



REGULAR MEETING OF THE • MINTURN TOWN COUNCIL

Wednesday, May 17, 2006

WORK SESSION 5:30 PM
REGULAR SESSION 7:00 PM

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

MAYOR - Gordon “Hawkeye” Flaherty **TOWN MANAGER** - Ann K. Capela
MAYOR PRO TEM – George Brodin **TOWN CLERK/TREAS** - Jay Brunvand

COUNCIL MEMBERS:

Jerry Bumgarner
Bill Burnett
Tom Sullivan
Kelly Brinkerhoff
Shelley Bellm

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 – 4:30pm, Monday through Friday, by contacting the Town Staff at 970/824-5645 302 Pine St. Minturn, CO 81645

Work Session – 5:30 P.M.

1. Economic Council of Eagle County – 2006 Economic Briefing – by Capela
2. Minturn Community Development Fund & Minturn Park Committee – by Brinkerhoff
Andy Kaufman and Councilwoman Kelly Brinkerhoff on GOCO project update on “Little Beach Park”.
3. Town of Minturn – Smoking Ban – by Christensen
4. Town of Minturn Public Relations – by Brinkerhoff
5. Town of Minturn Affordable Housing Program/Policy – by Brinkerhoff
6. Carter & Burgess, Town Engineer’s Plans for the Town – by Brinkerhoff
7. Town Council Member’s personal/individual access to Town Attorney’s to seek advice prior to full Council knowledge or authorization – by Flaherty

REGULAR SESSION – 7:00 P.M.

1. Call to Order

Mayor Flaherty called the meeting to order at 7:10pm. Those present included George Brodin, Bill Burnett, Tom Sullivan, Jerry Bumgarner, Shelley Bellm, and Kelly Brinkerhoff.

Staff present were Ann Capela, Town Manager; Wiley Smith, Town Planner; Derrick Slocum, Town Planner 1; Jay Brunvand, Town Clerk/Treasurer; Karen Earley, Economic Development Director; Lorenzo Martinez, Chief of Police; Rod Cordova, Public Works Director; Allen Christensen, Town Attorney; and Torrey Maxwell, Court Clerk/Admin Tech.

Hawkeye F. led everyone in the Pledge of Allegiance.

2. Discussion of the Agenda

- 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.

Hawkeye F. asked to move Little Beach Park “Quiet Title” from Work Session to Discussion/Action Item 17a.

Motion was made by Bill B., second by George B. to approve the agenda as amended; all voted in favor.

3. Approval of the Minutes:

- May 3, 2006

Motion by Jerry B., second by Shelley B. to approve the May 3, 2006 minutes as presented; all voted in favor.

4. Special Presentations/Citizen Recognition/Project Update

Ms. Wendy Swanhorst – Swanhorst & Cutler LLC: Town of Minturn FY2005 General Purpose Financial Statements.

Ms. Swanhorst gave a brief presentation of the Financial statements to include the following and answered questions from the Council, public and staff.

- Swanhorst & Cutler have been handling the Town of Minturn’s audit for last four years.
- The Management Discussion and Analysis is a report that is prepared by the town’s management and should be reviewed by the Council.

- Page 4 of the audit shows significant profit this year, last year also, has improved each year of last four years. This is attributable to conservative budgeting and management of the budget.
- First year that Building Corporation has had the full amount of the reserve required by the bonds set aside.
- General funds balance keeps going up. Revenues and tax revenues have gone up. Although the expenses are increasing as well they are not increasing as significantly.
- Page 7 of the audit represents the Water, Sanitation and Recreation Fund, full accrual accounting, profit for the year, capital contributions (4th number from the bottom) \$119,000 this year, one time money you don't run operation on that. Water Fund is paying its own operating cost, debt service, and depreciation, it is paying for itself.

