



**Minutes**

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

**Wednesday November 6, 2013**

**Work Session – 5:00 pm**  
**Executive Session – 5:30 pm**  
**Regular Session – 6:30 pm**

**MAYOR – Gordon “Hawkeye” Flaherty**  
**MAYOR PRO TEM – George Brodin**

**TOWN MANAGER – Jim White**  
**TOWN CLERK/TREAS – Jay Brunvand**

**COUNCIL MEMBERS:**

Shelley Bellm  
Earle Bidez  
Aggie Martinez  
John Rosenfeld  
Darell Wegert

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 – 5:00 pm**

**Please remember to bring your FY2014 Budget Book**

- 2014 Budget Review – White/Brunvand
  - Water fees – White
  - Future funding for 2015
  - Question/Answer

## **Regular/Executive Session – 5:30pm**

The Regular Meeting/Executive Session was called to order by Mayor Hawkeye Flaherty at 5:34 pm.

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

Staff present: Town Manager Jim White, Town Planner Janet Hawkinson, and Town Treasurer/Town Clerk Jay Brunvand.

### **EXECUTIVE SESSION**

- a) Executive Session: Pursuant to Section 24-6-402(4)(b) for the purpose of receiving an update from the Town Water Attorney on matters related to water issues and Battle Mountain Resort – White**

Motion by Shelley B. second by John R. to convene in Executive Session Pursuant to Section 24-6-402(4)(b) for the purpose of receiving an update from the Town Water Attorney on matters related to water issues and Battle Mountain Resort. Motion Passed 6-0 Note: George B. was excused, absent from the meeting.

- b) Action by Council or Direction to Staff as a result of the Executive Session - White**

The Executive Session ended at 6:40. Direction from Council:

- Continue to work with the EPA on Bolts Lake
- Continue work on Tucker litigation that is still pending
- Continue with the Water Augmentation plan at Eagle Park Reservoir

## **Regular Session – 6:30 pm**

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

The Regular Meeting was called to order by Mayor Hawkeye Flaherty at 6:40 pm.

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

Staff present: Town Manager Jim White, Town Planner Janet Hawkinson, and Town Treasurer/Town Clerk Jay Brunvand.

b. Pledge of Allegiance

**2. Approval of Agenda**

a. Items to be Pulled or Added

Add an Executive Session item to discuss the Town Manager's contract to be added to the Executive Session at the end of the meeting.

add (4)(e)

Motion to approve Shelley B., second Darell W. Motion passed 6-0. Mayor Pro Tem Brodin absent/excused.

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

- October 16, 2013

Motion by John R, second by Aggie M., to approve the minutes as presented. Motion passed 5-0 with 1 abstention. All voted in favor. Note: George B. was excused absent. Darell W. abstained as he was absent from the last meeting.

- Action Item Report

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

**5. Special Presentations**

- Moment of Silence in remembrance of Allen Christensen

**PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS**

**6. Discussion/Action Item: Proclamation in support of Colorado Gives Day - White**

Paula Palmateer, introduced the Proclamation as the representative of all those in support of Colorado Gives Day. CGD is a statewide effort county by county which allows people to give online to their favorite charity. On the Tuesday 12/10, those that participate will have their credit card fee waved and will be partially matched by First Bank. Beginning today, donations can be prescheduled to benefit the 34 organizations participating in Eagle County.

Hawkeye read the Colorado Gives Day Proclamation for the record.

Motion by Darell W. second by Shelley B., to approve the Proclamation as presented. Motion passed 6-0. Note: George B. was excused, absent.

**7. Discussion/Action Item: 1st Public Hearing on proposed fiscal year 2014 Budget – review public funding requests – White/Brunvand**

- **Community funding requests – White/Brunvand**
  - **Radio Free Minturn-David Eickholt 105 Williams St**

Radio Free Minturn highlighted their successes for the year and a summary of the organization. RFM is requesting \$1,000.

