



2016

# Minturn Council Meeting

Wednesday April 6, 2016

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

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

**NOTE: ALL NEWLY ELECTED COUNCIL MEMBERS ARE TO BE AT BOTH THE WORKSESSION AND THE MEETING.**



## **Agenda**

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

**Wednesday April 6, 2016**

**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**

- Council transition discussion – Sawyer/Brunvand
  - Staff Introductions
  - Council Orientation Pg 4
  - Parliamentary Procedure (Res 41-2008) Pg 26
  - Liquor License Procedure Summary Pg 33

### **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 36**

- Appoint Mayor Pro Tem – Council

**3. Approval of Agenda**

- Items to be Pulled or Added

**4. Approval of Minutes**

- March 16, 2016 Pg 38

**5. Liquor License Authority**

- Sticky Fingers Café approval of a new Hotel and Restaurant Liquor license; 132 Main St.; Sage Peirson Owner/Manager – Brunvand Pg 47

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

**7. Special Presentations**

- Committee Report

**PUBLIC HEARINGS AND ACTION ITEMS**

**8. Discussion/Action Item: Discussion and direction to award construction contracts for Phase II Entryway Project – Hawkinson/Inter-Mtn Eng Pg 58**

**COUNCIL AND STAFF REPORTS**

**9. Town Planner**

- Planner Report
  - A) Entry Project Design
  - B) Minturn Code Re-write Phase II
    - Phase I: residential code changes and diagrams, resolution passed, 2015
    - Phase II:
      1. Old Town Commercial Zoning Codes
      2. Appendix B Design Standards & Guidelines – Commercial Guidelines
      3. Article 16 – PUD’s
      4. Subdivisions – Chapter 17
  - C) Town Master Plan

**10. Town Manager**

- Manager’s Report
- Action Report Pg 66

**11. Town Council Comments**

**12. Town Attorney**

## EXECUTIVE SESSION

- 13. Executive Session:** An executive session for the purpose of discussing specific legal questions with the attorney for the purposes of receiving legal advice under C.R.S. Section 24-6-402(4)(b), and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under CRS Section 24-6-402(4)(e) – Battle Mountain Resorts/Crave Communities Corp and for Eagle River Properties v. Town of Minturn Case No. 15CV30293– Powell/Sawyer

## FUTURE AGENDA ITEMS

**14. Next Meeting – April 20, 2016**

**15. Future Meetings:**

- Council board and sub-committee positions – May 4, 2016
- Work Session – Review of Job Descriptions – Powell
- Work Session on housing – Hawkinson
- Clear Vision areas on Town street corners – Hawkinson
- Consideration of Resolution 07 – Series 2016 a Resolution approving Variance Request 16-01 at 386/392 Taylor St. – Hawkinson

**16. Set Future Meeting Dates**

a) Council Meetings:

- April 20, 2016
- May 4, 2016
- May 18, 2016

b) Planning & Zoning Commission Meetings:

**17. Other Dates:**

**18. Adjournment**

## Orientation of New Elected Governing Bodies

### Historical Overview

### Colorado

The State name Colorado derives from the Spanish Language, is named for the Colorado River, and roughly translates to, "color red," and is aptly named for the muddy red color of water in the river especially during spring run-off. Colorado achieved statehood on August 1, 1876 and is the 38<sup>th</sup> state. Colorado covers a landmass of 104,100 square miles and is the 8<sup>th</sup> largest state in the United States.

State Bird: Lark Bunting

State Motto: nil sine numine, "nothing without providence."

State Flower: Rocky Mountain Columbine ( white and lavender )

State Animal: Big Horn Sheep

State Fish: Greenback Cutthroat Trout

State Tree: Colorado Blue Spruce

State Capital: Denver

State Population: approximately 5.5 million people

### Eagle County

## Eagle County, Colorado

From Wikipedia, the free encyclopedia

### **Eagle County, Colorado**



Location in the state of Colorado



Colorado's location in the U.S.

<b>Founded</b>	February 11, 1883
<b>Named for</b>	<u>Eagle River</u>
<b><u>Seat</u></b>	<u>Eagle</u>
<b>Largest community</b>	<u>Edwards</u>
<b>Area</b>	
• <b>Total</b>	1,692 sq mi (4,382 km <sup>2</sup> )
• <b>Land</b>	1,685 sq mi (4,364 km <sup>2</sup> )
• <b>Water</b>	7.3 sq mi (19 km <sup>2</sup> ), 0.4%
<b>Population (est.)</b>	
• <b>(2014)</b>	52,921
• <b>Density</b>	31/sq mi (12/km <sup>2</sup> )
<b>Congressional districts</b>	<u>2nd, 3rd</u>
<b><u>Time zone</u></b>	Mountain: <u>UTC-7/-6</u>
<b><u>Website</u></b>	<u>www.eaglecounty.us</u>

**Eagle County** is one of the 64 counties of the U.S. state of Colorado. As of the 2010 census, the population was 52,197.<sup>[1]</sup> The county seat is the Town of Eagle.<sup>[2]</sup> The county is named for the Eagle River.

## Contents

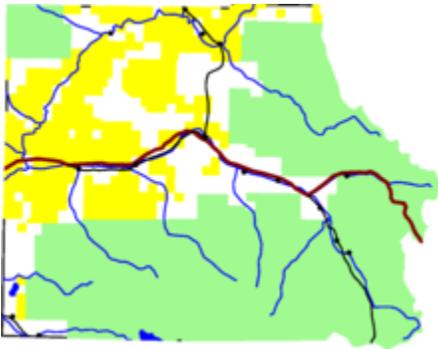
- [1 History](#)
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## History

Eagle County was created by the Colorado legislature on February 11, 1883, from portions of Summit County. It was named after the Eagle River, which runs through the county. The county seat was originally set in Red Cliff, Colorado, but was moved to the town of Eagle in 1921.

The Ground Hog Mine, near Red Cliff, produced gold and silver in two vertical veins in 1887. One vein, or "chimney", contained gold in crystalline form, cemented by iron, while the other contained wire gold in the form of "ram's horns". One of these ram's horns is now on display in the Harvard Mineralogical Museum.<sup>[3]:59</sup>

## Geography



A map of Eagle County. Green is White River National Forest, yellow is Bureau of Land Management land. The reddish line from east to west is Interstate 70, running along Eagle River.

According to the U.S. Census Bureau, the county has a total area of 1,692 square miles (4,380 km<sup>2</sup>), of which 1,685 square miles (4,360 km<sup>2</sup>) is land and 7.3 square miles (19 km<sup>2</sup>) (0.4%) is water.<sup>[4]</sup>

Much of the county is taken up by White River National Forest, and much of the rest is managed by the Bureau of Land Management. Three wilderness areas exist in Eagle County. Interstate 70 crosses the county from east to west.

The Eagle River rises in the southeastern part of the county. It receives Gore Creek at Dowds Junction, and joins the Colorado River in the west. Fryingpan River and the Roaring Fork River intersect the southwest corner of the county.

## Adjacent counties

- Grand County - northeast
- Summit County - east
- Lake County - south
- Pitkin County - southwest
- Garfield County - west

- Routt County - northwest

### Major highways

-  I-70
-  US 6
-  US 24
-  SH 82
-  SH 131

### National protected areas

- White River National Forest
- Eagles Nest Wilderness
- Flat Tops Wilderness
- Holy Cross Wilderness
- Bureau of Land Management

### State protected area

- Sylvan Lake State Park

### Trails

- Colorado Trail
- Continental Divide National Scenic Trail
- Two Elk National Recreation Trail
- Vail Pass National Recreation Trail

### Scenic byways

- Colorado River Headwaters National Scenic Byway
- Top of the Rockies National Scenic Byway

## Demographics

### Historical population

Census	Pop.	%±
<u>1890</u>	3,725	—

<b><u>1900</u></b>	3,008	-19.2%
<b><u>1910</u></b>	2,985	-0.8%
<b><u>1920</u></b>	3,385	13.4%
<b><u>1930</u></b>	3,924	15.9%
<b><u>1940</u></b>	5,361	36.6%
<b><u>1950</u></b>	4,488	-16.3%
<b><u>1960</u></b>	4,677	4.2%
<b><u>1970</u></b>	7,498	60.3%
<b><u>1980</u></b>	13,320	77.6%
<b><u>1990</u></b>	21,928	64.6%
<b><u>2000</u></b>	41,659	90.0%
<b><u>2010</u></b>	52,197	25.3%
<b>Est. 2014</b>	52,921 <sup>[5]</sup>	1.4%

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U.S. Decennial Census<sup>[6]</sup>  
 1790-1960<sup>[7]</sup> 1900-1990<sup>[8]</sup>  
 1990-2000<sup>[9]</sup> 2010-2014<sup>[11]</sup>

As of the census<sup>[10]</sup> of 2000, there were 41,659 people, 15,148 households, and 9,013 families residing in the county. The population density was 25 people per square mile (10/km<sup>2</sup>). There were 22,111 housing units at an average density of 13 per square mile (5/km<sup>2</sup>). The racial makeup of the county was 85.35% White, 0.34% Black or African American, 0.71% Native American, 0.82% Asian, 0.07% Pacific Islander, 10.80% from other races, and 1.90% from two or more races. 23.24% of the population were Hispanic or Latino of any race.

There were 15,148 households out of which 32.70% had children under the age of 18 living with them, 50.00% were married couples living together, 5.60% had a female householder with no husband present, and 40.50% were non-families. 20.90% of all households were made up of individuals and 1.90% had someone living alone who was 65 years of age or older. The average household size was 2.73 and the average family size was 3.17.

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In the county the population was spread out with 23.50% under the age of 18, 11.40% from 18 to 24, 42.10% from 25 to 44, 20.00% from 45 to 64, and 3.00% who were 65 years of age or older. The median age was 31 years. For every 100 females there were 121.00 males. For every 100 females age 18 and over, there were 125.80 males.

The median income for a household in the county was \$62,682, and the median income for a family was \$68,226. More recent data shows median household income of \$84,000. Males had a median income of \$37,603 versus \$30,579 for females. The per capita income for the county was \$32,011. About 3.90% of families and 7.80% of the population were below the poverty line, including 6.80% of those under age 18 and 7.60% of those age 65 or over.

## Communities

- [Avon](#)
- [Basalt](#)
- [Eagle](#)
- [Eagle-Vail](#)
- [Edwards](#)
- [El Jebel](#)
- [Gypsum](#)
- [Minturn](#)
- [Red Cliff](#)
- [Vail](#)
- [Gilman](#) (abandoned in 1984)

## See also



- [Outline of Colorado](#)
- [Index of Colorado-related articles](#)
- [Colorado census statistical areas](#)
- [Flight of Craig D. Button](#)
- [National Register of Historic Places listings in Eagle County, Colorado](#)

## References

1.

- *"State & County QuickFacts". United States Census Bureau. Retrieved June 7, 2014.*
- • *"Find a County". National Association of Counties. Retrieved 2011-06-07.*
- • Voynick, S.M., 1992, Colorado Gold, Missoula: Mountain Press Publishing Company, ISBN 0878424555
- • *"US Gazetteer files: 2010, 2000, and 1990". United States Census Bureau. 2011-02-12. Retrieved 2011-04-23.*
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- • *"Historical Census Browser". University of Virginia Library. Retrieved June 7, 2014.*
- • *"Population of Counties by Decennial Census: 1900 to 1990". United States Census Bureau. Retrieved June 7, 2014.*
- • *"Census 2000 PHC-T-4. Ranking Tables for Counties: 1990 and 2000" (PDF). United States Census Bureau. Retrieved June 7, 2014.*

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## External links

Minturn

# Minturn, Colorado

From Wikipedia, the free encyclopedia

## Minturn, Colorado

**Home rule municipality**



Location in Eagle County and the state of Colorado

Coordinates: 39°35′14″N 106°25′47″W﻿ / ﻿Coordinates: 39°35′14″N 106°25′47″W

39°35′14″N 106°25′47″W﻿ / ﻿Coordinates: 39°35′14″N 106°25′47″W

**Country**

 United States

<b><u>State</u></b>	 <a href="#">Colorado</a>
<b><u>County</u></b> <sup>[1]</sup>	<a href="#">Eagle</a>
<b><u>Incorporated (town)</u></b>	November 23, 1904 <sup>[2]</sup>
<b>Government</b>	
• <b><u>Type</u></b>	<a href="#">Home Rule Municipality</a> <sup>[1]</sup>
• <b><u>Mayor</u></b>	Gordon Flaherty <sup>[3]</sup>
<b>Area</b>	
• <b><u>Total</u></b>	7.8 sq mi (20.1 km <sup>2</sup> )
• <b><u>Land</u></b>	7.6 sq mi (19.6 km <sup>2</sup> )
• <b><u>Water</u></b>	0.2 sq mi (0.5 km <sup>2</sup> )
<b><u>Elevation</u></b> <sup>[4]</sup>	7,861 ft (2,396 m)
<b>Population (2010)</b>	
• <b><u>Total</u></b>	1,027
• <b><u>Density</u></b>	136/sq mi (52.4/km <sup>2</sup> )
<b><u>Time zone</u></b>	<a href="#">Mountain (MST) (UTC-7)</a>
• <b><u>Summer (DST)</u></b>	<a href="#">MDT (UTC-6)</a>
<b><u>ZIP code</u></b> <sup>[5]</sup>	<a href="#">81645 (PO Box)</a>
<b><u>Area code(s)</u></b>	<a href="#">970</a>
<b><u>FIPS code</u></b>	08-50920
<b><u>GNIS feature ID</u></b>	<a href="#">0176136</a>
<b><u>Website</u></b>	<a href="http://www.minturn.org">www.minturn.org</a>

