



2014

# Minturn Council Meeting

Wednesday April 16, 2014

**Work Session:** **5:00pm**  
**(Town Center)**

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

**TOP COUNCIL PRIORITIES:**

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



## **Agenda**

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

**Wednesday April 16, 2014**

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

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

**COUNCIL MEMBERS:**

Earle Bidez  
Aggie Martinez  
John Rosenfeld  
Darell Wegert

**TOWN MANAGER– Jim White**  
**INTERIM TOWN ATTORNEY – Matt Mire**  
**TOWN CLERK/TREASURER – Jay Brunvand**  
**TOWN PLANNER – Janet Hawkinson**

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

### **Work Session – 5:00 pm**

- Resolution 8-2014 414 Eagle St Boundary agreement – Hawkinson pg 33
- Council transition discussion – Metteer/Hawkinson pg 4
  - Staff Introductions
  - Council board and sub-committee positions
  - Parliamentary Procedure (Res 41-2008)
  - Mock Debate

### **Regular Session – 6:30pm**

- 1. Call to Order**
  - Roll Call

- Pledge of Allegiance
2. **Swearing in of Mayor and Council Elect – Hon. Judge T. Quinn** pg 17
  3. **Approval of Agenda**
    - Items to be Pulled or Added
  4. **Approval of Minutes and Action Report**
    - April 2, 2014 pg 19
    - April 9, 2014 Special Meeting pg 26
    - Action Item Report pg 28
  5. **Public comments on items, which are NOT on the agenda (5 minute time limit per person)**
  6. **Special Presentations**
    - James Van Beek – Candidate for County Sheriff

## PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

7. **Discussion/Action Item: EC School Dist Mosquito Control Funding update by John Widerman – Brunvand** pg 29
8. **Discussion/Action Item: Eagle River Park Historic Walk update – Hawkinson**
9. **Discussion/Action Item: Resolution 8 - Series 2014 a Resolution authorizing the Mayor of Minturn to sign a Boundary Line Agreement at 414 Eagle St - Hawkinson** pg 33
10. **Discussion/Action Item: Resolution 9 - Series 2014 a Resolution authorizing the Mayor to sign a management agreement for 2014 with the ERWSD - Brunvand** pg 51

## COUNCIL AND STAFF REPORTS

11. **Economic Development** pg 59
  - Ski Joring Survey
12. **Code Enforcement** pg 98
13. **Town Planner**
  - New Building Permits
  - 2014 Minturn Community Plan per State Statute
  - 100 Block of Main St sidewalk discussion pg 102

**14. Public Works**

- Paving Bids pg 105
- So Minturn Culvert Ditch
- Lease Lot Berm

**15. Treasurer/Clerk**

- Election Update pg 110

**16. Co-Acting Town Managers pg 111**

**17. Town Council Comments**

**FUTURE AGENDA ITEMS**

**18. Next Meeting – May 7, 2014**

- Discussion/Action Item: Marijuana legislation update – Mire (5/7/14)

**19. Future Meetings:**

- Work Session – Continued work on the Town Council Vision Statement – White
- Discussion with XCEL Representative – White
- County Commissioners
- Work Session: Town Council CIRSA training (6/4/14)

**20. Set Future Meeting Dates**

a) Council Meetings:

- May 7, 2014
- May 21, 2014
- June 4, 2014

b) Planning & Zoning Commission Meetings:

- April 23, 2014
- May 28, 2014
- June 25, 2014

**21. Other Dates:**

- April 26, 2014 - Eagle River Watershed Council Highway Cleanup
- May 31, 2014 – Town Clean-up

**22. Adjournment**

Co-Acting Town Managers  
Janet Hawkinson  
Michelle Metteer  
P.O. Box 309 ♦ 302 Pine St  
Minturn, CO 81645  
970-827-5645  
[www.minturn.org](http://www.minturn.org)  
[www.downtownminturn.com](http://www.downtownminturn.com)



Town Council  
Mayor – Gordon “Hawkeye” Flaherty  
Mayor Pro Tem – George Brodin  
Councilwoman – Shelley Bellm  
Councilman – Earl Bidez  
Councilman – John Rosenfeld  
Councilman – Matt Scherr  
Councilman – Jason “Ozzy” Osborne

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## AGENDA ITEM COVER SHEET

**AGENDA TITLE:** Council Transition

**MEETING DATE:** April 16, 2014

**PRESENTER:** Metteer/Hawkinson

**BACKGROUND:**

Moving forward, 2014 is looking to be a busy year for Minturn, full of projects, improvements, and a focused effort at town beautification. For all of these tasks and more, the town staff will look to the Council for leadership, direction and unity. With these foundations in place, teamwork and production are the natural anticipated outcomes.

This transition discussion is intended to create an organized flow from one Council to the next.

The Town Council is only scheduled to meet twice a month. With that in mind, it is imperative that the scheduled meetings run efficiently, effectively and continue to move the decision making process forward in order to maintain the level of progress the town requires.

**CORE ISSUES:**

- Staff introductions
- Council transition of board and sub-committee positions
- Parliamentary procedure (Res 41-2008)
  - Included in Res 41-2008 is direction from Council to follow Roberts Rules of Order Newly Revised, as amended. The town Clerk and Attorney will begin closely following these rules of order in meetings, as since 2008 that has been the direction from Council.
- Mock debate

**STAFF RECOMMENDATION/MOTION:**

Michelle Metteer  
 Economic Development  
 Coordinator  
 P.O. Box 309 ♦ 302 Pine Street  
 Minturn, CO 81645  
 970-827-5645  
[mmetteer@minturn.org](mailto:mmetteer@minturn.org)  
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Town Council  
 Mayor – Hawkeye Flaherty  
 Mayor Pro Tem – George Brodin  
 Council Members:  
 Earle Bidez  
 Darell Wegert  
 Aggie Martinez  
 John Rosenfeld

**COUNCIL BOARD REPRESENTATIONS:**

Board	Representative	Time Requirements
Channel 5 Public Access TV	Darell Wegert	Meets quarterly
ECO Transit	Formerly Aggie Martinez	(Brodin alternate) Meets quarterly
Minturn Fitness Center	Johnie Rosenfeld	
Eagle County Open Space	George Brodin	

**COUNCIL SUB COMMITTEES:**

Sub Committee	Representative	Representative
Scholarship	George Brodin	Shelley Bellm
Water	George Brodin	Formerly Aggie Martinez
ECSO IGA	George Brodin	Hawkeye Flaherty
Battle Mountain	Earle Bidez	Shelley Bellm
Railroad	George Brodin	Shelley Bellm
Eagle River Park	Formerly George Brodin	Darell Wegert
Minturn Fitness Center	Johnie Rosenfeld	Earle Bidez

**ECO Transit Committee**

Duties: Discuss budget, buses, schedule, routes and eco trails.

- e-mail consent agenda for action items between meetings
- Bus Schedule Service
- Replacement
- Costs
- Ridership Campaigns
- Service Entire County
- Service Special Events

Important to have a Town of Minturn Presence

**Railroad Committee**

- Improved Communication and PR Position with Railroad
- Better Regulation and management of enterprises on Railroad land
- Bicycle Path thorough-fare Route

- Water Sewer to Public Works and Little Beach Park
- Largest landowner in Town
- Widest Property as opposed to other townships in Eagle County

### **Water Committee**

1.) Review water rates for entire Town to find parity among users.

- Residential
- Business
- SFE's
- Tap Size
- Usage charge
- Base Rate and gallons included in this

2.) Talks with Battle Mountain to advance water potentials for the development. Details for executive session (negotiations).

### **Outhouse Committee**

- 1.) Build Bathrooms at Eagle Park
- 2.) Build Bathrooms at Boneyard
- 3.) Build Bathrooms at Little Beach Park

### **Police Committee**

Negotiate Contract with Sheriff's Office for Minturn Police coverage.

TOWN OF MINTURN, COLORADO

RESOLUTION NO. 41 - SERIES 2008

A RESOLUTION ESTABLISHING PROCEDURES TO GOVERN ACTIONS OF THE TOWN COUNCIL FOR THE TOWN OF MINTURN IN THE GENERAL CONDUCT OF BUSINESS AND TO SERVE AS A REFERENCE IN SETTLING PARLIAMENTARY DISPUTES.

WHEREAS, the Home Rule Charter for the Town of Minturn provides at Section 4.8 that the Town Council shall determine the rules of procedure governing meetings; and

WHEREAS, the Town Council has determined that it is in the best interest of the Town Council of the Town of Minturn to have established procedures for the general conduct of its business and to serve as a reference to settle parliamentary disputes.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO:

**CONDUCT OF COUNCIL MEETINGS**

The Town Council hereby adopts the following procedures for conduct of business at Town Council Meetings. This procedure shall govern the conduct of all Town Council Meetings, however, in handling routine business, the Council may, by general consent, use a more informal procedure than that set forth in this procedure. The council may suspend these rules of procedure at any time by vote of five council members or two-thirds of the Council Members present, whichever is greater.

I. **Presiding Officer**. The Mayor is responsible for conducting meetings in an orderly and democratic manner and assuring that minority opinion may be expressed and that the majority is allowed to rule. At the same time, the Mayor retains all of the prerogatives of a duly elected council member; the Mayor may make and second motions and take part in discussions and must vote on all matters not involving the Mayor's personal financial interest or the Mayor's official conduct.

II. **Agenda**.

A. Items are placed on the agenda by the staff in consultation with the Mayor. Council members who have items for the agenda should present agenda requests at work sessions or regular meetings. A consensus of the majority of the members present at the work sessions or regular meetings is necessary to place a matter on the agenda.

B. Urgent items, time budget, and order of agenda. The staff and Town Council may designate urgent new agenda items, for which delay is not possible or advisable, so that the Town Council can deal with such items prior to adjournment. The staff, in consultation with the Mayor, will set the order of the agenda, which shall be generally as follows:

1. Call to order by the Mayor;
2. Determination of quorum;
3. Approval of minutes of preceding meetings;
4. Citizen Participation (5 minute limit per person, on a first come first served basis). Citizen participation is a time set aside for citizens to address the Council concerning Town business not otherwise on the agenda. The Council reviews citizen participation and assures that an appropriate response is given if the Council determines that a response is required. Such review is usually immediately following the citizen participation. Staff and Council responses are discouraged at the meeting, except for referral to the staff for further analysis and reports and ultimate Council decisions on a future agenda.
5. Consideration of Ordinances, Resolutions and Motions. Expected substantial public comment items are generally placed first on the agenda, but critical short items or items of extreme public interest may be placed first when deemed appropriate by the Town Council.  
  
Although second readings of ordinances are generally calendared last on the agenda, the Town Manager may request that a particular second reading be scheduled earlier on the agenda when Council/Public/staff interaction on the item is important on second reading;
6. Consideration of other matters on the agenda;
7. Reports from Town Administrator, Town Clerk, Department Heads and Town Attorney.
8. Statements, observations and inquiries by the Mayor and Council members. At this point, any Council member may place before the Council matters which are not included in the formal agenda. This item is generally limited to responses to citizen participation, appointments to boards and commissions, sharing of information and requests for advice concerning matters pending before other bodies, requests for staff work, and requests for scheduling future agenda items. Matters requiring a formal Council vote, such as motions to sponsor an event or to allocate funds are normally placed on the agenda through the regular agenda review process, rather than dealt with under this item;
9. Concluding statement by Mayor;

10. Adjournment. The Council's goal is that all meetings be adjourned by 10:30 p.m. An agenda check will be conducted at or about 10:00 p.m. and no later than the end of the first item finished after 10:00 p.m. Generally, absent a deadline which the Council cannot affect, no new substantial item will be addressed after 10:30 p.m. unless two-thirds of the Council members in attendance at that time agree. All Council meetings shall be adjourned at or before 11:00 p.m. unless two-thirds of the Council members in attendance, by motion duly adopted, extend that deadline. Items not completed prior to adjournment will generally be taken up at a special meeting at 7:00 p.m. on the following Wednesday evening.

### III. **Rules of Speaking.**

- A. To obtain the floor, a Council member or staff member addresses the Mayor.
- B. To assign the floor, the Mayor recognizes by calling out the person's name. Only one person may have the floor at a time. A person shall not speak while another has the floor. The Mayor generally next recognizes the person who first asks for the floor after it has been relinquished.
- C. During citizen participation or public hearings, members of the public are recognized by the Mayor. No person shall make a presentation (not including Council questions) longer than 5 minutes, unless given permission by majority direction of the Council to extend the time limit.
- D. Speakers will not generally be permitted to "pool" their time. Permission may be granted if the Town Council determines that substantial time can be saved thereby and issues better addressed in order to facilitate public participation in Council decision making. Speakers who desire to pool their time will not be granted the full pooled total, but a portion determined by the Town Council in light of the complexity of the issues to be addressed and the projected time saved from the pooling. All persons wishing to pool their time must be present at the meeting in order for the Town Council to recognize pooled time. No pooled time presentation will be permitted to exceed 10 minutes total.
- E. Proponents of an agenda item, especially in a quasi judicial proceeding, may request additional time, as reasonably required to present their case. In response, the Town Council may designate a longer time period for proponents, generally not to exceed 15 minutes and to occur immediately upon the opening of the public hearing, in order to give the public an opportunity to respond. Additional support from proponent's positions should come from additional witnesses.
- F. All Council members, staff members and members of the public are requested to direct their remarks to the Council action that they are requesting. Speakers engaging in personal attacks shall be interrupted by the Mayor, and if such conduct continues the speaker's time may be immediately terminated.

- G. The staff and the Mayor will attempt to focus discussion of agenda items in accordance with the materials which should contain a proposed outline of decisions. Staff presentations are generally limited to a 3 minute summary of the packet material and issues for Council decision. New information, large graphics, and any presentation authorized by the Council are exceptions to this rule.
- H. Council members should minimize debate prior to public hearings and use the period to ask questions for clarification rather than to lecture, give speeches, score debating points, or ask rhetorical questions. The Mayor may intervene to avoid extended debate prior to public hearings. Council members may also request intervention by making a point of order.
- I. Tabling motions are generally discussed before they are made, in order to allow for a reasonable amount of Council discussion prior to making a nondebatable motion.
- J. Council members will when possible give early warning to the Mayor and the Town Administrator whenever substantial opposition is anticipated to an agenda item, so that an appropriate staff and Council response can be prepared.
- K. Questions are rotated so that to the extent practicable, different Council members are given the lead on each agenda item and questions are grouped by subject matter whenever it is practicable to do so.
- L. The Mayor may intervene in Council debate in order to determine whether Council wishes to postpone Council action if more information or staff work appears warranted to facilitate a Council decision.

#### IV. **Procedure in Handling Motions.**

- A. A Council member, after obtaining the floor, makes a motion. (If long or involved, the motions should be in writing). The Council member may state reasons briefly before making the motion; but may argue the motion only after it has been seconded; and having spoken once may not speak again until everyone who wishes to be heard has had the opportunity to speak, except to answer questions asked by other Council members. Having made a motion a Council member may neither speak against it nor vote against it.
- B. Another Council member seconds the motion. All motions require a second, to indicate that more than one member is interested in discussing the question. The person seconding the motion does not, however, have to favor the motion in order to second it, and may both speak and vote against it. If there is no second the Mayor shall not recognize the motion.

- C. The Mayor states the motion and asks for discussion.
- D. General debate and discussion follow, if desired. Council, members, the Town Administrator, or the Town Attorney, when wishing to speak, follow the rules of speaking outlined above. The speaker's position on the motion should be stated directly: "I favor this motion because....." "I am opposed to this motion because...." etc. Remarks should be addressed to the Mayor.
- E. The Mayor restates the motion and puts the question. Negative as well as affirmative votes are taken. In the case of a tie vote, the motion is lost.
- F. The Mayor announces the result. The motion is not completed until the result is announced.

V. **Procedure in Handling Ordinances and Important Motions.**

- A. All ordinances, with the exception of an emergency ordinance, require at least two readings, and the Town Charter requires publication of an ordinance prior to second reading.
- B. On first reading, the Mayor reads the title in full of the item set forth on the agenda, followed by the staff presentation, and then the Council has an opportunity to ask questions of the staff. Thereafter, the Mayor opens a public hearing and supervises the public hearing. If any Council member wishes, questions may be asked of persons testifying. The Mayor then requests an appropriate motion. Once seconded, the Mayor restates the question, followed by discussion by the Council, the Town Administrator, and the Town Attorney and dialogue with staff in response to questions raised by the Council, followed by debate, proposal of amendments, if any, in consideration thereof in the form of motions. After debate, the Mayor restates the questions and requests a vote. After conclusion of the vote, the Mayor declares the ordinance adopted or defeated. If an ordinance is approved on first reading, it shall be published as provided for in the Town Charter. The Council shall set a day, hour and place at which the Council shall hold a public hearing on the ordinance and notice of such day, hour and place shall be included in the first publication. If the ordinance is tabled, it shall be reconsidered at subsequent meetings until it is approved with or without amendment or rejected by vote of the Council.
- C. The ordinance shall be introduced a second time at the meeting at which the public hearing on the ordinance is held. The ordinance may be read by title only on second reading. The ordinance may be amended before final approval or rejection by vote of the Council, provided the text or any such amendment or amendments shall be read in full. An ordinance, if amended in substance, shall be published in full after final passage. If not amended in substance, it may be published by title or in full, as the Council may determine after final passage.

VI. **Voting.**

Voting ultimately decides all questions. A roll-call vote shall be taken upon the passage of all ordinances. For other matters the Council may use any one of the following methods of voting.

- A. Voice Vote: All in favor say “AYE”, and all opposed say “NO”. If the Mayor is in doubt of the result of a voice vote the Mayor may call for a roll call vote. If any Council member is in doubt of the result of a voice vote, the Council member may obtain a roll call vote by calling for it (without the need to be recognized by the Mayor).
- B. Roll Call: The Mayor (or Clerk at the Mayor’s request) calls the roll of the Council members and each member presents votes “aye” or “no” as each name is called.

VII. **Research and Study Sessions.**

- A. Information/Research Requests. Requests for information or for a briefing should be directed to the Town Administrator who shall direct the request to the appropriate staff member or the Town Attorney. A single council member may request the Town Administrator to provide available information or to answer any question concerning an agenda item. The concurrence of three additional Council members is required to assign a matter for research by staff. For staff to spend more time than the Town Administrator or Town Attorney considers reasonable in light of other staff time commitments, the concurrence of five Council members is required. In such case, the Administrator or Attorney shall report the results of the preliminary research and an estimate of the time required to complete the task as the Administrator or Attorney proposes. In any case, a vote shall be taken at a Council meeting, but work may proceed in an emergency pending such vote. The Council shall be informed of any such emergency work.
- B. Work Sessions. Material for work sessions generally will be made available to the Council and the public at least twenty four hours before the date of the work session. Notice will be given as for other Council meetings. Written comments received by staff prior to noon on the Friday preceding the work session will be included in the Council packets. Testimony of persons other than staff is not permitted at work sessions unless a majority of the Council members present vote to suspend this rule. The Council will give direction to staff at work sessions for the presentation of action items at future regular Council meetings. Summaries of works sessions are placed on the Council agenda for approval, including the direction given, any remaining issues, and any staff reaction or proposed plan in response to the work session.

VIII. **Parliamentary Procedure.**

Except as otherwise provided herein, all matters of procedure are governed by Robert's Rules of Order Newly Revised (1990), as amended.

RESOLVED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

TOWN OF MINTURN

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

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## Civilized Debate

« on: November 23, 2006, 01:47:44 PM »

Let me begin this by posing a question. What two subjects should you avoid discussing in polite company? The answer? Politics and Religion.

In general, I hate hate HATE discussing the two of them. Why? Because it overlaps strongly with personal beliefs and cultural values and people get STRONGLY emotionally invested in their discussions. Why wouldn't they? They are essentially expressing who they are and subjecting their own personal beliefs to the judgment of others who may or may not express their same values. It takes NOTHING for one person to send (or get) the wrong message and then it degenerates into a mudslinging festival with articles flying galore. And don't make the mistake of playing devil's advocate, otherwise you magically find that others have married you to the argument... or made *personal* judgments about you because you don't agree with them or share their perspective.

When we are looking at a topic such as Israel and Palestine where politics and religion are *deeply* intertwined to where you can't separate it, then there are people who are going to feel strongly. VERY strongly. And you know what? That's okay... but you *have* to keep your cool and you *have* to make your points WITHOUT slamming the character or perspective of the other person. In a sense... you HAVE to stay polite about it. If you don't agree, then put simply, just agree to disagree and be done with it. Don't *assign* ulterior motives. Don't make *assumptions* about other people. Chances are that you don't know that other person *nearly* as well as you think. And for heaven's sake, don't allow this to travel into other forums or even other topics. The number one rule of hanging out in the Vox Populi board should be that IT SHOULD STAY THERE.

I won't mince words. I requested the General discussion forum. I did not want to touch this forum with a ten foot pole. I don't want to read through the topics and I don't want to read through the articles and place my mind inside the minds of different people. It's not that I can't do it. It's that I generally don't wish to do it. And then people just generally skirt the line of a flame. It's not just one person but a number of people. I DON'T want this thread to become a mudslinging fest or a case of "He said, she said." I'm not looking at yet *another* discussion of the Middle east or international politics. I'm looking at what we - and I am talking about EVERYBODY - can do to make this a somewhat more civil place to hang out. A few thoughts first...

**1.) We are not all the same... and that is a good thing.**

There are those of us with differing or even opposing religious beliefs, cultural values, political leanings, personal experiences, etc. that we bring to the table. If we *all* believed the same way and made similar interpretations, then what NEED would there be to debate anything? Why would we have to "test" our notions, if everyone else believes the same way? And at the same time that allows us to be exposed to information that either supports (or negates) our opinions to help "fill in" our beliefs.

We shouldn't ALL be Black, Democrat, Protestant, middle-class males, all who grew up the same way. And at the same time, we should be sure that while we uphold our own beliefs, we should not alienate those who believe differently or come from different backgrounds.

## **2.) You aren't going to change anyone else's opinion or change who they are.**

Kami and Mike are Republicans, for instance. They have their own reasons for voting and believing the way they do. It is NOT your (or my) right to make personal assumptions against them because they prefer red over blue. We should accept their reasons as THEIR reasons and leave it as that. It is not anyone's charge to convert another to your personal belief or them to ours.

Did Jesus walk into a village with a gaggle of armed disciples, shooting beams from his eyes, and say "All right you all, bow down and worship me or Daddy's going to ship all your asses to the basement for some tough tanning"? (No offense meant to those who don't believe that way. I'm just using this as an example.) If he *had*, do you think people would have accepted his argument for the right reason? The *delivery* of the argument is more important than the argument itself.

## **3.) Attack the argument, not the person. Don't overgeneralize.**

The two are *not* the same. What if someone is playing devil's advocate? What if someone just completely disagrees with you on that one subject area. Keep it all in context. The debate is won by *logic*, not the person who hits the hardest and lowest. This is a *debate* forum, not a "Yo' mamma" contest.

What does it mean when someone sympathizes/agrees with Israel in the Israeli-Palestinian conflict? Simple. It *means* that person thinks Israel's force is justified *in that conflict*. It does *not* mean he/she is anti-Arab, pro-U.S., anti-Muslim, practices voodoo, or anything else. It does *not* mean he/she approved of the treatment of prisoners at Abu Ghraib. You *cannot* make an assumption that a person who believes one way about a *specific* subject will in turn believe this way about *another* subject altogether. That's like saying that because I'm a Black male, I believe

all police are racist pigs out to lynch me. There is a tendency to generalize opinions, **but you cannot extend that to people.**

#### **4.) He's DEAD, Jim.**

If the debate is not going anywhere, then for heaven's sake STOP. You need to look at what the PURPOSE of the argument is. If you aren't bringing new facts to light or responding (civilly) to arguments expressed by others, then what the hell are you doing? You're just trying to see whose is bigger. When it gets to this point, HANG IT UP. Walk away from it and DON'T GO BACK. Simple as that. No person can argue with himself.