- **Walking Mountain Science Center-Doug Dusenberry 318 walking Mountains, Avon**

Doug Dusenberry introduced the Walking Mountain program. The center is requesting \$2,000 for 2014.

- **Vail Valley Partnership and Economic Council-Chris Romer 101 Faucet Rd, Avon**

The Partnership and Council is requesting \$5,000 for 2014. Funding will benefit the Economic Regional Development Plan.

- **Eagle County School District-John Widerman, Maloit Park Manager, 1951 S Hwy 24, Minturn**

This request from the Eagle County School District is to assist in mosquito control. The request is \$3,850 in 2014 and the request continues in each of the next five years for a total of potentially up to \$19,250.

Darell W. asked if the chemicals could negatively affect the Town's water treatment plant in the area. Mr. Widerman did not believe it would; however he would double check.

Concern was expressed why Minturn would be the sole provider and felt the other entities in the area should also participate.

- **Minturn Community Fund-Kate Gazunis 291 Main St, Minturn**

The Minturn Community Fund is requesting \$10,000.

- **EC School Dist Transit-Jim Shoun 600 Eagle St, Eagle**

This program is requesting \$1,000 in 2014.

Shelley B. asked if the money rewarded to the program would be used only for Minturn students; this could not be guaranteed.

- **Water Rate Analysis Study and discussion to consider 2014 water rates – White/Brunvand**

Jim W. stated the Water Rate Committee met last week and requested more information from ERWSD. The recommendation is to continue working on the full plan to be finalized in the 1<sup>st</sup> quarter of 2014. The immediate recommendation is to increase the rates 3% for 2014 and then present the full recommendation in early 2014.

Direction from Council is to increase the water rates and the water use rates by 3%

- **Other Funding Questions – White/Brunvand**
- **Question/Answer**

## GENERAL IMPROVEMENT DISTRICT

The General Improvement District Board was called to order at 8:40 pm, those present included

<b><u>Board of Directors</u></b>
Gordon “Hawkeye” Flaherty, Mayor
George Brodin, Mayor Pro Tem
Shelley Bellm
Earle Bidez
Aggie Martinez
John Rosenfeld
Darell Wegert
David Kleinkopf
Sarah J. Baker, Esq.

George Brodin, absent, excused.

### 8. ADMINISTRATIVE MATTERS

- **Approve Agenda**

Motion by Shelley B., second by Darell W., to approve the General Improvement District agenda as presented. Motion Passed 6-0. Note: George Brodin was excused absent

- **Review and approve minutes from the February 6, 2013 Board Meeting**

Motion by John R., second by Aggie M., to approve the General Improvement District minutes from the 2/6/13) meeting as presented. Motion Passed 5-0. Note: George Brodin was excused absent and Darell Wegert abstained.

## 9. FINANCIAL MATTERS

- **Discuss and consider ratifying appointment of Town Staff to prepare 2014 GID Budget**

**Action Recommended: Motion to Ratify the Appointment**

Motion by John R., second by Aggie M., to appoint the Town of Minturn Staff to prepare the 2014 GID Budget as presented. Motion passed 6-0. Note: George B. was excused absent.

- **Discussion/Action – 2014 General Improvement District Budget: Public Hearing and Board Comments**

**Action Recommended:**

- a. **Open Public Hearing**
- b. **Staff Presentation**
- c. **Public Comment or Testimony**
- d. **Council Comments**
- e. **Close Public Hearing**

- **Discussion/Action – Consider adoption of Resolution No. 2013-11-01 a Resolution to adopt the Fiscal year 2014 Budget**

**Action Recommended: Motion to approve Resolution No. 2013-11-01 a Resolution to adopt the Fiscal year 2014 Budget as presented**

Motion by Shelley B., second by Darell W., to approve Resolution No. 2013-11-01 a Resolution to adopt the Fiscal year 2014 Budget as presented. Motion passed 6-0. Note: George B. was excused absent.

