



2016

Minturn Council Meeting

Wednesday May 4, 2016

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

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



Agenda

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

Wednesday May 4, 2016

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

MAYOR – Matt Scherr
MAYOR PRO TEM – Earle Bidez

COUNCIL MEMBERS:

Terry Armistead
Harvey Craig
Sidney Harrington

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

- Review of Process for Council Candidates – Powell/Sawyer Pg 32
- Review of Council Committees – Powell Pg 4

Regular Session – 6:30pm

1. Call to Order

- Roll Call
- Pledge of Allegiance

2. Approval of Agenda

- Items to be Pulled or Added

3. Approval of Minutes

- April 20, 2016 Pg 9

4. **Public comments on items, which are NOT on the agenda (5 minute time limit per person)**
5. **Special Presentations**
 - Vail Valley Trails Coalition – Metteer Pg 14
 - Committee Reports

PUBLIC HEARINGS AND ACTION ITEMS

6. **Discussion/Action Item: Discuss and Interview applicants for the vacant Town Council seats – Powell Pg 32**
7. **Discussion/Action Item: Resolution 10 – Series 2016 consideration of a Resolution appointing individuals to the Minturn Town Council – Brunvand/Powell/Sawyer Pg 43**
8. **Discussion/Action Item: Swearing in of appointed Council Members – Scherr**
9. **Discussion/Action Item: Resolution 11 – Series 2016 consideration of a Resolution appointing check signers – Brunvand Pg 44**
10. **Discussion/Action Item: Discussion and appoint by motion Council committee members – Metteer**

COUNCIL AND STAFF REPORTS

11. **Town Planner**
12. **Town Manager**
 - Manager’s Report Pg 45
 - Action Report Pg 75
13. **Town Council Comments**
14. **Town Attorney**

EXECUTIVE SESSION

15. **Executive Session: An executive Session 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) and to discuss the purchase, acquisition, lease, transfer or sale of real, personal or other property interest under CRS Section 24-6-402(4)(a) – Dowd Junction and for the**

purpose of a conference with the Town attorney for the purpose of receiving legal advise on specific legal questions under C.R.S. Section 24-6-402(4)(b) – Battle Mountain / Sensible Housing / Minturn litigation – Powell/Sawyer

FUTURE AGENDA ITEMS

16. Next Meeting – May 18, 2016

-

17. Future Meetings:

- 2015 Audit presentation and acceptance - Brunvand
- 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

18. Set Future Meeting Dates

a) Council Meetings:

- May 18, 2016
- June 1, 2016
- June 15, 2016

b) Planning & Zoning Commission Meetings:

19. Other Dates:

- Town Cleanup Day – June 4, 2016

20. Adjournment

Michelle Metteer
 Economic Development
 Coordinator
 P.O. Box 309 ♦ 302 Pine Street
 Minturn, CO 81645
 970-827-5645
mmetteer@minturn.org
www.downtownminturn.com
www.minturn.org



Town Council
 Mayor – Matt Scherr
 Mayor Pro Tem – Earle Bidez
 Council Members:
 Terry Armistead
 Harvey Craig
 Sidney Harrington

COUNCIL BOARD REPRESENTATIONS:

Board	Representative	Time Requirements
Channel 5 Public Access TV	Jason Osborne	Meets quarterly
ECO Transit	Jason Osborne	(Brodin alternate) Meets quarterly
Minturn Fitness Center	Johnie Rosenfeld & Earle Bidez	

COUNCIL SUB COMMITTEES:

Sub Committee	Representative	Representative
Scholarship	Shelley Bellm	George Brodin
Battle Mountain/Water	Earle Bidez	George Brodin
ECSO IGA	George Brodin	Hawkeye Flaherty
Railroad	George Brodin	Matt Scherr
Parks	Jason Osborne	Earle Bidez
Eco Devo	Matt Scherr	Shelley Bellm

May also want to consider:

- Is this the right amount of committees? Too many?
- North West Colorado Council of Governments/Water Quality-Quantity (NWCCOG/QQ)
- Club 20
- CAST

ECO Transit Committee

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

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

Important to have a Town of Minturn Presence

Railroad Committee

- Improved Communication and PR Position with Railroad
- Better Regulation and management of enterprises on Railroad land
- Bicycle Path thorough-fare Route
- Water Sewer to Public Works and Little Beach Park
- Largest landowner in Town
- Widest Property as opposed to other townships in Eagle County

Water Committee

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

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

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

Willy Powell

From: Liz Mullen <lmullen@nwccog.org>
Sent: Friday, April 22, 2016 4:22 PM
To: Steve Barwick; Jay Harrington; Tom Breslin; jenny.rakow@townofeagle.org; Jeff Durbin; Bill Efting; Wally Baird; Jim White; Sandy White; Willy Powell; Barbara Smith; Gary Suiter; Drew Nelson
Subject: 2016 NWCCOG Council representatives
Attachments: DESIGNATION OF REPRESENTATIVE.doc; 2016 COUNCIL MTG SCHEDULE.docx; 2015-NWCCOGAnnual-Report.pdf

Good afternoon –

Now that the local elections are over, we are updating our list of NWCCOG Council members. Please complete the attached form to designate a representative and an alternate from your jurisdiction to the NWCCOG Council.

The NWCCOG Council meets 7 times each year: 3 meetings in person with a call-in option + 4 conference call meetings. Depending on the agenda, meetings typically last between 2 – 3 hours. I have attached the 2016 meeting schedule and our 2015 annual report.

If your town board would like a presentation on NWCCOG, how we operate and what we do, please let me know. I would be happy to attend a work session to give this presentation and answer questions. Also, I can meet with whomever is appointed to represent your jurisdiction on the NWCCOG Council and orient them to our organization.

Please remember that NWCCOG is a member directed organization. It is critical that our members give us feedback and direction to ensure that the services we provide are useful and relevant to our members and the citizens they serve.

Thank you,
Liz Mullen
Executive Director
NWCCOG
970-468-0295 ext. 123



Designation of Representative To Northwest Colorado Council of Governments (NWCCOG)

WHEREAS, the governing body of _____ (“Public Entity”) is advised that the business to be conducted at Members’ Meetings of the Northwest Colorado Council of Governments (NWCCOG) must be transacted by the Official Representative of each Member; NOW, THEREFORE, BE IT RESOLVED, that the governing body of _____ (“Public Entity”), hereby and herewith: designates the following individual as its Official Representative to all NWCCOG meetings;

NAME: _____
TITLE: _____
ADDRESS: _____
PHONE: _____ EMAIL: _____

The Designated Alternate Representative is:

NAME: _____
TITLE: _____
ADDRESS: _____
PHONE: _____ EMAIL: _____

2016 NWCCOG COUNCIL MEETING SCHEDULE

Thursday, January 28, 2016

Full Council, NLF Board & EDD Board Meetings

Location: Garden Level Classroom, Eagle County Administration Building, 500 Broadway, Eagle

Time: 9:30 a.m.-2:00 p.m.

Primary Agenda Items: Introduction of new members/representatives; elect executive committee & officers; annual NLF Board meeting; EDD Board meeting & election of officers.

Thursday, March 24, 2016

Full Council Meeting

Location: NWCCOG Office/Conference Call

Time: 10:00 a.m.-12:00 p.m.

Primary Agenda Items: Approval of final 2015 financials; program updates.

Thursday, May 26, 2016

Full Council & EDD Board Meeting

Location: Glenwood Springs Community Center, 100 Wulfsohn Road, Glenwood Springs

Time: 9:00 a.m.-3:00 p.m.

Primary Agenda Items: Review/acceptance of 2014 audit; presentations by GWS and State Demographer's Office, program updates.

Thursday, July 28, 2016

Full Council Meeting

Location: Walden, Meeting Room TBD

Time: 10:00 a.m.-12:00 p.m.

Primary Agenda Items: Approval of 2017 dues; discussion re: Annual Planning Meeting Agenda

Thursday, August 25, 2016

Full Council & EDD Board Annual Planning Meeting

Location: Buffalo Mountain Room, Summit County Commons, Frisco

Time: 10:00 a.m.-3:00 p.m.

Agenda Items: Strategic Planning for 2017

Thursday, October 27, 2016

Location: NWCCOG Office/Conference Call

Time: 10:00 a.m.-12:00 p.m.

Primary Agenda Items: Review of draft 2017 budget

Thursday, December 8, 2016

Full Council & Foundation Board Meeting

Location: NWCCOG Office/Conference Call

Time: 10:00 a.m.-12:00 p.m.

Primary Agenda Items: 2016 budget revisions; approve 2017 budget; adopt 2017 meeting schedule; annual NWCCOG Foundation Board meeting.



Official Minutes

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

Wednesday April 20, 2016

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

MAYOR – Matt Scherr
MAYOR PRO TEM – Earle Bidez

COUNCIL MEMBERS:

Terry Armistead
Harvey Craig
Sidney Harrington

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 – 5:00pm

- Parking Sign Review – Cusack/Martinez
- Legal Training – Sawyer/Brunvand
 - To be continued to the May 4, 2016 Worksession
- Review of Professional Service Agreement – Sawyer/Hawkinson

Regular Session – 6:30pm

1. Call to Order

The meeting was called to order by Mayor Scherr at 6:38pm.

- Roll Call

Those present included: Mayor Matt Scherr and Town Council members, Harvey Craig, Terry Armistead, Earle Bidez, and Sidney Harrington. Note two seats are vacant.

Staff present: Town Clerk/Treasurer Jay Brunvand, Deputy Clerk/Econ Michelle Metteer, Town Planner Janet Hawkinson, and Town Attorney, Michael Sawyer.

- Pledge of Allegiance

2. Approval of Agenda

- Items to be Pulled or Added

Motion by Earle B., second by Terry A., to approve the agenda as presented. Motion passed 5-0. Note two seats are vacant.

3. Approval of Minutes

- April 6, 2016

Motion by Sidney H., second by Earle B., to approve the minutes of April 6, 2016 as presented. Note two seats are vacant.

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

Ms. Sage Pierson, 156 Lions Lane, spoke in support of the two-hour parking. Also spoke in support of requiring tenants of specific residences to park in the Municipal Lot. Matt S. updated with the master parking plan and the proper signage on the streets.

Mr. John Widerman, 1951 Maloit Park Rd, introduced himself to the Council. He stated that he had submitted a letter for the Council appointment.

5. Special Presentations

- Vail Valley Mountain Bike Association grant update and project status – Metteer

Mr. Bill Hoblitzell updated the Council on the VVMBA grant and project status. He noted his organization works close with the Eagle County Trails Master Plan to help prioritize projects and plans. It was noted that, because the trail is proposed to be on Town owned land, the Town would need to review the zoning, and any approvals needed. It was requested this be done sooner than later in order to proceed with summer work programs. Information can be found at www.vvmba.org.

- Events Update – Metteer

Michelle M. reminded the Gominturn.com website that shows the Town and community events. A review of the website and the events coming to Minturn in the near future. This site is a vehicle that allows citizens and the Town to be informed.

- Committee Report
 - Economic Development Advisory Council Update – Metteer

Michelle M. stated they have awarded a micro-grant to Sticky Fingers to allow them to improve their storefront. This is the first grant in this program. The grants are up to \$1,000 each and the program is capped at \$10,000.

Earle B. noted and updated on a Battle Mountain committee meeting that was held.

PUBLIC HEARINGS AND ACTION ITEMS

6. Discussion/Action Item: Discussion and direction to award a Professional Services Agreement to provide engineering services for sidewalks from Toledo to Maloit Park Project – Hawkinson/Inter-Mtn Eng/Solfus

Janet H. introduced Michelle Hansen of Solfus and Assoc. Ms. Hansen updated the Council on the \$266,000 grant that was awarded to Minturn for engineering services only to layout pedestrian sidewalk/path from the 100 block to Maloit Park Road. The time frame for this is approximately 12months. It was noted this grant is for engineering services only, it does not include construction. Mike S. noted the agreement has been approved by legal.

