



Official Minutes

MEETING OF THE MINTURN TOWN COUNCIL

**Minturn Town Center, 302 Pine Street
Minturn, CO 81645 • (970) 827-5645**

Wednesday November 21, 2018

Work Session – CANCELED

Regular Session – 5:30pm Executive Session

Regular Session – 6:00pm Regular Meeting Session

MAYOR – Matt Scherr

MAYOR PRO TEM – Earle Bidez

COUNCIL MEMBERS:

Terry Armistead

George Brodin

Brian Eggleton

John Widerman

Chelsea Winters

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.

Regular Session – 5:30pm

The Minturn town Council will open the Regular Meeting at 5:30 for the purpose of convening into Executive Session. At 6:00pm the Council will convene into Regular Session for the remainder of the meeting.

1. Call to Order

Matt S. called the meeting to order at 5:30pm.

- Roll Call

Those present included: Mayor Matt Scherr, Mayor Pro Tem Earle Bidez and Town Council members Terry Armistead, Chelsea Winters, George Brodin, and Brian Eggleton. Note: John Widerman was excused absent.

Staff present: Town Manager Michelle Metteer, Town Attorney Michael Sawyer, Town Water Attorney Megan Winokur, Town Planner Scot Hunn, and Town Treasurer/Clerk Jay Brunvand

- Pledge of Allegiance

Motion by Earle B., second by George B., to allow John W. to call in to the Executive Session pursuant to MMC 2-2-50(g). Motion passed 6-0. Note: John W. did not vote nor was counted as a member of the quorum.

EXECUTIVE SESSION

2. Executive Session: An Executive Session for the purpose of conferencing with the Town Attorney for the purpose of receiving legal advice on a specific legal question under CRS Section 24-6-402(4)(b) – Battle Mountain – Metteer/Winokur

Motion by Earle B., second by George B., to convene in Executive Session for the purpose of conferencing with the Town Attorney for the purpose of receiving legal advice on a specific legal question under CRS Section 24-6-402(4)(b)(e) – Battle Mountain

Note: For the Executive Session Attorneys Michael Sawyer and Megan Winokur, and Council Member John Widerman phoned in remotely to the meeting.

The meeting reconvened in Regular Session at 6:35 for the balance of the meeting.

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

4. Approval of Consent Agenda

A Consent Agenda is contained in this meeting agenda. The consent agenda is designed to assist making the meeting more efficient. Items left on the Consent Agenda may not be discussed when the Consent Agenda comes before the Council. If any Council member wishes to discuss a Consent Agenda item please tell me now and I will remove the item from the Consent Agenda and place it in an appropriate place on the meeting agenda so it can be discussed when that item is taken up by the Board. Do any Council members request removal of a Consent Agenda item?

- November 7, 2018 Minutes

Motion by Terry A., second by Chelsea W., to approve the Minutes November 7, 2018 as presented. Motion passed 6-0. Note: John Widerman was excused absent.

5. Approval of Agenda

- Items to be Pulled or Added

Motion by George B., second by Earle B., to approve the Agenda as presented. Motion passed 6-0. Note: John Widerman was excused absent.

- Declaration of Conflicts of Interest

6. Special Presentations

- Council Comments

George B. wished all a happy and safe Thanksgiving

- Committee Reports

George B. attended NWCCOG QQ meeting in Frisco and updated the Council.

PUBLIC HEARINGS AND/OR ACTION ITEMS

7. **Public Hearing/Action: Ordinance 06 – Series 2018 (Second Reading) – an Ordinance stating intent to annex Lots 1, 2, 3, and Parcel A, River View Cemetery, County of Eagle, State of Colorado – Sawyer**

Michelle M updated the Council on the Ordinance and stated there were no changes from first reading.

Public Hearing was opened

No comment

Public hearing closed

Discussion ensued as to any modifications made to the fence around the cemetery that is a wildlife hazard; no update on any modifications.

Motion by Terry A., second by George B., to approve Ordinance 06 – Series 2018 (Second Reading) – an Ordinance stating intent to annex Lots 1, 2, 3, and Parcel A, River View Cemetery, County of Eagle, State of Colorado as presented. Motion passed 6-0. Note: John Widerman was excused absent.

8. **Public Hearing/Action: Ordinance 07 – Series 2018 (Second Reading) – An Ordinance amending the Minturn Municipal Code to provide for a standardized general penalty and counsel for indigent defendants – Sawyer**

Michelle M. updated on the ordinance and stated there are no changes from first reading and recommended approval.

