



Official Minutes

MEETING OF THE MINTURN TOWN COUNCIL

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

Wednesday October 3, 2012

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

Please remember to bring your FY2013 Budget Book

- 2013 Budget Review – White/Brunvand (75min)
 - Council Goals
 - 2012 Accomplishments
 - Water Update
 - Budget Review

- Review of Ordinance 11 – Series 2012 – White (5min)
- Review of Ordinance 12 – Series 2012 – White (5min)

Regular Session – 6:30 pm

1. Call to Order

a. Roll Call

The meeting was called to order by Mayor Hawkeye Flaherty at 6:38 pm.

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

Staff present: Town Manager Jim White, Town Attorney Allen Christensen, and Town Clerk/Treasurer Jay Brunvand.

b. Pledge of Allegiance

2. Approval of Agenda

a. Items to be Pulled or Added

Motion by Shelley B., second by George B., to approve the agenda as presented. Motion passed (6-0). (Note: Jerry Bumgarner was excused.)

3. Approval of Minutes and Action Report

- September 19, 2012

Motion by George B., second by John R., to approve the minutes of September 5, 2012 as presented; motion passed (6-0). (Note: Jerry Bumgarner was excused.)

- Action Item Report

George B. liked the changes made to indicate what strides had been made on Action items between meetings. He would like to discuss the Mall concept that is on the action Report and what the intent is of the project in a work session

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

Mr. Tony Aiello, 30 Mann Ave, discussed his clean up efforts in the Town. Hawkeye reminded Council that this was discussed at previous meeting no compensation will be awarded.

Mr. Del Nelson, 119 Lindsey Trail, Edwards, introduced himself as an Independent candidate for County commissioner. He noted some of his solutions for the County.

5. Special Presentations

- Special Presentation – Eagle River Fire Protection District

Mr. Darrel Wegert, 1716 Main St. spoke as a representative of the Eagle River Fire Protection District. Mr. Wegert outlined the issues and facts of the proposed mill levy increase for the

District on the November County Election. John McCally and Chief Carl Bauer were present as well to answer questions. It was noted this is a ratcheting mill levy and will reduce until the 2010 revenue is realized.

- Special Presentation – Mr. Chris Romer, Vail Valley Partnership
 - Economic Council of Eagle County update
 - Group Sales – Sports & Events update
 - FY2013 funding request

Mr. Chris Romer, Exec Dir of VVP, updated the council as related to the funding request they have submitted for 2013 in the amount of \$5,000. Mr. Romer stated each community within the County is being asked to assist in the VVP funding needs. Mr. Romer outlined the work the VVP does in the County and how this work benefits all communities within the County.

PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

6. Discussion/Action Item: Kayak course discussion and direction – White (20min)

This item was pulled from the agenda and moved to the October 17, 2012 meeting.

Motion by Shelley B., second by George B., to move discussion and direction of the Kayak Course to the October 17, 2012 meeting; motion passed (6-0). (Note: Jerry Bumgarner was excused.)

7. Discussion/Action Item: Ordinance 11 – Series 2012 (First Reading) an Ordinance amending Article 10, Chapter 7 of the Minturn Municipal Code authorizing Town Officials to implement a Fire Ban in the Town of Minturn and imposing penalties for violation – White (15min)

Motion by Shelley B., second by John R., to approve Ordinance 11 – Series 2012 (First Reading) an Ordinance amending Article 10, Chapter 7 of the Minturn Municipal Code authorizing Town Officials to implement a Fire Ban in the Town of Minturn and imposing penalties for violation as presented; motion passed (6-0). (Note: Jerry Bumgarner was excused.)

6. Discussion/Action Item: Ordinance 12 – Series 2012 (First Reading) an Ordinance amending Chapter 16 of the Town of Minturn Municipal Code by repealing and re-enacting Section 16-21-700(c)(3) as that section pertains to filing appeal of Planning Commission decisions – White/Christensen (15min)

Motion by John R., second by Shelley B., to approve Ordinance 12 – Series 2012 (First Reading) an Ordinance amending Chapter 16 of the Town of Minturn Municipal Code by repealing and re-enacting Section 16-21-700(c)(3) as that section pertains to filing appeal of Planning Commission decisions as presented; motion passed (6-0). (Note: Jerry Bumgarner was excused.)
Hawkeye voted nay

7. Discussion/Action: – Council Action Item to formally accept the FY2013 Preliminary Budget – Brunvand/White (10min)

Motion by Shelley B., second by George B., to formally accept the Fiscal Year 2013 budget and to set Public Hearings beginning at 6:30pm on November 7, 2011 and November 21, 2011 to be held in the Council Chambers at 302 Pine Street, Minturn, CO, as presented; motion passed (6-0). (Note: Jerry Bumgarner was excused.) *(Note: Included in the acceptance is the General Improvement District Budget.)*

8. Discussion/Action: - Resolution 18 - Series 2012 a resolution to support the Eagle River Fire Protection District Mill Levy election – White (10min)

Earle B. noted the Minturn Fire House has been experiencing rolling shutdowns due to funding issues; this mill levy increase would alleviate that need. He urged a yes vote.

John R. thanked the ERFDP for attending the meeting and explaining the ratchet affect this mill levy will experience as the economy improves to 2010 values.

Motion by George B., second by Shelley B., to approve Resolution 18 - Series 2012 a resolution to support the Eagle River Fire Protection District Mill Levy election as presented; motion passed (6-0). (Note: Jerry Bumgarner was excused.)

OTHER MATTERS

9. Planning Department Update – N/A

10. Town Manager's Report

Little Beach Park

The Little Beach Park stage area and all woodwork areas, including the playground have been stained and prepared for the upcoming fall and winter. The work was done by Prima Painting, located in the Minturn business park.