And when the argument is pronounced dead, KEEP IT DEAD. Don't pick up a dead argument about the Israeli-Palestinian conflict in a thread about Pam Grier. If the horse is beaten to death, then all that's going to happen next is that you are going to have smelly blood and dead flesh all over your shoes. LET IT GO.

#### **5.) The moment you insult your audience, you lose ALL credibility.**

For real. Why the hell would I want to listen to you when you've called me a moron? You have already established that you have no respect for me or my opinion. So, why should I take anything you say seriously?

Now, I'd like to open up this particular thread for discussion. What are some things that we members *as a whole* can do *while participating* to keep a positive atmosphere here?

NO venting about other people. NO insulting. NO hijacking the thread, unless it's by Sam Wilson with pictures of a beautiful scantily-clad women and even THEN, every picture must be accompanied by something relative to the topic at hand. What are some things that **WE AS A WHOLE** can keep in mind while participating in discussion here?

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

**MEMORANDUM**

TO: Mayor and Town Council  
FROM: Jay Brunvand, Finance Office  
CC:  
DATE: 4/10/14 5:20 PM

**APRIL 16, 2010 COUNCIL MEETING**

Note: Following is a recommended sequence of events for the Mayor to follow in order to process the first meeting after the April 8<sup>th</sup> municipal election.

The meeting should begin with the “old” members of the Council in their council seats. Often one or more are not present. It is necessary that a quorum is established in order to call the meeting to order. The newly elected can not be sworn in with out the meeting already in session!

**Call meeting to order:**

The “old” Mayor calls the meeting to order, takes roll, and leads the meeting in the Pledge of Allegiance.

**Swearing in of new Council members:**

The Mayor Elect and Council Elect members are sworn in. (The members of the Council that were not up for re-election are not sworn in as their term simply continues.) I have arranged for Minturn Municipal Judge Terry Quinn to be present to administer the Oaths of Office. The Mayor Elect is sworn in first, the Council Elect members second. At this point the newly sworn Mayor and Council members assume seats at the Council table with the remaining Council members.

**Choice for Mayor Pro Tem:**

The Mayor announces his/her choice for Mayor Pro Tem and requests a motion to accept the nomination. This is a position that is responsible for running the meetings in the Mayor’s absence and is an alternate check signer on all accounts.

The meeting then continues with the agenda items.

It is important to note that several of the members on the Council may want to abstain from voting to approve the minutes, etc as they were not present at the meeting or first reading or what have you. In accordance with Robert’s Rules of Order, this is not a viable reason to abstain from the vote as it is not a defined conflict of interest; i.e. everyone votes. Those that do abstain are recorded as an abstain and included in the “for” votes

Please contact me if you have any questions. j



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

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

*MEMORANDUM*

TO: Mayor and Council  
FROM: Jay Brunvand, Treasurer/Clerk  
CC: Jim White, Town Manager  
DATE: Friday, April 11, 2014  
RE: Mayor Pro Tem

At tonight's meeting the newly elected Mayor will appoint the Mayor Pro Tem.

Minturn Town Charter Section 4.2(c) states, "The Mayor Pro shall be appointed by the Mayor subject to approval by the Council at the first regular meeting held after each regular municipal election and shall serve at the pleasure of the Mayor for a two-year term."

The following protocol is recommended:

- The newly elected and sworn Mayor will select his candidate for Mayor Pro Tem and ask the Council for a motion to approve confirmation of the candidate select.
- The recommended motion is:  
*"I move to confirm \_\_\_\_\_ as Mayor Pro Tem."*

Please let me know if you need additional information.

Thanks j



## Official Minutes

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

**Wednesday April 2, 2014**

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

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

**COUNCIL MEMBERS:**

Shelley Bellm  
Earle Bidez  
Aggie Martinez  
John Rosenfeld  
Darell Wegert

**TOWN MANAGER– Jim White**  
**INTERIM TOWN ATTORNEY – Matt Mire**  
**TOWN CLERK/TREASURER – Jay Brunvand**  
**TOWN PLANNER – Janet Hawkinson**

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

### Work Session – 5:30 pm

- Council vacancy

Hawkeye asked for direction from the Council regarding the resignation of Shelley B.

Matt M. stated the Council options as they could accept the rescindment of the resignation.

Council requested this be brought up on the agenda for decision during the meeting.

- DOLA Grant Update – Brunvand/Hawkinson

Jay B. reported he had been able to review the grant as it stands to include what had been paid and reimbursed through the grant, what had been paid but not reimbursed, and what was yet to be undertaken. The numbers presented have been reviewed by TST Engineers but only via email,

Staff has not had time to verbally discuss any concerns directly with TST. This would be occurring in the next few days. Concern was expressed by Staff that the remaining projects are far under the original estimates and costs for other similar portions of the project but yet we were still on budget rather than under budget.

Direction was given by Council to complete the Water Treatment Study for \$7,500 and to continue with the balance of the grant for the Main Valve and the Harrison Ave loop. Council requested Arnold M. to obtain a quote to take up the entire Harrison Main to Pine and repave as an addition to the project. This work is to be done prior to the June 30 Grant deadline.

- Police coverage discussion – Metteer

Hawkeye asked if he could review the Gypsum agreement; Michelle M. will send it to the entire Council.

Lisa O. asked if Council wanted 12 hour in-Town shifts each day or would less be acceptable? Janet H. noted we would also have an in-town Code Officer. Hawkeye asked if we could split the 12 hours during the day (ie non-consecutive hours). Michelle M. noted that a shorter day had not been proposed to the ECSO so it was not confirmed if this is an option. (Note: in the past our Officers have worked 10hr per day shifts and average about 3 callouts a month for additional services.)

Lisa O. reviewed the various negotiating points that are present in the Minturn revised proposal.

## **Regular Session – 6:30pm**

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

- Roll Call

The meeting was called to order by Mayor Hawkeye Flaherty at 6:32pm.

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

Staff present: Interim Town Attorney Matt Mire, Town Planner Janet Hawkinson, Economic Coordinator Michelle Metteer, and Town Clerk/Treasurer Jay Brunvand.

- Pledge of Allegiance

### **2. Approval of Agenda**

- Items to be Pulled or Added

Motion by John R., second by Aggie M., to approve the agenda as presented. Motion passed 6-0.

Motion by Earle B., second by George B., to add the discussion Shelley Bellm's resignation as Discussion Item 6a. Motion passed 6-0. Add discussion and vote regarding the rescindment of Shelley B. as Discussion Item 6a.

Motion by Earle B., second by George B., to approve the agenda as amended Earle/George to add the discussion motion passed 6-0

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

- March 19, 2014

Motion by Darell W., second John R., to approve the minutes of March 19, 2014 Council Meeting as presented. Motion passed 6-0.

- Action Item Report

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

Mr. Garth Koellhoffer, 434 Taylor St, requested again for Town Manager Jim White's termination citing the following as conditions for cause:

- Taylor St Parking variance letter, unethical behavior by an individual of authority, and hid information from the citizens.
- Allowing a business to operate in Town without a business license and on property they were trespassing on. Citizen complaints of the business went unanswered and were disregarded by the Manager.
- Allowed squatters on railroad property at the corner of 4<sup>th</sup> and Minturn Road. Mr. Koellhoffer cited six areas in the Town Code where violations occurred. Stating again, these violations went unanswered by the Town Manager even after they were brought directly to his attention.
- Police Chief was allowed to resign after three months of Administrative Leave. It was proven the Police Chief was protecting his father-in-law and was a violation of law and ethics. This employee directly reported to the Town Manager and had very little supervision even when shown incriminating actions.
- All of these items the Town Manager did nothing about even after the issues were brought to his attention on several occasions.

Mr. Koellhoffer noted that several items of this list have been resolved professionally by the Acting Co-managers to everyone's satisfaction.

Mr. Larry Stone, 201 Main St owner of the Scarab, spoke in support of the Manager and added several letters in support of Jim White.

Ms. Sage Petersen, Sticky Fingers, spoke in support of Jim White.

Ms. Bev Christensen, 1207 Main St, spoke in support of Jim White and is support of his work for the senior program.

Mr. Eric Kregan, 152 Main St, spoke in support of Jim White.

Mr. Dan Armistead, 1003 Main St unit C, spoke in support of Jim White and represented several of his family members.

Mr. Frank Lorenti, 1081 Main St, said it is very difficult to support Jim White when no one knows what he did wrong. The Fitness Center is 25% over budget, this does not make a good Town Manager. Mr. Lorenti stated he felt governmental transparency is severely lacking under the current administration. He stated the current Mayor also will not debate him in their mutual endeavor for the office of Mayor. Mr. Lorenti stated that if Jim White is terminated the issues reasons should be conveyed to the citizens.

Mr. Barry Clark, 974 Main St, asked if the Council could give insight to what the issues are against Jim White.

Hawkeye stated the Town Manager and concerns of his performance has been under review since allegations arose in early November. In February he was placed on Administrative Leave, the Town has hired an outside investigator, and that investigator will be submitting a report of findings for the Council to Review. This report is due in the next few days. It was asked if the Council will see the report prior to any action is taken; yes however, this is an employee issue and the report will remain confidential.

## 5. Special Presentations

### PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

#### 6. **Discussion/Action Item: Ordinance 2 – Series 2014 (Second Reading) an Ordinance amending the Town Parking Plan – Hawkinson**

Note: Staff is requesting Council to table this item to the June 4, 2014 Council Meeting.

##### Previous Action:

- 2/19/14 Motion by Shelley B., second by John R., to approve Ord 2-2014. Motion Passed 7-0.
- March 5, 2014 Motion by Darell W., second by Aggie M., to table to the 4/2/14 meeting. Motion Passed 6-0.
- 3/19 Janet H. requested this be moved from the April 2 meeting to the June 4

Motion by Darell W., second by George B., to table Ordinance 2 – Series 2014 (Second Reading) an Ordinance amending the Town Parking Plan to the June 4, 2014 meeting. Motion passed 6-0.

#### 6a Discussion of Shelley B. resignation rescindment

George B. stated that the resignation was accepted as a point of law. He stated that, although he appreciates her work on the Council, he feels her resignation is valid. Matt. M clarified that the resignation was valid and the Council had the choice of appointing for the two weeks, holding the vacant seat until the election, or accepting the rescindment.

Motion by Earle B., second by Hawkeye to accept the rescindment of Shelley B.'s resignation, thereby reinstating her as a council member. Motion failed 1-5 (Earle B. yea).

Shelley B. stated her resignation was very vague and felt the Council plots against themselves. She was asked by the Town Attorney, a Council Member, and a number of Staff members to continue her efforts. She felt there was not precedent on her resignation because all resignations have come from members that were leaving the Town proper. Shelley B. cited an email where the Mayor stated the Council "elected" to accept her resignation. She felt this inferred that the Council had been polled and made a decision on her resignation and felt this constituted a meeting and illustrated how Mayor had over stepped his bounds.

Shelley B. stated the Town Manager has continued to converse with the Town's attorneys and this was insubordination.

## OTHER MATTERS

### 7. Planning Department Update

- TAP Grant – Hawkinson

Janet H. updated the Council that we have looked at several grants recently. The weed control grant looks good for the town and we have two on staff that are trained weed sprayers from the same grant last year. The TAP Grant also looks good and we are also looking at the Conservation Easement Grant. The name of the park will remain the Boneyard, the grant will be used to create parking, and things to do.

The tiger grant will be applied for and used to complete the bike path through the Town.

Michelle M. and Janet H. met with the Forest Service to discuss the Game Creek trailhead parking on UPRR land. Because this is parking for the trailhead both the UPRR and the USFS are involved.

The Eagle River Park bathrooms are progressing. She stated year around bathrooms will increase the cost by fourfold. Arnold M. stated he did not feel year around restrooms were a good idea because there is not much foot traffic in the area and it is difficult to clean them.

The council felt seasonal was appropriate.

It was asked if the ERWSD would give a sewer tap to the town for the park; no, they do not give them away, they will amortize the cost over up to ten years.

## 8. Staff Report

Arnold M. asked about sidewalks on the 100 block of Main St. Council stated this would need to be a supplemental allocation to the budget and asked for cost estimates to be approved by Council before any work is undertaken. Discussion ensued as to the signs in the sidewalk in that area. When the sidewalks are done Staff needs to talk to the affected neighbors and see if we can put the sign in their yard rather than in the sidewalk.

Janet H. asked if the Council wanted to look at the South Minturn sidewalks too; at this point that is a separate project and should be considered at a later date. It was noted that the budget is limited this year and we need to prioritize.

Michelle M. noted for the Council that the Public Buildings line item is in excess of \$5,000 over budget already due to the East Entrance on Town Hall and the heat tape.

Michelle M. requested those council members on committees please write up a summary of the committees they are on to update the new Council.

## 9. Town Council Comments

John H. thanked Aggie M. and Darell W. for their service to the Town as Council Members.

George B. is working on setting up a meeting with Dave Kleinkopf, Battle Mtn Resorts, he will inform the Council as the meeting date and time is set.

George B. asked the Council to send questions for the Sheriff contract to Matt M. Hawkeye asked that he be on that committee too and was appointed to the committee.

Hawkeye stated he was running for re-election as Mayor and he was running on his record.

## EXECUTIVE SESSION

### **10. Executive Session: Executive Session pursuant to C.R.S. §24-6-402(4)(b)(f) - to receive legal advice on specific legal questions and to discuss personnel matters, regarding the Town Manager.**

Matt M. requested in lieu of an Executive Session that Council call a special meeting within the next week. This would allow time for the Town Manager's investigation to be finalized and forwarded to Council for review in Executive Session. Discussion ensued as to which date worked best for the Council; Wednesday April 9, 2014. Wednesday was determined to be the meeting date and it will cover the executive session for the Manager.

## FUTURE AGENDA ITEMS

**11. Next Meeting – April 16, 2014**

- Election summary and Council swearing in
- Citizen Comment: Van Beek for Sheriff
- Work Session: Council transition discussion
- Work Session: 2015 World Cup support discussion

**12. Future Meetings:**

- Work Session – Continued work on the Town Council Vision Statement – White
- Discussion with XCEL Representative – White
- Work Session: Town Council CIRSA training (6/4/14)
- Discussion/Action Item: Ordinance 2 – Series 2014 (Second Reading) an Ordinance amending the Town Parking Plan – Hawkinson (6/4/14)
- Marijuana update – Town Attorney (Invite Ms. Barbara Allen to the meeting) (5/7/14).

**13. Set Future Meeting Dates**

a) Council Meetings:

- May 7, 2014
- May 21, 2014
- June 4, 2014

b) Planning & Zoning Commission Meetings:

- April 23, 2014
- May 21, 2014
- June 18, 2014

**14. Other Dates:**

- April 26, 2014 - Eagle River Watershed Council Highway Cleanup
- May 31, 2014 – Town Clean-up

**15. Adjournment**

Motion by John R., second by Aggie M., to adjourn at 8:09pm.

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Mayor Hawkeye Flaherty

ATTEST:

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Town Clerk, Jay Brunvand



## **Official Minutes – Special Meeting**

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

**Wednesday April 9, 2014**

**Regular Session – 5:00pm**

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

**COUNCIL MEMBERS:**

Earle Bidez  
Aggie Martinez  
John Rosenfeld  
Darell Wegert

**TOWN MANAGER– Jim White  
INTERIM TOWN ATTORNEY – Matt Mire  
TOWN CLERK/TREAS – Jay Brunvand  
TOWN PLANNER – Janet Hawkinson**

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**Regular Session – 5:00pm**

### **START TAPE**

**1. Call to Order**

- a. Roll Call

The meeting was called to order by Mayor Hawkeye Flaherty at 5:18pm.

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

Staff present: Interim Town Attorney Matt Mire.

- b. Pledge of Allegiance

**2. Approval of Agenda**

- a. Items to be Pulled or Added

Motion by Darell W., second by George B., to approve the agenda as presented. Motion passed 6-0

**EXECUTIVE SESSION**

- 3. Executive Session: Executive Session pursuant to C.R.S. §24-6-402(4)(b)(f) - to receive legal advice on specific legal questions and to discuss personnel matters, regarding the Town Manager and to discuss merit compensation for Michelle Metteer, Janet Hawkinson, and Jay Brunvand.**

Motion by John R., second by George B., to convene in Executive Session pursuant to C.R.S. §24-6-402(4)(b)(f) - to receive legal advice on specific legal questions and to discuss personnel matters, regarding the Town Manager and to discuss merit compensation for Michelle Metteer, Janet Hawkinson, and Jay Brunvand. Motion passed 6-0.

**Direction to staff as a result of the Executive Session**

Post a Special Meeting – Executive Session for Monday April 14, 2014 at 4pm pursuant to C.R.S. §24-6-402(4)(b)(f) - to receive legal advice on specific legal questions and to discuss personnel matters, regarding the Town Manager and to discuss merit compensation for Michelle Metteer, Janet Hawkinson, and Jay Brunvand

**4. Adjournment**

Motion by John R., second by Darell W., to adjourn at approximately 7pm.

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Mayor Hawkeye Flaherty

ATTEST:

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Town Clerk, Jay Brunvand

## Town of Minturn - Action Item Memo

**TO:** Council Members/Staff Members  
**FROM:** Co-Acting Managers  
**DATE:** April 16, 2014  
**SUBJECT:** Status of Action Items and projects

Action Item	Responsible Party	Progress Report
Eagle River Park	Janet Hawkinson Michelle Metteer George Brodin Darell Wegert	Eagle River Park sub-committee met to review designs. Took a tour of the LGM facility for review of 3D topography map of the Minturn Valley and building design options. Architect hired for structure design.
Rec property clean-up / Berm	Arnold Martinez Janet Hawkinson	Berm plans being constructed and site clean-up is underway.
Code enforcement	Lisa Osborne	Lisa spent a day “shadow” training with four different Town of Vail code enforcement officers. Policies and forms are now being created to coincide with the enforcement of town code.
Elections	Jay Brunvand Michelle Metteer	Jay has provided an elections update in the Clerk’s report of the Council packet.
Open Space Land Trust	Janet Hawkinson	150-page easement to be written and site design to be drawn. An additional 100-page land trust management plan must be submitted as well. Due June 2014.
Memorialization Guidelines	All Staff Cliff Thompson	Second meeting being scheduled to further define procedure and paperwork.
ECSO IGA	Michelle Metteer Lisa Osborne George Brodin	The Undersheriff is awaiting word on when Minturn will be ready to begin the negotiation process.
Isolation Valve at Toledo and Main St	Arnold Martinez	Final DOLA grant work for 12” main valves.
TAP Grant – South Minturn Sidewalks *Longer term project. Expect updates to begin early summer.	Janet Hawkinson Michelle Metteer	Not yet open. Application to be submitted for south Minturn sidewalks. All of staff and much of Council will be needed to assist.
2014 Community Master Plan *Longer term project.	Janet Hawkinson	5-year update to the Community Plan per the State of Colorado. Community involvement required. Scheduling design meetings.

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



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

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## AGENDA ITEM COVER SHEET

<b>AGENDA TITLE:</b> ECSD Mosquito Control Funding Update
<b>MEETING DATE:</b> April 16, 2014
<b>PRESENTER:</b> Brunvand
<b>BACKGROUND:</b> During consideration and approval of the FY2014 Budget, Council approved funding in the amount of \$1,300 on the condition that funding from other sources also be committed. Mr. Widerman will be present to update the Council identifying those other sources and to request the committed funds from the Town be released.  Because this expenditure has been approved, Staff is requesting direction to release said approved funds based on the condition being met of other commitments.
<b>CORE ISSUES:</b>
<b>STAFF RECOMMENDATION/MOTION:</b> Staff recommends releasing the funds and is requesting direction from Council to do such.

## Jay Brunvand

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**From:** JOHN WIDERMAN [JOHN.WIDERMAN@eagleschools.net]  
**Sent:** Tuesday, April 01, 2014 9:12 AM  
**To:** Jay Brunvand  
**Subject:** RE: FY 2014 Funding Request

Hello Jay,

Since I had spoken with the town council earlier this year I have received various funding approval from Ski Club, VSSA, the Housing Department with Eagle County Schools.

The break down goes as follows,  
SSCV \$1000  
VSSA \$350  
ECSD Housing \$600

The remainder of the funding required will come in the form of direct fundraising from the residence of Maloit park, and possibly from a lower overall bill due to a higher snow year and shorter mosquito season. (we hope)

If you could please include me on your April 16th agenda, I will briefly recount the mosquito control proposal, answer any new questions that the current/new council members may have and I will also come armed with an invoice with the hopes of everything going smoothly. (the mosquitoes have already started out there)!

Thank you for your time,  
We will see you on the 16th

**Thanks,**  
**John Widerman**  
**Maloit Park Manager**  
**970-977-6650**  
**JOHN.WIDERMAN@EAGLESCHOOLS.NET**

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**From:** Jay Brunvand [treasurer@minturn.org]  
**Sent:** Monday, November 25, 2013 7:27 AM  
**To:** JOHN WIDERMAN  
**Subject:** RE: FY 2014 Funding Request

I would think, once you know if the School Dist and the entities up there give you an answer one way or another you could then talk to the council. As for the payment request, an email or letter would be sufficient.

*Jay Brunvand*, MMC  
Town Clerk/Town Treasurer  
Town of Minturn  
P.O Box 309  
Minturn, CO 81645

treasurer@minturn.org  
970/827-5645

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**From:** JOHN WIDERMAN [mailto:JOHN.WIDERMAN@eagleschools.net]  
**Sent:** Saturday, November 23, 2013 2:14 PM  
**To:** Jay Brunvand  
**Subject:** RE: FY 2014 Funding Request

Thank you for the information Jay,  
I will get a meeting set up with Ski club and VSSA in an attempt to get matching funding. In the event that both or one of the entities is not interested in donating, when should I expect to present/submit a proposal for additional funding?

Where do I attain a payment request to submit?

**Thanks,**  
**John Widerman**  
**Maloit Park Manager**  
**970-977-6650**  
**JOHN.WIDERMAN@EAGLESCHOOLS.NET**

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**From:** Jay Brunvand [treasurer@minturn.org]  
**Sent:** Thursday, November 21, 2013 4:38 PM  
**To:** JOHN WIDERMAN  
**Subject:** FY 2014 Funding Request

John, on behalf of the Town of Minturn I am pleased to inform you that your funding request for the FY 2014 has been awarded \$1,300. This award will be fulfilled upon submittal of letters from the Eagle Co School District and the Academy pledging matching funds. Once pledge letters and a funding request to the Town are submitted the award will be paid.

In the even no matching funds are awarded, the Council has agreed to allow you time in 2014 to request the full amount. At that time the Town Council will review your proposal again in order to consider full funding.

This award is only for the 2014 fiscal year. In the event you desire future year funding a new request will need to be submitted annyally in August. Please submit a payment request for the amount and I will distribute the funds in January 2014.

Please feel free to contact me in the event you have any questions.

*Jay Brunvand, MMC*  
Town Clerk/Town Treasurer  
Town of Minturn  
P.O Box 309  
Minturn, CO 81645

[treasurer@minturn.org](mailto:treasurer@minturn.org)  
970/827-5645

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Total Control Panel

[Login](#)

To: [treasurer@minturn.org](mailto:treasurer@minturn.org)

Message Score: 50

High (60): Pass

From: [john.widerman@eagleschools.net](mailto:john.widerman@eagleschools.net)

My Spam Blocking Level: Medium

Medium (75): Pass

Low (90): Pass

[Block](#) this sender

[Block](#) eagleschools.net

*This message was delivered because the content filter score did not exceed your filter level.*

---

Total Control Panel

[Login](#)

Town Planner  
Janet Hawkinson  
P.O. Box 309 ♦ 302 Pine St  
Minturn, CO 81645  
970-827-5645  
planner@minturn.org



Town Council  
Mayor – Gordon “Hawkeye” Flaherty  
Mayor Pro Tem – George Brodin  
Councilwoman – Shelley Bellm  
Councilman – Earl Bidez  
Councilman – John Rosenfeld  
Councilman – Matt Scherr  
Councilman – Jason “Ozzy” Osborne

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## ACTION ITEM COVER SHEET

**AGENDA TITLE:** Harrison Boundary Line Agreement – Resolution 8 – 2014 414 Eagle Street

**MEETING DATE:** April 16, 2014

**PRESENTER:** Hawkinson

**BACKGROUND:**

Supervisor of Public Works, A. Martinez, notified the Planner, Hawkinson, in the fall, 2013, of landscape encroachment on Town Property on Harrison Street. The neighboring home owners over the past 5 years have been placing landscaping on Town Property, creating snow plow problems.

