



**Wednesday, August 2, 2023
Regular Session – 5:30pm**

AGENDA

**Town Council Meeting Minturn Town Hall / Council Chambers
302 Pine St Minturn, CO**

The agenda is subject to change, including the addition of items 24 hours in advance or the deletion of items at any time. The order of agenda items listed are approximate. This agenda and meetings can be viewed at www.minturn.org.

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

This will be an in-person meeting with access for the public to attend in person or via the Zoom link included. Zoom Link: <https://us02web.zoom.us/j/86019510472>

Zoom Call-In Information: **1 651 372 8299 or 1 301 715 8592 Webinar ID: 860 1951 0472**

Please note: all virtual participants are muted. In order to be called upon an unmuted, you will need to use the “raise hand” feature in the Zoom platform. When it’s your turn to speak, the moderator will unmute your line and you will have five (5) minutes for public comment.

PUBLIC COMMENTS: If you are unable to attend, public comments regarding any items on the agenda can be submitted to Jay Brunvand, Town Clerk, prior to the meeting and will be included as part of the record.

1. CALL TO ORDER

2. ROLL CALL & PLEDGE OF ALLEGIANCE

3. APPROVAL OF CONSENT AGENDA Consent agenda items are routine Town business, items that have received clear direction previously from the council, final land-use file documents after the public hearing has been closed, or which do not require council deliberation.

3.1 July 18, 2023 Special Meeting Minutes Pg 4

3.2 July 19, 2023 Meeting Minutes Pg 6

3.3 Resolution No. 21 – Series 2023 Public Service Agreement; Stolfus Engineering, for the purposes of design and engineering for the Main Street Phase II Sidewalk project Pg 20

4. **APPROVAL OF REGULAR AGENDA** Opportunity for amendment or deletions to the agenda.
5. **DECLARATION OF CONFLICTS OF INTEREST**
6. **PUBLIC COMMENT** Citizens are invited to comment on any item on the Consent Agenda, or not on the regular Agenda subject to a public hearing. Please limit your comments to five (5) minutes per person unless arrangements have been made for a presentation with the Town Clerk. Those who are speaking are requested to state their name and address for the record.
7. **COUNCIL COMMENTS & COMMITTEE REPORTS**
8. **STAFF REPORTS**
 - 8.1 Manager’s Report Pg 63
9. **SPECIAL PRESENTATIONS** Presentations are limited to 5 minutes. Invited presentations are limited to 10 minutes if prior arrangements are made with the Town Clerk.
 - 9.1 Eagle Valley Trails Update Pg 65
10. **BUSINESS ITEMS** Items and/or Public Hearings are listed under Business may be old or new and may require review or action by the Council.
 - 10.1 Resolution No. 20 – Series 2023 A Resolution Appointing a Historic Preservation Commission Member Pg 81
 - 10.2 Ordinance No. 10 – Series 2023 (Second Reading) An Ordinance Approving the Historic Landmark Designation for the Meyer’s Barn located at 25 Harrison Avenue Pg 85
 - 10.3 Ordinance No. 11 – Series 2023 (First Reading) An Ordinance Approving an Encroachment Agreement for the Minturn Saloon including dedication of easement for Sidewalk encroaching on Minturn Saloon Property and Railroad Ave encroaching on Minturn Saloon property Pg 102
11. **DISCUSSION / DIRECTION ITEMS**
 - 11.1 Exterior Energy Offset Program Pg 109
 - 11.2 Xcel Energy – Request for Variance Pg 112
 - 11.3 Colorado Parks & Wildlife – Devin Duval
12. **FUTURE AGENDA ITEMS** Pg 117
13. **EXECUTIVE SESSION**

An Executive Session for the purposes of receiving legal advice on specific legal questions pursuant to C.R.S. 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 pursuant to C.R.S. 24-6-402(4)(e) – Possible Belden Place Litigation Settlement and Battle Mountain Settlement

