



Official Minutes

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

Wednesday October 7, 2015

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

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 – 5:00pm

Please remember to bring your FY2016 Budget Book

- 2016 Budget Review – Brunvand

Regular Session – 6:30pm

1. Call to Order

The meeting was called to order by Mayor Pro Tem George B. at 6:40pm.

- Roll Call

Those present included: Town Council members, George Brodin, Matt Scherr, Earle Bidez, Shelley B., and Jason “Ozzy” Osborne. Note: Mayor Hawkeye F. was excused absent.

Staff present: Town Attorney Michael Sawyer, Town Clerk/Treasurer Jay Brunvand, and Town Planner Janet Hawkinson.

- Pledge of Allegiance

2. Approval of Agenda

- Items to be Pulled or Added

Motion by Ozzy O., second by Shelley B., to approve the agenda as presented. Motion passed 6-0. Note: Mayor Hawkeye F. was excused absent.

The Council convened as the Liquor Authority.

3. Liquor Authority

- Shop N Hop Annual Renewal of a 3.2 Beer License; 401 Main St.; Terry Marcum, Owner – Brunvand

Motion by John R., second by Ozzy O., to approve the Shop N Hop Annual Renewal of a 3.2 Beer License; 401 Main St.; Terry Marcum, Owner as presented. Motion passed 6-0. Note: Mayor Hawkeye F. was excused absent.

- Gail Crowder, DBA Minturn Mile Liquors Annual Renewal of a liquor store License; 341 Main St.; Gail Crowder, Owner – Brunvand

Motion by Ozzy O., second by Shelley B., to approve the Gail Crowder, DBA Minturn Mile Liquors Annual Renewal of a liquor store License; 341 Main St.; Gail Crowder, Owner as presented. Motion passed 6-0. Note: Mayor Hawkeye F. was excused absent.

Council reconvened as the Council.

4. Approval of Minutes

- September 1, 2015

Motion by John R., second by Ozzy O., to table the minutes as presented. Motion passed 6-0. Note: Mayor Hawkeye F. was excused absent.

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

- Ms. Felicia Battle Candidate for Eagle County School District introduced herself.

6. Special Presentations

- Eagle Valley Land Trust update from Exec Director Jim Doss

Mr. Jim Doss introduced himself and outlined some of the programs they are working on as well as how the Trust operates. The Land Trust is a small nonprofit whereby land owners can contract their land to the trust for nondevelopment. In return they receive tax advantages.

- Committee Report – Eagle River Park Bathrooms – Bellm (Economic Dev)

Shelley B. updated the Council on the Eagle River Park bathrooms and that we are in the running for America's Best Restrooms. Citizens can vote at www.bestrestrooms.com and information can be found on the Town website, www.minturn.org, and on Facebook.

Janet H. demonstrated how to vote.

PUBLIC HEARINGS AND ACTION ITEMS

7. Action Item: Resolution No. 11 – 2015 a Resolution considering a permit for encroachment – Hawkinson

Janet H. introduced the request and introduced the property owner. It was noted this is a land improvement on Town property which abuts the westerly lot line of the applicant and is not accessible nor truly useable by the Town. The request is to allow via agreement that an existing wall be allowed to remain. The agreement calls for liability insurance and no further encroachment.

Shelley B. stated that the wall might need to be engineered and felt that should be pursued. Mike S. noted the agreement does provide an indemnification by the owner to the Town. Additionally MMC Section 11-3-90 requires the owner of the property that is encroaching provide insurance. Mike S. felt this was sufficient to cover the Town. Janet H. stated this is only for the existing wall that is currently built. Mike S. felt if the wall fell and damaged the owner's property we are indemnified. This would extend to other homeowners if the wall injures another property whereby the owner would be liable to the Town and any other injured party.

Discussion ensued as to ensuring we receive an annual insurance update. Their insurance company would send us a certificate as a normal course of business; staff will ensure this is undertaken.

Discussion ensued as to the fee of \$500 for the encroachment. It was determined this was appropriate.

Note: Shelley B. left at 7:25pm and was excused absent.

Motion by John R., second by Ozzy O., to approve Resolution No. 11 – 2015 a Resolution considering a permit for encroachment as presented. Motion passed 5-0. Note: Mayor Hawkeye F. and Shelley B. were excused absent.

