



Official Minutes

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

Wednesday April 21, 2010

Work Session – 6:30 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
Earl Bidez
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 – 6:30 pm

- Energy Smart

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 7:06 p.m.

Those present included Mayor Hawkeye Flaherty, Mayor Pro Tem George Brodin, Jerry Bumgarner, Shelley Bellm, Earl Bidez., Matt Scherr, and Aggie Martinez.

Staff present was Town Treasurer/Clerk Jay Brunvand, Administrative Assistant/Deputy Clerk Michelle Metteer, Planner Chris Cerimele and Attorney Allen Christensen. *(Note: Town Manager Jim White absent, excused.)*

2. Approval of Agenda

- Items to be Pulled or Added

Hawkeye requested Sections four and five of the agenda to be switched in order to allow for public comments after Special Presentations & Citizen Recognition.

Motion by Shelley B, second by George B, to approve the agenda as amended, all voted in favor.

3. Approval of Minutes and Action Report

- April 7, 2010
- Action Item Report

Motion by Aggie M, second by Earle B, to approve the minutes as presented, all voted in favor.

Action report update: Update on the exact status of the land acquisition requested for the next agenda.

Action report update: Meeting date to be arranged/confirmed for the subcommittee for the School District.

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

Tom Sullivan 116 Nelson Ave. Follow up regarding commercial business in residential homes. Especially in light of the recent fire at 800 Main St, he requests to know when the Town might act on this topic, if at all. He hopes that the Town will enforce its zoning regulations before something serious happens to someone or something. Council requested the Fire District's report to be circulated to Council once available. Council requested the Town Manager to further investigate this issue. Chadwick Construction, located at 472 Taylor St, is also of concern and was brought to the attention of the Council in the Fall of 2009.

Jerry B. would like to see the Council move forward on any necessary steps that need to be taken to ensure an incident of this nature does not happen again. Information from the Fire Marshall explaining the procedures/steps to be taken – where stored fuel is involved (in a residential area) would be beneficial as well.

Staff is to update the Council on all complaints taken in regards to the any similar concerns of this nature. Home business zoning requirements to be given to Council for review.

Jim Whitler, 403 Pine St. Question-do all audience members have to wait around for Hidden Gems to be able to give comment – No, if the Hidden Gems representative is not present by the time the Administrator’s Report is finished they will have to request time on a future agenda.

Suzan Morrison, 801 Main St, lives directly across from 800 Main St where the fire occurred, and is also concerned about having businesses of an industrial nature in a residential area.

Conditional use permits are applied to a motorcycle maintenance shop, but this type of business can occur at any time – Staff to review these zoning issues.

5. Special Presentations/Citizen Recognition

- Hidden Gems Update – Susie Kincade

6. Town Administrator’s report

May 19, 2010 Meeting with County Commissioners

Battle Mountain Development letter was prepared and sent.

CML Annual Conference in Breckenridge beginning June 22, 2010.

DCI, Inc to come to Minturn on May 24 and 25, 2010 (Capital Improvement Plan to be reviewed by Council before it is approved or submitted to DCI, Inc).

Clean Up Day is May 15, 2010. Radio Tower building on Lion’s Head to be removed May 8 and 9 2010. Contact the Town of Minturn at 827-5645, if you are interested in volunteering to help with the removal of the building.

Roadway repairs at the entry of Town have begun. Patching has occurred, but the drain is in disrepair and requires upgrading.

RFP for North Main St waterline has been sent out – due date to submit bids is May 5, 2010 at 5:00 p.m.

7. Town Council Comments

May 1st is County-wide highway clean up. Meet at Tigiwon Rd at 9:00 for those who would like to help with highway clean-up. Jerry B. can be reached at: 970/390-8706. Call 926-3956 for more information on highway clean up day.

May 15, 2010 is Town clean up day and all residents are encouraged to take part. Volunteers can meet at the municipal lot at 9:00 a.m.

Eagle Valley Alliance for Sustainability will be accepting electronics this Saturday and Sunday at the Home Show in Eagle if you have any electronics to be recycled.

May 6, 2010, Minturn's spot on the ERWSD Board is up for election, as well as the seat on the Fire District Board. Minturn residents have the opportunity to vote on all the open seats. Water Board elections are critical to Minturn so all residents are encouraged to take part and if necessary, request a mail in ballot.

Be bear aware. It's bear season again. Take all necessary precautions.