14. ADJOURN

INFORMATIONAL ONLY ITEMS

Upcoming Council Meetings:

- Aug 14, 2023 (tentative) Special Meeting
- Aug 16, 2023
- Sept 6, 2023



Tuesday, July 18, 2023
Executive Session – 5:30pm

OFFICIAL MINUTES

**Town Council Meeting Minturn Town Hall / Conference Room
302 Pine St Minturn, CO**

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The Minturn Town Council will open the Regular Meeting at 5:30pm for the sole purpose of convening into Executive Session. It is intended that no other business will be taken up at this Special Meeting.

1. CALL TO ORDER

Mayor Earle B. called the meeting to order at 5: 30pm.

Those present included: Mayor Earle Bidez, Mayor Pro Tem Terry Armistead, Town Council members, Lynn Feiger, Gusty Kanakis, Brian Rodine, Kate Schifani, and Tom Sullivan.

Staff present: Attorney Mike Sawyer, Nike Poppe, and Justin Plaskov, and Town Manager Michelle Metteer.

2. APPROVAL OF REGULAR AGENDA Opportunity for amendment or deletions to the agenda.

Motion by Gusty K., second by Kate S., to approve the Agenda of July 18, 2023 as presented. Motion passed 7-0.

3. DECLARATION OF CONFLICTS OF INTEREST

4. EXECUTIVE SESSION

- 4.1 An Executive Session for the purposes of receiving legal advice on specific legal questions pursuant to C.R.S. 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 pursuant to C.R.S. 24-6-402(4)(e)

- Battle Mountain Settlement Agreement
- Belden Place Litigation

Motion by Lynn F., second by Gusty K., to convene in executive session for the purposes of receiving legal advice on specific legal questions pursuant to C.R.S. 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 pursuant to C.R.S. 24-6-402(4)(e)

- Battle Mountain Settlement Agreement
- Belden Place Litigation

As presented. Motion passed 7-0.

5. ADJOURN

Motion by Kate S., second by Tom S., to adjourn at 7:27pm.

Earle Bidez, Mayor

ATTEST:

Jay Brunvand, Town Clerk



**Wednesday, July 19, 2023
Regular Session – 5:30pm**

OFFICIAL MINUTES

**Town Council Meeting Minturn Town Hall / Council Chambers
302 Pine St Minturn, CO**

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MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

This will be an in-person meeting with access for the public to attend in person or via the Zoom link included. Zoom Link: <https://us02web.zoom.us/j/86073268516>

Zoom Call-In Information: **1 651 372 8299 or 1 301 715 8592 Webinar ID: 860 7326 8516**

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PUBLIC COMMENTS: If you are unable to attend, public comments regarding any items on the agenda can be submitted to Jay Brunvand, Town Clerk, prior to the meeting and will be included as part of the record.

1. CALL TO ORDER

Mayor Earle B. called the meeting to order at 5:30pm.

2. ROLL CALL & PLEDGE OF ALLEGIANCE

Those present included: Mayor Earle Bidez, Mayor Pro Tem Terry Armistead, Town Council members, Lynn Feiger, Gusty Kanakis, Kate Schifani, and Tom Sullivan. Note: Brian Rodine was excused absent.

Staff present: Attorney Richard Peterson-Cremer, Town Engineer Jeff Spanel, Town Manager Michelle Metteer, Town Planner Scot Hunn, and Town Clerk/Treasurer Jay Brunvand (zoom).

3. **APPROVAL OF CONSENT AGENDA** Consent agenda items are routine Town business, items that have received clear direction previously from the council, final land-use file documents after the public hearing has been closed, or which do not require council deliberation.

3.1 July 5, 2023, Meeting Minutes

3.2 987 S Main Street – Exterior Modifications to Existing Commercial Buildings

Motion by Gusty K., second by Tom S., to approve the Consent Agenda of July 5, 2023 as presented. Motion passed 5-0. Note: Brian R. was excused absent and Terry A recused herself as her husband has a project on the approval.

