



## Official Minutes

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

**Wednesday October 4, 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**  
**Please remember to bring your FY2017 Budget Book**

- Minturn Transportation goals for ECO Transit - Metteer
- FY2018 Budget Review – Brunvand

**Regular Session – 6:30pm**

### 1. Call to Order

Mayor Pro Tem Earle Bidez called the meeting to order at 6:36\_\_pm

- Roll Call

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

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

- Pledge of Allegiance

## **2. Approval of Agenda**

- Items to be Pulled or Added

Motion by John W., second by Sage P., to approve the agenda as presented. Motion passed 6-0. Note: Mayor Matt Scherr was excused absent.

## **3. Approval of Minutes**

- September 20, 2017

Motion by John W., second by Sage P., to approve the Minutes of September 20, 2017 as presented. Motion passed 6-0. Note: Mayor Matt Scherr was excused absent.

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

- Dylan Roberts – Candidate for Colorado House District 26  
[www.dylanroberts.org/](http://www.dylanroberts.org/)

## **5. Special Presentations**

- Committee Reports

John W. commented on a recent Partners in Energy meeting.

Terry A. updated on a Battle Mountain meeting was last week stating they are awaiting information from the engineers. Earle B. assisted in the discussion.

Willy P. updated on the Dowd Jct parcel; the committee is working on a presentation to USFS.

- Council Comments

Terry A. thanked all for the concert on last Friday it was a great success.

John W. noted two emails that were distributed to the Council; one on Colorado Energy Plan and one on the Compact of Colorado Communities citing specifically the Compact's educational tool.

John W. asked the Council for input on possibly seeking the Eagle River Water and San District and the District 5 seat that is open. Earle B. stated it has been done in the past but it can be handicapping during negotiations such as are on the horizon. Concern was expressed that it would cause the Town to be one down on Council participation during ERWSD negotiations. It was advised by Council that this predicament would not benefit either organization. John W. stated he would take the discussion under advisement.

**PUBLIC HEARINGS, DISCUSSION, AND ACTION ITEMS**

**6. Discussion/Action Item: Consideration of Ordinance 09 – 2017 (Second Reading) an Ordinance vacating a portion of Eagle Street Right of Way located at 102 Main St – Hawkinson**

Janet H. updated the Council and stated that no changes have been made since First Reading.

Motion by Sidney H., second by Kristina K., to approve Ordinance 09 – 2017 (Second Reading) an Ordinance vacating a portion of Eagle Street Right of Way located at 102 Main St as presented. Motion passed 6-0. Note: Mayor Matt Scherr was excused absent.

**7. Discussion/Action Item: Resolution 21 – Series 2017 a Resolution in support of Eagle County ballot measure 1A – Metteer**

Michelle M. updated the Council on the Resolution to support Eagle County ballot measure 1A which is a proposal to authorize a sales and excise tax increase for the purpose of funding mental health and substance abuse services in Eagle County.

Motion by John W., second by Sage P., to approve Resolution 21 – Series 2017 a Resolution in support of Eagle County ballot measure 1A as presented. Motion passed 6-0. Note Mayor Matt Scherr was excused absent.

**8. Discussion/Action Item: Resolution 22 – Series 2017 a Resolution in support of Minturn ballot measure 2A – Brunvand**

Jay B. updated the Council on the Resolution to support Minturn's Ballot Question 2A authorizing the Town of Minturn the authority to provide broadband services within the Town for residences and businesses, either directly or indirectly with public or private partnerships.

Motion by Kristina K., second by Sidney H., to approve Resolution 22 – Series 2017 a Resolution in support of Minturn ballot measure 2A as presented. Motion passed 6-0. Note Mayor Matt Scherr was excused absent.

**9. Discussion/Action Item: Council Goal Setting update – Metteer**

Michelle M. updated the Council on the results of the goal setting exercise conducted during the September 20 Council Worksession. She presented a chart showing the goals agreed and the priority of those goals after the Council weighed in via survey. She noted that some items at the lower end of the list will still be addressed and may be accomplished earlier than one listed as a higher priority due to the simplicity of the task. The list gives the Council and Staff direction to resolve the stated goals. Michelle M. noted that "Communications" was not on the listed goals but remains a goal from prior exercises; Council agreed this should be added to this new list. She

noted that in the budget many of the goals are funded in various ways. This is important in any accomplishment of the stated goals.

Michelle M. also noted she is working on a voluntary Nonconforming Structure Condemnation program. Currently this is not funded in the budget but was recently discussed at EDAC. Funding options were discussed. Discussion ensued as to the costs and benefits and the ability to recover any of the town funds put forth.

Direction was to bring this back at the November 1 meeting for consideration with the Community Funding requests.

**10. Discussion/Action Item: Council motion to formally accept the FY2018 Preliminary Budget – Brunvand**

Jay B. outlined that this was an acceptance of the FY 2018 Budget and would set forth the public hearing dates.

Motion by John W., second by Sage P., to accept the Fiscal Year 2018 Proposed Annual Budget and set Public Hearings at 6:30pm on November 1 and November 15, 2018 to be held in the Council Chambers at 302 Pine St, Minturn as presented. Motion passed 6-0. Note Mayor Matt Scherr was excused absent.