8. Action Item: Resolution No. 12 – 2015 a Resolution considering approval of an Intergovernmental Agreement for the engineering of the Minturn bike path alinement – Hawkinson

Janet H. outlined the IGA for the Council. The County has grant money that they are willing to apply to this project if the Town will administer and oversee the project. Staff is recommending approval.

It was noted how the alignment has been determined as well as who owns which parcels. Mike S. noted the IGA is a reimbursement agreement for costs that will be incurred by the Town and subsequently reimbursed by Eagle County.

Motion by John R., second by Ozzy O., to approve Resolution No. 12 – 2015 a Resolution considering approval of an Intergovernmental Agreement for the engineering of the Minturn bike path alinement as presented. Motion passed 5-0.

9. Action Item: Council motion to formally accept the FY2016 Preliminary Budget – Brunvand

Motion by Ozzy O., second by John R., to formally accept the FY2016 Preliminary Budget and set Public Hearings at 6:30pm on November 4 and November 18, 2015 to be held in the Council Chambers at 302 Pine St, Minturn as presented Motion passed 5-0. Note: Mayor Hawkeye F. and Shelley B. were excused absent.

COUNCIL AND STAFF REPORTS

10. Town Planner

Janet H. announced that Michelle M. had received her Certified Municipal Clerk certification through the International Institute of Municipal Clerks.

Janet H. updated on accomplishments of Public Works and reported on the status of the street improvements in Town.

Ozzy O asked about the issues on RR Ave. Discussion ensued and it was directed this be updated for the council at the next meeting to include the issues, cost over runs, not doing North Main, and the paving of the Saloon skirt paving.

11. Town Manager

- Action Item Report

12. Town Council Comments

Ms. Darla Goodell, lifelong resident and owner of the Turntable has passed away. A Celebration of Life will be held on October 18 2pm at the VVSA in Maloit Park.

Matt S. noted how important the upcoming County election is and the specific importance of the Eagle County School Board election for the future of the County.

Ozzy O. reminded citizens to be bear aware.

13. Town Attorney

Mike S. stated he would not be at the next meeting, however, his office will cover as needed.

EXECUTIVE SESSION

- 14. Executive Session: An executive session for the purpose of conferencing with the Town attorney for the purposes of receiving legal advice on a specific legal question under C.R.S. Section 24-6-402(4)(b) and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4)(e) – Dowd Junction – Sawyer**

Motion by Ozzy O., second by John R., to convene in executive session for the purpose of conferencing with the Town attorney for the purposes of receiving legal advice on a specific legal question under C.R.S. Section 24-6-402(4)(b) and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4)(e) – Dowd Junction. Motion passed 5-0. Note: Mayor Hawkeye F. and Shelley B. were excused absent.

Direction as a result of the Executive Session was to pursue an RFQ related to Dowd Junction.

FUTURE AGENDA ITEMS

15. Next Meeting – October 21, 2015

- Budget Review – FY 2016 Decision Points (Worksession) – Powell/Brunvand
- Special Presentation – Augustana Senior Care Home update
- Action Item – Eagle County Gives Proclamation

16. Future Meetings:

- Meeting: Discussion/Action – 1st Public Hearing on proposed fiscal year 2016 Budget – review public funding requests – White/Brunvand 11/4/15
- Meeting: Discussion/Action – 2nd Public Hearing on proposed fiscal year 2016 Budget and First Reading of Budget Ordinances – Brunvand 11/18/15
- Meeting: Discussion/Action – 2nd and Final Reading of proposed 2016 Budget Ordinances – Brunvand 12/1/15
- Noise Ordinance review on Engine Brakes and the construction work hours.

17. Set Future Meeting Dates

a) Council Meetings:

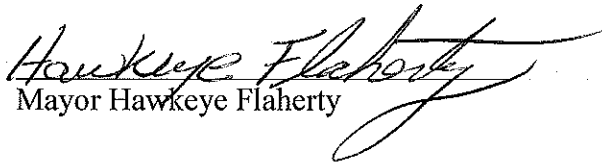
- October 21, 2015
- November 4, 2015
- November 18, 2015

b) Planning & Zoning Commission Meetings:

18. Other Dates:

19. Adjournment

In that there was no further business to discuss the meeting stood adjourned at 9:10pm.


Mayor Hawkeye Flaherty

ATTEST:


Town Clerk, Jay Brunvand