4. **APPROVAL OF REGULAR AGENDA** Opportunity for amendment or deletions to the agenda.

Motion by Gusty K., second by Terry A., to approve the Agenda of July 19, 2023 as presented. Motion passed 6-0. Note: Brian R. was excused absent.

5. **DECLARATION OF CONFLICTS OF INTEREST**

Lynn F. stated she had a conflict of interest with the HPC application as her husband is one of the applicants and would recuse herself,

6. **PUBLIC COMMENT** Citizens are invited to comment on any item on the Consent Agenda, or not on the regular Agenda subject to a public hearing. Please limit your comments to five (5) minutes per person unless arrangements have been made for a presentation with the Town Clerk. Those who are speaking are requested to state their name and address for the record.

7. **COUNCIL COMMENTS & COMMITTEE REPORTS**

Terry A. stated the MFC is considering three candidates to manage the Center. She wished Kevin Roop all the best as he moves on. She noted the street art that was installed at Main and Nelson and at 1st St. Deven Duval, CPW will be at the Aug 2 meeting, she updated on the Thursday Minturn Concert series and that she is ready to move forward on LBP upgrades.

Lynn F. stated the affordable art fair will be taking place Aug 5 from 11am-5pm. All art will be \$100 or less.

Kate S. updated on the Scholarship Committee. Nine applicants will receive a total of just over \$8,000. She thanked Fraser Horn for his guidance with the funds.

Earle B. noted he has seen families take photos of the street art. Minturn Matters is Tuesday July 25 at the Agora 5:30-7pm.

Lynn F. noted the poster that was matted and is in the Council Room for viewing.

8. STAFF REPORTS

8.1 Manager's Report

For the Love of Local Wildlife We are excited to be enjoying the summer season in the Colorado Rockies. With this special time of year comes the need to pay extra diligence toward any outdoor garbage storage. If you store your garbage bin outside, you are required to have it locked in a wildlife-proof container. Bears, raccoons, and a variety of other furry critters just love what you may have thrown out the night before and everyone needs to be mindful that a violating bear is a dead bear.

She noted the signage that will be installed giving guidance for dealing with bears. If you can put your trash can in your garage or shed, please do so.

Human Resource Services I plan to contract with Employer's Council for human resource services. Minturn's Employee Handbook is now 25-years old and in need of updating. Additionally, the resources and HR specialists available can provide Minturn with job descriptions, salary surveys, a resource library and guidance on medial leave issues. Attached are documents pertaining to the contracted services. Minturn would be under the "Consulting" category.

Two Elk Target Range I met with USFS, CPW, BLM and Eagle County representatives regarding the Two Elk Target Range. The USFS is currently working to determine their bandwidth for adding the TETR into their scope of work for 2024. They already have a full workload but will make final determinations later this year.

Minturn Tank #3 (New Concrete Tank) I am hopeful the new tank will be in operation by the time of this council meeting. Final controls are set to be programmed on Monday, July 17th and once completed, the tank should be filled and operational.

Minturn Fitness Center Kevin Roop, MFC Manager, will be moving to Aspen and the MFC has published a notice for candidates. I will be interviewing three candidate finalists next week and expect a determination shortly thereafter. We wish Kevin the very best in his new endeavors.

Bellm Bridge Repairs SEH was contracted to recommend temporary scour countermeasures to address an Essential Repair Finding (ERF) for the Bellm Bridge in Minturn, CO. The bridge is currently showing major signs of scour including a number of exposed footers and piers. To address the ERF, it was determined that temporary scour protection needed to be put in place to minimize further erosion and prevent potential failure of the bridge. The most recent bridge inspection report and ERF can be found in an attachment to this memo. The intent is to place riprap to prevent further scour damage to the Bellm Bridge while funding and design for permanent improvements are determined.