Public Hearing opened

No comment

Public Hearing closed

Motion by Brian E., second by Terry A., to Ordinance 07 – Series 2018 (Second Reading) – An Ordinance amending the Minturn Municipal Code to provide for a standardized general penalty and counsel for indigent defendants as presented. Motion passed 6-0. Note: John Widerman was excused absent.

9. Public Hearing/Action: Ordinance 12 – Series 2018 (First Reading) – An Ordinance amending the Minturn Municipal Code to provide for a Use Tax on Construction and Building Materials as related to ballot question 2A. - Metteer

Michelle M. introduced the Ordinance stating this is the legislation required to implement the 4% Construction Use Tax approved by the voters on November 6. She noted how the legislation will affect builders by charging a Use Tax paid to Minturn in lieu of sales tax paid at point of purchase and that Staff is working on implementation.

Discussion ensued on how collections will take place and what will trigger the tax upon a purchase. It was noted that this will pick up tax on materials purchased outside of the State because the tax is paid upon issue of the building permit not specifically the point of sale

Public Hearing opened
No public comment
Public Hearing closed

Motion by Brian E., second by Chelsea W., to Ordinance 12 – Series 2018 (First Reading) – An Ordinance amending the Minturn Municipal Code to provide for a Use Tax on Construction and Building Materials as related to ballot question 2A as presented. Motion passed 6-0. Note: John Widerman was excused absent.

10. Public Hearing: (Please remember to bring your FY2019 Budget Book) 2nd Public Hearing on proposed fiscal year 2019 Budget – Brunvand

- Remaining FY2019 Budget Questions:
 - Other Direction
 - Question/Answer

The Mayor will introduce the agenda item and announce the Public Hearing as “I hereby by call to order the Public Hearing for the purpose of discussion and comment on the fiscal year 2019 proposed budget and to gather input, pro or con on the proposed Minturn Town Budget for the fiscal year January 1 through December 31, 2019. Any citizen that would like to speak needs to clearly state their name and physical address for the record from the podium (even if they are known by all.)”

Jay B. gave a brief update of the budget and process and stated this was the second of two public hearings on the FY2019 Budget.

No public comment

Public Hearing was closed

After discussion, direction was given to support and budget for the Front Country Ranger program funding.

Discussion ensued as to how the Use Tax may free up General Fund revenue.

Matt S. announced this is the second of two Public Hearings on the Fiscal Year 2019 Preliminary Budget and citizens are encouraged to contact the Town Hall with questions or comments during regular business hours at 827-5645.

11. Public Hearing/Action: Ordinance 08 – Series 2018 (First Reading) An Ordinance Creating a Supplemental Appropriation to the i2018 Town of Minturn Budget – Brunvand

Jay B. outlined the Ordinance and highlighted the salient points.

Public Hearing opened
No Public comment
Public Hearing closed

Motion by Earle B., second by George B., to approve Ordinance 08 – Series 2018 (First Reading) An ordinance amending the 2017 budget as set forth in the following exhibit “a”, to appropriate additional general fund revenues in the amount of \$138,671.00, and appropriating additional general fund expenditures in the amount of \$165,271.00, and appropriating additional enterprise fund revenues in the amount of \$5,000.00 and appropriating additional enterprise fund expenditures in the amount of \$76,680.00, and appropriating additional conservation trust fund revenue in the amount of \$700.00, and appropriating additional building fund revenue in the amount of \$1,675.00, and appropriating additional market fund revenue in the amount of \$600.00, and appropriating additional market fund expense in the amount of \$7,000.00, and appropriating additional capital fund revenue in the amount of \$2,500.00 and appropriating additional battle mountain resort fund revenues in the amount of \$2,750.00, and appropriating additional battle mountain resort fund expenses in the amount of \$25,000.00 as presented.. Motion passed 6-0. Note: John Widerman was excused absent.

12. Public Hearing/Action: Ordinance 09 – Series 2018 (First Reading) An Ordinance Setting the 2019 General Property Tax Mill Levy for the Town of Minturn – Brunvand

Jay B. outlined the Ordinance and highlighted the salient points.