- **Discussion/Action – Consider approve of Resolution No. 2013-11-02 a Resolution to appropriate sums of money for the Fiscal year 2014 Budget**

**Action Recommended: Motion to approve Resolution No. 2013-11-02 a Resolution to appropriate sums of money for the Fiscal year 2014 Budget as presented**

Motion by John R., second by Shelley B., to approve Resolution No. 2013-11-02 a Resolution to appropriate sums of money for the Fiscal year 2014 Budget as amended for a typo . Motion passed 6-0. Note: George B. was excused absent.

- **Discuss/Action – Update of the need to prepare and file the Application for Audit Exemption for the Fiscal Year 2013 General Improvement District.**

**Action Recommended: No action requested**

## 10. OTHER BUSINESS

- Discuss and set meeting dates for 2014:
  - Board Meeting to consider budget approval set for November 5, 2014 6:30pm at the Minturn Town Center, 302 Pine Street, Minturn, CO 81645
    - a. Alternative Date: This item closely follows the State and the Town of Minturn's budget cycle. If an alternative is considered it should be considered as the Board in conjunction with the GID Council.

Motion by Shelley B., second by John R., to set the next GID Board meeting for November 5, 2014 6:30pm at the Minturn Town Center, 302 Pine Street, Minturn, CO 81645. (Note: George B. was excused absent.)

## 11. ADJOURNMENT (as GID and reconvene as Council)

Adjourn as the GID Board at 8:45 pm. Motion passed 6-0. Note: George B. was excused absent.

## OTHER MATTERS

## 12. Planning Department Update

Janet H. updated the Council on:

- Eagle Park Bathroom: \$100k would be a prefab bathroom and it would be less with initial design work being done internally.
- The A-Peak lease lot was moved and upgrades will be done to the area

### Planning Department - November

#### Identifying Grant Opportunities:

1. **CDOT Safe Routes to School - 100% funding - not matching - pay for sidewalks south town and bus stop facilities**

Partners: schools - police department - eco transit - sidewalk contractor - TST Engineering - CDOT Engineers (Mark Rogers) - educational component needs developed with schools - bike shop involvement - bike and pedestrian focus - distribute and develop programs for K-8  
Deadline: December 6, 2013 - 4pm

2. **TAP - Transportation Alternative Program - \$300,000 for sidewalks - 80% town matches 20% Distributed by CDOT**

Deadline in February - not announced

3. **State Historical Fund Grant - History Colorado**

Begin a history park/ guided tour of Minturn History - create signs, historic structures, statues, a trail walk through Eagle Park to Minturn Water Tower -

\$35,000 or less and \$35,001 or more for historic education of rural areas

Deadline: April 1, 2014 - Notification June 1

**4. LiveWell Colorado Grants - multiple grants for community gardens - work with Minturn Community Fund to determine which grants**

Deadline: Most of these grants are due beginning of December, 2013.

**5. GOCO - Get Outdoors Colorado Grant - funding for the 'Boneyard' - to clean up debris, construct trail, fishing area? Erosion protection of Eagle River Bank?**

Partner with Rocky Mountain Youth Corp

Deadline: Fall 2013 have ended - waiting for announcement on Spring deadlines 2014

Other Planning News:

2 more streets address changes identified.

Sign for the Maloitt Park Recreation Center being constructed

Is there funding for Public Restrooms at Eagle Park? Cost: \$45,000.00 on the low end with one bathroom to \$100,000.00 with a pre-fabricated 2 stall bathroom.

Shelley B. noted the Safe Routes to School grants are not applicable because it is to get kids to school and we do not have a local school that would qualify. Janet indicated she would verify.

Aggie M. requested that we consider what we are doing before we do it. As example the A-Peak plant was moved and now looks terrible.

John R. asked that the storage lot next to L&H be reviewed for code violations.