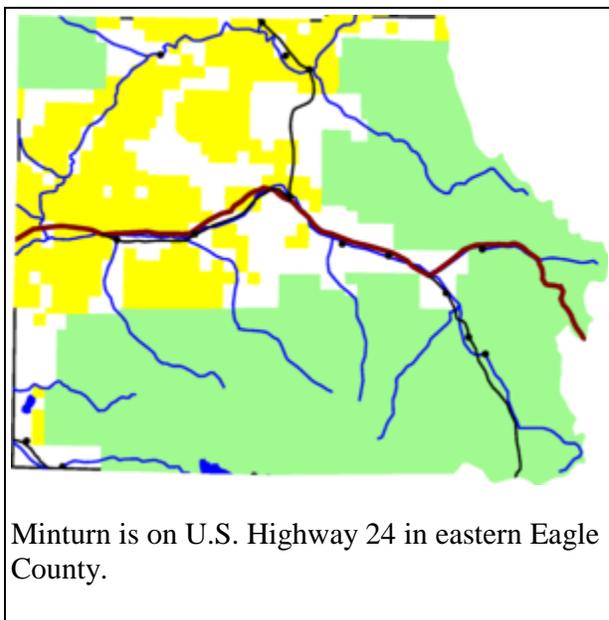
**Minturn** is a [home rule municipality](#) in [Eagle County](#), [Colorado](#), [United States](#). The town population was 1,027 at the [2010 United States Census](#).<sup>[6]</sup>

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## Geography





Minturn is located in southeastern Eagle County on the Eagle River between the resort communities of Vail and Beaver Creek. The town limits extend 2 miles (3 km) northwest along U.S. Route 24 to Interstate 70 at Exit 171, from which point it is 5 miles (8 km) east to Vail and 5 miles west to Avon at the base of Beaver Creek Resort. Eagle, the county seat, is 25 miles (40 km) to the west, and Denver is 101 miles (163 km) to the east. US 24 leads south 30 miles (48 km) over the Continental Divide at Tennessee Pass to Leadville.

According to the United States Census Bureau, the town has a total area of 7.8 square miles (20.1 km<sup>2</sup>), of which 7.6 square miles (19.6 km<sup>2</sup>) is land and 0.2 square miles (0.5 km<sup>2</sup>), or 2.32%, is water.<sup>[6]</sup>

Minturn is surrounded on three sides by White River National Forest, with the Holy Cross Wilderness bordering the southwest side of the town. The national forest offers hiking, biking, snowshoeing, cross country skiing, and other recreational opportunities. Five huts operated by the Tenth Mountain Hut Association along with their associated trail systems are found in the local Eagle-Holy Cross ranger district. Camp Hale, a World War II winter training site now on the National Register of Historic Places, is situated toward the south end of the district.<sup>[7]</sup>

The Holy Cross District lies on the northern extent of the Sawatch Range and the western flank of the Gore Range. It includes the forest areas surrounding the towns of Vail, Minturn, Red Cliff and Avon. To the north, the district takes in much of the Piney River and Sheephorn Creek drainages.

The upper Eagle River provides a variety of scenic, outdoor recreation opportunities along its 20+ mile stretch from Tennessee Pass to Dowd Junction. For river enthusiasts, fishing, rafting, kayaking and canoeing are plentiful. Floating season generally occurs from late May through July. Access to the river is available from several public access points along Highway 24. The Eagle River is one of the few rivers in the country which starts and ends in the same county.



Lionshead Rock Trail

## Demographics

### Historical population

Census	Pop.	%±
<b><u>1910</u></b>	241	—
<b><u>1920</u></b>	298	23.7%
<b><u>1930</u></b>	400	34.2%
<b><u>1940</u></b>	596	49.0%
<b><u>1950</u></b>	509	-14.6%
<b><u>1960</u></b>	662	30.1%
<b><u>1970</u></b>	706	6.6%
<b><u>1980</u></b>	1,060	50.1%
<b><u>1990</u></b>	1,066	0.6%
<b><u>2000</u></b>	1,068	0.2%
<b><u>2010</u></b>	1,027	-3.8%
<b>Est. 2014</b>	1,035 <sup>[8]</sup>	0.8%

U.S. Decennial Census<sup>[9]</sup>

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As of the census<sup>[10]</sup> of 2000, there were 1,068 people, 399 households, and 244 families residing in the town. The population density was 773.4 people per square mile (298.8/km<sup>2</sup>). There were 448 housing units at an average density of 324.4 per square mile (125.3/km<sup>2</sup>). The racial makeup of the town was 83.33% White, 0.28% African American, 2.81% Native American, 0.09% Asian, 0.47% Pacific Islander, 11.80% from other races, and 1.22% from two or more races. Hispanic or Latino of any race were 44.48% of the population.

There were 399 households out of which 27.3% had children under the age of 18 living with them, 48.9% were married couples living together, 7.5% had a female householder with no husband present, and 38.6% were non-families. 20.1% of all households were made up of individuals and 1.8% had someone living alone who was 65 years of age or older. The average household size was 2.68 and the average family size was 3.14.

In the town the population was spread out with 20.2% under the age of 18, 12.8% from 18 to 24, 43.2% from 25 to 44, 18.5% from 45 to 64, and 5.2% who were 65 years of age or older. The median age was 32 years. For every 100 females there were 116.2 males. For every 100 females age 18 and over, there were 121.9 males.

The median income for a household in the town was \$51,736, and the median income for a family was \$53,750. Males had a median income of \$32,350 versus \$26,750 for females. The per capita income for the town was \$23,135. About 4.3% of families and 5.4% of the population were below the poverty line, including 5.9% of those under age 18 and 3.2% of those age 65 or over.



Town of Minturn



Minturn Summer Market

## History



Roundhouse Crash 1913

The town is named for Robert Bowne Minturn, Jr., who was vice president of the Denver and Rio Grande Western Railroad that founded the town.<sup>[11]</sup> He was also a member of Grinnell, Minturn & Co.

Minturn's oldest families settled at the confluence of Gore Creek and the Eagle River in the late 1800s. Some created homesteads and farmed the land, while others mined silver in the mountains high above town. With the arrival of the Denver & Rio Grande Railroad in 1887, Minturn quickly developed into a booming crossroads for transportation and industry. By the turn of the century, a growing population of mining and railroad workers and their families raised the demand for business and services in town. In response, Minturn was incorporated on November 15, 1904.

Minturn has adapted to several major changes in the local economy over the decades, including the development of Vail and Beaver Creek ski resorts, the closing of the Gilman mine, and the abandonment of rail lines through Minturn. Despite this transformation from the Old West to the new, Minturn maintains its distinctive character, architecture and quality of life.

## Transportation

Minturn is served by Eagle County Regional Airport near Gypsum, 30 miles (48 km) to the west.

Eagle County provides bus service from the Dowd Junction Transit Stop with service to Minturn, Vail, Leadville, Eagle-Vail, Avon, Beaver Creek, Edwards, Eagle, Gypsum and Dotsero.

Interstate 70 runs east-west two miles north of Minturn. Highway 24 runs east/west through Minturn, and to the east leading to the towns of Red Cliff and eventually Leadville.

## See also



*North America portal*



*United States portal*



- Outline of Colorado
  - Index of Colorado-related articles
- State of Colorado
  - Colorado cities and towns
    - Colorado municipalities
  - Colorado counties
    - Eagle County, Colorado
  - Colorado metropolitan areas

## References

1.

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- • *"Census of Population and Housing". Census.gov. Retrieved June 4, 2015.*
- • *"American FactFinder". United States Census Bureau. Retrieved 2008-01-31.*
- *"Town History: Minturn's Timeline". Town of Minturn. Archived from the original on 2007-08-14. Retrieved 2007-11-23.*

## Makeup of government

Home Rule ( attorney speak briefly to this and do we have a concise list of ordinances published as a handout and are they organized seasonally as well as by topic? Snow removal and parking winter, watering days summer, etc? )

7 Elected Council Members one being the Mayor

(The discussions are held by 7, the actions require a minimum of 4. A healthy, respectful, diversity of viewpoint and opinion makes for informed decision making.)

Council terms 4 years

Mayor term 2 years

Duties of the Council as a whole: Policy decisions, sit on various boards and committees local and regional, communicate with and engage the community, relay community concerns to the Council and Staff.

Duties of the Mayor: Preside over meetings, set agendas, participate in Mayoral events, speak to local happenings and occurrences. ( happy Independence Day, condolences on a passing, congratulations on a local sporting event, update on a rockslide, etc.)

Attorney speaks here about communication rules for elected officials to avoid illegal meetings. Communication lines; send e-mail to entire council, not just one?

## **Town Manager**

**The Job of the Town Manager is to handle the everyday operations of the Town, manage the personnel that make up the various Departments, keep the Town in compliance with County, State, and Federal laws, handle citizen communication lines, keep the Town fiscally sound and carry out and advise the policy decisions of the Town Council.**

The Departments of the Town (Town Manager speaks to this highlighting each department and what product it delivers. Department heads should be introduced and give a brief overview of duties, ongoing projects, and predicted changes looking into the future.)

## **Treasurer**

**The Job of the Treasures is to manage the finances of the Town, processing payrolls, paying bills, maintaining general ledger, and preparing an annual budget to keep the Town Fiscally Solvent.**

**Treasurer speaks brief overview of the financial operation of the Town (communication lines)**

### **Revenues**

General Fund--principal revenue sources: sales and property taxes, etc.

Enterprise Fund--principal revenue sources: water and refuse fees, etc.

- Provide pie chart for each fund

## Expenses

- Provide pie chart of largest expenses by fund
- List all long term debts, annual debt service, funding source and retirement date

## Public Works

**The Job of Public Works is to maintain the infrastructure and capital improvements of the Town with Safety in mind, while operating the water plant and distribution lines, maintaining parks (emptying town trash cans, maintaining restrooms, vegetation maintenance), plowing snow, and supporting Town sanctioned functions such as Minturn Market, Ski-joring, and Little Beach Park Events.**

Public Works (hand out snow and water ordinances  
best practices, communication lines)

- Ongoing duties: plowing, sweeping, trash, water.
- Seasonal challenges: equipment, manpower
- Future needs and challenges:
  - parks and recreation expansion,
  - water plant needs and upgrades,
  - water and sewer extended to public works building, Little Beach and lease lot.

**Police Department  
The Job of the Police Department is**

Police Department. (Handout of speed limits and zones / parking ordinances, best practices, call statistics communication lines)

**Economic Development**

**The Job of the Economic Development Department**  
The Economic Development Director plans, organizes, and implements an economic development program to promote the growth and development of the Town's economic base, retention and expansion of existing businesses, and vigorously works to plan, direct, manage and coordinate special events for the Town of Minturn for the purpose of attracting new business, tourism and visitors.

**Planning Department**

**The Job of the Town Planner**

**Performs professional planning duties in the area of current and long range planning. Responsible for the planning performance and duties of planning staff. Responsible for the land use applications and direction of the Minturn Planning Commission. Duties include professional planning, writing, drawings and maps. Design plans and special projects. Supports Town Council Special Committees. Research, design and submit planning projects for grant funding.**

## **The Job of the Town Attorney**

**The Town Attorney provides a wide variety of general legal services including but not limited to legislative and quasijudicial matters, agreements with other parties, advice on personnel concerns, potential or actual legal cases, coordination with water counsel and other general government matters.**

### **Intergovernmental Agreements (IGA's) and other contracted services**

Animal Control—Eagle County

Police Department—Eagle County Sheriff's Department

Main Street snow removal—CDOT annual funding

Water sewer and trash billing--ERWSD

Main St. road maintenance-- Eagle County Road & Bridge

Water gaging stations—US Geological Service

USFS Special use permits

Fitness Center—VSSA

Building Plan Check and Inspection—Safebuilt Corporation

Water licensing and plant supervision—John Volk

## **The Committees of the Town and purpose of each**

- Scholarship Committee: Review applications and award scholarships
- Water Committee: Review water rates and make recommendations, Bolts Lake
- Railroad Committee: Maintain communication lines with railroad and advocate land use items
- Fitness Center: Maintain position on board governing joint venture
- Dowd Junction Committee: Explore purchase and development of Dowd Junction site.
- Battle Mountain Committee: Discuss and communicate development proposals
  
- Parks and Trails Committee: Work with ECO Trails to build and connect into and through Minturn with Eagle County Trails, maintain and develop existing and new opportunities for parks facilities.
- Economic Development Committee: promote ideas and programs to enhance the business community and environment.