Mr. John Widerman, 1951 Maloit Park Rd, asked about the project segmenting. Ms. Hansen stated the segmenting is set up in sequential order. They are not prioritized by project or cost.

Mr. Tim McGuire, Battle Mountain Resort, asked if this would include road crossings or both sides of the road; this is being reviewed in the work.

Motion by Earle B., second by Harvey C., to approve the award of a Professional Services Agreement to provide engineering services for sidewalks from Toledo to Maloit Park Project as presented. Motion passed 5-0. Note two seats are vacant.

7. Discussion/Action Item: Resolution 09 – Series 2016 consideration of a Resolution to approve a license agreement with Minturn Realty – Hawkinson/Sawyer

Janet H. and Mike S. outlined the salient points of the agreement. The agreement allows for additional landscaping on private property in the 1st St/Main St geographic area. The agreement is for 10 years, can be extended and can be voided due to redevelopment of the Minturn Realty property(s).

Motion by Earle B., second by Terry A., to approve Resolution 09 – Series 2016 consideration of a Resolution to approve a license agreement with Minturn Realty as presented. Motion passed 5-0. Note two seats are vacant.

COUNCIL AND STAFF REPORTS

8. Town Planner

- Phase II Entryway Project
- Sticky Fingers Sign Approval
- Design Guideline's Rewrite
- Master Plan-2016
 - Eagle County Plan4Health Grant

Janet H. noted Holy Cross would like to bring a high voltage powerline from Gilman to Minturn. Mike S. stated if this was a topic of concern that it should be allocated to a Worksession. Council requested the Worksession time be allocated.

9. Town Manager

- Manager's Report
 - Update on Vacant Council Seats – Brunvand

Council requested paper ballots with the applicant's names available for the appointment. The Council confirmed a majority of the Council votes or at least 3 votes for each appointment. Matt S. requested any Council member recommending questions for the candidate interview process to submit those questions to the Town Clerk by Thursday April 28, 2016.

- Action Report

10. Town Council Comments

Harvey C. asked about the rocks on the railroad at the county road bridge. They have been placed by Minturn Public Works to restrict access from that end of the railroad yard.

- Board Retreat – Scherr

Matt S. noted the retreat will be after the council appointments are made and will be on a Saturday. Let him know of topics.

11. Town Attorney

EXECUTIVE SESSION

12. **Executive Session**: An Executive Session 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) and to discuss the purchase, acquisition, lease, transfer or sale of real, personal or other property interest under CRS Section 24-6-402(4)(a) – Dowd Junction.

Motion by Earle B., second by Harvey C., to convene in Executive Session 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) and to discuss the purchase, acquisition, lease, transfer or sale of real, personal or other property interest under CRS Section 24-6-402(4)(a) as presented. Motion passed 5-0. Note two seats are vacant.

No action was taken as a result of the Executive Session.

FUTURE AGENDA ITEMS

13. Next Meeting – May 4, 2016

- Worksession - Holy Cross powerline discussion
- Appointment of Council Members to vacant seats
- Council board and sub-committee positions – May 4, 2016

14. Future Meetings:

- 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
- Accept 2015 Financial Audit – Brunvand 6/1/16

15. Set Future Meeting Dates

a) Council Meetings:

- May 4, 2016
- May 18, 2016
- June 1, 2016

b) Planning & Zoning Commission Meetings:

16. Other Dates:

- Town Cleanup Day – June 4, 2016

17. Adjournment

In that there was no further business the meeting stood adjourned at 9:55pm.

Matt Scherr, Mayor

ATTEST:

Jay Brunvand, Town Clerk



TO: Town of Minturn, Town Council

FROM: Vail Valley Trail Connection

DATE: April 29, 2016

SUBJECT: International Mountain Biking Association Ride Center Designation
Application via Vail Valley Trail Connection

BACKGROUND: The International Mountain Biking Association, IMBA, provides a community a Ride Center designation of Bronze, Silver, or Gold status. The designation is achieved via IMBA's rigorous criteria and a thorough on-site review of a community's complete soft trail network and destination experience.

Communities that have received a Ride Center designation see a positive economic impact. The Ride Center designation can be used for the Town of Minturn's marketing materials and efforts as well as greater county wide marketing efforts.

The IMBA criteria includes a wide variety of soft trail types for mountain biking including family/beginner friendly trails, longer singletrack trails, downhill trails and back country adventures. The criteria include signage, trailhead amenities, and scenic views.

The off bike experience is also important as bike shops, lodging, restaurants, grocery stores and airport access are evaluated.

The IMBA Ride Center application for our community is being fulfilled by the Vail Valley Trail Connection, VVTC. IMBA Ride Center designations will be awarded in November of 2016. VVTC believes our community will receive a Ride Center Designation of Bronze or Silver in November. The longer term goal is to achieve Gold status.

IMBA requires the Ride Center designation to be updated every four years. Also as our community's soft trail network and overall experience is enhanced to achieve Gold status or if IMBA's criteria were to change a new Ride Center designation application will be processed. While IMBA does see an update to their current criteria at an undefined future date, VVTC has been advised by IMBA to apply now with the current criteria.

RECOMMENDATION: VVTC graciously asks for the Town of Minturn's support and endorsement of our community's Ride Center application by approval of the attached letter of support to IMBA.

TOWN OF MINTURN LETTERHEAD

April 29, 2016

International Mountain Biking Association
Jason Bertolacci
Colorado/Wyoming Director
COMBA Executive Director
PO Box 20280
Boulder, CO 80308

Dear. Mr. Bertolacci;

The Vail Valley Trail Connection's, VVTC, IMBA Ride Center application is thoroughly supported by the Town Council of Minturn, Colorado.

An IMBA Ride Center designation is reflective of the superb experience our local trails, restaurants, and lodges provide our residents and guests. Trail users of all experience levels and physical capabilities enjoy what our valley offers.

Our community is working closely together on the soft trail network. This includes our private sector as well as the Vail Valley Mountain Bike Association (the local IMBA chapter), Hardscrabble Trails Coalition, Rocky Mountain Sport Riders, and each of the local municipal governments, the Eagle County government, the US Forest Service and BLM in Eagle County.

The IMBA Ride Center Designation is a further branding for our businesses as it will most certainly drive economic vitality. This is a great benefit to our residents since the Ride Center designation recognizes our healthy lifestyle and provides another reason for people to live, work, and play in Eagle County.

Thank you for your prudent consideration of the VVTC Ride Center application. The Town of Minturn looks forward to celebrating an IMBA Ride Center Designation in 2016.

Best Regards

Matt Scherr, Mayor, Town of Minturn
c/o the Minturn Town Council

Signature

cc: Minturn Town Council



www.vailvalleytrailconnection.org

Mission:

To become world-renowned for our soft trail network that enables people of all physical capabilities to enjoy the outdoors.

Purpose:

We will accomplish our mission through a vigorous public-private partnership that will have a coordinated and countywide effort to enhance our lifestyle, bring people together and drive economic vitality in the Vail Valley by:

- Increasing the number, mileage, quality and connectivity of soft trails in our network
- Promoting trail stewardship by maintaining existing trails, re-routing and re-vegetating unsustainable trails and closing illegal or bandit trails
- Promoting multiuse trails for hikers, fishermen, dirt bikers, mountain bikers and other trail enthusiasts
- Developing a coordinated guide to and improved signage for the trails
- Creating a summer recreation and tourism product that equals the Vail Valley's winter product and promoting it locally, regionally, nationally and internationally
- Obtaining an IMBA Gold Ride Center designation.



VVTC

VAIL VALLEY TRAIL CONNECTION

2016

FOUNDING MEMBER UPDATE

WHY WE'RE HERE

- VVTC MISSION & PURPOSE
- REVIEW 2015 ACCOMPLISHMENTS
- PLAN FOR 2016
- YOUR ROLE WITH VVTC



Mission

To become world-renowned for our soft trail network that enables people of all physical capabilities to enjoy the outdoors.

FOUNDING MEMBERS

COMMUNITIES:

EAGLE COUNTY

TOWN OF VAIL

TOWN OF AVON

EAGLEVAIL

TOWN OF EAGLE

TOWN OF GYPSUM

PRIVATE SECTOR:

EAST WEST RESORTS

ROADHOUSE HOSPITALITY

ACCESS REAL ESTATE

SSF REAL ESTATE

SONNENALP HOTEL

ELEVATION RESORT MGMT

NON-PROFITS:

HARDSCRABBLE TRAILS COALITION

VAIL VALLEY MOUNTAIN BIKE ASSOCIATION

VAIL VALLEY PARTNERSHIP

ROCKY MOUNTAIN SPORT RIDERS

THREE DELIVERABLES (Q4 2014-PRESENT):

GRANT WRITING:

- \$24,000 NATIONAL FOREST FOUNDATION GRANT FOR ENDO ALLEY, EDWARDS
- PARTNERSHIP WITH USFS AND VVMBA
- NFF BLOG AND REPORTING

EAGLE COUNTY TRAILS MASTERPLAN:

- COMPILED ALL EXISTING DOCUMENTATION AND COMBINED INFORMATION (WEB)
- USED FOR PLANNING WITH PARTNER AGENCIES AND PUBLIC PROCESS

IMBA RIDE CENTER DESIGNATION:

- 2016 APPLICATION
- CONSULTED WITH IMBA STAFF AND REPRESENTATIVES

BOARD + ORGANIZATION FORMATION:

- 501(C)6 ORGANIZATION
- "IN-TANDEM" PARTICIPATION WITH PARTNER NON-PROFITS ORGANIZATIONS
- NAMED AND FORMED ORGANIZATION
- CREATED LOGO
- ASSEMBLED BOARD OF DIRECTORS
- CONTINUE TO HOLD OPEN ATTENDANCE MEETINGS AND BOARD OF DIRECTOR MEETINGS

BOARD OF DIRECTORS:

- RICH CARROLL, PRESIDENT
- MATT THOMPSON, VICE-PRESIDENT
- YURI KOSTICK, SECRETARY
- PAMELA DAVIS, TREASURER
- BOARD MEMBERS:
- CHARLIE SHERWOOD
- MIKE BRUMBAUGH
- JOHN SHIPP
- MIKE BEACH
- JAMIE MALIN
- SCOTT PRINCE
- AMY CASSIDY
- JILL RYAN, COUNTY REPRESENTATIVE (NON-MEMBER)

FUNDING AND FINANCIAL POSITION:

2014 FUNDING GOAL:

- \$96,000

2015 FUNDS:

- \$56,000

2015 FUNDING PARTNERS:

- TOWN OF VAIL
- TOWN OF AVON
- TOWN OF EAGLE
- TOWN OF GYPSUM
- EAGLE-VAIL
- EAGLE COUNTY
- HARDSCRABBLE TRAILS COALITION
- VAIL VALLEY MOUNTAIN BIKE ASSOCIATION
- VAIL VALLEY PARTNERSHIP
- EAST WEST PROPERTIES
- ROADHOUSE HOSPITALITY
- ACCESS REAL ESTATE
- SLIFER SMITH & FRAMPTON REAL ESTATE
- SONNENALP HOTEL
- ELEVATION RESORT MANAGEMENT



PROJECT UPDATE (Q4 2014-PRESENT):

MARKETING AND PR:

