



2013

# Minturn Council Meeting

Wednesday December 4, 2013

**Work Session:** **6:00pm**  
**(Town Center)**

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

**TOP COUNCIL PRIORITIES:**

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



## **Agenda**

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

**Wednesday December 4, 2013**

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

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

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

**COUNCIL MEMBERS:**

Shelley Bellm  
Earle Bidez  
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.

**Work Session – 6:00pm**

- Eagle Street Update - White

**Regular Session – 6:30pm**

**1. Call to Order**

- a. Roll Call
- b. Pledge of Allegiance

**2. Approval of Agenda**

- a. Items to be Pulled or Added

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

- November 20, 2013 Pg 4
- Action Item Report Pg 13

**4. Liquor License Authority**

- Shop N Hop Annual Renewal of a 3.2 Beer License; 401 Main St.; Terry Marcum, Owner/Manager – Brunvand Pg 15
- Kirby Cosmo’s BBQ Bar Annual Renewal of a Hotel & Restaurant License; 474 Main St.; Mark Tamberino Manager – Brunvand Pg 19
- FM Saloon LTD Annual Renewal of a Hotel & Restaurant License; 146 Main St.; William Campbell Owner/Pres – Brunvand Pg 24

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

**6. Special Presentations**

- Eagle Scout Project /Luis Aguirre – White

**PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS**

**7. Discussion/Action Item: Castle Peak Senior Care Naming Opportunities – White Pg 29**

**8. Discussion/Action Item: Ordinance 10 – Series 2013 (Second Reading) 1<sup>st</sup> Reading An Ordinance Creating a Supplemental Appropriation to the 2013 Town of Minturn Budget – Brunvand Pg 30 and Pg 33**

**9. Discussion/Action Item: Ordinance 11 – Series 2013 (Second Reading) 1<sup>st</sup> Reading An Ordinance Setting the 2014 General Property Tax Mill Levy for the Town of Minturn – Brunvand Pg 39**

**10. Discussion/Action Item: Ordinance 12 – Series 2013 (Second Reading) 1<sup>st</sup> Reading An Ordinance Adopting the Fee Schedules for Fiscal Year 2014 for the Town of Minturn – Brunvand Pg 43**

**11. Discussion/Action Item: Ordinance 13 – Series 2013 (Second Reading) 1<sup>st</sup> Reading An Ordinance Adopting and Recognizing the Town of Minturn’s 2014 Revenues and Expenses by Fund – Brunvand Pg 51**

**OTHER MATTERS**

**12. Planning Department Update Pg 55**

**13. Town Manager’s Report Pg 56**

**14. Town Council Comments**

**EXECUTIVE SESSION**

- 15. Executive Session: Pursuant to Section 24-6-402(4)(a)(b)(e) the purpose of discussing the purchase, acquisition, lease transfer or sale of real, personal or other property interests; to receive legal advice on specific legal questions and to determine positions, develop and strategy and instruct negotiators regarding Little Beach Park – White**

Pg 58

## FUTURE AGENDA ITEMS

**16. Next Meeting – December 18, 2013**

**17. Future Meeting**

- Work Session – Continued work on the Town Council Vision Statement – White
- Discussion with Xcel Representative – White

**18. Set Future Meeting Dates**

a) Council Meetings:

- December 18, 2013
- January 1, 2014 (consider reschedule or cancellation)
- January 15, 2014

b) Planning & Zoning Commission Meetings:

- January 8, 2014
- February 12, 2014
- March 12, 2014

**19. Other Dates:**

- Winter Markets – December 7 and 14 10am – 2pm

**20. Adjournment**



## **Official Minutes**

**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

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

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

The Regular Meeting/Executive Session was called to order by Mayor Hawkeye Flaherty at 5:05pm.

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

Staff present: Town Manager Jim White, Interim Town Attorney Matt Mire, Town Planner Janet Hawkinson, Michelle Metteer, Economic Development Coordinator, Brad Lamb, Chief of Police, Arnold Martinez, Public Works Supervisor, and Town Treasurer/Town Clerk Jay Brunvand.

## 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**

Matt M. cited the motion should reflect 24-6-402 (4)(b) legal advice and (f) contract negotiations in addition to (4)(e).

Motion by Darell W., second by Shelley B., to convene in Executive Session Pursuant to Section 24-6-402(4)(b), (e), and (f) for the purpose of determining positions, develop a strategy and instruct negotiators regarding the discussion of the Town Manager’s Contract. Motion passed 7-0.

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

No direction was given to Staff as a result of the Executive Session.

The Council emerged from Executive Session at 6:10pm.

Motion by Shelley B., second by Darell W., to adjourn from Executive Session and recess the Council Meeting for the purpose of holding the Work Session.

### **Work Session – 6:00pm**

- Minturn Fitness Center Update and Discussion

Jim W. gave a brief update on the status of the Fitness Center and reported the pad had been poured and they had begun erecting the walls.

- 2014 Budget Review – Brunvand/White
  - Review of Memo – Brunvand

A memo was reviewed detailing the direction to date and what direction would be requested during the regular session.

- Review Budget Ordinances
- Question/Answer

### **Regular Session – 6:30 pm**

1. Call to Order

The Regular Meeting was reconvened and called to order by Mayor Hawkeye Flaherty at 6:37pm.

a. Roll Call

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

Staff present: Town Manager Jim White, Interim Town Attorney Matt Mire, Town Planner Janet Hawkinson, Michelle Metteer, Economic Development Coordinator, Brad Lamb, Police Chief, Arnold Martinez, Public Works Supervisor, and Town Treasurer/Town Clerk Jay Brunvand.

b. Pledge of Allegiance

**2. Approval of Agenda**

a. Items to be Pulled or Added

Jim W. asked if the Council would entertain adding discussion of the hiring of a professional facilitator for the Staff and Council; Council did not want to pursue this direction at this time.

Motion by Shelley B., second John R. to approve the Agenda as presented. Motion passed 7-0.

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

- November 6, 2013

Motion by John R., second by Darell W., to approve the minutes as presented. Motion passed 7-0.

- Action Item Report

Earle B. asked if we need to schedule an Executive Session to discuss the Vail Resort/Little Beach Park contract; Matt M, said yes; this is to be added to the December 4, 2013 meeting.

Earle B. asked for an update on the DOLA water system grant and submittal. Jim W. reported we have recently filed the first report, the second is due in December and we will be requesting an extension on the grant in order to complete the Harrison Ave. loop. The request will extend the grant into mid 2014.

Hawkeye reported he had been approached by several citizens commenting on bus stops and a grant for the school kids. Jim W. reported this is in relation to the Safe Routes to School grant that Janet H. is working on. Janet H. reported the grant requests letters from the community and the photos will show the existing need. Jim W. stated the grant is only in the preliminary stages and has not been approved or submitted to date. Shelley B. said she did not believe that grant would be allowed as we are too far from the school. Janet H. stated the grant requirements have changed for rural areas. A CDOT engineering study will be needed but several items such as the study can be done once the funds are awarded.

Hawkeye stated we have had several studies on this section of roadway which may be useful and that the sidewalk should be built to be included in the County trail system. Janet H. stated this would be the intent.

**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**

Ms. Lisa Pease, Augustana Care, and Ms. Tori Franks, Eagle CO Housing were present to represent Augustana Care. Castle Peak would be a combined assisted care and skilled nursing center for senior care and would be located in Eagle Ranch in the Town of Eagle.

