay Brunvand, Town Clerk**

Fees, Rates, and Charges Imposed Pursuant to the Minturn Town Code

ITEM	DESCRIPTION	FEE 2014	OTHER	Amt of Change
<b>General Government</b>				
<b>Administration</b>				
Copies	per page	\$0.25		
CD-Town Code		\$50.00		
Bad Check fee		\$35.00		
Open Records Request				
Attorney-Administrative Description	per hour, minimum 1hr	\$185.00		
Town Staff-Administrative Description	per hour, minimum 1hr	\$50.00		
Past due monthly fee		\$35.00 plus 1.5%/month		
Real Estate Transfer Tax	per sale due at time of sale	1%		
Lodging Tax		1.5%		
Sales Tax - City		4%		
Credit Card Fee	For charges in excess of \$500	3%		
<b>Meeting Room Fees</b>				
Set-Up Fee	Deposit may be required	\$30.00		
Special Service Fee		\$30.00		
Flip Chart and Easel		\$15.00		
LCD Projector		\$50.00		
60% Room		\$75.00		
40% Room		\$50.00		
Full Room		\$125.00		
Full Room with Kitchen		\$175.00		
Cleaning Deposit		\$25.00		
<b>Business Licenses:</b>				
Initial License Fee		\$120.00		
Initial License Fee	(9/1-3/31=\$10/month)	\$60.00		
Business License Fee	(Due 4/1-3/31)	\$120.00		
In-Home License Fee		\$36.00		
Home Business License	(Major household income)	\$120.00		
Outdoor Recreation License		\$120.00		
Snow Plow Business		\$120.00		
Each additional vehicle		\$12.00		
<b>Peddler or Solicitor:</b>				
<b>License Fees</b>				
1 Day		\$15.00		
2 Days Consecutively		\$30.00		
3 Days Consecutively		\$45.00		
5-Days Consecutively		\$75.00		
7 Days Consecutively		\$120.00		
30 Days consecutively		\$240.00		
Annual License	(Due 4/1)	\$240.00		
<b>Contractor:</b>				
Annual License Fee - General		\$240.00		
Annual License Fee - Sub Cont		\$120.00		
Business List Print Fee		\$40.00		
<b>MISCELLANEOUS FEES</b>				
		Set administratively to cover the cost of services.		

ITEM	DESCRIPTION	FEE 2014	OTHER	Amt of Change
<b>LIQUOR LICENSE APP FEES</b>	All fees as set by State			
<b>PUBLIC SAFETY</b>				
Fingerprints	up to two cards, \$5 each for additional card	\$20.00		
Incarceration Fee	Assessed at current daily fee charged by the ECO Sheriff's Office			
Sex Offender Registration		\$40.00 (Initial/Annual) \$20.00 (Quarterly/Change)		
VIN Inspections	per inspection	\$20.00		\$10.00
Records Requests-Criminal Justice		.25pg + \$5.00 Admin Fee		
Clearance Letter	per individual	\$10.00		
Transcripts		\$250.00 Deposit/Actual Cost		
Court Fines	per Judge			
Portable Breath Test		\$10.00		
Court Fines-Payment Plan Fee	Per court direction	\$25.00		
Court Cost Fee		\$25.00		
Community Service Fee		\$25.00		\$25.00
<b>PUBLIC WORKS</b>				
SNOW DUMP-TANDEM		\$50.00		
SNOW DUMP-END DUMP		\$90.00		
SNOW DUMP-FINE	ILLEGAL DUMPING-MINIMUM x4			
Water				
Cash deposit		\$100.00		
Debt Service Fee	Per SFE/Month	\$5.93		
Turn-on/Reconnect Fee		\$50.00		
Turn-off/Disconnect Fee		\$50.00		
Turn-on/Reconnect after 6/02	For non metered water only	\$400.00		
Tap, inspection, connection fee				
(1) Residential Unit; per unit up to 3,000 sq. feet floor area plus \$2.25 per sq foot floor area thereafter		\$9,500.00		
(2) Hotel/Lodge/Motel/Lock-off/Accommodation Unit:				
(a) per efficiency room		\$3,750.00		
(b) per room		\$2,750.00		
Out of Town Tap Fees are 25% higher				
Tap, Inspection, Connection Fee				
Commercial Service Line Size in inches:		Cost per Tap		
	3/4	\$10,000.00		
	1	\$17,250.00		
	1 & 1/2	\$38,250.00		
	2	\$68,250.00		
	3	\$152,250.00		
	4	\$270,500.00		
	6	\$609,000.00		
All out of Town Taps	Sec. 13-29(b)(1)	+ 50%		
Construction Use Rates	Sec. 13.65			
Any water use for construction purposes	per month flat fee plus use	\$100.00		
Portable meter fee		\$100.00		
Portable meter water use	\$5.00/1000 gal			
Portable meter deposit or lost meter cost		\$1,400.00		