Hawkeye F. questioned if the Town is still moving money from General Fund to the Water Fund or visa versus to pay for any debt; yes, as dictated by the bond agreements the Town transfers 70% from the General Fund and 30% from the Water Fund to pay debt on the Town Center. It roughly equates to the revenues in General Fund - 70% and Water Fund - 30% (inter-fund transfers are shown on page 19). The Capital lease (bottom of page 16 long term debt schedule) is \$160,000 (which was the Town's portion after Energy Impact Grants) and will mature in 2007; it was used to finish building the fire station and for the public work's building. Tom S. inquired what \$2.5 million was used for; Town Center.

Jay B. pointed out to Council on page 18 for 2006: \$259,000 total debt service minus \$141,000 from Post Office lease minus approximately \$30,000 income from apartment rentals and then the remaining debt owed is taken from the General Fund at 70% and 30% from the Water Fund.

Ms. Swanhorst noted in the Audit Management Letter that in the past the Town utilized purchase orders to control Town purchases. This allowed the manager and treasurer to review all items over \$500 and assure budgeted funds. Additionally, with the credit cards that the Town now utilizes often receipts are not turned in. Ms. Swanhorst reminded the Council the importance of the paper trails for financial purposes. She suggested some kind of policy and procedure be put into force whenever a purchase is made. Credit cards can be used but in conjunction with a purchase order and then you would have three signatures; the department, the town manager, and the treasurer for anything over \$500. Jay B. noted that he is currently working on a policy for staff that will address both these concerns.

Hawkeye F. inquired at what point the Town should be concerned that we have one person paying bills and receiving money; Ms. Swanhorst replied that with a small organization you can't always have enough personnel. Safeguards can be put in place such as checks going into a lock box; Jay B. added that some are in place now such as Court and Business License money is counted and a deposit form is created in the department of origination. Furthermore the monthly receipts from property and sales tax are direct deposited into the account as is receipts from the Water Fund.. Ms. Swanhorst stated that our numbers are materially correct and it is the Town's responsibility to put controls in place as necessary thereby making sure we have two people involved in each transaction.

Jerry B. asked what amount is considered “material?”; Ms. Swanhorst responded that it depends, what is material to the General Fund will be different from what is considered material in another fund.

5. Public comments on items, which are NOT on the agenda

Hawkeye F. stepped down, turning the meeting over to Mayor Pro Tem George B., so that he could make a public comment.

Hawkeye Flaherty, 160 Main Street, Minturn, CO read Frank Sander’s letter which had previously been read at the Council meeting on 5/3/06.

Scott Van ,131 Eagle Street, Minturn, CO had questions regarding the construction currently on Eagle Street

- Duration of construction
- No parking
- Move (moving truck)

Hawkeye F. directed him to speak with Town Staff and Police Department to have these concerns addressed. Ann C. invited him to come speak with her on these issues.

Michael Gallagher, questioned the agenda and packet only including the bells on the agenda, expecting to speak on parking issue also. Ann C. stated that parking is not an agenda item but if council would like to cover it then we can cover it along with the bells.

Frank Sanders, 14 Main Street, Minturn, CO starting a recall petition on council members

6. Discussion/action of Emergency Items, if necessary

STAFF REPORTS AND OTHER ITEMS

7. Reports/Correspondence/Announcements/New Business

- a. Economic Development Director
 - Mural project
 - Hawkeye F. inquired if the labeling of the pictures in the lobby had been completed; yes. Only two left that there is disagreement on (Red Cliff or Minturn).
 - Surveyed Minturn businesses; 14 responded, 11 would like a Chamber or business association started up again.
 - Hawkeye F. came up to the podium with Karen and showed drawings he located that Randy Milhoan had done for the town and turned them over to the Town.
 - August 6th Cowboy Poetry and Music at the Amphitheater.
- b. Public Works