## **Appointed Positions to outside Agencies**

- ECO Transit—regular and alternate members representing Minturn.
- Channel 5 Public Access TV

## **Town and Council challenges, goals, ongoing projects**

Parking

Traffic volume and speed

Preserving open space and recreation

Changing Demographics

Attainable work force housing

Dowd Junction

Bolts lake

Water system and upgrades

### **PROJECTS**

#### **Work in Progress**

Entryway and 100 Block—DOLA grant

Sidewalk Engineering—TAP grant

Bike Path—Eagle County grant

Water Legislation pertaining to Bolts Ditch

#### **Planning or coming up**

Town Master Plan

Improved Downtown Business District Design Standards

Improved Subdivision and Zoning Codes

Three Mile Plan

Boneyard Management Plan

Little Beach Park Future Improvements

Trailhead Improvements

Street Paving

Cemetery Road if Fire District Mill Levy is approved by voters

## ACHIEVEMENTS

Town Signs

Fitness Center

Public Restrooms

Minturn Market

Little Beach Park

Town Hall

Water Tank

Public Works Building

Boneyard Acquisition

Barbwire Removed

Speed bumps and paving over RR on Taylor

Snow removal parking plan on Taylor

Type to enter text

Wednesday, March 16, 2016

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 20 day of August, 2008.

TOWN OF MINTURN

By: Geary Brooks  
Mayor

ATTEST:

7/22  
Town Clerk



## Understanding the Liquor Licensing Process

### Overview

Because the holding of any type of liquor license grants legal privileges and rights as well as imposing considerable responsibilities, the proceedings governing the granting and revocation of such licenses can appear to be complex and not easily understood by citizens. This information is intended to assist the Minturn Town Council as the Local Liquor Authority.

### Applying for the License:

Any person, partnership or corporation desiring a license to sell or distribute alcohol beverages for commercial purposes, whether beer, wine or spirituous drinks, must first obtain a license to do so from both the State of Colorado and the Town of Minturn. A liquor license is administered as a dual authority between the State and the Town. The process begins with the license Applicant obtaining State forms from the Town of Minturn Town Clerk's Office.

The forms require background information from the Applicant such that the Town, through its Licensing, Police, and legal, can make assessment whether the Applicant is eligible to hold the responsibility and privilege of being licensed by the Town and the State of Colorado. Among the information the application requires is the Applicant's criminal history, if any, their financial backing, and their other connections to the liquor industry including all other licenses held or relinquished. Additionally the Applicant must supply detailed floor plans of the business so that the Town can evaluate the size of the business and the number of potential patrons. The Applicant must then attest to the truthfulness of the applicant, pay applicant and licensing fees and officially submit the application for review by the Town and State. When the Town officially receives the submission of the application, a new stage in the process is reached, one in which citizens may have substantial input if they so desire.

### Posting of Notice:

Now that the application has been received and the Town investigation of the Applicant is underway, the existence of the application is announced publicly. According to Town and State laws, the existence of the application and the fact that there will be a public hearing on the matter, must be made known to the public through three avenues of communication. First, a notice sign must be conspicuously posted at the physical location of the premises seeking a license in the place plainly visible to the public. The posted notice provides details on the type of license sought, the date, time and location of the hearing wherein the application will be ruled upon by the Minturn Town Council acting as the Local Liquor Authority, as well as contact information where interested parties can acquire more information on the application. Next the same information needs to be published in the newspaper of record, currently the *Vail Daily*, providing the same information.

### Documenting Needs and Desires/Applicant:

Before ruling on any application for a license, the Liquor and Beer Licensing Board must consider the following factors:

- The reasonable requirements of the neighborhood for that particular class of license. The neighborhood is defined as the Town limits.
- The desires of the adult inhabitants of the neighborhood as evidenced by petitions, remonstrance's or otherwise.
- The number, type (class) and availability of other outlets in or near the neighborhood.

It is the Applicant's burden to initially establish the needs and desires of the neighborhood. To accomplish this task the Applicant may contact the residents of the neighborhood and petitions

or surveys them as to their opinion on whether the neighborhood might benefit from the proposed establishment. Applicants typically will make a sampling survey of some, thought rarely all of the residents in the relevant neighborhood. Applicants typically present the results to the Local Liquor Authority not only a raw numbers but also in whatever interpretive light will cast the application in the most favorable terms. In short they advocate for the license being granted.

#### Documentation Needs and Desires/Residents of the Neighborhood:

Residents or business owners within the relevant neighborhood are invited and welcome to be heard in the process. They may attend the hearing, and after the initial presentation by the Applicant they may respond to the Applicant's assertions, or they may present contrary evidence in any form so long as the evidence is not unduly cumulative in the opinion of the Local Liquor Authority. Given this, residents or business owners are allowed to write personal letters expressing thoughts or concerns addressed to the Town of Minturn to the attention of the Town Clerk (P.O. Box 309, Minturn, Colorado 81645). They are welcomed to counter petition within the neighborhood and of course are invited to the hearing to participate personally by presenting testimony and to present their letters, petitions or opinions. In short they may advocate for or against the granting of the license depending on their views.

Persons wishing to participate and to offer their concerns or evidence to the Local Liquor Authority do need to have standing (meaning right to be heard) before the Local Liquor Authority will hear their testimony or review their letters, petitions, surveys or remonstrance's. The Local Liquor Authority has a rule that residents or businesses within the Town shall be considered to have such standing. Persons residing outside of the Town boundaries do not have automatic standing, but they may ask to make arguments or presentations. Whether such presentations will be heard is within the sole discretion of the Local Liquor Authority. Often the Local Liquor Authority will hear evidence from such persons if they can argue that while outside of the presumptively relevant area they are part of a naturally integrated neighborhood.

#### The Application Hearing:

The Local Liquor Authority Chairperson (Town Mayor) will call the hearing to order. If Protestants (what the Board calls the interested parties wishing to oppose the license) have previously contacted the Town Clerk's Office, the Chairperson will inquire as to whether any are present to be heard. The Town Clerk then reads into the record formal matters of the application. Next the Applicant is available to present their case or answer questions.

The Town Clerk, Town Attorney, Police, the Applicant, and any interested party are subject to questioning by the Local Liquor Authority.

The Local Liquor Authority will then render a decision. Parties dissatisfied with the decision will have 30 days in which to file an appeal with the District Court. Parties wishing to appeal should contact the Town Clerk's Office to produce a transcript of the hearing. This transcript is essential for the appeal and takes time to prepare so the contact needs to be immediate. Parties appealing need to be prepared to pay for the cost of producing the transcript.

#### Appeal Standards:

The following are commonly stated principles guiding judicial review of the Local Liquor Authority's decision.

- Local Licensing Authorities are vested with wide discretion.
- All reasonable doubts are resolved in favor of the decision standing
- The decision will not be disturbed absent a clear abuse of the discretion vested in the Local Licensing Authority.

## Frequently Asked Questions:

Question: Can an application be denied if there is an “undue concentration” of such establishments within a neighborhood?

Answer: The Colorado Liquor Code prohibits an undue concentration of only two types of licenses, tavern license and retail liquor store licenses. As to other forms of license the Liquor Code is silent on the issue of undue concentration.

Question: What criteria establish an undue concentration?

Answer: If the concentration of taverns or retail liquor stores could require additional law enforcement resources assigned to the neighborhood.

Question: Where or who can I call for interpretation of the Liquor Code?

Answer: Call the Town Clerk’s Office at 970/827-5645 or visit the Liquor Enforcement Division of the Colorado Department of Revenue website.

This information is a good faith effort to briefly summarize an extensive set of laws, regulations and procedures.

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

**MEMORANDUM**

TO: Mayor and Town Council  
FROM: Jay Brunvand, Finance Office  
CC:  
DATE: 3/29/16 8:04 AM

**APRIL 6, 2016 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 6<sup>th</sup> municipal election.

The meeting should be called to order with the “old” members of the Council in their council seats and any newly elected officials in the public seating area. It is necessary that a quorum be 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. Then we proceed with the swearing in.

**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. The former Council members may stay as audience members or they may leave.

**Choice for Mayor Pro Tem:**

Minturn Town Charter Section 4.2(c) states, “The Mayor Pro Tem 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”.

To effect this the Mayor announces his/her choice for Mayor Pro Tem and requests a motion to accept the nomination.

Recommended motion:”I move to confirm \_\_\_\_\_ as Mayor Pro Tem.”

The meeting then continues with the agenda items.

Note: 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, due to the election they were not present on the board for the meeting, 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. Therefore, all newly elected Council Members should be prepared to vote. Those that do abstain are recorded as an abstain and could be included in a vote for the affirmative on the motion.

Please contact me if you have any questions. j



## **Official Minutes**

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

**Wednesday March 16, 2016**

**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**

- Holy Cross Powder Hounds – Powell
  - 81 signatures have been obtained on a petition to reopen areas of the Meadow Mountain/Grouse Creek area to snowmobile access.
  - Holy Cross Powder Hounds are seeking a letter of support from the Town of Minturn to the United States Forest Service
- Recommendation to schedule training for new Town Council after election.

### **Regular Session – 6:30pm**

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

- Roll Call

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

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

Staff present: Town Manager Willy Powell, Deputy Clerk Michelle Metteer, Town Planner Janet Hawkinson, and Town Attorney, Michael Sawyer.

- Pledge of Allegiance

## **2. Approval of Agenda**

- Items to be Pulled or Added
  - Add Action Item to consider a Letter of Support for the PowderHounds.

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

## **3. Approval of Minutes**

- Feb 17, 2016

Discussion of potentially providing meters and time limits for the 100 Block parking options, to be added to the Planner Update section.

Motion by Johnie R., second by George B., to approve the minutes of Feb 17, 2016 as amended. Motion passed 7-0.

- March 2, 2016

Page 19 question marks – Remove entire sentence.

Matt Scherr made same point of order (also page 19, paragraph 4)

Page 14: 340 acre feet (not 348)

Motion by George B., second by Johnie R., to approve the minutes as amended. Motion passed 7-0.

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

Deputy Josiah Hart, 302 Pine St, discussed the March 7, 2016 snow storm. A photo of a large truck was shown on the presentation screen. The new landscaping, as part of the entryway project, saved the truck from hitting the Weston Snowboards building at 106 Main St and its gas meter. The trucking company will be covering the cost of damages. A report is on file with the police department.

Mr. Ken Mintz, 167 Williams St, is concerned about the imminent problem that can affect the character of Minturn. With the potential sale of the 100 Block, Mr. Mintz is concerned about the zoning of the 100 Block as well as the 5-year old Community Plan. He urges the Council to look at this carefully and to plan/protect the character of the 100 Block. He requests a master plan be developed ASAP and continue to protect the 100 Block.

## 5. Special Presentations

- Committee Report

The Minturn Scholarship Fund gave a reminder to Minturn residents that the Scholarship Fund is accepting applications through March 31, 2016.

The Battle Mountain Committee updated that Crave Development will be taking a step back to review all the potential development options available. Crave provided answers to additional questions which will be posted on the website for viewing.

Minturn Fitness Center Board met and discussed an operating loss. The Center is constantly looking to improve as it moves forward. It was Aldo Radammus' last Board Meeting and he was thanked for his services. Red Cliff memberships will now be included at the "local rate price."

The Minturn Candidates Forum will be held March 21, 2016, 5:30-7:00pm at Minturn Town Hall. This event is sponsored by the Vail Valley Partnership.

## PUBLIC HEARINGS AND ACTION ITEMS

### 6. **Discussion/Action Item: Letter of Support from the Town of Minturn to the United States Forest Service for an adjustment to the Travel Management Plan, allowing additional access for snowmobiles.**

Earle B. provided an overview of the history of the topic.

George B., and Ozzy O., explained that this is an attempt to open back up what has been historically accessible to snowmobiles.

Motion Shelley B., second by Ozzy O., to prepare a letter in support of the Holy Cross Powder Hounds to the USFS for an amendment to the current Travel Plan. Motion passed 7-0.

### 7. **Discussion/Action Item: Consideration of Resolution 07 – Series 2016 a Resolution approving Variance Request 16-01 at 386/392 Taylor St. – Hawkinson**

Janet H. reviewed maps provided within the packet. In order to lessen practical difficulties, and there are also extraordinary conditions which pertain the neighbors retaining wall, which is considered incompatible/practical difficulty. This variance is viewed as an improvement to the neighborhood by the Planning Commission.

Mr. David Clapp, 392 Taylor St, applicant and property owner was available for questions.

George B asked if this would create a “domino” type effect. Janet H. said that is a possibility. On-site parking is still a requirement, however Janet H. believes this is a standard that needs to be met anyway and may begin to improve other areas of the street.

George B. asked David Clapp about the ten foot setback and how that will affect the neighborhood moving forward. David Clapp indicated that the neighborhood would essentially look exactly the same.

Mr. Clapp also indicated that this new plan would allow for future development to include garages that would house eight vehicles.

Michael S., updated that the Model Traffic code most recently adopted allowed for the Taylor Street area to address the neighborhood on a case by case basis. This variance will address this issue for this property.

Mayor Hawkeye F. asked about the practical difficulty and how that would pertain to one of the properties in question. Jante H explained the situation on the left side of the lot and creating proper on-site parking with a garage.

Janet H. also acknowledged that the area of the zoning code has not been updated since 1986 and is outdated for the current needs of the neighborhood.

Hawkeye F. asked about the ownership of the drainage easement. David Clapp updated the Council that the easement was replaced. Hawkeye F asked if the easement was still valid, David Clapp believes it is. It was asked if the utility company was asked about the approval of this project, and David Clapp said he is awaiting the approval of Council first.

Water lines run through David Clapp’s property and would need to be addressed.

Janet H. indicated that the Land Use application that would go through the Design Review process would have to have approval from the owners of any easements on the property.