The Planner, Hawkinson, spoke with the owners, who provided a local attorney to resolve the issue with the Town. The parties agreed on a boundary line agreement as per legal surveys.

Public Work, A. Martinez removed the encroaching landscape in November.

**CORE ISSUES:**

The Town and Homeowners are requesting a signed legal document of the boundary agreement. This will protect the Town in the future if the home is sold from potential encroachment. The Town Attorney has reviewed these documents.

**STAFF RECOMMENDATION/MOTION:** Sign the boundary line agreement

November 5, 2013

Dear Gregory and Nancy Ricca,

Thank you for working with us on the Land Easement issue with your property at 414 Harrison Avenue. We appreciate your effort in sending Ann Hutchison as a representative to our meeting to come to a resolution to our situation. We recognize this has been an issue for over six years and would like to resolve the problems for our Public Works Department, Snow Plowing and Storage Department and for you, a valued Minturn home owner.

We appreciate the beautifications and maintenance on your home in Minturn at 414 Harrison Avenue. We recognize the value you bring to our community. We have recently learned of a Quiet Title that was filed this summer in July, adding property to your lot. This proposal is to address the land in question and our easement next to your property that is used for snow storage from November to April. I have attached the Minturn Snow Plow Parking Plan for your convenience.

This document is a Land Easement Proposal we are submitting to resolve the land in question. Please find enclosed documents, diagrams and photos describing the proposal. We are working to resolve the issue our Town is having with your property for this years Snow Plan by November 30, 2013. We appreciate your rapid response to this situation.

Please direct your questions or concerns to the Town Planner, Janet Hawkinson. We are happy to work with your representatives, Ann Hutchison and Tom Sullivan to resolve this land issue quickly and easily.

Thank you for your time and energy in this matter.

Sincerely,

Jim White - Town Manager

and

Janet Hawkinson - Town Planner

planner@minturn.org

970-827-5645

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## **Land Easement Proposal**

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Gregory & Nancy Ricca

414 Harrison Avenue

Town of Minturn - 11/5/2013

Jim White - Manager

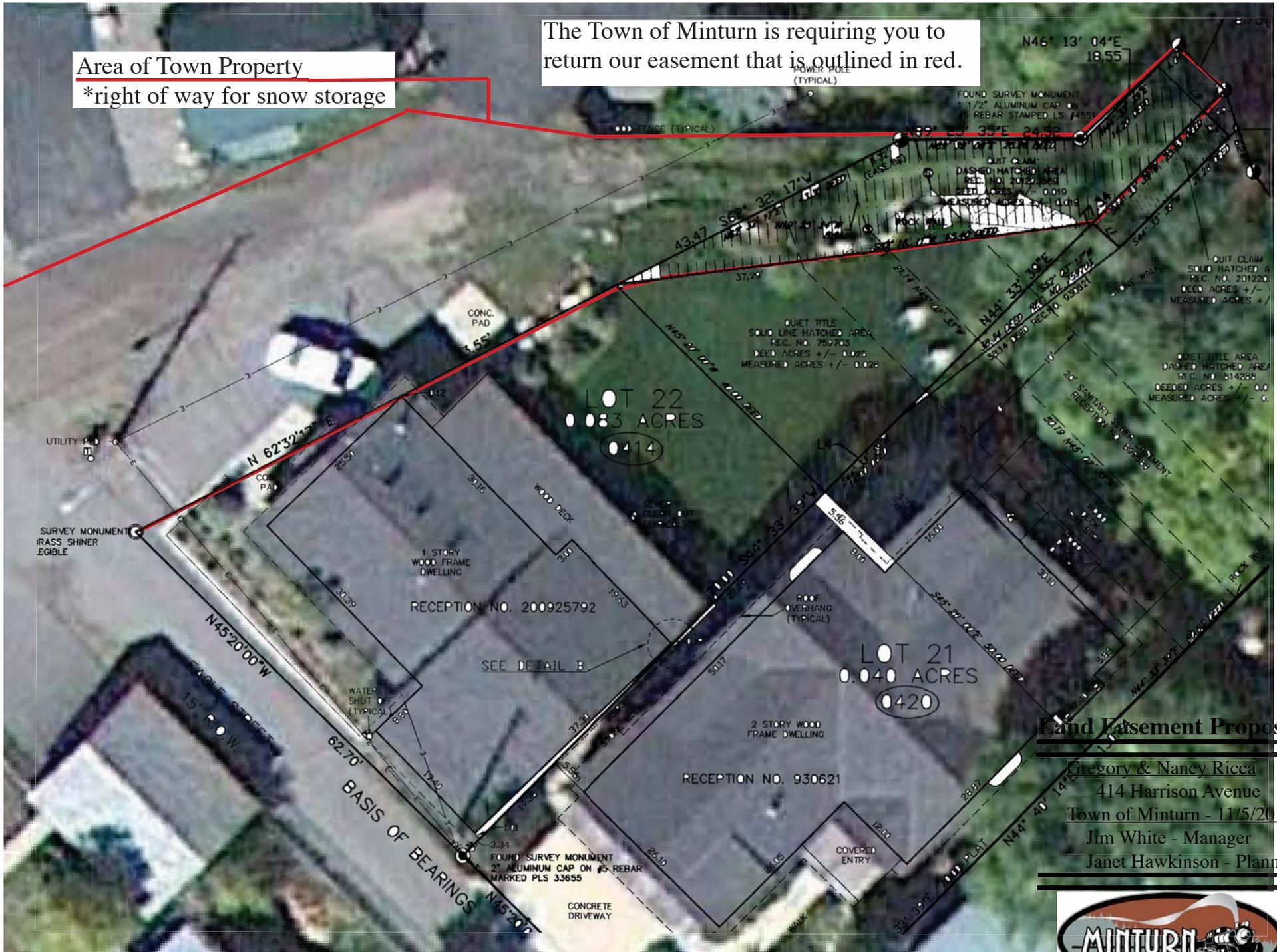
Janet Hawkinson - Planner

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Area of Town Property  
\*right of way for snow storage

The Town of Minturn is requiring you to return our easement that is outlined in red.

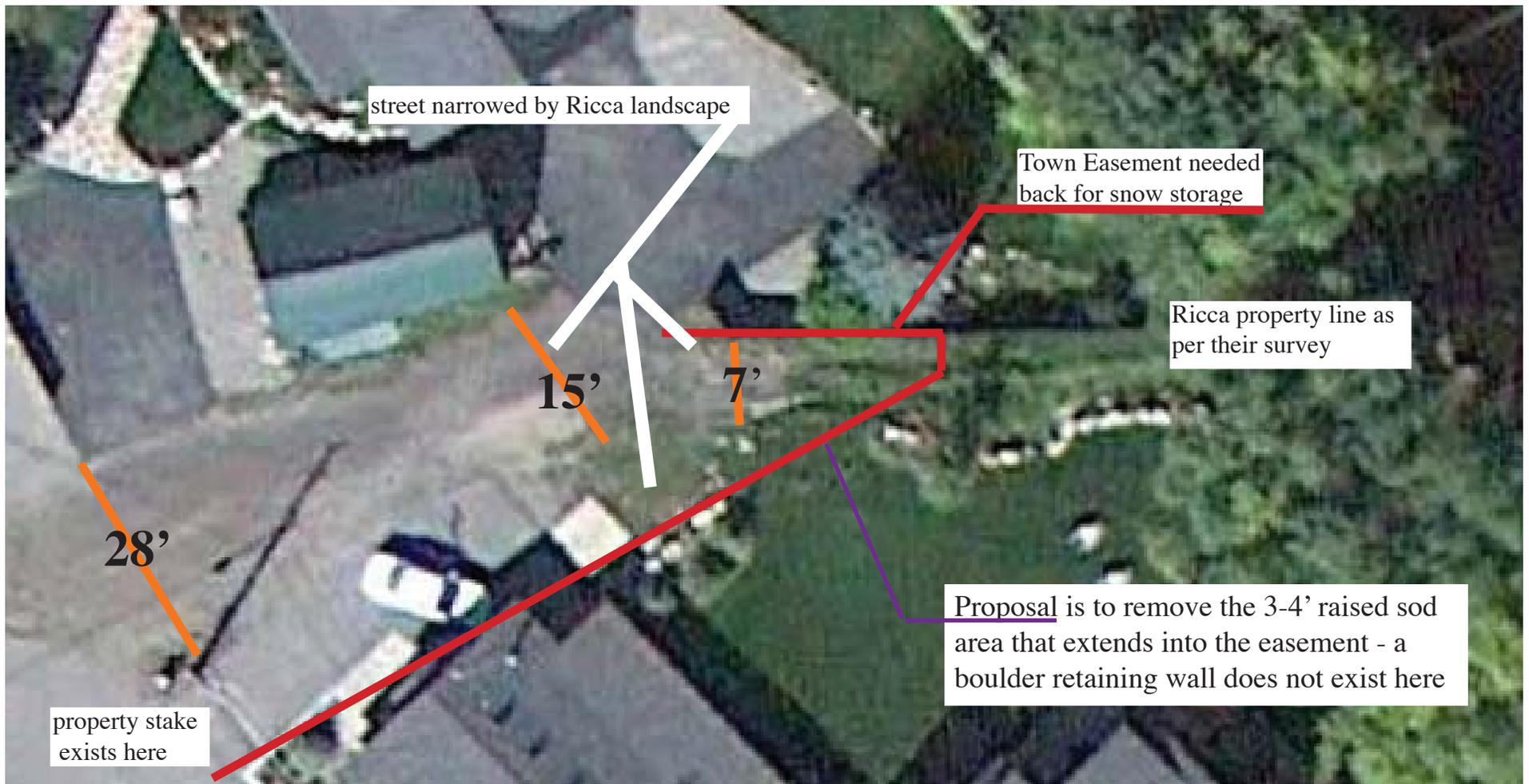


### Land Easement Proposal

Gregory & Nancy Ricca  
414 Harrison Avenue  
Town of Minturn - 11/5/2013  
Jim White - Manager  
Janet Hawkinson - Planner







Street Width Standards for the Town of Minturn Safety and Snow Removal

Main Street is 50' wide plus 5' sidewalks on each side (60' total)

Harrison Avenue is 30' at the intersection with Main Street and is narrowed to 28' at the electric pole - it is narrowed again to 15' - down to 7 feet due to your landscaping

This is town property and an easement for snow storage and plowing in the winter. It is not an issue in the summer, however property owners are not legally able to take land from a Town or City.

Reference Map of Ownership: Town of Minturn -township 5 south, range 81 west, 6th pm  
Johnson, Kunkel & Associates Survey - 1978

**Land Easement Proposal**

Gregory & Nancy Ricca

414 Harrison Avenue

Town of Minturn - 11/5/2013

Jim White - Manager

Janet Hawkinson - Planner



Boulder retaining wall and tree to remain



Proposal is to remove the 3-4 feet of raised sod out of easement - bringing the grade level with grade at fence - this corrects the issues with the snow storage and plows

The Town of Minturn will absorb the cost of leveling the area, if this plan is agreed to by November 30, 2013.

Area is to remain at grade in the future and recognized as the easement of the Town of Minturn - without any future landscaping in the area, except sod. A boulder retaining wall can be added outside of easement, (in Ricca property) to retain slope.

## **Land Easement Proposal**

Gregory & Nancy Ricca

414 Harrison Avenue

Town of Minturn - 11/5/2013

Jim White - Manager

Janet Hawkinson - Planner





Minturn Towns Plan to reconcile this land dispute is that we request this area outlined in red to be level and to remain level without any further landscaping except sod - by working to agree to this plan by the end of November 2013, the Town will remove the extra dirt and level the area at their cost. The existing boulder retaining wall in the back and boulders in front of the spruce are to remain.

Survey stakes marking the Quiet Title area were in the yard at the time these photos were taken



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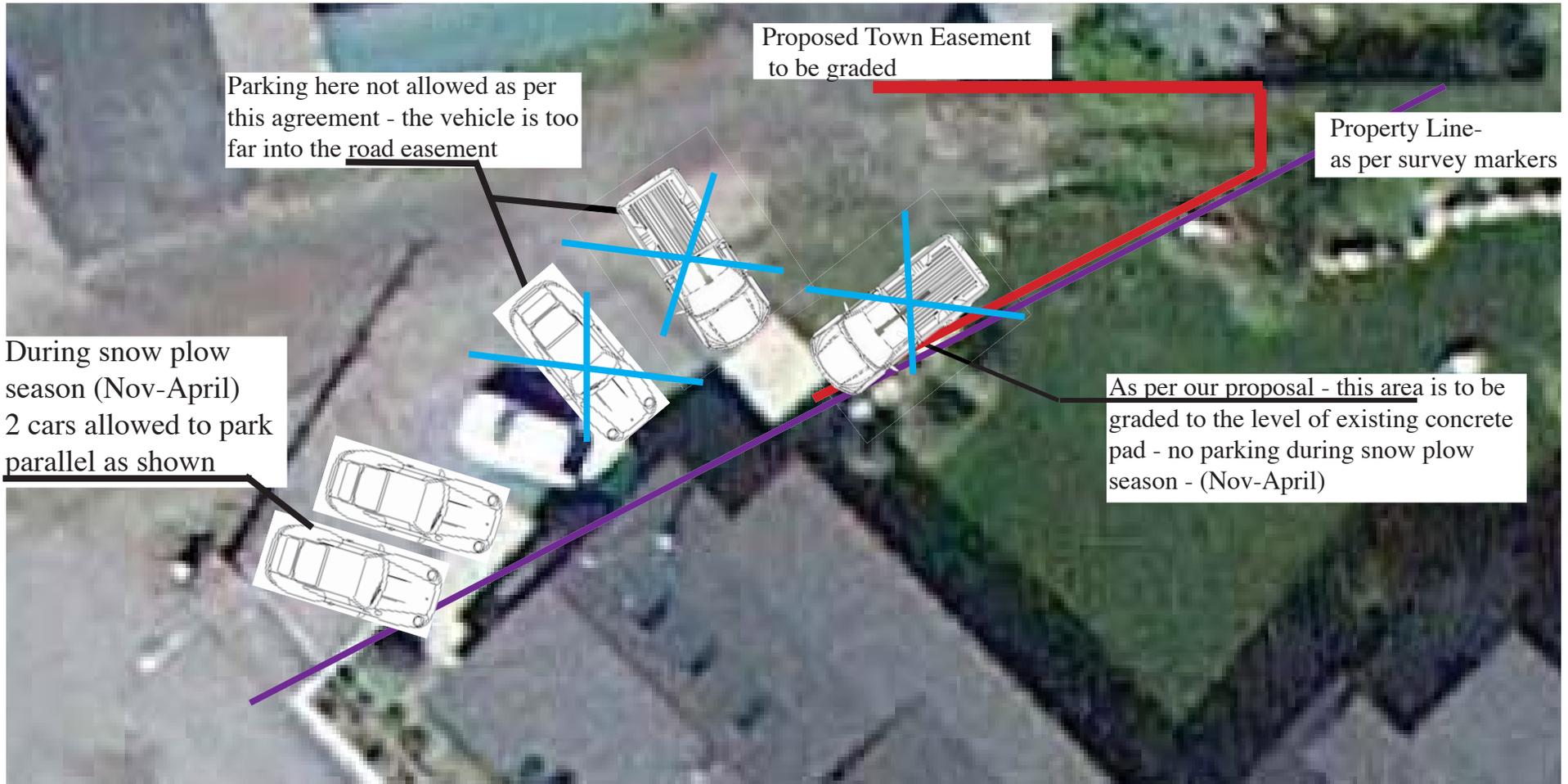
## Land Easement Proposal

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Gregory & Nancy Ricca  
414 Harrison Avenue  
Town of Minturn - 11/5/2013  
Jim White - Manager  
Janet Hawkinson - Planner

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### Winter Parking Plan from Novemeber 1 - April 1

The Town of Minturn is requesting that in the winter from November 1 to April 1 - all of your guests, renters and owners park parallel to the home as close off the street as possible. We recognize your home does not have any off street parking as per Minturn Municipal Code: Article 16 - Off-Street Parking and Loading **Section 16-16-20 Parking Required for Residential** and Lodging Uses: **‘Minimum off-street parking required for residential** and lodging uses: Single-family parking standard is 2 spaces per dwelling unit for up to 3 bedrooms and 3 spaces for more than 3 bedrooms (Prior code 16-16-2; Ordinance 15-2008 - 1986)

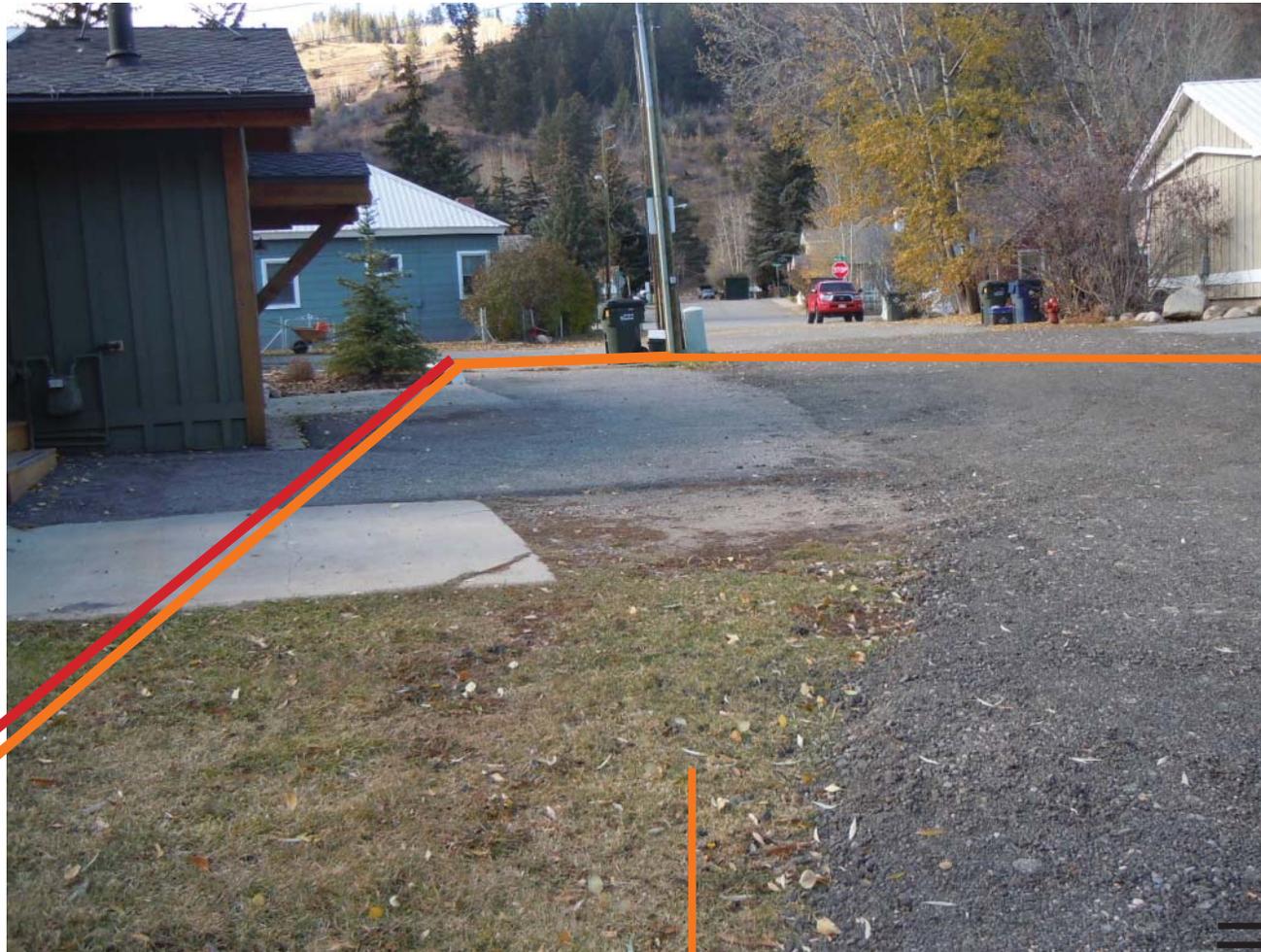
We do not want to enforce the code by making you put a parking lot in your backyard or taking out your new landscape in the side yard. Two years ago a snow plows hit a car parked at your unit that was parked similar to the car with the blue X on it. We are working to avoid any more mishaps with your property. Thank you.

### Land Easement Proposal

Gregory & Nancy Ricca  
 414 Harrison Avenue  
 Town of Minturn - 11/5/2013  
 Jim White - Manager  
 Janet Hawkinson - Planner



Property Line  
according to  
attached surveys



Town of Minturn Property

Easement for Harrison Road and Snow Storage - 24 feet wide

The area outlined in orange is to remain open from any future landscaping, except sod. Vehicles are not to be parked in this area during the Minturn Winter Snow Plan in force from November 1- April 1. Vehicles can be parked parallel with house, remaining outside of street zoning

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Gregory & Nancy Ricca

414 Harrison Avenue

Town of Minturn - 11/5/2013

Jim White - Manager

Janet Hawkinson - Planner

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Jim White  
Town Manager  
P.O. Box 309 ♦ 302 Pine Street  
Minturn, CO 81645-0309  
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  
Councilwoman – Shelley Bellm  
Councilman – Earle Bidez  
Councilman – Aggie Martinez  
Councilman – John Rosenfeld  
Councilman – Darell Wegert

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Dear Minturn Residents, Business Owners and Visitors:

It is once again the winter/snow season here in Minturn and the Vail Valley. Our winter snow plan starts officially on **November 1<sup>st</sup>** each year. As a result, the Town of Minturn is providing you with the enclosed educational information in reference to the Parking and Snow Removal Plans for our Town. In addition, the enclosed information is being disseminated to you in an effort to provide you with the required information which will allow you to plan how to effectively prepare for parking and for snow removal in Minturn this winter.

### **PARKING PLAN**

Our parking plan is designed to address parking concerns and to assist in the timeliness of the snow removal process. After review and discussion, Town Council, as well as, the Colorado Department of Transportation (CDOT), approved the plan.

The purpose of the time-restricted parking plan is two-fold: to enable better customer parking for guests of local businesses and to assist with timely and efficient snow removal and street maintenance.

The parking plan incorporates the following beginning **November 1<sup>st</sup> and ending April 1<sup>st</sup>** and is effective whether it **is snowing or not snowing**:

1. Monday and Wednesday of each week there is No parking along the north-bound lanes of :
  - a. 100 Block of Main Street between the hours of 9:00 a.m. to 12:00 p.m.;
  - b. 200 Block of Main Street from 9:00 a.m. to 2:00 p.m.; and,
  - c. 300-400 Blocks of Main Street from 9:00 a.m. to 4:00 p.m.
2. Monday and Wednesday of each week from 9:00 a.m. to 4:00 p.m., there is No parking along the north-bound lanes of:
  - a. 500 through 700 Blocks of Main Street;
  - b. 200 Block of Boulder Street; and,
  - c. 200 through 500 Blocks of Pine Street.
3. Tuesday and Thursday of each week there is No parking along the south-bound lanes of:
  - a. 100 Block of Main Street between the hours of 9:00 a.m. to 12:00 p.m.;
  - b. 200 Block of Main Street from 9:00 a.m. to 2:00 p.m.; and,
  - c. 300-400 Blocks of Main Street from 9:00 a.m. to 4:00 p.m.
4. Tuesday and Thursday of each week from 9:00 a.m. to 4:00 p.m., there is No parking along the south-bound lanes of:
  - a. 500 through 700 Blocks of Main Street;
  - b. 200 Block of Boulder Street; and,
  - c. 200 through 500 Blocks of Pine Street.
5. No parking is permitted on Meek Avenue from November 1<sup>st</sup> to April 1<sup>st</sup>;
6. No parking on the west side of Taylor Avenue from November 1<sup>st</sup> to April 1<sup>st</sup>; and,
7. Parking restrictions are not in effect on Fridays, Saturdays and Sundays from November 1st to April 1<sup>st</sup>.

