



**Official Minutes**

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

**Wednesday, November 18, 2009**

**Work Session – 6:00 PM**  
**Regular Session – 7:00 PM**

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

**Town Administrator – Jim White**  
**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.

**Work Session – 6:00 PM**

- Budget Funding Review – Brunvand (45min)

**Regular Session – 7:00 PM**

**1. Call to Order**

- a. Roll Call
- b. Pledge of Allegiance

Mayor Pro Tem George Brodin called the meeting to order at 7:02p.m.

Those present included Mayor Pro Tem George Brodin, Lorraine Haslee, Shelley Bellm, Jerry Bumgarner, Matt Scherr and Aggie Martinez. *(Note: Mayor Hawkeye Flaherty was absent excused.)*

Planning Commission present included: Chairman Stewart Bremmett, Leal Engstrom, Michael Gallagher, Timothy Osborne, and Lynn Teach.

Staff present was Town Administrator Jim White, Town Treasurer/Clerk Town Jay Brunvand, Planner1 Chris Cerimele, Police Chief Lorenzo Martinez and Attorney Allen Christensen

## STANDING ITEMS

### 2. Approval of Agenda

#### a. Items to be Pulled or Added

Motion by Shelley B., second by Jerry B., to approve the agenda as presented; all voted in favor. *(Note: Hawkeye Flaherty was absent excused.)*

### 3. Approval of Minutes and Action Report

- November 4, 2009 Regular Council Meeting
- Action Item Report – No changes or comment

Motion by Lorraine H., second by Shelley B., to approve the Minutes of the November 4, 2009 Regular Council Meeting as presented; all voted in favor. *(Note: Hawkeye Flaherty was absent excused.)*

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

### 6. Special Presentations/Citizen Recognition

### 7. Town Administrator's Report

Jim W. reviewed his Manager's Report that was included in the packet. Items included:

- Representatives from the Town and Battle Mtn Development met with the Environmental Protection Agency on November 5, 2009. The meeting was successful and direction is now being developed as a result of that meeting.
- Battle Mtn Dev. hosted an Open House at the Minturn Inn to update the citizens on recent developments at the company and the project.
- Jim W. and Jay B. attended a meeting with Battle Mtn Dev to discuss billing practices in a effort to tighten up our procedures and payment schedules.
- The ECO Bike Path at the north end of Town has been completed. Jim W. is working with the various groups to schedule a ceremonial opening in the near future.
- Jim W. updated Council on the water plant land deed issue and a follow up report on Staff efforts to identify and resolve Unauthorized Accessory Dwellings.

- Jim W. informed the Council that the Avon Fleet Maintenance contract has been extended for another year and asked Council to add approval of the Eagle River Water and Sanitation contract to the agenda.

Motion by Shelley B., second by Jerry B., to add agenda item 9A for the consideration of the 2010 ERWSD Management Contract; all voted in favor.

Jim W. further requested to move the future agenda items of the sidewalk discussion and the Use Tax discussion to a Worksession in January 2010; Council direction was given to do so. Jim W. informed Council that the Mayor had requested further Council discussion on the need for a new financial software and 2009 Staff bonuses; Council direction was to have these discussed on the December 2, 2009 Worksession.

## **8. Town Council Comments**

Matt S. updated Council on the Transportation issues facing Minturn due to the recently announced cuts for the ECO bus service. He would like to consider options including formation of a Transit Committee at the December 2, 2009 Council Meeting and asked the public to contact Jim W. if they had interest or comments.

Shelley B. expressed her concern with the bus service cuts and feels it is time for the citizens to get upset and speak up to the County Commissioners and the ECO Transit Board. Discussion ensued on how citizens can contact their representatives.

Jim W. introduced Michelle Metteer. Michelle M. is the new Administrative Assistant for the Town of Minturn. Michelle's first day was November 16, 2009.

## **PUBLIC HEARINGS AND ACTION ITEMS**

George B. introduced the Minturn Planning Commission.

Planning Chairman Stewart Brummett called the Planning Commission Meeting of November 18, 2009 to order at 7:21pm. Those present included: Chairman Stewart Bremmett, Leal Engstrom, Michael Gallagher, Timothy Osborne, and Lynn Teach.

