



2015

Minturn Council Meeting

Wednesday February 18, 2015

Work Session: **5:30pm**
(Town Center)

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



Agenda

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

Wednesday February 18, 2015

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

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

COUNCIL MEMBERS:

Shelley Bellm
Earle Bidez
John Rosenfeld
Matt Scherr
Jason Osborne

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

Work Session – 5:30pm

- Zoning Code Moratorium: Survey Review – Hawkinson Pg 4

Regular Session – 6:30pm

1. Call to Order

- Roll Call
- Pledge of Allegiance

2. Approval of Agenda

- Items to be Pulled or Added

3. Approval of Minutes

- January 21, 2015

Pg 11

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

PUBLIC HEARINGS AND ACTION ITEMS

6. **Discussion/Action Item: Resolution 03 – Series 2015 A Resolution in support of the Great Outdoors Colorado Trust Fund Financial Grant to the Town of Minturn – Hawkinson** Pg 17
7. **Discussion/Action Item: Zoning Code Discussion and Direction to Staff – Hawkinson** Pg 4

COUNCIL AND STAFF REPORTS

8. **Town Planner**
 - GOCO Grant
 - Beginning History Walk Signs
9. **Town Attorney**
10. **Town Manager**
 - Battle Mountain Resort update Pg 19
 - Manager's Report Pg 30
 - Action Report
11. **Town Council Comments**

EXECUTIVE SESSION

12. **Executive Session: Executive Session pursuant to C.R.S. §24-6-402(4)(b) – to conference with the Town attorney for purpose of receiving legal advise on a specific legal question related to quieting title to property near Little Beach Park**

REGULAR SESSION ACTION ITEM

13. **Approval of litigation by the Town of Minturn to quiet title to property near Little Beach Park**

FUTURE AGENDA ITEMS

14. Next Meeting – March 4, 2015

- Discussion: Guide Signs
- Discussion: Water Rate review and recommendation

15. Future Meetings:

- 2015 Building Code update – Charlie Davis

16. Set Future Meeting Dates

- March 4, 2015
- March 18, 2015
- April 1, 2015

a) Planning & Zoning Commission Meetings:

- March 11, 2015
- April 8, 2015
- May 13, 2015

17. Other Dates:

18. Adjournment

TOWN OF MINTURN
P.O. Box 309 ♦ 302 Pine Street
Minturn, CO 81645
Phone: 970-827-5645 Fax: 970-827-5545

William Powell, Town Manager



Town Council
Mayor – Gordon “Hawkeye” Flaherty
Mayor Pro Tem – George Brodin
Councilmember – Shelley Bellm
Councilmember – Earle Bidez
Councilmember – John Rosenfeld
Councilmember – Jason Osborne
Councilmember – Matt Scherr

To: Town Council
Fr: Willy Powell
Janet Hawkinson

Re: Survey Results—Zoning Code Proposed Changes

Attached please find survey results of the proposed zoning code changes. There is widespread support for the most important changes in reigning in bulk and massing of dwelling units. We also see support for landscape and shed requirements, but with some questions. All Council members have responded to the survey except Johnnie.

Staff would like to gain consensus on all items at the February 18 meeting so staff can complete drafting of the implementing ordinance. Some progress has been made in the draft ordinance, but cannot be finalized until we have final decisions on the proposed zoning code changes.

Staff is sensitive to the March 18 end of moratorium date and wants to meet the deadline to the greatest degree possible.

ZONING CODE MORATORIUM—PROPOSED CHANGES TO THE CODE

COUNCIL SURVEY RESULTS

A survey was sent to all Council members to gain feedback on the proposed zoning code changes. To date we have heard from all Council members except Johnnie. The results show consensus on most items, particularly related to bulk and massing of dwelling units. There are more comments on several items related to landscape requirements and sheds. The results of the survey are below.

Section 1. Dimensional Standards

There is agreement to Section 1 by Matt, Shelley, Earle, and Jason. Hawkeye would like to simplify the garage bonus allowance by increasing the building lot coverage from 35 to 40%. George has several questions.

Section 2. Duplex, Multi-Family

There is agreement to Section 2 by Matt, Jason and Hawkeye and George. Earle wants to assure parking is on-site. The current code requires such. Shelley has questioned Section 2.b. Joining Requirements.

Section 3. Accessory Apartments

There is agreement to Section 3 by Matt, Jason, Hawkeye, George, and Shelley. Earle has questioned 3.c. requiring conditional Use Permit for accessory apartments for duplexes on lots >7000SF.

Section 4. River Setback

There is unanimous consensus to include this requirement, i.e., not allowing the 30' river setback to be included in the building and coverage ratios.

Section 5. 60" Maximum Roof Length

There is unanimous consensus to include this requirement.

Landscape Requirements

1.a. and 1.b. Curb Cut and Drive Width

Hawkeye would like an 18' cut allowed. Staff is agreeable. The rationale is to allow two cars to park side by side.

Item 1.c. Landscaping Zone 2 Plants

All are in agreement. George needs more explanation.

Item 1.d. One tree for every 1000SF

Jason, Matt and Earle are in agreement.

