



Official Minutes

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

Wednesday December 17, 2008

Executive Session- 5:00 PM

Work Session – 6:00 PM

Regular Session – 7:00 PM

MAYOR - Gordon “Hawkeye” Flaherty
MAYOR PRO TEM – George Brodin

Interim Town Administrator – Gary Suiter
TOWN CLERK/TREAS – Jay Brunvand

COUNCIL MEMBERS:

Shelley Bellm
Lorraine Haslee
Jerry Bumgarner
Aggie Martinez
Matt Scherr

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 Clerk at 970/824-5645 302 Pine St. Minturn, CO 81645

Regular Session – 5:00 PM

1. Call to Order

- a. Roll Call
- b. Pledge of Allegiance

Mayor Hawkeye Flaherty called the meeting to order at 5:14pm. Those present included, Matt Scherr, Aggie Martinez, Lorraine Haslee, Mayor Hawkeye Flaherty and Mayor Pro Tem George Brodin and Shelley Bellm, and Jerry Bumgarner

Staff present was Interim Town Administrator Gary Suiter, Town Treasurer/Clerk Jay Brunvand, Deputy Clerk Carrie Kendall, Director of Planning Victor Villarreal, Planner Chris Cerimele and Town Attorney Allen Christensen.

EXECUTIVE SESSION

2. Minturn Town Council convened into executive session:

- Pursuant to Colorado Revised Statutes (CRS) §24-6-402 (4)(b) to consult with Town Attorneys for the purpose of receiving legal advice and provide instructions to attorneys for negotiations – Christensen/Ferguson

Motion by Jerry B., second by George B., to convene into Executive Session pursuant to Colorado Revised Statutes (CRS) §24-6-402 (4)(b) to consult with Town Attorneys for the purpose of receiving legal advice and provide instructions to attorneys for negotiations; all voted in favor.

Note: Council will recess Regular Meeting for the Work Session and then reconvene after the Work Session at 7:00pm for the continuation of the Regular Meeting.

Work session items were moved to January 7, 2009 meeting due to time constraints.

Reconvened into Regular session at 7:06 p.m.

Regular Session – 7:00 PM

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

The direction from Council to Staff was to continue negotiations regarding water and the Ginn Annexation.

STANDING ITEMS

4. Approval of Agenda

Motion by Jerry B., seconded by George B., to approve the agenda as presented, all voted in favor.

5. Approval of Minutes and Action Report

- December 3, 2008 – Regular Council Meeting

Motion by George B., seconded by Shelley B., to approve the December 3, 2008 Council meeting minutes as presented, all in favor.

6. Liquor License

- F.M. Saloon LTD. dba The Saloon Restaurant Liquor License Annual Renewal; 146 N. Main St., Andy Kaufman Owner/Manager

Council convened as Liquor License Authority.

Jay B. presented the overview of the Saloon Restaurant's annual license renewal as complete and in order and recommended approval. No representative from the Saloon was present, and it was noted that there were no issues. Chief Martinez' report was in the packet and was available for questions. Council proceeded without a representative of the Saloon as it was not a necessity for approval.

Motion by Shelley B., second by Lorraine H., to approve the Annual Renewal of the F.M. Saloon LTD. dba The Saloon Restaurant Liquor License Annual Renewal; 146 N. Main St., Andy Kaufman Owner/Manager as presented; all voted in favor

7. Special Presentation/Individual Introductions/Citizen Recognition/Project Update

Mr. John Wilson, Deputy Chief of Operations for Eagle River Fire Protection District, was present and a presentation was made to recognize the service of Officer Geoff Heil, and Officer Ryan Ware. During a call the officers performed CPR on a citizen and were presented with a special pin commemorating the saved life.

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

No public comments.

9. Emergency Items, if necessary

10. Town Administrator's Report

Gary S. thanked the Public Works crew for all their hard work with the excessive snow in the last week and thanked the citizens that are working with the Town regarding the new snow plan. Gary S. noted that the Public Works crew quickly becomes overwhelmed with all of the snow piles. Gary S. appealed to the property owners to try to store their own snow as he has had multiple complaints and stated that "we are all in this together". It was noted that the Town is doing the best that they can and that there had been discussion about a training and exchange program with the Town of Vail to see if Public Works department can glean some information from another program to facilitate more efficient operations.

Lorraine H. asked whether citations have been issued. Gary S. replied that citations had been issued for parking on Main St, but it was noted that this was after warnings had been issued.

Shelley B. asked about some confusion residents have had with the 2 hour parking signs and the No Parking Signs, Chief Martinez stated that he had spoken with some business owners regarding the confusion and the signs had been taken down. Chief noted that citations had been issued after repeated warnings.

Aggie M. thanked Public Works for paying more attention to the South end of Town as they historically don't seem to receive as much attention by snow plow crews.

