Official Minutes

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

Wednesday July 18, 2012

Work Session – 5:30pm
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 – 5:30 pm

- Eagle County Trails Ellie Caryl – Discussion of Phase 2 – Cerimele (30min)
- XCEL updates Todd Anderson – White (15min)

Mr. Todd Anderson was unable to attend this meeting. Town Council requested a complete review of the utility agreement with XCEL Energy and request for Mr. Todd Anderson to attend a future meeting.

Regular Session – 6:30 pm

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

The meeting was called to order by Mayor Hawkeye 6:34 pm.

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

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

2. **Approval of Agenda**
   a. Items to be Pulled or Added

- Request to remove item 11 from the agenda.
- Item 10a. Request to approve the signing by the Mayor of acknowledging Aggie Martinez as the representative of Minturn to the ECO Board.
- 10b. CML Policy committee appointment
- Item 9a. Request to review road rehabilitation estimates.
- 10c. Request to add the Bolts Lake stipulation to the agenda
- Motion by Shelley B., second by Jerry B., to approve the agenda as amended. Motion passed (7-0).

3. **Approval of Minutes and Action Report**
   - June 20, 2012
   - Action Item Report

Motion by Shelley B., second by Aggie M., to approve the minutes as presented; motion passed (7-0).

- Direction to staff to create a management plan for the Boneyard property.
- Direction to staff to coordinate the conservation easement for the Boneyard property.
- Direction to staff to review VAG conceptual plan for Little Beach Park before submission of the GOCO grant.
- Direction to staff to apply for the energy impact grant

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

5. **Special Presentations**

6. **Planning Department Update**

Direction to staff to work with CDOT to ensure a clear and organized message is conveyed from CDOT to motorists that Minturn and Red Cliff are open.

Direction to staff to work with ECO to ensure loop runs by ECO are not lost if direct bus routes to Vail are added.

7. Town Manager's Report

Eagle County Airport Briefing
Recently, I attended an Eagle County airport briefing to the Eagle County Commissioners. A summary of the committee work to date and a summary of the public comments were presented. The airport's activity level was highlighted and future plans addressed.

Fire Consolidation Discussion Considered
The Eagle County Commissioners have been asked by the Eagle Fire District to consider convening a meeting to discuss consolidation of some fire services. Commissioner Sara Fisher advised me that the meeting would likely be scheduled in July or August.

Eagle Mine Tour
CDPHE has scheduled a special Eagle Mine and Belden Tour for the Minturn Town Council and staff on Tuesday July 31st at 4pm.

2013 Budget Planning
Town Treasurer, Jay Brunvand and I did our first full 2013 budget review together on Friday, July 13, 2012. Initial meetings with each department director will follow in late July or early August.

Bids Due Back
Bids for road work on Pine Street and Eagle Street were sent out in early July following a pre bid meeting with several contractors. We hope to present the bids at tonight's meeting for Town Council's discussion and decision.

Highway 24 Closure
Following the collapse and resulting sink hole on Highway 24 south of Minturn, traffic has been disrupted and life interrupted. The town staff is corresponding with CDOT and plans to recommend that the gate which was recently installed at Dowd Junction be relocated to Tigiwon road south of town.

Upcoming Events:

Minturn Summer Market
The market will run Saturdays throughout the summer until September 8, 2012.

Copper Triangle 2012 Bicycle Event
The Town of Minturn will provide an aid station during the 7th Annual Copper Triangle on August 4, 2012. We have been asked to provide space at Little Beach Park. This event is a fund raiser for the Davis Phinney Foundation (Parkinson's disease research). Set up will be at 7am and will be broken down by 1pm. Assisted Cycling Tours will manage the aid station with 12-15 volunteers.

Pro Cycling Challenge Bike Event

The Town of Minturn hosted a meeting among Minturn, Vail, Avon local police, Colorado State Patrol, Eagle Fire District, emergency services personnel, public information officers, and bike event officials to begin planning for the stage of the race expected to pass through Minturn on **Thursday, August 23, 2012.** There will be national and international TV exposure and an opportunity to showcase our community. We are attempting to secure a "sprint line" as part of the race as it passes through Minturn. Incident command for this event will be in Beaver Creek which will be a finishing place for this same stage of the race. **On June 12, 2012, we met with local business owners to discuss planning issues related to the race and to secure their input. Frequent meetings will be coordinated between now and the day of the race to solidify local planning efforts.**

8. Town Council Comments

John R. expressed his condolences for the loss of Michelle Horax.

Jerry B. recognized Lynn Feiger for her lifetime achievement with the Colorado's Women's Bar Association.

Shelley B, sends her condolences to the Young Family and the Horax family for their loss.

The Vail Valley Surgery Center, 320 Beard Creek Road, Edwards, is having a grand opening on Saturday, August 4, 2012. Please rsvp to www.vvmc.com

Aggie M and George B provided updates from the ECO Board including possible updates for the 2015 World Cup event.

Direction to staff to find and consider purchase of a used bucket truck.

