



## **Agenda**

### **MEETING OF THE MINTURN TOWN COUNCIL**

**Minturn Town Center, 302 Pine Street  
Minturn, CO 81645 • (970) 827-5645**

**Wednesday November 17, 2010**

**Executive Session – 5:00pm**

**Regular Session – 7:00pm**

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

**Town Administrator – Jim White  
TOWN CLERK/TREAS – Jay Brunvand**

#### **COUNCIL MEMBERS:**

Shelley Bellm

Earle Bidez

Jerry Bumgarner

Aggie Martinez

John Rosenfeld

### **Please bring your FY2011 Budget book**

When addressing the Council, please state your name and your address for the record prior to providing your comments. Please address the Council as a whole through the Mayor. All supporting documents are available for public review in the Town Offices – located at 302 Pine Street, Minturn CO 81645 – during regular business hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays.

#### **Work Session – 5:00 pm**

- Review four 2011 Budget ordinances – Brunvand (30min)
- Review of outstanding 2011 budget considerations – Brunvand (30min)
  - i. Non-Profit Community Funding requests
  - ii. Town of Minturn Events & Marketing funding
  - iii. Enterprise Water and trash rates
  - iv. Staff considerations
- Review proposed 2009 Building Codes – Cerimele (30min)
- Review Country Club Property Annexation Ordinances – Cerimele (30min)

## Regular Session – 7:00 pm

### 1. Call to Order

- a. Roll Call
- b. Pledge of Allegiance

The meeting was called to order by Mayor Flaherty at 7:12 pm.

Those present included: Mayor Hawkeye Flaherty, Mayor Pro Tem George Brodin, Council Members Earle Bidez, Jerry Bumgarner, and Aggie Martinez. *(Note: Jerry Bumgarner & Shelley Bellm were excused absent).*

Staff present: Town Manager Jim White, Town Treasurer/Clerk Jay Brunvand, Chief of Police Lorenzo Martinez, Administrative Assistant/Deputy Clerk Michelle Metteer, Planner Chris Cerimele and Attorney Allen Christensen.

### 2. Approval of Agenda

- Items to be Pulled or Added

Add Item 17a. Discussion of the School Board Annexation

Add Item 17b. Discussion of the Cross Creek Gauge

Motion by George B., second by Erale B., to approve the agenda as amended, all voted in favor. *(Note: Jerry Bumgarner & Shelley Bellm were excused absent).*

### 3. Approval of Minutes and Action Report

- November 3, 2010
- Action Item Report

Motion by Earle B., second by Aggie M., to approve the minutes as presented, all voted in favor. *(Note: Jerry Bumgarner & Shelley Bellm were excused absent).*

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

### 5. Special Presentations/Citizen Recognition

### 6. Town Manager's Report

#### Events Planning Meeting

We held our facilitated meeting on October 27<sup>th</sup> with all interested parties (Town staff, MRBA, MCF, volunteers, interested citizens) regarding the options presented to Town Council recently related to the proposal to fill a position or to fund events so events can be better coordinated and operations more defined during events. Our subsequent request for funding from Town Council was represented at \$25,000, which embodies the \$10,000 we budgeted for marketing and promotions in 2011, as we did in 2010.

### **School District Update**

Discussion between the attorneys of both parties continue; easement issues along Cross Creek appear to be the remaining area of discussion. Since we are close to having the issues resolved at staff level, we still expect the annexation petition to be submitted this year to the Town.

### **Radio Tower Contract**

The Town Clerk followed up again with Dr. Hood. Payment for 2010 remains unresolved. Terms of the contract for the radio tower in the new lease also remain unsettled. As directed by the Town Council, the Town has posted a notice to settle all payments that are in arrears, or have the tenant vacate the premises.

### **Water Treatment Plant Telemetry**

TST Engineering has been working with Timberline Electric and Controls to complete installation of required equipment to update our telemetry system at the water treatment plant.

### **Northwest Colorado Council of governments (NWCCOG) Grant**

We submitted invoices to NWCCOG in an effort to receive our grant funding reimbursement in the amount of \$5000.