The Care Community is not able to guarantee housing for Minturn seniors even if the Town were to contribute; however, it is designed to be equal opportunity for all qualifying seniors.

Full details can be found at [www.castlepeak.com](http://www.castlepeak.com).

Mayor Hawkeye introduced Mr. Matt Mire, Interim Town Attorney.

**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**

Mayor Hawkeye called the public hearing to order at 7:28pm

Jay B. reviewed in summary a memo presented during the Worksession highlighting the direction given to date on the 2014 Budget as a result of the hearings and meetings previously held.

The following funding requests were received during the budget process from community groups and were funded as follows:

Radio Free Minturn	\$1,000.00
Walking Mountain Science Center	1,000.00
Vail Valley Partnership/Econ Council	2,500.00
ECO Schools-Mosquito control	1,300.00*
Minturn Community Fund	10,000.00
ECO School Transportation	0.00
Augustana/Castle Peak Senior Care	40,000.00**

\*These funds will be distributed when the Eagle School District and the Academy donate as well. In the event no other funding is contributed, a separate request can be made at a later date.

\*\*These funds are to be distributed in four annual equal installments to be annually appropriated out of existing funds.

Other budget items of direction or note:

- Council approved a holiday party for the Staff and Boards. The event will be at 5:30pm Thursday December 5, at the Gourmet Cowboy.
- Council approved a December 2013 bonus pool not to exceed \$12,000, including taxes. The bonus was directed to be included on the December 15<sup>th</sup> paycheck and is to be merit based with adjustment for service less than one year.
- Council reviewed several non-funded projects for next year in both the General Fund and the Enterprise Fund and agreed to supplementally appropriate for those projects as funding, grants, and bids are obtained. The project list included:
  - Nelson Ave
  - East Norman Ave
  - South Minturn Bike Path Engineering
  - Eagle Park Restrooms
  - Improvements to the Boneyard Park
  - Repairs to the three Railroad Crossings
- 2014 Raise Pool set at 2.5% (specified distribution as raises not bonuses)
  - 1% to be COLA
  - 1.5% Merit based (at the Manager's discretion, based on merit)
- Water rates would increase 3% on base and use fees. The Water Committee will return to Council within the first quarter of 2014 with a long term recommendation based on the recent water rate studies.

**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**

Motion by Shelley B., second by George B., to approve Ordinance 10 – Series 2013 (First Reading) 1<sup>st</sup> Reading An Ordinance Creating a Supplemental Appropriation to the 2013 Town of Minturn Budget as presented. Motion passed 7-0.

**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**

Motion by John R., second by Hawkeye F., to approve 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 as presented. Motion passed 7-0.

**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**

Motion by Shelley B., second by John R., to approve 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. Motion passed 7-0.

**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**

Motion by George B., second by Darell W., to approve 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. Motion passed 7-0.

**OTHER MATTERS**

**11. Planning Department Update**

Janet H. gave a brief report on items and goals her department is currently working on.

**12. Town Manager’s Report**

**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.

Wednesday December 4, 2013 2-5pm at the Pavilion in Eagle Vail.

**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 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.

### **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.

### **13. Town Council Comments**

Shelley B. inquired on an item in the packet regarding redistribution of funds in the police budget. She noted the information contained little detail, and requested more information be provided.. She noted the police budget is over spent in several areas and included purchase of items such as the used patrol vehicle.. Shelley B. requested any additional expenditures not of the normal daily needs be brought to Council for consideration.

Shelley B. noted the east door of the Town Hall, Boulder St., is once again closed due to ice because the roof is not repaired. Those repairs have been requested by Council previously and it needs to be addressed and completed as this again presents a life safety issue. Janet H. updated

the Council on the progress. She noted she had been assigned this project today and is working with the contractor. Janet H. will update Council with a construction schedule..

Shelley B. asked Janet H. to look into the construction dumpster on Harrison as it has been there most of the summer and is a hindrance to traffic safety.

Shelley B. asked about the snow removal being done only at the Town Hall which takes hours. She noted the bus and emergency routes were not addressed and they should be addressed first. She stated a snow removal plan needs to be developed where our streets, sidewalks, and buildings are cleared by priority and this might involve a shift in work schedules.

John R. expressed his gratitude for the flowers sent to his mother's memorial service. He said the flowers were beautiful and he was very appreciative.

Hawkeye wished all a Happy Thanksgiving in the upcoming week. Hawkeye stated he would not be present at the December 4<sup>th</sup> meeting.

## FUTURE AGENDA ITEMS

### 14. Next Meeting – Dec 4, 2013

- Work Session: Eagle Street Construction Update – White
- Special Presentation-Eagle Scout Project- White
- Exec Session: regarding Vail Resorts/Little Beach Park and Town Manager contract matters

### 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**

Motion by Shelley B., second by Aggie M., to adjourn the meeting at 8:55pm.

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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:** December 4, 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 <del>met</del> <u>reached with</u> Vail Resorts <del>by phone again</del> on the land ownership issue, <del>and have finally been able to secure a formal meeting</del> . We have provided Town Council's comments to Vail Resorts representatives previously and <del>will</del> reiterated <u>them</u> in the meeting. <u>This topic will be addressed in Executive Session at the December 4, 2013 Town Council meeting.</u>
2013 Goal: Town Street Repairs and Drainage.	Arnold Martinez	The Eagle Street project <del>was is</del> 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 will be given at the <del>November 20,</del> <u>December 4, 2013 meeting by Steve Humann from TST.</u>
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. Steve Fisk, former LaFarge and current Oldcastle manager, was successful in working with new management to secure our working relationship in Minturn.
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.
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. <del>UPRR wants to lease a larger portion of the north end of Taylor Street and seek help from the Town in removing encroachments.</del> UPRR has sent a letter authorizing the Town to enforce normal violations on RR property.

Action Item	Responsible Party	Progress Report
2013 Goal: Opportunities & Submittals and scheduling and apply for infrastructure grants/loans	Jim White/ Janet Hawkinson	Staff to provide periodic updates to Council. <del>Staff completed a Tier 1 DOLA grant for water system improvements.</del> We submitted a Weed Mitigation grant proposal <del>and recently provided a final report, in cooperation with Eagle County on February 22, 2013 and were awarded that grant too.</del> The first quarterly report on the DOLA grant for water infrastructure improvements has been completed. The next quarter grant is now due.
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. <u>Staff will pursue a DOLA administrative grant to offset the costs of the engineering.</u>
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. <u>Since that time, CDOT did some curb remediation in an attempt to mitigate some of the drainage and erosion issues in the area.</u>
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. Did 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. <del>Utility Easements with the School District are the current focus area.</del> <u>The water line was successfully installed in late November. The MFC building is under construction and walls currently being erected.</u>

2013 Goal: No Specific Goal established for this issue

Business Licenses/Contractor Fees Michelle Metteer/Jay Brunvand/Janet Hawkinson Review current fee structure and other examples. Plan will be to amend and make a recommendation to Town Council for approval.