- Saturday May 20th Annual Town Clean Up conducted like it has been in previous years. Freon removal for \$25 minimal fee, disposal for seniors of anything on their site; no charge. Four dumpsters will be staged at the municipal lot; loader and town will help unload.
- Friday (last) inspection of Minturn Water system, thorough inspection, minor concerns (bag system is obsolete for water treatment source). No safety concerns, no violations for last two years. To upgrade that system would be approximately 10k.
- Street sweeping by private contractor will be here May 22, 23, 24 - 8 hours each day. Priority will be main thorough fares.
- Dump (Vail) takes cinders for free and they use it as backfill.

c. Police

- Town Clean Up on Saturday, May 20th we need volunteers 9am Turntable Restaurant and then they will assign areas.
- Updated on officer training; intelligent young man, doing very well.
- Speed control was revisited; State is assisting also. Making a dent; small dent per Chief.

d. Treasurer/Clerk

- Jerry B. questioned if we are getting our share of the money that is collected by the county from the railroad; yes but fair share isn't enough. If the land is determined operational then it is assessed by the State, if non-operational it is assessed by local county assessor. Union Pacific paid \$500,000 in property taxes to Eagle County for 2005, Minturn portion was \$3,400. How did they determine the formula? Ann C. told the Council the State said it is county that decides, County stated it is mainly the state, so she is having to research. Who determines if it is operational or non-operational; Union Pacific.
- Tom S. asked if it could be determined how much tax money the residents of Minturn pay each year of the County portion of their tax bill and how much of that money is coming back to the Town in services; no. Tom S. sees county money going to Edwards but doesn't see county money come back to us; no they don't have to put anything back, they put into Edwards because it is not a municipality it is unincorporated Eagle County.
- Kelly B. questioned how the Town gets the money; does the Town have to lobby for it; maybe we need to start a lobbying program; we have before (fire district, ambulance districts, Minturn Road, etc)
- George B. added that ECO Trails has money but we haven't requested for a particular project, up to us as a Town to do that.

e. Town Planner

- Hawkeye F. inquired when redevelopments come through do you look at the parking; yes, first thing they look at. Usually they are remodels and just adding square footage; allowed 2 spaces offsite for a three bedroom for example. 3+ bedrooms one more space allowed, code is not specific on parking spaces if additional bedrooms beyond that.

f. Town Attorney

- Ordinance mirrors Eagle County. Avon has adopted it also, easy to enforce.

g. Town Manager

- Shelley B. asked what CDoT's reaction was to Meadow Mountain Slide area; Commissioner Aden was here and they did locate the study that was completed in the 80's. Suggested approaching Intermountain Commission, headed by Mick Ireland, on June 1 for \$250,000 request to do a comparison study and come up with recommendations. At this point CDoT is performing regular maintenance and if notified of an issue they come out. They did some digging to release some of the built up water but that is all that can be done at the point we are at now, we need an updated study.
- Jerry B. inquired what the latest is on the odor at Vail Resort's Bone Yard at the north end of Town; only voicemail messages back from Vail Resorts. Colorado Department of Health & Environment, Hazardous Reports, has no record that Vail Resort has made a report. Jerry B. asked what we are going to do about it? Looks like items were dumped there that shouldn't, may constitute illegal dumping. Ann C. responded that Vail Resorts had stated they retained a professional company to do an assessment and that report should be to Council by our next meeting June 7th. Jerry B. stated concern that this had not been followed up on by the Town.
- Tom S. added that Vail Resorts said they are dumping on their own property but that just isn't the case if railroad right of way is 100 feet. Ann C. reminded Council that Vail Resorts promised a survey to show us their property.
- Hawkeye F. directed that the recording from that meeting be reviewed and see if they were going to report it right away or if they were going to wait until the report came back. Also directed to notify Vail Resorts that we want them here on June 7th. Ann C. stated that when Union Pacific (UP) was here they were concerned that where Vail Resorts is dumping may very well be UP property. The Town wants to see the survey of who owns what property. Tom S. suggested that before the council meeting on June 7th each Council Member walks the Vail Resort area in question.
- George B. asked if the new part-time employee in public works was hired to repair water meters; yes. He inquired if a report will be coming out with pros and cons of meter ownership so that council can make formal policy; yes.
- Hawkeye F. inquired on the report that he requested of itemized equipment hours, man hours and supplies required to operate the Water Plant. This is so when we come to the point of having to increase water rates we have the documentation to back it up. He states it is on George B.'s list of items requested in February. Directed Staff to have it completed in 30 days.