**11. Liquor Authority**

- The Bunkhouse annual renewal of a Lodging & Entertainment (City) Liquor License; 175 Williams St; Nancy Richards Owner/Operator – Brunvand

Jay B. updated the council,

Sage P. noted she voted nay to approve the license but has been proven wrong. This is a great business and addition to the town. It was noted the parking plan is even working.

Public hearing opened

No comments

Public hearing closed

Motion by Kristina K., second by Sidney H., to approve the renewal of a Lodging & Entertainment (City) Liquor License; 175 Williams St; Nancy Richards Owner/Operator as presented. Note Mayor Matt Scherr was excused absent.

**COUNCIL AND STAFF REPORTS**

**12. Town Planner (5min)**

Battle Mountain/Crave Development will be at the next Planning Commission meeting on Wednesday October 11 at 6:30 commission to begin a concept development plan. This is the first

of such meetings and provides an opportunity for citizens to comment at the beginning of the process.

Updated on the rewrite of the Zoning Code project. She noted to save money on the contract she will bring forth the new code which will not include a redlined version comparing the new and old. Due to the basic format changes this will be very difficult to present well via redline. The Council confirmed that the new code without the redline will be sufficient.

### **13. Town Manager (5min)**

- Manager's Report

#### **Right of Way Acquisition—Main Street Pedestrian Project**

As previously reported the town needs to acquire approximately 44 temporary easements and 3 permanent easements for the project. HDR has been hired for the acquisition process. HDR representatives will be contacting property owners to meet on site beginning in October. It is imperative we start as soon as possible because the site visit will include survey staking of the area to be acquired and we need to perform before there is snow pack. Staff will inform Council the exact dates the contacts will be made.

If you receive questions from property owners, feel free to have them contact Michelle M. or Willy P.

#### **SGM Water Plant/Distribution system Engineering**

SGM has finished studying background information. John Volk has been forcing more water through the sand filters for the study of reasonable capacity output and reasonable maintenance needs. I have asked SGM to provide the town bi-weekly status reports for the project.

Willy P. noted the wells were determined by the state to be well water, not surface water in wells. This is good news as the regulations for surface water is much more stringent and there for more expensive to operate.

#### **Frank Sanders Sewer Line**

I commissioned a drain service company to camera the sewer line because the location of any breakage of the line was unknown to be on private property or if on public property. Ironically the camera showed no breakage of the Sanders sewer lateral or the sewer main all the way to Bellm Bridge. Frank was instructed to install a new better action toilet. This item is complete.

- Action Report

### **14. Assistant Town Manager (5min)**

- Staff Report

#### **Resident & Business Welcome Packet Now Available**

The first draft of the Minturn Town Welcome packet for new residents and businesses is now available for distribution. Anyone opening a new residential water account with the Treasurer's office, or applying for a business license will be mailed a welcome packet. The welcome packet

creation is a goal from the 2016 Economic Development Strategic Plan and is expected to be continually revised as Minturn evolves. A copy of the welcome packet can be obtained on the home page of the town website or by requesting a copy through town hall. Welcome packet included for review.

Michelle M. noted Code Compliance continues to receive comments on trailer storage. She asked for clarification that we would be approaching the Railroad as one project, not as a trailer by trailer, offense by offense basis. It is in need of addressing but it will be a huge undertaking. We are moving forward with it but it will take a lot of time, work, and effort. Council confirmed that was the direction.

Michelle M. and Sage P. noted the Fall Decoration event information will be available by next week for those interested.

Sage P. requested for the 2018 budget and perceivably all future budgets that there be included sufficient funds to provide dinners for the Planning Commission. Currently and historically it has not been the case were dinners were provided to any board or commission other than the Town Council. Jay B. noted this would add an expense to the budget of approximately \$6,000. Sage P. stated several times during the discussion that she would donate the food to the Commission. It was asked if such a donation was legal. Having no legal representation at the meeting it is unclear if such a donation from a sitting Council Member to a Commission which serves at the pleasure of the Council Member would constitute a ethical or otherwise conflict of interest. Staff will pursue legal opinion and will also consider funding the request at Staff level. The discussion was confusing and it was unclear if this was direction from a majority (4) of the Council to Staff to add funding in the budget.

## FUTURE AGENDA ITEMS

### 15. Next Meeting – October 18, 2017

- Special Presentation: Cady Dawson, ECO Transit Study 10/18/17
- Snow plow & mag chloride debriefing

### 16. Future Meetings:

- Work Session on housing – Hawkinson
- Holy Cross power line update
- Meeting: Discussion/Action – 1st Public Hearing on proposed fiscal year 2018 Budget – review public funding requests including the funding of a newly proposed voluntary Nonconforming Structure Condemnation program – Brunvand 11/1/17
- Meeting: Discussion/Action – 2<sup>nd</sup> Public Hearing on proposed fiscal year 2018 Budget and First Reading of Budget Ordinances – Brunvand 11/15/17
- Meeting: Discussion/Action – 2<sup>nd</sup> and Final Reading of proposed 2018 Budget Ordinances – Brunvand 12/6/17


**17. Set Future Meeting Dates**

- a) Council Meetings:
- October 18, 2017
  - November 1, 2017
  - November 15, 2017

**18. Other Dates:**

**19. Adjournment**

Motion by John W., second by Terry A., to adjourn at 8:10pm. Motion passed 6-0. Note: Matt Scherr was excused absent.

  
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Matt Scherr, Mayor

ATTEST:

  
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Jay Brunvand, Town Clerk