Hawkeye, George and Shelley are in disagreement.

Item 1.e. Size of Trees

All are in agreement for this requirement.

Item 1. H. Landscaping and Setbacks

Shelley, Earle and Jason are in agreement

Others have questions and this requirement needs further discussion.

Shed Requirements

Most everyone had comments on this section. Needs further discussion.

Height Measurements

There is agreement by Matt, Shelley, Earle, Jason and George

Hawkeye has some questions.

Notifications

All are in agreement except Shelley to notify adjacent property owners of Design Review applications.

Parking Space Requirements

All are in agreement. Matt would like clarification on the meaning of aggregate surface.

Financial Guarantee

There seems to be agreement that assurance is needed to complete landscaping. We have differing ideas on when and how much financial guarantee to post. A possible solution is to require posting of an escrow amount as follows.

1. When a TCO is applied for and landscaping is not complete, and
2. In an amount of 125% of the estimated cost to complete, or \$1000, whichever is less.

Zoning Code Moratorium – Proposed Changes: 1/21/2015

Ordinance NO 6 – Series 2014

Zoning Codes Changes: Mass and Scale - Duplexes

*****Zoning Code Changes for Lots of 5,000 square feet or larger*****

Please mark any changes that you do not agree with. Please mark these with an X in the box on the left of each proposed change.

1. Dimensional Standards – Section 16-17-190 – Table 16-15

- a. Total Maximum Building Lot Coverage: 35% (*bonus for garages)
- b. Total Impervious lot coverage: 50% - includes aggregate parking surfaces
- c. Side yard setbacks: no buildings or impervious surface allowed in side yard setbacks. They are reserved for storm water drainage and snow from roofs and property.
- d. Eave lengths are allowed 1' into the setbacks.
- e. Cantilever over maximum building footprint is not allowed.

2. Duplex, Multi-family

- a. The minimal lot size for a duplex is a 5,000 sq. ft. lot
- b. Joining requirements: shared party wall of a minimum of 10% of a living space (kitchen, living room or bedroom) or a shared roof line (buildings connected by a roof, including covered walkways or decks) or shared party wall splitting building in half either by sides or floors.
- c. Duplexes allowed in South Minturn and Game Creek Character Areas (not allowed in Old Town Character area).

3. Accessory Apartments – Section 16-2-20 and “Use by Right” in Character Area Tables

- a. Allow with Single Family as use by right.
- b. Accessory apartment maintains appearance of single family home
- c. Conditional Use Permit for accessory apartments with duplexes on lots over 7,000 sq ft in Character areas: South Minturn and Game Creek.
- d. Must meet parking requirements.

4. River Set Back

- a. 30' river setbacks are not allowed to be included in the maximum square footage of building lot coverage of the 35% or impervious surface coverage of 50%.

5. 60' Maximum Roof Length

- a. A maximum roof length of 60' in one direction at 28' maximum roof height, until the roof length needs to be lowered or run in a different direction.
- b. 60' is specific to Minturn's rectangle lots and minimum lot size of 5,000 sq ft. This is the greatest length a residents could be built at on a 5,000 sq ft lot. Controls mass & scale on larger lots next to smaller lots.

Zoning Codes Changes not part of moratorium, however needed:

1. Landscape Requirements Section 16-17-140

- a. 14' standard curb cut or 'driveway' entrance in Old Town Character Area
- b. 16' standard curb cut or 'driveway' entrance in South Minturn and Game Creek Character area – includes all zoning areas (commercial, residential, mixed use)
- c. Landscape plans to only have species to Zone 2 – (this includes: trees, shrubs, perennials and native grasses). Must include botanical names on plans.
- d. 1 tree must be planted for every 1,000 square feet of lot – 5,000 sq ft lot = 5 trees.
- e. Minimum size of tree is 2" caliber deciduous tree and 4' pine tree.
- f. Maximum of 50% impervious surface coverage ratio on all lots.
- g. Definition of green space: a pervious surface that has native plant species growing. The 'green space' can be fescue sod, native grass, wildflowers, ground covers, green plant life, and existing natural vegetation.
- h. Landscaping and Setbacks: On any lot the required yard setbacks and all non-impervious areas shall be landscaped. Landscape requirements shall also include landscaping of the public right of way as follows:

*Old Town Character Area: to the sidewalk, curb and gutter, or street pavement, as appropriate.

*South Minturn Character Area: to within 10 feet of the paved surface. Any existing parking areas in the right of way or front yard setback are to be removed and replaced with landscaping.

*Game Creek Character Area: to within 5 feet of the paved surface. Any existing parking areas in the right of way or front yard setback are to be removed and replaced with landscaping.

2. Sheds

- a. Sheds in commercial zone need a conditional use permit.
- b. Sheds over 120' need a building permit. Sheds are part of the impervious surface lot coverage maximum of 50%.
- c. Sheds not to be over 15' in height from finish or natural grade, whichever is more restrictive.