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



**Town Council**  
MR. HAWKEYE FLAHERTY, MAYOR  
MR. GEORGE BRODIN, MAYOR PRO TEM  
MR. AGGIE MARTINEZ, COUNCILMAN  
MR. EARLE BIDEZ, COUNCILMAN  
MS. SHELLEY BELLM, COUNCILWOMAN  
MS. JOHN ROSENFELD, COUNCILMAN  
MR. DARELL WEGERT, COUNCILMAN

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### AGENDA ITEM COVER SHEET

<b>AGENDA TITLE:</b> Shop & Hop #12 annual renewal of a 3.2 Beer Liquor License; 401 Main St.; Terry Marcum, General Partner
<b>MEETING DATE:</b> December 4, 2013
<b>PRESENTER:</b> Brunvand
<b>BACKGROUND:</b> This is an application for annual renewal of a 3.2 Beer liquor license. The application has been reviewed by the Clerk and Police Chief, additionally; the Town of Minturn Police Department conducted an on-site review and has no concerns. Staff is recommending approval of this renewal.
<b>CORE ISSUES:</b>
<b>BUDGET/FINANCE IMPLICATIONS:</b> An annual renewal fee of \$53.75 has been paid to the Town.
<b>STAFF RECOMMENDATION/MOTION:</b> “Motion to approve Shop & Hop #12 annual renewal of a 3.2 Beer Liquor License; 401 Main St.; Terry Marcum, General Partner as presented.”

**LIQUOR OR 3.2 BEER LICENSE  
 RENEWAL APPLICATION**

Fees Due	
Renewal Fee	\$96.25
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
<b>Amount Due/Paid</b>	<b>96.25</b>

SHOP & HOP #12  
 P O BOX 866  
 EDWARDS CO 81632-0866

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

**PLEASE VERIFY & UPDATE ALL INFORMATION BELOW**

**RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE**

Licensee Name MARCUM TERRY SMARCUM JAMES D <i>Marcum Terry</i>		DBA SHOP & HOP #12		
Liquor License # 23312180002	License Type 3.2% Beer Off Premises (city)	Sales Tax License # 23312180002	Expiration Date 11/1/2013	Due Date 9/17/2013
Street Address 401 MAIN STREET MINTURN CO 81645				Phone Number (970) 926-1240
Mailing Address P O BOX 866 EDWARDS CO 81632-0866				<i>(970) 748-9660</i>
Operating Manager <i>Terry Marcum</i>	Date of Birth <i>8-2-53</i>	Home Address <i>20 Shotgun Circle Edwards Co 80477</i>		Phone Number <i>970 926 1233</i>

- Do you have legal possession of the premises at the street address above?  YES  NO  
 Is the premises owned or rented?  Owned  Rented\* \*If rented, expiration date of lease \_\_\_\_\_
  - Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested.  YES  NO *I bought my partner out.*
- NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:** If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
- Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation.  YES  NO
  - Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation.  YES  NO
  - Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation.  YES  NO *Shop #7 Steamboat, #11 Gypsum, #23 Avon. Iowa all.*
- 6. SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:** Each person must complete and sign the DR 4679: Affidavit – Restriction on Public Benefits (available online or by calling 303-205-2300) and **attach a copy of their driver's license, state-issued ID or valid passport.**

**AFFIRMATION & CONSENT**

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

Type or Print Name of Applicant/Authorized Agent of Business <i>Terry Marcum</i>	Title <i>general partner</i>
Signature <i>Terry Marcum</i>	Date <i>9/18/13</i>

**REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY**

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

Local Licensing Authority For	Date
Signature	Title
	Attest



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

---

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

**MEMORANDUM**

To: Chief Brad Lamb  
CC:  
Date: 10/25/13 8:52 AM  
RE: Liquor License

Attached please find a copy of the Annual Liquor License Renewal Application for the Shop N Hop 3.2 Beer Liquor license located at 401 Main St. You will note two extra pages. There have been several changes on the application side and I have not seen your report as of yet so I thought I would resubmit the entire package to you again. These were required as one partner (Terry) bought out the other partner and added his wife to the partnership. (It is still a partnership formation as opposed to a sole proprietor.) I have reviewed the application and am forwarding it on to you for further review.

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

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

Thanks, jay



**MINTURN POLICE DEPARTMENT**

**Brad Lamb, Chief of Police**  
Post Office Box 191/302 Pine Street  
Minturn, Colorado 81645-191  
Telephone: 970-827-4272  
Fax: 970-827-7420

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November 24, 2013

Liquor license renewal

Liquor License Number: 23-31218-0002

To Whom it may concern:

On November 03, 2013 I, Chief Brad Lamb conducted an onsite liquor license compliance review of the Shop N Hop #12 convenience store located at 401 Main Street, Town of Minturn. I found that the Colorado State Sale Tax certificate was not displayed as required. After speaking with the store manager she assured me the store had the certificate and would get it displayed as soon as possible. I then spoke with Town Treasure Jay Brunvand and assured me they had the sales tax certificate.

I found no other discrepancies with the renewal or inspection process. The Minturn Police Department supports the renewal of the license.

Brad Lamb  
Chief of Police

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



**Town Council**  
MR. HAWKEYE FLAHERTY, MAYOR  
MR. GEORGE BRODIN, MAYOR PRO TEM  
MR. AGGIE MARTINEZ, COUNCILMAN  
MR. EARLE BIDEZ, COUNCILMAN  
MS. SHELLEY BELLM, COUNCILWOMAN  
MS. JOHN ROSENFELD, COUNCILMAN  
MR. DARELL WEGERT, COUNCILMAN

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### AGENDA ITEM COVER SHEET

<b>AGENDA TITLE:</b> Deutschman Family LLC dba Kirby Cosmo's BBQ Bar annual renewal of a Hotel & Restaurant Liquor License; 474 Main St.; Michael Deutschman, Owner/President
<b>MEETING DATE:</b> December 4, 2013
<b>PRESENTER:</b> Brunvand
<b>BACKGROUND:</b> This is an application for annual renewal of a Hotel & Restaurant liquor license. The application has been reviewed by the Clerk and Police Chief, additionally; the Town of Minturn Police Department conducted an on-site review and has no concerns. Staff is recommending approval of this renewal.
<b>CORE ISSUES:</b>
<b>BUDGET/FINANCE IMPLICATIONS:</b> An annual renewal fee of \$125.00 has been paid to the Town.
<b>STAFF RECOMMENDATION/MOTION:</b> "Motion to approve Deutschman Family LLC dba Kirby Cosmo's BBQ Bar annual renewal of a Hotel & Restaurant Liquor License; 474 Main St.; Michael Deutschman, Owner/President as presented."

## LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

Fees Due	
Renewal Fee	\$500.00
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
<b>Amount Due/Paid</b>	

KIRBY COSMO'S BBQ BAR  
 PO BOX 93  
 MINTURN CO 81645-0093

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

**PLEASE VERIFY & UPDATE ALL INFORMATION BELOW**

**RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE**

Licensee Name <b>DEUTSCHMAN FAMILY LLC</b>		DBA <b>KIRBY COSMO'S BBQ BAR</b>		
Liquor License # <b>42433710000</b>	License Type <b>Hotel &amp; Restaurant (city)</b>	Sales Tax License # <b>42433710000</b>	Expiration Date <b>12/4/2013</b>	Due Date <b>10/20/2013</b>
Street Address <b>474 MAIN ST MINTURN CO 81645</b>				Phone Number <b>(970) 827 9027</b>
Mailing Address <b>PO BOX 93 MINTURN CO 81645-0093</b>				
Operating Manager <b>Mark Tambertino</b>	Date of Birth <b>05/27/76</b>	Home Address <b>0437 Draw Spur</b>	Phone Number <b>970-401-3060</b>	
<p>1. Do you have legal possession of the premises at the street address above? <input checked="" type="checkbox"/> YES <input checked="" type="checkbox"/> NO                  Is the premises owned or rented? <input type="checkbox"/> Owned <input checked="" type="checkbox"/> Rented* *If rented, expiration date of lease <u>2020</u></p> <p>2. Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p><b>NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:</b> If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.</p> <p>3. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>4. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>5. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>6. <b>SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:</b> Each person must complete and sign the DR 4679: Affidavit – Restriction on Public Benefits (available online or by calling 303-205-2300) and <b>attach a copy of their driver's license, state-issued ID or valid passport.</b></p>				

**AFFIRMATION & CONSENT**

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

Type or Print Name of Applicant/Authorized Agent of Business <b>Mark Tambertino / Michael Deutschman</b>	Title <b>owners</b>
Signature <i>[Signatures]</i>	Date <b>10/16/2013</b>

**REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY**

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

Local Licensing Authority For	Date
Signature	Title
	Attest

OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE**

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

**Deutschman Family LLC**

is an entity formed or registered under the law of **Maryland** has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20061430195.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 10/21/2013 that have been posted, and by documents delivered to this office electronically through 10/22/2013 @ 15:58:26.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 10/22/2013 @ 15:58:26 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 8671526.



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

Secretary of State of the State of Colorado

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

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



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

---

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

**MEMORANDUM**

To: Chief Brad Lamb  
CC:  
Date: 10/25/13 8:58 AM  
RE: Liquor License

Attached please find a copy of the Annual Liquor License Renewal Application for Kirby Cosmo's Hotel and Restaurant Liquor license located at 474 Main St. I have reviewed the application and am forwarding it on to you for further review and your report.

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

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

Thanks, jay



**MINTURN POLICE DEPARTMENT**

**Brad Lamb, Chief of Police**  
Post Office Box 191/302 Pine Street  
Minturn, Colorado 81645-191  
Telephone: 970-827-4272  
Fax: 970-827-7420

---

November 24, 2013

Liquor license renewal

Liquor License Number: 42-43371-0000

To Whom it may concern:

On November 24, 2013 I, Chief Brad Lamb conducted an onsite liquor license compliance review of the Kirby Cosmo's BBQ Bar located at 474 Main Street, Town of Minturn. During the inspection I found no deficiencies.

The Minturn Police Department supports the renewal of the license.

Brad Lamb  
Chief of Police

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



**Town Council**  
MR. HAWKEYE FLAHERTY, MAYOR  
MR. GEORGE BRODIN, MAYOR PRO TEM  
MR. AGGIE MARTINEZ, COUNCILMAN  
MR. EARLE BIDEZ, COUNCILMAN  
MS. SHELLEY BELLM, COUNCILWOMAN  
MS. JOHN ROSENFELD, COUNCILMAN  
MR. DARELL WEGERT, COUNCILMAN

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### AGENDA ITEM COVER SHEET

<b>AGENDA TITLE:</b> FM Saloon LTD Annual Renewal of a Hotel & Restaurant Liquor License; 146 N Main St.; Wm S Campbell, Owner/President
<b>MEETING DATE:</b> December 4, 2013
<b>PRESENTER:</b> Brunvand
<b>BACKGROUND:</b> This is an application for annual renewal of a Hotel & Restaurant liquor license. The application has been reviewed by the Clerk and Police Chief, additionally; the Town of Minturn Police Department conducted an on-site review and has no concerns. Staff is recommending approval of this renewal.
<b>CORE ISSUES:</b>
<b>BUDGET/FINANCE IMPLICATIONS:</b> An annual renewal fee of \$125.00 has been paid to the Town.
<b>STAFF RECOMMENDATION/MOTION:</b> "Motion to approve FM Saloon LTD Annual Renewal of a Hotel & Restaurant Liquor License; 146 N Main St.; Wm S Campbell, Owner/President as presented."

## LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

THE SALOON  
 PO BOX 700  
 MINTURN CO 81645-0700

Fees Due	
Renewal Fee	\$500.00
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
<b>Amount Due/Paid</b> <span style="float: right;">500</span>	

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

**PLEASE VERIFY & UPDATE ALL INFORMATION BELOW**

**RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE**

Licensee Name <b>F M SALOON LTD</b>		DBA <b>THE SALOON</b>		
Liquor License # <b>07348070000</b>	License Type <b>Hotel &amp; Restaurant (city)</b>	Sales Tax License # <b>07348070000</b>	Expiration Date <b>12/26/2013</b>	Due Date <b>11/11/2013</b>
Street Address <b>146 S MAIN MINTURN CO 81645</b>				Phone Number <b>(303) 827 5954</b>
Mailing Address <b>PO BOX 700 MINTURN CO 81645-0700</b>				
Operating Manager	Date of Birth	Home Address	Phone Number	

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

**AFFIRMATION & CONSENT**

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

Type or Print Name of Applicant/Authorized Agent of Business <i>William S. Campbell</i>	Title <i>owner/PRES</i>
Signature <i>William S. Campbell</i>	Date <i>11-7-13</i>

**REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY**

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

Local Licensing Authority For	Date
Signature	Title
Attest <span style="float: right;">25</span>	

OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE**

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

**F.M. SALOON, LTD.**

is a **Corporation** formed or registered on 01/01/1995 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 19941126718.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 11/21/2013 that have been posted, and by documents delivered to this office electronically through 11/22/2013 @ 16:00:34.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 11/22/2013 @ 16:00:34 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 8697866.



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

Secretary of State of the State of Colorado

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

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



TOWN OF MINTURN  
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970-827-5645 Fax: 970-827-4049  
treasurer@minturn.org

---

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

**MEMORANDUM**

To: Chief Brad Lamb  
CC:  
Date: 11/22/13 4:01 PM  
RE: Liquor License

Attached please find a copy of the Annual Liquor License Renewal Application for FM Saloon's Hotel and Restaurant Liquor license located at 146 N Main St. I have reviewed the application and am forwarding it on to you for further review and your report.

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

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

Thanks, jay



**MINTURN POLICE DEPARTMENT**

**Brad Lamb, Chief of Police**  
Post Office Box 191/302 Pine Street  
Minturn, Colorado 81645-191  
Telephone: 970-827-4272  
Fax: 970-827-7420

---

November 24, 2013

Liquor license renewal

Liquor License Number: 07348070000

To Whom it may concern:

On November 24, 2013 I, Chief Brad Lamb conducted an onsite liquor license compliance review of the F M Saloon LTD located at 146 S. Main Street, Town of Minturn. During the inspection I found no deficiencies.

The Minturn Police Department supports the renewal of the license.