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

The most recent subcommittee meeting with representatives from SSCV and Battle Mountain was held on Monday, October 1, 2012 and was attended by Town Council representatives, Earle Bidez and John Rosenfeld, Town Manager Jim White, and Town Attorney Allen Christensen. We addressed issues related to the development of a Memorandum of Understanding for Phase 1 of the Human Performance Center/Recreation Center facility.

DOLA Grant

We have been awarded the grant for the Master Drainage Study in the amount of \$17,325. TST Engineering has been given approval to begin the project and expect to get started the first week of October, 2012.

Maloit Park Water Tank Repairs

Repairs are now in progress again on the interior of the Maloit Park Water tank. The water tank has been sandblasted, surfaced filled with epoxy in certain areas and prepared for painting. The top coat of paint will be applied the weekend of September 29-30, 2012 and the project will be complete and cured by the second week of October, 2012. Due to the imminent colder weather, heaters will be used to accelerate the cure time.

1st Bank

Letters drafted by the Town Manager and signed by the Mayor and the entire Town Council and were sent to John Ikard, president and CEO of 1st Bank Holding Company and to Mary McDougall, president, 1st Bank Vail requesting reconsideration of the closing of the Minturn branch planned for October 2012. A meeting was held with 1st Bank representatives, the Mayor, the Mayor Pro Tem, and the Town Manager on Monday, October 1, 2012. (Note: this meeting was changed. The meeting was held on Tuesday afternoon, October 2nd between the 1st Bank Holding Company and the Mayor Pro Tem and the Town Manager.)

Bone Yard Property

Staff has completed work on the Draft of the Management Plan for the Boneyard property in Minturn planned to be held as open space. We are doing this with the assistance of the Eagle County Open Space Advisory Board and the Eagle County Commissioners. The Town Manager and the Town Planner presented this project at the Eagle County Open Space Advisory Committee meeting on Monday, September 10, 2012. We received OSAC's formal endorsement for \$2,068,000 to augment Town funding to purchase the Boneyard parcel from the USFS. We are also working with Kara Heide with the Eagle Land Trust on developing a conservation easement on the site. I continue to be in touch with the USFS to discuss the process and timetable for submitting a bid to purchase the property.

Scholarship Committee

Our scholarship investment options were reviewed at the study session on Wednesday, September 19, 2012 by the Town Council. We had presentations from 1st and Main Advisors and SRS Capital Advisors. The subcommittee met on Thursday, September 20, 2012 and will have a recommendation to Town Council soon, pending legal review by Sherman & Howard attorney, Dee Wisor.

ECO Transit

ECO Transit plans to maintain the loops and fares again this year in Minturn as they were last year. Staff was asked to follow up with ECO following the last Town Council meeting. We have had some subsequent comments and concerns raised by citizens that the proposed schedule only works for a small segment of the working population in Minturn. I have notified ECO Transit of the concerns expressed.

Infrastructure Planning

John Volk, water operator, and Don Taranto, TST Engineering will be present at tonight's meeting to provide an update on the status and future planning related to the Minturn water treatment plant. The Town Council has been given preliminary information on microfiltration treatment and asked for more financial data.

Upcoming Events:

Minturn Halloween Celebration, Tuesday, October 30, 2012.

Veterans Day Holiday, Monday, November 12, 2012.

Town offices will be closed.

Minturn Winter Markets

Our Minturn Winter Markets are planned for **Saturday, December 8, 2012 and Saturday, December 15, 2012.**

Christmas Tree Bonfire

The Town of Minturn Christmas Tree Bonfire is planned at Little Beach Park on **Friday night, January 4, 2013.**

Jim W. noted that he will be out of the office on Friday, Monday and Tuesday to attend the ICMA National Conference.

11. Town Council Comments

Shelley B. noted that the Town's Halloween celebration is on October 30th rain or shine.

Earle B. stated that the Town should not need to advertise the Halloween celebration because it is already well attended.

George B. noted an ad for a bucket truck. Jim W. stated the Town has already called them and we are third on the list.

Aggie M. stated if anyone has any comments for the ECO Transit meeting to let him know.

EXECUTIVE SESSION

- 12. Executive Session - To convene in 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 Club of Vail (SSCV) as related to a recreation Memo of Understanding and Battle Mountain Resort discussions and to provide direction to the negotiating team and to consult with Special Water Attorney regarding issues related to finalizing Battle Mountain's feasibility study at Bolt's Lake – White/Christensen**

Motion by Shelley B., second by George B., To convene in 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 Club of Vail (SSCV) as related to a recreation Memo of Understanding and Battle Mountain Resort discussions and to provide direction to the negotiating team and to consult with Special Water Attorney regarding issues related to finalizing Battle Mountain's feasibility study at Bolt's Lake; motion passed (6-0). (Note: Jerry Bumgarner was excused.)

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

Council directed Staff to continue negotiations.

FUTURE AGENDA ITEMS

14. Next Meeting – October 17, 2012

- Worksession – FY2013 Budget discussion
- Worksession – Goal setting exercise
- Discussion/Action: Kayak course discussion and direction – White (20min)

15. Future Meeting

16. Set Future Meeting Dates

a) Council Meetings:

- October 17, 2012
- November 7, 2012
- November 21, 2012

b) Planning & Zoning Commission Meetings:

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

c) Other Dates:

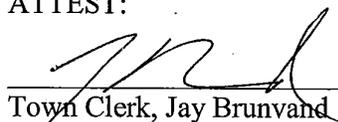
- Minturn Halloween – Tuesday, October 30, 2012
- Veteran's Day November 12, 2012 – Office Closed

17. Adjournment

In that there were no further items for discussion the meeting stood adjourned.


Mayor Hawkeye Flaherty

ATTEST:


Town Clerk, Jay Brunvand