3. Height Measurements

- a. The maximum building height is 28' mid-roof line.
- b. Homes built into a hillside must comply with the 28' mid-roof line. It is not an average of roof height.
- c. The tallest part of any building can only be 28' mid-roof line from finished grade, or natural grade, whichever is more restrictive.
- d. Finished grade is defined as the grade that the house will be set on and completed with landscape.

4. Notifications

- a. New projects applying for Design Review have to notify adjacent property owners within approximately 250' of the project and Planning Commission design review of project within 10 days of design review meeting.

5. New Diagrams for Zoning Codes (drawings to come)

- a. Various roof types and where to measure 'mid-roof line' height
- b. Plan view of duplexes
- c. Hillside construction and maximum building height
- d. 10' front landscaping in front yard landscaping and right of way
- e. 35% maximum building lot coverage and 50% impervious surface with garage bonus.

6. Required Parking Spaces

- a. Parking shown on plans must have an aggregate surface.

7. Financial Guarantee

- a. Landscaping and completion any approved outdoor structure or siding: Upon filing for a Temporary Occupancy Certificate, the owner will need to place 125% of remaining construction in escrow. An expiration date will be set by the owner and the Town on reasonable time to complete remaining work on the TCO. Money will be returned upon completion of work and Certificate of Occupancy filed.



Official Minutes

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

Wednesday January 21, 2015

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

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

COUNCIL MEMBERS:

Shelley Bellm
Earle Bidez
John Rosenfeld
Matt Scherr
Jason Osborne

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

Work Session – 5:30pm

- Sheriff’s Department Activities Update
- Discussion to establish memorialization guidelines within the Town - Metteer
 - A defined plan of what can be memorialized, where it would be placed, what could be decided at Staff level and what should be decided at Council level.
- Zoning Code Moratorium: Schedule and Outline of Changes – Hawkinson
 - Council requested a list of all proposed code changes agreed or directed by Council to be presented in the next packet.

Regular Session – 6:30pm

1. Call to Order

The meeting was called to order by Mayor Hawkeye Flaherty at 6:45pm.

- Roll Call

Those present included: Mayor Hawkeye Flaherty, Town Council members, George Brodin, Matt Scherr, John Rosenfeld, Ozzy Osborne, Earle Bidez, and Shelley Bellm.

Staff present: Town Manager Willy Powell, Town Attorney representative Jeff Conklin, Town Treasurer/Clerk Jay Brunvand, Deputy Clerk/Econ Dir Michelle Metteer, and Town Planner Janet Hawkinson.

- Pledge of Allegiance

2. Approval of Agenda

- Items to be Pulled or Added

Motion by Ozzy O., second by Johnie R., to approve the agenda as presented. Motion passed 7-0.

3. Approval of Minutes

- January 7, 2015
- Drop 2yr warranty in Worksession notes

Motion by Shelley B., second by George B., to approve the minutes of January 7, 2015 as amended. Motion passed 7-0

4. Liquor License Authority

- The Gourmet Cowboy Annual Renewal of a Hotel & Restaurant License; 455 Main St.; Tom McNeill Owner/Pres – Brunvand

Public Hearing opened.

Staff recommended approval.

Motion by Johnie R., second by Ozzy O., to approve the Gourmet Cowboy Annual Renewal of a Hotel & Restaurant License; 455 Main St.; Tom McNeill Owner/Pres as presented. Motion passed 7-0

- Eagle Valley Trout Unlimited Request for Special Event Permit to be held at Minturn Anglers, 102 Main St, Brian Bioess (Trout Unlimited) and Brian Stevens (Minturn Anglers) – Brunvand

Public Hearing opened.

Staff presented

Mr. Brian Stevens, Minturn Anglers, presented his proposal and stood for questions. Two local breweries will be on site providing two ounce pours between the hours of 12:30 and 4:30. The beer is donated and the event is to support Eagle County Trout Unlimited.

Motion by Ozzy O., second by George B., to approve a Special Event Permit to sell malt, vinous and spirituous liquor beverages for Eagle Valley Trout Unlimited/Minturn Anglers event to be held at 102 Main St on February 5, 2015 as presented. Motion passed 7-0 with the following conditions:

- The application was received on January 9, 2015 and the Notice of Public Hearing on this matter was posted on the premises by the Town Treasurer on January 9, 2015 at least 10 days prior to the Council Meeting consideration.
 - That the selling liquor in the manner currently proposed in the application is not in violation of the Minturn Municipal Code.
 - Staff requests that at least one experienced T.I.P.S, or equivalent, certified server and one person to check ID's be present at all times while alcoholic beverages are sold. We would like that those servers and certifications be identified to us in advance.
 - Staff requests each entrance/exit and premises be monitored and secured to ensure no outside liquor is introduced to the event and that no liquor is removed from the premises.
- Town of Minturn Ski Joring Special Event Permit; 100 Block of Minturn Rd.; Michelle Metteer, Town Economic Dev Coordinator – Brunvand

Public hearing was opened.

Michelle M. presented as the applicant. It was noted that the proposed site is on the west side of Minturn Road thereby avoiding spectators from crossing the event track itself.

