



Official Minutes

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

Wednesday June 7, 2017

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

MAYOR – Matt Scherr
MAYOR PRO TEM – Earle Bidez

COUNCIL MEMBERS:

Terry Armistead
Sidney Harrington
Kristina Krone
Sage Pierson
John Widerman

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 – 5:30pm

- Discussion of costs related to the Main Street Pedestrian project – Powell
- Review of 2016 Audited Financial Statements – Brunvand

Regular Session – 6:30pm

1. Call to Order

Mayor Matt Scherr called the meeting to order at 6:38pm

- Roll Call

Those present included: Mayor Matt Scherr, Mayor Pro Tem Earle Bidez, Town Council members, Terry Armistead, and John Widerman. Note: Sage Pierson, Sidney Harrington, Kristina Krone were excused absent.

Staff present: Town Manager Willy Powell, Assistant Town Manager/Econ Dev Michelle Metteer, Town Planner Janet Hawkinson, Town Attorney Michael Sawyer, and Town Treasurer/Clerk Jay Brunvand

- Pledge of Allegiance

2. Approval of Agenda

- Items to be Pulled or Added

Motion by Earle B., second by John W., to approve the agenda as presented. Motion passed 4-0. Note: Sage Pierson, Sidney Harrington, Kristina Krone were excused absent.

3. Approval of Minutes

- May 17, 2017

Motion by John W., second by Earle B., to approve the minutes of May 17, 2017 as presented. Motion passed 4-0. Note: Sage Pierson, Sidney Harrington, Kristina Krone were excused absent.

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

5. Special Presentations

- Committee Reports

Terry A. stated the Battle Mountain Committee will be meeting tomorrow/Thursday.

- Council Comments

John W. noted several events are coming up over the next few months for the Water Shed Council. Check the Water Shed Council website for a complete schedule.

Terry A. announce the first Concert in the Park is July 7. The bathroom at Little Beach Park is freshly painted.

Earle B. stated the first Minturn Market is June 17.

Matt M. announced Monday June 26 8-10am at the Turntable. The drive-in theater has announced their summer schedule which will also include music and a movie on some dates. He reminded all to please secure your trash

Michelle M. stated the Game Creek Trail will be worked on.

PUBLIC HEARINGS, DISCUSSION, AND ACTION ITEMS

6. Discussion/Action Item: Presentation and acceptance of the FY 2016 Financial Audit – Brunvand (5min)

Jay B. noted the Fiscal Year 2016 Audit was reviewed during the Worksession. Again this year, the town received a clean audit report.

Motion by John W., second by Terry A., to accept the Fiscal Year 2016 Audit as presented. Motion passed 4-0. Note: Sage Pierson, Sidney Harrington, Kristina Krone were excused absent.

7. Discussion/Action Item: Consideration of Resolution 12 – Series 2017 a resolution approving a Memo of Understanding between Xcel Energy’s Partner’s in Energy and the Town of Minturn – Metteer (10min)

Michelle M. updated the Council on the Resolution stating that John W. is the contact for this and it will prove to be very beneficial to the town.

Motion by Earle B., second by Terry A., to approve Resolution 12 – Series 2017 a resolution approving a Memo of Understanding between Xcel Energy’s Partner’s in Energy and the Town of Minturn as presented. Motion passed 4-0. Note: Sage Pierson, Sidney Harrington, Kristina Krone were excused absent.

8. Discussion/Action Item: Consideration of Ordinance 04 - Series 2017 (First Reading) an Ordinance amending Chapters 4 and 6 of the Minturn Municipal Code by the adoption of new regulations for Short-Term Rentals – Hawkinson (30min)

Janet H. updated the Council on the Ordinance and reviewed and highlighted the salient points.

Discussion ensued that the property manager distance should be within 50miles not Eagle County; it appears to say both.

Discussion ensued on the two-year ownership requirement; Council felt this was appropriate. It was felt that the resident’s ownership of one of the allowed 50 be required to prove they are renting and not banking the rights.

Matt S. noted several changes including CO2 should be changed to CO (Carbon Monoxide not Dioxide), that the annual inspection should be done prior to the permit expiring each year and several areas were noted which needed to be reworded.