Mr. Karl Kreuger, 362 Taylor, does not live there, but owns the property. He was soured a bit by the Taylor St Townhome project and the way the Taylor St Townhomes handle the drainage issues, as well as parking in the town’s right of way. He is not against anyone getting ten more feet to work. He said he did not receive a certified letter and is concerned the process is not being followed to proper protocol. He has comments in regards to this being the wrong reason for a variance. He argues there are no proposed drawings included in the variance application. He said the retaining wall slants back and is not a safety issue or viewing issue. There is also no grading in the plans and he does not believe the objectives of the chapter fall in line with the argument being presented as “mumbo jumbo.” Mr. Kreuger continued to argue that this is not a hardship. Mr. Kreuger also argues that this variance has not been shown that there is a parking problem. He feels like this lowers the “bar” even lower than it already is. He feels this does not meet the criteria for a variance and that the proper procedure for notifying the neighboring area was not provided.

Shelley B. requested that the code be changed to remove the practical difficulty definition in the code. She also said that having to plow an additional 20' is not a "hardship." Shelley B. recommended the variance be tabled as the neighbors were not properly notified. In addition it should be sent back to the Planning Commission for a second review.

Mike S. said a new application would not need to be assessed any additional fees.

It was noted that as per the policy and practice in the Code, Mr. David Clapp sent out notifications using the County GIS system as an acceptable method for determining the 250' radius of determining notifications.

Mr. Karl Kreuger said his property is approximately 100' away from the Clapp residence in question and he did not receive notice. It was noted, based on the USPO Certified Mail receipts, that this was the only property missed.

Shelley B. reiterated the variance needs to be tabled in order to maintain the integrity of the process.

Mr. Kelly Toon, 531 Main Street is 50' away from another project currently being built and he indicated he was not notified about the project either. Michael S. updated that a site plan review/new house construction would not necessitate a public notification within a certain radius.

Motion by George B., second by Johnie R., to continue Resolution 07 – Series 2016 a Resolution approving Variance request 16-01 at 386/392 Taylor St until the date of a new public hearing can be established and properly noticed and the easement questions can be answered. Motion passed 7-0.

Matt S. asked about the specific reasons for the needed setback.

Earle B. asked about a ten foot setback being appropriate for the entire area.

Mayor Hawkeye F. called a five minute recess at 7:53 pm.

Mayor Hawkeye F. called the meeting back to order at 8:00 pm.

**8. Discussion/Action Item: Consideration of Resolution 08 – Series 2016 a Resolution in support of the Eagle River Fire Protection District's bond proposal - Powell**

Willy P gave a brief background of the offer being provided by the ERFDP in exchange for the use of the land.

Mr. Darryl Wiegert, 1716 Main St., representing the Eagle River Fire Protection District, is seeking support from the Minturn Town Council for the May 3<sup>rd</sup> bond issue up for vote. This bond will add new fire stations in Avon and in Edwards, CO in addition to the Minturn training

station. The Edwards station is very expensive to operate and the Avon station has a tank in the way of the firetruck parking, The Avon station would be at the main roundabout in Avon behind the new health facility on Metcalf Road. Mr. Wiegert believes this will improve the response time to Minturn. This will be a 25 million dollar bond issue. The mill levy from the last ERFDP ballot issue is sun setting as the debt is paid and this new bond should result in little tax increase.

Hawkeye F. asked what the timeline is for the project. Mr. Karl Bauer, Fire Chief, Eagle River Fire Protection Dist. said the Avon facility would be built first and would take about one year to complete. The design of the project is done.

Shelley B. asked about the Avon building and what would happen if the Avon fire station was approved, but not the portion for the police station. Chief Bauer said they would still be able to move forward independently.

Willy P. asked about the IGA and when the Minturn building would take place. Chief Bauer would like to see the District's training take place within the area and would also want to confirm the timeline.

Johnie R. asked about the supplemental decrease from 1.13 mils to 1.18 mils and another scheduled. The mills do not sunset for this, but would end after 30 years when the bond came to completion.

Mr. Ken Mintz, 167 Williams, asked how many times in the last 2-3 years a truck has come to Minturn from Avon. Chief Bauer said he can obtain those numbers and that it happens quite a bit. Mr. Ken Mintz also asked about the ladder truck and how often it has to come to Minturn. Chief Bauer again reiterated he would be get exact numbers. Mr. Mintz further said Minturn already has a traffic problem and a noise problem and that additional trucks coming through town would only add to the problem. Mr. Mintz asked of other training facilities within forty minutes. Chief Bauer said there are training facilities in Dotsero and Summit County. Chief Bauer educated the room on the rotation of fire trucks and equipment when at training facilities and that when a call is made for help, those trucks have to respond from the physical training facilities. Mr. Mintz asked if members of the Council were aware of any benefits the ERFDP would provide by adding the indicated infrastructure. Jason O. and Shelly B. listed the many stakeholders that would benefit from the addition of infrastructure on Cemetery Road, including the Public Works facility, Little Beach Park, the lease lot, Riverview Cemetery and more.

Motion by Jason O., second by Shelley B., to approve Resolution 08 – Series 2016 a Resolution in support of the Eagle River Fire Protection District's bond proposal. Motion passed 7-0.

Ms. Tracey LeClaire, ERFDP, asked that the electronic version of the flyer be sent out in an email blast or the town newsletter.

## COUNCIL AND STAFF REPORTS

### 9. Events Update

Michelle M. updated the Council on the many successes of the Minturn Skijoring event.

### 10. Town Planner

- Planner Report

Gardino's Mexican Restaurant sign was approved and is now open on Main Street.

Janet H. said that she adopted the Minturn code book from 1986, and the Master Plan that is seven years old. Janet H recommends/requests funding for a contractor to rewrite the code faster than small sections at a time. She does not know the finance numbers.

Shelley B. said the code has been recodified at least twice since she has been on Council. The zoning codes are constantly changing and the process is typically long. Shelley also indicated it may be unlawful to take away someone's property rights/development rights in the middle of purchasing a property.

Shelley B. asked about the P&Z minutes from March 9, 2016, under the entrance to town paragraph two. Minturn Bridge needs to be corrected to show the correct name of Bellm Bridge.

Matt S. asked about the costs for an outside contractor to assist in the updating of the code.

Willy P. believes some clean-up of the code could be advantageous to everyone. He believes it is timely and cost estimates for outside consultants can be acquired. Staff to get estimates and revisit.

*Note: the Minturn Municipal Code was recodified in 1986 and again in 2008. The MMC has been modified by Ordinance since then. Currently the Town is on Supplement #6 of the 2008 recodification.*

### 11. Town Manager

- Manager's Report

Willy P. updated the Council that Cemetery Bridge has recently been inspected and it is in good condition with 80,000lb trucks driving over it frequently.

The 100 Block plans are being submitted to CDOT and out to bid. Willy P. only expects minor changes from CDOT if any. Contract to be awarded at the April 4cxcvvvv, 2016 meeting. Pre bid meeting to take place March 23 and all property owners in the 100 block to also be invited to a meeting.

Open House to be a regular occurrence during the two-month construction period.

Jason O. asked about the planned construction on the west side of the 100 block and if the owners of the Minturn Country Club are still opposed to the project. Willy P. updated the Council that not all parties within the businesses themselves are in agreement. There is no clear vision for vehicles on 1<sup>st</sup> St to see the flow of traffic on the west side of Main Street and this project will be improving safety.

A hearing by the US Senate will take place in April or May of this year regarding the Bolts Lake Ditch.

Earle B asked about the TAP grant and the projected timeline to begin? Willy P. estimates around a year. Efforts are being made to apply for a second grant involving the construction of the engineered project.

- Action Report

Shelley B. asked about the Action report and that the term limits discussion be added to the report.

## **12. Town Council Comments**

Earle B. thanked Shelley B. and all the excellent work she has done over the years, it will be missed.

Matt S. agreed and included the Battle Mountain work.

Shelley B. thanked the residents of the Town for the last ten years. She will remain in town and be diligent in holding Staff and Council accountable. Shelley B. felt that Crave should have come and provided an update to the residents of Minturn rather than going through a Council committee member. Shelley B. said she felt she had experienced disrespect from both Council and staff at times. She stated she had two reasons for not running for Town Council; she felt she was disrespected a Council member and that she felt the Town Manager does not work well with women.

Jason O. thanked Minturn and said it has been an honor and privilege to serve the residents.

Mayor Hawkeye F reminded folks there is a candidate forum this Monday, March 21, 2016 at 5:30 pm here at Minturn Town Hall.

Reminder to vote April 5, 2016 here at Minturn Town Hall.

## **13. Town Attorney**

Michael Sawyer is prepared to provide an update to the Minturn Town Council regarding the Battle Mountain agreement status. Council recommended waiting for the new Town Council. No Executive Session needed.

## EXECUTIVE SESSION

- 14. Executive Session:** An executive session for the purpose of discussing specific legal questions with the attorney for the purposes of receiving legal advice under C.R.S. Section 24-6-402(4)(b), and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under CRS Section 24-6-402(4)(e) – Battle Mountain Resorts/Crave Communities Corp – Powell/Sawyer

As no Executive Session was needed, none was held. This agenda item was not taken up.

## FUTURE AGENDA ITEMS

**15. Next Meeting – April 6, 2016**

- Swearing in
- Committee appointments
- Battle Mountain update

**16. Future Meetings:**

- Work Session – Review of Job Descriptions - Powell
- Work Session on housing – Hawkinson
- Clear Vision areas on Town street corners – Hawkinson

**17. Set Future Meeting Dates**

a) Council Meetings:

- April 6, 2016
- April 20, 2016
- May 4, 2016

b) Planning & Zoning Commission Meetings:

**18. Other Dates:**

**19. Adjournment**

Motion by Johnie R., second by Ozzy O., to adjourn the meeting at 8:57 pm.

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Mayor Hawkeye Flaherty

ATTEST:

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Town Clerk, Jay Brunvand



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

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

*MEMORANDUM*

TO: Town Manger, Mayor, and Council  
FROM: Jay Brunvand, Treasurer/Clerk  
CC:  
DATE: Tuesday, March 29, 2016  
RE: Sticky Fingers LLC, 132 Main St

**SUMMARY:**

At tonight's meeting the Council is asked to approve a new Hotel and Liquor License. The location of this license is 132 Main Street and will be under the name existing business of Sticky Fingers Café. This license will allow them to expand their operations to include liquor.

**PREVIOUS COUNCIL ACTION:**

The Council has not considered this establishment in the past. However, many years ago the same location had a Tavern License under a former business called The Cougar Ridge Café.

**STAFF RECOMMENDATION:**

Approve the request as presented with the detailed conditions.

**RECOMMENDED MOTION:**

I move to approve the proposed Hotel and Restaurant Liquor license application for Sticky Fingers LLC, 132 Main St as presented with the following conditions:

- That the Notice of Public Hearing on this matter was posted on the premises by the Town Treasurer on Wednesday March 23, 2016 at least 10 days prior to the hearing, and the publication for the hearing was published in a newspaper of general circulation on March 24, 2016 at least 10 days prior to the Public Hearing.
- That the selling liquor in the manner currently proposed in the application is not in violation of the Minturn Municipal Code.

- That pursuant to C.R.S. 12-47-313(1)(d) – Restrictions for applications for new license, the physical location where the applicant proposes to exercise the privilege of selling liquor at the retail store, does not appear to be within 500 feet from any public or parochial school or principal campus of any college, university, or seminary.
- That Minturn Police Dept/ECISO has conducted a background investigation on the listed owner(s). This investigation was not able to identify any conditions or information, which in and of itself would forbid the approval of the applicant's license. However, the following considerations will be attached to the approval:
  - The applicant's fingerprints are still being reviewed by the CBI and the FBI and it is foreseeable this process will not be completed in a timely manner. Staff has preformed a background check using available resources and is comfortable recommending approval. In the event the applicant fingerprints are returned indicating sufficient reason to dispute good moral character the license will be forfeited.
  - The Local Liquor Authority has duly emphasized the requirement of operating an orderly establishment as related to noise and or live entertainment and the well being of the neighborhood.
  - Staff recommends the establishment maintain server training certification on all servers.

**ATTACHMENTS:**

- Application

**TOWN OF MINTURN  
LIQUOR LICENSING AUTHORITY**

Follow-up findings and report for application of a Hotel and Restaurant Liquor License.

Owner Name and Address: Sticky Fingers Café, P.O. Box 452 Minturn, CO 81645

Establishment Name and Address: Sticky Fingers Café, 132 Main St Minturn, CO 81645

**TO THE ABOVE APPLICANT AND OTHER INTERESTED PARTIES;**

Pursuant to Colorado Revised Statutes, 12-47-312(1), the applicant is hereby advised that with regard to the application for a Hotel and Restaurant Liquor License, an investigation has been made, and based on the results thereof, the following has been determined:

That the application was filed on February 26, 2016 in the Town Treasurer's office and a public hearing has been scheduled for Wednesday April 6, 2016. In accordance with C.R.S. 12-47-311(1) the Town must hold the application for not less than 30 days; this hearing date represents 39 days.

That the premises being considered does not currently hold a liquor license; however the storefront has previously operated with a Tavern liquor license a number of years ago. This location will be a new Hotel and Restaurant licenses. The current operation, Sticky Fingers Café, has been operating since 2010.

