



**Official Minutes**

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

**Wednesday July 6, 2011**

**Work Session – 6:00pm**  
**Regular Session – 6:30pm**

**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

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 – 2:00 pm, Monday through Friday, by contacting the Town Clerk at 970/824-5645 302 Pine St. Minturn, CO 81645

**Work Session – 6:00pm**

- Discussion/Action – Holy Cross Franchise agreement – White (30min)

**Regular Session – 6:30pm**

1. **Call to Order**
  - a. Roll Call
  - b. Pledge of Allegiance

The meeting was called to order by Mayor Pro Tem Brodin at 6:36 pm.

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

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

## **2. Approval of Agenda**

### **a. Items to be Pulled or Added**

Motion by John R., second by Aggie M., to approve the agenda as amended; all voted in favor. *(Note: Hawkeye Flaherty & Shelley Bellm absent, excused)*

## **3. Approval of Minutes and Action Report**

- June 15, 2011
- Action Item Report

Motion by Earle B., second by Jerry B., to approve the Minutes of June 15, 2011 as presented; all voted in favor. *(Note: Hawkeye Flaherty & Shelley Bellm absent, excused)*

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

Mr. Frank Lorenti, 1081 Main St, wanted to follow up on the drug testing of Town staff. Also, the question was presented if trailers are now allowed within the Town limits, as it appears there is an additional trailer on a property in the south end of Town.

Direction from Council to follow up with the property owner where the trailer in question currently resides, to ensure no additional trailers are setup in Town.

## **5. Special Presentations/Citizen Recognition**

## **6. Planning Commission Update**

The Planning Commission met on 6.22.11 to discuss the following topics:

- Design Review Board procedures
- Open space requirements
- Sidewalk installation requirements
- Rear setback amendment for garages

We will continue to refine these code amendments and present them to the Town Council at an upcoming work session.

## **251 Main Street**

The property owner has commenced demolition of the mobile home in advance of the construction of the approved single family residence. The building official and I recently met with the owner and we anticipate that the construction plans will be submitted soon. After a

review of the plans by the building official, a building permit will be issued. We will notify the Council and neighbors once the building permit has been issued.

#### **Downtown Colorado Inc.**

Downtown Colorado Inc. (DCI) is hosting a two-day meeting for the Colorado Main Street managers in Minturn on July 14-15. DCI is offering the Town 10 free meeting invites to be used by Town staff, elected officials and business owners. Please let me know if you are interested.

#### **Hotel Minturn**

The Hotel Minturn project is nearing completion and the building owner anticipates opening in early July. A sidewalk was recently installed along Williams Street and the portion of the roadway that was disturbed by the construction activity has been repaved. Additionally, the owner received a sign permit the neon sign on the building. Per the sign guidelines, the sign must be turned-off no later than 11:00 pm each night.

### **7. Town Manager's Report**

#### **XCEL Natural Gas Pipeline Project Continues!**

The XCEL Pipeline Project from Edwards to Minturn has moved out of Dowd Junction on the Minturn side. XCEL is replacing 6" and 12" existing lines with a new 16" line. Project completion is set for September 15, 2011. With any questions, please call XCEL at 1-877-481-6380.

#### **Battle Mountain Update**

Most of the issues discussed currently involve pending lawsuits related to quiet title action and challenges to the annexation agreement. Dave Kleinkopf has requested that we restart our committee meetings. Councilmembers Earle Bidez, and Shelley Bellm would represent Town Council. The Town Manager, Town Attorney, and Water Attorney would also be invited to participate.

#### **Signage**

Plans for signage at the south end of Minturn are in progress. In addition, we are looking at signage for the entrance to Little Beach Park. We will be working on access agreements or easements needed for both signs.

#### **Maloit Park Water Tank**

Inspection of the Maloit Park water tank finds the need to make repairs. Public Works is securing bids for the job. The plan would be to complete restoration of both the inside and outside of the tank. One bid is in thus far.