### **Battle Mountain Update**

Dave Kleinkopf has agreed to come to Town Council meetings periodically, every four to six weeks, to provide updates on the activities related to the Battle Mountain development. He has been invited to attend one of the remaining meetings we have scheduled this year.

### **A Million Lights in Minturn**

Planning is underway to light up Minturn this Christmas and Holiday Season. Michelle Metteer is working with the Fire District, local business owners, Town staff, and local volunteers to coordinate the events related to this effort.

### **RFP/North Main Street Water Line Design**

Construction is nearing completion on the North Main Street Water Line by Western Pipeway, Inc. Siri Roman, Peak land Consultants, will be here tonight to discuss the project and provide a status update.

### **Minturn Winter Market**

The Minturn Winter Market is scheduled for Saturday, December 11, 2010.

### **Signage**

We are working on getting dimensions to the USFS for their review and approval. I also met with a local architect to review the design.

### **RFP for Prosecuting Attorney**

Four candidates submitted letters of interest and accompanying documentation. Interviews are planned to be held during November and a decision will be targeted by December 2010 to enable a start date in January, 2011.

### **ECO Transit Bus Schedule Published**

The 2010-2011 ECO Bus schedule has been published. A copy of the Minturn bus schedule has been included with this report. Special thanks to Jeff Wentzel at ECO Transit and to all others who participated in making this a reality for our residents. Minturn Town Hall is now an ECO Transit Bus Pass sales location. For complete information go to [www.minturn.org](http://www.minturn.org), call 970.827.5645 or visit the Town offices at 302 Pine Street.

### **7. Town Council Comments**

Division of Wildlife has current grant program opportunities available. For more information go to Minturn Town Hall, 302 Pine Street.

On behalf of the Minturn Town Council and Staff, Happy Thanksgiving.

## **PUBLIC HEARINGS AND ACTION ITEMS**

### **8. Discussion/Action – Update and discussion of North Main Street Water line project with Ms. Siri Roman of Peak Land Consultants Inc – White**

Ms. Siri Roman, Peak Land Consultants, 1000 Lion's Ridge Loop, Vail. Provided a project update to Town Council. A confirmation that swing ties were used throughout the project and locating of pipeline in the future should be substantially easier. The Contractor holds a two year warranty on the project and is asked to return in the spring (June 2011) for a complete walk-thru/inspection of the jobsite location. Records of the soils tests will be provided to the Town. The project invoice is expected to be received by the Town sometime next week.

### **9. Discussion/Action – Update on the Radio Tower contract status – Brunvand**

Jay B. gave a brief summary of where the payments for the tower lease stand. Direction was given to proceed with collection.

### **10. Discussion/Action – Resolution 17 – 2010 A Resolution of the Town Council of the Town of Minturn, Colorado establishing eligibility for annexation of the Quintana Country Club Parcel – Cerimele**

Motion by Earle B., second by George B., to approve amended Resolution 17-2010, a Resolution of the Town Council of the Town of Minturn, Colorado establishing eligibility for annexation of the Quintana Country Club Parcel; all voted in favor. (*Note: Jerry Bumgarner & Shelley Bellm were excused absent*).

### **11. Discussion/Action – Ordinance 10 – 2010 (First Reading) – An Ordinance annexing to the Town of Minturn, County of Eagle, State of Colorado, the Quintana Country Club Tract – Cerimele**

Motion by Aggie M., second by John R., to approve Ordinance 10 – 2010 (First Reading), An Ordinance annexing to the Town of Minturn, County of Eagle, State of Colorado, the Quintana Country Club Tract. All voted in favor. *(Note: Jerry Bumgarner & Shelley Bellm were excused absent).*

**12. Discussion/Action – Ordinance 11 – 2010 (First Reading) – An Ordinance amending the Town of Minturn Zone District Map as it pertains to the Quintana Country Club Parcel – Cerimele**

Motion by John R., second by Aggie M, to approve Ordinance 10 – 2010 (First Reading), An Ordinance amending the Town of Minturn Zone District Map as it pertains to the Quintana Country Club Parcel All voted in favor. *(Note: Jerry Bumgarner & Shelley Bellm were excused absent).*

**13. Discussion/Action – 2<sup>nd</sup> Public Hearing on proposed fiscal year 2011 Budget – Brunvand/White**

No public comments were given.

