



Official Minutes

MEETING OF THE MINTURN TOWN COUNCIL

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

Wednesday April 6, 2011

Regular Session – 7:00pm

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

**TOWN MANAGER – Jim White
TOWN CLERK/TREAS – Jay Brunvand**

COUNCIL MEMBERS:

Shelley Bellm
Earle Bidez
Jerry Bumgarner
Aggie Martinez
John Rosenfeld

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 3:00 p.m., Monday through Friday, excluding holidays.

Regular Session – 7:00pm

1. Call to Order

- a. Roll Call
- b. Pledge of Allegiance

The meeting was called to order by Mayor Pro Tem Brodin at 7:02 pm.

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

Staff present: Town Manager Jim White, Town Treasurer/Clerk Jay Brunvand, Administrative Assistant/Deputy Clerk Michelle Metteer, Town Planner Chris Cerimele.

2. Approval of Agenda

a. Items to be Pulled or Added

Add item 13a-Executive Session

Motion by Shelley B., second by John R., to approve the agenda of April 6, 2011 as amended, all voted in favor. (Mayor Hawkeye F., absent, excused)

3. Minturn Liquor Authority

- The Minturn Country Club, Inc Hotel/Restaurant Liquor License annual renewal; 131 Main Street; Tom Ricci/Joe Honnessy, Owner/Manager

Motion by Shelley B., second by Aggie M., to approve the Minturn Country Club, Hotel/Restaurant Liquor License annual renewal; 131 Main Street. All voted in favor.

4. Approval of Minutes and Action Report

- March 16, 2011
- Action Item Report

Motion by Earle B., second by Jerry B., to approve the minutes of March 16, 2011 as presented, all voted in favor. (Mayor Hawkeye F., absent, excused)

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

- Eagle County Commissioners
 - Eco Transit-discuss how have things gone so far this year, numbers are good. Discuss sustainable ridership.
 - Eagle County Airport/Plan to determine facilities needed and timetable...will want a Minturn representative on committee. Eagle County will also consider an international airport feasibility study.
 - Comprehensive Economic Planning
 - Land Swap Status-Meeting April 18th with CDOT to discuss the different issues involved with the Eagle Valley Land Exchange
 - Medical Marijuana
 - Coordinated county-wide calendar
 - Attainable housing, housing assistance programs
 - Paving of County Road & 2nd Phase of Eco Trail
 - Thank the Commissioners for the \$500 donation to the (Independence Day) 4th of July Celebration
- Eagle River Water & Sanitation District – Diane Johnson