**13. Town Manager's Report**

**To: Mayor Flaherty and Minturn Town Council**  
**From: Jim White, Town Manager**  
**Date: October 31, 2013**  
**Re: Manager's Report for the November 6, 2013 Town Council Meeting**

**Condolences**

The Town of Minturn, and the staff that I represent, express our condolences to the family of Allen Christensen, long time attorney for the Town of Minturn. It is with great sadness that we observe his empty chair tonight. Our thoughts are with his family and friends during their time of mourning and grief.

**Eagle Street Project**

A final "punch list" walk through took place on Thursday, October 31, 2013 with ELAM, TST, and the Town of Minturn all represented. A final report will be prepared for the next Town Council meeting that can be attended by Steve Humann, TST Engineering. We are currently planning to have him report at the November 20, 2013 meeting.

**DOLA Grant Projects**

We have completed the work on the additional isolation valves on the Main Line in Minturn as part of the DOLA grant. The Master Meter Vault construction work began during the week of October 28-November 1, 2013. Both projects are part of this year's DOLA grant.

### **Fitness Center**

Weekly owner architect construction progress meetings continue to move this project forward. Representatives from Viele Construction, RDK Architects, Ski and Snowboard Club Vail, and the Town of Minturn continue to review progress at this weekly meeting.

### **Water Subcommittee**

The Water Subcommittee met again on October 28, 2013 to review the results of the water rate study and to attempt to formulate a recommendation to Town Council for 2014 water rate adjustments. Mayor Pro-Tem George Brodin and Town Councilman Aggie Martinez represent the Town Council on this committee.

### **United Companies**

During the past two weeks, United Companies worked with the Town of Minturn public works department to tear out, form and pour (install) sidewalks around the Town Hall and Post Office building. In addition, we completed three local resident sidewalk projects, two on Main Street and one on Pine Street.

### **Battle Mountain Subcommittee**

The Battle Mountain Subcommittee will meet at 3:30pm on Wednesday, November 6, 2013 prior to the Town Council meeting. Town Councilwoman Shelley Bellm and Town Councilman Earle Bidez represent the Town Council on this committee.

### **Meeting with Vail Valley Foundation**

Michelle Metteer and I had a meeting on Tuesday October 29, 2013 with Michael Imhof of Vail Valley Foundation regarding planning for the 2015 World Ski Championships to be held in Vail and Beaver Creek in February 2015.

### **Minturn Halloween**

Minturn Halloween was safe and a grand success. Despite another multi vehicle accident on Vail Pass again this year on our Halloween night, traffic moved steadily through Town... thanks to the combined efforts of the Town of Minturn Police Department, Public Works, and Eagle River Fire District staff. Despite snow and cold weather, other Town staff handed out candy outside at Town Hall from 4pm till 8pm.

### **Officer Belz**

Officer Tommie Belz resigned effective Saturday November 2, 2103. We appreciate her work here in the Town of Minturn and wish her success in all future endeavors.

One of Tommie's last duties was to serve as Field Training Officer for our new officer, Jason Donfris.

### **Recent Events/Upcoming Events:**

The Store Front Decorating Contest is underway. By November 4, 2013, the judges were asked to cast the ballots for this year's winning entries!

### **Christmas Tree Lighting**

Our annual Christmas Tree Lighting celebration is set for Friday evening, November 15, 2013. We are also tying this into a “Founder’s Day” Celebration as the Town of Minturn was **incorporated on November 15, 1904!**

The Minturn Winter Markets are planned for December 7 and December 14, 2013 from 10am until 2pm.

#### **14. Town Council Comments**

John R. asked if XCEL could be asked to come back to a meeting. Jim W. stated the recent priorities were to have XCEL move the utility pole and complete the Eagle St project. Another invitation will be extended.

Aggie M. asked regarding cleaning up the Town if we had addressed abandoned cars etc. The Police Department is working on this. Aggie M. noted it is pretty bad.