Brad Lamb  
Chief of Police



## Potential Naming Opportunities List

### \$1,000,000 – 1 area

Skilled Nursing Building - \$1,000,000

### \$500,000 – 1 area

Assisted Living Building - \$500,000

### \$250,000 – 3 areas

Memory Care Household - \$250,000

Transitional Rehab Care Household - \$250,000

Dining Area – 1<sup>st</sup> Floor of Assisted Living - \$250,000 - **RESERVED**

### \$100,000 – 7 areas

Kitchen/Dining/Living Households (2 available) – 2<sup>nd</sup> floor of skilled nursing - \$100,000

Kitchen – 1<sup>st</sup> floor in assisted living - \$100,000

Multi-purpose room – 1<sup>st</sup> floor in assisted living - \$100,000

Dining/Activity Terrace – outdoor area 1<sup>st</sup> floor in assisted living - \$100,000

Club Room and bar area – 1<sup>st</sup> floor in assisted living - \$100,000 - **RESERVED**

Gym – 1<sup>st</sup> floor in assisted living - \$100,000 - **RESERVED**

### \$50,000 – 5 areas

Activities/craft room – 1<sup>st</sup> floor in assisted living - \$50,000

Lobby – 1<sup>st</sup> floor in assisted living - \$50,000

Roof Terrace – 2<sup>nd</sup> floor of skilled nursing - \$50,000

North Courtyard area - \$50,000

Putting Green - \$50,000

### \$25,000 – 14 areas

Lounge area – 2<sup>nd</sup> floor of assisted living - \$25,000

Conference room – 1<sup>st</sup> floor of assisted living - \$25,000 - **RESERVED**

Outdoor Healing Garden - \$25,000 - **RESERVED**

Outdoor Community Garden Area - \$25,000 – **RESERVED**

SE patio - \$25,000

SW patio - \$25,000

NE patio - \$25,000

NW patio - \$25,000

Library/Business Center – 2<sup>nd</sup> floor of assisted living - \$25,000 - **RESERVED**

Staff lounge – 1<sup>st</sup> floor of assisted living - \$25,000

Staff lounge – 2<sup>nd</sup> floor of skilled nursing - \$25,000

Family Dining Area – 1<sup>st</sup> floor of assisted living - \$25,000

East lounge area – 2<sup>nd</sup> floor of skilled nursing - \$25,000

West lounge area – 2<sup>nd</sup> floor of skilled nursing - \$25,000

All donations of \$10,000 and above will be recognized on a donor recognition piece inside of the community.

**FROM THE DESK OF  
JAY BRUNVAND, MINTURN FINANCE OFFICE  
MEMORANDUM**

TO: Mayor and Town Council  
FROM: Jay Brunvand, Treasurer  
CC: Jim White, Town Manager  
DATE: 11/26/13  
RE: FY2013 Budget – Direction and Summary

During the November 6 and the November 20, 2013 Council Meeting and Public Hearing a number of items were covered which I have outlined below.

I have updated all the pages of the 2014 Budget to reflect changes discussed below and changes that are a result of the Supplemental Appropriation. This includes the Property Tax change based on the November Assessed Valuation. These pages will be distributed at the December 4 Council meeting unless changes are made at the meeting that would change the budget pages.

---

Council heard presentations from those community groups requesting funding from the Town of Minturn in the 2014 Budget

The following funding requests were received during the budget process from community groups. Council directed a total allocation in the 2014 Budget of \$25,800 as follows:

Radio Free Minturn	\$1,000.00
Walking Mountain Science Center	1,000.00
Vail Valley Partnership/Econ Council	2,500.00
ECO Schools-Mosquito control	1,300.00*
Minturn Community Fund	10,000.00
ECO School Transportation	0.00
Augustana/Castle Peak Senior Care	40,000.00**

\*These funds will be distributed when the Eagle School District and the Academy donate as well. In the event no other funding is contributed, a separate request can be made at a later date.

\*\*These funds are to be distributed in four annual equal installments to be annually appropriated out of existing funds.

---

Holiday Staff Party (12/5/2013) Est Cost \$1,500 to \$1,750

**Direction was given to proceed with the December 5, 2013 Holiday Staff Party. The event is to be held at the Gourmet Cowboy. A cash bar and appetizers will begin at 5:30pm and dinner at 6:30pm.**

Those invited include all staff, Town Council, Planning Commission, Judge, and attorneys as well as a guest for each.

---

December Staff Bonus (12/15/2013)

**Council approved a pool not to exceed \$12,000 including taxes. The bonus was to be included on the December 15, 2013 paycheck and was to be merit based with consideration for service less than one year.**

---

What does the 2014 Fiscal Year include that is unfunded?

**General Fund: 2014**

General Fund Est Surplus – 1/1/2014	\$ 250,000
Est Ending surplus – 12/31/2014	<u>39,000</u>
Est Total surplus – 12/31/2014	\$ 289,000

Estimated Unfunded Requests for the 2014 Budget

Nelson Ave	\$ 80,000
East Norman Ave	20,000
So Minturn Bike Path Engineering	50,000
Eagle Park Restrooms	<u>80,000</u>
	\$230,000

Council requested that funding for improvements at the Boneyard Park be allocated as funds and projects are available. Additionally, Council directed that road repairs to the three railroad crossings be added to the list to allow for a smoother and safer road crossing of the train tracks.

**Council agreed this list was a good start point and directed to revisit the unfunded requests as funding, grants, and final estimates/bids are received. Council considered and felt that adding an additional \$1,000 from the General Fund to the Scholarship Fund was not necessary.**

2014 Staff Wage Increase:

Net Wages – Current	\$686,808
2.5% Raise Pool	17,170
Taxes and Benefits	<u>3,091</u>
Total Budgeted Raise Pool	20,281 (Page 46 in your 2014 Budget book = \$20,500)

**Council direction:**

- **Include a 2.5% Raise Pool in the 2014 Budget;**
- **Of the 2.5%**
  - **1% COLA for all employees**
  - **1.5% be used for Merit based increase at the Town Manager’s discretion.**
- **Both the COLA and the Merit increases would be permanent increases effective January 1, 2014 to the employee’s wage and would not roll back at the end of 2014 as would the bonus format.**

**Enterprise Fund: 2014**

Year End 2012 Cash Reserve (source 2012 Audit)	\$1,130,529
Restricted Cash	<u>-775,000</u>
Est Beginning Fund Balance – 1/1/2013	355,529
Est Ending surplus – 12/31/2013	<u>-105,350</u>
Est Total surplus – 12/31/2013	\$ 250,179

Estimated Unfunded Requests for the 2014 Budget

So Minturn Bike Path Engineering	50,000	Both of these could be shared 50/50
Eagle Park Restrooms	<u>80,000</u>	with the General Fund, \$25,000 and
	\$130,000	\$40,000 respectively.

**Council agreed this list was a good start point and directed to revisit the unfunded requests as funding, grants, and final estimates/bids are received.**

---

Other Requests for the 2014 Budget

During the 2013 Budget process, Council directed Staff and created a study committee to contract for a water rate study and appointed George Brodin and Aggie Martinez to represent the Council on this committee. This request has been fulfilled and has been presented to the Council at two meetings. The Committee will meet prior to the 11/6/2013 meeting to formulate a recommendation to present to Council for the 2014 Budget.

**Council directed the committee to continue working on specific questions and concerns and to bring back a separate recommendation on water rates during the First Quarter of 2014 for Council consideration. Further, 2014 water base and use rates would be increased 3% as of 1/1/14 until such recommendation from the Water Committee could be considered by the full Council.**

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Use some funds to pay off Long Term Debt: Currently the Town has two bonds that retire in 2037. The 2014 payoff of each is \$211,224 and \$206,073. By paying one off in 2014 the interest savings would be 150,184 and 139,066.38 respectively.

