



Official Minutes

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

Wednesday September 7, 2011

Work Session – 5:45pm
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 – 5:45pm

- Work Session – Public Works and Water Quality Control Professionals update – A. Martinez (45min)

Regular Session – 6:30pm

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

The meeting was called to order by Mayor Flaherty at 6:44 pm.

Those present included: Mayor Hawkeye Flaherty, Mayor Pro Tem George Brodin, Council Members John Rosenfeld, Jerry Bumgarner and Earle Bidez. (Note: George B. and Earle B. were absent, excused.)

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

2. Approval of Agenda

a. Items to be Pulled or Added

Motion by Shelley B., second by John R., to approve the agenda as amended; all voted in favor. (George B. and Earle B. were absent excused.)

Add personnel policy issues under Executive Session.

3. Approval of Minutes and Action Report

- August 17, 2011

Motion by Jerry B., second by John R., to approve the minutes as presented; all voted in favor. (George B. and Earle B. were absent excused.)

- Action Item Report

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

Mr. Frank Lorenti, 1081 Main Street, presented comments for the Council, citing poor road conditions, the loss of a maintenance staff member, the need to bid out work for excavation and snow removal, and he expresses that with a well-rounded maintenance crew money in Town could be better spent. Mr. Lorenti also expressed that the trailer on the Quintana property is still partially there and could present some safety concerns.

5. Special Presentations/Citizen Recognition

6. Planning Department Update

A property owner came in to discuss a potential upcoming development with the Planning staff. It was a preliminary conversation and the Council will continue to be updated as the project progresses.

7. Town Manager's Report

XCEL Natural Gas Pipeline Project Continues!

The XCEL Pipeline Project from Edwards to Minturn continues. Jimmy Smith is project manager. Overall project completion has been extended now and is currently set for September 27, 2011. With any questions, please call XCEL at 1-877-481-6380.

Maloit Park Water Tank

Inspection of the Maloit Park water tank determined the need to make repairs. Public Works has secured two bids for the job. The plan would be to complete restoration of both the inside and outside of the tank. I met with a representative from the School District to discuss repairs and payment arrangements on this and other projects in Maloit Park. We are still awaiting a response from the School District regarding their review of the bids on the project.

Bone Yard Parcel/OSAC

On Monday evening, August 8, 2011, the Town staff made a formal presentation to the Eagle County Open Space Advisory Committee (OSAC) on the request for funding to purchase the Bone Yard property in Minturn. Though we were formally denied the funding, we received a preponderance of support verbally and were given several stipulations to pursue. We were encouraged to bring the project back when the recommendations were resolved, or improved.

Sidewalk Replacement Plan

Staff has completed three sidewalk projects already this summer and is checking with a resident to consider another potential project. Public Works is in the process of compiling a report for Town Council to be delivered at the September 21, 2011 Town Council meeting. Conversations with La Farge are in progress.

Battle Mountain Update

Current issues include pending lawsuits related to responses to the EPA, quiet title action, and legal challenges to the annexation agreement. Our committee met on August 9, 2011, and again on August 30, 2011.

Budget Calendar

The budget review at the Town Council level will begin this month. Our Town Clerk/Treasurer indicated that he received the preliminary assessed valuation in August.

Our collections for 2012 are estimated to be \$443,000 which is \$135,000 less than 2011, or (-23%). Although this is a preliminary valuation, it is likely not to change much through the budget process as we anticipate revenues for 2012.

Comcast

Comcast is planning to digitize its cable system. Customers are being sent letters indicating what steps to take to make the transition occur with relative ease. Self-Install Kits (SIK) are being sent to customers upon request. Initial channel cuts are slated for October 1st, and final cuts are due on November 1st, 2011. On or about November 8th, new channels may be added. Without the new boxes installed, customers will lose many channels and only have basic channels. Residential boxes and business boxes and costs are described in the attached letters. Please review them for more details and contact information.

