



Official Minutes

MEETING OF THE • MINTURN TOWN COUNCIL
Catholic Church 461 Main Street • Minturn, CO 81645 • (970) 827-5645

Wednesday December 16, 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

- Presentation, discussion and direction regarding Bond refinancing on the Town Center Bonds – White/Brunvand/Matlosz (30min)
 - Direction given to proceed with the refinancing.
- Discussion regarding the transportation meeting issues – White/Scherr (10min)
- Discussion regarding Community Revitalization Partnership proposed plan for Minturn (10min)
 - Direction given to proceed with this project.
- Discussion regarding Winter Parking Plan – White/Martinez/Flaherty (10min)
 - Direction given to continue with the existing plan.

Regular Session – 7:00 PM

1. Call to Order

- a. Roll Call
- b. Pledge of Allegiance

Mayor Hawkeye Flaherty called the meeting to order at 7:22 p.m.

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

Staff present was Town Administrator Jim White, Town Treasurer/Clerk Jay Brunvand, Deputy Clerk Michelle Metteer, Planner, Chris Cerimele and Attorney Allen Christensen.

STANDING ITEMS

2. Approval of Agenda (5 min)

- a. Items to be Pulled or Added

Items Added to the Agenda:

- 11a: Community Revitalization Partnership Approval
- 11b: Consideration of appointment of George B. to continue on the Eagle County Advisory Committee for the next (3) years.
- 11c: Consideration of a letter of support to Matt S. for support for his grant application.

Motion by Matt S, second by Lorraine H., to approve the agenda as amended, all voted in favor. (*Note: Shelley Bellm was absent, excused*)

3. Approval of Minutes and Action Report (5min)

- December 2, 2009 Regular Council Meeting
- Action Item Report

Discussion of Action Item Report included:

- Land Acquisition still in the works
- Water line easements- basically done as stated by Allen C. One remaining issue with fence at Public Works, but somewhat on hold until the building is done.
- Railroad property water line repairs authorized for and budgeted for 2010
- Evaluation of the streets/assessment for pavement in summer of 2010
- Refinance Bonds/Town Hall improvements

Motion by Jerry B., second by Aggie M., to approve the Minutes of November 18, 2009 as presented, all voted in favor. *(Note: Shelley B. absent, excused)*

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

6. Special Presentations/Citizen Recognition

Lorraine H. read an appreciation from the Council to the Town Staff and handed out a gift certificate to each employee from the Council.

7. Town Administrator's Report (10min)

Manager updates included:

- Report of the extent of Town Hall damages, RFP's due by Monday December 21, 2009
- Thank you's to the Eagle County Fire District and Steam Master for all their help and quick action during the flood
- The Minturn Winter Market was a success, Mr. Randy Milhoan put the event together
- Coats for Kids drive; drop box is at Town Center
- New Transportation Committee, 1st meeting held Dec 9, next meeting is January 27, 2010
- Turtle Bus may be starting soon
- Battle Mountain meeting with Mr. Frank Lorenti on concerns of his regarding the Battle Mountain Development project
- GreenBelt Initiative moved to the Mayors/Managers quarterly meeting, tomorrow, December 17, 2009
- Unauthorized Accessory units follow up. Chuck Lanci to come in early January 2010 for follow up to the Council.
- A Grant file has been established and will be given focus in 2010
- No more news on the Minturn Morning shuttle
- Happy Holidays to the Council and staff. Town Hall to be closed December 24, 2009 at noon, December 25, 2009 and New Years Day.

8. Town Council Comments (5min)

A sincere Thank you was given by all to the St Patrick's Parish for the use of the Spirit Facility for many of the meetings and events typically held at the Town Center during our repairs.