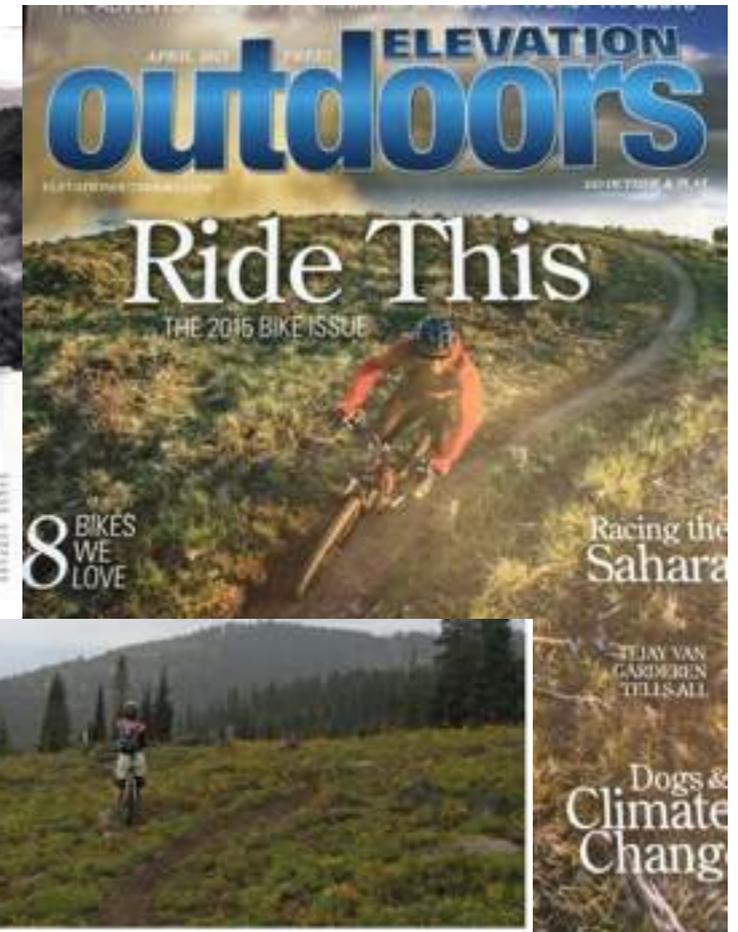
- LOGO AND PRESS RELEASES
- VVP RADIO SHOW, EMAIL BLAST
- FACES OF THE VAIL VALLEY - VISIT VAIL VALLEY OFFICIAL VISITOR'S GUIDE
- NATIONAL AND REGIONAL PUBLIC SPEAKING
 - OEDIT MEETINGS
 - CO BICYCLE SUMMIT
 - NATIONAL BICYCLE TOURISM CONFERENCE
 - SIA - THE ASSEMBLY
 - CO STATE SENATE
 - IMBA WORLD SUMMIT
 - INTERNATIONAL TRAIL BUILDERS SUMMIT

PROJECT UPDATE (Q4 2014-PRESENT):

MARKETING AND PR:

- LOCAL, REGIONAL & NATIONAL MEDIA STORIES

- BIKE MAGAZINE
- DIRT RAG
- VAIL DAILY ON THE HILL
- OUTSIDE ONLINE
- ELEVATION OUTDOORS
- 5280 MAGAZINE
- GRINDTV.COM
- BIKERADAR.COM
- 303CYCLING.COM
- VAILREALESTATE.COM
- OUTTHERECOLORADO.COM
- COLORADO SPRINGS GAZETTE



Connecting a Town with Singletrack Sidewalks

What one town's quest to replace pavement with dirt trails means for the rest of the country.

By Miriam Wang Feb 25, 2015

9064



Some towns aim to become more "walkable." One Colorado town has more than 100 miles of singletrack trails.

PROJECT UPDATE (Q4 2014-PRESENT):

COORDINATED SIGN PROJECT:

- EAGLE COUNTY, TOWN OF EAGLE, TOWN OF AVON, TOWN OF VAIL, EAGLE-VAIL
- STANDARDIZED INFORMATION
- INDIVIDUAL COMMUNITY IDENTITY AND BRANDING

ADMINISTRATION:

- SET MEETINGS, AGENDAS
- BILLING, AR, ACCOUNTING



PROJECT UPDATE (Q4 2014-PRESENT):

COORDINATED PROJECT LIST:

- SPEARHEAD THE FORMATION OF PROJECT PRIORITIES
- COLLABORATE WITH PARTNER PUBLIC LAND AGENCIES
- USFS, BLM, EVLT, ETC
- ADVOCATE AND SERVE AS THE "VOICE" FOR THE LOCAL SOFT TRAIL COMMUNITY
- MTB PROJECT
- ONGOING AND CONTINUING EFFORT





VVTC

VAIL VALLEY TRAIL CONNECTION

vailvalleytrailconnection.org

2016 WORK PLAN

- COMPLETE TRAILS MASTER PLAN
- 5-YEAR BUSINESS PLAN
- EVALUATE LONG-TERM FUNDING SOURCE
- IMBA RIDE CENTER APPLICATION
- MID-YEAR UPDATE

YOUR INVOLVEMENT

- APPROVAL OF VVTC'S DIRECTION
 - QUALITY OF LIFE FOR RESIDENTS
 - BUSINESS & ECONOMIC DEVELOPMENT
- RESOURCES TO ASSIST WITH MASTER PLAN
- FACILITIES AND DATABASE FOR OPEN HOUSE
- LETTER OF SUPPORT FOR IMBA RIDE CENTER APPLICATION



Sander N. Karp*
 James S. Neu
 Karl J. Hanlon
 Michael J. Sawyer
 James F. Fosnaught
 Jeffrey J. Conklin
 Andrew A. Mueller

** Fellow of the College of Labor and Employment Lawyers*

Matthew L. Trinidad
 Patrick L. Barker
 Jon T. Hoistad
 Delphine F. Janey

Of Counsel
 Richard I. Zuber**
 Anna S. Itenberg
 Greg S. Russi
 Hollie L. Wieland

*** Fellow of the American Academy of Matrimonial Lawyers*

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 201 14th Street, Suite 200
 P. O. Drawer 2030
 Glenwood Springs, CO 81602

Aspen Office***
 323 W. Main Street, Suite 301
 Aspen, CO 81611

Montrose Office ***
 1544 Oxbow Drive, Suite 224
 Montrose, CO 81402

Telephone: (970) 945-2261
 Facsimile: (970) 945-7336
www.mountainlawfirm.com

****All correspondence should be sent to the Glenwood Springs office*

April 29, 2016

TO: Mayor and Town Council, Town of Minturn

FROM: Karp Neu Hanlon, P.C.

RE: **Process for Filling Vacant Council Seats**

The Town of Minturn Town Council currently has two vacant seats to fill. It is the duty of the remaining councilmembers to choose “duly qualified” individuals to fill those vacancies by majority vote. Minturn Home Rule Charter § 4.6. This process must be conducted pursuant to the Colorado Open Meetings Law, C.R.S. § 24-6-402. It is the intent of the Open Meeting Law that citizens be given the opportunity to obtain information about the activities of their government. “A citizen does not intelligently participate in the legislative process merely by witnessing the final tallying of an already predetermined vote.” *Weisfield v. City of Arvada*, 361 P.3d 1069 (Colo. App. 2015).

The Colorado Sunshine Act provides:

Neither a state nor local public body may adopt any proposed policy, position, resolution, rule, or regulation or take formal action by secret ballot... ‘secret ballot’ means a vote cast in such a way that the identity of the person voting or the position taken in such vote is withheld from the public.

C.R.S. § 34-6-402(2)(d)(IV). Failure to adhere to this requirement may result in a challenge by affected citizens under a statutory cause of action. C.R.S. § 24-6-402(9). Council must, therefore, seat qualified individuals through a process that allows for full disclosure of the councilmembers’ voting.

Council may use paper ballots as part of the process of filling council vacancies. However, the ballots must identify the councilmember voting the ballot. The ballots are public records.

I believe that the use of paper ballots can assist with streamlining the selection process. Council members can vote paper ballots until two persons who have submitted letters of intent have garnered a majority councilmembers’ support. After determining which two applicants have majority support from the Council (by paper ballot), a motion must be made, seconded, and voted on to fill the vacancies.

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

MEMORANDUM

TO: Mayor and Town Council
FROM: Jay Brunvand, Clerk/Treasurer's Office
CC:
DATE: 4/29/16 1:27 PM

MAY 4, 2016 COUNCIL MEETING

Note: Following is a recommended sequence of events for the Mayor to follow in order to appoint the vacant Council seats.

1) Worksession

During the Worksession I have allotted time to discuss the process, not the applicants.

2) General Meeting

a. Discussion/Action: Discuss and Interview applicants

i. Each applicant, one at a time, will speak from the podium.

1. They will each have a few minutes to introduce themselves and express their desire and qualifications.
2. The Council will have time to ask interview questions. I received several questions and a list of questions will be available at your seats during the meeting if you desire to use them.

ii. Once all candidates have been interviewed, Council will use ballots to vote for the seats.

1. The ballots are not secret, will have your name on them for future reference, and will be numbered in the event multiple ballot votes are necessary.
2. Ballots will be passed to the Mayor who will tally the votes and announce the results.
 - a. The rules agreed to by the Council at the previous meeting require EACH applicant to receive not less than three votes.
 - b. Those applicants who receive three or more votes will move on to the next round of voting if necessary.
 - c. Those applicants who receive less than three votes will not move on.
 - d. In the event the first round of voting does not produce any applicants with three or more votes the Council will revote.
 - e. This process will continue until two candidates are produced with not less than three votes each.

- b. Discussion/Action: Resolution 10 – 2016
 - i. Based on the final vote which produced two applicants who received not less than three votes, the Mayor will call for a motion to appoint the two applicants and their name will be added to the Resolution provided.
- c. Discussion/Action: Swearing in of appointed applicants
 - i. The Mayor will swear in the two newly appointed applicants with the following:
 - 1. Applicants will be sworn in together by raising their right hand.
 - 2. The Mayor will read:
I, _____, do solemnly swear that I will support the Constitution and laws of the United States, the Constitution and laws of the State of Colorado, and the Ordinances of the Town of Minturn, and that I will faithfully perform all the duties of the office of Minturn Town Council Member, upon which I am about to enter.
 - 3. The newly appointed members will assume their seats at the Council Table

Please contact me if you have any questions. j

Dear Mayor and members of the Town Council,

I am writing to inform you of my intent to run for an interim Town Council seat.

I have lived in the Vail Valley for nearly 8 years now, 5 of those years have been spent as a resident of Maloit Park in Minturn where I currently reside. I have been an employee of Eagle County School District for 7 of those years. For the last 4 years I have held a dual position with the district, splitting my time as a school bus driver for Minturn and Red Cliff and as Park Manager for Maloit Park. This split position with the school district has given me a very unique chance to become well acquainted with a large portion of the community.

This community has given me the chance to reflect upon and grow as a resident and to be mentored from those who have called Minturn their home for generations. I have had the opportunity to meet with many of the parents of Minturn as well as the ability to interact daily with a majority of the town's youth. The management of Maloit Park has allowed me to work closely with Ski and Snowboard Club Vail and the Vail Ski and Snowboard Academy. The ties I share with the Park Residence, all of which are highly regarded Educators and Support Staff, are very well established. The Rummage Sale, Minturn Seniors, and Public Park users, these people are all a part of my daily interactions.

Beyond my current time spent in Minturn, I fully intend to call Minturn my home for many more years to come. My loyalty to the School District and my love and passion for Minturn and the mountain lifestyle make this an ideal place to live. I know how hard it is to live and work in this valley, and as a 31 year old working class resident of this town, I feel that I represent a very important demographic, one that is pivotal to the future of Minturn. I am exceedingly optimistic about the sustainable growth of Minturn, and I am confident that I can offer my ability to listen, respectfully question, and act in the best interest of the community.