h. Town Council

- George B. Eco Retreat, State of Eco, Self sustaining transportation center right now. Its economics are such that it will keep going, but glitch that might occur, there will not be enough money to operate it. Light rail appears to be only alternative to bring in amount of workers that valley requires. Quality of life (defining for ourselves) was a big topic at the retreat.
 - Clean air, water, sense of being safe, schools, low crime
 - Noise, lines, motion, congestion, crime, feeling unsafe

As a Town we need to decide "who do we have to be, and what do we have to do to maintain what we have."

- Hawkeye F. will in the future have copies made of upcoming trainings, etc and have Torrey M. put them in each council member's mailbox; all agreed.

DISCUSSION, HEARINGS AND ACTION ITEMS

8. Discussion/Action – White River National Forest; Vail Valley Forest Health Project - by Capela – Tabled as presenter was not here

9. Discussion/Action – White River National Forest/Holy Cross District – Camp Hale project Request for comments - by Capela - Tabled as presenter was not here

10. Discussion/Action Items – Discussion of major projects for this summer for Public Works – by Cordova

- Street Resurfacing: Since Rod C. has been with the Town there have been many complaints on Taylor Street drainage problems on East side, water draining into their basements, pump water out onto the street He would like to put in a swale that would divert water to the south side near Chadwick's equipment parking area, channel a ditch that would run it to a culvert located on Minturn Road which would send it under Minturn Road, onto railroad property which does have proper means to get it to the river without disturbing anything. Save the road and keep it from being a total washed out area. Hawkeye F. inquired if that would have to be contracted out or in house; contracted out. Resurface over the existing asphalt; B&B quote \$17,000 to have it accomplished.
- Small section of Harrison and Eagle Street. Difficult to maintain during winter, drainage is a problem, pot holes, not even surface. This section is in dire need; \$6,300.00
- Norman Avenue and Eagle Street. Same situation as with Harrison, not much attention over the years, difficult to maintain. The total quoted for the resurfacing is \$30,211.00.
- Municipal lot parking is not orderly, what is needed is something that designates the parking scheme that we desire. Concrete barriers could be used to help divide and lay out the parking plan; 12-16 would be good and they are removable if needed.
- Public works heating system has been replaced, working well functional
- Upgrading ventilation system upgrade is in the works, bids are coming in. It has to be engineered due to heavy equipment that is stored, need fresh intake, Carter & Burgess is helping with this.
- Water treatment, he researched that the pump and motor were put in 93'; normal life span is usually 7-10 years, hire contractor to replace and start over. Hawkeye F. inquired if the pump and motor could be reused; would have to be replaced.

Hawkeye F. stated that he wants a quote for the curb and gutters he referenced earlier. He also directed Derrick S. to make a map to show where the projects are and will be located. It will be in the next packet.

11. Discussion/Action: Recommendations by Town Manager on St. Patrick's Parrish Request - by Capela

Ann C. stated that MMC grants her authority to give permission for a request of this nature but due to its affects on the public she wanted to bring it before council. She has submitted a letter

of her recommendations along with a copy of the Parrish's request which is much broader. Hawkeye F. asked Allen C. if we can add conditions to this request; yes we can attach conditions similar to a Conditional Use and he also suggested introducing them in a trial period of 60-90 days, seeing how it goes. Ann C. added that since it has been years since the bells have rang to implement a trial period and ring the bells daily at 12pm and 6pm, Sunday Mass and special occasions like weddings and funerals.