The parking plan also addresses year round, time-limited parking. Parking will be limited to two hours in front of:

1. Businesses located on the north-bound and south-bound sides of the 100 Block of Main Street;
2. Businesses located on the south-bound side of the 200 Block of Main Street;
3. Businesses located on the south-bound side of the 300 Block of Main Street; and,
4. North-bound side of the 400 Block of Main Street in front of St. Patrick’s Church.

## SNOW REMOVAL

The Town of Minturn would like to remind residents, property owners and business owners in Minturn of the Municipal Codes that apply to snow removal within the Town limits:

**1. Municipal Code Section 11-1-10**

***Snow Removal Required***

“It is unlawful for any owner or occupant of any lot, block or parcel of ground within the Town, or for any agent in charge of such property, to allow any snow or ice to accumulate or remain upon any sidewalk or pathway alongside such property longer than twenty-four (24) hours from the time of the last accretion of such snow or ice.”

**2. Municipal Code Section 11-1-40 (a)**

***Deposits On Public Ways Prohibited***

“It is unlawful for any person to litter, track or deposit or cause to be littered, tracked or deposited, sand, gravel, rocks, mud, dirt, snow, ice or any other debris or material upon any street, sidewalk, alley or public place, or any portion thereof.”

**3. Municipal Code Section 11-1-40- (b)**

***Deposits On Public Ways Prohibited***

“The provisions of this Section shall not be applicable:

- (1) Within the immediate area of any construction, maintenance or repair project of any street or alley or any water main, sewer main, electricity main, gas line, telephone line or any appurtenances thereto;
- (2) To deposits of sand, dirt or material necessary for the protection of the public safety; and,
- (3) To public areas designated for the dumping or depositing of said materials (Ord. 15-2008-1).”

**4. Municipal Code Section 11-1-50**

***Snowplows***

“Snowplow operators shall not deposit snow or ice on any private property without the written permission of the property owner to which the snow will be deposited and with written approval from the Town.”

## SNOW DISPOSAL

The Town is once again offering a location site for snow disposal. The snow disposal site will be located on Cemetery Road, past the Public Works Building and the LaFarge facility. There will not be a fee for Minturn residents to utilize the snow disposal site for snow removal from their primary residence. To schedule a time to dispose of snow, please contact the Town offices at 970-827-5645 and provide your name and contact number. Public Works staff will be notified and return your call to schedule a time/appointment for you.

**There is a fee for commercial dumping of snow.** A \$55.00 fee will be charged for a Tandem Truck full of snow and \$90.00 fee will be charged for an End Dump vehicle full of snow. Commercial businesses must contact the Town Clerk at the Town offices (970-827-5645, extension 102) to schedule use of the snow disposal site.

In conclusion, the Town would like to thank you for your time and cooperation in reference to the parking and snow removal processes that have been implemented within the Town of Minturn. As always, the Town staff looks forward to serving you and working with you to continue making Minturn an amazing place to live, work and play.

Should you have any questions related to this information, please contact Town staff at (970) 827-5645.

Respectfully,

*Jim White*

Jim White,  
Town Manager

cc: Mayor and Town Council File

## **BOUNDARY LINE AGREEMENT**

This Boundary Line Agreement is made and entered into this 15<sup>th</sup> day of November, 2013 by and between The Town of Minturn, a Colorado home rule municipality ("Town") and Gregory and Nancy Ricca (collectively "Ricca").

### **RECITALS**

A. Ricca is the owner of real property described as: 414 EAGLE RIVER STREET AKA LOT 22, BLOCK 2 BOOCO'S 2ND AND PART OF SEC 26 T5S, R81W (NW/4SE/4SW/4) MINTURN CO 81645.

B. The Town is the owner of real property contiguous to the Ricca's Property known as Harrison Street ("Town Property").

C. In 2012 Land Title Guarantee company issued Ricca an Owner's title Insurance Policy insuring that fee simple title to the Property described and depicted in Exhibit A, attached and incorporated by this reference herein is vested in: Gregory Ricca and Nancy Ricca.

D. The Town historically has stored snow at the end of Harrison Street and representatives of the Town have expressed concern that the Riccas might have acquired land that belonged to the Town when the Riccas acquired the Property described in Exhibit A.

E. The boundary line dividing the North Side of the Ricca Property and the South Side of Harrison Street will be clarified herein and the Parties wish to set, accept, and establish the location of the boundary line common to them and to further bind themselves, their heirs, successors, representatives and assigns forever for the purpose of ascertaining, defining, accepting and converging the Ricca Property.

F. Colorado Revised Statutes (CRS) § 38-44-112 provides in full as follows: "Any uncertain line, uncertain corner, or uncertain boundary of an existing parcel of land that is recorded in the real estate records in the office of the clerk and recorder for the county where the land is located and that is in dispute may be determined and permanently established by written agreement of all parties thereby affected, signed and acknowledged by each as required for conveyances of real estate, clearly designating the same, and accompanied by a map or plat thereof that shall be recorded as an instrument affecting real estate, and shall be binding upon their heirs, successors, and assigns. If the map or plat is prepared by a licensed professional land surveyor, monuments shall be set for any line, corner, or boundary included in the agreement."

G. The Parties intend to reach an agreement and comply with the foregoing Statute.

## AGREEMENT

NOW, THEREFORE, in consideration of the recitals, mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. This Agreement shall be recorded in the records of the Clerk and Recorder of Eagle County, Colorado.
2. The recitals set forth above are incorporated as though fully set forth herein.
3. The Boundary Line between the Ricca Property and the Town Property shall be as depicted on Exhibit A hereto.
4. It is expressly understood by the Parties hereto that they are not gaining or losing any real property by entering into this agreement.
5. Ricca understands and acknowledges that the Town stores snow between the Ricca Property Line and the adjacent privately owned lot to the North. Ricca grants the Town the right to excavate up to the Ricca Property Line and to remove any boulders installed by Ricca that encroach over the Ricca Property Line and onto the Town Property. The Town will dig out the encroaching boulders at its own expense and leave them on the Ricca Property.
6. The Town agrees to make all reasonable efforts to not disturb the Ricca Property during the construction process except for the cut which will be necessary to eliminate the Ricca encroachment and move the encroaching boulders to the Ricca Property until Ricca can repair and beautify the disturbed area next spring.
7. This Agreement contains the entire agreement between the parties and no term or provision hereof can be modified, altered, or amended, nor can any term or provision hereof be waived, except in a written agreement executed by all parties.
8. This Agreement may be executed by facsimile and/or in any number of counterparts, any or all of which may contain the signatures of less than all of the parties, and all of which shall be construed together as a single instrument and shall be binding upon all parties as though originally executed on one originally executed document.
9. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Colorado.

*[Signature pages to follow]*

IN WITNESS WHEREOF, the parties hereto have executed this Agreement to become effective as of the date first written above.

RICCA:

\_\_\_\_\_  
Gregory Ricca

\_\_\_\_\_  
Nancy Ricca

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF EAGLE            )

The foregoing instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2013 by Gregory Ricca and Nancy Ricca.

WITNESS MY HAND AND OFFICIAL SEAL.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_



# EXHIBIT A

## SHEET 1 OF 2

### LEGAL DESCRIPTION

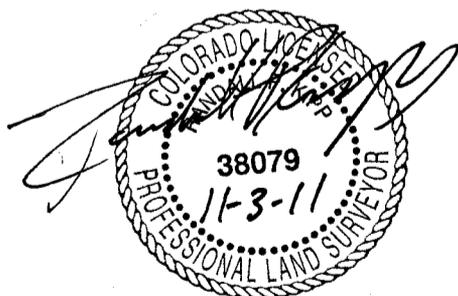
A parcel of land located in Block 2, Bocco's 2nd Addition to the Town of Minturn, as recorded in Reception No. 759703, and Reception No. 899588, in the Eagle County Clerk and Recorders Office, County of Eagle, State of Colorado, being more particularly described as follows:

Assuming the bearing of the westerly line of Lot 22, Block 2, Bocco's 2nd Addition to the Town of Minturn bears N 45°20'00" W as shown on Exhibit A Sheet 2 of 2, with all bearings hereon relative thereto.

Commencing at a Found 1 1/2" Aluminum Cap, on a #5 Rebar, stamped PLS# 33655, also being the southwesterly corner of said Lot 22; Thence along said westerly line of Lot 22, N 45°20'00" W a distance of 62.70 feet to a found 3/4" Brass Shiner, LS# Illegible, also being the northwesterly corner of said Lot 22; Thence departing said westerly line, N62°32'17" E a distance of 73.55 feet along the northerly line of said Lot 22 to the Point of Beginning; Thence continuing N62°32'17" E a distance of 43.30 feet to the intersection of the southerly property line of Lot 12, Meyer Subdivision, A Resubdivision of Lot's 10-12, Block G, Bocco's Addition To The Town Of Minturn; Thence along said line, N 89°39' 08" E a distance of 25.26 feet to a point; Thence departing said line, N 44°33'39" E a distance of 18.24 feet to the intersection of the approximate high water line of the Eagle River; Thence along said line, S 45°26'21' E a distance of 8.75 feet to the northerly corner of Lot 21, Block 2 Boccas 2nd Addition to the Town of Minturn, Quiet Title Survey Reception No. 814288; Thence departing said line, S 44°33'39" W a distance of 25.53 feet to a point; Thence S 82°16'11" W a distance of 65.40 feet to the Point Of Beginning. Containing 0.019 acres more or less, being subject to all easements and rights of way of record.

### CERTIFICATION

I, Randall P. Kipp, a Professional Land Surveyor in the State of Colorado, do hereby certify that this Exhibit was prepared by me or under my direct supervision, responsibility and checking. I further certify this is not a monumented land survey, Land Survey Plat, Improvement Survey Plat, or an Improvement Location Certificate.

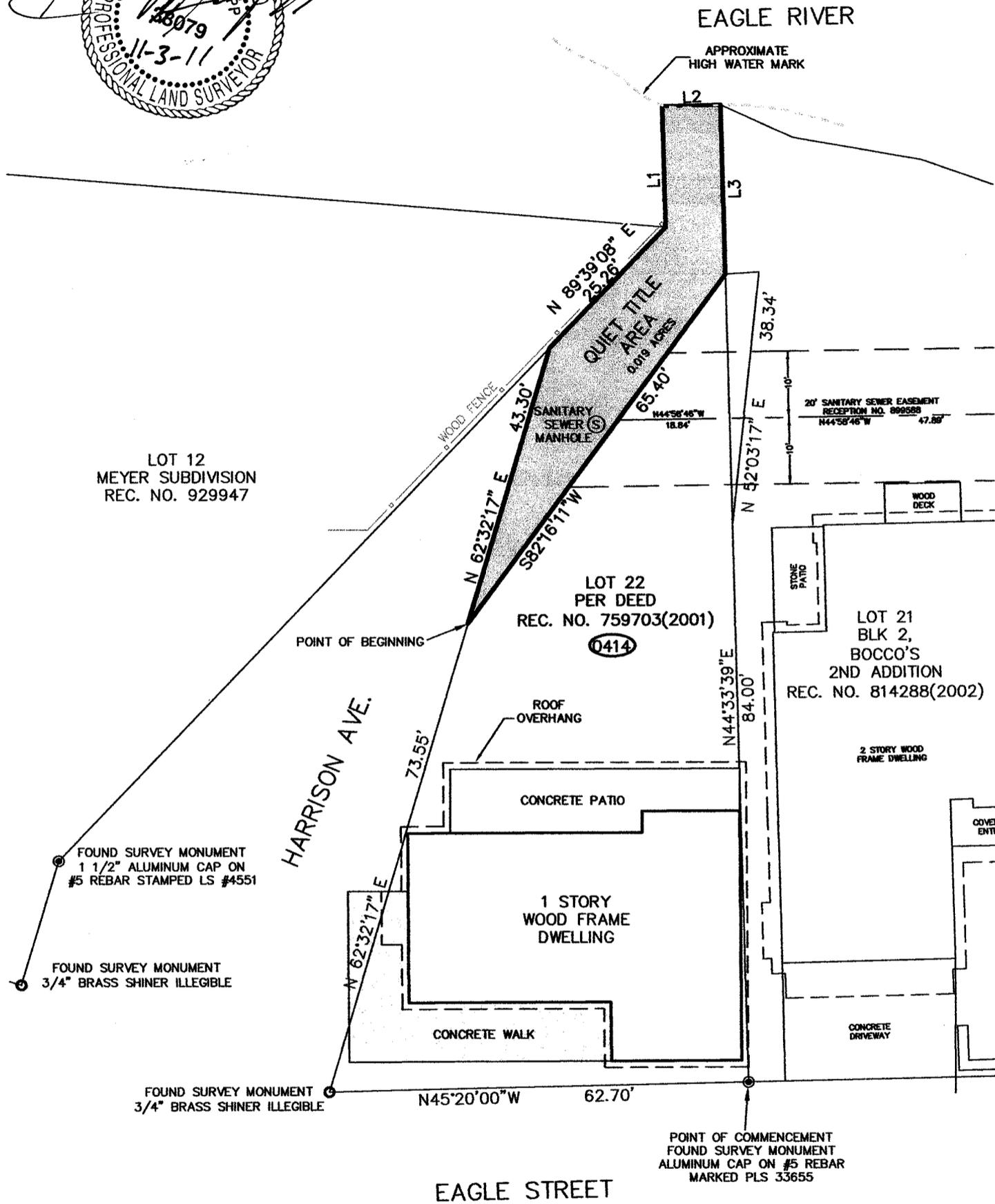
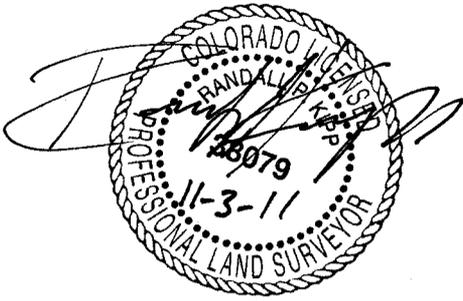


Randall P Kipp, PLS 38079

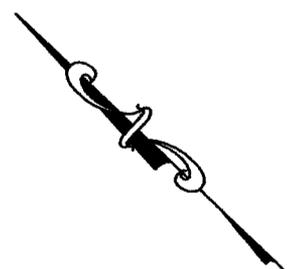
**NOTICE:** According to Colorado law you MUST commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown hereon.

# EXHIBIT A

## SHEET 2 OF 2



	BEARING	LENGTH
L1	N 44°33'39" E	18.24'
L2	S 45°26'21" E	8.75'
L3	S 44°33'39" W	25.53'



SCALE: 1"=20'

**NOTICE:** According to Colorado law you MUST commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown hereon.

TOWN OF MINTURN, COLORADO

RESOLUTION NO. 8 – SERIES 2014

A RESOLUTION AUTHORIZING THE MAYOR OF THE TOWN OF MINTURN TO SIGN A BOUNDARY LINE AGREEMENT AT 414 EAGLE ST BETWEEN GREGORY AND NANCY RICCA AND THE TOWN OF MINTURN, COLORADO.

WHEREAS, The Town of Minturn, in the County of Eagle and the State of Colorado is a home rule municipal corporation duly organized and existing under the laws of the State of Colorado and the Town Charter; and

WHEREAS, The Town of Minturn has negotiated in good faith with Greg and Nancy Ricca to establish a Boundary Line Agreement at 414 Eagle St.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO THAT THE MAYOR OR HIS DESIGNEE IS AUTHORIZED TO SIGN ON BEHALF OF THE TOWN OF MINTURN ANY AND ALL NEGOTIATED DOCUMENTS REQUIRED TO EXECUTE SAID AGREEMENT.**

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 16<sup>TH</sup> day of April, 2014.

TOWN OF MINTURN

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

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



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

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## AGENDA ITEM COVER SHEET

<b>AGENDA TITLE:</b> Resolution 9 - Series 2014 a Resolution authorizing the Mayor to sign a management agreement for 2014 with the ERWSD
<b>MEETING DATE:</b> April 16, 2014
<b>PRESENTER:</b> Brunvand
<b>BACKGROUND:</b> This is an annual agreement between the Town of Minturn and the ERWSD for the purpose of water and trash monthly billing. The cost has not increased from 2013 nor for several years prior.
<b>CORE ISSUES:</b>
<b>STAFF RECOMMENDATION/MOTION:</b> Motion to approve Resolution 9 - Series 2014 a Resolution authorizing the Mayor to sign a management agreement for 2014 with the ERWSD as presented.

TOWN OF MINTURN, COLORADO

RESOLUTION NO. 9 – SERIES 2014

A RESOLUTION AUTHORIZING THE MAYOR OF THE TOWN OF MINTURN TO SIGN A SERVICE CONTRACT WITH EAGLE RIVER WATER AND SANITATION FOR TOWN WIDE WATER AND TRASH BILLING SERVICES

**WHEREAS**, the current contract existing between Eagle River Water and Sanitation District and the Town of Minturn continues to be a valuable benefit to both entities, and;

**WHEREAS**, the Minturn Town Council of the Town of Minturn, Colorado has and continues to enjoy cost savings to the Citizens of Minturn by providing for this agreement, and;

**WHEREAS**, the Town of Minturn wishes to continue with the benefits of the existing contract with the agreed rate increases as set forth

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO THAT THE MAYOR OR HIS DESIGNEE IS AUTHORIZED TO SIGN ON BEHALF OF THE TOWN OF MINTURN ANY AND ALL NEGOTIATED DOCUMENTS REQUIRED TO EXECUTE SAID AGREEMENT.**

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 16<sup>TH</sup> day of April, 2014.

TOWN OF MINTURN

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

## **OPERATIONS AGREEMENT**

THIS AGREEMENT entered into this 23<sup>rd</sup>, day of January, 2014, by and between TOWN OF MINTURN, a quasi-municipal corporation of the State of Colorado ("Town"), and EAGLE RIVER WATER & SANITATION DISTRICT, a quasi-municipal corporation of the State of Colorado ("District").

WITNESSETH:

WHEREAS, among its other functions Town owns and operates a water treatment and distribution system and provides trash collection services substantially within the boundaries of District; and

WHEREAS, District has sufficient experience, personnel and equipment to perform certain services desired by Town; and

WHEREAS, all previous Agreements dated prior to the date first written above, are superseded by this Agreement;

NOW, THEREFORE, in consideration of the premises, the mutual advantages accruing to the parties hereto and the mutual undertakings herein contained, the parties hereto agree as follows:

### **ARTICLE 1**

#### **GENERAL CONDITIONS**

- 1.1 District shall provide in a good and workmanlike manner the services described in this agreement upon the terms and conditions herein stated.
- 1.2 District shall be an independent contractor and nothing herein contained shall be construed to create the relationship of principal and agent or employer and employee between Town and District. Any person or party hired by District shall be the employee, agent, servant or contractor of District.
- 1.3 District shall comply with all applicable local, State and Federal laws, rules and regulations.
- 1.4 District shall provide the services described in Article 2 herein in accordance with the Rules and Regulations of District and any amendments thereto.

## **ARTICLE 2**

### **SCOPE OF SERVICES TO BE PERFORMED BY DISTRICT**

- 2.1 **Billing Services.** District shall provide qualified personnel who shall perform billing services for monthly water and trash collection service subject to the following:
- 2.1.1 Billings for water service and trash collection shall be issued at the same time and in the same manner as sewer service billings.
  - 2.1.2 All bills, which remain unpaid twenty-five days from the date of mailing of such bills, will have a Late Charge of one percent (1%) of any Balance Forward added thereto which shall be retained by District. Town authorizes District to pursue all collection procedures outlined in District's Rules and Regulations, to include Certification of the unpaid amounts to the Eagle County Treasurer for collection as property taxes annually, as allowed by Eagle County. Such unpaid amounts may include Town's unpaid water and trash collection service charges and District's unpaid sewer service charges.
  - 2.1.3 Town, at the request of District, shall discontinue water and/or trash service to customers following notice of disconnection to such customers as provided in the Rules and Regulations of District.
  - 2.1.4 In the event a customer's service is unable to be discontinued, Town will contract the work to correct any system deficiencies so that the customer's water service is able to be discontinued. The cost of such work may be added to the customer billing as an adjustment.
  - 2.1.5 Approximately one month after the end of each billing period, District shall remit to Town, an amount equal to the total water and sewer services billed, less all amounts due from customers, which have any amounts in Balance Forward on their bills, which have remained unpaid for more than one hundred twenty (120) days.

## **ARTICLE 3**

### **COMPENSATION AND PAYMENT**

- 3.1 **Cost of Services.** Town shall pay District for services performed according to the following:
- 3.1.1 The cost for billing services to be performed by District is \$12,000 per year, to be paid in monthly installments of \$1,000 each.
  - 3.1.2 Other services provided by District, at the request of Town, shall be billed at rates listed in Exhibit A or for amounts agreed to by District and Town.

- 3.2 Payment. Payment by Town to District shall be made within three (3) days following the approval of District's payment request in the regular meeting of Town Council following the end of the calendar month in which the services were performed.

## ARTICLE 4

### SPECIAL CONDITIONS

- 4.1 Insurance Requirements. At all times during the term of this Agreement, District shall carry and maintain in full force, at District's expense, the following insurance coverage. Such policies shall include a provision requiring a minimum of thirty (30) days' notice to Town of substantial change or cancellation of coverage or insurance policies.
- 4.1.1 General Comprehensive Liability insurance in an amount of \$350,000 per person and \$990,000 per occurrence, including the following coverage: property damage; underground explosion and collapse hazard; and personal injury.
- 4.1.2 Comprehensive Automobile Liability insurance on all owned vehicles used in connection with the services in an amount of \$350,000 per person and \$990,000 per occurrence combined single limits for Bodily Injury and Property Damage.
- 4.1.3 Worker's Compensation insurance in accordance with the provisions of the Worker's Compensation Act of the State of Colorado for all employees to be engaged in the services.
- 4.2 Certificates of Insurance. Prior to commencement of services, District shall provide Town with Certificate(s) of Insurance evidencing the insurance required by this Article and naming Town as an additional named insured as its interests may appear for all Comprehensive General Liability insurance.
- 4.3 Indemnity. To the extent of the limits of any insurance coverage maintained by District, District further agrees to indemnify and hold Town harmless from, and defend all actions against, all claims, damages, losses and expenses, including but not limited to attorneys' fees, arising from any negligent act or omission on the part of District, its agents, or employees, provided, however, that any claim for negligent acts or omissions must be brought in accordance with and subject to the limitations of the Colorado Governmental Immunity Act, C.R.S. 24-10-101, et. seq., as amended, as the same may now or hereafter exist, and nothing herein shall be deemed or construed to be a waiver of the rights granted hereunder. Town shall provide District with notice of the commencement of any action, subject to this paragraph, not more than five (5) days following receipt by Town of notice of commencement of such action.
- 4.4 Renegotiation. Duties or services to be performed by District may be added or deleted and charges for services may be renegotiated by either party upon thirty (30) days written notice to the other party.

- 4.5 Assignment. Either party without the express written consent of both parties shall make no assignment of its rights and/or obligations under this Agreement.
- 4.6 Term of Agreement. The effective date of this Agreement shall be January 1, 2014 for a period of twelve (12) months. This Agreement shall be automatically extended for successive one (1) year periods with no notice required to either party unless either party provides written notice of intent to terminate or amend not later than sixty (60) days prior to the annual extension of the Agreement.
- 4.7 Termination. The provisions of Section 4.6 notwithstanding, either party shall have the right to terminate this Agreement thirty (30) days after written notice of any election to terminate.