Respectfully,

John Widerman
1951 South Hwy 24 #11
Minturn, CO 81645
970-977-6650

To: Minton Town Council

From: DARIN TUCHOLKE
530 TAYLOR ST.

Re: request for a seat on council

Date: April 22, 2016

To whom it may concern:

I Darin Tucholke would like to be considered for the vacancy on town council. I have been a permanent resident in minton since Dec 1993. I am 45 years old.

Thank You



970-977-0475

~~BT~~ aclimbj@AOL.COM
SEND PICTURE

Bickerton Executive Consulting, LLC

April 25, 2016

TO: Minturn Town Council C/O Jay Brunvand, Town Clerk/Treasurer

FROM: Brad Bickerton

RE: Letter of Interest of Appointment to Minturn Town Council

Mayor Scherr, Mayor Pro Tem Bidez, and Minturn Town Council Members,

My name is Brad Bickerton and I am interested in filling one of the two vacant Minturn Town Council seats. I am currently serving on Minturn's Planning & Zoning Commission as well as the Economic Development Advisory Board. Since moving to Minturn in January of 2013, I have fallen head over heels in love with this town, its style, and people.

Additionally, I lead a renewed effort to promote small business and entrepreneurial efforts both locally and regionally. I helped found 8150 – High Altitude Entrepreneurs, a non-profit free-to-all organization that helps companies and entrepreneurs launch within the Valley. Moreover, I have bolstered the role of young entrepreneurs within the Vail Valley including recent recognition by the Vail Centre at the annual Torch awards.

Going forward, I am confident that I have the dedication and leadership ability for this role. I enjoy challenges and always seek out opportunities to grow as an individual and as a professional. I believe that government can be efficient, engaging, and influential at the municipal level and would like to play an active role in contributing those qualities to our local government.

As a Minturn Town Council Member, I would continue the Council's excellent record of mediating conflict, being impartial, and communicating often with the businesses and residents of our community. I would look forward to the challenges of working not only on the business of the Town, but also the future as the Town and the Valley grow and change.

Doubtless, this last year in town has been one of transition and challenge. I am committed to seeing new pathways of communication develop, many of which will be championed through continued efforts of the Economic Development Advisory Committee.

Finally, I will be the strongest advocate for Minturn's future interests. You all have phenomenal ideas, passions, and dreams that can lead Minturn into the next 20 years and I am energized and dedicated to play an active role in the molding of Minturn's future. I hope that my record of community volunteerism as well as my dedication to the Planning Commission provide the level of dedication you seek.

I currently am a co-founder and owner in SkiPodz, the Vail Valley's newest startup that both produces shippable ski luggage, and ships luggage and gear in the Valley, in 2012 I graduated from the University of Colorado with a JD/MBA with a focus on finance and entrepreneurship.

Thank you for taking the time to consider me to sit on this Council with you.

Sincerely,



Brad Bickerton

PHONE
303.478.0259

EMAIL
bbickerton@gmail

ADDRESS
201 Main ST. #2, Minturn, Colorado 81645

Minturn Town Council
302 Pine St.
Town of Minturn, CO. 81645
Atten: Jay Brundvand

4/23/16

Mr. Jay Brunvand:

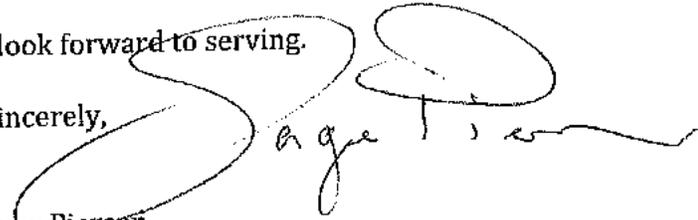
I am interested in being considered as an applicant to fill one of the two vacancies on the Town Council.

I have read the qualifications outlined on the town web site and meet them, having lived in town for 15 years and, while I won't disclose my exact age, I also meet that criteria!

As you and members of the Town Council are aware I have owned a business in Minturn for the last 6 years and have an abiding interest in this town and want to contribute to its success.

I look forward to serving.

Sincerely,



Sage Pierson
123456 St. P.O. BOX 452
Minturn, CO 81645

Michael J. Heaphy
PO Box 504
Minturn, Colorado 81645
(720) 838-8300
mheaphy@gmail.com

April 22, 2016

Via Electronic Mail

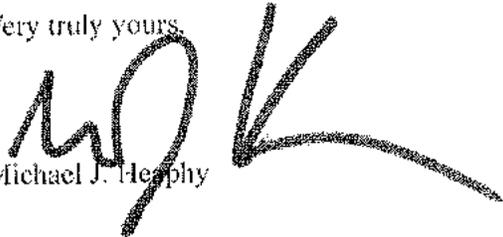
Town of Minturn
Attn: Jay Brundvand, Town Clerk/Treasurer
302 Pine Street
PO Box 309
Minturn, Colorado 81645
treasurer@minturn.org

Re: *Town Council Letter of Interest*

Dear Mr. Brundvand:

This letter is intended to serve as my expression of interest in being appointed to one of the two vacant positions on the Minturn Town Council. I satisfy all of the relevant candidate qualifications, i.e., I have been a citizen of the United States for more than seven years, I am at least twenty-five years old, I have been a resident of the Town of Minturn for more than two years and have never been convicted of a felony. Per the public notice posted by the Town with respect to these vacancies, I will plan to attend the Council's regularly scheduled meeting May 4 meeting for further proceedings concerning this matter. Thank you for assistance and please do not hesitate to contact me if you have any questions or need additional information.

Very truly yours,


Michael J. Heaphy

Enclosure

April 24, 2016

Town of Minturn
Jay Brunvand, Town Clerk/Treasurer
302 Pine St
P.O. Box 309
Minturn, CO 81645

Re: Letter of Interest- Minturn Town Council

Mr Brunvand:

I am interested in one of the open seats for Minturn Town Council. I have reviewed and I meet all the requirements for the position.

I have lived in the town of Minturn for 52 years and in Avon for 3 years. We built our house in 1984 and have been in it since that time.

I previously served on Minturn Planning and Zoning and also was on the Master Plan Committee years ago.

I've been employed by government entities since 1978, I have worked at the Town of Vail for 3 years, Eagle County for 7 years and Eagle River Water and Sanitation District for 27 years and still employed with them.

I would like the opportunity to serve my community and be a part of the town's team.

Thank you.



Gusty Kanakis
201 Pine Street
PO Box 969
Minturn, CO 81645
(970) 471-1862

**Shelley Bellm
470 Pine Street
PO Box 397
Minturn, CO 81645
970-390-0417**

April 26, 2016

Town of Minturn
Jay Brunvand, Town Clerk/Treasurer
302 Pine St
PO Box 309
Minturn, CO 81645

Please accept this letter as my intent to seek an appointment to the Minturn Town Council. As a 23 year resident of the Town and a former council member, I believe I am the right fit for this appointment.

Thank you



Shelley Bellm

Jay Brunvand

From: franklorenti@gmail.com
Sent: Tuesday, April 26, 2016 2:26 PM
To: Jay Brunvand
Subject: Letter of Interest

Letter of Interest

Please consider this as my letter of interest for one of the open positions on Minturn Town Council. I will take any questions you have for me at the May 4th meeting.

Thanks for your time.
Frank Lorenti

Jay if you could email me confirmation that you received this, thanks.

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 10 – SERIES 2016**

**A RESOLUTION APPOINTING TOWN COUNCIL
MEMBERS**

WHEREAS, The Minturn Town Council has received a resignation from the Town Council and desires to fill the vacancy; and

WHEREAS, in addition to the resignation during the election of April 5, 2016 Council Member Matt Scherr was elected Mayor leaving that Council seat vacant and desires to fill the vacancy; and

WHEREAS, pursuant to Minturn Town Charter Section 4.6, the remaining Council Members shall choose by majority vote appointments to fill the vacancies.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO THAT THE FOLLOWING INDIVIDUALS ARE HEREBY APPOINTED AS INDICATED:

NAME	TERM
_____	May 2016-Election Day April 2018
_____	May 2016-Election Day April 2018

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 4th day of May, 2016.

TOWN OF MINTURN

By: _____
Matt Scherr, Mayor

ATTEST:

Jay Brunvand, Town Clerk

TOWN OF MINTURN

RESOLUTION NO. 11 – SERIES 2016

**A RESOLUTION CONCERNING BANKING PRACTICES FOR THE
TOWN OF MINTURN**

WHEREAS, Pursuant to the Town of Minturn’s banking institutions policies and practices it is requested and required that Town Council make certain authorizations following a municipal election or when a change of positions on the Council or in Staff warrant.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO THAT THE FOLLOWING FOUR INDIVIDUALS ARE HEREBY AUTHORIZED TO SIGN CHECKS WITHDRAWN ON FUNDS FROM THE TOWN’S CHECKING ACCOUNT(S) AND SAVING ACCOUNT(S) AND INVESTMENT ACCOUNT(S):

Matt Scherr	Mayor
Earle Bidez	Mayor Pro Tem
Terry Armistead	Council Member
William Powell	Town Manager

INTRODUCED, READ, APPROVED AND ADOPTED this 4th DAY OF MAY 2016.

MATT SCHERR, MAYOR

ATTESTS:

JAY BRUNVAND, TOWN CLERK

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

William Powell
Town Manager



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

MANAGER MEMORANDUM
May 6, 2016

Holy Cross Energy (HCE)

Janet and Willy met with a representative of HCE to discuss their future plans to connect transmission lines from the Gilman to Avon substations. The inter-connect would provide increased reliability of electric service for HCE users. HCE provides all electric service to the county except Minturn and Red Cliff. Only the two business parks at the north end of town are in the HCE service area. The representative explained HCE service to the upper valley was very near capacity in 2012; however, the years since then have not seen as high as demand as 2012. In any event they want to be prepared for the future. The transmission line poles will be 60’ high with lines sagging in-between. HCE has reached out to some members of the public who desire the line be underground. However, HCE’s policy is that customers within a prescribed area pay for any undergrounding, rather than the entire user base. If the line is above ground, there are generally three alternatives: Over Meadow Mountain, in the valley floor near where existing electric lines are on the hillside east of town, and above the Lionshead area and out of site for Minturn residents. Janet and Willy told the representative the above Lionshead was the preferred alternative of staff and they should do a view shed analysis of such an alignment viewing from Minturn and the Vail ski area. This alternate is complicated by its being a Forest Service Roadless Area. Does Council have any additional input?

ANIMAL CONTROL

Minturn contracts with Eagle County for animal control. The county desires municipalities who contract with them to have nearly the same regulations for ease of administrative and enforcement. Please see attached requested ordinance changes. The principal changes from existing Minturn code are that all dogs are required to be licensed after four months instead of three. Additionally no cat licenses will be offered (now on a voluntary basis). Please note in the cover letter from Nathan Lehnert the county intends to provide a service for on-line dog licensing.

Rural Economic Development Program (REDI)

The town was informed of the REDI program on April 25. Staff is consulting with DOLA representatives to learn more of the program and assess eligibility. Deadline for submittal is May 31. Staff has discussed applying for engineering services to design a water main to the Dowd Junction site. See attachments. If Council decides the town should apply, I will need to get preliminary estimates of engineering costs from Inter-Mountain Engineering.

ICON TWO WEEK SCHEDULE

The following was sent to 100Block business and property owners on April 27

Minturn Entryway Update following weekly Tuesday meeting:
Downtown Construction Meeting (no businesses or residents attended)

The town wants to thank business and property owners for their patience in downtown construction, now in its second week. Attached you will find the current two week schedule. You are reminded the town conducts weekly construction meetings at 9am, every Tuesday, and the public is invited to attend.

Weather permitting you should expect substantial concrete work to progress next week. As usual in Minturn, some below ground “treasures” have been discovered. New curb stops and service line installation will improve water reliability, and delivery to the general area of Magustos, Minturn Country Club and the buildings behind.

