



Official Minutes

MEETING OF THE MINTURN TOWN COUNCIL

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

Wednesday August 15, 2012

**Work Session – 4:45pm
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 – 4:45 pm

- Discussion of Scholarship Fund – White (30min)
- Xcel updates Todd Anderson – White (15min)
- Report from Auditor for recommendations for Battle Mountain escrow funds – White (15min)
- DOLA representative Greg Winkler grant update – White (30min)

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 6:36 pm.

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

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

2. Approval of Agenda

- a. Items to be Pulled or Added

Motion by George B., second by Jerry B., to approve the agenda as presented/amended. Motion passed (6-0). (Shelley B. absent, excused)

3. Approval of Minutes and Action Report

- August 1, 2012

Motion by John R., second by Aggie M., to approve the minutes as presented; motion passed (6-0). (Shelley B absent, excused)

- Action Item Report

Direction to Staff to coordinate stakeholder meeting regarding streetscape plan to consolidate ideas.

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

Mr. Anthony Aiello, 30 Mann Ave, came before the Town Council to express his concerns on the amount of dog refuse throughout Town. He picks up the refuse on a daily basis, but would like to be compensated moving forward. He suggested \$3 to \$5 per refuse piece as payment.

Direction to Staff to come back to the next Council meeting with a recommendation regarding this issue.

Mr. Matt Scherr, expressed his concern regarding the performance of Xcel Energy and also the performance of the Xcel Energy representative visiting the Council.

Mr. Mark Tamberino, 2433 Draw Spur, Avon representing Kirby Cosmos BBQ Bar, Minturn, addressed the Council in reference to the failing infrastructure of the Town. He hopes the Town will work to take a more pro-active approach in the repairs needed. He also recommended possible construction work schedules that include evening shifts so as to be less disruptive to businesses.

5. Special Presentations

None

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

6. Discussion/Action Item: Active Energies Solar Garden – White (20min)

Active Energies President Megan Gilman gave a presentation on the group's proposal to install a Solar Garden approximately 150ft long, 50ft wide, and 12ft tall. The concept is proposed to be installed on the Lease Lot directly south of the current Lafarge plant in the area of the previous radio tower. The proposal called for the Town to provide the land at a minimal lease amount or free for a period of 20years.

Council felt the project was a good project but was not receptive to a minimal lease for such a long period of time in that location and needed more time to consider this matter for approval. No decision was reached.

7. Discussion/Action Item: Public comment and input on the Recreation Center – White/Cerimele (20min)

Jim W. and Chris C. updated the Council on how this project is progressing.

8. Discussion/Action Item: USA Pro Cycling Challenge update – White/Metteer (15min)

Michelle M. gave a presentation to the Council and audience outlining the event and expectations for the Town. The presentation included a handout packet that detailed the Stage 4 race course and a complete detail of what to expect and approximate times including approximate times of when the roads will be closed. The Town Manager offered a special thank you to Michelle for all her hard work on this event.

9. Discussion/Action Item: Eagle River Fire Protection District (ERFPD)

Hawkeye F. attended the meeting and expressed what was discussed at the meeting. A tax increase would be required to keep the Minturn Fire Station open. This will be reported back to Council as the ballot question develops and more information becomes available..

10. Discussion/Action Item: Eagle Mine Tour

Direction was given to Staff to consider this a Special Meeting as it was posted as such.

11. Discussion/Action Item: Storm Drainage

Mr. Steve Humann, TST Engineers, 760 Wailers Way, Colorado. Provided an update to the Pine St construction project and indicated it is running ahead of schedule. Elam Construction was cited for a job well done to date.

Direction given to Staff for a letter to be drafted to DOLA requesting matching funds for a grant for a Master Storm Drainage Plan for the Town of Minturn..

OTHER MATTERS

12. Planning Department Update

13. Town Manager's Report

Water Valve Leaks

On August 6 and again on August 9, 2012, the Town had water outages as a result of two water leaks at the intersection of Mann and Harrison. We recognize the impact on our local business and residents. We sent out EC alerts, utilized reverse 911, had several articles in the Vail Daily, distributed two "Boil Your Water Before Use" notices, and spent an extensive amount of time talking to local business owners and residents. We provided nearly two hundred gallons of bottled water.

Due to the unusual circumstances of two outages in the same week, I am recommending that Town Council consider some form of stipend to local businesses, upon request from them, to defray the loss of revenues. Certainly not intended to recover all of those costs, a small "Good Neighbor" stipend, capped at a predetermined amount, would be a gesture to reflect our awareness of their importance to us and our recognition of the difficult week they endured.

Meeting Regarding the Memorandum of Understanding related to the Human Performance Center/Rec Center at Maloit Park

The meeting with representatives from SSCV and Battle Mountain are attended by Town Council representatives, Earle Bidez and John Rosenfeld, Town Manager Jim White, Town Attorney Allen Christensen, and Town Planner Chris Cerimele. The current direction of the group is to create lists of the desired amenities to be created by each of the parties. In addition, the Town hosted an Open House on Wednesday, August 8, 2012 to solicit resident input. We are also working to coordinate a meeting at the Gypsum Rec Center to look at design features and talk with the firm previously selected by the Town of Minturn in 2008, Barker, Rinker, Seacat.