- 9. Discussion/Action – November 18, 2009 Joint Council/P&Z Community Plan Public Hearing; The Planning Commission will vote to forward the Town of Minturn, 2009 Community Plan to the Town Council for adoption as presented and amended – Cerimele (45min)**

Chris C. updated the Commission and the Council on the changes in the Community Plan which was included in the Council packet. The changes made were to clarify the language and had come forward during the previous meetings of the Council and Commission. Chris C. answered questions and comments.

Stewart B. stated he would open the meeting for public comment if any one present would like to comment. Michael G. stated he felt the product is good but that he wished more public comment was made. He noted the citizen participation started out very strong in the beginning but waned over the months. Stewart B. thanked Chris C and the former Planning Director Victor Villarreal for their hard work. Stewart B. noted the Town had had at least 7 meetings whereby the citizens had opportunity to comment.

Motion by Michael G., second by Lynn T., to forward the Town of Minturn 2009 Community Plan to the Minturn Town Council for adoption as presented with the modifications noted; all voted in favor.

Chris C. outlined the remaining approval process to approve by the Council and incorporate the Community Plan into the Municipal Code. Chris C. further stated the Planning Commission will be setting implementation goals once the document is approved by Council.

Motion by Michael G., second by Leal Engstrom, to adjourn the Planning Commission meeting at 7:33pm; all voted in favor.

**9A. Discussion/Action – Request of Council to approve the 2010 Operation Agreement with Eagle River Water and Sanitation**

George B. introduced the item and referred to Jim W. This is an annual renewal of a longstanding Operations Agreement between the ERWSD and the Town of Minturn. Discussion ensued on the workings of the contract and how it impacts our community. It was noted that some customers do not have working shutoff valves and per the agreement these will need to be identified and corrected.

Motion by Jerry B., second by Shelley B., to approve the ERWSD Operations Agreement as presented; all voted in favor.

**FUTURE AGENDA ITEMS**

**10. Items to be added to future agendas / work session**

**Next Meeting**

- Discussion/Action – Ordinance 8 – Series 2009 (Second Reading) An Ordinance Creating a Supplemental Appropriation to the 2009 Town of Minturn Budget – Brunvand (10min) – December 2, 2009
- Discussion/Action – Ordinance 9 – Series 2009 (Second Reading) An Ordinance Setting the 2010 General Property Tax Mill Levy for the Town of Minturn – Brunvand (10min) – December 2, 2009

- Discussion/Action – Ordinance 10 – Series 2009 (Second Reading) An Ordinance Adopting and Recognizing the Town of Minturn’s 2010 Revenues and Expenses by Fund – Brunvand (10min) – December 2, 2009
- Consideration of Resolution setting Town Fees – December 2, 2009
- Discussion regarding the formation of a committee to study transportation issues – Worksession – December 2, 2009
- Mayor’s requests to reconsider 2009 Staff annual bonuses and in the 2010 budget the purchase of finance software – Worksession – December 2, 2009

**Future meetings**

- Bond refinancing discussion will be on the December 16 Worksession
- Discussion/Action – Minturn Community Plan – December 16 Regular Session – Cerimele (30min)
- Use tax discussion – Work Session – January 2010
- Sidewalk discussion – Work Session – January 2010
- GID Audit Exemption Review – White – February 3, 2010

**11. Set Future Meeting Dates**

a) Council Meetings

- December 2, 2009
- December 16, 2009
- January 5, 2009

b) Planning & Zoning Commission Meetings

- December 9, 2009
- December 23, 2009
- January 13, 2010

c) Other

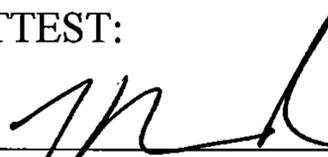
- Thanksgiving – November 26-27, 2009 – Office Closed
- Christmas Day – December 25, 2009 – Office Closed
- New Years Day – January 1, 2010 – Office Closed

**12. Adjournment**

Motion by Jerry B., second by Shelley B., to adjourn the meeting at 7:45pm.

  
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Mayor, Hawkeye Flaherty

ATTEST:

  
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Town Clerk, Jay Brunvand