## ARTICLE 5 MISCELLANEOUS

- 5.1. Entire Agreement. This Agreement constitutes the entire Agreement between the parties hereto relating to the services, and sets forth the rights, duties, and obligations of each to the other as of this date. Any prior agreements, promises, negotiations, or representations not expressly set forth in this Agreement are of no force and effect. This Agreement may not be modified except by a writing executed by both parties.
- 5.2. Binding Agreement. This Agreement shall inure to and be binding upon the parties, their successors, and assigns.
- 5.3. No Waiver. No waiver of any of the provisions of this Agreement shall be deemed to constitute a waiver of any other of the provisions of this Agreement, nor shall such waiver constitute a continuing waiver unless otherwise expressly provided herein, nor shall the waiver of any default hereunder be deemed a waiver of any subsequent default hereunder.
- 5.4. Controlling Law. This Agreement shall be governed by and construed in accordance with the law of the State of Colorado.
- 5.5. Subject to Annual Appropriation and Budget. Under no circumstances shall this Agreement constitute, or be considered as, a multiple-fiscal year obligation of either the District or the Town. The Town's and the District's obligations under this Agreement exist subject to annual budgeting and appropriations, and shall remain subject to the same for the entire term of this Agreement.
- 5.6. Governmental Immunity. Nothing in this Agreement shall be construed to constitute a waiver, in whole or in part, of any of either of the parties' rights and protections under the Colorado Governmental Immunity Act, § 24-10- 101, et seq., C.R.S., as amended from time to time.
- 5.7. No Third Party Beneficiaries. It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the parties and nothing contained in this Agreement shall give or

allow any such claim or right of action by any other third party on such Agreement. It is the express intention of the parties that any person other than parties receiving services or benefits under this Agreement shall be deemed to be an incidental beneficiary only.

- 5.8. Counterpart Execution. This Agreement may be executed in counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals as of the day and year first above written.

TOWN OF MINTURN

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

EAGLE RIVER WATER & SANITATION DISTRICT:

By: Frederick Schbauer  
Chairman

ATTEST:

Althea Bundy  
Secretary

Exhibit A

Equipment/Labor	In- District Hourly Rates
1 Ton Utility, Duramax	\$45.00
3" Pump	\$25.00
6" Power Prime Pump Trailer	\$50.00
Air Compressor	\$20.00
Backhoe	\$75.00
Chain Saw	\$25.00
Composting Auger	\$30.00
Demo Saw	\$25.00
End Dump Trailer	\$65.00
Fork Lift	\$40.00
Generator	\$50.00
Jackhammer	\$45.00
Large Jetting Truck	\$110.00
Loader	\$75.00
Lowboy Tractor	\$65.00
Lowboy Trailer	\$60.00
Message Board	\$25.00
Meter Test Bench	\$40.00
Mikasa Jumping Jack	\$45.00
Pickup with Plow	\$45.00
Pickup with Plow & Liftgate	\$45.00
Skid Steer	\$60.00
Small Dump Truck	\$35.00
Small Jetting Truck	\$100.00
Small Portable Welder	\$20.00
Steamer	\$20.00
Tandem Dump Truck	\$50.00
TOC Portable Analyzer at a rate of:	\$600.00 per month
TV Van	\$100.00
Utility Trailer	\$30.00
Valve Box Cleaner	\$20.00
Vehicle & Tools	\$35.00
LABOR: Operational Interns/Temps	\$16.00
LABOR: Dist & Coll. Personnel	\$37.00
LABOR: Water & Wastewater Operation	\$36.00
LABOR: Operations Supervisors and D&C Leads, & Planners	\$46.00
LABOR: Construction Managers	\$50.00
LABOR: Office Administration & Accounting Staff	\$34.00
LABOR: Manager	\$59.00
LABOR: Executive Manager	\$78.00

*Note 1: None of the above equipment includes labor. Labor will be billed in addition to hourly rates for equipment used.*  
*Note 2: Emergency calls after hours will be charged the above rates times 1.5 for labor only. Equipment will be charged the hourly rate stated above.*

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[www.downtownminturn.com](http://www.downtownminturn.com)



Town Council  
Mayor – Gordon “Hawkeye” Flaherty  
Mayor Pro Tem – George Brodin  
Councilwoman – Shelley Bellm  
Councilman – Earl Bidez  
Councilman – John Rosenfeld  
Councilman – Matt Scherr  
Councilman – Jason “Ozzy” Osborne

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## AGENDA ITEM COVER SHEET

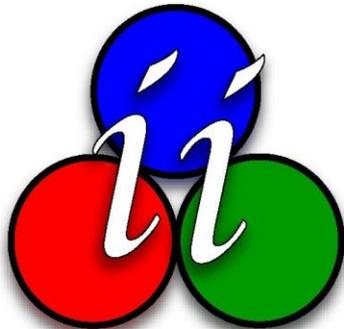
<b>AGENDA TITLE:</b> Economic Development Update
<b>MEETING DATE:</b> April 16, 2014
<b>PRESENTER:</b> Metteer
<b>BACKGROUND:</b>  Provided are the survey results from the 2014 skijoring event. Comparisons to the 2013 event are included. Due to weather conditions and the effects on the course, the event was turned into a one-day event instead of the typical two-day event. This is reflected primarily in the revenue generation results.
<b>CORE ISSUES:</b> <ul style="list-style-type: none"><li>• The “Event Performance” page provides a quick overall look at how the event was rated in the main categories of:<ul style="list-style-type: none"><li>○ Overall satisfaction</li><li>○ Availability of food and beverages</li><li>○ Quality of food and beverages offered</li><li>○ Location of event</li><li>○ Access to venue</li><li>○ Parking</li></ul></li><li>• All “Event Performance” ratings saw an improvement from 2013 except for parking. Parking access did not change from 2013-14, so more insight would be needed to determine the reasoning for the change in rating.</li></ul>
<b>STAFF RECOMMENDATION/MOTION:</b> Review and discuss

# Minturn Skijoring

March 2014

Prepared for:  
*Town of Minturn*

Prepared by:  
*Intercept Insight, LLC*  
PO Box 2078  
Avon, CO 81620  
970.331.1086  
[www.interceptinsight.com](http://www.interceptinsight.com)



**INTERCEPT INSIGHT**

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# Objectives

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The Town of Minturn invested in a third party research company, Intercept Insight, LLC, to conduct in-person intercepts during the Skijoring event to help quantify decisions, and increase performance related to the event. With this insight, the Town of Minturn will be able to develop objectives to increase the overall performance, market effectively, provide sponsors with valuable data regarding the event, and evaluate the revenue generation and spending habits of the attendees.

## Objectives:

- ❖ Attendee details (e.g. reason for visiting Minturn, prior attendance, loyalty)
- ❖ Intent to return to the event
- ❖ Quantify recommendations
- ❖ Evaluate event performance
- ❖ Estimate spending habits
- ❖ Estimate revenue generation
- ❖ Understand media effectiveness/awareness
- ❖ Obtain demographical and geographical data
- ❖ Determine accommodations, nights stayed, town stayed in, etc.
- ❖ Favorite winter-time activities
- ❖ Lifestyle categories

# Methodology

---

The Town of Minturn and Intercept Insight determined that in-person intercepts were the best method fit for collecting data from attendees of the Skijoring event. The Town of Minturn and Intercept Insight designed a core set of questions intended to meet the objectives of the study, including event specific questions. Once the survey was approved, the questions were programmed into a survey design tool, and downloaded onto handheld survey devices (PDA's).

Skijoring was scheduled for March 15<sup>th</sup> – 16<sup>th</sup>; however, March 15<sup>th</sup>'s event was cancelled due to course conditions. Surveyors were hired and trained to conduct the intercepts in a way so that a random representative sample of the population was being collected. Those surveyed must have been 18 years of age or older.

After the completion of the event, the data collected was downloaded to a survey design tool, exported into an analytical software, and prepared for analysis and reporting.

# Overview and Summary

---

It is important to remember that this is a tool for gathering opinions and feedback. Many of the results are presented in terms of percentages. Intercept Insight, LLC encourages readers to consider the overall direction that is suggested rather than *only* the statistics. Note that the margin of error is different for every single question response on the survey depending on the sample sizes, proportion of responses, and number of answer categories for each question. As a general comment, it is sometimes more appropriate to focus attention on the general trends and patterns in the data rather than on the individual percentages.

The Town of Minturn engaged Intercept Insight, LLC for research services/in-person intercepts during the 2014 Skijoring event. The services included strategy and execution, survey development, programming, analysis, reporting, and staffing. Surveyors using handheld data collection tools (PDA's) conducted in-person intercepts throughout the event. The estimated attendance was based on the number of vehicles that entered the event's designated parking area, as well as specific survey data. Approximately 783 patrons attended over the course of the event. 51 attendees responded to in-person intercepts, which results in an overall margin for error of 11.2% at a 95% confidence interval.

86% of the respondents came to Minturn specifically for the event, and 81% of the respondents are "Very" or "Extremely likely" to return in the future. 79% of the first-time attendees are "Very" or "Extremely likely" to return in the future. The Skijoring event achieved a Net Promoter Score of 51, with 59% of the respondents classified as "Promoters". Overall satisfaction with the Skijoring event earned a mean satisfaction rating of 4.4 on a scale of 1 to 5, where 1=Not at all satisfied and 5=Extremely satisfied. When respondents were asked if there was one thing we can do to enhance their experience during this event in the future, most of those who responded requested better parking and seating.

Of those who came to Minturn for the Skijoring event, 93% were local visitors and 2% were overnight guests. Overall, 84% of the attendees were from Colorado. Respondent households spent an average of \$31 on dining/drinks, and an average of \$11 on retail within the Town of Minturn over the course of the event. The Skijoring event was responsible for generating approximately \$17K (+/- 20%) for the Town of Minturn in 2014.

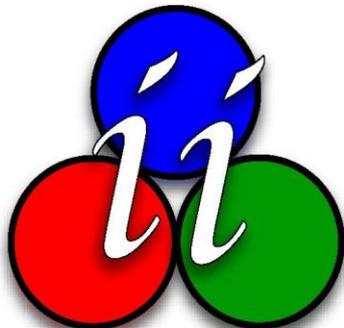
Newspaper, word-of-mouth, and Facebook were the most effective channels of communication. 25% attended with "Family (including children)", and 24% attended by themselves. The average age of the respondents was 45, and the average age of the children under 18 in attendance was 5.1. 16% earn a household income of over \$100K. 87% have at least a four year degree, and 58% own their home. Aside from skiing/riding; snowshoeing, and snowmobiling were the most mentioned favorite winter-time activities. Outdoor enthusiast, sports enthusiast, and traveler were the most commonly mentioned lifestyle categories.

# Highlights

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- ❖ Estimated attendance – 783
- ❖ Sample size: 51 in-person intercepts
- ❖ 86% of the respondents came to Minturn specifically for the event
- ❖ Intent to Return – 81% rated “Very” or “Extremely Likely” to return in the future
- ❖ 79% of the first-time attendees are “Very” or “Extremely Likely” to return in the future
- ❖ Overall Satisfaction – 4.4 (using a scale of 1 to 5, where 1=Not at all satisfied and 5=Extremely satisfied)
- ❖ One Change – parking and seating
- ❖ “Newspaper” (66%) was selected most when asked “How did you hear about, and/or where did you see advertising for this event?”
- ❖ Average household spend on dining/drinks in Minturn - \$31
- ❖ Average household spend on retail in Minturn - \$11
- ❖ Estimated revenue generation for the Town of Minturn - \$17K (+/- 20%)
- ❖ 82% were locals, and 14% were overnight visitors
- ❖ Average group size – 2.7
- ❖ Average age of respondents – 45 | Average age of children < 18 – 5.1
- ❖ Favorite winter-time activities aside from skiing/riding – Snowshoeing and snowmobiling
- ❖ Lifestyle categories – Outdoor enthusiast, Sports enthusiast, and Traveler

# Attendance

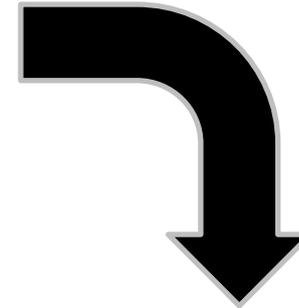
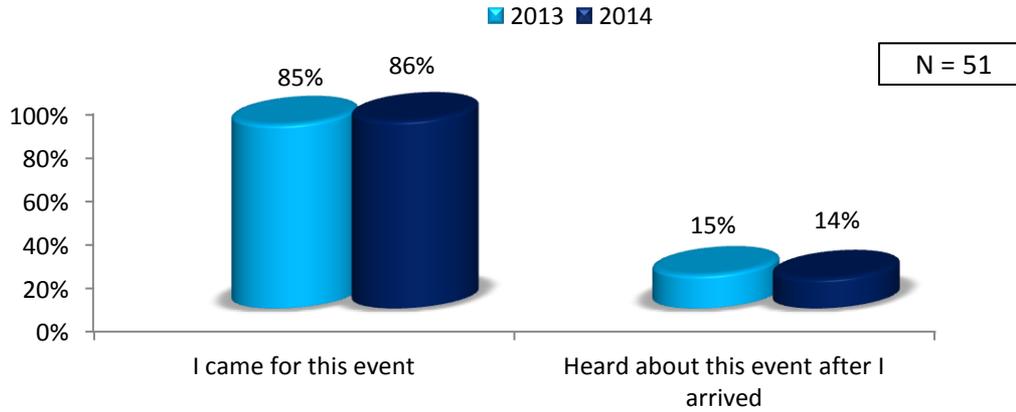


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# Attendance

## Skijoring - Reason for Visiting Minturn

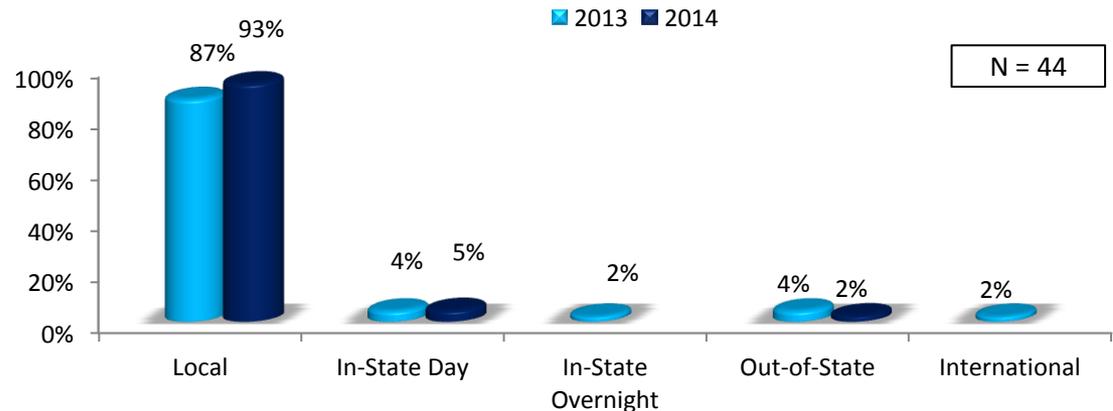


86% of the respondents planned their trip to Minturn in whole, or part for the event.

93% of the respondents who planned their trip specifically for this event were local visitors.

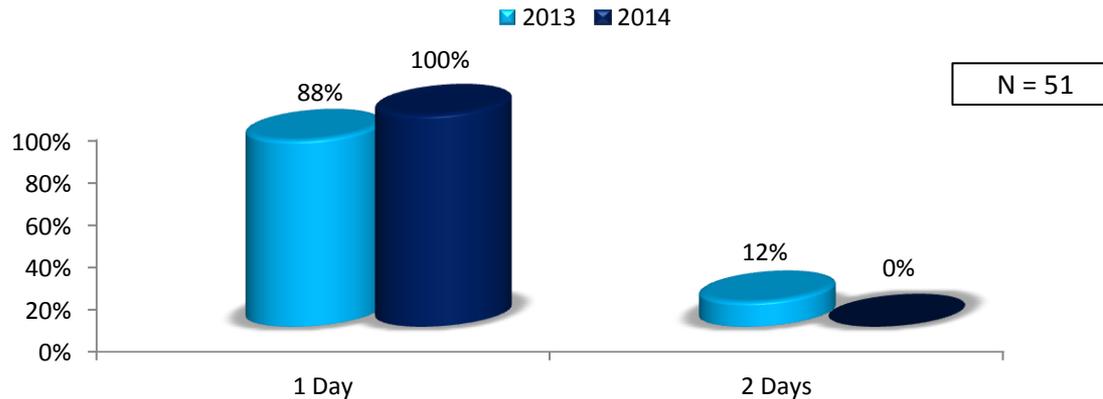
2% of those who planned their trip specifically for this event were overnight guests.

## Skijoring - Came for Event by Market Segment



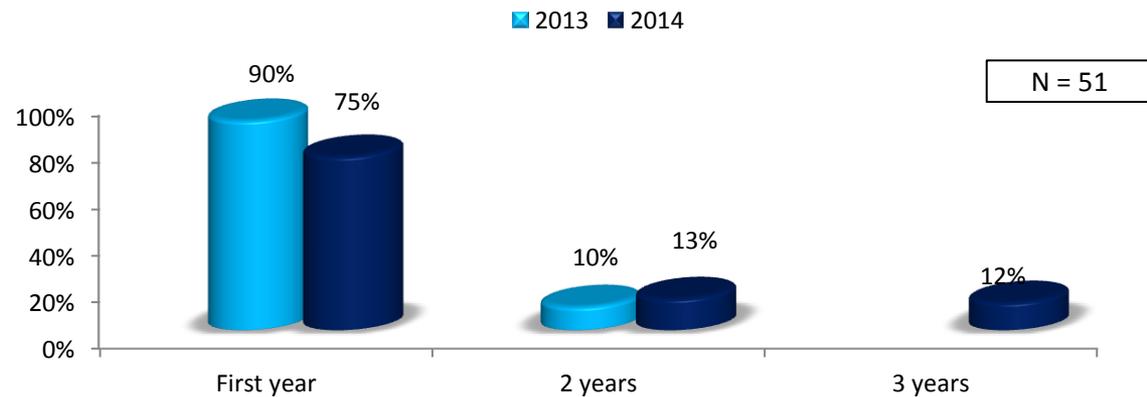
# Attendance

## Skijoring - Attendance



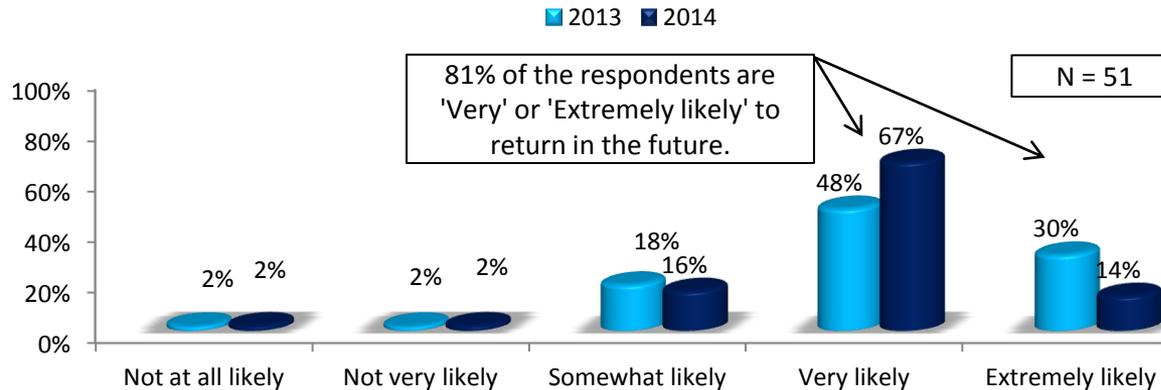
## Skijoring - Prior Visit

- \*\*\*Skijoring was limited to a one-day event in 2014 due to course conditions on March 15<sup>th</sup>.
- 75% were first-year attendees.
- 25% were returning guests.

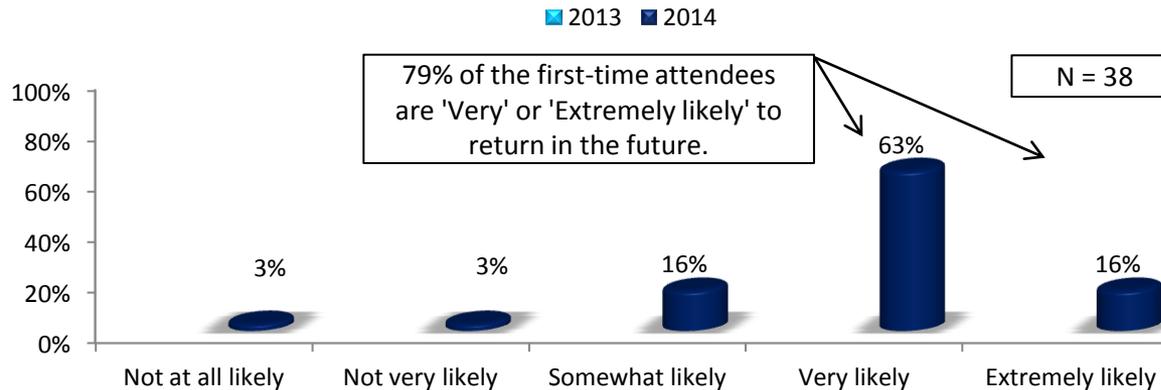


# Attendance

## Skijoring - Intention to Return



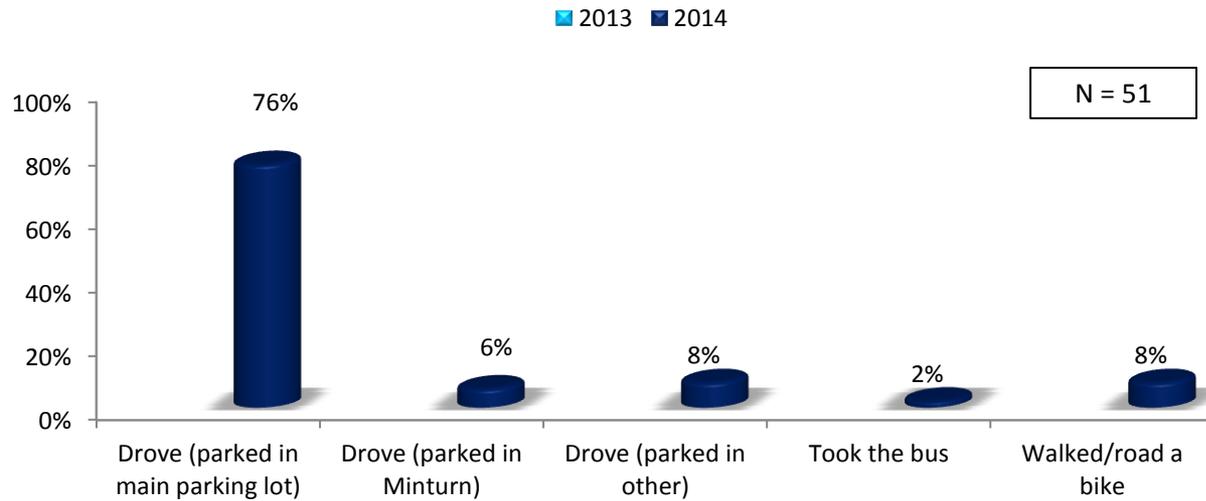
## Skijoring - First-time Attendees Intention to Return



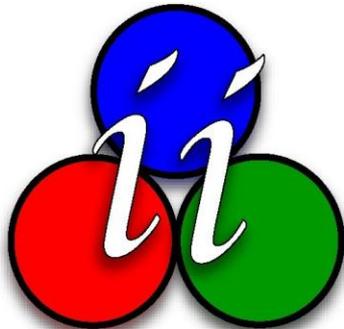
# Attendance

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## Skijoring - Venue Access



# Recommendation

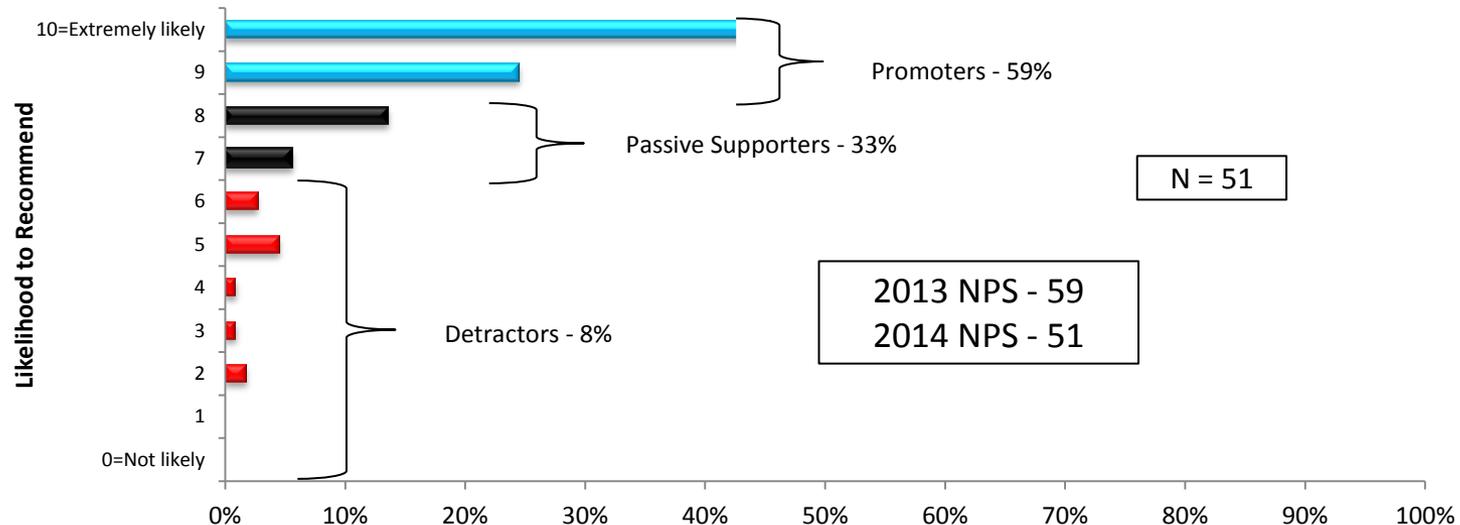


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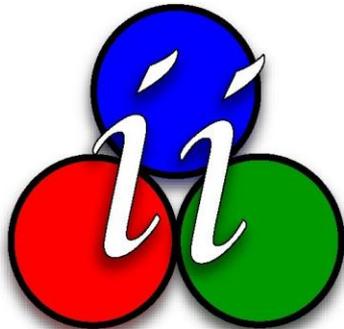
# Recommendation

## Minturn Skijoring - Net Promoter Score



- The Net Promoter Score is calculated using data collected from the following question: "On a scale of 0 to 10, where 0=Not at all likely and 10=Extremely likely, how likely are you to recommend Minturn's Skijoring event to a friend or family member?"
- Those who rate a '9' or '10' are called "Promoters". Those who rate a '7' or '8' are called "Passive Supporters", and those who rate '0' to '6' are called "Detractors".
- The Net Promoter Score (NPS) is calculated by subtracting the percentage of "Detractors" from the percentage of "Promoters".