While there is some negative information concerning the project, the town remains committed to delivering a quality project with the following enhancements: traffic calming, improved crosswalk safety, improved storm drainage, new sidewalks and preventing trip hazards, and landscape installation.

Please send questions/concerns or follow-up to Willy Powell: manager@minturn.org or [970-827-5645 x8](tel:970-827-5645)

Willy Powell

From: Gary Severson <seversonbreck@msn.com>
Sent: Saturday, April 23, 2016 8:17 AM
To: Willy Powell; Janet Hawkinson
Cc: Gary Severson
Subject: Thank you

Willy and Janet,

Thank you for meeting with me last Thursday. It was good to see you again Willy, and Janet it was nice to meet you. Here is a follow-up on our discussion:

- I checked on the Glenwood Springs power infrastructure built above the Hot Springs Pool, that was brought up in our meeting. The facility in question is owned and was built by the City of Glenwood Springs in a joint project with Xcel.
- You asked about the possibility of Holy Cross Energy taking over the Xcel line from Gilman to Minturn. I met with Holy Cross Energy managers yesterday and they said that they would look into that possibility and will meet with Xcel in the next few days to explore the possibility. It would not only require permission from Xcel, but also the Colorado Public Utilities Commission.
- We also discussed the route of the transmission line that you recommended running behind Lion's Head. The routing contractor for Holy Cross Energy had looked at that route and had immediately rejected it because of the extensive distance of Inventoried Roadless Area that would have to be crossed. However, the Holy Cross Energy managers said that they would have the contractor reconsider it based on discussions with the White River National Forest.

Thanks again for taking the time to meet with me and let's stay in touch.

Best, Gary

Gary Severson
Evergreen, Colorado

Willy Powell

From: Nathan Lehnert <nathan.lehnert@eaglecounty.us>
Sent: Tuesday, April 26, 2016 11:07 AM
To: Willy Powell
Subject: Re: Eagle County Resolution Changes
Attachments: Animal Control Resolution - licensing adjustments.doc

I've attached a copy of the proposed edits for your review. Sections 4, 5 and Exhibit A will need to be adjusted in the county resolution, and the Town of Minturn Ordinance should only be effected in Section 7-9-50 and 7-9-60.

The goal is to adjust the law so that we can use a 3rd party manager called Pet Data to handle our licensing program. This will allow people to license their dogs all online without having to come to the shelter, or having to mail all of the required paperwork into Animal Services. The process has been cumbersome and labor intensive for us and sometimes people have needed to wait weeks for us to input hundreds of license applications before we send tags back. Mail and walk-ins will still be allowed, but we will encourage use of the online option. Along with the changes needed to allow a third party to handle the program we wanted to take the opportunity to change the licensing requirement from a one calendar year registration, to a one or three year registration that coincides with the dog's rabies vaccination.

It's my hope that I can get something approved through our legal department that will be easily copied and pasted into all of the Town's ordinances to make the process easier. If you have any thoughts on how that would work best for you and the Town of Minturn, please let me know. Thanks for your help.



Nathan Lehnert
Interim Animal Services Supervisor
Eagle County Animal Shelter & Services
1400 Fairgrounds Rd. Eagle, CO 81631
(P) 970-328-3647 | (C) 970-471-3763
(F) 970-328-2442
www.eaglecounty.us/animal
www.facebook.com/ECAAnimalServices

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On Tue, Apr 26, 2016 at 7:42 AM, Willy Powell <manager@minturn.org> wrote:

Nathan,

I can be the contact person at the Town of Minturn.

Willy Powell

manager@minturn.org

970-827-5645 x 8

From: Nathan Lehnert [mailto:nathan.lehnert@eaglecounty.us]
Sent: Monday, April 25, 2016 7:29 PM
To: Willy Powell
Subject: Eagle County Resolution Changes

Manager Powell,

I'm reaching out to members of each municipality that Animal Services contracts with so that I can find the correct person to speak with about some proposed changes to the county resolution. The changes will affect your corresponding town ordinance so I would like to get some feedback, and eventually get some assistance with the Ordinance change that will be needed. Initially we are only wanting to make some changes to our dog licensing program that we hope will provide better management of the program, and also provide more options to the public. Thanks for your help.



Nathan Lehnert
Interim Animal Services Supervisor
Eagle County Animal Shelter & Services
1400 Fairgrounds Rd. Eagle, CO 81631
(P) 970-328-3647 | (C) 970-471-3763
(F) 970-328-2442
www.eaglecounty.us/animal
www.facebook.com/ECAAnimalServices

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Commissioner _____ moved adoption
of the following Resolution:

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF EAGLE, STATE OF COLORADO**

RESOLUTION NO. 2010-_____

**RESOLUTION REPEALING AND RESTATING
RESOLUTION NO. 07-21
CONCERNING THE CONTROL, LICENSING,
IMPOUNDMENT AND DISPOSITION OF ANIMALS**

WHEREAS, 30-15-101 et seq., C.R.S., authorizes the Board of County Commissioners, County of Eagle, State of Colorado, hereinafter referred to as the "Board," to adopt a resolution providing for control and licensing of pet animals in the unincorporated areas of Eagle County, Colorado; and

WHEREAS, the Board has previously adopted such regulations, most recently by Resolution No. 07-21 adopted February 27, 2007, entitled Resolution Repealing and Restating Resolution 98-27 Concerning the Control and Licensing of Dogs and Impoundment and Disposition of Animals; and

WHEREAS, the Board finds that the Eagle County Animal Control Resolution of 2007 requires certain additions, modifications and clarifications in order to adequately provide for the control of Pet Animals and Working Dogs and other reasonable or necessary regulations in order to serve and promote the public peace, health, safety, and welfare of the citizens of Eagle County; and

WHEREAS, this Resolution is intended to repeal and restate the Eagle County Animal Control Resolution of 2007.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF EAGLE, STATE OF COLORADO;

THAT, the following Resolution be and is hereby adopted:

1. **INTENT.** It is the intent of the Board of County Commissioners in adopting this Resolution that Pet Animal and Working Dog Owners be responsible for their Animals' conduct, that they exercise control with respect to their Animals in a manner which recognizes the rights, health and safety of others in the community, and that they be held strictly liable for conduct of their Animals which violates the provisions of this Resolution.

2. **DEFINITIONS:** As used in this Resolution, the following terms shall have the following meanings:

2.1 "ABANDON" means (a) to fail to provide a Pet Animal Necessary care for a period of 24 hours or longer or (b) to deposit, leave, drop off or otherwise dispose of any Pet Animal on public or private property without providing necessary care. For the purposes of this Resolution, any Pet Animal is presumed to be Abandoned if, after the posting or personal service of written notice describing deficiencies of necessary care for a Pet Animal, the deficiencies are not corrected within 24 hours of such notice by any person other than an animal control officer.

2.2 "ANIMAL" means non-human mammals, including but not limited to dogs, cats, birds and reptiles.

2.3 "ANIMAL CONTROL OFFICER" means any person empowered by Eagle County to enforce the provisions of this Resolution pursuant to § 30-15-105, C.R.S., Eagle County Sheriffs Department personnel and other peace officers as defined in § 18-1-901, C.R.S.

2.4 "ANIMAL SERVICES DEPARTMENT" means the Eagle County Department of Animal Services.

2.5 "ANIMAL SHELTER" means all facilities and premises authorized by the Eagle County Board of Commissioners to care for Animals impounded or quarantined pursuant to the provisions of this Resolution. Such facilities and premises shall also be considered public animal shelters for the purpose of impounding dangerous dogs pursuant to the provisions of § 18-9-204.5, C.R.S.

2.6 "ATTACK" means aggressive behavior such as biting, injuring or chasing person or animal that may result in Bodily Injury, Serious Bodily Injury, or the death of a person or animal.

2.7 "BITE" means the severe bruising, piercing, laceration, or breaking of the skin by the teeth or jaws of any Animal.

2.8 "BODILY INJURY" means any physical injury that results in severe bruising, muscle tears, or skin lacerations requiring professional medical treatment or any physical injury that requires corrective or cosmetic surgery.

2.9 "CAT" means any animal of the species Felis Domesticus or any hybrid thereof.

2.10 "CONTROL" means supervision of, and influence over, any Pet Animal sufficient to prevent the violation of any of the provisions of this Resolution. Control shall be by Physical Control or Immediate Control, as defined herein.

2.11 "DANGEROUS ANIMAL" means any Pet Animal or Working Dog that has, without provocation, inflicted Serious Bodily Injury to a person, or has caused the death of a human being; or, has, while off the premises of its owner or responsible person, killed a domestic animal without provocation; or, has, been previously classified as Potentially Dangerous and is found in violation of the provisions of this Resolution.

2.12 "DOG" means any animal of the Canine species or any animal related to the wolf, fox, coyote or jackal.

2.13 DOG PARK means an area posted by any agency of the Federal government, the State of Colorado, or any political subdivision of the State for dogs to exercise and play off-leash in a controlled environment under Immediate Control of their Owners.

2.14 "HABITUAL OFFENDER" means any Pet Animal or Working Dog Owner who has pled guilty to, or been found guilty of, violating any provision of this Resolution three times within any eighteen-month period. For the purposes of this Resolution, after the effective date of this Resolution any disposition of charges involving probation or deferred judgment and sentencing shall be considered to be convictions.

2.15 "IMMEDIATE CONTROL" means Control of a Pet Animal by the physical presence of the Owner or Responsible Person so that it is at heel beside or otherwise controlled and obedient to a person competent to restrain the animal by command.

2.16 "IMPOUND" means to place an Animal in Public or Protective Custody in the interest of the safety of the Animal and/or the safety of the community.

2.17 "LIVESTOCK" means cattle, horses, mules, burros, sheep, poultry, swine, llama, goats, and any other Animal, when used for working purposes or raised for food or fiber production.

2.18 "MISTREATMENT" means every act or omission which causes, or unreasonably permits the continuation of, unnecessary or unjustifiable pain or suffering of an Animal.

2.19 "NECESSARY CARE" for a Pet Animal includes but is not limited to providing food, water, protection from the weather and removal of waste from the Animal's enclosure.

2.20 "NEGLECT" means failure to provide food, water, protection from the weather, opportunity for exercise, socialization, or other care consistent with the needs of the species of the Animal in question.

2.21 "OWNER" means any person, firm, corporation, or organization owning, possessing, keeping, having financial or property interest in, or having temporary control or custody of, any Pet Animal; or any person, firm, corporation or organization owning or having financial or property interest in a Working Dog.

2.22 "PET ANIMAL" means dogs, cats, rabbits, guinea pigs, hamsters, mice, ferrets, birds, fish, reptiles, amphibians, and invertebrates, or any species of wild or domestic or hybrid animal sold, transferred, or retained for the purpose of being kept as a household pet, except livestock, and includes any other animal specified in § 35-80-102 (10), C.R.S., as may be amended from time to time. "Pet Animal" does not include an Animal used for working purposes on a farm or ranch or a Working Dog in the process of being worked.

2.23 "PET ANIMAL FACILITY" means any facility licensed as such pursuant to the provisions of Part 1 of Article 80 of Title 35, C.R.S.

2.24 "PHYSICAL CONTROL" means Control of a Pet Animal by means of a Tether or a leash attached to the animal, and held by the Owner, or control by confinement in a Secure Animal Enclosure.

