



## **Minutes**

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

**Wednesday June 19, 2013**

**Work Session – 5:15pm**  
**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 – 5:15pm**

- Council Photo with CMC plaque – White
- Fiscal Year 2012 Annual Audit presentation and acceptance – White/Brunvand
  - Make change in 2014 in the Capital Projects Fund to better segregate the Battle Mountain Capital from other Capital expenses.
- Update on Railroad Conditional Use Process – Cerimele
- Update on Eagle Street Construction – White

### **Regular Session – 6:30 pm**

1. **Call to Order**
  - a. Roll Call

The regular meeting was called to order by Mayor Hawkeye Flaherty at 6:35pm.

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

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

## **2. Approval of Agenda**

### **a. Items to be Pulled or Added**

- Add an executive Session as 9a in regards to 64 Harrison for legal discussion

Motion by Shelley B. second by Jerry B., to approve the agenda as amended. Motion passed (5-0). Note: Council members John Rosenfeld and Aggie Martinez were excused absent.

## **3. Approval of Minutes and Action Report**

- June 5, 2013

Shelley requested to modify the minutes by dropping one redundant reference to appoint representatives to the Fitness Center Board.

Motion by George B., second by Shelley B., to approve the Minutes of June 5, 2013 as amended. Motion passed (5-0) Note: John Rosenfeld and Aggie Martinez were excused absent.

- Action Item Report

Hawkeye inquired how the water audit was progressing; Jim W. stated that our consultant indicated it would be several more weeks before he completed his work.

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

## **5. Special Presentations**

- Swearing in of Police Chief Brad Lamb – White

Judge Terry Quinn swore in Police Chief Lamb as the Minturn Police Chief. Chief Lamb thanked the Town for the support and indicated he was proud to be on the team.

- Report from USFS Representative on Martin Creek Logging Plan for 2013 – White

Mr. Matt McCombs, Deputy Forest Ranger, and Mr. Kerry Green, Timber Coordinator, from the USFS outlined the White River National Forest Stewardship Project which is designed to reduce the forest fuel loads caused by the Pine Beetle kill within the forest. Mr. Green highlighted the

use of helicopters, and the proposed truck route. The main exit route will be from Maloit Park to I-70; however, it should be relatively low impact. Chief Lamb asked questions regarding possible road damage for the roads, the hazmat issues of the trucks and helicopters, and requested that brake mufflers be used for the trucks; Mr. McCombs said this would all be reviewed as the operations plan progresses and any issues would be mitigated. The hazmat plan will be forwarded to the Town.

George B. inquired about a post/pole fence for the Boneyard Park; Mr. McCombs stated this could be arranged.

## PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS

### **6. Discussion/Action Item: Fiscal Year 2012 Annual Audit presentation and acceptance – White/Brunvand**

This item was discussed at length in the work session. A presentation was given by Auditor Ken LaCrone of Swanhorst and Company. Mr. LaCrone was the lead auditor. As a result of the audit the Town received an unqualified opinion, meaning a clean opinion on the audit.

Motion by Shelley B., second by Earle B., to accept the Fiscal Year 2012 Annual Audit as presented. Motion passed (5-0).

## OTHER MATTERS

### **7. Planning Department Update**

Chris C. reported that notification letters are going out on violations in the code to several businesses and residences. Various sections of the code are used to determine compliance and unsafe lots and in many cases a specific property is identified under multiple sections. Hawkeye requested pictures to be included in the next update.

Chris C. is also working on proper address identification issues of properties. It was noted that many properties do not have an identifiable address that can be seen from the street.

Hawkeye inquired on the open space conservation easement of the Boneyard property; Chris C. stated this is progressing and he will report as needed events develop.

### **8. Town Manager's Report**

#### **LaFarge Acquisition**

LaFarge Concrete is being sought for acquisition by United Companies, a.k.a. Oldcastle. When the deal is completed, we have been informed that Steve Fisk and Jody Bernal, the Town's primary contacts, will remain in the same positions that they have held with LaFarge. Al Martinez is the new local supervisor. He has already helped with both the Town Cleanup and the

Boneyard Cleanup. (This report was amended during the Town Council meeting to indicate that the acquisition plan was cancelled and United Companies would not be completing the deal.)

### **Fitness Center**

The fitness center progress is currently in the hands of the School District's Land Resource Committee and SSCV to continue discussions related to planning, and future construction of Phase 1 of the Human Performance Center/Fitness Center facility. We are all working on parking issues and supporting SSCV in its efforts with the School District. The Land Resources Committee will reconvene in the morning on June 19<sup>th</sup>, 2013 to address parking requirements and any other outstanding issues related to Phase 1 at the Minturn Fitness Center site.

### **Camp Hale Meeting**

The Camp Hale working group meetings were held in Minturn on June 5, 2013 and on June 12, 2013. Two working groups are discussing future plans for Camp Hale by reviewing Camp Hale history, current uses, and future planning efforts. Two committees were formed to discuss water rights issues; and history, culture, land stewardship, and recreational uses. When the committees conclude their efforts, a report will be provided to the USFS to review.