Public Works Recycling Program

The Public Works Department recently worked with Josh Thompson of Thompson Welding from Gypsum to cut up and recycle scrap metal that has been cluttering several public works storage sites, predominantly the water treatment facility site. The Town received \$1179 for "mixed iron". In addition, Thompson Welding provided welding repairs on some of our Town equipment.

A request was presented to light the front tree during the off-season. Direction to staff to light the front tree during the off season on a trial basis.

8. Town Council Comments

Direction to staff to review the Magusto's outside lighting and ensure the dark sky lighting requirements are being met.

Shelley B., provided an update from the Battle Mountain Committee meeting, that work is taking place in an attempt to release some of the Battle Mountain escrow money. Updates will be provided as progress is made.

Vail Ski and Snowboard Academy will be leading a river clean-up crew for the county-wide clean-up day. Anyone interested in helping is encouraged to attend. Information to sign up can be obtained at www.minturn.org.

Eagle County remembers 9/11 will be this Sunday, September 11th from 1:00pm to 5:00pm at Edwards Freedom Park.

Please be aware that school is back in session and school busses are back in Town, use caution.

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

9. Discussion/Action – Ordinance 10 - 2011 (Second Reading) an Ordinance granting and approving an Encroachment Agreement between the Minturn Towne Homes and the Town of Minturn – Cerimele (15min)

Motion by John R., second by Aggie M., to table Ordinance 10 - 2011 (Second Reading) to September 21, 2011, an Ordinance granting and approving an Encroachment Agreement between the Minturn Towne Homes and the Town of Minturn.

10. Discussion/Action – Minturn Cemetery District – A request for a variance to drill a well to provide potable water to the Minturn Cemetery mausoleum and Town of Minturn Public Works Building – White/Cerimele (30min)

Mr. John Sheehan, Cemetery Rd, would like to move forward in getting water up to the Mausoleum.

Mr. Jim McNeil, Alpine Engineering, estimates that a 6,000 gallon tank will be pumped approximately twice a year, once every 4-6 months. It was indicated that two vent pipes will alleviate any concerns regarding gasses forming inside the vault. Monitors will be in place as well.

Motion by John R., second by Aggie M., to approve the request for a variance to drill a well to provide potable water to the Minturn Cemetery mausoleum and Town of Minturn Public Works Building. (George B. and Earle B. were absent excused.)

11. Discussion/Action – Minturn Cemetery District – A request for a watershed permit to construct a sewage disposal system at the Minturn Cemetery – White/Cerimele (30min)

Motion by Shelley B., second by John R., to approve a watershed permit with the following conditions:

- that all maintenance will be the sole responsibility of the Cemetery District
- within twelve months of new water and sewer lines being installed in the immediate area, the Cemetery District shall hook up to the Town of Minturn water distribution system and the Eagle River Water and Sanitation District sewer system

to construct a sewage disposal system at the Minturn Cemetery. All voted in favor. (George B. and Earle B. were absent excused.)

12. Discussion/Action – A Proclamation of the Minturn Town Council of the Town of Minturn, Colorado in support of joining the National Moment of Remembrance of the 10th Anniversary of September 11th – White (5min)

Direction to staff to post proclamation to the Minturn Town website, www.minturn.org.

Motion by Shelley B., second by Aggie M., to approve a Proclamation of the Minturn Town Council of the Town of Minturn, Colorado in support of joining the National Moment of Remembrance of the 10th Anniversary of September 11th. All voted in favor. (George B. and Earle B. were absent excused.)

13. Discussion/Action – Update on items on the Town goals list – White (30min)

Entry signage to be completed by the end of 2011.

Financial sources are being sought for sidewalk installation for the south end of Town.

Street repairs with drainage have been assessed and a grant application has been submitted for potential 2012 funding.

Telemetry, phase 1, has been 100% completed. The sensors need to be made functional and then all systems will be working properly.

The streetscape plan is still in progress and proposals have been reviewed.

The drainage on the corner of Boulder and Meek St is in need of repair and the Engineer will be submitting recommendations.