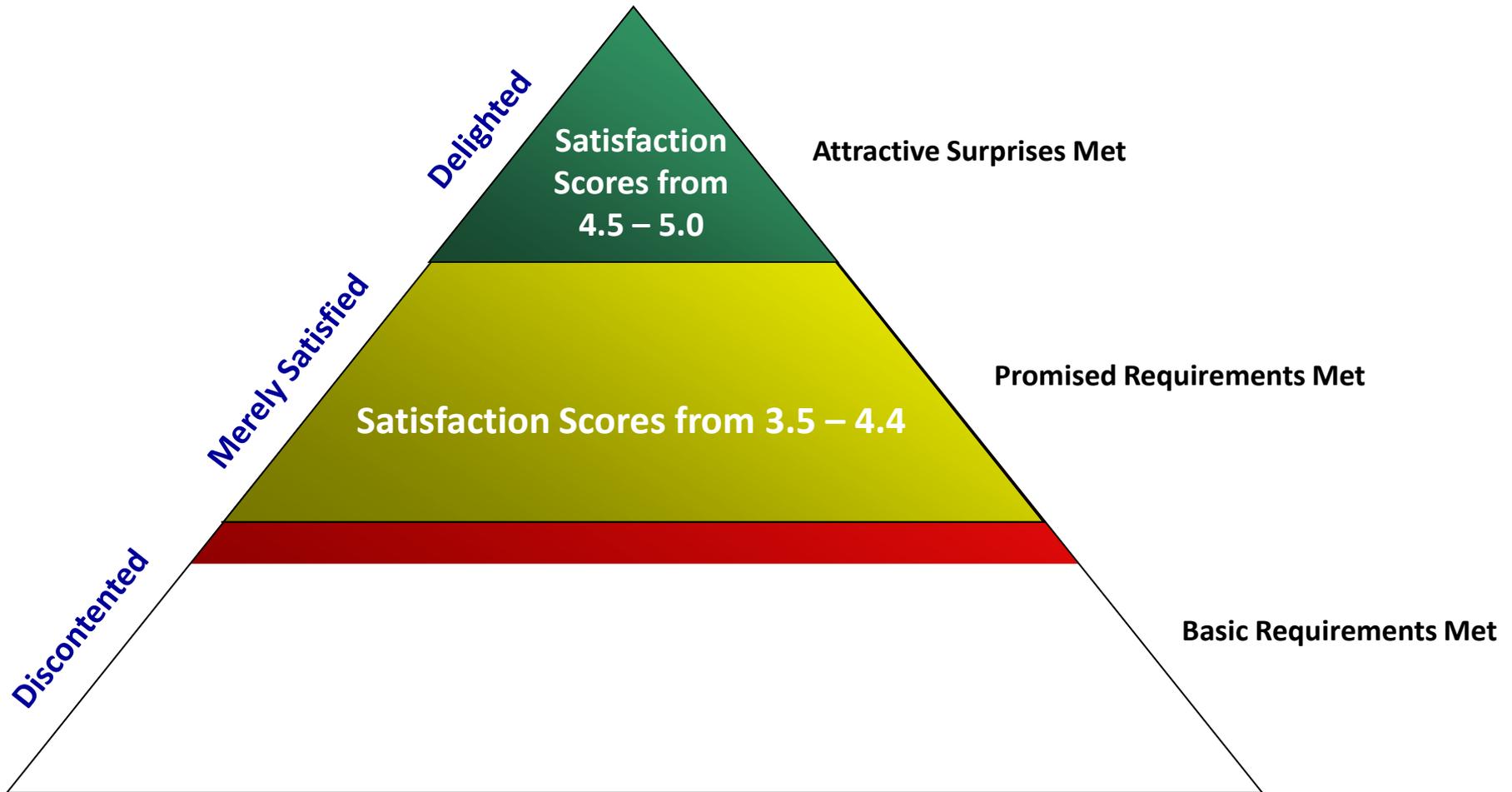
# Event Performance



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# Hierarchy of Customer Satisfaction Needs



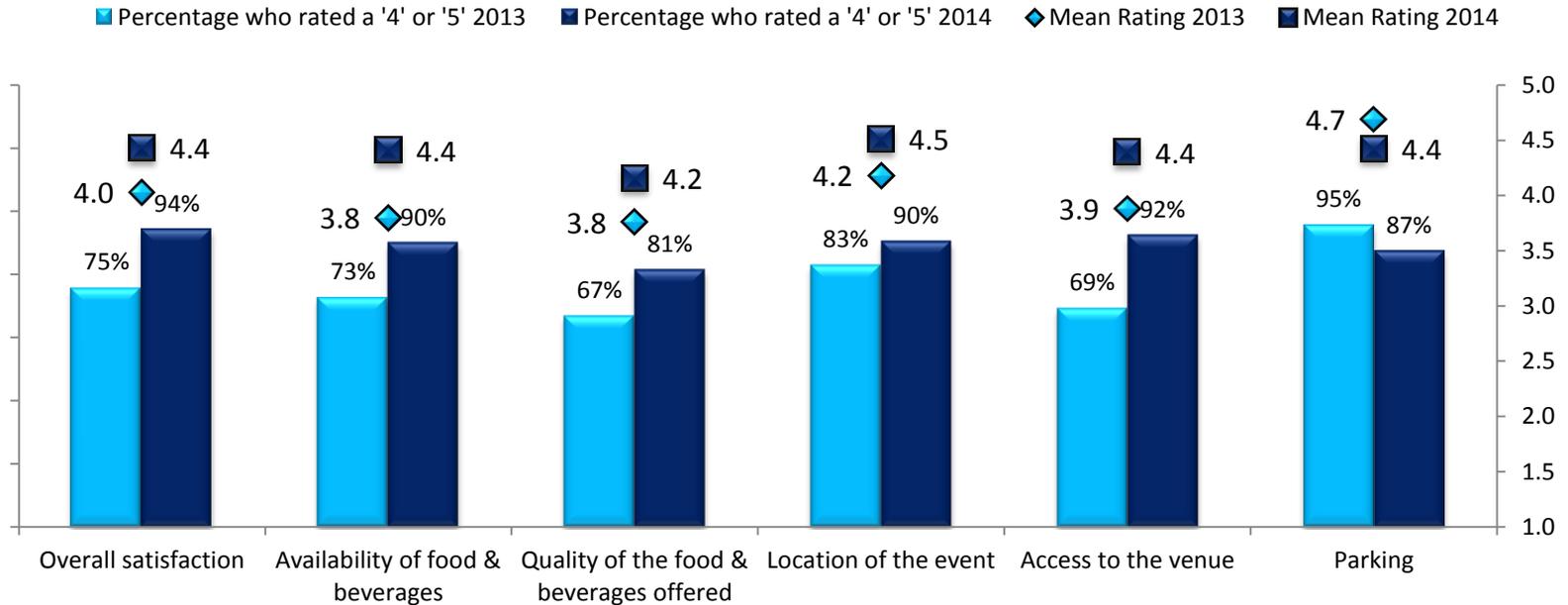
The Customer Delight Principle was designed to identify shortcomings within a business and to improve satisfaction. Satisfaction can be measured along a continuum and can be broken out into three major points:

- Discontentment – customers needs are simply not being met.
- Merely Satisfied – meeting customers needs, but not doing enough to distinguish among competition.
- Delighted – meeting and exceeding the customers needs and expectations

Terry Keiningham and Terry Varva, 2001, The Customer Delight Principle, Google Book Search, viewed 6/23/2008, [http://books.google.com/books?id=ot8oD9B2Ck8C&dq=cus+Delight+Principle&pg=PP1&ots=VOXp3xEU0J&sig=9VbRwC5X8BMN3xs2vDpmuS9muNk&hl=en&sa=X&oi=book\\_result&resnum=1&ct=result](http://books.google.com/books?id=ot8oD9B2Ck8C&dq=cus+Delight+Principle&pg=PP1&ots=VOXp3xEU0J&sig=9VbRwC5X8BMN3xs2vDpmuS9muNk&hl=en&sa=X&oi=book_result&resnum=1&ct=result)

# Event Performance

## Skijoring - Event Attribute Ratings



● Each respondent was asked to rate their satisfaction level with several attributes of Skijoring on a scale of 1 to 5, where 1=Not at all satisfied and 5=Extremely satisfied. This graph displays the percentages of those who rated a '4' or '5', as well as the mean satisfaction ratings of each attribute.

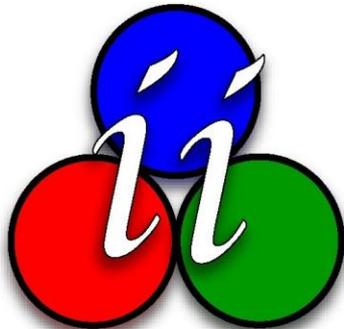
● According to the Hierarchy of Customer Satisfaction Needs, the Town of Minturn has "Delighted" the respondents with the "Location of the event" attribute. The respondents were "Merely Satisfied" overall, and with all other attributes measured.

# Event Performance

---

<b>2014 Minturn Skijoring - One Change Comments</b>
What time event starts on ad
Timely start
Spread speakers out
Seats
Seats
Seating
Parking signs
Parking
Parking
Overcharging for food
More options
More info and speakers
Hosts aren't kid friendly
Colder day
Change announcers and ATM
Additional food vendors, more speakers

# Media/Awareness

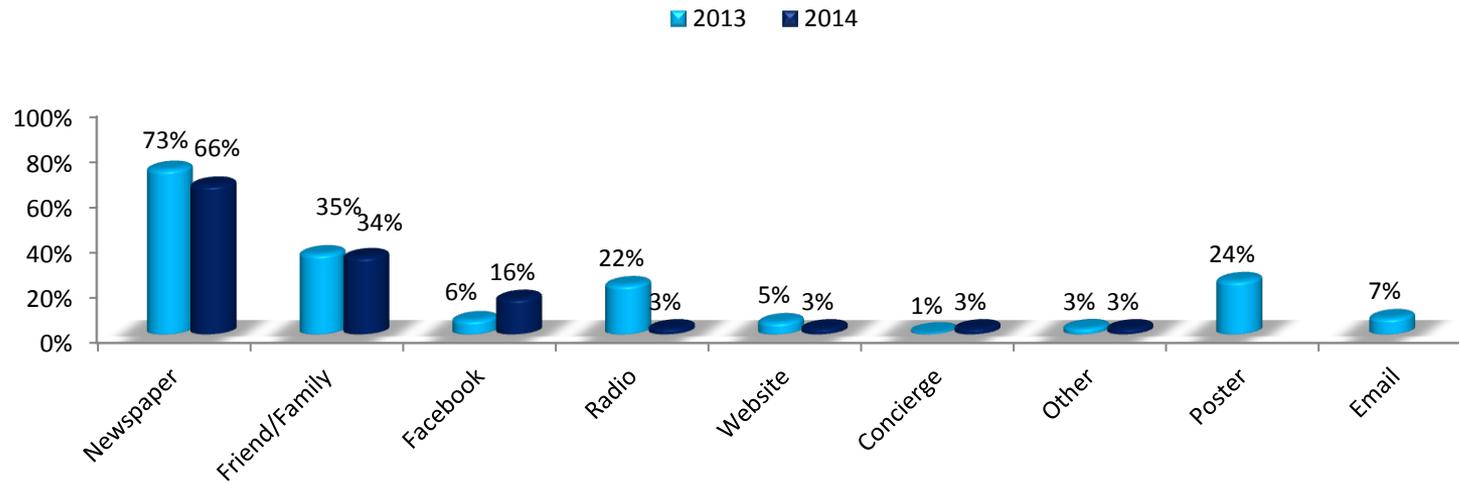


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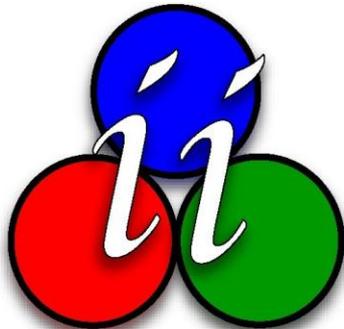
# Media/Awareness

**Skijoring - Media/Awareness**  
(Multiple Response)



● When asked, “How did you hear about and/or where did you see advertising for the event this year?”, 66% of the responses were newspaper, followed by word-of-mouth (34%), and Facebook (16%).

# Spending Habits



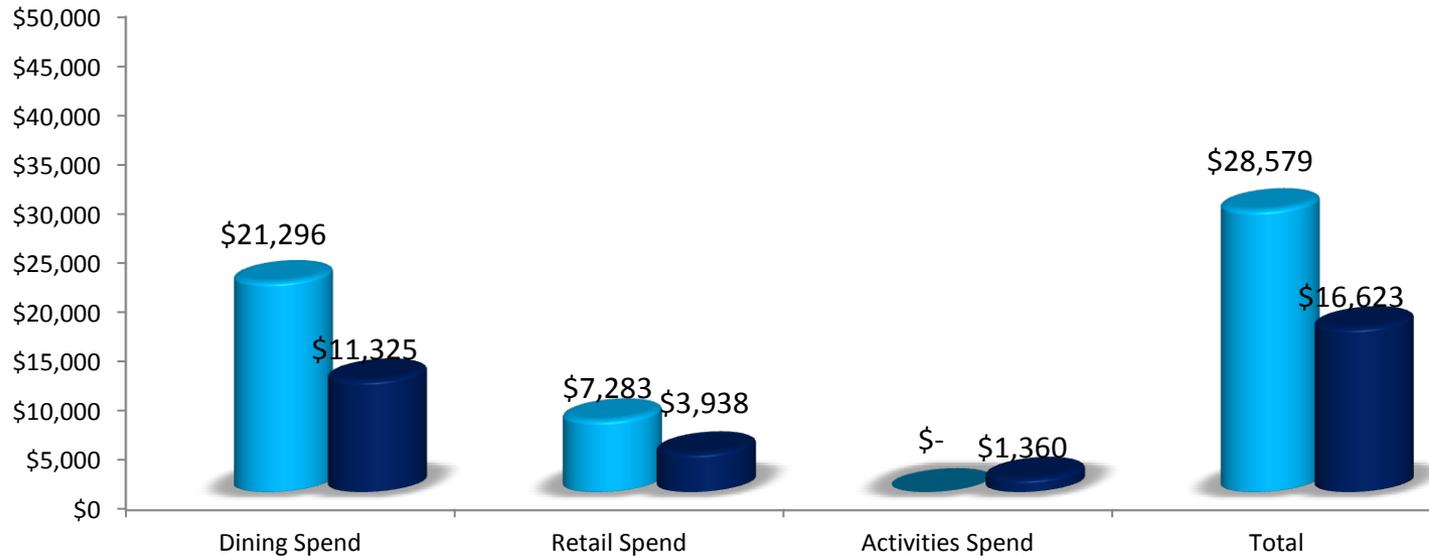
**INTERCEPT INSIGHT**

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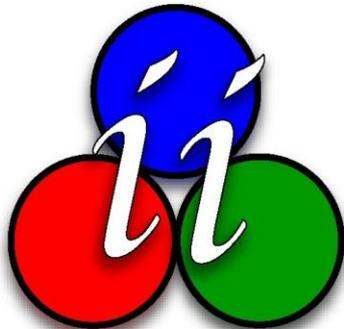
# Spending Habits

## Skijoring - Household Spending of Attendees (Only those who came for the Event)

■ 2013 ■ 2014



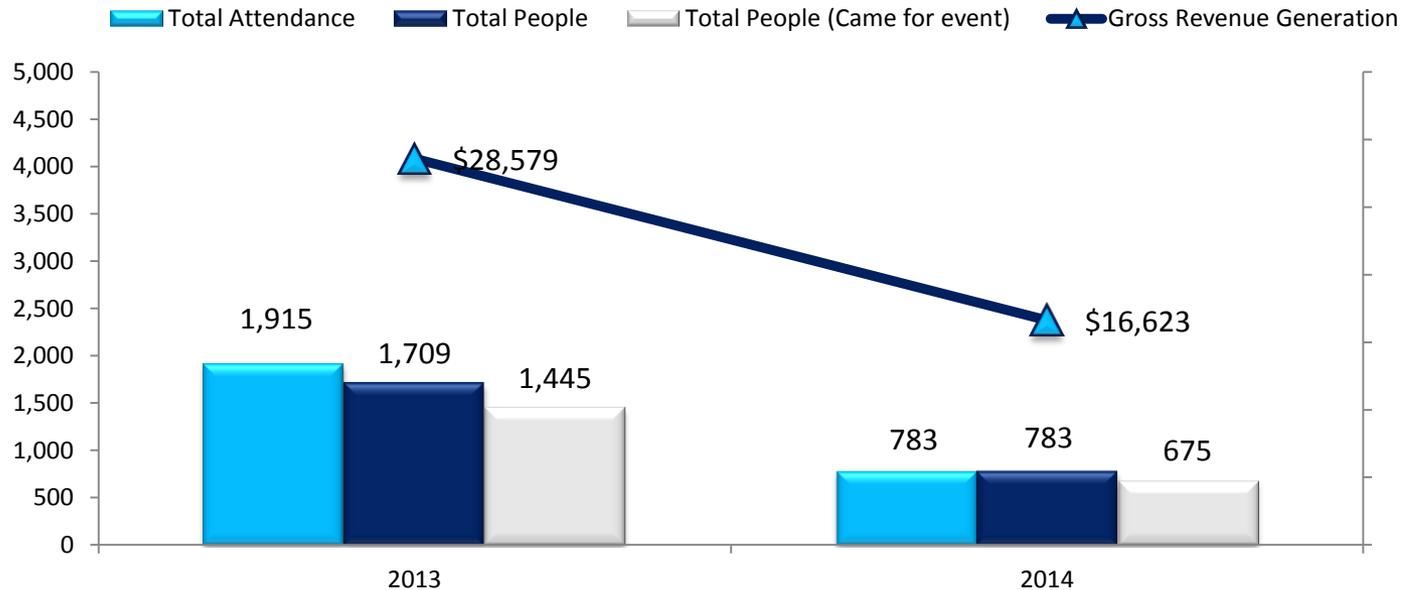
# Estimated Attendance and Revenue Generation



**INTERCEPT INSIGHT**  
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# Estimated Attendance and Revenue Generation

## Skijoring - Estimated Attendance and Revenue Generation

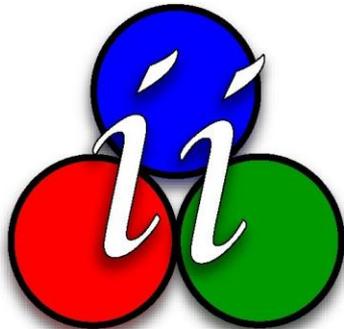


● This graph represents the estimated Total Attendance, Total People, Total People (Came for event), and Gross Revenue Generation for the Town of Minturn. “Total Attendance” is the estimated number of people that attended over the course of the event. “Total People” accounts for the average number of days in attendance. “Total People (Came for event)” accounts for the percentage of those who planned their trip to Minturn for the event, and is the sample set used for the estimated Gross Revenue Generation.

● 2014 Skijoring event estimated revenue generation for Town of Minturn: \$17K (+/- 20%).

● Note: The estimates for 2013 have been revised. These results are based on some data obtained in 2014 in hopes to offer a better representation of the attendance, and to provide a more accurate estimation.

