



Official Minutes

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

Wednesday July 21, 2010

Work Session – 5:00 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
Earle 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 – 5:00 pm

- November Ballot Language – Brunvand/Christensen Worksession and Action Item
 - Use Tax – Brunvand/Christensen
 - Medicinal Marijuana – White/Christensen
- Capital Improvement Plan – Brunvand/White

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 7:04 p.m.

Those present included: Mayor Hawkeye Flaherty, Mayor Pro Tem George Brodin, Council Members Jerry Bumgarner, Shelley Bellm, Earle Bidez, Matt Scherr, Aggie Martinez absent, excused.

Staff present was Town Administrator 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

Motion by Shelley B., second by George B., to approve the agenda as amended, all voted in favor. *(Note: Aggie M. was absent excused.)*

- Add item 15a: continuation of Worksession discussion on Medical Marijuana

3. Approval of Minutes and Action Report

- July 7, 2010
- Action Item Report

Request by Staff to add open burning code policy to the Action Item Report. Recommendation for discussion on August 4, 2010 agenda. Direction by Council to move forward as requested.

Motion by George B., second by Jerry B., to approve the Minutes of July 7, 2010 as presented; all voted in favor. *(Note: Aggie M. was absent excused.)*

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

School District Update

The School District had this topic scheduled on its July 14, 2010 meeting as a discussion item with the entire board. A formal annexation petition is anticipated later this summer. I have sent the Town Council a draft report summarizing the information shared with the School District Board of Education.

Radio Tower Contract

The Town Clerk and the Town Manager have been in discussion with Dr. Hood regarding a longer term contract for the radio tower when the lease becomes due later this summer. This lease will require the replacement of a vertical tower. Previous direction from the Town Council was to have staff continue to pursue this lease and other leases as stable, long term revenue sources.

Battle Mountain Update

Dave Kleinkopf will host a community open house on Tuesday night, July 20, 2010 at 7pm at the Gourmet Cowboy.

The draft Feasibility Study (FS) has just been completed and is nearly ready for submittal to the EPA. I have sent the draft to you electronically.

The small group meeting involving our staff and two Town Council representatives is scheduled for Tuesday, July 20, 2010, immediately preceding the community open house. Our team will meet with Battle Mountain representatives to review the development agreement stipulations. Initial discussion topics may include the scholarship fund, and release of some or all of the escrow funds for infrastructure improvements, and other more immediate community investment measures. The Town will also pursue the forest service property bridge loan as well.

Minturn Rocks!

Minturn has kicked off a free Thursday evening concert series at Little Beach Park and Amphitheater. Local bands will be performing at the amphitheater from 5:30-7:30 throughout the end of August. This is a great opportunity to promote our community and enjoy the park with your friends, family and neighbors. Special thanks to Matt Sprecher of the Minturn Anglers and Terry Armistead for organizing the bands and sponsors.

Town Signage

Sign graphics selected at the last meeting are being reworked. We report back when the work is complete.

Water Treatment Plant

The turbidity meter has been put back in service as of July 1, 2010 by John Volk of Southwest Water, Georgetown, CO with whom I have contracted to cover the water plant on an interim basis. We have also ordered a chlorine analyzer to enable us to have constant monitoring of chlorine levels for our required reports to the state. Each of these devices will enable us to complete our required monitoring responsibilities without our staff having to do manual physical checks every four hours. TST Engineering is overseeing the water treatment plant operations to ensure that all state reporting requirements are being met.

TST Engineering will be working with Timberline Electric and Controls to resolve problems and to update our telemetry system at the water treatment plant. Kelly Lytle, electrician with Timberline, did a site visit to the water treatment plant and to the two storage tanks on Tuesday, July 13, 2010.

RFP/North Main Street Water Line Design

The design of the waterline project is done at the 50% level to date led by Mark Luna, Project Manager, representing Peak Land Consultants, Inc, Vail, Colorado. Survey work and potholing to test soil conditions have also been completed thus far.

Minturn Market

The Minturn Market is scheduled every Saturday, June 26 for eleven weeks through Saturday, September 4, 2010. The Town thanks Marka Brenner for her cooperation in contracting with the Town in providing her land to accommodate the market.

Colorado Municipal League (CML) Executive Board Retreat

The Town of Minturn will host the Colorado Municipal League Executive Board Retreat on July 23 and July 24, 2010. Our elected and appointed guests from throughout Colorado will be staying at the Eagle River Inn and the Minturn inn. Local restaurants and catering services will be utilized in providing meals during the retreat.

Medical Marijuana

Staff continues to work on further research on this topic and it is also being discussed throughout Eagle County. Examples of sample ordinances, both those in favor and those against will be brought forth. Stipulations in current legislation will be reviewed related to local opt-out provisions, local licenses, fees and taxes, background checks, enforcement, and key implementation dates among the topics.

7. Town Council Comments

Battle Mountain public benefits require prioritization. Council to have prioritization information submitted to Jim W. before the next committee meeting, including the importance of Forest Service Lands.

Direction to Planning staff to provide Council all active Minturn conditional use permits for review.

ECO Transit to provide a loop system to Minturn from the Forest Service bus stop during the winter months. Route schedules to be provided online on the Eagle County Transit website.

PUBLIC HEARINGS AND ACTION ITEMS

8. Discussion/Action – Ordinance 8 – 2010 (Second Reading) an Ordinance approving a land lease contract with Lafarge West Inc. – Brunvand (10min)

Bill Arrasmith, GM Lafarge, Western Slope 394 CR 109, Glenwood Springs, stated his agreement with the amended lease contract for five years and three five year renewal options.