2.25 "POTENTIALLY DANGEROUS ANIMAL" means any Pet Animal or Working Dog that without provocation, threatens to attack, or bites causing Bodily Injury to a human being, or another Pet Animal, or Pet Animal that causes bodily injury or death of the Livestock of another; or approaches a person upon the streets, highways, sidewalks, or other areas open to the public in a menacing fashion; or, has a known propensity, tendency, or disposition to attack without provocation, or cause physical injury or otherwise threatens the safety of human beings or other Pet Animals; or, is owned or harbored primarily or in part for the purpose of fighting or is trained for fighting

2.26 "PREMISES" means property owned, leased, or expressly permitted to be used by an Owner, including any confined area or locality such as a residence, business, room, shop, building, or motor vehicle, including the open space bed of a truck.

2.27 "PROTECTIVE CUSTODY" means the taking of an Animal into custody by Animal Services to prevent the Mistreatment, Neglect, or Abandonment of such Animal; or, impoundment of an Animal because of the Owner's inability to care for the Animal due to incarceration, incapacitation, or transport to a medical treatment facility.

2.28 "PROVOCATION" means harassment, teasing, threatening, striking, or attacking an Animal or its Owner in the Animal's presence, by either a person or another Animal. Provocation may also include the intrusion onto the physical property of the Pet Animal's or Working Dog's Owner, without the Owner's consent and/or interference with a Working Dog's performance of its job while it is actually working.

2.29 "PUBLIC CUSTODY" means the impoundment and/or confinement of an Animal in the Animal Shelter, or in the physical control of an Animal by an Animal Control Officer performing duties pursuant to the provisions of the Resolution.

2.30 "QUARANTINE" means the confinement of an Animal for a specific period of time during, as determined by the Director of Animal Services, which the Animal will be observed in order to detect symptoms of disease. At the discretion of the Animal Services Director, the Animal may either be quarantined by being (i) taken into Public Custody; or (ii) kept in a Secure Animal Enclosure and/or within the Physical Control of the Owner during the entire Quarantine period.

2.31 "RABIES REGISTRATION" means the vaccination of an Animal with an anti-rabies vaccine administered under the supervision of a licensed veterinarian, and the retention of a certificate of rabies vaccination by the animal owner.

2.32 "SECURE ANIMAL ENCLOSURE" means a structure which is suitable to prevent the escape of the Animal and prevents the entry of young children, having a top, bottom, all sides, and is locked.

2.33 "SERIOUS BODILY INJURY" means such injury which involves a substantial risk of permanent physical disability, impairment or, a disfigurement; or, a substantial risk of protracted loss or impairment of the function of any part of, or organ in the body.

2.34 "TETHER" means to securely tie, chain or leash a Pet Animal to an inanimate object.

2.35 "TRESPASS" means the entry by a Pet Animal or Working Dog upon any private property other than that of the Pet Animal's Owner, or upon public property which is posted as not permitting Animals or such Animals.

2.36 "WORKING DOG" means a dog which is actually working livestock, guarding livestock from predators, locating or retrieving wild game in season for a licensed hunter, assisting law enforcement officers, assisting in rescue efforts, or being trained for any of these purposes.

3. VACCINATION OF PET ANIMALS AND WORKING DOGS REQUIRED

3.1 Owners of Pet Animals and Working Dogs which are harbored, kept, or maintained in Eagle County, for which Animals the United States Department of Agriculture has licensed a rabies vaccine, shall (i) vaccinate, (ii) maintain the efficacy of the vaccination, and (iii) maintain proof of current, efficacious rabies vaccination for their Pet Animals and Working Dogs.

3.2 Such Pet Animals and Working Dogs shall be vaccinated when the animal reaches the age of four months or is licensed (if applicable), whichever occurs first, and the vaccination shall be repeated as necessary in accordance with recommendations of the United States Department of Agriculture or vaccine manufacturer to maintain efficacy of the vaccination.

3.3 The rabies vaccine shall not be required for a Pet Animal whose veterinarian, in accordance with C.R.S. § 25-4-607, has issued a written waiver based on the veterinarian's professional opinion that the rabies inoculation is contraindicated due to the Pet Animal's medical condition.

4. ANNUAL DOG LICENSING: All dogs, including Working Dogs, harbored, kept, or maintained in Eagle County shall be licensed, ~~except dogs kept as part of the operation of a Pet Animal Facility or Eagle County maintained shelter.~~

4.1 All dogs over the age of four months shall have a valid Eagle County dog license after the dog has been kept, maintained, or harbored in the County for any consecutive thirty day period or immediately upon impoundment or citation for any violation of the Resolution.



4.2 All dog licenses shall expire on the same date that the dog's rabies vaccination expires. December 31 of the year for which the license is issued.

4.3 A valid dog license tag shall be attached to a collar or harness and shall be worn by the dog at all times. It shall be a defense to prosecution that the owner or responsible party can produce a certification by a veterinarian that the dog cannot wear a collar or harness because of a permanent medical condition or the dog was, at the time of notice, working in a capacity that made the wearing of a collar or harness hazardous to the dog. Working Dogs that cannot wear a dog license tag shall be microchipped or tattooed, at the Owner's expense, and registered with the Department of Animal Services.

4.4 A dog license shall be comprised of and evidenced by a written license form and a dog license tag.

4.5 The Eagle County Animal Services Department and/or any agency or person designated by the Board of County Commissioners by resolution will issue a dog license upon the receipt of the executed application, payment of the license fee and evidence of a current rabies vaccination ~~with efficacy extending past the date of license issuance.~~



~~5. VOLUNTARY CAT IDENTIFICATION — Owners of cats harbored, kept or maintained in Eagle County are entitled to obtain an identification tag suitable to be worn on a collar or harness. Cat identification tags will be available from the Animal Services Department, and/or any agency or person designated by the Board of County Commissioners by resolution upon the receipt of the executed application, payment of the identification tag fee and evidence of a current rabies vaccination with efficacy extending past the date of tag issuance.~~

6. FAILURE TO CONTROL A WORKING DOG OR PET ANIMAL It shall be unlawful, considered a failure to Control a Pet Animal or Working Dog, when:

6.1 A Pet Animal is off the Owner's Premises without the presence of a person having Control as defined in this Resolution;

6.2 A Pet Animal or Working Dog is allowed to cause Bodily Injury to a human being, or another Pet Animal, or is allowed to cause damage to the property of another;

6.3 A Pet Animal or Working Dog is tethered upon any public or private property without the permission of the person owning, leasing, or otherwise controlling the property in question;

6.4 Any Pet Animal or Working Dog reaches past the perimeter of the Owner's Premises with its teeth or claws causing Bodily Injury or property damage to another;

6.5 A Pet Animal is allowed to defecate on public or private property and the Owner or responsible person, of the animal, does not remove the waste in a timely manner;

6.6 A female cat or dog, during estrus, is not under Physical Control, confined indoors or confined within a Secure Animal Enclosure;

6.7 A Pet Animal is not under Physical Control in areas posted by any agency of the Federal government, the State of Colorado, or any political subdivision of the State as requiring the animal to be on a leash; or

6.8 Any Pet Animal or Working Dog is Mistreated or is left in circumstances which constitute Abandonment.

6.9 A Pet Animal or Working Dog is allowed to enter Private Property not that of the Owner's without the property owner's permission, or allowed to enter public property which is posted as not permitting such Animals.

7. INTERFERENCE WITH AN OWNER'S CONTROL OF A PET ANIMAL OR WORKING DOG

It shall be unlawful for any person to perform any act which interferes with, prevents, or hinders the efforts of an Owner to Control any of the Owner's Pet Animals or Working Dogs.

8. INTERFERENCE WITH AN ANIMAL CONTROL OFFICER

8.1 It shall be unlawful to interfere with, hinder, prevent, or obstruct an Animal Control Officer in his/her performance of duty pursuant to this Resolution.

8.2 It shall be unlawful to remove any animal from the Public or Protective Custody without the consent of an Animal Control Officer.

9. WHEN A PET ANIMAL OR WORKING DOG BITES A PERSON:

A. DUTY TO REPORT PET ANIMAL AND WORKING DOG BITES

Any medical professional who provides treatment to a person for any animal bite that has pierced the skin shall report to the Eagle County Animal Services Department any information known regarding the animal bite. The report shall be made within twenty-four (24) hours after such information is received, and shall include with the report the name, address, and telephone number of the person making the report. The report may be made by telephone to the Animal Services Department on voice mail.

B. OWNER'S DUTY TO PRODUCE BITING ANIMAL FOR INSPECTION OR QUARANTINE

i. Upon the request of an Animal Control Officer, an Owner shall make available for inspection and/or Quarantine any Pet Animal or Working Dog which has bitten, or is suspected of biting a person.

ii. If the Quarantine of a Pet Animal or a Working Dog is deemed necessary, the place and terms of Quarantine shall be determined by the Director of the Animal Services Department or his or her designee pursuant to these regulations. During Quarantine, the Pet Animal or Working Dog shall, for a period of ten (10) days, be 1) isolated and confined to a Secure Enclosure and/or under the Physical Control of the Owner; or 2) confined at the Animal Shelter in a manner deemed appropriate by the Animal Services Director.

iii. All costs of Quarantine shall be the responsibility of the Owner.

C. IMPOUNDMENT OF AN ANIMAL THAT HAS BITTEN A PERSON

i. In addition to the requirements of Sections 9(B)(ii) and 10 of these regulations, if the Animal Services Director determines that an Animal has inflicted either Bodily Injury or Serious Bodily Injury to a person other than its Owner, he/she shall consider whether the Animal poses an immediate threat to the safety of the community, and if so, the Animal may be impounded. The following factors shall be considered in determining whether impoundment is appropriate in order to ensure the safety of the community.

a. The nature of the behavior giving rise to the Animal Services Director's determination that the Animal caused Bodily or Serious Bodily Injury;

b. The extent of the Injury(ies);

c. Circumstances surrounding the complaint, including but not limited to: the time of day that the injuries occurred; whether the dog was on/off the Owner's private property; whether there are any indications that the dog was provoked;

d. Circumstances surrounding the result and complaint including but not limited to: identification of the Animal; and credibility of complainants and witnesses;

e. The size of the lot where the animal resides and the number and proximity of neighbors;

f. The existing control factors, including but not limited to, the number of animals at the owner's residence, existence of fencing, caging, runs, and staking locations; and

g. The Animal's behavior post-incident as observed by Animal Control Officers and/or the Animal Services Director;

h. Whether there have been previous incidents or complaints involving the Animal;

i. Mitigating circumstances, including but not limited to an Owner's willingness and ability to take adequate measures to prevent future incidents.

ii. Upon impoundment of a Pet Animal or Working Dog that has inflicted Bodily Injury or Serious Bodily Injury to a person other than its Owner, the Owner of the

impounded dog may, within five (5) days of the impoundment, request an immediate custody hearing to determine whether the Animal should remain in Public Custody or whether the dog may safely be released back to the Owner. The hearing officer shall be the County Manager or his/her designee. The custody hearing must be held within ten (10) working days of the request for hearing. At the custody hearing, the County Manager shall consider whether there was an adequate factual basis for the Animal Services Director's decision that the dog must remain in Public Custody, and may affirm or overturn the Animal Service Director's determination, or alternatively, may recommend the release of the Animal with conditions to prevent additional incidents or complaints. The right to an administrative hearing shall be deemed waived if not timely requested as set forth in this Section.

10. DESIGNATION OF DANGEROUS AND POTENTIALLY DANGEROUS ANIMALS

10.1 In addition to determining whether immediate quarantine or impoundment of an Animal who has inflicted Bodily or Serious Bodily Injury to a person is appropriate, the Animal Services Director or his/her designee shall have the authority to determine, based on a preponderance of the evidence, that a Pet Animal or Working Dog is Potentially Dangerous or Dangerous as defined in these regulations.