**Council did not desire to consider this in the 2014 Budget.**

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Discussion of what the appropriate level of reserve should be. Currently, the Town annually reserves the amount of depreciation as restricted cash in an effort to fortify our cash on hand. This reserve is used for Capital expenses in the Enterprise Fund. The concern has been expressed asking what the appropriate level of Reserve should be. By way of example, a major project could run in the neighborhood of \$2m. If the Town were to finance that project we should anticipate 25-50% matching funds. Therefore the minimum Town requirement would be \$500,000 to \$1m and one project could dissolve the entire reserve.

**Council would continue to consider this annually.**

---

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  
 Councilwoman – Earle Bidez  
 Councilman – Aggie Martinez  
 Councilman – John Rosenfeld  
 Councilman – Darell Wegert

---

### AGENDA ITEM COVER SHEET

<p><b>AGENDA TITLE:</b> Ordinance 10 – Series 2013 (Second Reading) an Ordinance to provide supplemental funding and expenditures for the 2013 Fiscal Year on Second Reading</p>
<p><b>MEETING DATE:</b> December 4, 2013</p>
<p><b>PRESENTER:</b> Brunvand</p>
<p><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”. Please note I have shown in redline format changes from first reading.</p>
<p><b>CORE ISSUES:</b> None.</p>
<p><b>BUDGET/FINANCE IMPLICATIONS:</b> As indicated in Exhibit “A”.</p>
<p><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 \$102,671.00 and appropriating additional General Fund expenditures in the amount of \$453,340.00, and appropriating additional Enterprise Fund expenditures in the amount of \$290,255.00, and appropriating additional Conservation Trust Fund expenditures in the amount of \$2,100, and appropriating additional Building Fund revenues in the amount of \$10,000.00, and appropriating additional Building Fund revenues of \$33,300.00, and appropriating additional expenditures in the amount of \$31,800.00, and appropriating additional Market Fund revenues in the amount of \$13,700.00, and appropriating additional Market Fund expenditures in the amount of \$21,500.00, and appropriating additional Scholarship Fund revenues in the amount of \$6,800.00, and appropriating additional Scholarship Fund expenditures in the amount of \$1,500.00 and appropriating additional Battle Mountain Resort Fund revenues in the amount of \$3,701,215.00, and appropriating additional Battle Mountain Resort expenditures in the amount of \$4,500 as presented.</p>

**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~~102,671.00, AND APPROPRIATING ADDITIONAL GENERAL FUND EXPENDITURES IN THE AMOUNT OF ~~\$387,030~~453,340.00, AND APPROPRIATING ADDITIONAL ENTERPRISE FUND EXPENDITURES IN THE AMOUNT OF ~~\$207,155~~290,255.00, AND ADDITIONAL CONSERVATION TRUST FUND EXPENDITURES IN THE AMOUNT OF ~~\$1,02,100.00~~, 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~~13,700.00, AND APPROPRIATING ADDITIONAL ART-MARKET FUND EXPENDITURES IN THE AMOUNT OF \$21,500.00, AND APPROPRIATING ADDITIONAL SCHOLARSHIP FUND REVENUES IN THE AMOUNT OF ~~\$1,16,800.00~~, 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	\$ <del>66,000</del> 102,671.00		
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
<u>ERFPD Impact Fee</u>	<u>01-00-4512</u>	<u>1,671</u>	<u>1,671</u>
Police Dept Grants	01-00-4550	500	500
<u>Gen Gov't-Grants</u>	<u>01-00-4561</u>	<u>25,000</u>	<u>25,000</u>
RETT	01-00-4680	<del>3040,000</del>	<u>100,000</u>
Additional Expense	\$ <del>387,030</del> 453,340.00		
Mayor	01-01-5010	200	5,200
Council	01-01-5011	600	15,600
<u>FICA</u>	<u>01-01-5092</u>	<u>70</u>	<u>1,600</u>
Council Supply	01-01-5100	<del>1,500</del> 650	7,900
Meeting Food/Drink	01-01-5270	<u>91,100</u>	<u>3,100</u>
<u>Utilities</u>	<u>01-01-5210</u>	<u>3,000</u>	<u>20,000</u>
<u>Auditor Fees</u>	<u>01-01-5225</u>	<u>500</u>	<u>9,500</u>
<u>ECO Treas Fee</u>	<u>01-01-5236</u>	<u>750</u>	<u>10,750</u>
Flowers on Main St	01-01-5275	270	270
<u>Computer R&amp;M</u>	<u>01-01-5292</u>	<u>14,500</u>	<u>18,000</u>
<u>Planner Medical</u>	<u>01-02-5091</u>	<u>4,750</u>	<u>15,500</u>
<u>Payroll-Police Chief</u>	<u>01-04-5010</u>	<u>7,454</u>	<u>80,000</u>
Supplies-Office	01-04-5100	<u>1,750</u>	2,300
<u>Media Notice</u>	<u>01-04-5110</u>	<u>575</u>	<u>575</u>
Veh Rep/Maint	01-04-5231	<del>4,000</del> 500	9,500
Victim Restitution	01-04-5240	<del>4,000</del> 250	4,250
Training & Development	01-04-5265	3,500	6,500
<u>Payroll-Econ Dev</u>	<u>01-05-5010</u>	<u>700</u>	<u>13,000</u>
<u>FICA</u>	<u>01-05-5092</u>	<u>1,000</u>	<u>1,000</u>
<u>ICMA</u>	<u>01-05-5094</u>	<u>20</u>	<u>500</u>
<u>Medical</u>	<u>01-06-5091</u>	<u>4,500</u>	<u>45,000</u>
<u>Veh R&amp;M</u>	<u>01-06-5231</u>	<u>1,500</u>	<u>1,500</u>
Public Building R&M	01-06-5290	<u>412,000</u>	<u>20,000</u>
Streets and Sidewalks	01-06-5352	340,000	380,000
Transfer to Other Fund	01-07-6100	<del>27,310</del> 33,471	<u>83,425</u>
<u>Holiday Bonus</u>		<u>12,000</u>	<u>12,000</u>
ENTERPRISE FUND:			
Additional Revenue	\$ 0.00		
Additional Expense	\$ <del>207,155</del> 290,255.00		
<u>Supplies-Gen</u>	<u>02-06-5140</u>	<u>9,000</u>	<u>14,000</u>
Telephone	02-06-5200	<del>1,502</del> 2,500	6,750
Professional Contracts	02-06-5247	10,000	30,000
Water Plant/System	02-06-5293	<del>127</del> 197,000	<u>245,000</u>
Annual H2O Rights	02-06-5352	58,665	102,000
<u>Capital Outlay</u>	<u>02-09-8000</u>	<u>3,350</u>	<u>10,100</u>
Trans to Building Fund	02-00-4570	9,990	31,399
CONSERVATION TRUST FUND:			
Additional Revenue	\$ 0.00		
Additional Expense	\$ <del>1,000</del> 2,100.00		
CTF Expense	03-00-5140	<del>1,021,100</del>	<u>12,600</u>

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	<del>\$7,200</del> <u>13,700.00</u>		
Sales	05-00-4593	850	850
Trans from Gen Fund	05-00-4570	<del>4,010</del> <u>5,000</u>	<u>10,500</u>
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	<del>\$ 1,100</del> <u>6,800.00</u>		
Investment Earned	08-00-4540	<del>1,16</del> <u>800</u>	<u>7,500</u>
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

Fri, Nov 22, 2013

09:38:05

9738873

Ad Ticket #5

**Acct:** 1032852  
**Phone:** (970)827-5645  
**E-Mail:** MANAGER@MINTURN.ORG

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

**Client:**  
**Caller:** Jay Brunvan

**City:** MINTURN  
**State:** CO  
**Zip:** 81645

**Receipt**

**Ad Name:** 9738873A

**Original Id:** 0

**Editions:** 8VD/8VDI/

**Class:** 0990

**Start:** 11/25/13

**Stop:** 11/25/13

**Color:**

**Issue** 1

**Copyline:** a Ordinance No. 10-2013 AMEND T

**Rep:** Pam Schultz

Lines:	56
Depth:	4.68
Columns:	1
Discount:	0.00
Commission:	0.00
Net:	0.00
Tax:	0.00
<b>Total</b>	<b>53.20</b>
Payment	0.00

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.

