



## Official Minutes

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

**Wednesday June 18, 2014**

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

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

**COUNCIL MEMBERS:**

Shelley Bellm  
Earle Bidez  
John Rosenfeld  
Matt Scherr  
Jason Osborne

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**

- Discussion with Safebuilt Building Inspections/Charlie Davis – Hawkinson  
Council directed the Town Manager to pursue certifying and using Safebuilt to handle all electrical inspections. This would cost 15% more but it would allow better and timelier customer service. This would be brought back to the Council for status update and approval. Safebuilt will give quarterly updates to the Council.

- Fiscal Year 2013 Annual Audit presentation and acceptance – Brunvand
- Marijuana legislation update – Powell/Sawyer

Put back on next work session for further discussion. And short presentation during the meeting to outline the laws for the citizens.

## Regular Session – 6:30pm

### 1. Call to Order

The meeting was called to order by Mayor Hawkeye Flaherty 6:45pm.

- Roll Call

Those present included: Mayor Hawkeye Flaherty, Town Council members, George Brodin, John Rosenfeld, Matt Scherr, Earle Bidez, Ozzy Osborne, and Shelley Bellm.

Staff present: Interim Town Manager Willy Powell, Town Attorney Mike Sawyer, Town Planner Janet Hawkinson, and Town Clerk/Treasurer Jay Brunvand.

- Pledge of Allegiance

### 2. Approval of Agenda

- Items to be Pulled or Added

Add:

10a: Give direction on building inspector regarding electrical inspection services

10b: Move discussion of the leasing of the town manager house to an Action Item.

Motion by John R., second by Ozzy O., to approve the agenda as amended. Motion passed 6-1

Note: Shelley B. voted nay.

### 3. Approval of Minutes and Action Report

- June 4, 2014

Motion by John R., second Earle B., to approve the minutes of June 4, 2014 Council Meeting as amended. Motion passed 7-0.

- Action Item Report

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

Mr. Lou Meskimen, 23698 Hwy 24 Meadow Mtn Business Park, asked the Town to assist in providing single stream recycle as many are using the Business Park's containers and they are filling fast. Additionally, he requested the Town to contact the Rail Road and inquire if they would put a steam engine in the rail yard during the 2015 World Cup.

### 5. Special Presentations

**PUBLIC HEARINGS AND DISCUSSION/ACTION ITEMS**

**6. Discussion/Action Item: Fiscal Year 2013 Annual Audit presentation and acceptance – Brunvand**

Shelley B. stated she felt the Scholarship Fund and the 501(c) (3) had fallen through the cracks. Willy P. updated the Council on the status of the fund and funding. Current applications are due by July 31<sup>st</sup>, currently they have four applications. Shelley B. stated she felt the meeting she attended was not well organized and she is looking for the bylaws too. She stated she felt an organizational meeting is important at this point.

Motion by Shelley B., second by George B., to accept the Fiscal Year 2013 Audit as presented. Motion passed 7-0.

**7. Discussion/Action Item: Marijuana legislation update – Powell/Sawyer**

Mike S. updated the Council on the current status under which the Town operates. The Town has a ban on all sales of marijuana in Town. This update included what constitutes open and public for the consumption. It was noted consumption in public areas is not lawful however individuals are allowed to consume within their own private property.

Willy P. updated the Council on where we are with the position of the Code Enforcement Officer. He did not ask for a decision at the meeting, merely he requested discussion and possible direction. Discussion ensued as to how the Town has not managed to enforce our nuisance laws on a fair and equitable basis. It was noted that to find someone with background in Code Enforcement, Police, and Court Clerk would be difficult and that it might be fruitful to have two part time positions. The desire was to not fall back and to move beyond enforcement by complaint.

It was noted that because the staff is shrinking in the Town Hall it would be reasonable to have one full time position that offers the police clerk side and the code enforcement side.