10.2 Written notice of a Pet Animal or Working Dog's classification under 10.1 shall be served on the Owner or the Responsible Person of the animal at that Owner's or Responsible Person's last known address. The notice shall describe the animal, state the grounds for its classification, and applicable to such Pet Animal or Working Dog by reason of its classification. The notice shall also state that, if a written request for an administrative hearing is filed with the Animal Services Director within fourteen (14) days after receipt of the notice an administrative hearing will be conducted to review the classification of the Pet Animal or Working Dog. The right to an administrative hearing shall be deemed waived if not timely requested as set forth in this Resolution.

10.3 The notice referred to in 10.2 of this subsection shall be given either by personal delivery to the Owner or Responsible Person or by registered or certified mail, return receipt requested, addressed to the Owner or Responsible Person at the person's last known address. Notice by personal delivery shall be complete upon delivery and the receipt or upon return of the notice as undeliverable, refused, or unclaimed.

10.4 All administrative hearings held under this section shall be heard by the Board of County Commissioners or its designate, hereinafter referred to as the "Hearing Officer." The burden of proof shall be on the Owner or Responsible Person to show cause as to why the Animal's behavior does not support the designation as Dangerous or Potentially Dangerous. The hearing shall be informal and technical rules of evidence shall not apply. The classification shall be determined based upon the preponderance of the evidence. The Hearing Officer shall not be required to file a full opinion or make formal findings of fact or conclusion of law, but the Hearing Officer must state the reasons for the determination, and indicate the evidence relied upon. Such determination shall be made no later than 72 regular business hours after the close of the hearing. The proceedings at the hearing shall be recorded and retained for a reasonable period of time.

10.5 Should the Hearing Officer determine that the Pet Animal or Working Dog was properly designated by the Animal Services Director, the Owner or Responsible Person who requested the hearing shall be responsible for paying for the cost and expense of the hearing. Should the Hearing Officer determine that the Pet Animal or Working Dog is neither Dangerous nor Potentially Dangerous, no costs shall be charged for impoundment of the Pet Animal or Working Dog during pendency of the hearing.

10.6 When an Animal has been classified as Dangerous, the Hearing Officer shall first determine if that classification is proper. If the Hearing Officer determines that the Animal was improperly classified as Dangerous, the Hearing Officer shall then determine if the Animal is Potentially Dangerous. Should the Hearing Officer determine that the Pet Animal or Working Dog is Potentially Dangerous, the Owner or Responsible Person shall comply with the requirements of this Section applicable to Potentially Dangerous Animals.

11. IMPOUNDMENT OF DANGEROUS ANIMALS PENDING HEARING

Notwithstanding the provisions of Section 9, during the pendency of any hearing and any appeal therefrom on the classification of a Pet Animal or Working Dog as Dangerous, the Pet Animal or Working Dog shall be impounded at the County Animal Shelter at the Owner's or Responsible Person's expense.

12. RESTRICTIONS ON A POTENTIALLY DANGEROUS ANIMAL

12.1 While on the Owner's or Responsible Person's property, a Potentially Dangerous Animal must immediately be securely confined indoors or in a securely enclosed and locked pen or structure suitable for preventing the entry of young children and designed to prevent the Potentially Dangerous Animal from escaping by climbing, burrowing, or otherwise. The Potentially Dangerous Animal must be securely confined indoors at all times until such enclosure has secure sides and a secure top. If the enclosure has no bottom secured to the sides, the sides must be embedded into the ground to a depth of not less than one (1) foot. The enclosure must also provide adequate protection from the elements and be kept in a clean and sanitary condition.

12.2 A Potentially Dangerous Animal may be off the Owner's or Responsible Person's premises only if it is restrained by a substantial leash not exceeding four (4) feet in length. The leash and Potentially Dangerous Animal shall be under the actual physical control of a person suitable for controlling the Potentially Dangerous Animal at all times. Such Potentially Dangerous Animal shall not be leashed to inanimate objects such as trees, posts, buildings, etc.

12.3 Notification of change in status - The Owner or Responsible Person shall immediately notify the Eagle County Animal Services Department if a Potentially Dangerous Animal is loose, unconfined, has attacked another animal, or a human being, or has died, been sold, been given away, or is otherwise no longer in the possession of the Owner or Responsible Person. If the Potentially Dangerous Animal has been sold or given away the Owner or Responsible Person shall provide the Animal Services Department with the new Owner or Responsible Persons name, address and telephone number. If the new Owner or Responsible

Person maintains the Potentially Dangerous Animal within Eagle County the new Owner or Responsible Person shall comply with the requirements previously applied to such Animal and the requirements of this chapter.

12.4 Signs; Display Required - The Owner or Responsible Person shall display a sign or signs in such form as required by Eagle County on their premises warning that there is a Potentially Dangerous Animal on the premises. Such a sign or signs shall be visible and capable of being read from any public right-of-way abutting the premises. Such a sign shall also be posted on the enclosure for the Potentially Dangerous Animal.

12.5 Cost; Additional Signs - The County shall provide one (1) sign required by this section at no cost to the Owner or Responsible Person. Additional or duplicate signs shall be purchased from the County for an amount equal to the County cost for providing the signs.

12.6 Special license and identification tag - The Owner or Person Responsible for any Potentially Dangerous Animal shall obtain an annual special license and identification tag for such Animal, which license shall expire on December 31 of the year for which the license is issued. An application for a special license and identification tag shall be made to the Eagle County Animal Services Department which shall include the information required by Section 4 of this Resolution. All Potentially Dangerous Animals shall also be issued a special license identification tag which shall be worn by the Potentially Dangerous Animal at all times.

12.7 Spay or Neuter requirement for Potentially Dangerous Animals - Within Fourteen (14) calendar days after its classification as a Potentially Dangerous Animal, the Owner or Responsible Person shall have the Animal spayed or neutered and present proof of that fact to the Eagle County Animal Services Department.

12.8 The Owner or Responsible Person of any animal that has been designated as Potentially Dangerous in accordance with the terms of this Resolution must comply with sections 12.1, 12.2 and 12.3 concerning Potentially Dangerous Animals pending the outcome of any hearing challenging such designation.

12.9 Failure to Comply with Potentially Dangerous Animal Restrictions - Any animal that has been previously classified as Potentially Dangerous and is found in violation of the restrictions concerning Potentially Dangerous Animals may be classified as a "Dangerous Animal" in accordance with the terms of this Resolution.

13. DESTRUCTION OF DANGEROUS ANIMAL

13.1 It shall be unlawful to own a Dangerous Animal.

13.2 Any Pet Animal or Working Dog that is classified as Dangerous shall be humanely euthanized after being quarantined for the period provided by law.

14. FAILURE TO COMPLY WITH CERTAIN TERMS OF A SALES OR ADOPTION CONTRACT

14.1 It shall be unlawful to fail to comply with any of the terms of an adoption or fostering contract when the animal is obtained from the Eagle County Animal Shelter pursuant to such contract.

15. IMPOUNDMENT OF STRAY, ABANDONED ANIMALS OR THOSE OTHERWISE IN VIOLATION OF PROVISIONS OF THIS RESOLUTION

15.1 An Animal Control Officer may impound any Animal that is not under Control as required by this Resolution, or when it and/or its Owner are in violation of any of the provisions of this Resolution.

15.2 An Animal Control Officer may impound any Potentially Dangerous or Dangerous Animal that is not under Control as provided in these regulations. An Animal Control Officer may perform such impoundment prior to notifying the Owner, if such Owner is not immediately present to exercise Control of such animal.

15.3 As soon as practical after the impoundment of any Animal, an Animal Control Officer shall make a reasonable effort to notify the Owner of the animal's location by telephone, posting of a notice at the Owner's residence, or by written notice mailed to the Owner's last known address, if the identity of the Owner is known. If needed to establish the identity of the Owner, information contained on any identification, rabies, or license tag found attached to the animal shall be used.

16. OWNER'S DUTY TO REDEEM ANIMAL AND PAY FEES

16.1 The Owner of any impounded Animal shall be held responsible for all the costs of impoundment, including medical treatment and boarding, and such costs shall be fully paid prior to the release of the animal. In addition, prior to the release, the Owner shall pay for rabies inoculation or provide proof of efficacious rabies vaccination.

16.2 Prior to release of any impounded dog the Owner shall pay for an Eagle County dog license or provide proof of current licensure in Eagle County or the place the Animal regularly is kept.

16.3 It shall be unlawful for any Owner to fail to make arrangements for the redemption or surrender of any Animal impounded pursuant to the provisions of this Resolution, or to fail to pay any fees associated with the redemption or surrender of such animal.

17. DISPOSITION OF IMPOUNDED ANIMALS

17.1 Except for impoundment as provided by Section 9(C) herein, any Animal impounded pursuant to the other provisions of this Resolution, shall become the property of the Eagle County Animal Control after 5 days of impoundment, after which the Animal Services Department may humanely euthanize the animal. For purposes of this section, a "day" means a

24-hour period beginning at the time of the day at, and on the date on, which the animal was taken into Public Custody.

17.2 Eagle County Department of Animal Services may humanely euthanize any Animal at any time prior to the expiration of the 5-day impoundment period if the animal is seriously injured or ill, or if the Animal poses a risk to the health of any person.

17.3 After the required time period, in lieu of having an Animal destroyed, the Eagle County Animal Services Department may release an Animal which is not diseased to a bona fide animal welfare organization or to a person having no previous interest in the animal. Upon release of the animal, the recipient shall pay a fee as established by the County, including but not limited to fees for adoption, rabies inoculations, dog license, and sterilization costs.

17.4 All Animals adopted from the Eagle County Animal Shelter are required to be sterilized at the time of adoption unless such surgery would be dangerous to the animal due to its age or physical condition, as determined by the selected Veterinarian of record. Transfer of Ownership shall not occur until sterilization has been performed although possession may be given to the adopting person upon his or her written promise to have the sterilization performed by a specified date.

18. THREATENING OF LIVESTOCK OR WILDLIFE

18.1 It shall be unlawful to fail to control any Pet Animal so as to prevent such animal from running after, chasing, pursuing, biting, attacking, or in any other way threatening livestock or wildlife.

18.2 Any Pet Animal threatening livestock or wildlife may be immediately destroyed at the discretion of any Animal Control Officer. If not destroyed, the animal may be immediately impounded and/or designated Dangerous or Potentially Dangerous in accordance with these regulations.

18.3 A violation of this section may also require a mandatory court appearance by the Owner. Upon conviction, if the Animal was not destroyed at the time of the incident, the court may order it destroyed under the supervision of the Animal Services Department; if the court does not order the animal destroyed, the court may deem the animal a Potentially Dangerous Animal, and possession shall be returned to the Owner subject to the regulations applicable to Potentially Dangerous Animals under this Resolution and other state law. Upon a second conviction of a violation of this section with respect to a specific Animal, the court shall order the animal to be Dangerous and the animal destroyed under the supervision of the Animal Services Department.

18.4 Upon conviction of any violation of this section, the Owner shall be required by the court to pay restitution for any livestock or wildlife injured or killed by the Owner's Animal.

19. NUISANCE ANIMAL NOISE AND FECES

19.1 It is unlawful for any Owner to fail to prevent his Pet Animal from disturbing the peace of any other person by habitual or persistent barking, howling, yelping, or whining, or any other unprovoked noise, whether the animal is on or off the Owner's property.

19.2 It is unlawful for any Owner to permit the accumulation of a Pet Animal's feces on the property on which the animal is kept such that it is detectable visually or odorously by neighbors.

19.3 It is unlawful for any Owner to fail to confine Pet Animal feces, and any part thereof, within the perimeters of the property on which the animal is kept, regardless whether such failure to confine is the result of natural causes, such as surface water flow, or other causes.

19.4 No person shall be charged with a violation of this section unless a written warning for a separate violation has been given at least seventy-two (72) hours prior to the issuance of the citation. The name and address of the complainant shall appear on the written warning.