ITEM	DESCRIPTION	FEE 2014	OTHER	Amt of Change
Unusual Water User Fee	Sec. 13.66	set Administratively		
Unmetered Water Rate	Sec. 13-67			
Monthly rate per SFE for	Residential	\$78.11		
Policy related to other uses	Commercial	+ 25% (\$97.64)		
Replaces Sec. 13-29(b)(2)	Residential out of Town	+ 50% (\$117.18)		
	Commercial out of Town	+ 75% (\$170.87)		
	Seniors (65 years or older)	-25%(\$58.58)		
Metered Water Rate	Sec. 13-68			
(a) Residential, basic monthly charge	per SFE	\$68.45		
plus a monthly above 10,000 gals. use charge per 1,000 gallons		\$2.65		
(b) Commercial, basic monthly charge	per SFE	\$84.74		
plus a monthly above 30,000 gals. Use charge per 1,000 gallons		\$2.78		
(c) 25% discount for Residential Owner-Occupant over 65 years of age		\$51.34		
Out of Town Water Rate are 50% higher for Residential and 75% higher for Commercial	Sec. 13-29(b)(2)	\$104.70 \$151.21		
Trash Collection				
(a) Residential, Basic Monthly Charge	per contracted rates	\$29.32		
Street Cut Fee				
Basic permit fee		\$75.00		
Basic utility fee		\$50.00		
	per Sec. 11-26			
	replacement of paving w/oil&chip surface/ per sq. ft.	Per Bid		
	dirt cuts	Per Bid		
	Backfilling	time, material, staff time		
	Saw cuts per lineal foot w/min fee 25.00	time, material, staff time		
	Any re-work	time, material, staff time		
Application for Encroachment	Sec. 11-3	\$40.00		
Eagle River Fire Protection District Impact Fees				
new meter size:	3/4 inch	\$1,671.00		
	1 inch	\$2,841.00		
	1.5 inch	\$5,515.00		
	2 inch	\$8,857.00		
	3 inch	\$18,382.00		
	4 inch	\$28,409.00		
	6 inch	\$55,147.00		