That the Notice of Public Hearing on this matter was posted on the premises by the Town Treasurer on Wednesday March 23, 2016, at least 10 days prior to the hearing, and that the publication of the hearing was published in a newspaper of general circulation on March 24, 2015 at least 10 days prior to the Public Hearing.

That from the evidence submitted the applicant is leasing the premises where the proposed liquor license will be utilized from Tim and Bernadette Simon, and that Tim and Bernadette Simon are the lawful owners of the premises. This lease expires on October 1, 2017.

That selling liquor in the manner currently proposed in the application is not in violation of the zoning codes as stated in the Minturn Municipal Building Code – Chapter 16. This section states that a Commercial Use is a use by right. This establishment is leasing approximately 1,000 sqft. and that the Minturn Planning Department has confirmed since this operation is an existing establishment it will stand on its previous approvals.

That pursuant to C.R.S. 12-47-313(1)(d) – Restrictions for applications for new license, the building where the applicant proposes to exercise the privilege of selling liquor at retail does not appear to be within 500 feet from any public or parochial school or the principal campus of any college, university or seminary.

That Minturn Police Department/ECSO has conducted a background investigation on Tiffany Sage Pierson, the owner and manager of Sticky Fingers Cafe and has found no conditions which in and of itself would preclude approval.

The public hearing on this application will be held on Wednesday, April 6, 2016 at 6:30m in the Council Chambers of the Minturn Community Center, 302 Pine St, Minturn, CO. At said hearing, the applicant shall have an opportunity to be heard regarding all matters related to this application, including all matters set forth herein.

The applicant is advised and encouraged to read a copy of the State of Colorado Liquor and Beer Codes and Regulations.

Local Liquor Licensing Authority  
Minturn Town Treasurer

  
Jay Brunvand

Dated this 22 day of March, 2016.

## Colorado Liquor Retail License Application

<input checked="" type="checkbox"/> <b>New License</b> <input type="checkbox"/> <b>New-Concurrent</b> <input type="checkbox"/> <b>Transfer of Ownership</b>			
<ul style="list-style-type: none"> <li>• All answers must be printed in black ink or typewritten</li> <li>• Applicant must check the appropriate box(es)</li> <li>• Applicant should obtain a copy of the Colorado Liquor and Beer Code: <a href="http://www.colorado.gov/enforcement/liquor">www.colorado.gov/enforcement/liquor</a></li> <li>• Local License Fee \$ _____</li> </ul>			
1. Applicant is applying as a/an <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership (includes Limited Liability and Husband and Wife Partnerships)		<input type="checkbox"/> Individual <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Association or Other	
2. Applicant If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation <u>Sticky Fingers Cafe</u>			FEIN Number _____
2a. Trade Name of Establishment (DBA) <u>Sticky Fingers Cafe</u>		State Sales Tax Number <u>26651355-0000</u>	Business Telephone <u>970-827-5353</u>
3. Address of Premises (specify exact location of premises, include suite/unit numbers) <u>132 Main St</u>			
City <u>Minturn</u>	County <u>Eagle</u>	State <u>CO</u>	ZIP Code <u>81645</u>
4. Mailing Address (Number and Street) <u>P.O. Box 452</u>		City or Town <u>Minturn</u>	State <u>CO</u>
5. Email Address <u>stickyfingersbakedgoods@gmail.com</u>			
6. If the premises currently has a liquor or beer license, you must answer the following questions			
Present Trade Name of Establishment (DBA) _____	Present State License Number _____	Present Class of License _____	Present Expiration Date _____
<b>Section A Nonrefundable Application Fees</b>		<b>Section B (Cont.) Liquor License Fees</b>	
<input checked="" type="checkbox"/> Application Fee for New License ..... \$ 600.00 <input type="checkbox"/> Application Fee for New License w/Concurrent Review .... \$ 700.00 <input type="checkbox"/> Application Fee for Transfer ..... \$ 600.00		<input type="checkbox"/> Liquor Licensed Drugstore (City)..... \$227.50 <input type="checkbox"/> Liquor Licensed Drugstore (County) ..... \$312.50 <input type="checkbox"/> Manager Registration - H & R ..... \$ 75.00 <input type="checkbox"/> Manager Registration - Tavern ..... \$ 75.00 <input type="checkbox"/> Master File Location Fee ..... \$ 25.00 X _____ Total _____ <input type="checkbox"/> Master File Background ..... \$250.00 X _____ Total _____ <input type="checkbox"/> Optional Premises License (City) ..... \$500.00 <input type="checkbox"/> Optional Premises License (County) ..... \$500.00 <input type="checkbox"/> Racetrack License (City) ..... \$500.00 <input type="checkbox"/> Racetrack License (County) ..... \$500.00 <input type="checkbox"/> Resort Complex License (City) ..... \$500.00 <input type="checkbox"/> Resort Complex License (County) ..... \$500.00 <input type="checkbox"/> Retail Gaming Tavern License (City) ..... \$500.00 <input type="checkbox"/> Retail Gaming Tavern License (County) ..... \$500.00 <input type="checkbox"/> Retail Liquor Store License (City) ..... \$227.50 <input type="checkbox"/> Retail Liquor Store License (County) ..... \$312.50 <input type="checkbox"/> Tavern License (City) ..... \$500.00 <input type="checkbox"/> Tavern License (County) ..... \$500.00 <input type="checkbox"/> Vintners Restaurant License (City) ..... \$750.00 <input type="checkbox"/> Vintners Restaurant License (County) ..... \$750.00	
<b>Section B Liquor License Fees</b>			
<input type="checkbox"/> Add Optional Premises to H & R ..... \$100.00 X _____ Total _____ <input type="checkbox"/> Add Related Facility to Resort Complex ..... \$ 75.00 X _____ Total _____ <input type="checkbox"/> Arts License (City) ..... \$308.75 <input type="checkbox"/> Arts License (County) ..... \$308.75 <input type="checkbox"/> Beer and Wine License (City) ..... \$351.25 <input type="checkbox"/> Beer and Wine License (County) ..... \$436.25 <input type="checkbox"/> Brew Pub License (City) ..... \$750.00 <input type="checkbox"/> Brew Pub License (County) ..... \$750.00 <input type="checkbox"/> Club License (City) ..... \$308.75 <input type="checkbox"/> Club License (County) ..... \$308.75 <input type="checkbox"/> Distillery Pub License (City) ..... \$750.00 <input type="checkbox"/> Distillery Pub License (County) ..... \$750.00 <input checked="" type="checkbox"/> Hotel and Restaurant License (City) ..... \$500.00 <input type="checkbox"/> Hotel and Restaurant License (County) ..... \$500.00 <input type="checkbox"/> Hotel and Restaurant License w/one opt premises (City) ..... \$600.00 <input type="checkbox"/> Hotel and Restaurant License w/one opt premises (County) ..... \$600.00			
<b>Questions? Visit: <a href="http://www.colorado.gov/enforcement/liquor">www.colorado.gov/enforcement/liquor</a> for more information</b>			
<b>Do not write in this space - For Department of Revenue use only</b>			
<b>Liability Information</b>			
License Account Number _____	Liability Date _____	License Issued Through (Expiration Date) _____	Total \$ _____

## Application Documents Checklist and Worksheet

**Instructions:** This checklist should be utilized to assist applicants with filing all required documents for licensure. All documents must be properly signed and correspond with the name of the applicant exactly. All documents must be typed or legibly printed. Upon final State approval the license will be mailed to the local licensing authority. Application fees are nonrefundable.

**Questions? Visit:** [www.colorado.gov/enforcement/liquor](http://www.colorado.gov/enforcement/liquor) for more information

Items submitted, please check all appropriate boxes completed or documents submitted	
<b>I.</b>	<b>Applicant information</b> <input checked="" type="checkbox"/> A. Applicant/Licensee identified <input checked="" type="checkbox"/> B. State sales tax license number listed or applied for at time of application <input checked="" type="checkbox"/> C. License type or other transaction identified <input type="checkbox"/> D. Return originals to local authority <input checked="" type="checkbox"/> E. Additional information may be required by the local licensing authority
<b>II.</b>	<b>Diagram of the premises</b> <input checked="" type="checkbox"/> A. No larger than 8 1/2" X 11" <input type="checkbox"/> B. Dimensions included (does not have to be to scale). Exterior areas should show type of control (fences, walls, entry/exit points, etc.) <input checked="" type="checkbox"/> C. Separate diagram for each floor (if multiple levels) <input type="checkbox"/> D. Kitchen - identified if Hotel and Restaurant <input checked="" type="checkbox"/> E. Bold/Outlined Licensed Premises
<b>III.</b>	<b>Proof of property possession (One Year Needed)</b> <input type="checkbox"/> A. Deed in name of the Applicant (or) (matching question #2) date stamped / filed with County Clerk <input checked="" type="checkbox"/> B. Lease in the name of the Applicant (or) (matching question #2) <input type="checkbox"/> C. Lease Assignment in the name of the Applicant with proper consent from the Landlord and acceptance by the Applicant <input type="checkbox"/> D. Other Agreement if not deed or lease. (matching question #2) (Attach prior lease to show right to assumption)
<b>IV.</b>	<b>Background information and financial documents</b> <input type="checkbox"/> A. Individual History Records(s) (Form DR 8404-I) <input checked="" type="checkbox"/> B. Fingerprints taken and submitted to local authority (State Authority for Master File applicants) <input type="checkbox"/> C. Purchase agreement, stock transfer agreement, and or authorization to transfer license <input type="checkbox"/> D. List of all notes and loans (Copies to also be attached)
<b>V.</b>	<b>Sole proprietor / husband and wife partnership</b> <input type="checkbox"/> A. Form DR4679 <input type="checkbox"/> B. Copy of State issued Driver's License or Colorado Identification Card for each applicant
<b>VI.</b>	<b>Corporate applicant information (if applicable)</b> <input type="checkbox"/> A. Certificate of Incorporation dated stamped by the Secretary of State <input type="checkbox"/> B. Certificate of Good Standing <input type="checkbox"/> C. Certificate of Authorization if foreign corporation <input type="checkbox"/> D. List of officers, directors and stockholders of Applying Corporation (If wholly owned, designate a minimum of one person as Principal Officer of Parent)
<b>VII.</b>	<b>Partnership applicant information (if applicable)</b> <input type="checkbox"/> A. Partnership Agreement (general or limited). Not needed if husband and wife <input type="checkbox"/> B. Certificate of Good Standing (If formed after 2009)
<b>VIII.</b>	<b>Limited Liability Company applicant information (if applicable)</b> <input checked="" type="checkbox"/> A. Copy of articles of organization (date stamped by Colorado Secretary of State's Office) <input checked="" type="checkbox"/> B. Certificate of Good Standing <input checked="" type="checkbox"/> C. Copy of operating agreement <input checked="" type="checkbox"/> D. Certificate of Authority if foreign company
<b>IX.</b>	<b>Manager registration for hotel and restaurant, tavern licenses when included with this application</b> <input checked="" type="checkbox"/> A. \$75.00 fee <input checked="" type="checkbox"/> B. Individual History Record (DR 8404-I) <input checked="" type="checkbox"/> C. If owner is managing, no fee required