Motion by Ozzy O., second by Shelley O., to approve the Special Event Permit to sell malt, vinous and spirituous liquor beverages for the Town of Minturn event to be held on February 5, 2015 at the 100 block of Minturn Rd as detailed in the application as presented. Motion passed 7-0 with the following conditions:

- The application was received on January 9, 2015 and the Notice of Public Hearing on this matter was posted on the premises by the Town Treasurer on January 9, 2015 at least 10 days prior to the Council Meeting consideration.
- That the selling liquor in the manner currently proposed in the application is not in violation of the Minturn Municipal Code.
- Staff requests that at least one experienced T.I.P.S, or equivalent, certified server and one person to check ID's be present at all times while alcoholic beverages are sold. We would like that those servers and certifications be identified to us in advance.

- Staff requests each entrance/exit and premises be monitored and secured to ensure no outside liquor is introduced to the event and that no liquor is removed from the premises.

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

6. Special Presentations

- Update on the Events of the 2015 World Cup – Metteer

Mr. Michael Imhoff, Vail Valley Foundation, gave an update on the events of the 2015 FIS World Cup Championship scheduled to run February 2-15, 2015.

PUBLIC HEARINGS AND ACTION ITEMS

7. Discussion/Action Item: Resolution No. 02 – Series 2015 A resolution to approve a professional services agreement between Intermountain Engineering, Inc. and the Town of Minturn for on-call civil engineering services

Questions on the contract were asked, discussed, and resolved.

Jeff C. noted proposed changes in the contract added since publication of the Agenda.

The Resolution should be changed to reflect authorization of Willy Powell, Town Manager to sign the Agreement.

Motion by Ozzy O., second by Shelley B., to approve Resolution 2 – Series 2015 a Resolution to approve a professional services agreement between Intermountain Engineering, Inc. and the Town of Minturn and authorizing the Town Manager of the Town of Minturn to sign the agreement as amended. Motion passed (7-0).

8. Discussion/Action Item: Boneyard Conservation Easement Site Plan and Procurement of Vail Bathroom Facility - Hawkinson

Janet H. updated the Council on the agreement.

Discussion ensued as to the point that this is an unbudgeted expense. It was noted that the immediate cost is approximately \$2,000 to deconstruct the building and move the facility to Minturn. Then it could be budgeted as time appropriate.

Direction was to spend up to \$4,000 to purchase and move the facility.

COUNCIL AND STAFF REPORTS

9. Town Planner

- Eagle County Grant Award

Janet H. informed the Council of a \$25,000 grant that has been received from Eagle County. The grant will be used to expand our historical walking tour in Minturn. Planning for this program will be carried out this winter.

10. Town Manager

- Manager's Report

Authorized staff to work the Ski Joring event as needed as a regular work day with two qualifications: office is staffed by one person and public works crew has a higher priority if we have snowfall which must be attended to. Council supported this.

The Willy P. will be meeting with the USFS District Ranger and will set up a time that he can be available for a Council Meeting.

- Action Report

11. Town Attorney

12. Town Council Comments

Shelley B. noted that the Minturn Scholarship applications are available and will be awarded on April 10.

FUTURE AGENDA ITEMS

13. Next Meeting – February 4, 2015

- Discussion: Guide Signs
- Continue with the Moratorium

14. Future Meetings:

- 2015 Building Code update – Charlie Davis
- Update on the 100 Block improvements

15. Set Future Meeting Dates

- a) Council Meetings:
 - February 4, 2015
 - February 18, 2015
 - March 4, 2015

b) Planning & Zoning Commission Meetings:

- January 28, 2015
- February 11, 2015
- March 11, 2015

16. Other Dates:

17. Adjournment

Motion by Johnie R., second by Ozzy O., to adjourn the meeting at 7:55pm.

Mayor Hawkeye Flaherty

ATTEST:

Jay Brunvand, Town Clerk

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 03 – SERIES 2015**

**A RESOLUTION IN SUPPORT OF THE GREAT
OUTDOORS COLORADO TRUST FUND FINANCIAL
GRANT TO THE TOWN OF MINTURN, COLORADO**

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

Supporting the Grant Application for a Local Parks and Outdoor Recreation Grant from the State Board of the Great Outdoors Colorado Trust Fund and the completion of Little Beach Park Universally Accessible: trails, stage, river access, playground, restrooms and outdoor pavilion in Minturn, CO.

WHEREAS, The Town of Minturn supports the Great Outdoors Colorado grant application for the Universally Accessible Little Beach Park. And if the grant is awarded, the Town of Minturn supports the completion of the project.

WHEREAS, the Town of Minturn has requested grant funding from the Great Outdoors Colorado for the Universally Accessible Little Beach Park.