PUBLIC HEARINGS AND ACTION ITEMS

9. Discussion/Action – Resolution 27 – Series 2009 a Resolution setting Town Fees for the fiscal year 2010 (10min)

Motion by Lorraine H., second by Jerry B., to approve Resolution 27 – Series 2009 a Resolution setting Town Fees for the fiscal year 2010 as presented; all voted in favor. *(Note: Shelley B. absent, excused)*

10. Discussion/Action – Resolution 28 – Series 2009 a Resolution adopting the 2009 Town of Minturn Community Plan as the Master Plan for the Town of Minturn (10min)

Motion by Lorraine H., second by Aggie M., to approve Resolution 28 – Series 2009 a Resolution adopting the 2009 Town of Minturn Community Plan as the Master Plan for the Town of Minturn as presented; all voted in favor. *(Note: Shelley B. absent, excused)*

11. Discussion/Action – Ordinance 11 – Series 2009 an Ordinance approving an Intergovernmental Agreement with Eagle County for animal control services in 2010 – Martinez

Motion by Jerry B., second by Matt S., to approve Ordinance 11 – Series 2009 an Ordinance approving an Intergovernmental Agreement with Eagle County for animal control services in 2010 as presented; all voted in favor. *(Note: Shelley B. absent, excused)*

11a. Discussion/Action – Downtown Colorado Revitalization Program discussion and direction

Jim W. stated this program would allow the Town to develop a plan to begin the implementation of the OZ Plan which outlines streetscapes and the like. The cost of this program is \$6,000 of which the Town would be reimbursed up to \$3,000.

Motion by George B., second by Lorraine H., to approve the program and funding as presented; all voted in favor. *(Note: Shelley B. absent, excused)*

11b. Discussion/Action – Nomination and appointment of George B. to the Eagle County Open Space Board on behalf of the Town of Minturn

Motion by Jerry B., second by Lorraine H., to appoint George B. to the Eagle County Open Space Board as presented; all voted in favor. *(Note: Shelley B. absent, excused)*

11c. Discussion/Action – Direction to approve a Letter of Support from the Town on behalf of Matt S. for a grant submittal to the USDA solid waste management grant.

Motion by George B., second by Lorraine H., to approve a Letter of Support from the Town on behalf of Matt S. for a grant submittal to the USDA solid waste management grant; all voted in favor. *(Note: Shelley B. absent, excused)*

EXECUTIVE SESSION

- 12. Executive Session** – Pursuant to CRS 24-6-402(4)(e) to receive legal update on Battle Mountain Land Use/Annexation litigation and Water Court litigation and to give instructions to negotiators and pursuant to CRS 24-6-402(4)(f) to discuss an employee issue regarding an employee who is no longer employed by the Town of Minturn.

Motion by Lorraine H., second by George B., to convene in Executive Session pursuant to CRS 24-6-402(4)(e) to receive legal update on Battle Mountain Land Use/Annexation litigation and Water Court litigation and to give instructions to negotiators and pursuant to CRS 24-6-402(4)(f) to discuss an employee issue regarding an employee who is no longer employed by the Town of Minturn at 8:15pm; all voted in favor. (*Note: Shelley B. was absent, excused*)

- 13. Update and Direction from Council as a result of the Executive Session – Mayor**

Council emerged from Executive Session at 8:33pm. Directions given as a result of the Executive Session were as follows:

- Allen C. is to write a letter to the Colorado Dept. of Labor regarding a pending unemployment case.
- To endorse the opposition as outlined in memo form by Attorney Boots Ferguson regarding Water Court Case 09CW160
- Verify regulation agencies with Attorney Elizabeth Mitchell

FUTURE AGENDA ITEMS

Next Meeting

- Resolution setting official posting sites within the Town of Minturn – January 6 – Brunvand (5min)

Future meetings

- Use tax discussion – Work Session – January 2010
- Sidewalk discussion – Work Session – January 2010
- GID Audit Exemption Review – White – February 3, 2010

- 14. Set Future Meeting Dates**

a) Council Meetings

- January 6, 2010

- January 20, 2010
- February 3, 2010

b) Planning & Zoning Commission Meetings

- December 23, 2009 – CANCELED
- January 13, 2010
- January 27, 2010
- February 10, 2010

c) Other

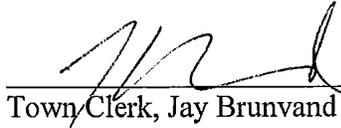
- Christmas – December 24, 2009 – Office Closed at noon
- Christmas – December 25, 2009 – Office Closed
- New Years – January 1, 2010 – Office Closed
- Minturn Transportation Committee Meeting – 5pm Wednesday January 27, 2010

15. Adjournment

Motion by Lorraine H., second by George B., to adjourn the regular session of the Minturn Town Council at 8:40 p.m. . *(Note: Shelley B. absent, excused)*



Mayor Hawkeye Flaherty
ATTEST:



Town Clerk, Jay Brunvand