Michelle M. noted the necessary advance work necessary for the upgrades at LBP. This work will take a lot of staff time, grants, and fund raising to accomplish. She also noted we will be contracting with Employers Council for HR support.

9. **SPECIAL PRESENTATIONS** Presentations are limited to 5 minutes. Invited presentations are limited to 10 minutes if prior arrangements are made with the Town Clerk.
10. **BUSINESS ITEMS** Items and/or Public Hearings are listed under Business may be old or new and may require review or action by the Council.

10.1 Ordinance 10 – Series 2023 (First Reading) An Ordinance Approving the Historic Landmark Designation for the Meyer’s Barn located at 25 Harrison Avenue

Lynn F. recused herself and left the dais.

Madison H. presented for Staff.

Review the landmark designation nomination of 25 Harrison Avenue (Commonly known as the Meyer’s Barn) based on the criteria outlined in the Minturn Municipal Code Sec. 19-3-20, citing findings of fact, and forwarding a recommendation of approval, approval with conditions, or denial to the Minturn Town Council.

Application: #2023L – 001
Address: 25 Harrison Avenue
Zoning: Old Town Character Area – Mixed-Use Zone
Owner: PowPowNow LLC (locally Loren Bendel)
Applicant(s): Ken Halliday
Kelly Toon
John “Woody” Woodruff

A nomination has been submitted for Historic Landmark status of the Meyer’s Barn located at 25 Harrison Avenue. Staff reviewed and deemed the application complete and to meet the Minturn landmark designation criteria. As such, staff scheduled a public hearing for the Historic Preservation Commission meeting on July 6, 2023. Adjacent properties and the owner of 25 Harrison Avenue were notified via certified mail, and a notice placed in the Vail Daily 10 days before the public hearing. Staff recommended approval.

Mr. Ken Halliday, 811 Main, co-nominator updated in support.

Mr. Loren Bendele, co-nominator, also spoke in support.

Public Hearing Opened
No Public Comments
Public Hearing Closed

Motion by Gusty K., second by Terry A., to approve Ordinance 10 – Series 2023 (First Reading) an Ordinance approving the Historic Landmark Designation for the Meyer’s Barn located at 25 Harrison Ave as presented. Motion passed 5-0. Note: Brian R. was excused absent and Lynn F. stood recused.

Lynn F. resumed her seat at the dais.

10.2 Ordinance 09 – Series 2023 (Second Reading) An Ordinance Approving the Amendment to the Official Game Creek Character Area and Zone District Map

Richard P-C noted as previously discussed, Ordinance 09 – Series 2023 would be voted on prior to Resolution 19 – Series 2023. However, to avoid confusion and redundancy, the public discussion would include both Ordinance 09 – Series 2023 and Resolution 19 – Series 2023 simultaneously.

Richard P-C asked each Council Member to note any conflict of interests

Terry A. noted her husband has two applications that might be perceived as a conflict of interest. She noted the applications do have water from existing water taps on the property. She has kept herself abreast of the meetings and the proceedings to date. She asked the members of the Council and Tom S. and Earle B. did express concern. Earle B. stated she has seen the Planning Commission meeting that this was presented in. Richard P-C questioned her if this would predispose her self to a decision. Earle B. noted that 3 fo the five majority of the Council felt this was not a conflict that would exempt her.

The Mayor stated the process of Staff, applicant, council questions, public hearing opened for comments would be followed. He reviewed the public comment section. It was noted the Resolution and the Ordinance will be discussed jointly but voted on separately.

Scot H. presented for staff.

At their regularly scheduled meeting of June 28, 2023, the Minturn Planning Commission reviewed the Updated Minturn North Preliminary Plan for PUD applications - collectively an Updated Preliminary Plan, Updated Preliminary Plat for Subdivision, and Updated Zone District Amendment. On July 5 Council approved Ordinance 09 – Series 2023 on first reading and tabled Resolution 19 – Series 20 in order to follow Ordinance approval.