NOW, THEREFOR, BE IT HEREBY RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIINTURN, CO THAT:

1. The Town Council of the Town of Minturn, CO supports any potential grant awarded by the Great Outdoors Colorado Trust Fund to the Town of Minturn.
2. The Town Council of the Town of Minturn, CO has sufficient funds on hand to match the required Great Outdoors cash funding.
3. The Town Council of the Town of Minturn, CO strongly supports the application and has appropriated matching funds for a grant with Great Outdoors Colorado.
4. When the grant is awarded, the Town Council, of the Town of Minturn, CO strongly supports the completion of the project by the Great Outdoors Colorado deadline specified in the grant application.
5. The Town Council, of The Town of Minturn, CO authorizes the expenditure of funds necessary to meet the terms and obligations of any Grant awarded for Little Beach Park.
6. The project site is under the control of The Town of Minturn, CO and has been for over twenty years.
7. The Town Council of The Town of Minturn, CO recognizes that as the recipient of a Great Outdoors Colorado Local Government grant the project site must provide reasonable public access.
8. The Town Council of The Town of Minturn, CO will continue to maintain Little Beach Park in a high quality condition and will appropriate funds for maintenance in its annual budget.

9. When the Get Outdoors Colorado Grant is awarded, the Town Council of the Town of Minturn authorizes Janet Hawkinson, the Town Planner of Minturn, CO to sign the grant agreement with Great Outdoors Colorado.
10. This resolution to be in full force and effect from and after its passage and approval.

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 18th day of February, 2015.

TOWN OF MINTURN

By: _____
Mayor

ATTEST:

Town Clerk

TOWN OF MINTURN
P.O. Box 309 ♦ 302 Pine Street
Minturn, CO 81645
Phone: 970-827-5645 Fax: 970-827-5545

William Powell, Town Manager



Town Council
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Councilmember – Jason Osborne
Councilmember – Matt Scherr

Manager Items February 18, 2015

Funding Requests

1. An individual—Rose Martinez
2. A non-profit—Battle Mountain High School

Please see attached requests. In talking with Staff members I understand the town does not have specific policies regarding mid-year funding requests. I believe a policy would assist staff in responding to mid-year requests and not burden Council with such requests. I recommend a policy as follows be instituted. If Council agrees, staff will come back with a written policy to be adopted at the March 4 meeting.

- Individual funding requests are not allowed at any time of year other than Minturn Education Fund requests.
- All non-profit requests are to be submitted to the town no later than August 1 to be considered during the budget and funded for the subsequent year. No mid-year requests are to be considered.

Council may want to consider appointing a committee to hear the non-profit funding requests during August, and then report to Council for any final approval. This may save Council’s time during budget worksessions and hearings.

CAST REQUEST—On-Line Vacations Rentals—Impacts

See attached for a request of \$1950. The Study will likely provide interesting information. Currently Jay is requiring vacation rentals to pay taxes and licenses.

Proposed Trail Eagle Vail—Meadow Mountain, Letter of Support

Eagle Vail Metropolitan District is proposing to build a trail from Eagle Vail to Meadow Mountain. They will take the lead in permitting and construction, if the permit is granted. This is a bike/hike trail. I was asked to submit a letter of support to be included in the application package. See attached.

Rose Marie Martinez
989 Main Street – Post Office Box 54
Minturn, Colorado 81645
(970) 827-5798 - rosemarie5799@gmail.com

22 October 2013

Mayor Gordon Flaherty and Honorable Town Council
Town of Minturn
Post Office Box 309
Minturn, Colorado 81645

Dear Mayor and Town Council,

Hello, my name is Rose M. Martinez. Many of you already know me as I am a proud resident of Minturn, where I have lived most of my life. I am also a student at Battle Mountain High School and was selected to participate with the Woman's Jazz Choir. This Spring we have an opportunity to travel to New York, experience two Broadway shows and participate in a singing clinic with a professional Broadway performer. I am asking for your support in helping make this dream come true. Please read the attached letter from my teacher, Sheresa Wilbanks, as to the details.

Thank you so very much for your time and consideration in this matter.

Sincerely,



Rose M. Martinez

Encl. BMHS Teacher Ltr.

Battle Mountain High School

151 Miller Ranch Road, Edwards, CO 81632 (970) 328-2930 Fax: (970) 328-2935



September 10, 2014

Dear Community Member:

Hello, my name is Sheresa Wilbanks and I am writing a letter on behalf of the Battle Mountain High School Choir program. This is my fourth year at BMHS and my twenty-fourth year in music education. The choir program currently serves approximately ninety students. We have grown exponentially in quality of music education and in number of students involved.

We have chosen to increase the level of exposure of our program by taking a trip to New York City Spring of 2015. The students will experience two Broadway shows and the very fortunate opportunity to participate in a singing clinic with a professional Broadway performer. This will be an unforgettable experience for our students.

The cost per student is \$1500.00. We are providing many fundraisers for the students to raise money for their trip. However, some are unable to raise enough to be a part of this once in a lifetime experience. We are hoping that through generous donations at any level will help our student's opportunity to travel. We would appreciate any possibilities for students to raise money, either by donation or opportunity to provide their service to you.

Any donation will be listed in our concert programs throughout the year to advertise and show our appreciation for your generosity.

If you have further questions, please do not hesitate to contact me via email at sheresa.wilbanks@eagleschools.net. Please make checks out to Battle Mountain High School and in the memo please document choir donation.

Thank you so very much for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Sheresa Wilbanks". The signature is fluid and cursive, with a long horizontal stroke at the end.