#### **"The Show"**

A county-wide baseball tournament will be held later this summer at fields throughout Eagle County. Dubbed "The Show" by its sponsors, it plans to bring players from 8 years to 18 years old to compete. More details will be presented as they become available.

### **Holy Cross Franchise Agreement Extension**

The Town of Minturn and Holy Cross have extended our franchise through September 21, 2011. Due to scheduling issues, the work session to review the agreement will take place on July 6, 2011 followed by 1<sup>st</sup> and 2<sup>nd</sup> reading of the ordinance currently planned on July 20th and August 3, 2011.

### **Park Update**

Little Beach Park has had repairs made to the fence at the park's upper entrance. Dead shrubs have been removed and new mulch placed around the base of the entry sign. All defunct electrical light have been removed and plans are in place to install solar lights along walking paths in the park. The latrine has been scrubbed several times and the walls and floor will be repainted; lime has been used to mitigate odors in the bowl. An additional porta-potty has been brought to the park.

### **Bone Yard Parcel**

We have secured both the agreement for the appraisal and the cooperation of the Forest Service to resume negotiations on this property. The new appraisal is in. On Tuesday last week, I toured the Bone Yard parcel with Toby Sprunk, new director for Eagle County's Open Lands Program. Chris Cerimele, Town Planner and I are working on an application to be presented at the July 11, 2011 Open Space Advisory Committee (OSAC) meeting in Eagle, CO.

### **CDOT I-70 Record of Decision Signed**

On June 16, 2011 the Federal Highway Administration signed the Record of Decision approving the Preferred Alternative for the I-70 Mountain Corridor Programmatic Environmental Impact Statement (PEIS). This approval marks the end of nearly twenty years of study and discussions about improvements to the I-70 corridor.

### **Minturn Community Garden**

I will be meeting with representatives of the Minturn Community Fund to discuss possible locations and plans to begin a Minturn Community Garden. Though the growing season is relatively short here in the mountains, we will consider what types of plants to begin this endeavor. A location has not yet been selected.

### **Colorado Municipal League Annual Conference**

The CML Annual Conference was held this year in Vail, CO. The conference was June 22-June 24, 2011. I completed my year as Executive Board President on Thursday afternoon. I received an Honorary Lifetime Membership plaque for my year of service as president..

### **Kayak Course**

We walked the stretch of the river to consider the prospect of installing a kayak course along the Eagle River. Installation options were presented.

### **Movies in the Park**

The 2<sup>nd</sup> Annual Movies in the Park started on Saturday, June 25, 2011 at Little Beach Park. The Town of Minturn sponsored the first feature movie in the park in 2011..."Back to the Future." The next movie will be July 9<sup>th</sup> featuring "School of Rock." Primary sponsorship was provided

by Mobloggy, Kirby Cosmos, and by Earle and Patty Bidez. Special thanks to Jodi Born; and to Lisa and Tim Osborne.

### **Concert Series at Little Beach Park**

The 2nd Annual Concert Series at Little Beach Park begins tomorrow night, July 7, 2011 at Little Beach Park from 6pm-8pm. Billy Franklin's NOLA Live will be the featured band.

Many thanks to all the volunteers who have collaborated to raise funds, secure quality music, and cover all the planning and logistics required for such events to be successful. Special thanks are extended to Terry and Jeff Armistead, Chris Alexander, Chris Cerimele, Michelle Metteer, Lisa Osborne, Chief Martinez, and to several others.

### **8. Town Council Comments**

John R., noted the Independence Day Celebration was excellent and he thanked all the volunteers throughout Town who came together to make such a great event happen.

Aggie M., thanked the Town Council for allowing his attendance at the recent Colorado Municipal League conference.

Earle B., also stated his appreciation for Minturn's local volunteers who came together to make such a great Independence Day Celebration.

George B., attended the Mountain Philanthropy Days and is encouraged that Minturn may be able to utilize potential available funding.