7. Is the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager under the age of twenty-one years? <span style="float:right">Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></span>				
8. Has the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager ever (in Colorado or any other state): <span style="float:right"><input type="checkbox"/> <input checked="" type="checkbox"/></span>				
(a) Been denied an alcohol beverage license? <span style="float:right"><input type="checkbox"/> <input checked="" type="checkbox"/></span>				
(b) Had an alcohol beverage license suspended or revoked? <span style="float:right"><input type="checkbox"/> <input checked="" type="checkbox"/></span>				
(c) Had interest in another entity that had an alcohol beverage license suspended or revoked? <span style="float:right"><input type="checkbox"/> <input checked="" type="checkbox"/></span>				
If you answered yes to 8a, b or c, explain in detail on a separate sheet.				
9. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes", explain in detail. <span style="float:right"><input type="checkbox"/> <input checked="" type="checkbox"/></span>				
10. Are the premises to be licensed within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary? <span style="float:right"><input type="checkbox"/> <input checked="" type="checkbox"/></span>				
Waiver by local ordinance? <input type="checkbox"/> <input type="checkbox"/>				
Other: _____ <input type="checkbox"/> <input type="checkbox"/>				
11. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a Limited Liability Company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any current financial interest in said business including any loans to or from a licensee. <span style="float:right"><input type="checkbox"/> <input checked="" type="checkbox"/></span>				
12. Does the Applicant, as listed on line 2 of this application, have legal possession of the premises by virtue of ownership, lease or other arrangement? <span style="float:right"><input checked="" type="checkbox"/> <input type="checkbox"/></span>				
<input type="checkbox"/> Ownership <input checked="" type="checkbox"/> Lease <input type="checkbox"/> Other (Explain in Detail) _____				
a. If leased, list name of landlord and tenant, and date of expiration, exactly as they appear on the lease:				
Landlord	Tenant			Expires
Tim Simon	Sage			10-1-17
b. Is a percentage of alcohol sales included as compensation to the landlord? If yes complete question 13. <span style="float:right"><input type="checkbox"/> <input checked="" type="checkbox"/></span>				
c. Attach a diagram and outline or designate the area to be licensed (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11".				
13. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies), will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business. Attach a separate sheet if necessary.				
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
<b>Attach copies of all notes and security instruments, and any written agreement, or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.</b>				
14. Optional Premises or Hotel and Restaurant Licenses with Optional Premises: <span style="float:right"><input type="checkbox"/> <input checked="" type="checkbox"/></span>				
Has a local ordinance or resolution authorizing optional premises been adopted? <span style="float:right"><input type="checkbox"/> <input checked="" type="checkbox"/></span>				
Number of additional Optional Premise areas requested. (See license fee chart) <input type="text"/>				
15. Liquor Licensed Drug Store applicants, answer the following:				
(a) Does the applicant for a Liquor Licensed Drug Store have a license issued by the Colorado Board of Pharmacy? <span style="float:right"><input type="checkbox"/> <input checked="" type="checkbox"/></span>				
If "yes" a copy of license must be attached.				
16. Club Liquor License applicants answer the following: <b>Attach a copy of applicable documentation</b>				
(a) Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain? <span style="float:right"><input type="checkbox"/> <input checked="" type="checkbox"/></span>				
(b) Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain? <span style="float:right"><input type="checkbox"/> <input checked="" type="checkbox"/></span>				
(c) How long has the club been incorporated? <input type="text"/>				
(d) Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above? <span style="float:right"><input type="checkbox"/> <input checked="" type="checkbox"/></span>				
17. Brew-Pub License or Vintner Restaurant Applicants answer the following:				
(a) Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached) <span style="float:right"><input type="checkbox"/> <input checked="" type="checkbox"/></span>				
18a. For all on-premises applicants.				
(If this is an application for a Hotel, Restaurant or Tavern License, the manager must also submit an individual History Record - DR 8404-1)				
Last Name of Manager	First Name of Manager			Date of Birth
Pearson	Tiffany Sage			12/26/72
18b. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number. <span style="float:right"><input type="checkbox"/> <input checked="" type="checkbox"/></span>				
Name	Type of License	Account Number		
19. Tax Distraint Information. Does the applicant or any other person listed on this application and including its partners, officers, directors, stockholders, members (LLC) or managing members (LLC) and any other persons with a 10% or greater financial interest in the applicant currently have an outstanding tax distraint issued to them by the Colorado Department of Revenue? <span style="float:right"><input type="checkbox"/> <input checked="" type="checkbox"/></span>				
If yes, provide an explanation and include copies of any payment agreements.				

20. If applicant is a corporation, partnership, association or limited liability company, applicant must list all **Officers, Directors, General Partners, and Managing Members**. In addition, applicant must list any stockholders, partners, or members with **ownership of 10% or more in the Applicant**. All persons listed below must also attach form DR 8404-I (Individual History Record), and submit fingerprint cards to the local licensing authority.

Name	Home Address, City & State	DOB	Position	% Owned
Sage Tiffany Pierson	156 Lions Lane Minturn CO. 81045	12-26-92	Owner	100

\*\* If Applicant is owned 100% by a parent company, please list the designated principal officer on question #20  
 \*\* Corporations - The President, Vice-President, Secretary and Treasurer must be accounted for on question #20 (Include ownership percentage if applicable)  
 \*\* If total ownership percentage disclosed here does not total 100%, applicant must check this box:  
 Applicant affirms that no individual other than these disclosed herein, owns 10% or more of the applicant, and does not have ownership in a prohibited liquor license pursuant to Title 47 or 48, C.R.S.

**Oath Of Applicant**

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.

Authorized Signature 	Printed Name and Title Sage T. Pierson	Date 2-25-16
--------------------------	-------------------------------------------	-----------------

**Report and Approval of Local Licensing Authority (City/County)**

Date application filed with local authority 2/26/16	Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application 12-47-311 (1) C.R.S.)
--------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------

The Local Licensing Authority Hereby Affirms that each person required to file DR 8404-I (Individual History Record) has:

Been fingerprinted  
 Been subject to background investigation, including NCIC/CCIC check for outstanding warrants

That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with, and aware of, liquor code provisions affecting their class of license

(Check One)  
 Date of inspection or anticipated date \_\_\_\_\_  
 Will conduct inspection upon approval of state licensing authority

The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 12, Article 46 or 47, C.R.S.  
**Therefore, this application is approved.**

Local Licensing Authority for TOWN OF MINTURN	Telephone Number 970827 5645	<input checked="" type="checkbox"/> Town, City <input type="checkbox"/> County	
Signature	Print	Title	Date
Signature (attest)	Print	Title	Date

## Individual History Record

To be completed by the following persons, as applicable: sole proprietors; general partners regardless of percentage ownership, and limited partners owning 10% or more of the partnership; all principal officers of a corporation, all directors of a corporation, and any stockholder of a corporation owning 10% or more of the outstanding stock; managing members or officers of a limited liability company, and members owning 10% or more of the company; and any intended registered manager of Hotel and Restaurant or Tavern class of retail license

**Notice:** This individual history record requires information that is necessary for the licensing investigation or inquiry. All questions must be answered in their entirety or the license application may be delayed or denied. If a question is not applicable, please indicate so by "N/A". Any deliberate misrepresentation or material omission may jeopardize the license application. (Please attach a separate sheet if necessary to enable you to answer questions completely)

1. Name of Business <i>Sticky Fingers Cafe</i>		Home Phone Number <i>970-827-5353</i>	Cellular Number <i>970-390-6004</i>	
2. Your Full Name (last, first, middle) <i>Tiffany Dawn Pierson</i>		3. List any other names you have used		
4. Mailing address (if different from residence) <i>P.O. Box 452 Minturn Co 81645</i>		Email Address <i>sagepierson@gmail.com</i>		
5. List current residence address. Include any previous addresses within the last five years. (Attach separate sheet if necessary)				
Street and Number		City, State, Zip		From
To				
Current	<i>156 Liono Lane</i>	<i>Minturn Co 81645</i>	<i>2005</i>	<i>2016</i>
Previous				
6. List all employment within the last five years. Include any self-employment. (Attach separate sheet if necessary)				
Name of Employer or Business		Address (Street, Number, City, State, Zip)		Position Held
From		To		
		<i>Sticky Fingers Cafe 132 Main St Minturn Co 81645</i>	<i>owner</i>	<i>2010 2016</i>
7. List the name(s) of relatives working in or holding a financial interest in the Colorado alcohol beverage industry.				
Name of Relative		Relationship to You		Position Held
Name of Licensee				
8. Have you ever applied for, held, or had an interest in a Colorado Liquor or Beer License, or loaned money, furniture, fixtures, equipment or inventory to any licensee? (If yes, answer in detail.) <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>				
9. Have you ever received a violation notice, suspension, or revocation for a liquor law violation, or have you applied for or been denied a liquor or beer license anywhere in the United States? (If yes, explain in detail.) <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>				

10. Have you ever been convicted of a crime or received a suspended sentence, deferred sentence, or forfeited bail for any offense in criminal or military court or do you have any charges pending? (If yes, explain in detail.)  Yes  No

D.V.I. 1993, 2011 Obstruction of Justice, 2015 Day at Large

11. Are you currently under probation (supervised or unsupervised), parole, or completing the requirements of a deferred sentence? (If yes, explain in detail.)  Yes  No

12. Have you ever had any professional license suspended, revoked, or denied? (If yes, explain in detail.)  Yes  No

**Personal and Financial Information**

Unless otherwise provided by law, the personal information required in question #13 will be treated as confidential. The personal information required in question #13 is solely for identification purposes.

13a. Date of Birth 12-26-72 b. Social Security Number 527-65-2596 c. Place of Birth Arizona Scottsdale d. U.S. Citizen  Yes  No  
 e. If Naturalized, state where \_\_\_\_\_ f. When \_\_\_\_\_ g. Name of District Court \_\_\_\_\_

h. Naturalization Certificate Number \_\_\_\_\_ i. Date of Certification \_\_\_\_\_ j. If an Alien, Give Alien's Registration Card Number \_\_\_\_\_ k. Permanent Residence Card Number \_\_\_\_\_

l. Height 56 m. Weight 138 n. Hair Color BR o. Eye Color BR p. Gender F q. Race White r. Do you have a current Driver's License/ID? If so, give number and state.  Yes  No # 942141696 State COLO

14. Financial Information.  
 a. Total purchase price or investment being made by the applying entity, corporation, partnership, limited liability company, other. \$ 50,000.00

b. List the total amount of the personal investment, made by the person listed on question #2, in this business including any notes, loans, cash, services or equipment, operating capital, stock purchases or fees paid. \$ 80,000.00

\* If corporate investment only please skip to and complete section (d)  
 \*\* Section b should reflect the total of sections c and e

c. Provide details of the personal investment described in 14b. You must account for all of the sources of this investment. (Attach a separate sheet if needed)

Type: Cash, Services or Equipment	Account Type	Bank Name	Amount

d. Provide details of the corporate investment described in 14 b. You must account for all of the sources of this investment. (Attach a separate sheet if needed)

Type: Cash, Services or Equipment	Loans	Account Type	Bank Name	Amount
<u>Cash eq. Investment</u>	<u> </u>	<u>Checking</u>	<u>Wells Fargo</u>	<u>50,000.00</u>

e. Loan Information (Attach copies of all notes or loans)

Name of Lender	Address	Term	Security	Amount
<u>N/A</u>				

**Oath of Applicant**

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

Authorized Signature Sage Peterson Print Signature SAGE T PIERSON Title OWNER Date 01-25

BATHROOM

DRY ROOM

LIQUOR

FREEZER

FREEZER

COOLER

SINK AREA

HOOD AREA

COFFEE  
COUNTER

ISLAND

TABLE

COOLER

COFFEE  
TABLE

TABLE

TABLE

COUCH

COUCH

TABLE

TABLE

TABLE

TABLE

WINDOW

DOOR

20 FT

WINDOW

50 FT

OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE OF FACT OF GOOD STANDING**

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

STICKY FINGERS, LLC

is a

Limited Liability Company

formed or registered on 06/10/2010 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20101332992 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 02/24/2016 that have been posted, and by documents delivered to this office electronically through 02/25/2016 @ 14:07:30 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 02/25/2016 @ 14:07:30 in accordance with applicable law. This certificate is assigned Confirmation Number 9521088



Secretary of State of the State of Colorado

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

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

April 1, 2016

To: Town Council  
Fr: William Powell, Town Manager  
Jay Brunvand, Town Treasurer  
Janet Hawkinson, Town Planner

Re: 100 Block Improvements and Award of Construction Contract

Request: Award 100 Block Construction Contract to Icon, Inc.

### **Background**

The 100 Block Project is the second phase of the Entryway/100 Block Project. Phase 1 of the project was completed last year, with some finishing landscape touches to be completed this Spring. Town Council decided in 2015 to initiate these improvements and the decision was supported by the following.

### **Master Plan**

The Master Plan supports these improvements, as follows.

Ensure that Public Facilities are Planned and Implemented to Support New Growth and Existing Population Centers • (PFS 1.1) Implement streetscape improvements with pedestrian-scale site elements including sidewalks, paving, signage, lighting and site furnishings • (PFS 1.2) Develop a Capital Improvement Plan prioritizing upgrades to existing infrastructure including roads, water and storm water drainage and pedestrian/bicycle amenities.

### **Safety Improvements**

The plan for both phases is intended to cure several safety issues in the area: eliminate dangerous backing out of cars, assure intersections have clear vision areas, eliminate trip hazards, having more uniform standards of curb, gutter and sidewalk, and improved storm drainage.

### **DOLA Grant**

The town was awarded a Mineral and Energy Impact Grant from the State Department of Local Affairs (DOLA) in September, 2015, in the amount of \$281,165. The deadline for the expenditure of the grant is 12/31/2016. The grant covers a portion of the project.

### **Schedule**

It is imperative the town keeps the 100 Block Project on a tight schedule. Award of the contract on April 4 is necessary so the project can be completed before the Minturn Market opens in early July. It will take the winning contractor about one week to submit required bonds; then the town can issue the Notice to Proceed in mid-April. The construction schedule gives the contractor two months to complete the project, which means the project will be complete in mid-June. Add approximately 10 weather days and completion will be approximately June 25. The first Minturn Market is scheduled for July 2.

**Costs**

Please see the attached spreadsheet demonstrating the financial effect of the project on the general fund budget. When the budget was written in November, 2015 the town did not have accurate estimates of phase 2, so a “plug” number of \$500,000 is in the budget.

**Keep the Momentum Going**

We have been successful in obtaining grants from the State of Colorado—both the DOLA grant and the TAP grant which will engineer improvements from Toledo St. to Maloit Park Road. We now have the ear of CDOT to potentially obtain more funding, but it is important the town demonstrate diligence on the grants we have received and actual progress of construction improvements.

**Recommended Motion:**

Motion to award the Entry Way Project Phase II to ICON Inc subject to receipt of the CDOT Special Use Permit as presented.

