



Official Minutes

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

Wednesday October 5, 2011

Work Session – 5:00pm
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 – 5:00pm

- Work Session – Presentation and review of 2012 Goals – White (30min)
- Work Session - FY2012 Budget Review – Brunvand/White (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 6:37 pm.

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

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 George B., to approve the agenda as amended; all voted in favor.

Add Ski Joring presentation to Special Presentations section.

3. Approval of Minutes and Action Report

- September 21, 2011
- Action Item Report

Motion by George B., second by Aggie M., to approve the minutes as presented; all voted in favor. (Note: Jerry B., abstained as he was absent from the last Council meeting)

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

Mr. Chris Romer, Vail Valley Partnership, 101 Faucet Rd, Avon gave an update for the VVP for the regional tourism and bureau. Diva Half Marathon, Tough Mudder in Beaver Creek and the Ride the Rockies were some of the events they organized for the summer. The Vail Valley Merchant Alliance will be working throughout the county to coordinate a united voice for businesses. The Vail Valley Volunteer Connection works with nonprofits to place volunteers. VailValleyvolunteers.com or visit VailValley.com

Ms. Sheri Griham, Ski Jorer, and Rose Beardon gave a description of the competition and the ways it can benefit the community. Council supported staff to proceed with the development of this program. The Town plans to host this event on Saturday, January 14, 2012 and Sunday, January 15, 2012. The organizers of the event will prepare the track for the event. The presenters indicated that they have forty sponsors lined up. The proceeds from the event will support the Shaw Cancer Center.

5. Special Presentations/Citizen Recognition

- Special Events presentation – Metteer (15min)

Ms. Sage Pierson, Sticky Fingers Café, expresses that the large log trucks in Town are moving excessively fast and need to be slowed down.

6. Planning Department Update

There was no Planning & Zoning meeting the 4th week of September.

7. Town Manager's Report

Maloit Park Water Tank

Inspection of the Maloit Park water tank determined the imminent need to make repairs to both the interior and exterior. Public Works secured two bids for the job. Due to several factors, the revised plan was changed to complete the sandblasting, restoration, and painting of the exterior of the tank this fall. The Town and the School District are collaborating to create a Memorandum of Understanding (MOU) to secure payment arrangements over a four year period. Universal Coatings has been selected to do the work and has been given a notice to proceed (now revised to focus on the exterior this fall). In the spring of 2012, we will set up a temporary tank, drain the Maloit Park tank, and sandblast, restore and paint the interior of the tank. We are also securing bids for fencing around the tank and our solar unit at that site.

Vail Valley Theater Company

The Vail Valley Theater Company is presenting the Rocky Horror Picture Show in Minturn on Friday and Saturday October 21 & 22, and October 28, and 29, 2011 at VSSA, former site of the Minturn Middle School.

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. The meeting scheduled for September 13, 2011 was postponed to a future date.

Budget Calendar

The budget review at the Town Council level will begin tonight at the October 5, 2011 meeting. Preliminary discussion and review at the staff level began earlier this summer.

Radio Tower Site

I received a call from an individual named Kevin Bakko on Thursday morning, September 15, 2011 inquiring about being on a future Town Council agenda to discuss the Radio Tower site. He has been scheduled on the October 19th, 2011 agenda.

Public Works Position Filled

The Public Works operator position has been filled. Ralph Brodin was selected and will begin his full time position on Friday, September 30, 2011.

Ski Joring

The Town of Minturn has been approached by a group that provides an activity called ski joring. We are exploring the prospect of holding the event on old Minturn Road on Saturday and Sunday **January 14th and 15th, 2012.**

Bonfire

The end of summer bonfire to celebrate the Summer Equinox was a big success on Friday evening, **September 23rd, 2011!**

Special thanks to the Eagle Fire District and all other volunteers! Chris Cerimele was the primary staff coordinator for that event. Staff is already planning a **January 7, 2012** bonfire to burn Christmas trees that can be gathered throughout Minturn. Hot cider and hot chocolate may be added and maybe some snacks and more marshmallows!

Minturn to host CML District 12 Meeting

The Town of Minturn will be hosting the Colorado Municipal League District 12 meeting on Thursday October 20th, 2011. The afternoon business meeting will begin at 4:30pm until 5:45pm at Town Hall, followed by Social Hour at 6pm and Dinner at 7pm at Gourmet Cowboy.

Minturn Fall Storefront Decorating Contest

Fourteen businesses are participating in the Fall Storefront Decorating Contest. Shop or dine in Minturn and cast your vote for your favorite festive storefront! You can vote at www.minturncommunityfund.org or at www.downtownminturn.com. You can also vote inside participating stores.