**PLANNING AND ZONING FEES**  
updated on 040109 by resolution no. 7 - 2009

ITEM	FEE	FEE 2014
Pre-Application Conference	None	
PUD Concept Plan	\$ 450.00	\$50 per each commercial, industrial or residential unit in PUD
PUD Preliminary Development Plan	\$ 1,500.00	\$50 per each commercial, industrial or residential unit in PUD
PUD Final Development Plan	\$ 2,000.00	\$50 per each commercial, industrial or residential unit in PUD
Minor PUD Concept/Preliminary Development Plan	\$ 1,000.00	\$50 per each commercial, industrial or residential unit in PUD
Changes to Approved Plans-		
Approved by Planning Director	\$ 100.00	
Approved by Planning Commission	\$ 250.00	
Approved by Town Council	\$ 500.00	\$50 for each commercial, industrial or residential unit in PUD above previously approved plan
Amendments To Text of Land Use Regulations	\$ 1,250.00	
Amendments To Official Zone District Map	\$ 1,250.00	
Conditional Use Permit Application	\$ 750.00	\$50 per each commercial, industrial or residential unit
Limited Use Review	\$ 350.00	
Temporary Use Permit	\$ 800.00	
Temporary Use Permit Security Deposit	\$ -	Per Planning Director, impact dependent
Variance Permit	\$ 500.00	
Administrative Replat	\$ 500.00	
Preliminary Subdivision Plat	\$ 500.00	\$25 for each commercial, industrial or residential lot
Final Subdivision Plat	\$ 750.00	\$25 for each commercial, industrial or residential lot
Amended Final Plat	\$ 675.00	
Subdivision	\$ 850.00	\$50 per each commercial, industrial or residential unit
Vacation of Public Easements and ROW	\$ 750.00	
Sign Permit	\$ 250.00	
Design Review Board	\$ 200.00	
Special Planning Commission meeting	\$ 500.00	
Appeal - Planning Commission or Town Council	\$ 300.00	
Engineering Review - Single structure project < 1 acre	\$ 105.00	\$105 per each hour over initial hour
Multiple structure projects or projects 1 to 3 acre	\$ 210.00	\$210 per each hour over initial hour
Building Permits new construction - based on valuation:**		
\$1.00 to \$500.00	\$ 29.85	
\$501.00 to \$2,000.00	\$ 29.85	\$3.87 for each additional \$100 valuation over \$500.00
\$2,001.00 to \$25,000	\$ 87.95	\$17.78 for each additional \$1,000 valuation over \$2,000
\$25,001.00 to \$50,000	\$ 497.52	\$12.83 for each additional \$1,000 valuation over \$25,000
\$50,001.00 to \$100,000.00	\$ 817.56	\$8.89 for each additional \$1,000 valuation over \$50,000
\$100,001.00 to \$500,000.00	\$ 1,262.06	\$7.11 for each additional \$1,000 valuation over \$100,000
\$500,001.00 to \$1,000,000.00	\$ 4,106.86	\$6.03 for each additional \$1,000 valuation over \$500,000
\$1,000,001.00 and up	\$ 7,123.11	\$4.64 for each additional \$1,000 valuation over \$1,000,000
Single item permits ex: re-roofing, basement finish, mechanical, plumbing	\$ 75.00	\$75 for each additional inspection - to be determined by building official
Plan Review		65% of permit fee
Cleanup Deposit	\$ 500.00	
Street Use Fee		1/2% of the project valuation that is valued at \$500 or greater

\*\* Valuation is based upon the national average per/square foot construction cost published semi-annually by the International Code Council, with a 1.4 multiplier applied as a regional cost differential.

**Other:**

\*For all applications requiring legal descriptions to be published in the newspaper, additional fees will be charged on a per cost basis, for publications that are in excess of \$50

\*No application shall be considered or reviewed until the application fees are paid in full and the application is deemed complete. Where multiple applications are required, multiple fees shall be assessed. Fees are not required for Town-initiated applications.

\*Review fees charged by a state or federal agency shall be made payable to the reviewing agency based on current rates and paid at the time of application.

\*Application fees shall be paid by cash or by a check made payable to the Town of Minturn, and shall be submitted with the application to the Town of Minturn Planning Department.

\*Professional consultant fees (legal, engineering, etc) as required and agreed to by applicant and Town, shall be at cost.

\*Additional Town Staff services may be billed at an hourly rate if necessary.

P.O. Box 309 ♦ 302 Pine Street  
Minturn, CO 81645  
Phone: 970-827-5645  
Fax: 970-827-5545  
Jay Brunvand, Treasurer/Clerk  
Email: treasurer@minturn.org



TOWN COUNCIL  
Mayor – Gordon “Hawkeye” Flaherty  
Mayor Pro Tem – George Brodin  
Councilwoman – Shelley Bellm  
Councilman – Earle Bidez  
Councilman – Aggie Martinez  
Councilman – John Rosenfeld  
Councilman – Darell Wegert

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## AGENDA ITEM COVER SHEET

**AGENDA TITLE:** Ordinance 13 – Series 2013 an Ordinance approving and adopting the Fiscal Year 2014 annual budget on First Reading.

**MEETING DATE:** November 20, 2013

**PRESENTER:** Brunvand

**BACKGROUND:** This ordinance reports, allocates, and appropriates the beginning fund balance, the revenue, and the expenses for each fund as detailed in the budget document. It is anticipated that several changes will be made in the budget prior to Second Reading after tonight’s discussions.

**CORE ISSUES:** None.

**BUDGET/FINANCE IMPLICATIONS:** This is the funding mechanism per State law in the budget approval process.

**STAFF RECOMMENDATION/MOTION:** Motion to approve Ordinance 13 – Series 2013 (First Reading) an Ordinance recognizing revenues, appropriating expenditures, approving transfers and adopting the Town of Minturn budget for the period beginning on the first day of January 2014 and ending on the last day of December 2014.

**TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 13 – SERIES 2013**

**AN ORDINANCE APPROPRIATING REVENUES, APPROPRIATING EXPENDITURES, APPROVING TRANSFERS AND ADOPTING THE TOWN OF MINTURN BUDGET FOR THE PERIOD BEGINNING ON THE FIRST DAY OF JANUARY, 2014 AND ENDING ON THE LAST DAY OF DECEMBER, 2014.**

**WHEREAS**, the Minturn Town Council of the Town of Minturn, Colorado has appointed Jay Brunvand, Treasurer, to prepare and submit a proposed budget to said governing body at the proper time, and;

**WHEREAS**, Jay Brunvand, Treasurer, has submitted a proposed 2014 Budget to this governing body on October 2, 2013, for its consideration, and;

**WHEREAS**, upon due and proper notice, published and posted in accordance with the law, said proposed budget was open for inspection by the public as required by law at the Minturn Town Center, the first public hearing was scheduled and held on November 3, 2013 and a second public hearing was scheduled and held on November 20, 2013, and interested citizens were given the opportunity to file or register any objections to said proposed budget, and;

**WHEREAS**, this proposed budget balances by fund as required by law, and;

**WHEREAS**, the final assessed valuation will be available by December 4, 2013 from the County of Eagle Assessor in a timely manner to allow the passage of this Ordinance as a non-emergency in the normal course of events.

**NOW, THEREFORE, THE TOWN OF MINTURN, COLORADO ORDAINS:**

Section 1.

The budget for the Town of Minturn, Colorado for the fiscal year 2014 as submitted and summarized by fund as described below is hereby adopted, which adoption shall constitute appropriations of the amounts specified therein as expenditures from the Funds indicated or expenses from Enterprise Funds; and that the estimated Beginning Balances, Revenues and Other Sources are hereby declared to be a reasonable projection of the amount of Revenue available for appropriation and to provide an adequate Fund Balance at the close of the fiscal year beginning January 1, 2014 and ending December 31, 2014 more particularly described as follows:

<u>FUND DESCRIPTION</u>	<u>BEGINNING FUND EST. BALANCE</u>	<u>FY2014 REVENUE</u>	<u>FY2014 EXPENSES</u>
General Fund	\$1,078,034	\$1,528,350	\$1,479,165
Enterprise Fund	\$1,025,175	\$ 772,841	\$ 842,690
Conservation Trust Fund	\$ 10,037	\$ 10,850	\$ 10,500
Minturn Building Fund	\$ 205,494	\$ 240,288	\$ 240,288
Market Fund	\$ 5,985	\$ 64,500	\$ 64,500
Capital Fund	\$2,006,569	\$ 500	\$1,010,000
Scholarship Fund	\$ 350,530	\$ 10,000	\$ 10,000
Battle Mtn Fund	\$ 525,157	\$ 9,500	\$ 480,000

Section 2.

The Town Council hereby authorizes and directs the Town Manager and Treasurer to enter into such contracts and execute such documents on behalf of the Town as may be necessary and customary to expend the funds hereby appropriated for all operations and capital projects within the budget as hereby adopted all in accordance with the requirements of the Home Rule Charter and the Town's Financial Policies.

Section 3.

The budget hereby approved and adopted shall be signed by the Mayor and Town Clerk and made a part of the public records of the Town of Minturn, Colorado.

**INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 20<sup>th</sup> DAY OF NOVEMBER, 2013. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 4<sup>TH</sup> DAY OF DECEMBER, 2013 AT 6:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.**

**TOWN OF MINTURN, COLORADO**

\_\_\_\_\_  
**Hawkeye Flaherty, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Jay Brunvand, Town Clerk**

**THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 4<sup>TH</sup> DAY OF DECEMBER, 2013.**

\_\_\_\_\_  
**Hawkeye Flaherty, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Jay Brunvand, Town Clerk**

Planning Commission Meeting 6:30 - 10:00 Wednesday, November 13, 2013

Town Planner: Janet Hawkinson    Planning Commission: Lynn Teach - Chair - Melissa Decker  
Burke Harrington - Bobby Head    - Timothy Osborne

Work Session began at 6:30.

Bobby Head excused absence.

Work Session

Discussed zoning in Minturn.

Need to write new definitions for Minturn Code for Home Business and Home Occupation - conflict in residential businesses and Code book.

Meeting Called to Order

Bobby Head excused absence

Agenda approved

Zoning issue to be researched and voted on next meeting.

Eagle Park Restroom Design on hold until January after grant deadlines.