	2015		2016			
	Entryway Project	Tap Grant	Entryway Project Year To Date	TAP Grant	Budget	Budget Remaining
<b>Revenue</b>						
DOLA Grant Proceeds	60,943.97				171,596.00	171,596.00
TAP Grant Proceeds					282,539.00	282,539.00
Town Contribution	155,811.22					
BMR Transfer					530,000.00	530,000.00
<b>TOTAL REVENUE</b>	<b>216,755.19</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>984,135.00</b>	<b>984,135.00</b>
<b>Expense</b>						
Entryway Project	216,755.19		12,120.32		678,500.00	
TAP Grant					374,913.00	
<b>NET TOTAL</b>	<b>0.00</b>	<b>0.00</b>	<b>-12,120.32</b>	<b>0.00</b>	<b>-69,278.00</b>	

2015 BFB	1,276,706.00	
2015 Net Inc/Exp	-81,324.77	
Est 01/01/16 BFB		1,195,381.23
2016 Rev less Grants	1,742,756.00	
2016 Exp Less Sp Proj	-1,657,992.00	
2016 Est 12/31/16 EFB	84,764.00	1,280,145.23
2016 Restricted Reserve	-860,300.00	
Avail Cash Reserve		419,845.23

	2016 Actual	2016 Budget	Budget Remaining
REV-DOLA Grant	0.00	171,596.00	171,596.00
REV-TAP Grant	0.00	282,539.00	282,539.00
BMR Transfer	0.00	530,000.00	530,000.00
Net Grant Rev	0.00	984,135.00	984,135.00
EXP-Entryway	12,120.32	678,500.00	666,379.68
EXP-TAP Grant	0.00	374,913.00	374,913.00
Net Sp Projects	12,120.32	1,053,413.00	1,041,292.68
Net Income/Expense	-12,120.32	-69,278.00	
Est Ending Cash Reserve	-407,724.91	350,567.23	

**Minturn 100 Block : Bid Tabulation**

Proposing Contractor Name: \_\_\_\_\_

DOT R	Description	Qty.	Unit	Icon Inc.		United		Schofield		Site Resource	
				Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
<b>1 General Conditions</b>											
1.1	Mobilization	1	EA	\$ 37,268.00	\$ 37,268.00	\$ 65,000.00	\$ 65,000.00	\$ 93,813.00	\$ 93,813.00		\$ -
1.2	Traffic Control	1	EA	\$ 45,208.50	\$ 45,208.50	\$ 197,000.00	\$ 197,000.00	\$ 119,360.00	\$ 119,360.00		\$ -
				<b>Section Subtotal:</b>	<b>\$ 82,476.50</b>	<b>\$ 262,000.00</b>	<b>\$ 262,000.00</b>	<b>\$ 213,173.00</b>	<b>\$ 213,173.00</b>		<b>\$ -</b>

<b>2 Demolition</b>											
2.1	Saw cut asphalt	1,008	LF	\$ 3.35	\$ 3,376.80	\$ 7.00	\$ 7,056.00	\$ 5.00	\$ 5,040.00	\$ 5.00	\$ 5,040.00
2.2	Asphalt removal	410	SY	\$ 19.68	\$ 8,068.80	\$ 8.00	\$ 3,280.00	\$ 30.00	\$ 12,300.00	\$ 6.75	\$ 2,767.50
2.3	Sign removal (remove and relocate bus sign)	1	EA	\$ 693.51	\$ 693.51	\$ 105.00	\$ 105.00	\$ 500.00	\$ 500.00	\$ 350.00	\$ 350.00
2.4	Concrete removal	522	SY	\$ 23.74	\$ 12,392.28	\$ 22.00	\$ 11,484.00	\$ 46.00	\$ 24,012.00	\$ 30.00	\$ 15,660.00
2.5	Lights and light pole (deliver to Town)	5	EA	\$ 257.32	\$ 1,286.60	\$ 1,200.00	\$ 6,000.00	\$ 880.00	\$ 4,400.00		\$ -
2.6	Power pole with Cobra Head Light at Anglers	2	EA	\$ 1,280.43	\$ 2,560.86	\$ 1,800.00	\$ 3,600.00	\$ 1,320.00	\$ 2,640.00		\$ -
2.8	18" Storm Pipe	220	LF	\$ 21.95	\$ 4,829.00	\$ 17.00	\$ 3,740.00	\$ 20.00	\$ 4,400.00		\$ -
2.9	Storm Inlets	3	EA	\$ 720.82	\$ 2,162.46	\$ 375.00	\$ 1,125.00	\$ 735.00	\$ 2,205.00	\$ 3,000.00	\$ 9,000.00
2.10	Fire Hydrant and Tee	1	EA	\$ 8,695.28	\$ 8,695.28	\$ 455.00	\$ 455.00	\$ 3,870.00	\$ 3,870.00		\$ -
2.11	Gray concrete sidewalk at Treasurers (approximately 50 sq ft)	1	LS	\$ 696.47	\$ 696.47	\$ 400.00	\$ 400.00	\$ 614.00	\$ 614.00		\$ -
2.12	Sawcut and remove 1ft wide of walk approx. 10ft at Treasurers	1	LS	\$ 865.36	\$ 865.36	\$ 400.00	\$ 400.00	\$ 435.00	\$ 435.00		\$ -
2.13	Light pole base, sawcut and remove walk (Anglers)	1	LS	\$ 1,429.69	\$ 1,429.69	\$ 1,800.00	\$ 1,800.00	\$ 2,200.00	\$ 2,200.00		\$ -
2.14	Concrete Light pole base with river rock	3	LS	\$ 672.98	\$ 2,018.94	\$ 1,500.00	\$ 4,500.00	\$ 1,615.00	\$ 4,845.00		\$ -
2.15	12" Water Valve	1	EA	\$ 6,220.65	\$ 6,220.65	\$ 700.00	\$ 700.00	\$ 5,282.00	\$ 5,282.00		\$ -
				<b>Section Subtotal:</b>	<b>\$ 55,296.70</b>	<b>\$ 44,645.00</b>	<b>\$ 44,645.00</b>	<b>\$ 72,743.00</b>	<b>\$ 72,743.00</b>		<b>\$ 32,817.50</b>

<b>3 Roadway Construction</b>											
3.1	Mill Asphalt	668	SY	\$ 11.94	\$ 7,975.92	\$ 6.00	\$ 4,008.00	\$ 18.00	\$ 12,024.00		\$ -
3.2	Asphalt 6" Overlay, CDOT SX Grading-75, PG 58-28) w/10%	84	TONS	\$ 128.40	\$ 10,785.60	\$ 138.00	\$ 11,592.00	\$ 132.00	\$ 11,088.00		\$ -
3.3	Class 6 Road Base, under all concrete w/10% overage	339	TONS	\$ 54.62	\$ 18,516.18	\$ 59.00	\$ 20,001.00	\$ 166.00	\$ 56,274.00	\$ 60.00	\$ 20,340.00
3.4	Concrete Curb & Gutter (Type 2-2" pan, Section II-B, Catch)	928	LF	\$ 27.45	\$ 25,473.60	\$ 39.00	\$ 36,192.00	\$ 54.00	\$ 50,112.00	\$ 36.00	\$ 33,408.00
3.5	Concrete Curb & Gutter (Mountable, Catch)	174	LF	\$ 34.35	\$ 5,976.90	\$ 46.00	\$ 8,004.00	\$ 59.00	\$ 10,266.00	\$ 37.00	\$ 6,438.00
3.6	6" Concrete curb (back of planters)	73	LF	\$ 25.04	\$ 1,827.92	\$ 52.00	\$ 3,796.00	\$ 33.00	\$ 2,409.00		\$ -
3.7	10" Curb Wall (at Country Club)	93	LF	\$ 18.30	\$ 1,701.90	\$ 48.00	\$ 4,464.00	\$ 178.00	\$ 16,554.00		\$ -
3.8	Sidewalks	682	LF	\$ 43.82	\$ 29,885.24	\$ 49.00	\$ 33,418.00	\$ 48.00	\$ 32,736.00		\$ -
3.9	9' Sidewalks (East side of Crosswalk)	25	LF	\$ 119.26	\$ 2,981.25	\$ 92.00	\$ 2,300.00	\$ 72.00	\$ 1,800.00		\$ -
3.10	8" Concrete pan (Nelson)	37	LF	\$ 114.97	\$ 4,253.89	\$ 118.00	\$ 4,366.00	\$ 80.00	\$ 2,960.00		\$ -
3.11	ADA Ramps	7	EA	\$ 1,780.48	\$ 12,463.36	\$ 1,500.00	\$ 10,500.00	\$ 2,200.00	\$ 15,400.00	\$ 2,146.00	\$ 15,022.00
3.12	Truncated Domes	8	EA	\$ 550.30	\$ 4,402.40	\$ 750.00	\$ 6,000.00	\$ 315.00	\$ 2,520.00	\$ 600.00	\$ 4,800.00
3.13	Signage - Signalized Flashing Ped. Sign, Double Sided	2	EA	\$ 8,316.67	\$ 16,633.34	\$ 8,850.00	\$ 17,700.00	\$ 8,470.00	\$ 16,940.00		\$ -
3.14	Striping (Yellow)	1,031	LF	\$ 0.71	\$ 732.01	\$ 0.75	\$ 773.25	\$ 1.00	\$ 1,031.00	\$ 2.00	\$ 2,062.00
3.15	Striping (White) including parking striping	872	LF	\$ 0.71	\$ 619.12	\$ 0.75	\$ 654.00	\$ 1.00	\$ 872.00	\$ 2.00	\$ 1,744.00
3.16	Crosswalks	4	EA	\$ 1,799.74	\$ 7,198.96	\$ 1,900.00	\$ 7,600.00	\$ 1,850.00	\$ 7,400.00		\$ -
3.17	Stop Bar	1	EA	\$ 501.12	\$ 501.12	\$ 530.00	\$ 530.00	\$ 510.00	\$ 510.00	\$ 250.00	\$ 250.00
3.19	Conduit for Electrical and Irrigation	808	LF	\$ 37.45	\$ 11,534.60	\$ 33.00	\$ 10,164.00	\$ 43.00	\$ 13,244.00	\$ 10.00	\$ 3,080.00
3.20	Sign Sleeve at back of walk	4	EA	\$ 258.98	\$ 1,035.92	\$ 60.00	\$ 240.00	\$ 275.00	\$ 1,100.00		\$ -
3.21	Steps (Mountain Pedaler and Mattress Co.)	2	EA	\$ 1,513.60	\$ 3,027.20	\$ 750.00	\$ 1,500.00	\$ 1,137.00	\$ 2,274.00		\$ -
3.22	Chase (Drain from Holy Toledo across walk to gutter)	1	EA	\$ 1,712.43	\$ 1,712.43	\$ 575.00	\$ 575.00	\$ 3,076.00	\$ 3,076.00		\$ -
				<b>Section Subtotal:</b>	<b>\$ 169,218.86</b>	<b>\$ 184,337.25</b>	<b>\$ 184,337.25</b>	<b>\$ 260,590.00</b>	<b>\$ 260,590.00</b>		<b>\$ 87,144.00</b>

<b>4 Storm Water</b>											
4.1	Rehab Existing 60" Manhole for 24" Pipe	1	EA	\$ 1,289.43	\$ 1,289.43	\$ 550.00	\$ 550.00	\$ 2,747.00	\$ 2,747.00		\$ -
4.2	24" RCP	339	LF	\$ 113.17	\$ 38,364.63	\$ 88.00	\$ 29,832.00	\$ 132.00	\$ 44,748.00		\$ -
4.3	Inlet - 4' X 3' OD Conc. Box w/ Type 13 Grate and Hood	7	EA	\$ 1,955.98	\$ 13,691.86	\$ 2,750.00	\$ 19,250.00	\$ 3,390.00	\$ 23,730.00	\$ 3,000.00	\$ 21,000.00
4.4	Grate - Type 678Q Longitudinal	1	EA	\$ 3,241.80	\$ 3,241.80	\$ 525.00	\$ 525.00	\$ 5,250.00	\$ 5,250.00		\$ -
4.5	Channel - ACO Classic K-200 (w/ 2' of 6" PVC to storm)	1	EA	\$ 3,157.38	\$ 3,157.38	\$ 630.00	\$ 630.00	\$ 7,741.00	\$ 7,741.00		\$ -
4.6	12" RCP	91	LF	\$ 82.85	\$ 7,539.35	\$ 77.00	\$ 7,007.00	\$ 120.00	\$ 10,920.00		\$ -
				<b>Section Subtotal:</b>	<b>\$ 67,284.45</b>	<b>\$ 57,794.00</b>	<b>\$ 57,794.00</b>	<b>\$ 94,836.00</b>	<b>\$ 94,836.00</b>		<b>\$ 21,000.00</b>