The Preliminary Plan was remanded back to the Planning Commission by the Council on May 5, 2022, and the Applicant has been working diligently since that time to update and revise the applications based on Council direction, and to proceed through the Town’s review processes.

At their meeting of June 28, 2023, the Planning Commission considered the updated application(s), as well as the staff report, testimony of staff and consultants, as well as testimony of the Applicant and of the public. The following topics were discussed during the public hearing:

- Project shall use no more than 54 SFEs. Any unused SFEs shall be relinquished to the Town.
- All Town of Minturn Waterwise Landscaping guidelines and requirements shall be followed for individual lot landscaped design, irrigation and maintenance and all common area revegetation shall be limited to native, drought tolerant seed mixes.
- All residential lots are to be limited to a maximum of 2,000 square feet of outdoor irrigation.

- Any temporary irrigation necessary to reestablish and revegetate all disturbed areas and/or common areas shall be limited on an annual basis to no more than 50,000 square feet.
- Lot and impervious coverage limits prescribed within the PUD Guide shall be reduced by a minimum of 5%.
- The Applicant shall work with the Town prior to any Final Plan/Plat application to update plans to add three (3) walkway connections and to provide details for materials and construction. Any plan details for additional trail connections added within the PUD shall be accompanied by engineer estimates of probable costs (to be included in Final Plan Subdivision Improvement Agreement documents) and shall include the following:
 - One (1) at the end of Miles Lane northern driveways connecting to Taylor St.
 - One (1) at the cul-de-sac of Miles Lane connecting to the ECO Trail along Minturn Road.
 - One(1) at the southern end of Mile’s Lane connecting to Taylor Avenue.
- The Applicant shall eliminate the Minturn North Design Review Board (DRB) from the Minturn North PUD.
- Current parking conditions along the West side of Taylor Avenue shall remain in effect.
- The Applicant shall revise and update the Minturn North PUD Guide and/or project covenants and declarations to allow for outdoor play equipment such as trampolines.
- The Applicant shall work with the Town prior to or concurrent with any Final Plan for PUD submission to refine fencing guidelines and/or restrictions within the Minturn North PUD Guide and/or project covenants prior to or concurrent with any Final Plan for PUD submission.
- The Applicant shall work with the Town prior to or concurrent with any Final Plan for PUD submission to determine locations where on street parking may be accommodated on or along Minturn Road.
- The Applicant shall facilitate additional review of any Final Plan/Plat documents with the Eagle River Fire Protection District prior to or concurrent with any Final Plan for PUD submission, to specifically and confirm maneuverability, turn-arounds and fire hydrant location.
- The Applicant shall revise and update the Minturn North PUD Guide and/or project covenants prior to or concurrent with any Final Plan for PUD submission to limit construction hours to Mon-Sat 7am to 6pm, with indoor work permitted on Sundays.
- The Applicant shall work with the Town to finalize all SFE and consumptive use calculations and restrictions that will apply to the PUD.
- The Applicant shall work with the Town prior to or concurrent with any Final Plan for PUD submission to address Short Term Rentals (STRs) within the PUD.
- The Applicant shall revise the Final Plat document as well as the Minturn North PUD Guide and/or project covenants to remove the “Dedication Parcel” from the PUD boundaries.

The last suggested condition - requiring the removal of the “Dedication Parcel” from the PUD - is proposed by staff to ensure that the Town will have maximum flexibility to plan, zone, and use the Dedication Parcel for Town purposes and, importantly, to ensure that any use by the Town 1) is not dictated by the PUD, and 2) does not require the Town to process a PUD amendment for any use that is not contemplated in the PUD Guide document.

Mr. Rick Hermes spoke as the applicant. He stated most had been covered and touched on Impervious surface was covered, Minturn Rd to Dowd Jct will be paved, and discussed Game Creek parking issues. They are working on DRB process and allowances. He said any HOA DRB approval would still go to the Town DRB.