# Accommodations

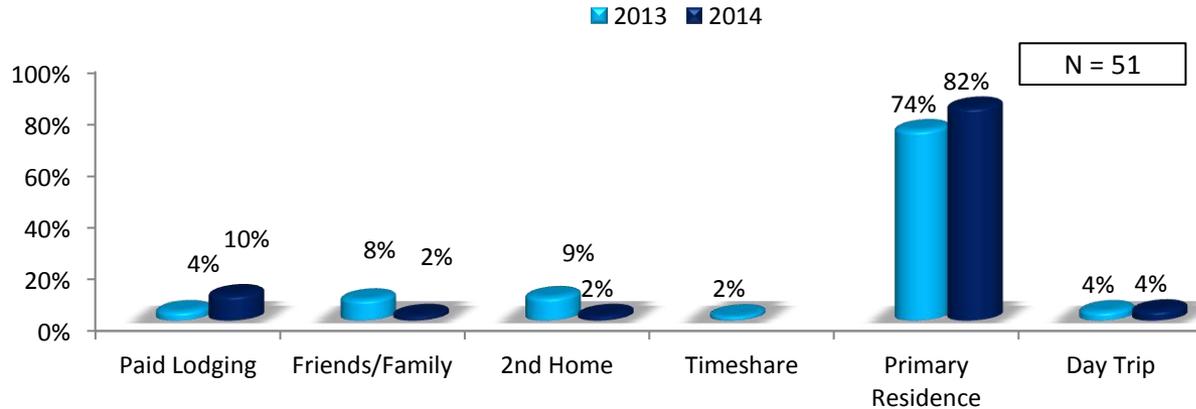


**INTERCEPT INSIGHT**

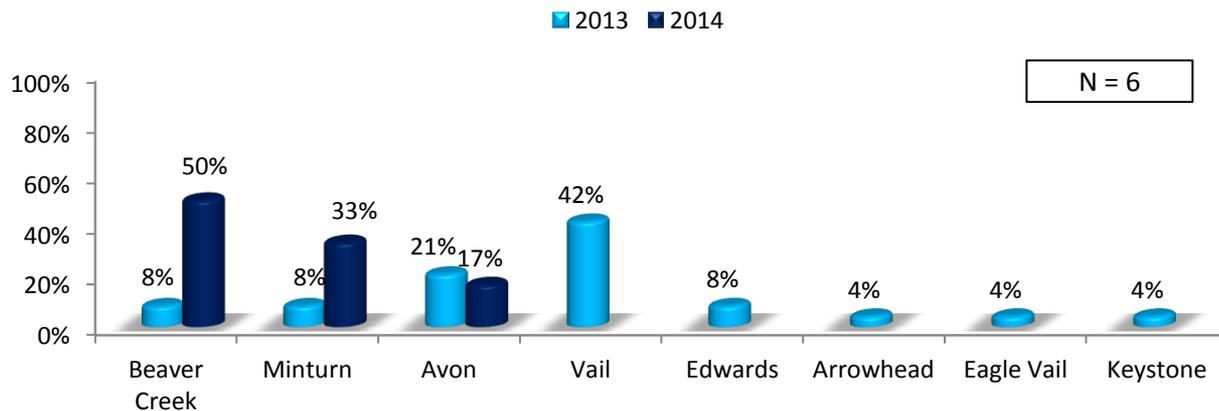
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# Accommodations

## Skijoring - Accommodations

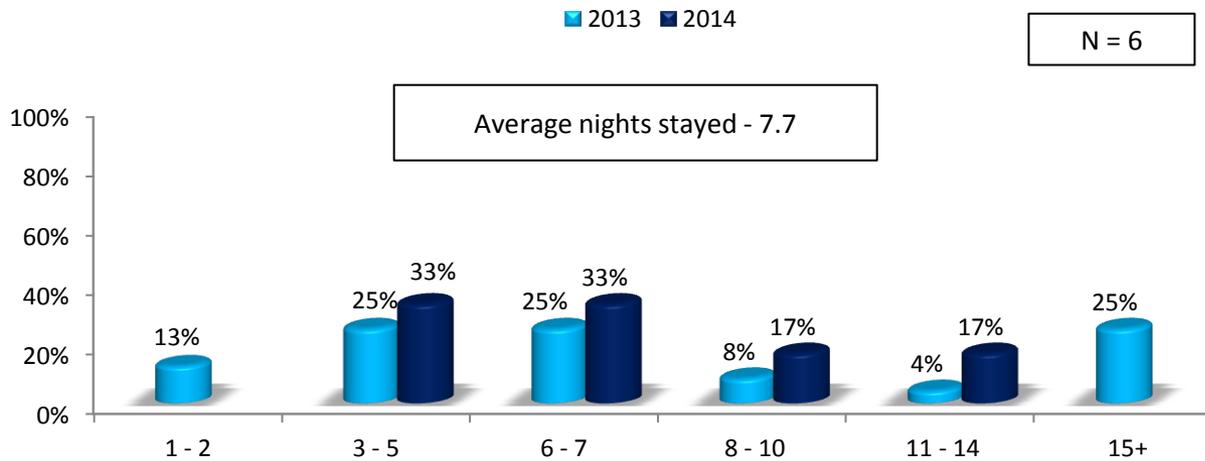


## Skijoring - Town Stayed In

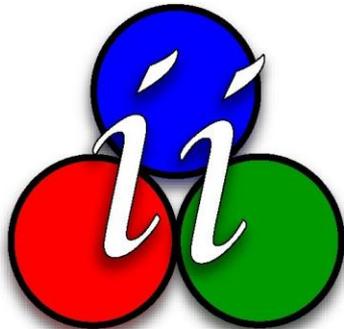


# Accommodations

**Skijoring - Nights Stayed Categories**  
(All accommodations)



# Geographical Data

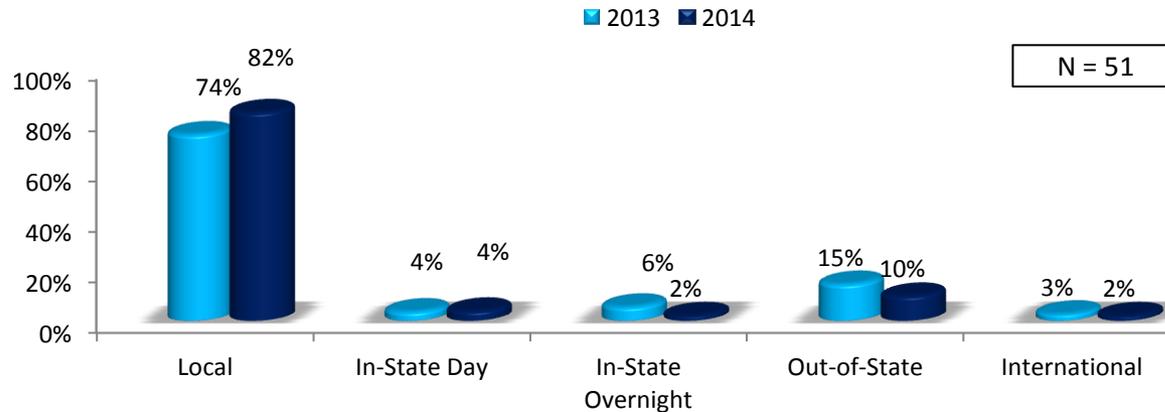


**INTERCEPT INSIGHT**

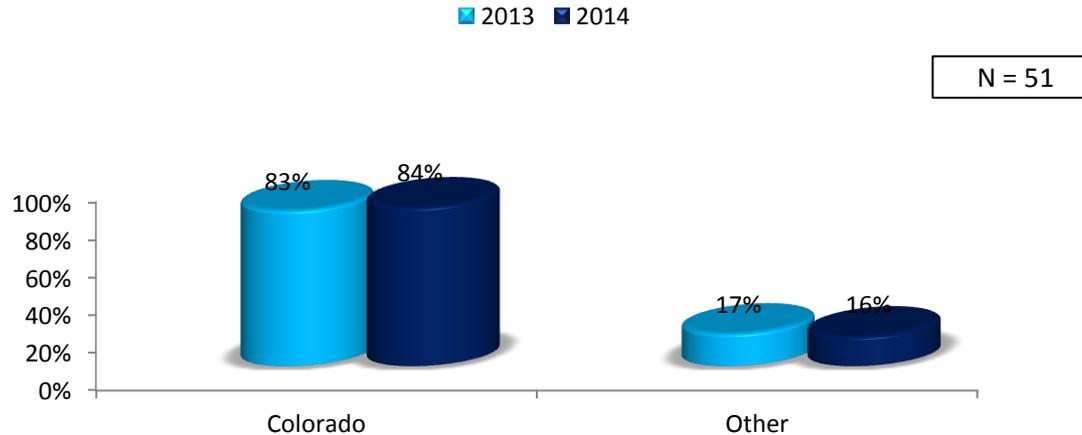
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# Geographics

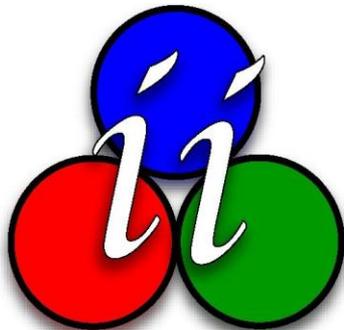
## Skijoring - Market Segment



## Skijoring - State of Origin



# Demographical Data

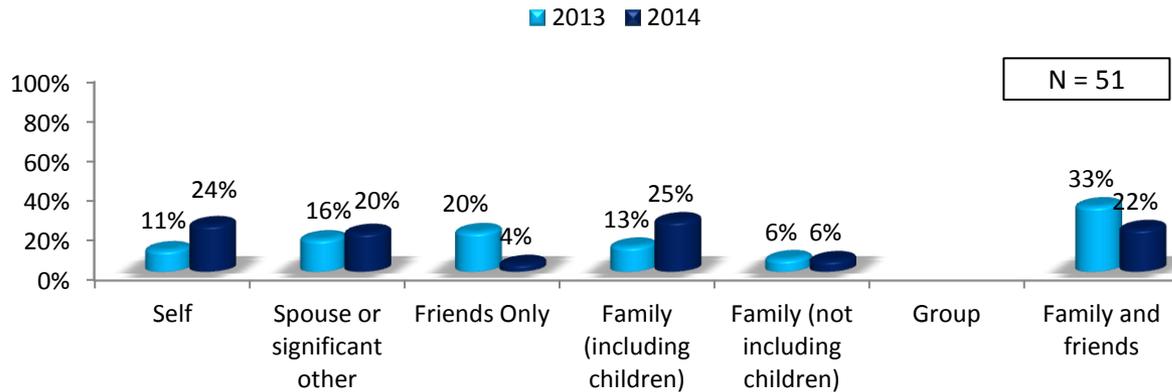


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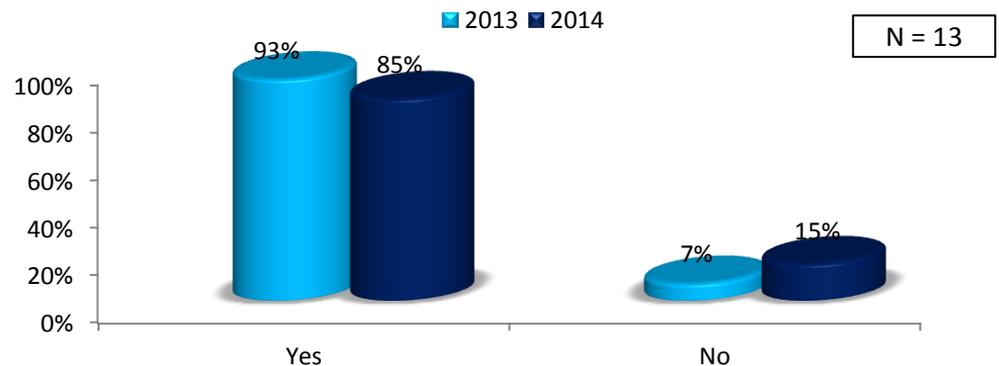
# Demographics

## Skijoring - Who Attended With



- 25% attended with family (including children).
- 85% of those attending with their family (including children) were with children under 18 years of age.
- The average family (including children) attended with 1.2 children.
- The average age of children under the age of 18 in attendance was 5.1 years of age.

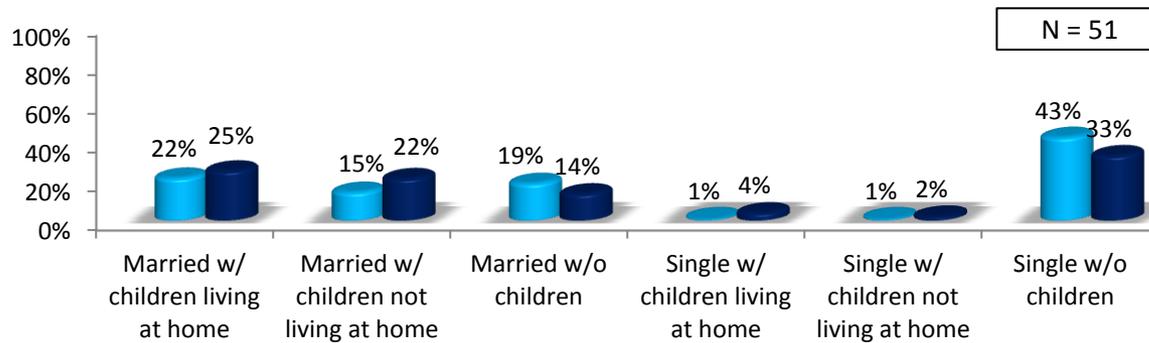
## Skijoring - Attended with Children Under 18 (Asked only of those who attended with "Family (including children)")



# Demographics

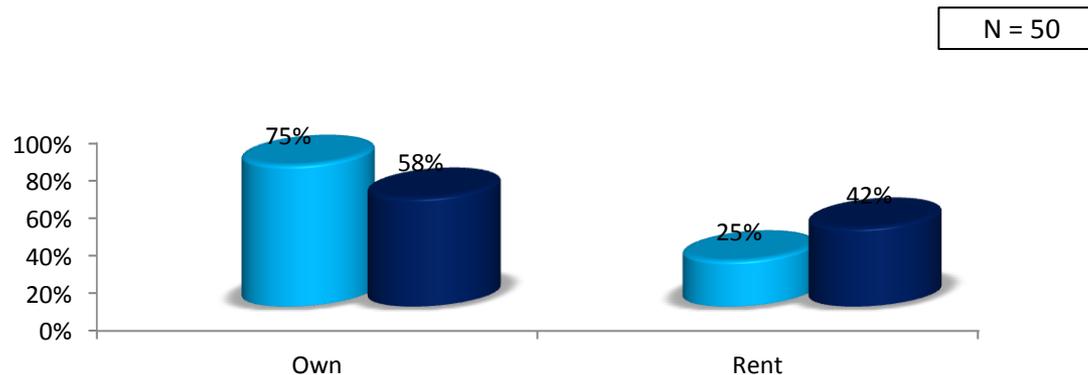
## Skijoring - Family Status

■ 2013 ■ 2014



## Skijoring - Own vs. Rent Primary Residence

■ 2013 ■ 2014

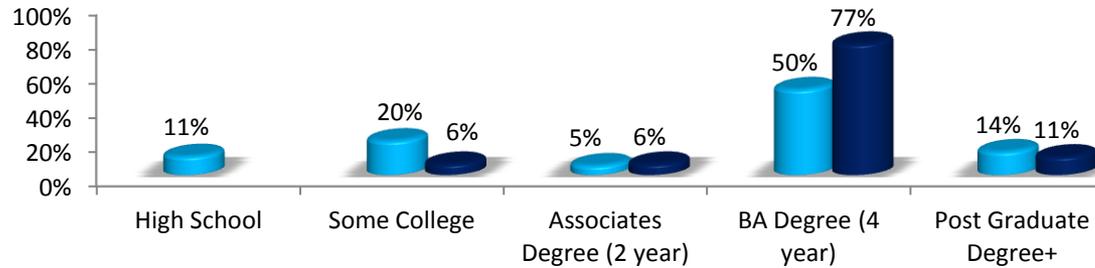


# Demographics

## Skijoring - Education Level

■ 2013 ■ 2014

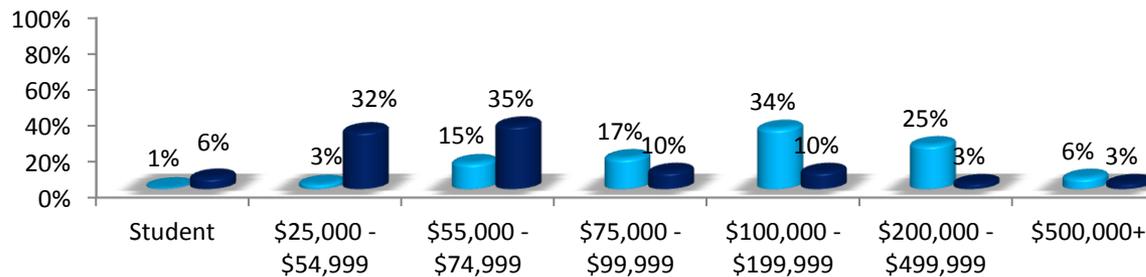
N = 47



## Skijoring - Income Categories

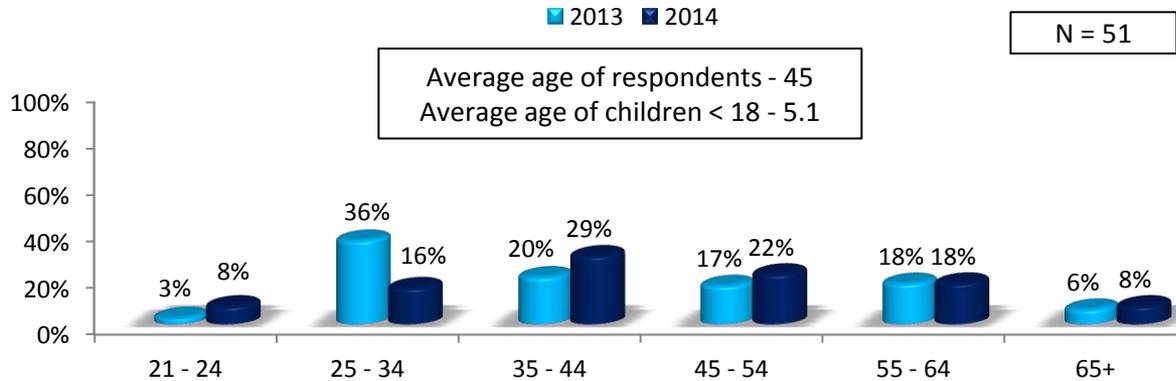
■ 2013 ■ 2014

N = 31

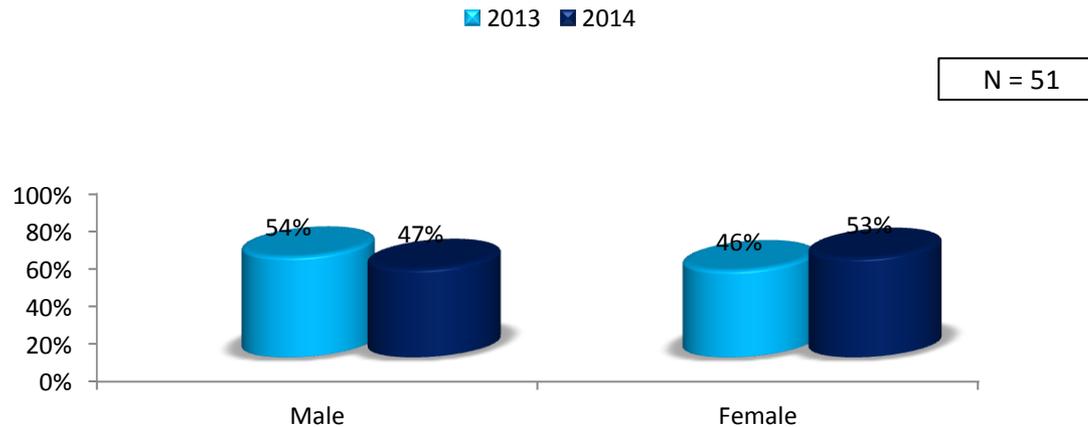


# Demographics

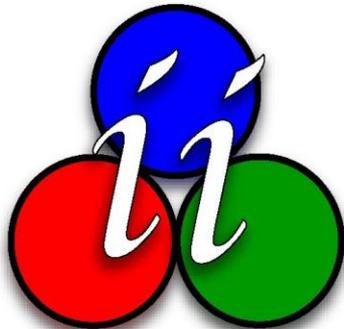
## Skijoring - Age Categories (Does not include children under 18)



## Skijoring - Gender



# Favorite Winter-time Activities

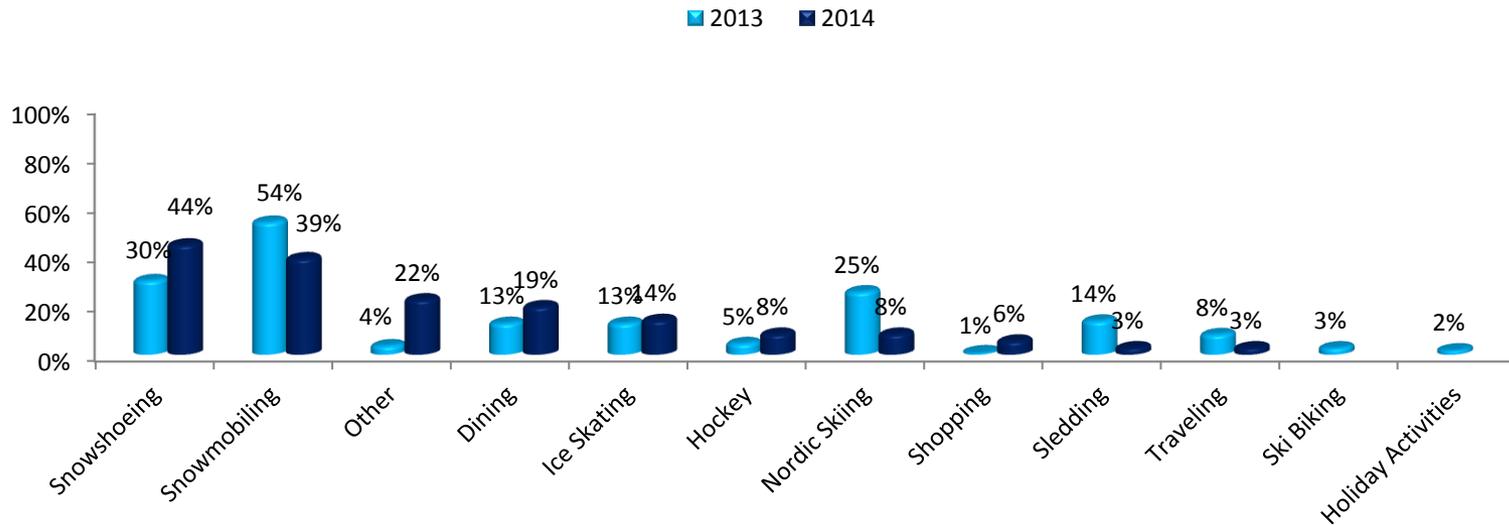


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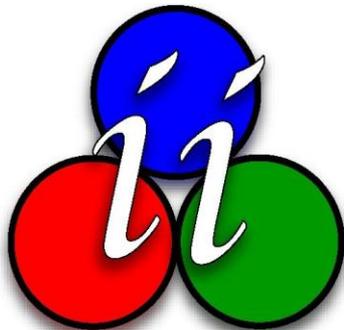
# Favorite Winter-time Activities

**Skijoring - Favorite Winter-time Activities**  
(Multiple Response)



2014 Minturn Skijoring - Favorite Summer-time Activities
Skijoring
Horseback Riding
Horseback Riding
Fishing
Dig Sledding
Dancing

# Lifestyle Categories

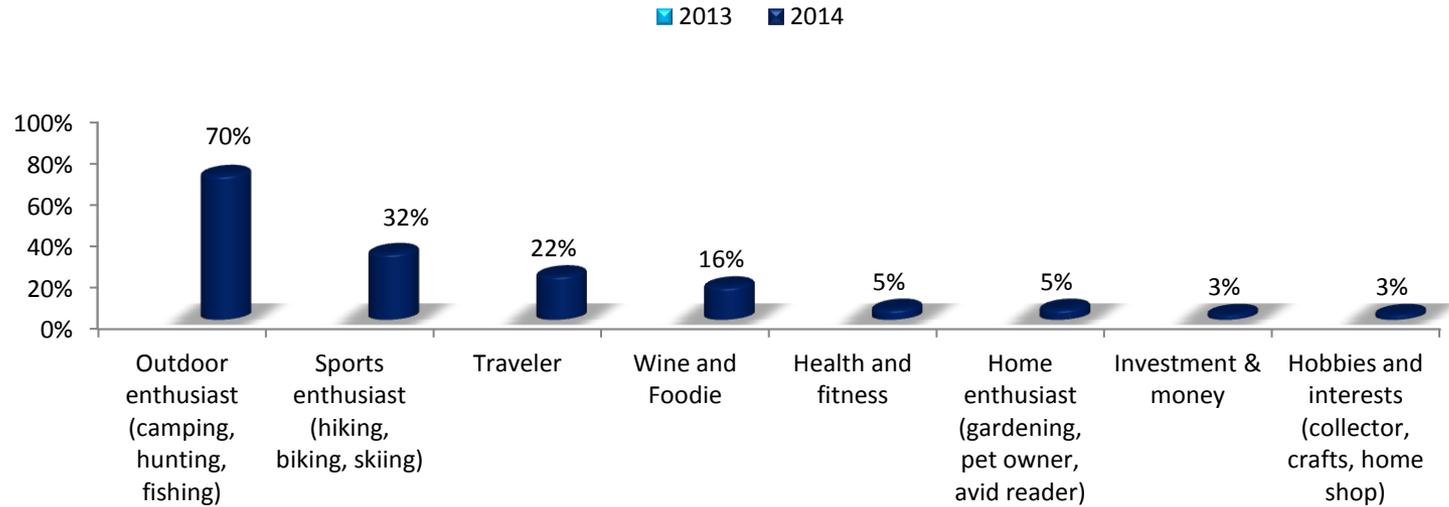


**INTERCEPT INSIGHT**

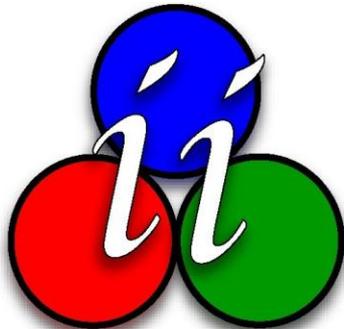
Research | Analytics | Performance | Design

# Lifestyle Categories

## Skijoring - Lifestyle Categories (Multiple Response)



End of Report



**INTERCEPT INSIGHT**

Research | Analytics | Performance | Design

Lisa Osborne  
Court Clerk/Code Compliance  
P.O. Box 309 ♦ 302 Pine St  
Minturn, CO 81645  
970-827-5645  
[losborne@minturn.org](mailto:losborne@minturn.org)  
[www.minturn.org](http://www.minturn.org)



Town Council  
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Councilman – Jason “Ozzy” Osborne  
Councilman – Matt Scherr

## AGENDA ITEM COVER SHEET

**AGENDA TITLE:** Code Compliance Services Update

**MEETING DATE:** April 16, 2014

**PRESENTER:** Lisa Osborne

**BACKGROUND:** Town Council and staff had discussed the need for Code Compliance activity within the Town of Minturn. It was decided I would be assigned this task, at least initially.