Deacon Mike Gallagher, 74 Main Street, Minturn, CO. Since Ann C. has provided written approved recommendations for the Crillion System Deacon Gallagher will take that back to the Pastor and let him decide if he wants to use these restrictions or go back to the mechanical bell and no restrictions. One of the reasons they looked at the Crillion is because of its versatility and the ability to play appropriate holiday (Christmas, 4th of July, etc) music. It has been 20 years since the bell was last employed morning, noon, evening Angelis, 12pm Mass, tolling at funerals, sometimes it would toll the hours, sometimes not. The bell has been part of the Town since about 1913 when the church was built. Hawkeye F. asked if the mechanical bell would be a nuisance under the Nuisance Law; probably hard to do.

- Shelley B. added that in talking to residents some accept graciously and others are concerned about the volume. Most people seem to be in support.
- Hawkeye F. stated that this is Ann C's decision, he suggested 30 (maybe 60) day trial period and review it after that, adjust the volume if necessary.

Deacon Gallagher stated he will provide the approved recommendations to the Pastor and it will be his decision on whether to make the purchase or not.

- Jerry B. inquired as to how many decibels, would it be louder than a truck's Jake brake; depends on how high you set it but it would certainly be sweeter.
- George B. added that the last thing the church wants to do is drive people away.

Deacon Gallagher stated that in consideration of the parking agreement that Mr. Michael Wilcox wanted us to sign Deacon Gallagher reviewed files of the different properties and apparently there was no application and approval process, it was use by right. Problem is that St Patrick's parking lot is used by the neighborhood, mostly kids, to learn to ride bikes, skip rope, community play lot. The car wash receives vehicles from Boulder Street side and they stack up in the Parrish's lot; that is dangerous and it isn't what the Parrish had in mind when they built the parking lot. The Parrish would like the town to join with them in asking Mr. Wilcox to change the direction of entry into the carwash. As it stands now Mr. Wilcox is reluctant to change the direction as it would interfere with his parking lot; it is his business and Deacon Gallagher suggested that should be his problem not the neighborhoods.

- Bill B. added that back when it was decided the car wash could use it because it was commercial property.
- Shelley B. stated that she attended the meetings back then representing herself and that the reversed entry into the car wash was shot down by the P&Z commission. They stated that if traffic backed up on Boulder Street that our police officers would issue tickets.

Deacon Gallagher stated that it has got to the point where RA Nelson white school bus is parking in their lot while doing their muck out.

- Shelley B. what is to stop the traffic from staging in the lot to dry their vehicles with music blaring, etc? How can we stop that if we were to reverse the traffic?
- Allen C. stated that the first step is define and sign the parking; violators will be towed. Police can't enforce what is not posted. Ann C. added that she sent a letter to the Parrish

May 11th and it was suggested that the Parrish section off parking, also put up signs so police can issue tickets.

- Lorenzo M. reminded council that two years ago we talked about a barrier because you can not distinguish between the parking lot and street and the line that is there is not visible most of year. Council agreed some type of barrier needed to be installed but there was no conclusion on what type of barrier and it was left as is.
- It was agreed on by all concerned that this issue be brought back in front of Council as a Discussion/Action Item on June 21st. This will provide time for the Town Staff to review and come back to the table with recommendations.

12. Discussion/Action Items - Ordinance 4 – Series 2006 (Second Reading) Minturn Towne – Homes Final Plat Phase I – by Smith

Hawkeye F. inquired of W. Smith if there have been any changes made to this ordinance from first reading; no.

Motion made by George B., second by Bill B. to approve the Minturn Towne Homes Final Plat Phase I; Bill B., Shelley B., Jerry B., George B. and Hawkeye F. voted in favor, Tom S. and Kelly B. voted against.