Public Hearing was opened.

Mr. Tim McGuire, Battle Mtn Resort, asked what the penalty for noncompliance. The code is specific on this but it also allows for enforcement measures prior to citation issuance.

Public Hearing was closed.

Motion by Earle B., second by Terry A., to approve Ordinance 04 - Series 2017 (First Reading) an Ordinance amending Chapters 4 and 6 of the Minturn Municipal Code by the adoption of new regulations for Short-Term Rentals as presented. Motion passed 4-0. Note: Sage Pierson, Sidney Harrington, Kristina Krone were excused absent.

Council directed that after Second Reading when the ordinance takes effect any new applicant would be required to meet the code immediately, those currently on the program would be given through August 2017 to submit the required information to come into compliance.

COUNCIL AND STAFF REPORTS

9. Town Planner (5min)

- Appointment of Planning Commissioners next meeting June 21, 2017
- Thank you to Town Attorney and Planning Commission for a great training session

10. Town Manager (5min)

- Manager's Report

Holy Cross Powerline Alignment

On May 30, I sent the below email to David Bleakley of HCE, and received his response on June 2.

David,

I discussed our May 5 conversation with Town Council at their meeting of May 17. You indicated our Council favors the upper alignment on FS Roadless area. Our Council believes the mid-alignment may be best if sufficient burying of the line takes place. They have some concerns the upper alignment would be visible from the Vail ski area and other locations. Council also expressed concerns the visuals you presented were hard to see.

Council requests you come back for a Council meeting with better visuals of the upper and mid-alignment alternatives. A 3D drive-by modeling is also suggested.

Willy

I am going to put something together for a Google Earth type of look. This will be pretty basic. Since the line is not designed (pole heights, pole locations, structure configurations, exact route, etc.), it will certainly not be exact, and I'm not sure that it will provide much benefit.

I am confused by this change of direction. I recall a different conversation back in November. The meeting minutes support my belief that the council (at that time) wanted the line built away from the town if possible.

As we discussed, I am at a standstill with the NFS on the roadless option. Without the Towns backing to go the roadless option, the line will need to be build down low in the valley (or not at

all). The partial UG option would essentially begin at the town property south of the cemetery, and transition back to overhead north of the homes along Taylor Ave (approximately 9300'). As we have also discussed, the cost differential between OH and UG is substantial and therefore to minimize impacts the HCE membership, the UG option must be minimized.

The roadless route would be over 2 miles way from the ski area and I believe that using terrain and tree cover, the visual impact will be minimal. Of course, visual impacts are highly subjective.

Ultimately, neither line will be completely invisible, but the remoteness of the roadless option and the desire to minimize visual impacts would make it a good option.

I should have my Google Earth line put together by early next week. When would you like me to attend the City Council meeting to present it?

Also, you are probably aware that we will be welcoming a CEO in July. He may have thoughts on this subject.

Thanks, David

Note: Council agreed this was the case with the minutes but it was conceptual and not direction or approval. Mr. Tim McGuire, BMR, spoke that he had seen the same information the Council had but now crosses directly upon the buildable area of the Mountain Top area. He stated that based on this, they would not be in approval of this.

It was stated the project was not presented at the level where a decision could be made by the Council and that needed to be addressed by Holy Cross. Discussion ensued on the negative effect on view corridors from within town, on the BMR property, and from the trail areas. Michael S. stated a letter should be drafted to the Holy Cross Energy Board of Directors expressing our concerns, and second, it is important that we adopt the 1041 resolutions which will give us the tools to fight this at the proper levels.

Battle Mountain

The Battle Mountain Committee, including Mike Sawyer and Meghan Winokur of Holland & Hart is holding a strategic planning session on June 8. The purpose is to discuss negotiating positions for Phase 1 of the Battle Mountain project and the amended Annexation and Development Agreement. The Committee will discuss negotiating positions with Council at the Council meeting of June 21.

Mobile Home Properties

Following our May 17 meeting of unkempt, code violation properties, staff was asked to come back with an inventory of the locations of the mobile homes in violation, and discuss with property owners their intentions for the future.