Motion by Matt S., second by Shelley B., to approve Ordinance 8 – 2010 (Second Reading) an Ordinance approving a land lease contract with Lafarge West Inc. as amended; All voted in favor. *(Note: Aggie M. was absent excused.)*

Amendment to lease dates to read November 1 to Oct 31.

9. Discussion/Action – Resolution 10 – Series 2010 a Resolution stating opposition to Amendment 60

Motion by Shelley B., second by Matt S., to approve Resolution 10 – Series 2010 a Resolution stating opposition to Amendment 60; all voted in favor. *(Note: Aggie M. was absent excused.)*

10. Discussion/Action – Resolution 11 – Series 2010 a Resolution stating opposition to Amendment 61

Motion by Shelley B., second by George B., to approve Resolution 11 – Series 2010 a Resolution stating opposition to Amendment 61; all voted in favor. *(Note: Aggie M. was absent excused.)*

11. Discussion/Action – Resolution 12 – Series 2010 a Resolution stating opposition to Proposition 101

Motion by Shelley B., second by George B., to approve Resolution 12 – Series 2010 a Resolution stating opposition to Proposition 101. All voted in favor. *(Note: Aggie M. was absent excused.)*

12. Discussion/Action – Ordinance 9 – 2010 (Second Reading) an Ordinance formally notifying the Eagle County Clerk and Recorder of our intention to pose ballot questions and authorizing the Mayor to sign an Intergovernmental Agreement with the Eagle County Clerk and Records Office for a November 2, 2010 coordinated election

Motion by George B., second by Jerry B., to approve Ordinance 9 – 2010 (Second Reading) an Ordinance formally notifying the Eagle County Clerk and Recorder of our intention to pose ballot questions and authorizing the Mayor to sign an Intergovernmental Agreement with the Eagle County Clerk and Records Office for a November 2, 2010 coordinated election; All voted in favor. *(Note: Aggie M. was absent excused.)*

13. Discussion/Action – Resolution 8 – Series 2010 a Resolution adopting the 2010 Minturn 3-Mile Plan for annexation

Motion by Matt S., second by George B., to table Resolution 8 to August 4, 2010 – Series 2010 a Resolution adopting the 2010 Minturn 3-Mile Plan for annexation; all voted in favor. *(Note: Aggie M. was absent excused.)*

14. Discussion/Action – Resolution 9 – Series 2010 a Resolution setting ballot language for a Use Tax on the November 2, 2010 Eagle County coordinated election and providing other details relating thereto

Matt 80/20 (capitol fund/general administration, Shelley B. 80/20, Earle B. 80/20, Jerry B. 80/20, George B. 80/20 and Hawkeye F. (60/40).

Council consensus reached at a 4% tax with an 80/20 revenue split between the Capital Fund and the General Fund.

Motion by Shelley B., second by George B., to approve Resolution 9 – Series 2010 a Resolution setting ballot language for a Use Tax on the November 2, 2010 Eagle County coordinated election and providing other details relating thereto; All voted in favor. (*Note: Aggie M. was absent excused.*)

15. Discussion/Action – Ordinance 5 – Series 2010 (Second 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 Earle B., to approve Ordinance 5 – Series 2010 (Second 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 in favor. (*Note: Aggie M. was absent excused.*)

15a. Discussion/Action – Medical Marijuana discussion continued from worksession.

Direction from Council was to put the Medical Marijuana discussion on the next agenda and to have an option for ballot language for review.

FUTURE AGENDA ITEMS

16. Next Meeting

- Cemetery Board Waterline Easement August 4, 2010 – Christensen (30min) Worksession
- Open Burning policy discussion August 4, 2010 – White/Mulson
- Planning Commission application reviews August 4, 2010 – Cerimele
- Review of Annexation and preliminary plan materials (worksession or executive session)

17. Future Meeting

- Discussion/Action – Ordinance ____ – 2010 (First Reading) an Ordinance approving the 2009 Fire Code – Cerimele (15min) August 18, 2010 Worksession, September 1, 2010 Council Meeting

- Joint Work Session – Town Council & Planning Commission – Cerimele (75min)
 - Discussion/Action – Ordinance 6 – 2010 (First Reading) an Ordinance amending Chapter 16 of the Minturn Municipal Code by repealing and reenacting section 16-16-130 as it pertains to Snow Storage Requirements in the Town of Minturn – Cerimele (15min) – (Joint Worksession with the Planning Commission August 18, 2010.)
- Minturn Water Plant Tour – White (90min) Worksession (September 1, 2010)
- EPA Update – Mitchell

18. Set Future Meeting Dates

The Mayor noted it is time for the Town Manager's first annual review. The Mayor and the manager will meet to discuss a format to use and it will then be distributed to the Town Council members. The evaluation date will be set shortly thereafter.

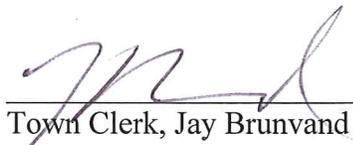
- a) Council Meetings
 - August 4, 2010 Planning Commission Appointments
 - August 18, 2010 – Joint Worksession with Planning Commission
 - September 1, 2010
- b) Planning & Zoning Commission Meetings
 - July 28, 2010
 - August 11, 2010 Canceled
 - August 25, 2010
 - September 8, 2010
- c) Other
 - Minturn Market: June 26 – September 4 – 9am-2pm
 - Colorado Municipal League Retreat July 23-24
 - CML/Council social dinner July 23 at Gourmet Cowboy
 - Minturn Water Plant tour for Council – Worksession August 28 (Saturday) 9-12am

19. Adjournment

Motion by Shelley B., second by Jerry B., to adjourn at 8:44 pm. (*Note: Aggie M. was absent excused.*)


Mayor Hawkeye Flaherty

ATTEST:


Town Clerk, Jay Brunvand

