



**Agenda**

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

**Wednesday March 6, 2013**

**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 970/827-5645 302 Pine St. Minturn, CO 81645

**Work Session – 5:00pm**

- Johnie’s Garden Flower Barrel Inserts – White (5min)
- Safebuilt Proposal Review – White (30min)
- IGA with Eagle County regarding the Bone Yard Property – White (25min)

Council directed Staff to review the following:

- Boneyard Property IGA to consider a three year time frame as opposed to two.
- Boneyard Property IGA; possible additional extension of time frame for the bathroom installations. Consider removing “bathroom” from IGA language.
- Discussion regarding a Minturn Scholarship update with CMC Scholarship – White (30min) Staff directed to consider CMC investment options with a partner, or independently; Town may consider contributing \$40,000 to create an endowment at Colorado Mountain College (CMC).

## 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 Flaherty at 6:37 pm.

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

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

### 2. Approval of Agenda

- a. Items to be Pulled or Added

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

### 3. Approval of Minutes and Action Report

- February 20, 2013

Motion by John R., second by George B., to approve the Minutes of February 20, 2013 as presented. Motion passed (6-0). (Note: Jerry Bumgarner was excused, absent.)

- Action Item Report

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

### 5. Special Presentations

- Shop N Hop update from State of Colorado Engineer Vinny Secondo regarding Environmental issues – White (20min)

Mr. Vinny Secondo, State of Colorado, provided an update regarding the remediation system addressing the petroleum impacts resulting from the fuel spill a few years ago (2008) at the Shop N Hop store. Work is being done for the interim measure of remediation. A chemical injection “in place” is being conducted with a pilot test to determine the effectiveness of the oxidant injection. Initial results from the field parameters show that the injection was effective. In the spring, March 18<sup>th</sup>, 2013, water samples will be taken to see how they have reacted to the injection. This is a less intrusive, yet effective method.

Mr. Terry Marcum, Shop N Hop Owner, wanted to emphasize that the injection remediation process was approved by the EPA. In addition, and in a separate circumstance, one of the caps,

on one of the pipes installed 15 years ago, had a small leak several months ago. That leak has been repaired and it does not appear the leak has caused concern with water table contamination.

- Kelley Collier, ECO Transit – White (30min)

Kelley Collier, ECO Transit, provided an overview of the ECO Transit Spine Feasibility Study, a copy of which was included in the Council packet. She looks to get transit feedback from the Minturn community for future phases of implementation.

Council request to see ridership numbers according to times of day. Kelley will provide.

## PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

### **6. Discussion/Action: Resolution 3 – 2013 a Resolution for the Ratification of a Severance Agreement – White (10min)**

Motion by Shelley B, second by George B, to approve Resolution 3 – 2013 a Resolution for the Ratification of a Severance Agreement. Motion passed (6-0). (Note: Jerry Bumgarner was excused absent.)

### **7. Discussion/Action Item: CMC Scholarship – White/Christensen (20 min)**

Council discussed the need to fund this program at the \$40,000.00 level to achieve endowment status. This would allow the scholarship to run in perpetuity. Council directed Staff to pursue discussions at the \$40,000 level. It was stressed by all Council Members that this scholarship program only be extended to Minturn residents.

Recommendation to consider options: find additional funding partners who would increase the funding level under the condition that they agree to the existing terms of the Minturn Scholarship application, or consider Town of Minturn contribution of the full \$40,000 amount. Discuss at next Town Council meeting.

### **8. Discussion/Action Item: Review of IGA with Eagle County regarding the Bone Yard Property – White (20min)**

Mr. Keith Montag, Eagle County Manager, expressed his pleasure at the collaboration, communication and cooperation in the process of the purchase of the Boneyard property. Kudos given to Town staff and Eagle County staff.

### **9. Discussion/Action: Safebuilt approval of a Building Department Services Proposal – White/Cerimele (15min)**

Eric Pendley, Safe Built Inc, provided an overview of their proposal for the Building Department services for the Town of Minturn. The contract is for one year and may be renewed at that time if so desired, at the same fee schedule. Charlie Davis, Safebuilt, was also present.

Motion by Shelley B, second by John R, to approve the Safebuilt Building Department Services Proposal. Motion passed (6-0). (Note: Jerry Bumgarner was excused absent.)

**10. Discussion/Action: Resolution 2 – 2013 a Resolution of Endorsement for Holy Cross Energy funding for OSAC purchase – White (10min)**

Motion by John R, second by Aggie M, to approve Resolution 2 – 2013 a Resolution of Endorsement for Holy Cross Energy funding toward OSAC purchase. Motion passed (6-0). (Note: Jerry Bumgarner was excused absent.)

**OTHER MATTERS**

**11. Planning Department Update**

**12. Town Manager's Report**

**Human Performance Center/Fitness Center at Maloit Park**

The subcommittee met on February 28, 2013 to continue discussions now moving toward planning and future construction of Phase 1 of the Human Performance Center/Fitness Center facility. A May 1, 2013 groundbreaking has been targeted. Plans to review the design at the Planning Commission have been outlined and a timeline created. We continue to use the professional guidance of our consultants, Craig Bouck and Frank Buono of Barker, Rinker, Seacat on design elements along with RDK Architects. We are also working with Kelly Lyle, CPA, to determine the correct entity to create.