**8. Discussion/Action Item: Discussion and Direction regarding phone votes and operational procedures of Town Boards and Commissions – Powell/Sawyer**

Michael S. updated the Council with the information provided in the packet. Currently, the Town does not have any regulations on allowing or prohibiting phone votes. He noted a number of reasons why it is not advisable to allow non-present voting. Michael S. advised that existing rules be reviewed, written down, and codified. These rules then would be adopted for all Town Boards and Commissions by ordinance.

Direction was given to investigate costs and capabilities and report back to the Council.

**9. Discussion/Action Item: Discussion and direction regarding Intergovernmental agreement for Police coverage by the Eagle County Sheriff's Office within the Town of Minturn – Powell**

Willy P. updated the Council on where we are in the process of an intergovernmental agreement for police coverage by the Eagle County Sheriff's Office. Currently we are awaiting the agreement with the discussed changes from the County.

**10a Discussion/Action Item: Staff direction on building inspector regarding electrical inspection services**

Direction was given for the Town to pursue an agreement using Safebuilt to perform electrical inspections and to utilize a three year agreement rather than the current year to year.

**10b Discussion/Action Item: Staff direction regarding the leasing of the town manager house to an action item.**

Hawkeye stated he was approached by Jim White and asked to remain in the Manager's House past his current agreement. The current agreement allows the White's to remain in the house until August 31, 2014 rent free. Discussion ensued as to the request.

Direction to Staff is to proceed with:

- A month to month lease
- A 30 day termination notice
- A fair market rent.

Council also discussed the estimated start date for the permanent Town Manager. It was noted the start date will determine the schedule of the hire process which is estimated to take 5-7 months.

Direction was given for approximately February, 2015.

Shelley B. recommended the Council members begin to consider what they personally want in a new Town Manager.

**COUNCIL AND STAFF REPORTS**

**10. Town Planner**

- 2 Subdivision Applications have been submitted. The pre-application meeting was held with Planning Commission June 11, 2014.

Janet H. outlined the projects at the Planning Commission and answered questions. Discussion ensued as to the impact of down zoning our commercial zones to residential.

- The Public Restrooms construction drawings have been put out to bid. Please see attachments.

Design has been approved and final drawings are being developed.

Shelley B. requested a review of which Planning Commission member's terms have expired and we appoint or reappoint commissioners as needed.

#### **11. Town Attorney**

#### **12. Town Manager**

- Taylor St Parking

Willy P. updated the Council on the parking status along Taylor St. Concern was expressed as to if Ordinance 2-2014 was ever passed on Second Reading as several members felt it was tabled.

Discussion ensued as to the availability and effectiveness of parking on Taylor St. There is a clear need to establish the right of way, stripe the road, etc.

Direction was given to sign the parking to be flexible with the needs of the area.

- Leasing Town Manager House to Jim White
- Start date for next full time Town Manager
- Set dates for Retreat

Willy P. reviewed the calendar with the Council. The Retreat was set for July 8 starting at 4pm

- CIRSA training regarding quasi-judicial concerns

Direction was given to bring Tami up to hold a training for the Council.

- Code Compliance Update
- 494 Eagle St

Firm up legally the approval by granting a variance for the property and waive the fee. This process would clean up the property file for the future.

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

### **FUTURE AGENDA ITEMS**

#### **14. Next Meeting – July 2, 2014**

- Work session and Action Item: ECO SO police coverage contract
- Work session – Shelley iPad instructions
- Work session – Marijuana discussion get information on the revenue on the retail sales.

**15. Future Meetings:**

- County Commissioners

**16. Set Future Meeting Dates**

a) Council Meetings:

- July 2, 2014
- July 16, 2014
- August 6, 2014

b) Planning & Zoning Commission Meetings:

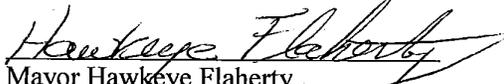
- June 25, 2014
- July 23, 2014
- August 20, 2014

**17. Other Dates:**

- July 4, 2014 Office Closed
- July 5, 2014 Minturn 4<sup>th</sup>

**18. Adjournment**

Motion by John R., second by Matt S., to adjourn at 9:02pm.

  
Mayor Hawkeye Flaherty

ATTEST:

  
Town Clerk, Jay Brunvand