It is my intention to call the code enforcement activities Code Compliance as I believe that is the ultimate goal of “code enforcement” and because it is a more friendly user term.

**CORE ISSUES:** There was a five day training I attended a in reference to Code Enforcement. This conference focused on such issues as: Customer Service, Property Code Enforcement, Code Enforcement Technologies, Safety and Awareness, Subconscious Communication and Code Enforcement Procedures for Officers and Inspectors. While the classes were extremely informative, what was even more helpful were the code enforcement personnel I met who are willing to provide me with information, assistance and copies of their code enforcement manuals. This will prove to be a highly valuable asset and resource tool.

On April 3, 2014, Commander Harvey from the Vail Police Department was gracious enough to allow me to shadow four of his code enforcement officers for the day. This activity was beneficial to me as well. On this date, I was able to spend two and a half hours with each code enforcement officer on duty. In addition to the ability to observe how they carried out their duties and interacted with the public, the Department also provided their Code Enforcement Training Manual for my review. I am in the process of reading this document and utilizing it as the foundation for the development of the Minturn Code Compliance Manual.

On Tuesday, April 15, 2014, I will shadow the Code Compliance Officer Ted Hanley with the Eagle-Vail Metropolitan District for a few hours. In addition, contact has been made with Code Enforcement Officer Cindy Schwartz from Gypsum. She is the Code Enforcement/Compliance Officer with the Town of Gypsum and I will be meeting with her on Friday, April 18, 2014.

At this time, a Code Compliance Services Citizen Concern/Complaint Form has been developed. This form will be available in the office, as well as on the Town website. Ms. Metteer converted the form so that it can be completed on the website and then emailed directly to the Town office. A copy of this form is attached for your review.

It has taken time to get to this point and to be prepared for Code Compliance activities; however, it is important to be fully prepared with procedures in place as opposed to beginning in a haphazard manner.

**CORE ISSUES CONITNUED:** In addition to the training and research, time has been spent researching a shirt/uniform and equipment to be utilized. A shirt with Code Compliance on the clothing costs approximately \$30.00 per shirt. A “badge” that identifies a Code Compliance Officer costs approximately \$30.00. As code Compliance/Enforcement activities tend not to be a very popular activity, it was recommended by various agencies/employees I spoke with to carry a radio that will allow direct communication with the Vail Communications Center for safety and documentation purposes. There is a fee for this and it is recommended a Code Compliance Officer radio can be part of the radio fees the Town will continue to pay through its contract with the Vail Communications Center. Most Code Compliance/Enforcement officers carry Oleoresin Capsicum/OC spray (also known as pepper spray) for protection. This is equipment that is currently housed in the Police Department Storage lockers. If this is what Council determines should be carried, I would need to be certified to carry the OC Spray through a training. This training can be obtained through a local law enforcement agency at little or no cost.

**STAFF RECOMMENDATION/MOTION:** Continue moving forward in preparation to properly and effectively address Code Compliance issues within the Town of Minturn.

# Town of Minturn--Code Compliance Services

302 Pine Street, Post Office Box 309, Minturn, Colorado 81645-0309

(970) 827-5645, ext. 105/Fax: (970) 827-5545

## Citizen Concern/Complaint Form

Please complete, sign and return this form to Code Compliance Services via:

- Email at [losborne@minturn.org](mailto:losborne@minturn.org);
- Mail to Post Office Box 309, Minturn, Colorado 81645-0309; or
- Deliver to our office located at 302 Pine Street, Minturn, Colorado

Concerned Citizen Name: \_\_\_\_\_

Concerned Citizen Physical Address: \_\_\_\_\_

Concerned Citizen Mailing Address: \_\_\_\_\_

Concerned Citizen Telephone Number: \_\_\_\_\_

Concerned Citizen Email Address: \_\_\_\_\_

Concerned Citizen Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**NOTICE:** This Complaint Form is subject to the requirements of the "Colorado Open Records Act" and may be available to the public upon written request.

Property Address of Potential Violation: \_\_\_\_\_

Property Owner Name (if known): \_\_\_\_\_

Describe activity or property use being complained about (continue on back, if needed):

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For questions, call or email Town of Minturn Code Compliance Services, at  
(970) 827-5645, ext. 105 or [losborne@minturn.org](mailto:losborne@minturn.org)

### FOR OFFICE USE ONLY

Case Number:	Intake Date:
Form of Complaint: Counter    Email    Fax    Letter    Public Official	
Intersecting Street:	Prior Case Number(s):





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

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

*MEMORANDUM*

TO: Mayor and Town Council  
 FROM: Jay Brunvand, Treasurer/Clerk  
 CC:  
 DATE: March 13, 2014  
 RE: 100 Block Sidewalks

During the past several meetings we have discussed projects in Town. As part of the consideration for Capital Improvements in 2014 for items such as streets and sidewalks it is important to consider where the money will come from as much as it is how much the project is estimated to cost. On March 13<sup>th</sup> I presented financial information that is again pertinent at this meeting as you consider paving and sidewalks.

Description	General Fund	Enterprise Fund
2013 Est Ending Fund Bal	1,136,995.53	996,802.20
2014 Approved Budget - Income	1,544,207.00	772,841.25
2014 Approved Budget - Expense	1,501,964.00	804,789.73
Est Fund Balance	1,179,238.53	964,853.72
Reserve Bal	830,856.00	940,000.00
Budgeted Growth (Savings)	42,242.17	-31,948.48

Notes:

- The Budgeted Growth is calculated by subtracting the 2014 budgeted Expense from the Income.
- Any street and sidewalk work considered is a cost to the General Fund. The General Fund has a 2014 budgeted allocation of \$40,000. Of this \$40,000 it is conceivable the Town could allocate \$32,500. It is noted that during the 2014 budget process, the CIP project list estimates sidewalk work in the 100 Block of Main St at \$105,000 and specifically lists it as Un-Budgeted.
- Work considered at Eagle River Park will come from the restricted Capital Reserve money in the Enterprise Fund.
- Little Beach Park expenses will come from Battle Mountain Resort money the restricted Capital Reserve money in the Enterprise Fund.

- The above table does not include
  - \$45,000 payout to the Estate of A. Christensen – Unbudgeted
  - Due to the investigation of the former Police Chief and the ongoing investigation of the Town Manager our Town Liability Insurance expense will be approximately \$6,000 over budget. In addition, we should be reimbursed for much of the legal expenses involved in these investigations but we do have to carry the expense until reimbursed.
  - Recent events in the Town Management structure have the potential of significant unbudgeted costs to the Town.
  - The Town Council is budgeted for on additional special meeting this year. With the interview and selection of a new Town Attorney, a possible Council Retreat, and other considerations with ongoing management issues this line item will be depleted. It is estimated we will have five or more special meetings. Each meeting costs approximately \$1,000.
  - The Police Department is in a state of flux. Although it is probably we can make all accommodations within the current budget, this is still an issue of financial concern.
  - The Enterprise Fund was budgeted with a deficit balance to be taken from savings. In the near future the Council will need to consider if they want the Town to continue to purchase water rights from ERWSD in the amount of approximately \$60,000 annually.
  - The Council directed to increase water rates 3% and review rates again in 2014 when we can run rate proformas using ERWSD software. The existing rate structure is the result of the deficit. Once the proformas can be run we will consider modifying the rates as directed during the budget process.
  - The Town is moving forward with bathrooms at Eagle River Park. Much of the cost will be borne by a grant; however, the Town will participate to the approximate amount of \$35,000-\$50,000.
  - The Town is considering Little Beach Park upgrades. Although much of this will come from existing Battle Mountain Resort funds and potential grants, it is probably we will need to participate financially in this endeavor.

**BACKGROUND:**

- Fund vs. Funds: A Fund is a term used in Governmental or Fund accounting signifying a specific accounting division. Funds are actual dollars.
- Reserves are dollars specifically set aside for specific projects. Emergency Reserves are dollars set aside to be used only in case of a fiscal emergency. Savings are the dollars available for sending; Reserve plus Savings equals Fund Balance.
- The Town utilizes the following 9 funds in our Fund Accounting system.
  - 01- General Fund: includes all general government functions and is funded primarily with sales and property taxes
  - 02- Enterprise Fund: includes the Water system, Trash collection, and some Recreation and is funded primarily through user fees

- 03- Conservation Trust Fund: this is funded through the State Conservation Trust Fund (lottery dollars).
- 04- Building Fund: This fund pays the debt service and minimum repairs on the Town Center and is funded by interfund transfers from the General Fund (70%) and the Enterprise Fund (30%).
- 05- Market Fund: Funds all Minturn Market related expenses and is funded by vendor fees and solicited sponsorships and donations.
- 06- Capital Improvement Fund: Items such as the River Restoration project are included in this fund and revenue for operation comes from interfund transfers from the General and Enterprise Funds and grants.
- 07- General Improvement District: This fund is inactive but was set up to handle the Ginn GID needs. Currently \$20,000 in GID revenue is sitting quietly in this fund.
- 08- Battle Mountain Resort (BMR) Scholarship Fund: this is an Agency Fund set up with a \$350,000 contribution from BMR. It is currently inactive except for the initial contribution and interest earned. BMR has refused to release this money for Scholarship needs in the community until certain milestones have been passed in the BMR Development.
- 09- Battle Mountain Resort Fund: holds specific income and expense attributed solely to the BMR project(s) and is not available for use unless specifically designated in accordance with the various agreements between the Town and BMR.

Arnold Martinez  
Public Works Supervisor  
P.O. Box 309 ♦ 302 Pine St  
Minturn, CO 81645  
970-827-5645  
[publicworks@minturn.org](mailto:publicworks@minturn.org)  
[www.mibnturn.org](http://www.mibnturn.org)



Town Council  
Mayor – Gordon “Hawkeye” Flaherty  
Mayor Pro Tem – George Brodin  
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## AGENDA ITEM COVER SHEET

<b>AGENDA TITLE:</b> Public Works Update
<b>MEETING DATE:</b> April 16, 2014
<b>PRESENTER:</b> Martinez
<b>BACKGROUND:</b>  Direction from Council to obtain estimates for the paving of Norman Ave.
<b>CORE ISSUES:</b>  
<b>STAFF RECOMMENDATION/MOTION:</b> Review and discuss



Date: March 21, 2014

Proposal

**SUBMITTED TO:**

Town of Minturn  
 Attention: Arnold  
 P. O. Box 309  
 Minturn, CO 81645

**JOB NAME & ADDRESS:**

Norman St.  
 Minturn, CO  
 376-4270

Architect/Engineer:

Date of Plans:

We hereby propose:

Item	Description	Quantity	Units	Unit Price	Bid Amount
<b>Norman St. Between Pine St. and Boulder St.:</b>					
1	Mobilization	1	EA	\$1,000.00	\$1,000.00
2	Asphalt Removal	240	SY	\$9.00	\$2,160.00
3	Subgrade Prep	240	SY	\$22.00	\$5,280.00
4	Road Base Prep – Valley Pan	10	TON	\$111.00	\$1,110.00
5	Install Valley Pan	270	SF	\$15.00	\$4,050.00
6	6" Road Base Prep	152	TON	\$40.00	\$6,080.00
7	4" Asphalt Paving	54	TON	\$133.00	\$7,182.00
					<b>Bid Amount: \$26,862.00</b>

**Norman St. Cul-De Sac:**

1	Mobilization	1	LS	\$1,600.00	\$1,600.00
2	Subgrade Prep	317	SY	\$18.00	\$5,706.00
3	Road Base Prep – Curb	5	TON	\$200.00	\$1,000.00
4	1.5' Curb & Gutter Install	60	SF	\$125.00	\$7,500.00
5	6" Road Base Prep	104	TON	\$45.00	\$4,680.00
6	4" Asphalt Paving	73	TON	\$124.00	\$9,052.00
					<b>Bid Amount: \$29,538.00</b>

**Norman St Between Boulder St. And Main St.:**

<b>1</b>	<b>Mobilization</b>	<b>1</b>	<b>LS</b>	<b>\$950.00</b>	<b>\$950.00</b>
<b>2</b>	<b>Asphalt Removal</b>	<b>537</b>	<b>SY</b>	<b>\$9.00</b>	<b>\$4,833.00</b>
<b>3</b>	<b>4" Asphalt Paving</b>	<b>132</b>	<b>TON</b>	<b>\$125.00</b>	<b>\$16,500.00</b>

**Bid Amount :\$22,283.00**



## Project Notes:

1. One complete mobilization is included. Each Additional mobilization will be billed on a T&M basis.
2. Scheduling will be upon the mutual agreement between the Owner/Owners Rep. and Elam Construction, Inc.
3. Please note that Elam Construction, Inc. assumes no responsibility for subgrade or road base compaction and testing by performing final shape of road base.
4. Please note that Elam Construction, Inc. assumes no responsibility for finished grades by performing asphalt placement only.
5. Subgrade to be received by ECI +/- .1' by others.
6. Elam Construction, Inc. cannot guarantee complete drainage in areas with less than 2% of fall.
7. Permits, Permit Fees, Engineering, Surveying, Construction Staking, Traffic Control and Independent Testing are not included in this proposal.
8. Excavation and stabilization of soft areas, if encountered, are not included. This work will be completed on a time and materials basis per the geotechnical engineer's recommendations.
9. Work will be performed under frost-free conditions, there are no provisions for winter protection in this proposal
10. Warranty is void on work performed after 10/1/14, changes in this policy will be at the discretion of Elam Construction, Inc.
- 11. Final billing will be based on actual quantities installed.**
12. No work other than what is specifically stated above is included, implied or assumed in the prices quoted.
13. Elam Construction "House Mix" (SX 75 PG 58-28), will be utilized on this project. Alternate mixes may be subject to additional charges.
14. Pricing is good for the 2014 construction season only. **Asphalt Pricing may be adjusted monthly due to oil price fluctuations.**
- 15. These bid conditions in their entirety will become a governing part of any contract or subcontract agreement. This shall be accomplished by including a copy of this proposal in the contract or subcontract agreement**



All of the above work to be completed in a substantial and workmanlike manner for the sum of see above bid item schedule. This proposal must be accepted as provided and delivered to Elam Construction, Inc., 30 days from above date, or it shall expire.

The contract amount is payable to Elam Construction, Inc. monthly for work as it progresses with the entire balance payable upon completion unless otherwise provided in this contract or in the plans and specifications. Unless otherwise specified herein, the plans and specifications, if any, are expressly made a part of this contract. The contractor shall perform all of the work in a substantial and workmanlike manner and in accordance with the terms of the plans and specifications.

The customer may order additional work or changes in writing at any time, at an agreed price or at the contractor's regular rates for the time and material work.

If payments for work are not made when due, the contractor may stop work or terminate this contract and recover from the customer payment for all work executed and loss sustained and reasonable profit and damages. It is hereby mutually agreed that the contractor shall not be held responsible or liable for any loss, damage, liquidated damages or delay caused by fire, strike, civil or military authority or any other cause beyond its control.

A late charge of **18%** per annum on the outstanding balance may be imposed upon all past due payments. Customer agrees to pay all costs of collection and a reasonable attorney's fee if the account becomes delinquent and is referred for collection.

If the customer disposes of the real estate by sale or otherwise, the full amount remaining unpaid on this contract becomes due at once and payable within forty-eight (48) hours after date of such disposal.

The contractor agrees to carry Workmen's Compensation and public liability insurance and to pay all sales taxes, old age benefit and unemployment compensation taxes upon the material and labor furnished under this contract, as required by the United States of America and the State in which this work is performed.

Respectfully submitted,  
Elam Construction, Inc.

By: \_\_\_\_\_

Chris Erdahl, Estimator

#### ACCEPTANCE OF PROPOSAL

The prices, specifications, terms and conditions stated above and on the reverse side hereof are satisfactory and are hereby accepted. By this acceptance, I understand that a binding contract has been created only when confirmed by Elam Construction, Inc. **Customer may be required to provide satisfactory evidence of adequate financing before confirmation by contractor.**

ACCEPTED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Owner Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

#### CONFIRMATION by CONTRACTOR

Contractor hereby confirms the proposal.

Date \_\_\_\_\_ by \_\_\_\_\_

Prices are subject to increase based upon the Rocky Mountain region on-highway diesel prices as published weekly by the United States Government at <http://tonto.eia.doe.gov/oog/info/gdu/gasdiesel.asp>. If an increase is imposed it will be based upon the most current published rate at the time work is performed compared to the current published rate of **\$3.948** per gallon as of **May 28, 2014**. For every 5% increase in the index your total price may increase by 1%.





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: Jim White, Town Manager  
FROM: Jay Brunvand, Treasurer/Clerk  
CC:  
DATE: Friday, April 11, 2014  
RE: 2014 Post Election Update

- The Election was held on April 8, 2014. Most elections this year seemed to be on April 1<sup>st</sup>. Our Charter Section 2.2 states the election day is the first Tuesday AFTER the first Monday. April 1 is a Tuesday, the first Tuesday after the first Monday is April 8.
- Election laws and recent changes to election laws allow for voters to remain on the voter list long after they have moved, or even died. This highly inflates our perceived registered voter list. This is evident when you look at the registered elector number of 878 and realize we only have maybe half that as actual confirmed voters.

**Election Summary**

Total Registered Electors 878  
Total Ballots Cast 139 (16%)

	<u>Total Votes</u>	<u>Yes</u>	<u>No</u>
<b>MAYOR – Two Year Term</b>			
Frank Lorenti	41		X
Hawkeye Flaherty	95	X	

**COUNCIL – Four Year Term**

Matt Scherr	105	X	
Earle Bidez	100	X	
Jason “Ozzy” Osborne	97	X	

**COUNCIL – Two Year Term**

Shelley Bellm	67	X	
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- As part of the election process we are required to perform a canvas or audit of the ballots to ensure that all the ballots are accounted for. This is certified by the Town Clerk 7days after the election. Following is a preliminary canvas:

Total ballots printed	00001-00350	350 ballots
Total ballots used during 4/3/12 election		
Absent Mail Ballots	00343-00350	8 ballots
Polling Place Ballots	00001-00134	134 ballots
Un-voted/unused ballots (Includes 1 spoiled ballot)	00135-00342	208 ballots
Total ballots issued but unused during election		
Mail Ballots		2 ballots
Total ballots cast		
Mail Ballots		6 ballots
Poll Place Ballots		<u>134</u> ballots
Total ballots cast		140

Total ballots printed	350 ballots
Total ballots cast/spoiled	-140 ballots
Total Mail Ballots issued but not voted	- 2 ballots
Total ballots unissued	<u>-208</u> ballots
Discrepancy	0

- In 2016, if no changes occur on the Council, the following seats will be up for election:
  - Mayor – 2 year term
  - John Rosenfeld – 4 year term
  - George Brodin – 4 year term
  - Shelley Bellm – 4 year term

Co-Acting Town Managers  
Janet Hawkinson  
Michelle Metteer  
P.O. Box 309 ♦ 302 Pine St  
Minturn, CO 81645  
970-827-5645  
[www.minturn.org](http://www.minturn.org)  
[www.downtownminturn.com](http://www.downtownminturn.com)



Town Council  
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## Co-Acting Town Manager Update

### Town Administration

We have been busy handling the day-to-day operations of the town administration duties. We have been managing incomplete projects, invoicing, grants, employment issues, office organization and so much more...

### Employee Manual

Work will be on the updating of the employee manual. We are finding sections that are conflicting and in some cases outdated. Review and approvals will be brought to Council.

### Minturn Fitness Center

Preparation for website and local promotion has begun. Review of website membership platforms is underway. Platform selections and initial campaign work is expected to be in 1-3 weeks.

### Co-Acting Manager Team Building

We have created a vision statement to ensure we have a clear purpose and set values on how we expect to work together for the betterment of the town.

*To work in partnership with staff and council in the pursuit of success for the town of Minturn.”*

### Staff Team Building

Staff and Co-Acting Town Managers are working to promote a supportive team-oriented work environment.

### Upcoming Events

Minturn will be participating in two clean-up days in 2014. The 14<sup>th</sup> Annual Community Pride Highway Cleanup will take place from 9:00 a.m. to 12:00 p.m. on Saturday April 26. The Town of Minturn is volunteering for the area from the Meadow Mountain Business Center to Little Beach Park. Interested volunteers should contact Michelle Metteer or Janet Hawkinson at Town Hall, 970-827-5645 to participate.

After the morning of hard work, volunteers & their families are invited to a **Thank You BBQ at the Broken Arrow Restaurant from noon to 2 pm**. The party will feature **live music, beer from Crazy Mountain, a raffle, and delicious food** prepared by the Arrowhead Alpine Club. It's a great way to unwind and celebrate the morning's accomplishments!

The Minturn Town Clean-up day is Saturday, May 31st. This year, the event will be held in the upper parking lot of Little Beach Park on Cemetery Road.

The annual Clean-Up event provides the citizens of Minturn with a free and convenient receptacle to deposit their appliances, debris and undesired items from their property and home. The Minturn Public Works Department staff will be at Little Beach Park parking lot to help unload vehicles.

As in years past, there will be volunteers from Battle Mountain Development Company, and the Town of Minturn with trucks to assist residents with transporting their large, unwanted items to the dumpsters. If residents, especially senior citizens, are interested in taking advantage of this opportunity, items for disposal should be prepared and ready for pick-up in an accessible area. To sign up for this free service, please contact Lisa Osborne at the Minturn Town Offices at (970) 827-5645, extension 105 by Friday, May 30, 2014. An e-mail may also be sent to Ms. Osborne at [losborne@minturn.org](mailto:losborne@minturn.org). Keep in mind, the Eagle Valley Community Fund will gladly take items in good condition for their annual fundraiser Rummage Sale at Maloit Park.

Volunteers are needed to team up with town staff to clean-up litter and debris in all areas of town. Volunteers will be meeting at the Little Beach Park upper parking lot at 9:00 a.m. All volunteers are asked to sign-in and then will be provided garbage bags and safety vests. Please remember to bring gloves to protect your hands. Once signed-in and outfitted with the necessary gear, each volunteer will be assigned a specific area to work for litter pick-up.