



SPECIAL MEETING • MINTURN TOWN COUNCIL
Minturn Town Center, 302 Pine Street • Minturn, CO 81645 • (970) 827-5645
Tuesday, December 5, 2006 5:00pm – 7:30pm

Minturn Water, Sanitation and Recreation Enterprise

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

SPECIAL MEETING 5:00 – 6:00 PM

1. Call to Order

Mayor Hawkeye Flaherty called the meeting to order at 5:04pm. Roll call: Those present included Mayor Flaherty, Bill Burnett, Shelley Bellm, Jerry Bumgarner, and Kelly Brinkerhoff. (Note: Mayor Pro Tem George Brodin and Councilmember Tom Sullivan were not present for roll call but are expected shortly)

Staff present was Town Manager Ann Capela, Town Attorney Allen Christensen, Town Water Ann Castle, and Public Works/Planning Department Assistant Torrey Maxwell.

2. Approval of the agenda

3. Town Council will convene as Minturn Water, Sanitation and Recreation Activities Enterprise the “Enterprise”

Hawkeye F. recessed Town Council and reconvened meeting as the “Enterprise”. Roll call showed the following present: Mayor Flaherty, Bill Burnett, Shelley Bellm, Jerry Bumgarner, and Kelly Brinkerhoff. (Note: Mayor Pro Tem George Brodin and Councilmember Tom Sullivan were not present for Enterprise roll call but are expected shortly)

Motion by Jerry B., second by Shelley B. to convene into **Executive Session** pursuant to Colorado Revised Statutes (CRS) to consult with attorneys for legal advice on specific legal questions CRS §24-6-402 (4)(b) and to determine positions relative to matters that may be subject to negotiations, development of strategy for negotiations, and instructing negotiators CRS §24-6-402(4)(e). Pursuant to Colorado Revised Statutes (CRS) §24-6-402 (4)(a) for the purpose of discussing the purchase or acquisition of real property for construction of a waste water treatment facility; **Motion passed by voice vote.**

Mayor Pro Tem George Brodin and Councilmember Tom Sullivan arrived prior to Executive Session beginning in Town Conference Room at 5:10pm.

5. Discussion/Action or Direction to Town Manager and Town Attorneys from the Executive Session

The “Enterprise” reconvened at 6:20pm into Open Session to provide direction in the form of two motions:

Motion by Hawkeye F., second by Bill B. directing Town Legal Staff to continue with good faith negotiations to acquire said property interest; **Motion passed 7-0.**

Motion by Hawkeye F., second by Shelley B. directing Town Attorney to draft a resolution of acquisition of land for use as a Waste Water Treatment Plant site; **Motion passed 7-0.**

6. Adjourn as Minturn Water, Sanitation and Recreation Enterprise.

Enterprise Chair George Brodin adjourned as the Enterprise.

7. Re-convene as Minturn Town Council

Hawkeye F. reconvened as Town Council with roll call showing all present. He stated that this direction would be added as an Emergency Item to the December 6, 2006 council agenda.

8. Adjournment

Meeting was adjourned at 6:25pm

“WATER WORKS” WORK SESSION 6:00 – 7:30 PM

1. Minturn Town Council historical overview of Town Council minutes from 1904 - 1913 – on Minturn’s water system & service history - Capela

2. “Water Works” – discussion:

Water loss update – Carter & Burgess

(a) Presentation on Water System & Possible Corrections: Carter & Burgess

(b) Presentation on Water Treatment Plant & Possible Correction: C & B

(c) Presentation on Water Tanks & Possible Corrections – Carter & Burgess

3. Minturn Municipal Code (MMC) Chapter 13 – what are the needed amendments to add greater ability for PW Department to inspect and enforce MMC by: Ann Castle, Holland & Hart.

4. Other

5. Adjournment

Meeting was adjourned at 7:40pm

Mayor Hawkeye Flaherty

ATTEST:

Town Clerk, Jay Brunvand