Mr. Hermes discussed drainage from Taylor St has been reviewed and is designed to handle the

snow melt efficiently. He noted that the town and project will continue to work as partners after they receive approvals. They are here to be part of the town.

Council comments

Gusty K. emphasized 54SFE max. and felt lot Coverage is okay. HOA, would they be able to park trailers, etc. This is being looked at and they are carving out a provision for temporary camper parking but not to live in.

Mr. Hermes updated on private fencing; this will be within the building envelope. Lot coverage will be limited to 50% impervious to 60%, the very small lots would allow slightly more. He noted they are planning on the largest house on the smallest lot in order to plan conservatively.

Lynn F.:

Felt the project looks good. She is concerned what looser means. She felt the colors have been reduced to just shades of whites and tans and felt this was very restrictive and didn't fit Minturn. She was concerned of another sea of off whites and no real color. Mr. Hermes stated they are open to a guideline from the town. He said they want the owners to be able to develop their home as they see best fits.

Terry A.:

Wanted to be cognizant of elk and animal migrations. Was concerned with trail head parking. She felt our hiking trails are getting a lot of use and parking all over is a problem. She is concerned about the impact on the neighborhood and would like to see more discussion and ideas. She expressed snow storage areas in the dedicated land to the Town. She asked about speed issues on Minturn Rd. Discussion ensued as to how this would work between Town/Developer/County. Richard P-C will follow up on this. Expressed concern that the UPRR property sans this property is industrial and we are moving residential development closer to that area as UPRR is looking to keep their property industrial. Scot H. added that this would be part of the buyer/seller disclosure. Mr. Hermes stated UPRR has a covenant that goes with all contracts that the line could re-open. Her concern was buyers-be-ware. She asked about vested rights: Richard P-C explained we are granting development on these lots as detailed here. The preliminary approval is to have the engineering to a level that lots as presented will be consistent through final plan. Richard P-C stated staff is comfortable with the level we are at for Preliminary and that we will not see project changing modifications at Final.

Tom S.

Would like developer to Extend water/sewer to the town dedicated land. It is adjacent but they will ensure it is to the property.

Kate S.

She asked about temporary irrigation, who/how is that limited? Mr. Hermes. stated it is the Town that determines that and they are working with Michelle and Martin/Wood on this. The irrigation is a single system and the homeowner would not have control of that which would control the actual use.

Earle B.

Noted we have a fulltime Planner and a contract part time planner. He noted that DRBs included within an HOA project like this still have to go to the town DRB. He felt this saves our staff and still allows us decision authority. He stated the 54SFE limit and landscape restrictions of water wise. Trail and sidewalk connectivity, which have been included in this plan with soft surface connections. The lot coverage is set at 50% and 60% impervious. Jeff S. updated on the drainage from Taylor. He stated this would be separate from Taylor St. and will provide continuous filtering of the water which will absorb more so than a standard storm culvert. Traditional snow storage will now collect in the drainage and divert it away from the new homes. Construction will be 7-6 m-sat and indoor construction only on Sundays. The construction use tax will allow for treatment/paving of Taylor St. It is important to note that the town is NOT ceding our development approval process to the developer.

5min recess at 7:21

Michelle M. noted we are matching ERWSD guides on SFE allocation.

Earle B. outlined the rules of the Public Hearing procedures.

Public Hearing opened

Mr. Michael Bettino, 110 Taylor St, is encouraged by the council's questions and the developers continued working with the town and neighbors. He felt affordable housing and employee housing and the town should not get in to this due to our water issues. He is concerned the town will allow employee housing on the parcel dedicated to the town. He wants better transparency on that land. He stated the townhomes use that parcel to stack snow and that is not going to be affected.

Mr. Kelly Toon, 531 Main St, encouraged a ski-way from the Minturn Mile since it is going to happen anyway. He wants parking looked at more. He felt it would be nice for the development HOA to adopt the town codes.