Maloit Park Water Tank Repairs

Repairs were in progress on the interior of the Maloit Park Water tank in early August. It became clear that without further repairs, the water tank interior would not withstand the sandblasting process. The Town is now at work with the Eagle School District to assess the necessary repairs and will soon develop a plan to determine what needs to be done in order to proceed.

Bone Yard Property

Staff has completed work on the draft of the Management Plan for the Boneyard property in Minturn which the Town is planning to purchase with the assistance of the Eagle County Open Space Advisory Board through its recommendation to the Eagle County Commissioners. The draft was provided to Town Council for its collective comments. We have scheduled discussion at the September 5, 2012 work session.

Scholarship Committee

Our scholarship committee continues to gather financial investment information and options so the Town Council can eventually set policy for disbursement of the scholarship funds we now have available. Two students received scholarship awards for the fall semester (Ashley Atencio and Rodney Cordova). Since last meeting, two more students were interviewed. One scholarship award was determined (Juliette Martinez) and another is now contingent upon submittal of several additional documents (Chris Duran).

XCEL Energy

Following a recent Town Council meeting, I contacted Todd Anderson from XCEL Energy to invite him again to a Minturn Town Council meeting to discuss concerns with an increasing number of power outages in Minturn, the plans to restore the site of its new facility at the north end of Town, the existing franchise agreement, and other topics. He will be available tonight August 15, 2012 to address our Town Council.

DOLA Grant

Greg Winkler, our DOLA field representative, will be present tonight to discuss the recent release of DOLA funding and potential funding opportunities for the Town of Minturn.

Frchetti Engineering

Town staff met with a relatively new local engineering firm to discuss future opportunities to work together.

Pine Street Rehab Project

A formal "Notice to Proceed" was issued to Elam Construction following its successful bid to complete the Pine Street Road Rehabilitation Project in Minturn. Elam began work on Monday, August 6, 2012. We have had negotiations with Elam and saved just shy of \$3000 by considering value engineering cost saving measures that have been applied to the project.

Pridian Design Group

On Tuesday, August 7, 2012, Chris Cerimele and I met with a landscape architect, Mike Tupa, who participated in our Downtown Colorado, Inc planning session last year. We solicited his ideas and a cost projection for work at Little Beach Park. We will be seeking input from several other firms as well.

Upcoming Events:

Minturn Summer Market

The Minturn Summer Market continues to shine. New umbrellas and some additional tables have spruced up the Minturn Market. Attendance continues at a steady pace. The market will continue throughout the remainder of the summer until September 8, 2012. Please stop by to visit and shop!

Copper Triangle 2012 Bicycle Event

The Town of Minturn provided an aide station during the 7th Annual Copper Triangle on August 4, 2012. Volunteers from a local church group participated through coordination by the Minturn

Community Find! Minturn picked up and returned the tables and chairs and provided space at Little Beach Park. This event was a fund raiser for the Davis Phinney Foundation (Parkinson's disease research). Former Governor Bill Ritter was among the 3000 riders that utilized our aide station.

Pro Cycling Challenge Bike Event

The Town of Minturn has hosted several meetings 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.

14. Town Council Comments

John R. commented and apologized to businesses and residents regarding the recent water outages. He thanked all those involved in helping ensure a safe and speedy repair.

George B. expressed that the messaging system was well utilized by the Town.

Hawkeye F. thanked the Town staff for the work conducted on the recent water issues. Also, businesses affected by the Xcel outages earlier this year are encouraged to submit a claim to Xcel Energy in a possible effort to obtain reimbursement.

EXECUTIVE SESSION

15. Executive Session - Pursuant to CRS 24-6-402(4)(b) for the purposes to consult with the Town's Attorney and receive legal advice regarding ongoing negotiations with Ski and Snowboard Academy of Vail (SSAV) as related to a recreation Memo of Understanding and to discuss a pending agreement for fee dispute with Martin and Woods and to provide direction to the negotiating team – White/Christensen

Motion by John R, second by Aggie M, to proceed into Executive Session Pursuant to CRS 24-6-402(4)(b) for the purposes to consult with the Town's Attorney and receive legal advice regarding ongoing negotiations with Ski and Snowboard Academy of Vail (SSAV) as related to a recreation Memo of Understanding and to discuss a pending agreement for fee dispute with Martin and Woods and to provide direction to the negotiating team. Motion passed (6-0).

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

Executive Session ended at 10:14pm. Staff was directed to continue negotiations regarding the development of a human performance center/recreation center in tandem with the Ski and Snowboard Club Vail and Battle Mountain.

FUTURE AGENDA ITEMS

17. Next Meeting – September 5, 2012

- Work Session & Action/Discussion: Auditor's letter of recommendation re: Battle Mountain Escrow Funds
- Work Session – Scheduling of Council Retreat
- Water leak stipend to businesses
- ERFPD ballot question promotion
- Tony Aiello recommendation

18. Future Meeting

19. Set Future Meeting Dates

a) Council Meetings:

- September 5, 2012
- September 19, 2012
- October 3, 2012

b) Planning & Zoning Commission Meetings:

- September 12, 2012
- October 10, 2012
- November 14, 2012

c) Other Dates:

- August 23, 2012 – Pro Cycling Challenge (Office Closed)
- September 3, 2012 – Labor Day (Office Closed)

20. Adjournment

Motion by Jerry B., second by George B., to adjourn the meeting at 10:15pm; motion passed 6-0.


Mayor Hawkeye Flaherty

ATTEST:


Town Clerk, Jay Brunvand

