



Official Minutes

MEETING OF THE MINTURN TOWN COUNCIL

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

Wednesday July 19, 2017

Work Session – CANCELLED

Regular Session – 5:30pm

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 – CANCELLED

Regular Session – 5:30pm

1. Call to Order

Mayor Matt Scherr called the meeting to order at 5:31pm

- Roll Call

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

Staff present: Town Manager Willy Powell, Assistant Town Manager/Econ Dev Michelle Metteer, Town Planner Janet Hawkinson, Town Attorney Michael Sawyer, Town Water Attorney Megan Winokur, 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 Terry A., to approve the agenda as presented. Motion passed 7-0.

EXECUTIVE SESSION

- ### **3. Executive Session** – An Executive Session for the purpose of receiving legal advice on specific legal questions 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 land acquisition and potential Battle Mountain agreements

Motion by Terry A., second by Sidney H., to convene in Executive Session for the purpose of receiving legal advice on specific legal questions 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 land acquisition and potential Battle Mountain agreements. Motion passed 7-0.

The Council convened in regular session from Executive Session at 6:35pm. The Council noted they had recessed the Executive Session and would reenter the Executive Session at the end of this meeting.

Resumed public session at 6:35

Regular Session – 6:30pm

4. Approval of Minutes

- June 21, 2017

Motion by Sidney H., second by Sage P., to approve the minutes of June 21, 2017 as presented. Motion passed 7-0.

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

Rev. Dan Matney spoke regarding snow removal and how well it went this past winter with everyone working together.

Mr. Tim McGuire, Battle Mountain Resort, 440 Eagle St, spoke reference the Mountain Top Parcel and that it is for sale but they have not had any offers on it. He expressed his company's eagerness to work through the projects at hand with staff and the Council.

6. Special Presentations

- Committee Reports

John W. attended a Climate Action Planning meeting and updated the Council. And updated on the Eagle Mine Committee stating that several clean up options, OU-1 and OU-3, have been released and how they might affect the property. Currently the comment period is open.

Earle B. updated on the Battle Mountain Committee. Currently they are reviewing the water and water needs of both the town and the project and how each will affect and work with the other.

- Council Comments

Terry A. updated on the Minturn Concern Series held on Thursday nights at Little Beach Park. Terry A. also comment that although she missed the meeting on the shooting range but stated that if the users cannot police themselves then other options need to be considered. She stated the range is directly across the river from her home and the late night noise is excessive. Matt S. did note that posters had been posted on the site expressing the need to police themselves. Willy P. noted this is a nonofficial public group that maintains the site but that it is USFS, not in town, and in County. Discussion ensued on options but no direction was given.

M. Floyd Duran, 643 Boulder St., stated in the past the USFS has been resistant to closing off the access road as it is also access to maintained hiking trails.

Matt S. reiterated the Minturn Concerts, and also reminded of the drive-in movies and the Saturday Minturn Market, donation Yoga at Little Beach on Saturdays, and July 24 is the next Monday's with the Mayor 4-6 with Michelle M. and August 28.

COUNCIL AND STAFF REPORTS

7. Town Planner (5min)

Janet H. updated on some things the Planning Commission is working on.

8. Town Manager (5min)

- Manager's Report

Holy Cross Powerline Alignment

Mayor Scherr, District Ranger Aaron Mayville, HCE representative David Bleakley, Tim McGuire and I have a meeting on Wednesday, July 19 to discuss alignments and impacts. Matt and I will have an update for Council.

Entryway Warranty Issues

The town has entered into a settlement agreement with ICON Construction for warranty issues for the Entryway/100 Block Project. The issues involve cracked sections in the “turntable” area and spalled section in the 100 Block. The town has received funds to cure the above problems and will be corrected by a different contractor.

Sidewalk Replacement Program

As reported earlier we have good response to our cooperative replacement program. Work is progressing on Main St. and Pine St.

SGM Scope and Fee Proposal to Evaluate Water Infrastructure Upgrades

John Volk and I met with SGM representatives to finalize the Proposal, with costs and time schedule.

Battle Mountain/Water

The Battle Mountain project and related water items are now taking additional time and effort by staff, consultants and Council committees.

Matt S. discussed the Broadband internet impact. He asked if the Town wanted to put this on the November County Ballot. This would allow all municipalities to work in tandem by running the question.

Direction to Staff was to notify the county of our intent to participate with the ballot question.

- Action Report

9. Assistant Town Manager (5min)

- Assistant Manager’s Report

Michelle M. reminded all that the short-term rental law has taken affect and is being enforced.

10. Town Attorney

EXECUTIVE SESSION

- 11. Executive Session** – An Executive Session for the purpose of receiving legal advice on specific legal questions 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 land acquisition and potential Battle Mountain agreements

Council reconvened in Executive session at 7:34pm as a continuation of the earlier motion. The Council exited the Executive Session at 10:06pm.

As a result of the Executive Session the Council requested the Town Treasurer to provide a breakdown of costs from the Battle Mountain Project for future discussion.

FUTURE AGENDA ITEMS

12. Next Meeting – August 2, 2017

13. Future Meetings:

- Work Session on housing – Hawkinson
- Snow plow & mag chloride debriefing
- Council discussion regarding Use Tax Election and Broadband Opt-in Election
- Discussion/Action Item: Easement Vacation for 106 Main St – Hawkinson

14. Set Future Meeting Dates

- a) Council Meetings:
- August 2, 2017
 - August 16, 2017
 - September 6, 2017

15. Other Dates:

- Minturn Market: Saturdays


16. Adjournment

Motion by John W., second by Earle B., to adjourn at 10:09pm. Motion passed 7-0.



Matt Scherr, Mayor

ATTEST:



Jay Brunvand, Town Clerk