Earle B. recommended the funding requests of the Watershed Council Fund of \$2000.00, Minturn Community Fund's request of \$7,500.00 and Radio Free Minturn's request of \$2000.00 be met as presented; all present Council Members were in agreement.

Motion by George B., second by Earle B., to fund the requests from the above non-profit groups in the amounts originally requested and indicated above; all voted in favor. *(Note: Jerry Bumgarner & Shelley Bellm were excused absent)*

Motion by George B., second by John R., to allocate \$25,000 toward the events of the Town of Minturn as presented; all voted in favor. *(Note: Jerry Bumgarner & Shelley Bellm were excused absent).*

Motion by Earle B., second by Aggie M., to approve staff bonuses of \$1000.00 for full year staff employees and \$400.00 for partial year employees; all voted in favor. *(Note: Jerry Bumgarner & Shelley Bellm were excused absent).*

Motion by Earle B., second by George B., to support option #2 whereby a debt service fee in the total amount of \$94,748.11, with the option for seniors to decide not to contribute, as outlined by the 2011 enterprise shortfalls Strategy as presented: passed 3-2 (Aggie M., and Hawkeye F., nay votes). *(Note: Jerry Bumgarner & Shelley Bellm were excused absent)*

Direction to staff to send out a letter to allow seniors to opt out of contributing to this dept fee payment.

**14. Discussion/Action – Ordinance 12 – Series 2010 (First Reading) – An Ordinance Creating a Supplemental Appropriation to the 2010 Town of Minturn Budget – Brunvand**

Motion by John R., second by George B, to approve Ordinance 12 – 2010 (First Reading), An Ordinance Creating a Supplemental Appropriation to the 2010 Town of Minturn Budget as presented; all voted in favor. *(Note: Jerry Bumgarner & Shelley Bellm were excused absent)*

**15. Discussion/Action – Ordinance 13 – Series 2010 (First Reading) – An Ordinance Setting the 2011 General Property Tax Mill Levy for the Town of Minturn – Brunvand (10 Min)**

Motion by George B., second by John R., to approve Ordinance 13 – 2010 (First Reading), An Ordinance Setting the 2011 General Property Tax Mill Levy for the Town of Minturn as presented; all voted in favor. *(Note: Jerry Bumgarner & Shelley Bellm were excused absent)*.

**16. Discussion/Action – Ordinance 14 – Series 2010 (First Reading) – An Ordinance Adopting the Fee Schedules for Fiscal Year 2011 for the Town of Minturn – Brunvand (10 Min)**

Motion by Earle B., second by George B., to approve Ordinance 14 – 2010 (First Reading) An Ordinance Adopting the Fee Schedules for Fiscal Year 2011 for the Town of Minturn as amended to include the aforementioned Council direction; all voted in favor. *(Note: Jerry Bumgarner & Shelley Bellm were excused absent)*.

**17. Discussion/Action – Ordinance 15 – Series 2010 (First Reading) – An Ordinance Adopting and Recognizing the Town of Minturn’s 2011 Revenues and Expenses by Fund – Brunvand (10 Min)**

Motion by John R., second by Aggie M., to approve Ordinance 15 – 2010 (First Reading), An Ordinance Adopting and Recognizing the Town of Minturn’s 2011 Revenues and Expenses by Fund as presented; all voted in favor. *(Note: Jerry Bumgarner & Shelley Bellm were excused absent)*.

**18. Discussion/Action – School Board Annexation petition for the area commonly known as Maloit Park.**

Chris C. stated a request for annexation of the property commonly known as the Maloit Park area had been received at Staff level. Direction to staff to review annexation petition. *(Note: Jerry Bumgarner & Shelley Bellm were excused absent)*

**19. Discussion/Action – Cross Creek Gauge and funding.**

Motion by Earle B., second by John R., for authorization of the Mayor to sign the Cross Creek Gauge agreements to fund the installation as presented; all voted in favor. *(Note: Jerry Bumgarner & Shelley Bellm were excused absent)*

Council Recommendation to review on an annual basis.