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 20TH 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 4TH 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 Elaherty, Mayor

ATTEST:

By: Jay Brunvan, Town Clerk

Published in the Vail Daily November 25, 2013 (9738873)

Ad shown is not actual print size

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



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

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### AGENDA ITEM COVER SHEET

<b>AGENDA TITLE:</b> Ordinance 11 – Series 2013 an Ordinance to approve the Fiscal Year 2013 mill levy on Second Reading.
<b>MEETING DATE:</b> December 4, 2013
<b>PRESENTER:</b> Brunvand
<b>BACKGROUND:</b> This is an annual ordinance approved by Council to establish the mill levy on property assessments for the following year. This item includes any changes reflected in the November valuations. As indicated, the final Assessed Valuation has decreased from the August valuation by \$19,143.00. After review, I have increased the sales tax and the Real Estate Transfer Tax to more accurately portray the current pattern. It should be noted this is not common for such a major change between the August and November Valuations. Normally, the difference is only a couple hundred dollars at most. This valuation decrease is indicative of how the real estate market trails the retail market in both a downturn and an upturn in the economy.
<b>CORE ISSUES:</b> None.
<b>BUDGET/FINANCE IMPLICATIONS:</b> This ordinance represents a major portion of the General Fund revenues.
<b>STAFF RECOMMENDATION/MOTION:</b> Motion to approve Ordinance 11 – Series 2013 (Second 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 as presented.

**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~~\$21,859,420.00 and will generate approximately ~~\$411,170.00~~\$392,027.00 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, 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. 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.

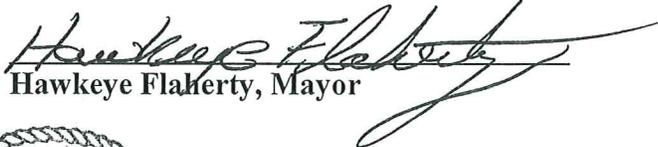
Section 2. The Minturn Town Treasurer is hereby authorized and directed to immediately certify to the County Commissioners of Eagle County, Colorado, the mill levies for the Town of Minturn, Colorado as here in above determined and set.

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.

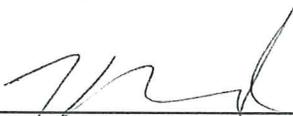
Severability. If any part, section, sub-section, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance; and the Town Council for the Town of Minturn, Colorado hereby declares it would have passed 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

  
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

Ad Ticket #5

**Acct:** 1032852  
**Phone:** (970)827-5645  
**E-Mail:** MANAGER@MINTURN.OR

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

**Client:**  
**Caller:** Jay Brunvan

**City:** MINTURN  
**State:** CO  
**Zip:** 81645

**Receipt**

**Ad Name:** 9738938A

**Original Id:** 0

**Editions:** 8VD/8VDI/

**Class:** 0990

**Start:** 11/25/13

**Stop:** 11/25/13

**Color:**

**Issue** 1

**Copyline:** b Ordinance 11-2013 PROPERTY T

**Rep:** Pam Schultz

TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 11 - SERIES 2013

Lines:	30
Depth:	2.51
Columns:	1
Discount:	0.00
Commission:	0.00
Net:	0.00
Tax:	0.00
<b>Total</b>	<b>28.50</b>
Payment	0.00

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.

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 20th 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 4TH 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

Published in the Vail Daily November 25, 2013.  
(9738938)

Ad shown is not actual print size

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



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Councilwoman – Earle Bidez  
Councilman – Aggie Martinez  
Councilman – John Rosenfeld  
Councilman – Darell Wegert

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## AGENDA ITEM COVER SHEET

<b>AGENDA TITLE:</b> Ordinance 12 – Series 2013 an Ordinance to approve the Fiscal Year 2014 fee schedule on Second Reading.
<b>MEETING DATE:</b> December 4, 2013
<b>PRESENTER:</b> Brunvand
<b>BACKGROUND:</b> This is an annual ordinance approved by Council to establish the fee schedule. This has been reviewed and modified as necessary to include consideration of a 3% increase to all water base and use rates.
<b>CORE ISSUES:</b> None.
<b>BUDGET/FINANCE IMPLICATIONS:</b> This ordinance represents a major portion of the General Fund revenues.
<b>STAFF RECOMMENDATION/MOTION:</b> Motion to approve Ordinance 12 - Series 2013 (Second 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 as presented.

**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 2013	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		
<b>Open Records Request</b>				
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>				
	Deposit may be required			
Set-Up Fee		\$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 2013	OTHER	Amt of Change
Miscellaneous fees				
<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			

ITEM	DESCRIPTION	FEE 2013	OTHER	Amt of Change
Portable meter deposit or lost meter cost		\$1,400.00		
Unusual Water User Fee	Sec. 13.66	set Administratively		
<b>Unmetered Water Rate</b>	Sec. 13-67			
Monthly rate per SFE for Residential		\$70.50		\$2.34
Policy related to other uses Commercial		+ 25% (\$100.56)		\$2.92
Replaces Sec. 13-29(b)(2) Residential out of Town		+ 50% (\$120.68)		\$3.50
Commercial out of Town		+ 75% (\$175.98)		\$5.11
Seniors (65 years or older)		-25%(\$60.34)		\$1.76
<b>Metered Water Rate</b>	Sec. 13-68			
(a) Residential, basic monthly charge per SFE		\$70.50		\$2.05
plus a monthly above 10,000 gals. use charge per 1,000 gallons		\$2.73		\$0.08
(b) Commercial, basic monthly charge per SFE		\$87.28		\$2.54
plus a monthly above 30,000 gals. Use charge per 1,000 gallons		\$2.86		\$0.08
(c) 25% discount for Residential Owner-Occupant over 65 years of age		\$52.87		\$1.53
Out of Town Water Rate are 50% higher for Residential and 75% higher for Commercial	Sec. 13-29(b)(2)	\$105.75 \$152.74		\$1.05 \$1.53
<b>Trash Collection</b>				
(a) Residential, Basic Monthly Charge	per contracted rates	\$29.32		
<b>Street Cut Fee</b>				
Basic permit fee		\$75.00		
Basic utility fee	per Sec. 11-26	\$50.00		
	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		
<b>Eagle River Fire Protection District Impact Fees</b>				
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

<u>ITEM</u>	<u>FEE</u>	<u>Plus</u>
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.