6. Special Presentations/Citizen Recognition

- Eagle River Youth Coalition – Rebecca Odom

7. Planning Commission Update

3.23.11. Planning Commission Meeting

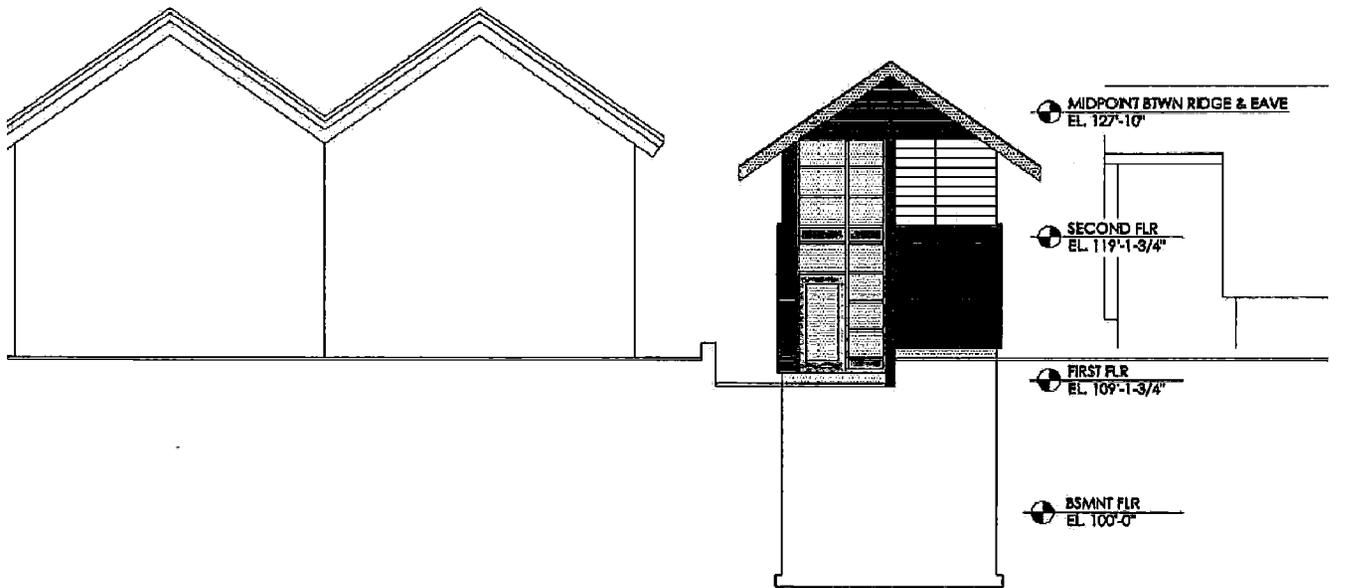
The Planning Commission voted unanimously to approve a single family residence at 251 Main Street. This is a use by right in the mixed-use zone of the Old Town Character Area. The applicant withdrew the original scheme that required multiple variances and included ground floor commercial space. The approved design conforms to all of the lot coverage, building height, setback and parking requirements of the zoning code. The applicant plans to begin construction later this spring.



Main Street



Boulder Street



Building Code Update

As requested, a copy of the proposed amendments to the 2009 building codes has been included with your packet. Please review for the 4/20/11 meeting when the building inspector will be present at a work session to discuss the proposed amendments. An ordinance to adopt the 2009 codes will be prepared for a public hearing for the same meeting. This ordinance will include the proposed amendments to the fire code that will govern open burning in the Town of Minturn.

8. Town Manager's Report

Governor Hickenlooper Visits Minturn

On Thursday, March 31, 2011, we were honored to have Governor John Hickenlooper arrive at Minturn's Town Hall for a town meeting. He specifically requested to talk about our downtown revitalization efforts, including the improvements to our infrastructure, imminent Town signage, and the influx of eight to ten new businesses in the past eighteen months. He also made a special request to ride on the Eagle County Transit bus. Governor Hickenlooper has challenged all counties throughout Colorado to create consolidated economic development plans.

Eagle County/State Land Board/USFS

Consider Land Swaps

We have rekindled the prospect of purchasing the property in Minturn commonly referred to as the Bone Yard. We are working in conjunction with the Eagle County Open Lands Committee to secure funding for this project. The agreement with the USFS requires that the Town of Minturn will be responsible for the costs of the appraisal as well as USFS staff contract hours. Eagle County Commissioner Jon Stavney has been instrumental in assisting with this project.

Eagle County Economic Development Plan

Eagle County is supporting efforts among all jurisdictions and unincorporated areas to engage in creation of a county wide economic development plan in response to the request from Governor Hickenlooper. Councilman John Rosenfeld and I attended an economic development meeting on Thursday, March 31, 2011 from 5:00pm to 7pm in the Eagle County Commissioner's room in Eagle, CO.

Medical Marijuana

Following the Minturn citizens' vote not to ban medical marijuana centers, staff research and work on the medical marijuana issue over the past several months has resulted in a draft ordinance. The first draft of the Town of Minturn's Medical Marijuana Ordinance has been provided to the Town Council and will be discussed beginning with the May 4, 2011 Town Council meeting.

Signage

Town staff will continue working on the construction and final design elements of the entryway sign. Installation is planned in the early summer of 2011.

Battle Mountain Update

Elizabeth Mitchell, Holland & Hart attorney, has been representing Minturn's interest in discussions with Battle Mountain in preparation of a response to the report given to the Battle Mountain developers by the Environmental Protection Agency (EPA) related to the Battle Mountain project. Responses to the EPA are required by the fall of 2011. We will continue to strategize with Battle Mountain Development to represent our areas of interest, individual and collective.