## EXECUTIVE SESSION

**20. Executive Session - Pursuant to CRS 24-6-402(4)(b) to consult with the Town's Attorney(s), Town Water Engineer Joe Tom Wood, and Town Manager Jim White regarding the water issue updates – White/Christensen**

Motion by George B., second by John R., to convene into Executive Session Pursuant to CRS 24-6-402(4)(b) to consult with the Town's Attorney Town Water Engineer Joe Tom Wood, and Town Manager Jim White regarding the water issue updates. All voted in favor. (*Note: Jerry Bumgarner & Shelley Bellm were excused absent*).

**21. Executive Session – Action by Council or Direction to Staff as a result of the Executive Session – White/Christensen (90min)**

No direction was given as a result of the Executive Session.

## FUTURE AGENDA ITEMS

**22. Next Meeting**

- Discussion/Action – Ordinance 10 – 2010 (First Reading) – An Ordinance annexing to the Town of Minturn, County of Eagle, State of Colorado, the Quintana Country Club Tract – Cerimele (15 min)
- Discussion/Action – Ordinance 11 – 2010 (First Reading) – An Ordinance amending the Town of Minturn Zone District Map as it pertains to the Quintana Country Club Parcel – Cerimele (15 min)
- Discussion/Action – Ordinance 12 – Series 2010 (Second Reading) – An Ordinance Creating a Supplemental Appropriation to the 2010 Town of Minturn Budget – Brunvand – 12/01/10 Council Meeting – (5 min)
- Discussion/Action – Ordinance 13 – Series 2010 (Second Reading) – An Ordinance Setting the 2011 General Property Tax Mill Levy for the Town of Minturn – Brunvand – 12/01/10 Council Meeting (5 Min)
- Discussion/Action – Ordinance 14 – Series 2010 (Second Reading) – An Ordinance Adopting the Fee Schedules for Fiscal Year 2011 for the Town of Minturn – Brunvand – 12/01/10 Council Meeting (5 Min)
- Discussion/Action – Ordinance 15 – Series 2010 (Second Reading) – An Ordinance Adopting and Recognizing the Town of Minturn's 2011 Revenues and Expenses by Fund – Brunvand – 12/01/10 Council Meeting (5 Min)
- Town Attorney to return to Council with an engagement letter (Dec 1, 2010 Council Meeting)
- Discussion/Action – Ordinance \_\_\_\_\_ – 2010 – An Ordinance to adopt Building Codes December 1 First Reading and December 15 Second Reading
- Dave Kleinkopf-December 1, 2010 Town Council meeting.

- Town Signage discussion

### 23. Future Meeting

- Discussion/Action – Resolution \_\_\_\_ – 2011 – A Resolution setting the official posting sites for the Town of Minturn – 01/05/11 Council Meeting – Cerimele (15 min)
- Discussion/Action – General Improvement District Audit Exemption – February 2, 2011 – Brunvand
- Review Downtown Colorado Inc Plan & Community Revitalization Plan. – 1/19/11 Work Session – Cerimele (30 min)
- Selection of Minturn Prosecuting Attorney

### 24. Set Future Meeting Dates

#### a) Council Meetings:

- December 1, 2010
- December 15, 2010
- January 5, 2011
- January 19, 2011

#### b) Planning & Zoning Commission Meetings:

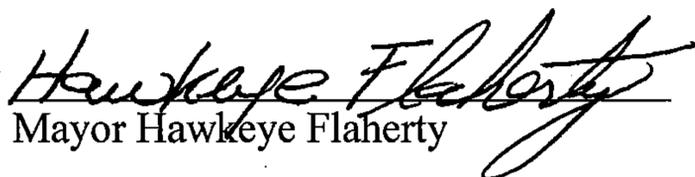
- November 24, 2010 – Cancelled
- December 8, 2010
- December 22, 2010 – Cancelled

#### c) Other Dates:

- November 25, 2010 - Town Hall Closed (Thanksgiving)
- November 26, 2010 - Town Hall Closed (Thanksgiving)
- December 25, 2010 – Town Hall Closed (Christmas)
- January 3, 2011 – Town Hall Closed (New Years)

### 25. Adjournment

In that there was no further business to conduct the Council Meeting stood adjourned.

  
Mayor Hawkeye Flaherty

ATTEST:

  
Town Clerk, Jay Brunvand

