



Official Minutes

MEETING OF THE MINTURN TOWN COUNCIL

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

Wednesday February 1, 2012

Executive Session – 5:00pm

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

Regular Session – 5:00pm

1. Call to Order

The meeting was called to order by Mayor Flaherty at 5:00 pm.

a. Roll Call

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

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

b. Pledge of Allegiance

EXECUTIVE SESSION

- **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 Aggie M., second by George B., to convene into Executive Session 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.

Note: it is anticipated the Executive Session will last approximately 45min at which time the Council will recess the meeting in order to conduct the Work Session.

Direction to staff and Battle Mountain sub committee to continue with the final negotiations of the Battle Mountain project.

Work Session – 5:45pm

- **Discussion to consider an Ordinances 1 and 2 - 2012 (First Reading) to amend the lot coverage and design review procedures – Cerimele/White (45min)**

Note: after the Worksession the Council will reconvene in Regular Session for the balance of the meeting.

Regular Session – 6:30pm

2. Approval of Agenda

- a. Items to be Pulled or Added

Motion by George B., second by Jerry B., to approve agenda as presented; motion passed (7-0).

3. Approval of Minutes and Action Report

- January 18, 2012
- Action Item Report

Motion by Shelley B., second by George B., to approve the minutes of January 18, 2012 as presented; motion passed (7-0).

4. **Public comments on items, which are NOT on the agenda (5 minute time limit per person)**
5. **Special Presentations/Citizen Recognition**
6. **Planning Department Update**
7. **Town Manager's Report**
8. **Town Council Comments**

John R, statewide Republican caucus is coming up February 7, 2012.

Mayor Flaherty reminds everyone to shovel their sidewalks as it is required by Town code.

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

9. **Discussion/Action: Ordinance 1- 2012 an Ordinance (First Reading) amending Chapter 16 of the Town of Minturn Municipal Code by revising the lot coverage definition in section 16-2-20 of the Town of Minturn Municipal Code – Cerimele (20 min)**

Motion by John R., second by Aggie M., to table Ordinance 1-2012 to the March 7th Council meeting, an Ordinance amending Chapter 16 of the Town of Minturn Municipal Code by revising the lot coverage definition in section 16-2-20 of the Town of Minturn Municipal Code. Motion passed (7-0).

10. **Discussion/Action: Ordinance 2- 2012 an Ordinance (First Reading) amending Chapter 16 of the Town of Minturn Municipal Code by adopting submittal requirements and public hearing procedures for Design Review applications – Cerimele (30 min)**

Direction to add the definition for the Army Corp of Engineers for the ordinary high water mark.

Direction to review the 15' neighboring survey requirements, the cost effectiveness and to return to Council with recommendations.

Direction to review the need for clarification on the process an applicant takes if time has lapsed over one year and potential extensions that may be possible.

Direction to not waive the ILC requirement if within 8' of the setback (remove this from the verbiage).

Ms. Sissy Olsen, 261 Main St, addressed concerns regarding snow shedding from neighboring roofs and the safety concerns that ensue. She cited her house as an example of safety concerns that snow and ice falls from her roof directly onto the sidewalks in the front of her property.

Motion by John R., second by Shelley B., to table to March 7, 2012 Ordinance 2-2012 an Ordinance amending Chapter 16 of the Town of Minturn Municipal Code by adopting submittal requirements and public hearing procedures for Design Review applications. Motion passed (7-0)

11. Discussion/Action: Resolution 3 – Series 2012 a Resolution setting ballot language for the April 3, 2012 Municipal Election modifying the Municipal Charter Section 4.8 designating Public Notice posting sites within the Town of Minturn – Brunvand/Christensen (10min)

Motion by Jerry B., second by John R., to approve Resolution 3 – Series 2012 as amended, a Resolution setting ballot language for the April 3, 2012 Municipal Election modifying the Municipal Charter Section 4.8 designating Public Notice posting sites within the Town of Minturn. Motion passed (7-0)

12. Discussion/Action: Resolution 4 – Series 2012 a Resolution setting ballot language for the April 3, 2012 Municipal Election modifying the Municipal Charter Section 11.6 to redefine and clarify procedures for passage of an ordinance within the Town of Minturn – Brunvand/Christensen (10min)

Motion by John R., second by Shelley B., to approve Resolution 4 Series 2012 a Resolution setting ballot language for the April 3, 2012 Municipal Election modifying the Municipal Charter Section 11.6 to redefine and clarify procedures for passage of an ordinance within the Town of Minturn. Motion passed (7-0)

EXECUTIVE SESSION

13. Executive Session – 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

The Executive Session was not necessary.

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

FUTURE AGENDA ITEMS

15. Next Meeting – February 15, 2012

- Meeting: Discussion/Action: Medical Marijuana discussion with Rachelle Allen, CML Legal Council and Marco Vasquez, Dept of Revenue – White (45min) 02/15/12
- Meeting: Discussion/Action – Ordinance ____ – 2012 (First and Second Readings) an Ordinance allowing the sale of Medical Marijuana (TBA Meetings in January 2012 45min, NOTE: this will require two readings) 02/15/12
- Meeting: Discussion/Action – Regarding items as related to General Improvement District matters – Brunvand (30min) 02/15/12
- Special Sub Committee presentation on the Battle Mountain update.

16. Future Meeting

- Meeting: Special Presentation: Eagle Valley Trails presentation and discussion – Cerimele (30min) 3/7/12
- Work Session: Town Manager and Public Works Supervisor to present updated estimates for road improvements. 03/7/12

17. Set Future Meeting Dates

a) Council Meetings:

- February 15, 2012
- March 7, 2012
- March 21, 2012

b) Planning & Zoning Commission Meetings:

- February 8, 2012
- March 14, 2012
- April 11, 2012

c) Other Dates:

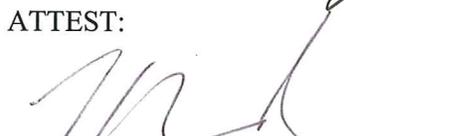
- Municipal Election – April 3, 2012

18. Adjournment

Motion by Jerry B, Second by John R to adjourn the meeting at 8:07pm.


Mayor Hawkeye Flaherty

ATTEST:


Town Clerk, Jay Brunvand