Holy Cross Franchise Agreement Extension

The Town of Minturn and Holy Cross representatives met on February 9, 2011 to begin review of the existing Franchise Agreement. Subsequently, we have extended our franchise through September 21, 2011. Holy Cross representatives will attend the Minturn Town Council meeting on May 4, 2011 to begin formal franchise renewal discussions.

Annual Town Clean Up Day

The Town of Minturn will hold its Annual Town Clean Up Day this year on Saturday, May 14, 2011. The Municipal Lot will be the designated drop off site. Arrangements are being made for special pick-ups for seniors and those with disabilities who need assistance.

Colorado Department of Public Safety Audit

The Colorado Bureau of Investigation (CBI) through the Colorado of Public Safety reported that the Town of Minturn's record keeping, consistent with current Colorado Crime Information Center (CCIC) and National Crime Information Center (NCIC), has passed the preliminary audit. The CBI is pleased to report that the information provided by the Town of Minturn shows all policies and practices are in compliance with CCIC and NCIC policies regarding use and submission of records. Lisa Osborne is responsible for these efforts and her efforts are both recognized and commendable!

Colorado Municipal League Annual Conference

Please consider attending the CML Annual Conference this year in Vail, CO. The conference is from June 22-June 24, 2011. The information and registration is available on the CML website. I will be completing my term as President and assuming the role of Immediate Past President.

9. Town Council Comments

John R. represented the Town of Minturn at the Eagle County Economic Development "Bottom Up" initiative meeting on March 31. The meeting went well and the diversity of the audience led to what will look to be, great results.

Direction was given to staff to send out the Eagle Vail Power Point presentation to the business community of Minturn.

The Minturn Town clean-up day is the 14th of May. Highway clean-up is the 7th of May. Everyone is welcome to come and assist in cleaning up the community. The recommendation was made for the Minturn Town clean up to focus on internal Town streets as the county-wide highway clean up the week before traditionally covers the highway running through Town.

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

Tom Braun, Braun Associates, representing the Eagle County School Board, requested a continuance of Ordinances 1-4 series 2011 to the first week in May.

10. Discussion/Action – Ordinance 1 – 2011 (Second Reading) an Ordinance annexing to the Town of Minturn, County of Eagle, State of Colorado, Eagle County School District Maloit Park Parcel No. 1 – Cerimele (15min)

Motion by John R., second by Aggie M., to continue to the May 4, 2011 meeting Ordinance 1 – 2011 (Second Reading) an Ordinance annexing to the Town of Minturn, County of Eagle, State of Colorado, Eagle County School District Maloit Park Parcel No. 1. All voted in favor. (Mayor Hawkeye F., absent, excused)

11. Discussion/Action – Ordinance 2 – 2011 (Second Reading) an Ordinance annexing to the Town of Minturn, County of Eagle, State of Colorado, Eagle County School District Maloit Park Parcel No. 2 – Cerimele (15min)

Motion by John R., second by Shelley B., to continue to the May 4, 2011 meeting Ordinance 2 – 2011 (Second Reading) an Ordinance annexing to the Town of Minturn, County of Eagle, State of Colorado, Eagle County School District Maloit Park Parcel No. 2. All voted in favor. (Mayor Hawkeye F., absent, excused)

12. Discussion/Action – Ordinance 3 - 2011 (Second Reading) an Ordinance authorizing the Mayor of the Town of Minturn, Colorado to sign an annexation agreement with the Eagle County School District – Cerimele (15min)

Motion by John R., second by Shelley B., to continue to the May 4, 2011 meeting Ordinance 3 – 2011 (Second Reading) an Ordinance authorizing the Mayor of the Town of Minturn, Colorado to sign an annexation agreement with the Eagle County School District. All voted in favor. (Mayor Hawkeye F., absent, excused)