### **Ralph Brodin's Last Day**

Ralph Brodin, Public Works, resigned effective June 14, 2013. He began with the Town of Minturn full time in September, 2011. He completed many projects for the Town, including the construction of a shelter building at Well #4, shelving and much construction at the Town Hall, repair of the decking at Town Hall, and storage shelving at the Public Works facility off Cemetery Road. He learned about water treatment and learned to operate a Bobcat, and Front Loader while here. He completed more FEMA Emergency Management internet classes than any other employee. He plans to move to Montana.

### **Orlando Martinez Retiring**

Orlando Martinez, Public Works, is retiring, effective Friday, June 28, 2013. He began working for the Town of Minturn in May of 2005. He had a career in mining at the Gillman Mine, and then worked at the Eagle River Water and Sanitation District. While here in Minturn, he was responsible for monthly reading of our water meters. Additionally, he mapped all of our valves and curb stops, and replaced our old meter reading system with radio remote readers. He had first bargained with the ERWSD to secure those meters at no cost to the Town. His knowledge and experience has been instrumental during work completed on many water line issues that were found and repaired during his time here. He developed excellent working relationships with Town residents while doing his work. He currently lives in Leadville, CO.

### **Scholarship Subcommittee**

We have secured Room 249 at the college to be named after the Town of Minturn. CMC is requesting some dates we might consider to host a meeting in the new room once it has been formally named in honor of the Town. We are working with the college to find a date to celebrate the naming of the room too! Diana Scherr will be here tonight to take a photo of the Town Council with the plaque for the room to be named after the Town of Minturn.

### **Minturn Boneyard Property**

Following the initial cleanup effort, I contacted the GOCO representatives in Denver to begin conversations about grant opportunities for this project. Arrangements have also been made with Vail Honeywagon to maintain a portable bathroom facility at the site, initially throughout the summer. Mr. Matt Donovan of Vail Honeywagon agreed to do that and maintain it throughout the summer at no cost to the Town!

**Upcoming Events:**

- Locals Week in Minturn, June 17 through June 22, 2013
- Colorado Municipal League Annual Conference, June 19-21, 2013/Vail, CO
- Minturn Market starts Saturday, June 29, 2013 through September 14, 2013

**9. Town Council Comments**

Hawkeye thanked everyone that came to the Boneyard clean up.

The meeting for July 2 has been canceled. Our next meeting is July 17, 2013

**EXECUTIVE SESSION**

- 9a Executive Session – To convene in Executive Session Pursuant to CRS 24-6-402(4)(b) to confer with the Town Attorney and discuss the issue of citizen complaints to the Town concerning potential legal action against the town with respect to the Jeffries property (AKA 64 Harrison Ave). – Christensen/White**

Motion by Shelley B., second by George B., To convene in Executive Session Pursuant to CRS 24-6-402(4)(b) to confer with the Town Attorney and discuss the issue of citizen complaints to the Town concerning potential legal action against the town with respect to the Jeffries property (AKA 64 Harrison Ave). Those to be included in the Executive Session are the Council present, Jim W., Allen C., and Chris C. Motion passed (5-0). Note: John Rosenfeld and Aggie Martinez were excused absent. Executive Session ended at 8:35pm. No action was taken.

**FUTURE AGENDA ITEMS**

**10. Next Meeting – July 17, 2013**

- Work Session – Eagle Street Construction Update
- Update on Railroad Conditional Use Process – Cerimele

**11. Future Meeting**

- Work Session – Eagle Street Construction Update
- Work Session – Continued work on the Town Council Vision Statement
- Discussion with Xcel Representative

## 12. Set Future Meeting Dates

- a) Council Meetings:
  - July 3, 2013 (Canceled)
  - July 17, 2013
  - August 7, 2013
  
- b) Planning & Zoning Commission Meetings:
  - June 12, 2013
  - July 10, 2013
  - August 14, 2013

## 13. Other Dates:

- Locals' Week – June 17-21, 2013

## 14. Adjournment

Direction given to staff to review the municipal code as it relates to the concerns raised by a citizen.

Motion by Jerry B., second by George B., to adjourn the meeting at 8:36pm.

  
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Mayor Hawkeye Flaherty

ATTEST:

  
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Town Clerk, Jay Brunvand



Minturn Town Council Briefing

June 19, 2013

**MINTURN WUI STEWARDSHIP PROJECT**

White River National Forest

**TIMELINE AND HISTORY**

Environmental Analysis completed with the Upper Eagle Beetle Salvage Project, Decision Notice signed May 16, 2008.

Minturn WUI Stewardship Contract Awarded to Colorado Wood Company on July 31, 2009. Cut and remove live/dead Lodgepole pine on approximately 75 acres. Helicopter yard material to designated locations.

November 2009 – Helicopter operations began.

November 2009 – Michael Heaphy (Minturn resident) filed complaint to enjoin logging operations.

January 2010 – Judge Brimmer ordered USFS to provide additional clarification and analysis on some of the issues filed by Mr. Heaphy.

June 2010 – USFS completed Supplemental Environmental Assessment and Decision Notice.

Contract time was added for contractor to complete required work.

2013 Plan of Operations – begin cutting and falling trees in July. Helicopter yard trees for removal in August. Contractor has 60 days to complete project after Notice to Proceed is issued.

2013 Potential Issue – Contractor lining up a helicopter in August due to other commitments such as wildfire suppression. Could delay project until later in the fall.