Mr. Frank Lorenti, 1081 Main St, asked where the South Town sign was placed and it is indicated that the current location is looking to be just north of Tigowan Rd. Mr. Lorenti expressed that with the Battle Mountain annexation, the Town of Minturn actually begins much further south. With regards to south Minturn sidewalks, efforts are being made to locate survey work already completed by previous attempts at the south Minturn sidewalk project.

EXECUTIVE SESSION

- 14. Executive Session – Pursuant to CRS 24-6-402(4)(f) for the purposes of discussing the Town Manager’s annual review, 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 and Pursuant to CRS 24-6-402(4)(b) for the purposes to consult with the Town's Attorney(s) and receive direction regarding the negotiations of the Battle Mountain Resort property annexation, water right issues, and EPA update – White/Christensen**

Motion by Shelley B., second by John R., Pursuant to CRS 24-6-402(4)(f) for the purposes of discussing the Town Manager’s annual review, 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 and Pursuant to CRS 24-6-402(4)(b) for the purposes to consult with the Town's Attorney(s) and receive direction regarding the negotiations of the Battle Mountain Resort property annexation, water right issues, and EPA update. All voted in favor. (Earle B. and George B. were absent excused.)

- 15. Executive Session – Action by Council or Direction to Staff as a result of the Executive Session (5min)**

Continue work on stipulations for potential purchase of the Boneyard property.
Continue Battle Mountain negotiations.

FUTURE AGENDA ITEMS

16. Next Meeting – September 21, 2011

- Work Session – 2012 Goal Setting – White (30min) Sept 21, 2011
- Discussion/Action – Sidewalk Updated Report – White/A. Martinez (30min)

17. Future Meeting

- Meeting: Discussion/Action – Resolution 4 – Series 2011 a Resolution approving a subdivision exemption plat for the Maloit Park Area – Cerimele (20min)
- Meeting: Discussion/Action – Ordinance 9 – 2011 (First and Second Readings) an Ordinance allowing the sale of Medical Marijuana (TBA Meetings in January 2012 45min, NOTE: this will require two readings)
- Worksession: Request from the Planning Commission for a work session time during September with the Council to determine a sidewalk master plan.

- Worksession: FY2012 Budget Review – 10/5/11 (45min)
- Meeting: Discussion/Action – Council Action Item to formally accept the FY2012 Budget – Brunvand/White 10/5/11 (10min)
- Worksession: FY2012 Budget Work Session Retreat – Brunvand/White 10/19/11 (45min)
- Meeting: Discussion/Action – 1st Public Hearing on proposed fiscal year 2012 Budget – review public funding requests – Brunvand/White 11/2/11 (45min)
- Meeting: Discussion/Action – 2nd Public Hearing on proposed fiscal year 2012 Budget and First Reading of Budget Ordinances – Brunvand/White 11/16/11 (45min)
- Meeting: Discussion/Action – 2nd and Final Reading of proposed 2012 Budget Ordinances – Brunvand/White 12/7/11 (15min)

18. Set Future Meeting Dates

a) Council Meetings:

- September 21, 2011
- October 5, 2011
- October 19, 2011

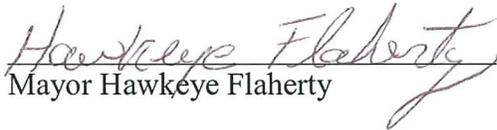
b) Planning & Zoning Commission Meetings:

- September 14, 2011
- September 28, 2011
- October 12, 2011

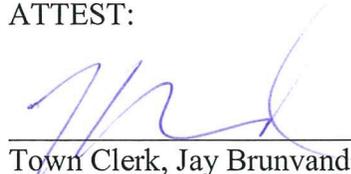
c) Other Dates:

19. Adjournment

Motion by Jerry B., second by Aggie M., to adjourn the meeting at 10:34 pm. All voted in favor.
(Note: Earle B., and George B., were absent excused.)


Mayor Hawkeye Flaherty

ATTEST:


Town Clerk, Jay Brunvand