Darell W. stated the Fire Dist. will be properly signing and addressing the fire station as a fire house.

### **EXECUTIVE SESSION**

- a) **Executive Session: Pursuant to Section 24-6-402(4)(e) for the purpose of determining positions, develop a strategy and instruct negotiators regarding the process for replacement of the Town Attorney and pursuant to Section 24-6-402(4)(e) for the purpose of determining positions, developing a strategy and instructing negotiators regarding the Town Manager’s contract – White**

Motion by Shelley B. second by John R., to convene in Executive Session Pursuant to Section 24-6-402(4)(e) for the purpose of determining positions, develop a strategy and instruct negotiators regarding the process for replacement of the Town Attorney and pursuant to Section 24-6-402(4)(e) for the purpose of discussing the Town Manager’s Contract. Motion passed 6-0. Note: George B. was excused absent.

- b) **Action by Council or Direction to Staff as a result of the Executive Session – White Pursue hiring an interim Town Attorney. No other action taken.**

### **FUTURE AGENDA ITEMS**

#### **15. Next Meeting – November 20, 2013**

- Meeting: Discussion/Action – 2nd Public Hearing on proposed fiscal year 2014 Budget – review public funding requests – White/Brunvand
- Meeting: Discussion/Action – 1<sup>st</sup> reading of proposed 2014 Budget Ordinances – White/Brunvand

#### **16. Future Meeting**

- Work Session – Continued work on the Town Council Vision Statement – White
- Discussion with Xcel Representative – White
- Meeting: Discussion/Action – 2<sup>nd</sup> and Final Reading of proposed 2014 Budget Ordinances – White/Brunvand 12/4/13

**17. Set Future Meeting Dates**

- a) Council Meetings:
- November 20, 2013
  - December 4, 2013
  - December 18, 2013
- b) Planning & Zoning Commission Meetings:
- November 13, 2013
  - December 11, 2013
  - January 8, 2014

**18. Other Dates:**

- Office Closed for Veterans Day – November 11, 2013
- Office Closed for Thanks Giving – November 28-29, 2013
- Minturn Holiday Market – December 7 and 14, 2013

**19. Adjournment**

Motion by Shelley B., second by Earle B., to adjourn the meeting at 10:17 pm.

  
Mayor Hawkeye Flaherty

ATTEST:

  
Town Clerk, Jay Brunvand



**Proclamation Town of Minturn  
COLORADO GIVES DAY:**

**WHEREAS, charitable giving in the Town of Minturn, Colorado is critical to providing support that local nonprofit organizations need to make our community a desirable place to live; and**

**WHEREAS, research shows an increase in online giving both locally and nationally, and many believe it is the future of philanthropy; and**

**WHEREAS, Community First Foundation and FirstBank have partnered in an effort to increase charitable giving in our community through the online giving initiative Colorado Gives Day; and**

**WHEREAS, Colorado Gives Day in 2012 raised \$15 million in a single 24-hour period via online donations at coloradogives.org, a website allowing donors to direct their contributions to one or more of the thirty (30) local, Eagle County, charities featured on the site, making it an ideal resource for facilitating charitable giving to our locally-based nonprofit organizations; and**

**WHEREAS, Colorado Gives Day is December 10 this year, and all citizens are encouraged to participate because all donations, large or small, can make a difference to nonprofits in need.**

**NOW, THEREFORE, BE IT PROCLAIMED BY Mayor Hawkeye Flaherty and the Town Council of the Town of Minturn, Colorado**

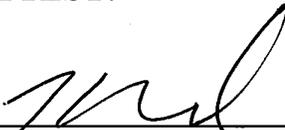
**THAT:**

**Tuesday, December 10, 2013, will be known as Colorado Gives Day in our community.**

**TOWN OF MINTURN**

By:   
Hawkeye Flaherty, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Jay Brunvand, Town Clerk