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

9. Discussion/Direction: Ordinance 10 – 2012 an Emergency Ordinance to enact an immediate fire ban in the Town of Minturn and imposing penalties for violation thereof – White/Christensen (10min)

Chief Karl Bauer, ERFPD 351 Benchmark Rd, Avon. Stated that this Ordinance will make the fire restrictions uniform across the valley and supports its passing.

Direction to staff to put a permanent Ordinance in place so that Minturn will follow the ERFPD's restriction levels, and as such, always be up-to-date with current restrictions.

Motion by George B, second by Shelley B, to approve Ordinance 10 – 2012 an Emergency Ordinance to enact an immediate fire ban in the Town of Minturn and imposing penalties for violation thereof. Motion passed (7-0).

9a. Review of Road rehabilitation estimates – White/Martinez

Mr. Steve Humann, TST Consulting Engineers, 760 Whalers Way, Fort Collins. Mr. Humann estimates 6% consulting and surveying costs that will be added to the overall cost of the project and also recommends an additional 10% contingency cost be approved in the budget for this project in advance.

George B. recommended negotiating lower bid prices with the contractor that is awarded the bid.

Shelley B. recommended having Council confirm that the Council does in fact intend to allocate funds to these projects.

Recommendation by Mr. Humann for the Town of Minturn to obtain an overall drainage study for the Downtown area. It is possible that a portion of the drainage study (that covers Main St) will be applicable to the Battle Mountain escrow funds. Drainage study to be conducted in two phases: Cemetery Bridge to the Turntable and Cemetery Bridge to Two Elk Estates.

Recommendation to contact Upper Eagle River prior to construction work on Pine St.

Direction to staff to have any stub-out's completed during the time of construction.

Recommendation by Staff to accept Elam Contracting at the awarded amount of $108,694.50.

Motion by John R., second by Aggie M., to approve the Elam bid in the amount of $108,694.50 for the reconstruction of Pine Street from Norman to Toledo. Motion passed (7-0).

10. <u>Discussion/Direction</u>: Council discussion as related to the Battle Mountain Resorts escrow funds and the specific tracking of the monies – White (20 min)

Direction to staff to have a significant increase in detail on the expenditure lines for all Battle Mountain escrow fund expenditures.

Recommendation by Council to set up a separate fund (similar to the Building Fund) for the Battle Mountain escrow funds.

10a. Request to approve the signing by the Mayor of acknowledging Aggie Martinez as the representative of Minturn to the ECO Board.

Motion by George B., second by John R., to approve the letter assigning Aggie M. as our primary representative and alternate George B. to the ECO Board. Motion passed (7-0).

10b. CML Policy Committee Appointment

Motion by George B., second by Aggie M., to appoint Hawkeye F. to the CML Policy Committee. Motion passed (7-0).

10c. Bolts Lake Stipulation to extend deadlines for engineering work at Bolts Lake from July 16, 2012 to October 15, 2012.

Motion by Shelley B., second by Jerry B., to extend the Bolts Lake Stipulation Agreement as presented. Motion passed (7-0).

11. Discussion/Action Item: Council discussion as related to Public Comments at Council Meetings – White (15min)

Note: this item was removed from the agenda and scheduled for discussion at next work session on August 1, 2012; no further action was taken.

EXECUTIVE SESSION

12. Executive Session - Pursuant to CRS 24-6-402(4)(b) for the purpose of consulting with the Town's Attorney and receive legal advice regarding negotiations on a Memo of Understanding with Ski and Snowboard Academy of Vail and recreational opportunities and to provide direction to the negotiating team – White/Christensen

Motion by Shelley B, second by Jerry B, to convene into executive session Pursuant to CRS 24-6-402(4)(b) for the purpose of consulting with the Town's Attorney and receive legal advice regarding negotiations on a Memo of Understanding with Ski and Snowboard Academy of Vail and recreational opportunities and to provide direction to the negotiating team. Motion passed (7-0).

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

Executive Session ended at 9:54 pm. Direction given to staff to coordinate a meeting with the Town's subcommittee with SSCV and Battle Mountain representatives to discuss the proposed MOU regarding the Human Performance Center/ Rec Center.

FUTURE AGENDA ITEMS

14. Next Meeting – June 20, 2012

- Work Session-Discussion of Scholarship Fund
- Action/Discussion – Follow-up of Public Comment Discussion
- Resolution 41
- Report from Auditors for recommendations for Battle Mountain escrow funds
- DOLA grant update

15. Future Meeting

16. Set Future Meeting Dates

a) Council Meetings:

- August 1, 2012
- August 15, 2012
- September 5, 2012

b) Planning & Zoning Commission Meetings:

- August 8, 2012
- September 12, 2012
- October 10, 2012

c) Other Dates:

17. Adjournment

Motion by Jerry B., second by Shelley B., to adjourn the meeting at 9:55pm; motion passed 7-0.

Hawkeye Flaherty

Mayor Hawkeye Flaherty

ATTEST:

Town Clerk, Jay Brunvand

TOWN OF MINTURN, COLORADO
SEAL
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