20. HABITUAL OFFENDER: It shall be unlawful for any person to become a Habitual Offender as defined in this Resolution. Any person may be charged as a Habitual Offender in addition to any other charges brought pursuant to the provisions of this Resolution. Upon the conviction of an Owner as an Habitual Offender, the Owner's offending Animal(s) may be ordered removed from Eagle County or surrendered to the Animal Services Department, along with any other penalties imposed by the Court.

21. ENFORCEMENT Animal Control Officers have the authority to issue a Summons and Complaint or penalty assessment to any alleged violator of this Resolution. The fine or other penalty shall be as provided in the Eagle County Animal Control Resolution or as otherwise provided by law.

22. PENALTIES: The fines, in the amounts prescribed in the attached Exhibit A, shall apply to any such violation of these regulations, and shall be applied either through the penalty assessment procedure of § 16-2-201, C.R.S., or by the court after conviction, in which case the court shall also assess the appropriate court costs.

23. POWER OF THE COURT: In addition to any penalties which may be provided for in this Resolution, the court shall have the authority, upon making a finding that an animal constitutes a nuisance or that an Animal constitutes a real or present danger to the citizens of the County, to order that the Animal be destroyed in a humane fashion.

24. LIABILITY FOR ACCIDENT OR SUBSEQUENT DISEASE FROM IMPOUNDMENT: The Board of County Commissioners, its employees, agents and persons authorized herein to enforce the provisions of this Resolution, shall not be held responsible for any accident or subsequent disease which may be suffered by an Animal as a result of the administration or implementation of this Resolution.

25. NOTICE: An Owner shall be deemed to have been issued and received an appropriate notice or warning as herein referred if the warning is personally served upon the Owner, posted on the Owner's Premises, or placed in the U.S. Mail, postage prepaid and addressed to the Owner according to the last address given by the Owner to obtain a dog license or cat identification tag, or to such other address as may be on file for the Owner with any government agency.

26. ENFORCEMENT: The provisions of this Resolution shall be enforced by the County Sheriff and peace officer of jurisdiction.

27. HOT PURSUIT: An Animal Control Officer in hot pursuit of an animal that is suspected of inflicting Bodily or Serious Bodily Injury to a human being or other animal may enter onto private property for the purposes of enforcing this Resolution, including for the purpose of effecting an Impoundment and/or Quarantine and, removing the animal from the property, ascertaining the identity of the animal, it's owner, and/or the currency or existence of dog tags, or issuing a citation. This section, however, does not grant any Animal Control Officer authority to enter into any dwelling.

28. ANIMAL CONTROL OFFICERS

28.1 There is hereby created the position of Eagle County Animal Control Officer who shall be employed by the County and appointed as such by the Board of County Commissioners, acting directly or through the County's chief administrative officer, at such compensation and such qualifications as from time to time shall be fixed by order of the Board.

28.2 Pursuant to § 30-15-105, C.R.S., personnel engaged in animal control, however titled or administratively assigned, may issue citations or enforce this Resolution. Personnel so engaged shall be included in the definition of "Peace Officer or Fireman" in § 18-3-201 (2), C.R.S. Nothing herein is intended to vest authority in any person so engaged to enforce any resolution or statute other than this Resolution.

29. DISPOSITION OF FINES AND FORFEITURES: All fines and forfeitures for violation of any provisions of this Resolution and all moneys collected by the County for licenses shall be paid over to the County Treasurer immediately upon their receipt.

30. CAPTIONS: The captions and paragraph headings used throughout this Resolution are for the convenience of reference only, and the words contained herein shall in no way be held or deemed to define, limit, describe, explain, modify, amplify or add to the interpretation, construction or meaning of any provision to or the scope of this Resolution.

31. TERMS: For convenience, defined terms usually have been capitalized within this Resolution. Words used herein shall have their natural meaning, their statutory meaning if applicable, or the meaning set forth in the definitions, according to the context in which they appear, regardless of capitalization.

32. **SEVERABILITY:** If any provisions of this Resolution or the application thereof to any party or circumstance shall to any extent be invalid or unenforceable, the remainder of this Resolution and the application of such provision to parties or circumstances other than those to which it is invalid or unenforceable, shall not be affected thereby, and each provision of this Resolution shall be valid and be enforced to the fullest extent permitted by law.

33. **REPEALER:** Upon the effective date of this Resolution, the Eagle County Animal Control Resolution of 2007, Resolution No. 07-21, shall be repealed and replaced by this Resolution. That repeal shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any right established or accruing before the effective date of this Resolution.

34. **TITLE:** This Resolution shall be known as the Eagle County Animal Control Resolution of 2010.

34. **EFFECTIVE DATE:** All provisions of this Resolution shall be effective upon its execution by the Board of County Commissioners for Eagle County, Colorado.

MOVED, READ AND ADOPTED by the Board of County Commissioners of the County of Eagle, State of Colorado, at its regular meeting held the ___ day of _____, 2010.

COUNTY OF EAGLE, STATE OF COLORADO
BY AND THROUGH ITS BOARD OF COUNTY
COMMISSIONERS

BY: _____
Sara J. Fisher, Chairman

ATTEST:

Jon Stavney, Commissioner

Teak J. Simonton, Clerk to the
Board of County Commissioners

Peter F. Runyon, Commissioner

Commissioner _____ seconded adoption of the foregoing resolution. The roll having been called, the vote was as follows:

Commissioner Sara J. Fisher _____
Commissioner Jon Stavney _____
Commissioner Peter F. Runyon _____

This Resolution passed by _____ vote of the Board of County Commissioners of the County of Eagle, State of Colorado.

**EXHIBIT A
Department of Animal Services
Fee & Fine Schedule**

FEES:

Dog License:	\$10.00 (Altered) per 1 year \$30.00 3 year \$20.00 (Not Altered) per year \$5.00 Replacement Tag
Potentially Dangerous Dog License:	\$200.00 per year
Cat Tag:	\$2.00 each
Adoption:	Cats - \$70.00 Dogs - \$100.00
Adoption Small Animal other than Dog or cat:	\$10.00
Impounds:	\$30.00 Subsequent offenses go up \$10.00 each time
Boarding:	\$15.00 per dog per day \$10.00 per cat per day
Dog Surrender:	\$40.00
Cat Surrender:	\$50.00
Litter Surrender/Puppies:	\$50.00 plus \$10.00 per puppy
Litter Surrender/Kittens:	\$40.00 plus \$10.00 per kitten
Cat/Dog Traps:	\$65.00 refundable deposit
Transport within County:	\$40.00
Out of County Transport	\$100.00 per day plus \$1.00 per mile
Owner Request, Euthanasia	\$30.00

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FINES

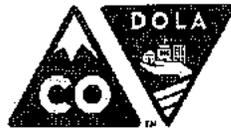
For all violations not involving a Dangerous or Potentially Dangerous Animal:

Offense:	1 st Offense	2 nd Offense	3 rd Offense	Subsequent
Fines:	\$40.00	\$100.00	\$250.00	Court

For all violations involving a Potentially Dangerous Animal:

Offense:	1 st Offense
Fines:	\$250, plus Court

The above-stated fines are minimum penalties and all violations are subject to the general fine and imprisonment provisions of § 30-15-102, C.R.S.



COLORADO

Department of Local Affairs

Division of Local Government

REDI Program Guidelines

Grant Program Purpose

The Rural Economic Development Initiative (REDI) program is designed to help rural communities comprehensively diversify their local economy and create a more resilient Colorado.

Funding

- \$750,000 per fiscal year July 1 - June 30.
- The funds utilized for this program are appropriated from the State General Fund and are administered by the Department of Local Affairs (DOLA). DOLA and the Office of Economic OEDIT partner on decisions that impact communities.

Eligibility

The most competitive applications to this program are those from counties with less than 50,000 people, and from communities with fewer than 20,000 people. Projects that are designed to strengthen their community through investments in the local economy and facilitating the diversification of local industries will also strengthen the application.

Two types of projects are eligible for funding:

1. Local Government Economic Planning Grants
 - DOLA recommends grant requests not exceed \$100,000.
 - Projects must result in a plan that will help to diversify the local economy. Examples include: strategic plans, engineering plans, land use feasibility, and/or marketing studies. Consulting services for specific project implementation are also eligible.
2. Infrastructure grants that support economic diversification.
 - DOLA recommends grant requests not exceed \$500,000.
 - Projects must result in infrastructure that supports the diversification of the local economy. Examples include facility expansion, business incubators, industrial park infrastructure.

All projects should be identified as a priority for the community within a comprehensive and holistic approach.

Award process

The DOLA Executive Director makes all final funding decisions. Once grants are awarded, all funds must be expended within the fiscal year (July 1 - June 30). If a project is approved, DOLA staff will work with the grantee on the contracting process.

Funds may not be expended without an executed contract. Any funds spent prior to an executed contract are not eligible for reimbursement.

Local governments are required to submit monthly reports based on the project's scope of work.

Program Contact Information

Christy Culp
Department of Local Affairs
Box 1660
Alamosa, CO 81011
Christy.culp@state.co.us
719-580-1313

Updated: 3/8/16



COLORADO
Department of Local Affairs
Division of Local Government

Rural Economic Development Initiative Program Notice of Funding Availability

Program Purpose

The Rural Economic Development Initiative (REDI) program is designed to help rural communities comprehensively diversify their local economies and create a more resilient Colorado.

Two types of projects are eligible for funding:

1. Local Government Economic Planning Grants
 - Projects must result in a plan that will help to diversify the local economy. Examples include: strategic plans, engineering plans, land use feasibility, and/or marketing studies. Consulting services for specific project implementation are also eligible.
2. Infrastructure grants that support economic diversification
 - Projects must result in infrastructure that supports the diversification of the local economy. Examples include facility expansion, business incubators, industrial park infrastructure.

Total Funds Available

\$750,000

Application Timeline

Application deadlines are May 31st and September 1st (if funds are remaining) of each year
Award letters will be sent out within 45 days of deadlines

Contacts

Rural Economic Development Initiative Program:

<https://www.colorado.gov/pacific/dola/rural-economic-development-initiative>

Christy Culp

South Central Regional Manager

719-589-2251

Christy.culp@state.co.us

Award Process

The DOLA Executive Director makes all final funding decisions. Once grants are awarded, all funds must be expended within the fiscal year (July 1 - June 30). If a project is approved, DOLA staff will work with the grantee on the contracting process.

Funds may not be expended without an executed contract. Any funds spent prior to an executed contract are not eligible for reimbursement.

Local governments are required to submit monthly reports based on the project's scope of work.

Updated: 4/19/16

- DOLA recommends grant requests not exceed \$500,000
- Projects must result in infrastructure that supports the diversification of the local economy. Examples include facility expansion, business incubators, and industrial park infrastructure.

All projects should be identified as a priority for the community within a comprehensive and holistic approach.

4. Project Scope of Work

Project name:

Project description:

Project start and end dates:

Total project budget:

How were cost estimates determined?

Expenditures (detailed line items)	Total Cost	DOLA/REDI Funds	Local Funds (match)	Source of match
Totals:				

- 5. Describe how your community has prioritized this project for implementation.**
For example, is this project identified in a planning document, a strategic plan, or through a goals process? Please state the name/source of the plan.
- 6. Is your community participating in a state economic development program?**
Yes No If yes, please state the name of the program.
- 7. How will your project help diversify the local economy?**
- 8. Is your community at risk of losing a single large employer or single large industry?**
Yes No please explain.
- 9. Is this a collaborative project? If so, who are your partners?**
Yes No please explain.

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 construction underway
South Minturn Engineering TAP GRANT	Powell Osborne Inter-Mountain Engr.	IGA fully executed between CDOT and Town Stofus agreement approved and executed Kick off meeing set for May 10
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