



**SPECIAL MEETING OF THE • MINTURN TOWN COUNCIL**  
**Thursday, April 15, 2004**

Minturn Town Center  
302 Pine Street • Minturn, CO 81645 • (970) 827-5645

**OPEN HOUSE 4:30-6:30 P.M.**  
**OPEN SESSION 6:30 P.M.**

**MAYOR** - Gordon "Hawkeye" Flaherty,      **TOWN MANAGER** - Ann K. Capela  
**MAYOR PRO TEM** - Darell Wegert              **TOWN CLERK/TREAS** - Jay Brunvand

**COUNCIL MEMBERS:**

George Brodin  
Jerry Bumgarner  
Bill Burnett  
Fred Haslee  
Tom Sullivan

**When addressing the Council, 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 documentation is available for public review in the Town Offices, located at 302 Pine Street, Minturn, CO 81645 during regular business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, excluding holidays.**

**AGENDA**

**1. Call to Order**

Mayor Hawkeye Flaherty called the meeting to order at 6:34 p.m.

a. Roll Call

Present were Mayor Hawkeye Flaherty, Bill Burnett, Tom Sullivan, Fred Haslee, Jerry Bumgarner and George Brodin. Darell Wegert arrived at 7:19 p.m.

Staff present were Nicole Magistro, Administrative Assistant; Jay Brunvand, Town Treasurer/Clerk; Allen Christensen, Town Attorney; Ann Capela, Town Manager; Wiley Smith, Town Planner and Lorenzo Martinez, Chief of Police.

- b. Pledge of Allegiance

## **2. Discussion of the Agenda**

Ann C. explained the format of the new agenda and its purposes.

- a. Items to be pulled from Action Calendar
- b. Items to be pulled from the Discussion Calendar
- c. Items to be pulled from the Consent Calendar
- d. Emergency Items to be added
- e. Order of the Agenda Items
- f. Approval of the agenda

Motion by Jerry B., second by Bill B., to approve the agenda as presented; all voted in favor.

## **3. Approval of the Consent Calendar**

## **4. Approval of the Minutes for April 7, 2004**

Motion by Bill B., second by Fred H., to approve the minutes for April 7, 2004; all voted in favor.

## **5. Special Presentations/Citizen Recognitions**

Hawkeye F. thanked the citizens who attended the open house held prior to the meeting.

## **6. Public comments on items, which are NOT on the agenda**

Tony Aeillo commended the new council and looks forward to the future.

## **7. Board Member Reports/Announcements**

George B. reported on the first ECO board meeting he has attended. He stated the board discussed the trail system, noting that the Dowd-Minturn leg of the system might be moved up on the priority list. The board also discussed ridership, not specific to Minturn.

Jerry B. read a letter from the Gallegos Corporation and family, which donated \$10,000 to the Centennial Celebration and Farmer's Market. The Mayor thanked the Gallegos Corporation and family for their generosity.

## **8. Staff Reports:**

- a) Police
- b) Public Works
- c) Planning

Wiley S. stated that the 30' setback issue will be addressed at the next council meeting.

- d) Town Clerk/Treasurer
- e) Special Events
- f) Town Manager

Ann C. discussed items that will come up for action in the coming weeks. She also explained the staff meetings, her meetings with the mayor and town attorney. Ann C. also noted that the Fire Retaining Wall will be an action item at the next meeting.

- g) Town Attorney

Allen C. summarized his meeting with the Town Attorney and Manager, noting several legal issues which the council members will be updated on at the next council meeting. He also explained his meeting with Town Water Attorney Ann Castle and potential developers of the Gilman Property. He directed them to be up-front with the Council to start the discussion with the developer. Regardless of the plan, water and wastewater will be at issue. The developer must seriously consider this development.

Tom S. asked about the veracity of the development. Allen C. explained that the property is expansive, from South Minturn to Red Cliff. The property will be inevitably developed, so Minturn has the opportunity to be a player. The meeting was mostly between real estate, water and other attorneys, he stated. Allen C. stated that the developers are either proposing to buy the land, the development rights or both.

George B. asked how expensive annexation is. Allen C. explained that the costs are usually incurred by the developer. The process would take years, due to the variety of issues that are present with such a large development.