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 and is currently set for some time in the month of October 2011. With any questions, please call XCEL at 1-877-481-6380.

Second "Welcome to Minturn" Entryway Sign Installed!

No matter which way you arrive in the Town of Minturn, off I-70 to the north or from Leadville and Red Cliff off Highway 24 to the south, a "Welcome to Minturn" sign will greet you! The second sign installed this year (2011) was set in place on Thursday, September 29th and finishing touches were made shortly thereafter. Solar lights for both entryway signs are being researched and we should be able to get them ordered and installed yet this fall.

Minturn Community Fund Annual Fundraiser

The Minturn Community Fund Annual Fundraiser will be held on Friday evening, October 28, 2011 at the Minturn Saloon. More details will be available soon.

8. Town Council Comments

Earle B., encourages anyone interested in volunteering for Minturn events to contact Michelle Metteer at the Town of Minturn, or Jodi Jahrling, Director of the Minturn Community Fund. There are many volunteer opportunities available and all help, great or small, is greatly appreciated.

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

9. Discussion/Action – Resolution 6 – 2011, a Resolution in support of Eagle River Fire Protection District Ballot Question of November 1, 2011 – White (5min)

Motion by Jerry B., and second by George B., to approve Resolution 6 – 2011, a Resolution in support of Eagle River Fire Protection District Ballot Question of November 1, 2011. Motion passed 5-2. (John R. and Aggie M. nay)

10. 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)

Mr. Onie Bolduc, Bold Real Estate Solutions, and Minturn Towne Homes manager, addressed the misconceptions of the concrete retaining wall and further elaborated on some of the issues the Towne homes resident's are being faced with.

Marcin Engineering, provided a description of the proposed corrections to be made.

Earle B., called the question.

Motion by Jerry B., second by Earle B., to approve Ordinance 10 - 2011 (Second Reading) an Ordinance granting and approving an Encroachment Agreement between the Minturn Towne Homes and the Town of Minturn. Motion passed (6-1, Hawkeye F, nay).

Recommendation that the items within the property line be addressed and that weed control be maintained.

11. Discussion/Action – Council Action Item to formally accept the FY2012 Budget – Brunvand/White (10min)

Motion by Shelley B., second by John R., to formally accept the Fiscal Year 2012 budget ; and to set Public Hearings at beginning at 6:30pm on November 2, 2011 and November 16, 2011 to be held in the Council Chambers at 302 Pine Street, Minturn, CO, as presented. All voted in favor. (Note: Included in the acceptance is the General Improvement District Budget.)

EXECUTIVE SESSION

12. Executive Session –Pursuant to CRS 24-6-402(4)(f) for the purposes of discussing the Town Manager's annual review and 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, at 9:22pm to convene into Executive Session Pursuant to CRS 24-6-402(4)(f) for the purposes of discussing the Town Manager's annual review and 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.

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

The Board returned to the Regular Meeting at 10:02pm. Staff and Town Attorney were directed to continue negotiations in response to the most recent Battle Mountain proposal. Following the next Town Council meeting on October 19, 2011, staff will work to schedule another full subcommittee meeting with Battle Mountain. Town Manager directed to make changes to his contract, as accepted by the Town Council. Will bring changes back to the Board on October 19, 2011.

FUTURE AGENDA ITEMS

14. Next Meeting – October 19, 2011

- Work Session: FY2012 Budget Work Session Retreat – Brunvand/White (45min)
- Work Session: Request to vacate public land – White (30-45min)
- Work Session: Kevin Bakko, Radio Tower – 10/19/2011 (15min)

15. Future Meeting

- Worksession: Request from the Planning Commission for a work session with the Council to determine a sidewalk master plan. 11/2/11
- 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)
- 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)

16. Set Future Meeting Dates

a) Council Meetings:

- October 19, 2011
- November 2, 2011
- November 16, 2011

b) Planning & Zoning Commission Meetings:

- October 12, 2011
- October 26, 2011
- November 9, 2011

c) Other Dates:

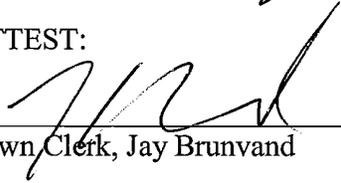
17. Adjournment

Motion by Jerry B., second by Aggie M., to adjourn at 10:04 pm. All voted in favor.



Mayor Hawkeye Flaherty

ATTEST:



Town Clerk, Jay Brunvand