PUBLIC HEARINGS AND ACTION ITEMS

8. Discussion/Action – Ordinance 4 – Series 2010 an Ordinance approving the execution of a Ground Lease, a Lease Purchase Agreement, and related documents pertaining to the refinancing of the Town Hall; delegating to certain authorized officers of the Town the determination of certain financial parameters for the refinancing; approving the form of a Preliminary Official Statement and authorizing the preparation of a Final Official Statement to be used in connection with the sale of certain Certificates of Participation to be issued evidencing proportionate interests in certain revenues under the lease.

- Financial Schedule
- Ordinance 4-2010
- Lease Purchase Agreement
- Ground Lease Agreement
- Indenture of Trust
- Preliminary Official Statement

Hawkeye introduced the item and referred the issue to Alan Matlosz of Geo. K Baum and Associates. Mr. Matlosz noted this is to refinance the bonds held on the Town Center located at 302 Pine St. The terms of the original bonds remain in this issue whereby the bonds will mature in 2020, the Post Office will continue to lease from the Town, etc. The most major impact of the refinance is to allow the Town to take advantage of lower interest rates. This refinance is estimated to save the Town in excess of \$180,000 in interest fees over the course of the next 10 years. The savings is set up to allow the Town to see the greatest reduction or savings in the first few years. This savings will be applied to pending projects being considered on the Town Center such as a new roof.

Motion by Shelley B., second by Aggie M., to approve Ordinance 4 – 2010 (First Reading) an Ordinance approving the execution of a Ground Lease, a Lease Purchase Agreement, and related documents pertaining to the refinancing of the Town Hall; delegating to certain authorized officers of the Town the determination of certain financial parameters for the refinancing; approving the form of a Preliminary Official Statement and authorizing the preparation of a Final Official Statement to be used in connection with the sale of certain Certificates of Participation to be issued evidencing proportionate interests in certain revenues under the lease. All voted in favor.

9. Discussion/Action – Battle Mountain Resorts Annexation Proposal referral to Staff for calendar and compliance review

Allen C. noted to Council that the Town is in receipt of the second petition series of the Battle Mountain Annexation. Allen C. further noted the petitions had been received by the Town Clerk and is being presented to the Council as required by State Statutes. Staff is requesting Council direct staff to review the petitions and annexation map for substantial compliance. In the event Staff finds the petitions in substantial compliance to report back at the May 19, 2010 with recommendations and a preliminary hearing schedule to begin in July..

Direction was given by the Town Council to Staff to move forward with the annexation petition review for substantial compliance and report back as necessary.

10. Discussion/Action – Ordinance 5 – Series 2010 (First Reading) an Ordinance consenting to the improvement for renewable energy and energy efficiency purposes to any residential or commercial property within the Town by the County of Eagle

Motion by Shelley B., second by George B., to approve Ordinance 5 – 2010 (First Reading) an Ordinance consenting to the improvement for renewable energy and energy efficiency purposes to any residential or commercial property within the Town by the County of Eagle. All voted favor.

*Applies to existing dwellings – potential change in verbiage

EXECUTIVE SESSION

11. Executive Session – Pursuant to CRS 24-6-402(4)(b) to receive legal advice on Battle Mountain Land Use/Annexation matters and Water Court litigation

Motion by Matt S., second by Aggie M., to convene into executive session Pursuant to CRS 24-6-402(4)(b) to receive legal advice on Battle Mountain Land Use/Annexation matters and Water Court litigation at 8:05 p.m. All voted in favor.

12. Update and Direction from Council as a result of the Executive Session – Mayor

Council emerged from Executive Session at 9:57 p.m. Direction given as a result of the Executive Session were as follows:

- Allen C. is to continue with water and sewer negotiations.

FUTURE AGENDA ITEMS

12. Next Meeting

- Budget Retreat Monday, May 3, 2010 5:00 p.m. location tbd. Send all projects/items to Town Manager. Jim to set up an agenda ahead of time.
- CML Overview – White/Mamet (Work session, 30 min) May 5, 2010
- CIRSA training – White/Tanoue (Work session, 1 hr 30 min) May 5, 2010

13. Future Meeting

- Use tax discussion – Brunvand/White (30min) May 19, 2010
- Sidewalk discussion – Brunvand/White
- Annexation Petition
- EPA Update

14. Set Future Meeting Dates

a) Council Meetings

- May 5, 2010
- May 19, 2010
- June 2, 2010

b) Planning & Zoning Commission Meetings

- April 28, 2010
- May 12, 2010
- May 26, 2010

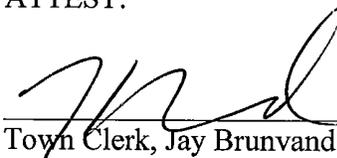
c) Other

15. Adjournment

In that there was no further business before the Council the meeting stood in adjournment.


Mayor Hawkeye Flaherty

ATTEST:


Town Clerk, Jay Brunvand