Note: Kelly B. stepped down due to a conflict of interest on discussion/action items 13 and 14

13. Discussion/Action Items – Ordinance 5 – Series 2006 (Second Reading) Minturn Racquet and Trout Club Final Plat – by Smith

Hawkeye F. inquired of W. Smith if there have been any changes made to this ordinance from first reading; no.

Motion made by Bill B., second by George B. to approve the Minturn Racquet and Trout Club Final Plat ; all voted in favor.

14. Discussion/Action Items – Ordinance 6 – Series 2006 (Second Reading) Minturn Racquet and Trout Club Condominium Conversion Final Plat – by Smith

Hawkeye F. inquired of W. Smith if there have been any changes made to this ordinance from first reading; no.

Motion made by Jerry B., second by George B. to approve the Minturn Racquet and Trout Club Condominium Conversion Final Plat ; all voted in favor.

Note: Kelly B. resumed her seat on the council

15. Discussion/Action Items – Ordinance 7 – Series 2006 (Second Reading) Minturn Towne Homes Final Plat Phase II – by Smith

Hawkeye F. inquired of W. Smith if there have been any changes made to this ordinance from first reading; no.

Motion by Bill B., second by George B. to approve the Minturn Towne Homes Final Plat Phase II; Bill B., Shelley B., Jerry B., George B. and Hawkeye F. voted in favor, Tom S. and Kelly B. voted against.

16. Discussion/Action Items – Parking Requirement recommendations for Chapter 16, Article 16 – by Slocum

- Tom S. questioned that most development in the future will be in mixed use zones so how will parking be decided; commercial business would go off commercial requirements, residential would go off of residential, and if they have one of each (residential and commercial in one building) they would be required to meet both residential and commercial parking requirements.
- Tom S. also added that since we are talking about possibly decrease the parking space requirements for restaurants, I see that some of the restaurants go by sq ft and not by seats, which is better; seems most restaurants go by sq ft. That differs somewhat from the IBC Code which goes by the number, lets say a bar, each seat is 18 inches wide, so the length of bar determines the amount of seating space required. We need to hear from the restaurant owners, what we needed five years ago is not what we might need now. W. Smith suggested going by the most current way which is sq ft (sq ft of the dining area, not storage or kitchen)
- Hawkeye F. asked D. Slocum if he would do a comparison of The Saloon and JB's then bring it back to council with a comparison sq ft versus seats; yes.

Hawkeye F. still disagrees with how P&Z is interpreting this; the reasoning behind the 50% of lot frontage was to keep the employees from taking up all of the parking. For example, if you have a 100' long building, 50% of building frontage on Main Street for parking. 9x22 for parallel on a 100' you could get two cars in there. He recommended to council to rewrite it so that it says what the intent was.

- W. Smith stated that on page 44 in quotes is how it is written now. There are three sentences;
 1. old town character area off site parking on Main Street, in the commercial area, towards the required number of parking spaces provided that offsite parking shall not exceed 6 spaces nor shall off street parking exceed 50% of the total required parking whichever is less. Frontage does not come into play until the next sentence.
 2. Off site parking for multiple businesses on a single property on Main Street (Hwy 24) will be determined by the length of the business frontage for each individual business that borders Main Street.
 3. Off site parking for an individual business on a single property shall be determined by the length of the property frontage that borders on Main Street.

There are three ways to have parking on Main Street, there is no either or, there is nothing joining those three sentences together, there are just three different sentences that state three different ways you can have parking.

W. Smith pointed out on page 45 a recommendation:

- “For any business located in a Commercial Zone in the Old Town Character area, off-site parking on Main Street (Hwy 24) may be counted toward the number of required off

street parking spaces for the business. The total off-site parking for a business in the Old Town Character Area Commercial Zone shall not exceed 50% of the total off street parking spaces, or six (6) spaces on Main Street whichever is less.”

Hawkeye F. asserted that The Saloon or the Hotel, there are 12 parking spaces on Main Street for those businesses the way this is written.