Ad Ticket #5

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

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

**City:** MINTURN  
**State:** CO

**Zip:** 81645

**Receipt**

**Ad Name:** 9739039A

**Original Id:** 0

**Editions:** 8VD/8VDI/

**Class:** 0990

**Start:** 11/25/13

**Stop:** 11/25/13

**Color:**

**Issue 1**

**Copyline:** c Ordinance NO. 12-2013 ANNUAL

**Rep:** Pam Schultz

TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 12 - SERIES 2013

Lines:	32
Depth:	2.68
Columns:	1
Discount:	0.00
Commission:	0.00
Net:	0.00
Tax:	0.00
<b>Total</b>	<b>30.40</b>
Payment	0.00

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.

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 20th 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 4TH 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

Published in the Vail Daily November 25, 2013.  
(9739039)

Ad shown is not actual print size

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  
Councilwoman – Earle Bidez  
Councilman – Aggie Martinez  
Councilman – John Rosenfeld  
Councilman – Darell Wegert

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## AGENDA ITEM COVER SHEET

<b>AGENDA TITLE:</b> Ordinance 13 – Series 2013 an Ordinance approving and adopting the Fiscal Year 2014 annual budget on Second Reading.
<b>MEETING DATE:</b> December 5, 2012
<b>PRESENTER:</b> Brunvand
<b>BACKGROUND:</b> This ordinance reports, allocates, and appropriates the beginning fund balance, the revenue and the expenses for each fund as detailed in the budget document. Any changes directed by Council to date or as a result of the Public Hearings or Work Sessions have been included.
<b>CORE ISSUES:</b> None.
<b>BUDGET/FINANCE IMPLICATIONS:</b> This is the funding mechanism per State law in the budget approval process.
<b>STAFF RECOMMENDATION/MOTION:</b> Motion to approve Ordinance 13 – Series 2013 (Second 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</u> <u>DESCRIPTION</u>	<u>BEGINNING FUND</u> <u>EST. BALANCE</u>	<u>FY2014</u> <u>REVENUE</u>	<u>FY2014</u> <u>EXPENSES</u>
General Fund	\$1,078,034	\$1,534,207	\$1,401,965
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.

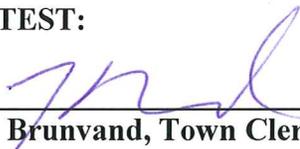
The budget hereby approved and adopted shall be signed by the Mayor and Town Clerk and made a part of the public records of the Town of Minturn, Colorado.

**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

Ad Ticket #5

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

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

**City:** MINTURN  
**State:** CO

**Zip:** 81645

**Receipt**

**Ad Name:** 9739077A

**Original Id:** 0

**Editions:** 8VD/8VDI/

**Class:** 0990

**Start:** 11/25/13

**Stop:** 11/25/13

**Color:**

**Issue** 1

**Copyline:** d Ordinance No 13-2013ADOPTING

**Rep:** Pam Schultz

TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 13 - SERIES 2013

Lines:	32
Depth:	2.68
Columns:	1
Discount:	0.00
Commission:	0.00
Net:	0.00
Tax:	0.00
<b>Total</b>	<b>30.40</b>
Payment	0.00

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.

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TOWN OF MINTURN, COLORADO

Hawkeye Flaherty, Mayor

ATTEST:

Jay Brunvand, Town Clerk

Published in the Vail Daily November 25, 2013.  
(9739077)

Ad shown is not actual print size

Planning and Zoning:

As per requested: the ordinance for the Town Council on review of projects:

**TOWN OF MINTURN, COLORADO  
ORDINANCE NO.2 - SERIES 2012**

**AN ORDINANCE AMENDING CHAPTER 16 OF THE TOWN OF MINTURN  
MUNICIPAL CODE BY ADOPTING SUBMITTAL REQUIREMENTS AND PUBLIC  
HEARING PROCEDURES FOR DESIGN REVIEW APPLICATIONS WITHIN THE  
OWN OF MINTURN.**

**Section 16-21-615 Design Review Applications**

Conditions of approval. The following conditions shall apply to all projects approved by the Design Review Board:

- a. No changes to an approved plan or design may be made without the written consent of the Town staff. Staff reserves the right to forward any change to the DRB for final approval;
- b. Design Review Board approval does not constitute a permit for building.
- c. DRB approval shall not become valid for 20 days following the date of approval, pursuant to the Minturn Municipal Code Chapter – Appeals
- d. Approval of this project shall lapse and become void one (1) year following the date of final approval, unless a building permit is issued and construction is commenced and is diligently pursued toward completion. A maximum of one, one-year extension may be granted at the request of an applicant.

Projects with Planning Commission:

Barry Clark Garage

Chris Davis Home

Sign Approval: Fire Department, VSSA school, Minturn-Redcliff Business

Grants: Safe Routes to School & Eagle County Colorado Common Grant

**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**  
**Councilmember – Shelley Bellm**  
**Councilmember – Earle Bidez**  
**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 26, 2013**  
**Re: Manager’s Report for the December 4, 2013 Town Council Meeting**

### **Celebration of Life**

Along with his family and friends, 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 at the Eagle-Vail Pavilion.

### **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 December 4, 2013 Town Council meeting that can be attended by Steve Humann, TST Engineering. Final billing is currently under review.

### **Eagle County Grant Application**

We have submitted a Colorado Common Grant Application to the Eagle County Board of County Commissioner’s Community Grant Program by the deadline on Wednesday, November 27, 2013. The goal is to align with social investment, economic vitality, sustainable communities, and environmental stewardship. We requested \$50,000.

### **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. The water line has been installed and the building construction is now actively underway.

### **Water Subcommittee**

The Water Subcommittee met again on Tuesday, December 3, 2013 with representatives from the Eagle River Water and Sanitation District to review water usage information, consider the results of our water rate study and to compare the ERWSD sewer rates. 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.

11/20/13

**Eagle Scout Project**

I signed off on Luis Aquirre'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 project this past summer. Luis will present a brief report on his Eagle Scout project at tonight's Town Council meeting.

**Upcoming Town Council Meeting Dates**

Wednesday, December 18, 2013 (confirmation requested)

Wednesday, January 1, 2014 (consider rescheduling or cancellation)

**Recent Events/Upcoming Events:**

**Minturn Winter Markets**

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

**Christmas Tree Bonfire**

Our Christmas tree Bonfire will be held on Friday night, January 10, 2014 at Little Beach Park. Trees (with lights and ornaments removed) can be delivered to the site, or Town public works' staff will pick up trees at local residences the week prior to the event.

Respectfully submitted,  
Jim White  
Town Manager



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

---

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

*MEMORANDUM*

TO: Minturn Town Council  
FROM: Jay Brunvand, Treasurer/Clerk  
CC:  
DATE: Wednesday, November 27, 2013  
RE: Executive Session

At the Council meeting, Council will need to convene in Executive Session with the Attorney to discuss and direct Staff regarding contract discussions for the Town Manager and Town Attorney. The following motion is recommended:

*“Recommended motion: “I move To convene in Executive Session Pursuant to Section 24-6-402(4)(a)(b) and (e) the purpose of discussing the purchase, acquisition, lease transfer or sale of real, personal or other property interests; to receive legal advice on specific legal questions and to determine positions, develop and strategy and instruct negotiators regarding Little Beach Park.*

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