Public Hearing opened
No Public comment
Public Hearing closed

Motion by George B., second by Chelsea W., to approve Ordinance 09 – Series 2018 (First Reading) an Ordinance levying General Property Taxes for the year 2019 to meet operating costs of government for the Town of Minturn, Colorado for the 2019 Budget Year as presented. Motion passed 6-0. Note: John Widerman was excused absent.

13. Public Hearing/Action: Ordinance 10 – Series 2018 (First Reading) An Ordinance Adopting the Fee Schedules for Fiscal Year 2019 for the Town of Minturn – Brunvand

Jay B. outlined the Ordinance and highlighted the salient points.

Public Hearing opened
No Public comment
Public Hearing closed

Motion by Terry A., second by George B., to approve Ordinance 10 – Series 2018 (First Reading) an Ordinance annually setting, amending and approving Town fees as set forth in the attachment to be included in Appendix “A” of the Minturn Municipal Code for the Town of Minturn, Colorado fees commencing January 1, 2019. Motion passed 6-0. Note: John Widerman was excused absent.

14. Public Hearing/Action: Ordinance 11 – Series 2018 (First Reading) An Ordinance Adopting and Recognizing the Town of Minturn’s 2019 Revenues and Expenses by Fund – Brunvand

Jay B. outlined the Ordinance and highlighted the salient points.

Public Hearing opened
No Public comment
Public Hearing closed

Motion by Chelsea W., second by Brian E., to approve Ordinance 11 – Series 2018 (First Reading) an Ordinance recognizing revenues, appropriating expenditures, approving transfers and adopting the Town of Minturn budget for the period beginning on the first day of January 2019 and ending on the last day of December 2019 as presented. Motion passed 6-0. Note: John Widerman was excused absent.

COUNCIL INFORMATION / UPDATES

15. Staff Updates

- Manager Report

Methodology:

With the approval of the 2018-20 Strategic Plan, staff will now focus on the four key strategies identified by the Town Council.

Here is an overview of the lead measures being taken for each strategy:

(a) Practice fair, transparent and communicative local government

- Started seeking quotes for a new, more user-friendly, town website platform
- Implementing new weekly document retention goals

- Newsletter sign-up link added to all staff email signatures
 - Creation and implementation of “Incident form” for use by Public Works on all public concern calls
 - Staff team values established and included for reference
- (b) Long-term stewardship of the natural beauty and health of Minturn’s environment
- Preparing 2015 IBC for presenting and adoption by Council by end of 2018
 - Preparing verbiage for amending of the Minturn Municipal Code to include the requirements of burying transmission lines
 - Reviewing community-composting opportunities
- (c) Sustain and invest in the things that define Minturn as a proud, sturdy mountain town to “keep Minturn Minturn”
- Secured the services of Willa Williford for the purposes of a housing policy. Discussions at public/commission/council level to begin January 2019
 - Securing marketing and events contract for the focus of “telling Minturn’s story”
- (d) Advance decisions/projects/initiatives that expand future opportunity and viability for Minturn
- Appraisal work underway for Dowd Junction parcel
 - Considering sub master planning contract for Dowd Junction parcel
 - Applied for \$25k water planning grant
 - Requested proposal from Ehlers Municipal Financial for Capital Improvement Planning
 - Researching UPRR licensing options for a 12” main water line to (potentially) run through their property

Discussion ensued if we could track who is signed up to the newsletter; no.

Matt S. updated on the turnout of the November Minturn voters and stated this was the largest in recent years.

Michelle M. also highlighted the Staff Values.

Earle B. asked about the County disaster preparedness training that half of staff will be attending. This is a county wide program.

Terry A. thanked Chris Huffman, Eagle Town Council, with his help on issues the Shooting Range Committee is considering to mitigate the shooting range concerns and a management plan

- Future Meeting Topics

MISCELLANEOUS ITEMS

16. Future Meeting Dates

- a) Council Meetings:
- December 5, 2018
 - December 19, 2018

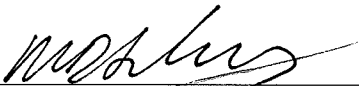
- January 3, 2019

17. Other Dates:

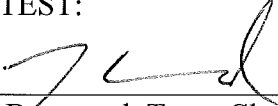
- November 22-23, 2018 Thanksgiving – Office Closed

18. Adjournment

Motion by Terry A., second by Chelsea W., to adjourn at 7:22pm. Motion passed 6-0. Note: John Widerman was excused absent.



Matt Scher, Mayor

ATTEST:


Jay Brunvand, Town Clerk