Sheresa Wilbanks

Battle Mountain High School Choir/Mentor Teacher

Willy Powell

From: Joyce Burford <joyceb@coskitowns.com>
Sent: Thursday, February 05, 2015 10:59 AM
Subject: Request for Participation: VRBO/Airbnb Best Practices Study
Attachments: Proposal - VRBO impacts 2-4-15.pdf

Dear Mayors and Managers,

In mid-January I sent you an email regarding CAST's efforts in developing a study and best practices guide to help our communities handle the impacts of VRBO and Airbnb. In that email was a draft proposal from Melanie Rees and Wendy Sullivan, housing consultants, and Chris Cares from RRC.

We discussed the proposal at some length at our CAST meeting in Dillon in January and, receiving very positive feedback from the members present, are moving forward with Phase 1 of the project. The Board has approved that CAST put \$16,000 towards Phase 1, allowing the cost to participate per community to come down from \$2200 to **\$1950**.

We are now looking for your commitment to participate in Phase 1:

- If you DO NOT require your council's approval and want to participate, please let me know by Monday, February 16.

- If you DO require your council's approval to participate and need to review this in a council meeting, please let me know by Friday, February 27.

I've attached the final proposal for your review.

Once I hear from you, I will then send you an invoice for \$1950 and you'll be apprised of the next steps.

Please don't hesitate to contact me if you have any questions.

Thanks!



Joyce Burford
Executive Director
Colorado Association of Ski Towns
t: (970) 485-2737 | e: joyceb@coskitowns.com | w: www.coskitowns.com



Total Control Panel

[Login](#)

To: manager@minturn.org [Remove](#) this sender from my allow list
From: joyceb@coskitowns.com

You received this message because the sender is on your allow list.



Proposal

VRBO/Airbnb/Other On-line Vacation Rentals Impacts on Workforce Housing, Community and Visitors in Mountain Resorts

Submitted to: Joyce Burford, Colorado Association of Ski Towns (CAST)

Submitted by: Melanie Rees, Rees Consulting, Inc.
Chris Cares, RRC Associates, LLC
Wendy Sullivan, WSW Associates

Date: February 4, 2015

Introduction

Based on inquiries we have received this year, primarily from housing staff in many ski towns, the HOT topic of 2014 was the impact of VRBO, Airbnb and other on-line vacation rental services in mountain resort communities. Common questions include: What are other communities doing? How are they regulating short term rentals? Can the impacts be quantified? Has this led to the extreme shortage of long-term rentals that all mountain towns seem to be experiencing?

While concerns about lodging/sales tax revenue led the way several years ago, more wide ranging issues about community impacts are now being raised including:

- Workforce housing
- Community and neighborhood Impacts;
- Safety and liability;
- Property taxation; and
- Guest experience.

In response to these requests, we present this proposal for a multi-step, sequential study through which we would combine efforts and share information to cost-effectively provide the information needed to address issues and support policy/program development. This proposal provides detailed information on the approach and cost for the first phase of analysis. We anticipate that many lessons could be learned by sharing experience.

- Phase I – Research and evaluation of existing tracking systems, enforcement, data collected, problems encountered and policies/regulations implemented summarized in a report on best practices with actionable conclusions.
- Phase II – Customized for each community based on additional information needed, desired research outcomes and topics of interest but with shared efficiencies in surveying and other research techniques. Tasks may include a mix of additional tracking, surveys and community outreach and interviews, comparison to secondary data sources and other methods.

Specifics for each phase are outlined later in this proposal.

Background/What We Know

Following is a brief summary of what we have learned thus far, which will hopefully be helpful to you.

Tax Collections - Concern about loss of lodging/sales taxes has prompted most communities to take action, instigating tracking and collection procedures for units advertised through popular on-line listing services. CAST has supported this effort and contracted with VR Compliance, LLC for tracking services. Some communities put systems in place several years ago while others have just recently started to identify and contact listings. Communities that are enforcing lodging and sales tax regulations have been collecting substantial revenues from on-line vacation rentals (Breckenridge around \$80,000 per year).

Policies and Enforcement - The Town of Vail contracted with Destimetrics to research policies in place and actions taken by mountain and beach resorts regarding the rental by owner market. This report found that, of 24 destination ski and beach resorts, 85% require licensing of short-term rentals and collect lodging tax. The link to the report is at the bottom of the Vail Town Council cover page found here: <http://vailpublic.novusagenda.com/Bluesheet.aspx?itemid=4739&meetingid=357> The research and tracking by communities in order to license and tax rentals by owner (RBO) provides a foundation from which impacts on workforce housing and other community aspects can be analyzed.

Data Mining – San Francisco and New York, concerned about many of the same impacts as resort communities, have used data mining services provided by Connotate to quantify short-term rentals listed through on line services. When contacted, Connotate quoted a minimum fee of \$50,000. We are exploring lower cost options in light of cost and concerns about litigation.

New Regulations to Address Impacts – Some communities including New York and San Francisco have recently instituted regulatory frameworks for RBO properties. Boulder is now considering options. There is no standard approach as of yet. Analysis of the different regulator schemes could be helpful to inform communities when considering and adopting their own unique regulations.