Name of the Boneyard undecided - come up with options and vote on next meeting.

Create drawings and images for town 'way finding' signs.

Business License Changes - when building permits are filled out - Contractors need to show proof of business license. Any company delivering to a business with a license does not need to buy one (Sysco foods delivering to a restaurant or liquor store deliveries)

CDOT Grant for Safe Routes to School k-8 - writing this Grant - we do meet criteria - met with CDOT Engineer to discuss project and grant information. Partners with residence, VSSA, Eagle County School District.

Town Hall is having an additional roof line added to the building over the entrance for snow safety.

Projects in Town: south sidewalk design and funding options - 414 Harrison Property Dispute Settled

Signs Approved: Minturn Townhomes, Minturn-Red cliff Business Sign (corner of Main & Eagle)

Next Meeting December 18, 2013

**Jim White**  
**Town Manager**  
P.O. Box 309 ♦ 302 Pine Street  
Minturn, CO 81645  
Phone: 970-827-5645  
Fax: 970-827-5545  
Email: [manager@minturn.org](mailto:manager@minturn.org)



**TOWN COUNCIL**  
**Mayor – Gordon “Hawkeye” Flaherty**  
**Mayor Pro Tem – George Brodin**  
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**Councilmember – Darell Wegert**  
**Councilmember – Aggie Martinez**  
**Councilmember – John Rosenfeld**

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**To: Mayor Flaherty and Minturn Town Council**  
**From: Jim White, Town Manager**  
**Date: November 15, 2013**  
**Re: Manager’s Report for the November 20, 2013 Town Council Meeting**

### **Condolences**

The Town of Minturn will be celebrating the life of Allen Christensen, long time attorney for the Town of Minturn, on Wednesday, December 4, 2013 from 2-5pm. Minturn town staff is working with his family members on the arrangements and details will follow soon in a press release.

### **Interim Town Attorney Agreement Signed**

An agreement was signed with Matt Mire, attorney, with Hayes, Phillips, Hoffman, & Carberry, P.C. on November 15, 2013 to serve as Minturn’s Interim Town Attorney.

### **Eagle Street Project**

A final “punch list” walk through took place on Thursday, October 31, 2013 with ELAM, TST, and the Town of Minturn all represented. A final report will be prepared for the next Town Council meeting that can be attended by Steve Humann, TST Engineering.

### **DOLA Grant Projects**

We have completed the work on the additional isolation valves on the Main Line in Minturn as part of the DOLA grant. The Master Meter Vault construction work began during the week of October 28-November 1, 2013. Both projects are part of this year’s DOLA grant. We will need an extension on the grant until next spring to complete the final elements.

### **Fitness Center**

Weekly owner architect construction progress meetings continue to move this project forward. Representatives from Viele Construction, RDK Architects, Ski and Snowboard Club Vail, and the Town of Minturn continue to review progress at this weekly meeting. On November 13, 2013, we received approval for a water line easement from the Eagle School District Board to install the water line to the facility.

### **Eagle Scout Project**

I signed off on Luis Acuirre’s Eagle Scout Project on November 14, 2013. He completed his Eagle Scout Project by backfilling, raking, and re-seeding the area of Eagle Park disturbed by the Eagle Street Construction this past summer.

11/20/13

### **Water Subcommittee**

The Water Subcommittee met again on October 28, 2013 to review the results of the water rate study and to attempt to formulate a recommendation to Town Council for 2014 water rate adjustments. Mayor Pro-Tem George Brodin and Town Councilman Aggie Martinez represent the Town Council on this committee. We have requested and received additional information from the ERWSD which we need to continue our work toward other alternatives for water rates to propose to town Council in the first quarter of 2014.

### **Eagle Scout Project**

I signed off on Luis Aguirre's Eagle Scout Project on November 14, 2013. He completed his Eagle Scout Project by backfilling, raking, and re-seeding the area of Eagle Park disturbed by the Eagle Street Construction this past summer.

### **Recent Events/Upcoming Events:**

#### **Christmas Tree Lighting**

Our annual Christmas Tree Lighting celebration was set for Friday evening, November 15, 2013 at 6pm. We blended this into a "Founder's Day" Celebration as the Town of Minturn was **incorporated on November 15, 1904!**

The Minturn Winter Markets are planned for December 7 and December 14, 2013 from 10am until 2pm.

Respectfully submitted,  
Jim White  
Town Manager