Janet has discussed redevelopment with Randy Quintana, 941 Main. He presently wants to subdivide into 9 single family lots. Janet has encouraged Randy to work with Eagle County for a more affordable, higher density development.

Willy and Janet met with Jeff Armistead of 1251 Main St. The group discussed earlier site plans developed by the owners, but never approved. Jeff will discuss with family members development plans and schedule.

The Westside owners state they still plan to replace the 6th St. mobile homes, but do not have a schedule yet.

Entryway Warranty Issues

Inter-Mountain Engineering is discussing with ICON Construction warranty issues for the Entryway/100 Block Project. The issues involve cracked sections in the “turntable” area and spalled section in the 100 Block. No resolution of the issues has occurred as of June 1.

- Action Report

11. Assistant Town Manager (5min)

- Assistant Manager’s Report

Minturn Business Alliance

The EDAC will be hosting the 2nd quarterly Alliance meeting. All Minturn business license holders are invited to the Turntable restaurant on Thursday, June 15th from 7:00 am to 9:00 am for an informal, information gathering session on all things Minturn. Many Council, Planning Commission and EDAC members will be in attendance to help inform business owners on a variety of topics. Hope to see you there!

Minturn Beautification Program

For interested parties, Minturn has a small grant program for beautification and repairs of street-facing properties. There is currently \$4000.00 in this budget and applications are available at www.gominturn.com. (Sample application included for review)

Events

The town is always excited to add more events and fun projects to the calendar. Through Minturn’s Place making grant program, residents can apply for event assistance and funding. For complete details see attached guidelines and application.

Adopt A Trail Program (Game Creek Trail)

The Town of Minturn is hosting our first trail maintenance day of the season Monday, June 12th from 5:00pm to 7:00pm at Game Creek Trail. Please join us for two hours of great outdoor work with your local community members!

Weekly Updates

From mid-June to mid-September Minturn will have an events update published in the Vail Daily every Thursday. In addition, this update will be emailed out to anyone on the newsletter

email sign-up list. We hope that in addition to the town calendar, webpage, and Facebook page, that the publishing of events in the printed paper will reach a larger Minturn audience and keep everyone informed.

Bike to Work Day – June 28

For the first time, Minturn will be hosting an aid station during Colorado's "Bike to Work Day." This is part of a coordinated effort to have Minturn take part in more county-wide events. There will be stations in Vail, Avon, Edwards, Eagle and Gypsum as well. Stop by the aid station from 7:00 am to 9:00 am located on the west side of the former Weston Snowboards building for coffee, breakfast and a chance to win prizes. Mountain Pedaler will also be on hand to check out bicycles. Beverages sponsored by Minturn Realty. More info: www.biketoworkday.us

12. Town Attorney

- Direction regarding Quiet Title filings

Michael S. requested this be reviewed in an Executive Session.

Motion by Earle B., second by John W., to convene in Executive Session pursuant to CRS Section 24-6-402(4)(b) for the purposes of consulting with our attorney on the issue of Quiet Title filings. Motion Passed Motion passed 4-0. Note: Sage Pierson, Sidney Harrington, Kristina Krone were excused absent.

No direction was given as a result of the Executive Session.

FUTURE AGENDA ITEMS

13. Next Meeting – June 21, 2017

- Discussion/Action Item: Consideration of Resolution ___ - Series 2017 a Resolution approving Conditional Use Application CU 01-2017 for 810 Cemetery Rd – Brunvand
- Special Presentation: Eagle River Fire Protection District regarding homeowner fire mitigation

14. Future Meetings:

- Work Session on housing – Hawkinson
- Snow plow & mag chloride debriefing

15. Set Future Meeting Dates

- a) Council Meetings:
- June 21, 2017
 - July 5, 2017
 - July 19, 2017

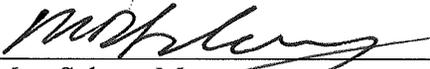
16. Other Dates:

- Minturn Market: Saturday June 17

- Minturn 4th of July celebrated Sunday July 2

17. Adjournment

In that there was no further business to conduct, the meeting stood adjourned at 8:45pm.



Matt Scherr, Mayor

ATTEST:



Jay Bruvand, Town Clerk