Gary S. noted that a common sense approach should be taken to the snow storage issues.

Gary S asked the Council to consider a January retreat date for a half day to set up 2009 goals.

Hawkeye F. commented on the Minturn Market, local residents have suggested that the Town put it out to bid locally. Residents have expressed interest to keeping it locally run. Gary S. noted that this will need to be professionally produced and would require qualifications and knowledge of how to run an event.

11. Town Council Comments

Shelley B. noted there was a Christmas Celebration to be held on Nelson St. in Minturn on December 22. The event is hosted by the Minturn/Red Cliff Business Association and the Minturn Community Fund. Activities included a cookie exchange, hot cocoa and Santa riding in on a snowmobile.

Hawkeye F. gave the condolences to the Quintana family on the passing of OJ Quintana.

Jerry B. wished happy holidays to all.

Lorraine H. questioned if the Town would have use of a volunteer from the school that she works at on Martin Luther King Day. Gary S. replied that there was nothing currently but the Town Staff would explore ideas to accommodate.

Jerry B. reminded residents to shovel the fire hydrants near their homes so the hydrants are easy to locate by the Fire Department in the event of an emergency, Matt S. added gas meters to that reminder as well.

DISCUSSION, HEARINGS AND ACTION ITEMS

12. Discussion/Action Item – Ordinance 24 – Series 2008 (Second Reading and Public Hearing) – An Ordinance creating the Town of Minturn General Improvement District,

Town of Minturn, County of Eagle, Colorado; and providing other details relating thereto – Christensen

Allen C. noted that there are no changes to the Ordinance since First Reading despite what had been stated at the last Council meeting.

Ms. Sarah Baker, 1914 Bear Trail Edwards, CO addressed Council. She noted that there were going to be changes but after review and discussion they decided to make no changes. Gary S. noted that if this passed the Ordinance will take effect 7 days after publication.

Public hearing was opened, no comments or questions from the public.

Motion by Shelley B., second by George B., to approve Ordinance 24 – Series 2008 (Second Reading) – An Ordinance creating the Town of Minturn General Improvement District, the Town of Minturn, County of Eagle, Colorado; and providing other details relating thereto as presented; all voted in favor.

13. Discussion/Action Item – Consideration of Intergovernmental Agreement with Eagle County for Law Enforcement services – Martinez/Suiter

Hawkeye introduced the agenda item and noted the Town has always had cooperation with Eagle County in regards to coverage in Town when necessary. Chief Lorenzo Martinez addressed Council, and noted the Town has always lacked adequate town staff to properly patrol the Town; however, the County has supplemented the officers leave time and short staffing periods.

In previous years there has been a verbal agreement. With budget cuts this year at the Sheriff's Office the Chief was informed the SO would need to begin charging for the coverage that they provided to the Town. This agreement is on an as need basis so as the Town staffing conditions change the need for supplemental coverage from the County will also change.

Hawkeye questioned what service was covered with the taxes that are paid by the Town; Chief Martinez noted the Town was not being charged for backup services, the charges were for being the primary source of law enforcement in Town when there are not officers on duty. Chief Martinez recommended approval of the IGA and was hoping that when we are fully staffed with 4 officers then the Police department can minimize the amount of charges incurred by the IGA. It was noted that it seemed appropriate to approve the coverage.

Motion by Jerry B., second by Shelley B., to approve the Intergovernmental Agreement with Eagle County for Law Enforcement services as presented; all voted in favor.

14. Discussion/Action Item – Extension of Interim Town Administrator's contract – Suiter

Motion by Jerry B., second by Shelley B., to approve a 6 month extension of Gary Suiter's Interim Town Administrator Contract as presented; all voted in favor.

FUTURE AGENDA ITEMS

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

- Discussion of Eagle River Fire Protection District proposed Impact Fees – Suiter - 01/07/09
- Discussion of Employee Benefits – Brunvand – 01/07/09 (bump to 17th if Exec Session on 7th)
- Council retreat-suggested date 01/22/08 (Thursday), 5-9 p.m. and possible joint meeting with the Planning and Zoning board thereafter – Suiter
- Consideration of a “Dark Sky” lighting ordinance-December or January-Work session
- Resolution Setting Official Posting sites – Brunvand – 1/7/09 Council Meeting (5min)

16. Set Future Meeting Dates

- a) Council Meetings
 - January 7, 2009
 - January 21, 2009
 - February 4, 2009
- b) Planning & Zoning Commission Meetings
 - December 24 (Canceled)
 - January 14, 2009
 - January 28, 2009
- b) Other
 - Council Goal Setting Retreat – January 2009

17. Adjournment

Motion by Shelley B., second by Aggie M., to adjourn the meeting at 7:52 p.m.


Mayor Haykeye Flaherty

ATTEST:


Town Clerk, Jay Brunvand