13. Discussion/Action – Ordinance 4 – 2011 (Second Reading) An Ordinance establishing zoning on parcels of land known as the Eagle County School District Maloit Park Property annexed to the Town of Minturn, Colorado and amending the official zone district map of the Town of Minturn, CO.– Cerimele (15min)

Motion by John R., second by Shelley B., to continue to the May 4, 2011 meeting Ordinance 4 – 2011 (Second Reading) An Ordinance establishing zoning on parcels of land known as the Eagle County School District Maloit Park Property annexed to the Town of Minturn, Colorado and amending the official zone district map of the Town of Minturn, CO. All voted in favor. (Mayor Hawkeye F., absent, excused)

EXECUTIVE SESSION

14. a. Executive Session - Pursuant to CRS 24-6-402(4)(b) to consult with the Town's Attorney(s) and receive legal advice regarding Environmental Protection Agency (EPA) and Colorado Department of Public Health comments on the Battle Mountain Resort project Remediation Feasibility Study Amendment-White/Christensen (30min)

Motion by Jerry B., second by Shelley B., to convene into Executive Session Pursuant to CRS 24-6-402(4)(b) to consult with the Town's Attorney(s) and receive legal advice regarding Environmental Protection Agency (EPA) and Colorado Department of Public Health comments on the Battle Mountain Resort project Remediation Feasibility Study Amendment. All voted in favor (Mayor Hawkeye F., absent, excused)

FUTURE AGENDA ITEMS

15. Next Meeting – April 20, 2011

- Work Session – Ordinance 5 – 2011 an Ordinance adopting the 2009 IBC – Cerimele/Lanci (15min)
- EPA Update and follow-up with Elizabeth Mitchell (Executive Session)
- Discussion/Action - Public Works update – A. Martinez (30min)
- Discussion/Action – Ordinance 5 – 2011 (First Reading) an Ordinance adopting the 2009 IBC as amended – Cerimele/Lanci (30min)
- Introduce new Minturn Community Foundation Director-Jodi Born

16. Future Meeting

- Worksession discussion re: Ordinance ___ - 2011 an ordinance regarding the sale of Medicinal Marijuana (45min) – May 4
- Discussion/Action – Ordinance 1 – 2011 (Second Reading) an Ordinance annexing to the Town of Minturn, County of Eagle, State of Colorado, Eagle County School District Maloit Park Parcel No. 1 – Cerimele (15Min)
- Discussion/Action – Ordinance 2 – 2011 (Second Reading) an Ordinance annexing to the Town of Minturn, County of Eagle, State of Colorado, Eagle County School District Maloit Park Parcel No. 2 – Cerimele (15min)
- Discussion/Action – Ordinance 3 - 2011 (Second Reading) an Ordinance authorizing the Mayor of the Town of Minturn, Colorado to sign an annexation agreement with the Eagle County School District – Cerimele (15min)
- Discussion/Action – Ordinance 4 – 2011 (Second Reading) an Ordinance amending the Official Zone District Map of the Town of Minturn and creating the Maloit Park Character Area – Cerimele (15min)
- Discussion/Action – Ordinance ___ - 2011 (First Reading) an Ordinance allowing the sale of Medical Marijuana – May 18
- Discussion/Action – Ordinance ___ - 2011 (Second Reading) an Ordinance allowing the sale of Medical Marijuana – June 1

17. Set Future Meeting Dates

a) Council Meetings:

- April 20, 2011
- May 4, 2011
- May 18, 2011

b) Planning & Zoning Commission Meetings:

- April 13, 2011
- April 27, 2011
- May 11, 2011

c) Other Dates:

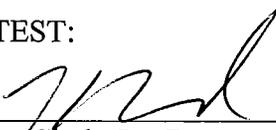
- May 14, 2011 Town Clean Up Day
- June 18, 2011 1st Day of Minturn Market
- June 22-24 CML Annual Conference/Vail

18. Adjournment

Motion by John R., second by Aggie M., to adjourn at 9:08pm. All voted in favor. (Mayor Hawkeye F., absent, excused)


Mayor Hawkeye Flaherty

ATTEST:


Town Clerk, Jay Brunvand