W. Smith suggested that Hawkeye F. write it in his own words what he remembers the intended meaning to be and then they can work with it from there; ok, Hawkeye F. will come see W. Smith within the next two weeks to work on this.

17. Discussion/Action Items – Ordinance 8 – Series 2006 (First Reading) an ordinance establishing a smoking ban within the Town of Minturn – by Christensen

Allen C. said that State Statute says Municipality shall decide smoke free barrier on an outside smoking zone and if they don't it is 15'. State is 15' and County is 25'. It was decided that due to time constraints (9:30pm phone conference with Ann Castle) that this be tabled until our next meeting.

Motion made by George B., second by Shelley B. to table Ordinance 8 – Series 2006 (First Reading) an ordinance establishing a smoking ban within the Town of Minturn, until the next Council meeting, June 7; all voted in favor.

Allen C. made arrangements to get with Duke Farenger, get his map, list of adjacent properties, and then he will come back before Council with a recommendation on whether it is possible to Quiet Title Little Beach Park. Ann C. brought up that it will have to be surveyed and an estimate has not been obtained on what that cost will be to the Town.

Ann C. pointed out that on handwritten page 47 it is a request for comments or direction on Camp Hale project; yes, send a letter of support.

Tom S. asked for two items to be added to future agenda items; painting lines for parking designation at the park and investigate diagonal parking on east side of Toledo Street. Ann C. stated we will bring it up for discussion and gather prices for a survey to be done..

Motion made by Hawkeye F., second by George B. to convene in Executive Session pursuant to Colorado Revised Statute (C.R.S.) 21-6-402(4)(b) for the purpose of consulting with the Town Attorney(s) to update the Council members on pending legal and contract issues as they relate to conditions set forth in the Waste Water Agreement with Ginn Clubs and Resorts at 9:26pm; all voted in favor. Hawkeye F. then excused himself from the Executive Session proceedings as he has conflict in both of the items and turned meeting over to Mayor Pro Tem George B.

Note: Staff was excused (except for Ann C. and Allen C who stayed for the remainder of the meeting)

Note: Council recessed as Town Council and convened as the Town of Minturn Water, Sanitation and Recreation Activities Enterprise ("Enterprise").

18. Executive Session

- Colorado Revised Statute (C.R.S.) 21-6-402(4)(b) for the purpose of consulting with the Town Attorney(s) to update the Council members on pending legal and contract issues as they relate to conditions set forth in the Waste Water Agreement with Ginn Clubs and Resorts.

Town Council will close the meeting as Minturn Water, Sanitation and Recreation Activities Enterprise and convenes as Town Council

19. Executive Session

- Colorado Revised Statute (C.R.S.) 21-6-402(4)(b) for the purpose of consulting with the Town Attorney(s) to update the Council members on pending legal action in the Minturn Municipal Court.

FUTURE AGENDA ITEMS / WORK SESSIONS

20. Items to be added to future agendas / work session

- Ordinance 26 – Series 2005 (First Reading): An Ordinance authorizing the Mayor to enter into a lease agreement with the Radio Tower Contract. – Tabled until completed
- Ginn Annexation Public Hearing – September 6, 2006
- Mike Wheelersburg – Minturn Towne Homes Update – June 7, 2006
- Water meter ownership and maintenance discussion
- Phase II of River Restoration Project
- Minturn Community Fund (work session BOTH Discussion/Action
- Parking – painting lines designating where parking is
- Parking East side of Toledo – One way or diagonal

21. Set Future Meeting Dates

1) Council Meetings

- June 7th, 2006
- June 21st, 2006
- July 5th, 2006

2) Planning & Zoning Meetings

- May 24th, 2006
- June 14th, 2006
- June 28th, 2006

3) Other

22. Adjournment

As there was no further business to attend to the meeting was adjourned at **10:30** pm

Gordon "Hawkeye" Flaherty
Mayor

ATTEST:

Jay Brunvand
Town Clerk