## ACTION CALENDAR

- 9. There are no action items at this time**
- 10. Discussion/action of Emergency Items, if necessary**
- 11. Discussion/action of items pulled from Consent Calendar for discussion**

## SCHEDULED HEARINGS

- 12. There are no items scheduled for hearing at this time**

## DISCUSSION CALENDAR

### **13. Discussion of Council Orientation Packets, presented by Ann Capela, Town Manager and Allen Christensen, Town Attorney**

#### a) Conflict of interest disclosure

Jay B. explained that voting on things that directly affect the council are important to disclosed. All properties, businesses and business with the town should be disclosed. These documents will be sent the Secretary of State's office. Ann C. explained that procedurally, those conflicts must be disclosed publicly during the meeting and the Council Member should not participate in the discussion on the issue. This is a very important legal issue for the town.

#### b) W-4 Forms

Jay B. explained that he has received some of the new council member's W-4 forms.

While on the topic discussion ensued about the forms necessary to be filed for the Fair Campaign Practices Act and the due date for those forms to the Clerk's office.

#### c) Discussion of Minturn Municipal Code Books, presented by Allen Christensen, town attorney.

Nicole M. explained that the information is all available on the disks provided. Updated will be available once 2003 is codified. In the event one requested the books will still be available. The CD's are easier to store and cheaper.

Allen C. suggested all council members should have a "Handbook for Elected Officials." Councilors who do not have the books should notify the Manager.

The Mayor suggested all members familiarize themselves with the Town Charter, Chapter 16, Resolution 7-Series 2000, and finding information in the code in general.

#### d) Discussion of council and agenda processes:

- a. Agenda-setting meetings
- b. New agenda format
- c. Emergency items

Ann C. explained the new agenda format, with a goal of having an easy process while abiding by Colorado laws and assisting citizens in finding information. She welcomed input on this new format. She also noted that a copy of the approved budget was provided to the new council members.

Fred H. asked for a report of trends on assessed valuation. *(Note: this is a one page document that will be placed in the office boxes for review.)*

e) Discussion of Community Communication Ideas:

a. Town Email List, presented by George Brodin

George B. presented his initial idea of getting email addresses for everyone in town to send agendas and high-priority items on the agenda. He understands that having Council directly ask the citizens is not protocol. However, he announced that we will be collecting addresses at the Town Hall. Ann C. explained that we are only asking interested individuals to supply their email addresses. Once the data is uploaded, we will begin sending updates.

b. Town Website, presented by Nicole Magistro

Nicole M. summarized the options for the town to get a website functioning regularly. She recommended the intern option. Ann C. stated that the staff would do the most economic and prudent thing we could.

George B. asked about the time commitment it would take for the development of the website. Nicole M. said the development would be about 50 pages and would take approximately 1-2 months.

Tom S. suggested talking to Alex and Susan Mitchell in Minturn or a company in Glenwood Springs called Blizzard Internet Marketing

Darell W. said that the Mitchell's are expensive but very good.

c. Informal town gatherings, presented by George Brodin

George B. suggested informal gatherings; Ann C. and Allen C. noted that the Council must be very careful to follow the open meetings law.

**CONSENT CALENDAR**

**14. There are no items on the Consent Calendar at this time.**

**OTHER ITEMS**

**15.**

- a) Tom S. asked for the Council's direction on the public restrooms. Ann C. said the issue will be on the agenda for the next Council meeting. By straw poll, Tom S. was appointed for the committee to address this issue.

- b) The Mayor suggested improvements to the communications with the public, including the email list, website and informal gatherings. He directed the Council members to direct all comments or actions through the Mayor, unless it is an emergency safety issue. He will then funnel the information through the manager to the staff. The staff will then report directly to the council members. The staff should be ethical and polite with the public and prudent with funds.
- c) The Mayor addressed planning and zoning enforcement issues, hoping that improvements to the customer service part of the department will be addressed with a newsletter and brochures. He urges that the town code to be enforced equally and fairly.

## **EXECUTIVE SESSION**

**16.** There is no executive session scheduled at this time.

**17.** Future agenda items

- a) Fire Station Retention Wall
- b) River Restoration
- c) Public Restrooms
- d) School District Land Survey
- e) Radio Tower
- f) RV Park
- g) Minturn Townhomes
- h) Old Town Hall
- i) Depot Clean-Up
- j) Non-Conforming Section of the Code
- k) Snow Load Requirements
- l) Road conditions on Minturn Road
- m) Road conditions on the county road

**18.** Setting next meeting – April 21, 2004

- a) Work Session at 5:45 p.m.
- b) Regular Session at 7:00 p.m.

**19.** Adjournment

As there was no further discussion, there was a motion by Fred H., second by Darrel W., to adjourn the meeting.

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Mayor, Gordon Hawkeye Flaherty

ATTEST:

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Jay Brunvand, Town Clerk