## **PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS**

### **9. Discussion/Action – Feasibility report and discussion on the placement of the south entrance Town sign – White (25min)**

Possible signage options discussed included: leaving the south sign the same as the current north town sign, implementing an ore cart or miner, and different potential locations for the sign. Concern was raised that the Tigowan location may be too far outside the main area of Town and thus leave the sign open to possible vandalism.

### **10. Discussion/Action – Resolution 4 – Series 2011 a Resolution approving a subdivision exemption plat for the Maloit Park Area – Cerimele (20min)**

Motion by Earle B., second by John R., to table Resolution 4 -- Series 2011, a Resolution approving a subdivision exemption plat for the Maloit Park Area.

## **EXECUTIVE SESSION**

### **11. Executive Session – Pursuant to CRS 24-6-402(4)(e) for the purpose of determining positions relative to matters that may be subject to negotiations and instruct the negotiators for the purpose of discussing the Town's annual Market contract and**

**Pursuant to CRS 24-6-402(4)(a) for the purposes to consult with the Town's Attorney(s) and receive direction regarding the negotiations of the USFS Boneyard property – White/Christensen**

Motion by John R., second by Aggie M., for the purpose of determining positions relative to matters that may be subject to negotiations and instruct the negotiators for the purpose of discussing the Town's annual Market contract and Pursuant to CRS 24-6-402(4)(a) for the purposes to consult with the Town's Attorney(s) and receive direction regarding the negotiations of the USFS Boneyard property. All voted in favor. (*Note: Hawkeye Flaherty & Shelley Bellm absent, excused*)

No decisions were made as a result of the Executive Session.

**FUTURE AGENDA ITEMS**

**12. Next Meeting – July 20, 2011 (Official Meeting start time 6:30pm)**

- Work Session Review: Discussion/Action – Ordinance 8 – 2011 (\_\_\_\_ Reading) an Ordinance allowing the sale of Medical Marijuana (45min)
- Work Session Review: Discussion/Action – Ordinance 5 – 2011 (\_\_\_\_ Reading) an Ordinance adopting the 2009 IBC as amended – Cerimele/Lanci (30min)
- Work Session Review: Discussion/Action – Ordinance 5 – 2011 (\_\_\_\_ Reading) an Ordinance adopting the 2009 IBC as amended – Cerimele/Lanci (Meeting 15min)
- Discussion/Action – Ordinance \_\_\_\_ – 2011 (\_\_\_\_ Reading) Holy Cross Franchise Agreement – White (30min)
- Discussion/Action – Ordinance \_\_\_\_ – 2011 (\_\_\_\_ Reading) Minturn Townhomes encroachment request

**13. Future Meeting**

- Discussion/Action – Ordinance \_\_\_\_ – 2011 (\_\_\_\_ Reading) Holy Cross Franchise Agreement – White (15min) (8/3/11 Meeting)
- Discussion/Action – Ordinance 5 – 2011 (\_\_\_\_ Reading) an Ordinance adopting the 2009 IBC as amended – Cerimele/Lanci (15min) (8/3/11 Meeting)
- Discussion/Action – Ordinance 8 – 2011 (First Reading) an Ordinance allowing the sale of Medical Marijuana (TBA Meeting 45min)
- Discussion/Action – Ordinance 8 – 2011 (Second Reading) an Ordinance allowing the sale of Medical Marijuana (TBA Meeting 30min)

**14. Set Future Meeting Dates**

a) Council Meetings:

- July 20, 2011
- August 3, 2011
- August 17, 2011

b) Planning & Zoning Commission Meetings:

- July 13, 2011
- July 27, 2011
- August 10, 2011

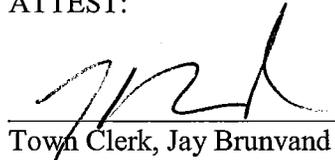
c) Other Dates:

**15. Adjournment**

In that there was no further business the meeting stood adjourned at 8:38pm.

  
Mayor Hawkeye Flaherty

ATTEST:

  
Town Clerk, Jay Brunvand