**School District Parking Issue/Fitness Center**

The School District will be convening a meeting with its land development committee the first week of March to address parking requirements related to Phase 1 at the Minturn Fitness Center site. The Town has been invited to participate.

**Weed Mitigation Grant Submitted**

On Thursday, February 21, 2013, I completed and submitted an application to the State of Colorado Department of Agriculture a weed mitigation grant proposal. It was in the amount of \$3000 in tandem with Eagle County. Scott Griffin, Eagle County Noxious Weed Control Program Manager, assisted with the grant. On Monday, February 25, 2013, Chris Cerimele and I cooperatively created a budget for the grant and submitted it as an addendum to the grant request, again to the Colorado Department of Agriculture.

**Bone Yard Property**

We continue to work in conjunction with the Eagle County staff and County Commissioners in an effort to secure the purchase of the Bone Yard property in Minturn. Our revised bid has been accepted and the Town has contributed 10% of the outstanding balance (\$205,000) to GSA. The closing date has been set for March 14, 2013. We will be submitting the remaining \$27,000 just prior to the closing date. A draft IGA plan between the Town of Minturn and Eagle County

regarding the management plan for the Bone yard property will be reviewed at the March 6, 2013 meeting.

#### **Auditors Visit**

Swanhorst and Associates were here the week of February 19- February 22, 2013 to complete preparations for our 2012 audit report. They will return prior to June of this year to provide the audit findings and present them to Town Council.

#### **Little Beach Park Improvements Planned**

The Town has secured the services of Zehren and Associates to lead the design phase of improvements for Little Beach Park. Pedro Campos of Zehren and Associates continues to update the plans on proposed park improvements. We are now working on land issues related to the project. We will be submitting a GOCO grant by August, 2013.

#### **Police Chief Search**

The acceptance period for Police Chief applications closed on March 4, 2013. The applications are now being reviewed. Additionally, Brad Lamb, Eagle County Deputy, has been hired as a temporary employee (Training Officer), one day a week for eight weeks to assist in training for Officer Belz. He was sworn in by Judge Terry Quinn on Tuesday, February 26, 2013. He will have his first shift during the first week of March.

#### **Scholarship Committee**

Our scholarship committee is working to formally complete the documents and register with the State of Colorado as the Minturn Education Foundation as a formal 501 (c) entity. We have submitted the payments for the short and long term annuities as our investment options through 1<sup>st</sup> and Main Advisors, on behalf of the Town. Town Council has also discussed a smaller scholarship fund (\$25,000) to be considered with Colorado Mountain College here in Eagle County. We have secured the services of Kelly Lyle, CPA, to assist with the financial aspects of our preparation and planning. The committee will meet on the afternoon of March 5, 2013 to consider scholarship awards.

#### **EPA Meeting**

Town Councilman, Earle Bidez and the Town Manager attended a meeting on Thursday, February 28, 2013 in Denver at the EPA along with representatives from Battle Mountain and its consultants, CDPHE, and EPA reps. The meeting focused on bringing new EPA staff up to speed on the Superfund site issues, wetlands, and Bolts Lake.

### **13. Town Council Comments**

Pink Vail is this weekend and so far \$220,000 has been raised. Donations can be made online at [www.pinkvail.com](http://www.pinkvail.com).

It was noted that the ice buildup at the Post Office and around the Town Hall is getting to be extremely dangerous. The snow and the ice needs to be removed. Water is additionally leaking in the Post Office as a result of the ice dams. Request by Council to move this to the top of the priority list and address the problem now. Council requested Staff to mitigate this concern as

soon as possible. It was noted this would probably have to be done several times again yet this winter but that the maintenance and safety of the building was a priority. Additional repairs may be required as well during the spring and summer.

### EXECUTIVE SESSION

**14. Executive Session –To convene in Executive Session Pursuant to CRS 24-6-402(4)(a) for the purposes of discussing possible purchase of the property at 64 Harrison Ave – Christensen/White**

No executive session was conducted.

### FUTURE AGENDA ITEMS

**15. Next Meeting – March 20, 2013**

- Spec Presentation: TST Drainage Report Update – White/Cerimele (20min)
- Little Beach Park Improvements Master Plan and GOCO grant application update and review of cost estimates by Zehren & Associates – Cerimele (20 min)
- Discussion/Action - CMC Scholarship discussion – White (30min)
- Special Presentation / Discussion / Action: Kayak Course – White (20min)
- Work Session: Eagle County Board of County Commissioners – White (60min)

**16. Future Meeting**

**17. Set Future Meeting Dates**

- a) Council Meetings:
- March 20, 2013
  - April 3, 2013
  - April 17, 2013
- b) Planning & Zoning Commission Meetings:
- April 10, 2013
  - May 8, 2013
  - June 12, 2013

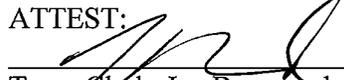
**18. Other Dates:**

- St Patrick's Day – March 17, 2013

**19. Adjournment**

Motion by George B., second by Shelley B., to adjourn the meeting at 8:30pm.

  
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Mayor Hawkeye Flaherty

ATTEST:  
  
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Town Clerk, Jay Brunvand