Terminology – No single term has become standard for renting vacation units through VRBO and similar on-line services. Some terms used include:

- Rentals by owner (RBO)
- Self managed rentals
- Vacation rentals by owners

- Gray market (Destimetrics)

The weakness in the first three definitions is that professional property managers now widely use VRBO and other on-line services for short-term listings; these sites are no longer used just by owners who want an easy, low cost way to advertise their units or spare beds.

Proposed Scope of Services

Phase 1

We propose a three-prong focus: 1) identification of best practices; 2) collection of information needed to quantify impacts; and 3) national trends. We will prepare a report that will be shared with other study participants, presenting overall results and comparing/contrasting communities to examine the extent to which there are similarities and differences.

Best Practices: With the help of Town staff in participating towns, we propose to document methods used, staff responsibilities, hours spent, use of outside services, and record keeping systems related to the following:

- Unit Identification/Tracking - how on line services are monitored when they are making it increasingly difficult (for example, 20 sites are now affiliated with HomeAway) and how to work with local property management companies;
- Licensing – requirements and procedures;
- Sales/Lodging Taxes - rate, collection procedures and revenues collected;
- Regulations – code provisions and enforcement for parking, noise, trash, occupancy limits, safety (ie. carbon monoxide detectors), insurance and various neighborhood impacts;
- Property Tax – how short term rentals are classified and assessed;
- Workforce Housing – documentation on loss of housing units; and
- Guest Experience – systems in place for evaluating guest experience and the results of that research.

Data Collection/Analysis: To provide a foundation for understanding/quantifying impacts on workforce housing as well as broader community impacts, the type of information we propose to collect, compile and analyze as part of Phase 1 includes:

- Number of units identified;
- Historical trends;
- Opportunities to tie into County Assessor and GIS data;
- Location of units – town, condo project or address may be options; and
- Contact information – email addresses and phone numbers.

National Trends: We will summarize what cities on the leading edge in terms of short-term rental management are doing. Our research will cover San Francisco, other Bay Area communities, New York and other cities that may be identified through research. We may also cover restrictions imposed on vacation rentals in other resort towns that are not participants in this study.

Phase 2

Additional research will likely be required to fully answer the various questions that have been raised. Upon completion of Phase 1, we propose to develop an approach for addressing the specific information needs in each interested community that will likely involve some combination of:

- Surveys of individuals and property managers who list units on line;
- Unit tracking;
- Comparison of current unit occupancy and utilization information to 2010 or local Census data;
- Analysis of job generation rates using our existing database and potentially additional surveys to update the rates;
- Inclusion of questions on visitor surveys about renting vacation units on line;
- Providing a forum (web survey, blog, etc.) for local residents to comment on impacts to their home and neighborhood; and
- Key informant interviews (chambers, lodging, transit providers, law enforcement, etc.) to obtain information and insight into wide ranging community impacts.

While the approach will be similar for each community, we anticipate some degree of customization will be required given that communities have different information collection systems in place and somewhat different concerns.

Budget

For Phase 1, we estimate a cost of \$1,950 per community to collect data and document procedures plus \$16,000 for the report that compiles and analyzes the information obtained. The communities that commit to participate will be listed as an exhibit to this proposal.

The budget for Phase 2 is unclear at this point and will likely vary by town. We expect the cost to range from \$5,000 to \$15,000 per community but, if the scope is all inclusive, the cost could be higher.

Schedule

Work will be substantially completed six weeks after acceptance of the proposal.

TOWN OF MINTURN
P.O. Box 309 ♦ 302 Pine Street
Minturn, CO 81645
Phone: 970-827-5645 Fax: 970-827-5545

William Powell, Town Manager



Town Council
Mayor – Gordon “Hawkeye” Flaherty
Mayor Pro Tem – George Brodin
Councilmember – Shelley Bellm
Councilmember – Earle Bidez
Councilmember – John Rosenfeld
Councilmember – Jason Osborne
Councilmember – Matt Scherr

Mr. David Neely, District Ranger
USDA, USFS
Holy Cross Ranger District
24747 US Hwy 24
Minturn, CO 81645