<b>5 Water</b>											
5.1	12" DIP	36	LF	\$ 423.85	\$ 15,258.60	\$ 158.00	\$ 5,688.00	\$ 360.00	\$ 12,960.00		\$ -
5.2	12" Gate Valve	3	EA	\$ 4,101.50	\$ 12,304.50	\$ 2,850.00	\$ 8,550.00	\$ 2,610.00	\$ 7,830.00		\$ -
5.3	12" Cap	1	EA	\$ 1,372.65	\$ 1,372.65	\$ 555.00	\$ 555.00	\$ 331.00	\$ 331.00		\$ -
5.4	Fire hydrant and assembly	2	EA	\$ 6,282.50	\$ 12,565.00	\$ 5,800.00	\$ 11,600.00	\$ 8,262.00	\$ 16,524.00		\$ -
5.5	Thrust blocks	7	EA	\$ 457.93	\$ 3,205.51	\$ 130.00	\$ 910.00	\$ 165.00	\$ 1,155.00		\$ -
5.7	6" DIP	44	LF	\$ 365.62	\$ 16,087.28	\$ 55.00	\$ 2,420.00	\$ 250.00	\$ 11,000.00		\$ -
5.8	Replace Curb Stop Extensions	9	EA	\$ 890.75	\$ 8,016.75	\$ 230.00	\$ 2,070.00	\$ 1,472.00	\$ 13,248.00		\$ -
5.9	Irrigation Meter Pit	1	EA	\$ 1,139.81	\$ 1,139.81	\$ 515.00	\$ 515.00	\$ 1,275.00	\$ 1,275.00		\$ -
5.9	Tee 12"X12"X12"	1	EA	\$ 990.72	\$ 990.72	\$ 1,100.00	\$ 1,100.00	\$ 970.00	\$ 970.00		\$ -
5.10	Tee 12"X12"X6" (For Hydrants)	2	EA	\$ 869.34	\$ 1,738.68	\$ 700.00	\$ 1,400.00	\$ 970.00	\$ 1,940.00		\$ -
				<b>Section Subtotal:</b>	<b>\$ 72,679.50</b>	<b>\$ 34,808.00</b>	<b>\$ 34,808.00</b>	<b>\$ 67,233.00</b>	<b>\$ 67,233.00</b>		<b>\$ -</b>

<b>6 Lighting</b>											
6.2	Light Standard Foundation	6	EA	\$ 548.52	\$ 3,291.12	\$ 1,600.00	\$ 9,600.00	\$ 2,273.00	\$ 13,638.00	\$ 2,500.00	\$ 15,000.00
6.3	LED Fixtures	6	EA	\$ 7,990.92	\$ 47,945.52	\$ 8,500.00	\$ 51,000.00	\$ 8,138.00	\$ 48,828.00	\$ 8,500.00	\$ 51,000.00
6.4	Electric Conduit	100	LF	\$ 42.12	\$ 4,212.00	\$ 15.00	\$ 1,500.00	\$ 47.00	\$ 4,700.00	\$ 10.00	\$ 1,000.00
6.5	Wiring	1	EA	\$ 12,484.80	\$ 12,484.80	\$ 13,300.00	\$ 13,300.00	\$ 12,716.00	\$ 12,716.00	\$ 7,000.00	\$ 7,000.00
6.6	Lighting Control Center	1	EA	\$ 5,992.67	\$ 5,992.67	\$ 6,400.00	\$ 6,400.00	\$ 6,160.00	\$ 6,160.00	\$ 1,000.00	\$ 1,000.00
6.7	Electric Conduit 6-1" (underneath west sidewalk to Panel)	570	LF	\$ 17.83	\$ 10,163.10	\$ 20.00	\$ 11,400.00	\$ 100.00	\$ 57,000.00		\$ -
				<b>Section Subtotal:</b>	<b>\$ 84,089.21</b>	<b>\$ 93,200.00</b>	<b>\$ 93,200.00</b>	<b>\$ 143,042.00</b>	<b>\$ 143,042.00</b>		<b>\$ 75,000.00</b>

<b>7 Erosion Control</b>											
7.1	Inlet Protection	1	EA	\$ 972.87	\$ 972.87	\$ 250.00	\$ 250.00	\$ 375.00	\$ 375.00	\$ 300.00	\$ 300.00
7.2	Concrete Washout Structure	1	EA	\$ 2,398.45	\$ 2,398.45	\$ 1,500.00	\$ 1,500.00	\$ 1,650.00	\$ 1,650.00	\$ 600.00	\$ 600.00
				<b>Section Subtotal:</b>	<b>\$ 3,371.32</b>	<b>\$ 1,750.00</b>	<b>\$ 1,750.00</b>	<b>\$ 2,025.00</b>	<b>\$ 2,025.00</b>		<b>\$ 800.00</b>

TOTAL CONTRACTOR BID minus Mobilization and TC:	451,940.04	416,534.25	640,469.00
TOTAL CONTRACTOR BID:	534,416.54	678,534.25	853,642.00
10% PROJECT CONTINGENCY:	53,441.65	67,853.43	85,364.20
ESTIMATED PROJECT TOTAL:	587,858.19	746,387.68	939,006.20
ESTIMATED PROJECT TOTAL Plus \$80,000 LANDSCAPING:	667,858.19	826,387.68	1,019,006.20

<b>8 Roadway Construction (Parking) - Alternate</b>											
8.1	Asphalt 6" Wide 2-3" Lifts (CDOT SX Grading-75, PG 58-28)	254	TONS	\$ 112.35	\$ 28,536.90	\$ 125.00	\$ 31,750.00	\$ 122.00	\$ 30,988.00	\$ 150.00	\$ 38,100.00
8.2	Class 6 Road Base w/ 10% overage added	237	TONS	\$ 54.62	\$ 12,944.94	\$ 47.00	\$ 11,139.00	\$ 67.00	\$ 15,879.00	\$ 51.19	\$ 12,132.03
8.3	Sub-grade prep.	683	SY	\$ 6.83	\$ 4,664.89	\$ 3.00	\$ 2,049.00	\$ 61.00	\$ 41,663.00	\$ 1.00	\$ 683.00
8.4	Over excavation and removal	50	CY	\$ 69.33	\$ 3,466.50	\$ 30.00	\$ 1,500.00	\$ 95.00	\$ 4,750.00	\$ 120.00	\$ 6,000.00
				<b>Section Subtotal:</b>	<b>\$ 49,613.23</b>	<b>\$ 46,438.00</b>	<b>\$ 46,438.00</b>	<b>\$ 93,280.00</b>	<b>\$ 93,280.00</b>		<b>\$ 56,915.03</b>

## CONSTRUCTION AGREEMENT

THIS AGREEMENT is dated as of the \_\_\_\_ day of \_\_\_\_\_ in the year of 2016 by and between:

Town of Minturn, Colorado (hereinafter called OWNER) and \_\_\_\_\_  
(hereinafter called CONTRACTOR).

OWNER and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows:

### Article 1. WORK

CONTRACTOR shall complete all WORK as specified or indicated in the Contract Documents. The Project's WORK is generally described as follows, but not limited to:

#### **100 Block Project**

- Demolition of existing asphalt and concrete hardscape, stormsewer, and landscaping, and associated earthwork and re-grading.
- Installation of asphalt paving, curb & gutter, sidewalks and ADA ramps, stormsewer structures and piping, shallow utilities, lighting and signage, pavement marking and striping, and other associated WORK.

The project for which the WORK under the Contract Documents may be the whole, only a part or any combination of is generally described as follows:

#### **Town of Minturn – 100 Block Project**

### Article 2. ENGINEER

The Town of Minturn, Colorado, Town Engineer Representative from Inter-Mountain Engineering, hereinafter called ENGINEER, will assume all duties and responsibilities and will have the rights and authority assigned to ENGINEER and OWNER in the Contract Documents in connection with completion of the WORK in accordance with the Contract Documents.

### Article 3. CONTRACT TIME

- 3.1 The WORK will be completed and ready for final payment in accordance with paragraph 14.13 of the General Conditions. All WORK will be completed between the dates of April 11, 2016 and July 1, 2016 with the following exceptions:

Article 4. CONTRACT PRICE

- 4.1 OWNER shall pay CONTRACTOR for performance of WORK in accordance with the Contract Documents, in current funds, as follows:

(see attached copy of CONTRACTOR'S Bid)

Article 5. PAYMENT PROCEDURES

- 5.1 CONTRACTOR shall submit Applications for Payment in accordance with Article 14 of the General Conditions. Applications for Payment will be processed by ENGINEER, as provided in Article 14 of the General Conditions.

Article 6. CONTRACTOR'S REPRESENTATIVES

In order to induce OWNER to enter into this Agreement, CONTRACTOR makes the following representations:

- 6.1 CONTRACTOR has familiarized themselves with the nature and extent of the Contract Documents, WORK, locality, and with all local conditions and federal, state, and local laws, ordinances, rules and regulations that in any manner may affect the cost, progress, or performance of the WORK.
- 6.2 CONTRACTOR has studied carefully all reports of investigations and tests of subsurface and latent physical conditions at the site or otherwise affecting the cost, progress, or performance of the WORK which were relied upon by ENGINEER in the preparation of the Contract Documents, and which have been identified in the Special Conditions.
- 6.3 CONTRACTOR has given ENGINEER any conflicts, errors or discrepancies that they have discovered in the Contract Documents, and the written resolution thereof by ENGINEER is acceptable to CONTRACTOR.

Article 7. CONTRACT DOCUMENTS

The Contract Documents which comprise the entire agreement between OWNER and CONTRACTOR are attached to this Agreement, made a part hereof and consist of the following:

- 7.1 Advertisement for Bid (page AB-1)
- 7.2 Instruction to Bidders (pages IB-1 to IB-6)
- 7.3 Performance and other Bonds, identified as exhibits A & B and consisting of 4

pages.

- 7.4 Notice of Award (page NA-1)
- 7.5 Construction Agreement (pages CA-1 to CA-4)
- 7.6 Notice to Proceed (page NP-1)
- 7.7 General Conditions (pages GC-1 to GC-45, inclusive)
- 7.8 Special Conditions (pages SC-1 to SC-12, inclusive)
- 7.9 Plans, consisting of the sheets listed in the Index of Drawings following Table of Contents in Project Manual.
- 7.10 Addenda numbers x-x, inclusive
- 7.11 Contractors Bid (pages BF-1 to BF-2, inclusive) marked exhibit (attach Bid Form)
- 7.12 Documentation submitted by CONTRACTOR prior to Notice of Award
- 7.13 Any Modification, including Change Orders, duly delivered after execution of Agreement.

There are no Contract Documents other than those listed above in this Article 7. The Contract Documents may only be altered, amended, or repealed by modifications (as defined in Article 1 of the General Conditions).

Article 8. MISCELLANEOUS

- 8.1 Terms used in this Agreement, which are defined in Article 1 of the General Conditions, shall have the meanings indicated in the General Conditions.
- 8.2 No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, monies that may become due and monies that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law); and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.
- 8.3 OWNER and CONTRACTOR each binds themselves, their partners, successors, assigns, and legal representatives to the other party hereto, their partners, successors, assigns, and legal representatives in respect to all covenants,

agreements, and obligations contained in the Contract Documents.

Article 9.

OTHER PROVISIONS

- 9.1 Pursuant to Section 24-91-103.6, C.R.S., the OWNER hereby states that it has appropriated an amount equal to or in excess of the Contract amount. OWNER shall not issue a Change Order or other form of order or directive requiring additional compensable WORK to be performed, which WORK causes the aggregate amount payable under the Contract to exceed the amount appropriated for the original Contract, unless CONTRACTOR is given written assurance by the public entity that lawful appropriations to cover the costs of the additional WORK have been made.

IN WITNESS WHEREOF, the parties hereto have signed this Agreement in triplicate. One counterpart each has been delivered to OWNER, CONTRACTOR, and ENGINEER. All portions of the Contract Documents have been signed or identified by OWNER and CONTRACTOR or by ENGINEER on their behalf.

This Agreement will be effective on \_\_\_\_\_, 2016

OWNER, Town of Minturn, Colorado

CONTRACTOR,

By \_\_\_\_\_  
Town Manager

By \_\_\_\_\_

Attest \_\_\_\_\_

Attest \_\_\_\_\_

Address for giving notices:

Address for giving notices:

Town of Minturn  
PO Box 309  
Minturn, CO 81645

License No. \_\_\_\_\_

Agent for service of process:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ACTION ITEMS REPORT**

From: Town Manager  
16-Mar-16

Action Item	Responsible staff	Status
Eagle River Park Grant	Hawkinson	sod and basketball net installed Cintas best bathroom award
"History Walk in the Park" and bathrooms		Design for educational portion beginning
Lease Lot cleanup and leasing	Martinez	berm improved, needs seeded
Boneyard	Hawkinson	complete management plan
Little Beach Park	Powell	review improved park plans
Memorialization Guidelines	Metteer	staff presented Jan.21, 2015
Minturn Fitness Center	Powell Rosenfeld Bidez	Property tax exemption has been approved by state achieve 501.c.7 non-profit status
Minturn Education Fund	Powell Bellm	501.3 IRS tax exempt application sent Jay has discussed seperation of budget/audit scholarships to be awarded in Spring
Zoning Code Amendments	Hawkinson Powell Sawyer	phase 1 complete and adopted by Council phase 2 schedule to be decided Sawyer reviewing subdivision code
Guide Sign Plan	Metteer	Submitted to CDOT for review
Water Rate Structure and Rates	Powell water committee	decision on structure and rates made review revenues in 2016
Entryway/100 Block Project Steet Projects	Powell Hawkinson Inter-Mountain Engr.	phase 1 substantially complete by contractor seeding in Spring, decorative fencing to be installed bids and award at 4/6 meeting
South Minturn Engineering TAP GRANT	Powell Osborne Inter-Mountain Engr.	IGA fully executed between CDOT and Town Stolfus agreement scheduled for April 20 meeting
Bolts Ditch within Wilderness	Powell	costs being shared with Battle Mountain 50/50 WLG contract approved legislaton introduced, hearings have begun
Building Code Adoption--newer codes		place holder
Term Limits	Sawyer	Charter or ordinance amendment decide particulars of amendment