Dear Mr. Neely,

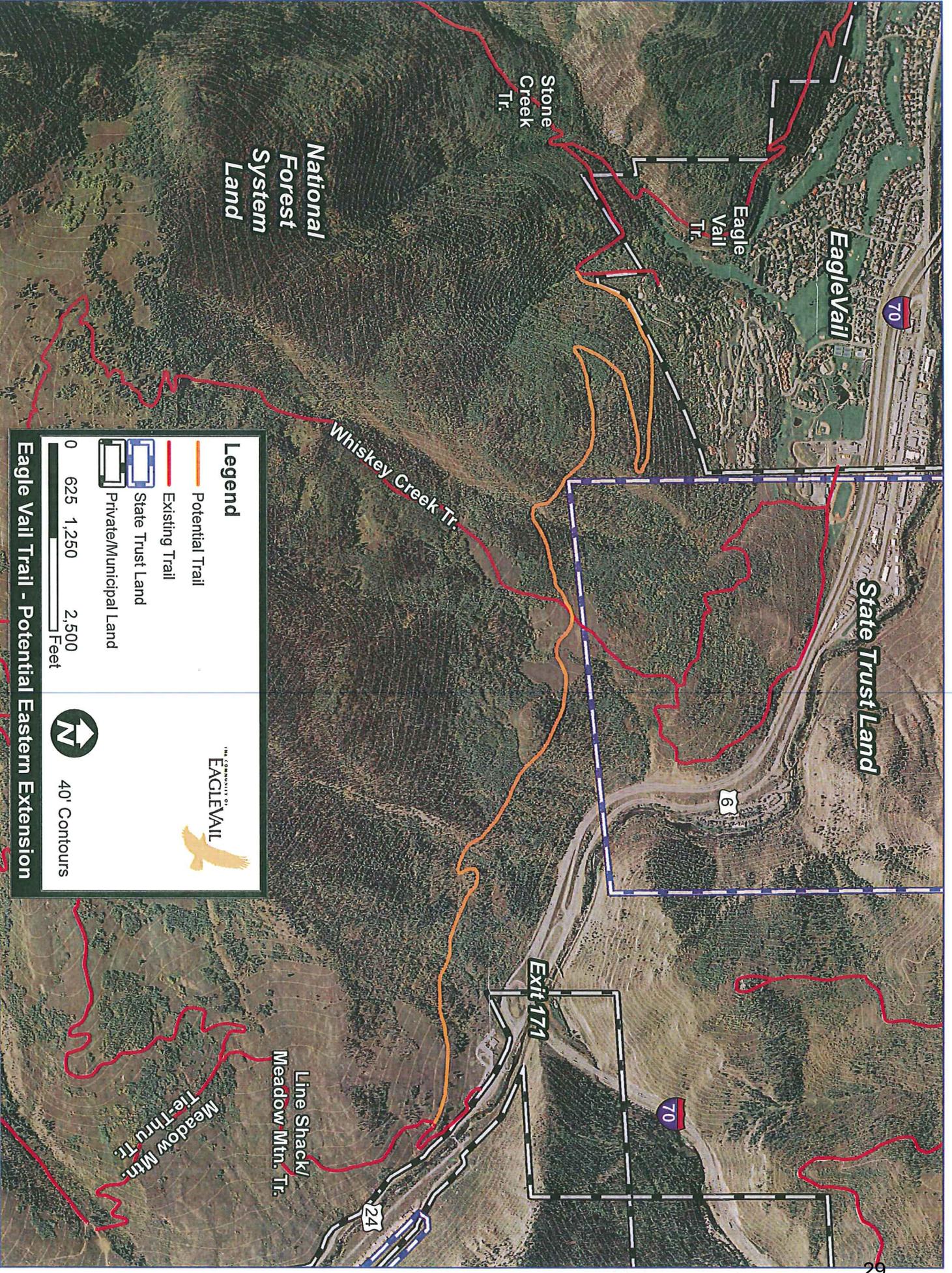
This letter is written to lend full support to the proposed Eagle Vail to Meadow Mountain trail. This endeavor is in line with Minturn’s efforts to market hiking and biking in and around the Minturn community. This trail will provide a useful trail to both local residents and the visiting public, and also serves as an improved linkage between communities.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "William Powell". The signature is written in a cursive, flowing style.

William Powell
Town Manager



National Forest System Land

Eagle Vail

State Trust Land

Stone Creek Tr.

Eagle Vail Tr.

Whiskey Creek Tr.

Exit 171

Line Shack/
Meadow Mtn. Tr.
Meadow Mtn.
Tie-Thru Tr.

Legend

- Potential Trail
- Existing Trail
- State Trust Land
- Private/Municipal Land

0 625 1,250 2,500 Feet

40' Contours

40' Contours

Eagle Vail Trail - Potential Eastern Extension

ACTION ITEMS REPORT

From: Town Manager
18-Feb-14

Action Item	Responsible staff	Status
Eagle River Park Grant "History Walk in the Park" and bathrooms	Hawkinson	foundation wall installed, bathrooms being constructed in shop Design for educational portion beginning
Rec Property Clean-up	Martinez	berm constructed. Continue grading, cleanup and beautification
Boneyard	Hawkinson	slash piles cleaned, VSSA and boy scouts site plan reviewed by PZ on 1/15, Council
Little Beach Park perfect ownership	Powell Sawyer	quiet title to be filed in February, 2015
Memorialization Guidelines	Metteer	staff presentation January 21
Minturn Fitness Center	Powell Rosenfeld Bidez	Bylaws are signed by all parties Land has been transferred to MFC achieve 501.c.7 non-profit status
Minturn Education Fund	Powell Bellm	achieve 501.c.3 non-profit status scholarship notice posted, submittals by April 10
Zoning Code Amendments	Hawkinson Powell Sawyer	staff review and recommendations P&Z review and recommendations Council review and adoption
Guide Sign Plan	Metteer	Staff presentation on March 4 Take to CDOT for approval
Water Rate Structure and Rates	Powell water committee	Water Committee submit report to Council on March 4 Potential Amendments to Water Ordinance