Mr. Rob Gosiewski, 560 Taylor St, was encouraged with the work done to date by the developer and town. He is concerned that this is not smaller attainable housing instead of big lots and big homes. Wants the town to control the streets and maintenance. On the town dedicated lot, he would like to see a park and snow storage.

Mr. Devin Duval, Colo parks and wildlife, has yet to see a wildlife mitigation plan that is required. It will take time to review this document. Would like to see some of the fees dedicated to wildlife issues. He recommends building time frames where the winter months are limited to indoor construction to lessen the impacts on migration treks. Happy to work with the applicant on these matters.

Ms. Christine, 262 Taylor, asked about the HOA and lots 34-39, with reduced HOA fee would they get a reduced vote in the HOA, concerned with the walkability of he project and encourages the town to control not the HOA. Is concerned of putting lowincome housing on just the town dedicated land, wants more.

Mr. Bill Hobletzell, 262 Taylor, discussed the water and best way to xeriscape, concerned with the trans-Continental divide water diversions, feels outdoor water use should be further limited, wants permanent dedicated public parking on the west side of Taylor St, feels the dedicated parcel should be more vetted for community uses, feels the roads and infrastructure should be town not HOA maintained.

Ms. Kate Burchenel, 242 Taylor St, concerned with outdoor water uses to see expanded native grasses, need for better planned parking, supports affordable housing on the dedicated parcel.

Ms. Jen Babcock, 1109 Crazy Horse in Edwards, supports the project, felt the developer is listening to the community.

Mr. David Clapp, 392 Taylor St, likes the project and density, felt we could use the land to a better use for attainable, concerned with parking at the north end of Taylor St, didn't like it was a private road with not parking, would like to see a bus stop.

Mr. Daren Tacholke, 530 Taylor, supports project, the landscape utility drainage along Taylor should include snow storage, feels the developer should pay to pave Taylor and drainage system, concerned with the dedicated property should be a public park that they build, felt the parking along the west side of Taylor should be allowed, overflow parking should be parallel along Minturn Road.

Public Hearing Closed.

Staff Comments

Michelle M. stated from the staff perspective the dedicated land will go through a public process to determine the best use, this is NOT that process. She noted the comment to move skier traffic to Minturn Rd to reduce parking, agreed with Devin on dedicated funds to wildlife mitigation, Mr. Hermes clarified the lots 34-39 would receive one combined vote, not a vote per home; this will continue to be reviewed by the town attorneys. Mr. Hermes agreed but was open to ensuring that it is fair. He noted the concern was to get the cost down for those homes but would of course follow law. Michelle M. noted where you are able to park on Taylor you will be able to park there as a condition of the PUD. Jeff S. addressed the parking safety concerns. He stated Minturn Rd is a collector street and it would not be safe on the west side. If parking is allowed it would need to be monitored. She noted the town will repave with a curb but not a sidewalk on Taylor in order to allow parking. If there is more interest in parking and sidewalks the town would need to take back more of the legal ROW. She noted streetlights are liked and complained about. For the most part, the current parking allowed will be allowed at completion. Michelle M. confirmed the inclusions of public snow storage for specified areas of Taylor.

Scot H. discussed the adoption of the water wise design principles and how those would affect the individual lot landscaping including drought tolerant plants.

Council comments

Gusty K. questioned the HOA after buildout. Richard P-C stated that winding down the DRB by the HOA could be done, but winding down HOA could not and should not be totally removed.

Lynn F. feels the town DRB should be utilized not the HOA. Felt our DRB fees should be increased to cover the costs to process the applications. She felt the town understood better what the town wants, more so than the HOA that doesn't understand the desires of the town. She asked if there was anything we could do to improve the safety of parking on Minturn Rd? Jeff S. stated we would need a larger ROW but would need to review to ensure it is possible. It was noted the RR most likely would not allow the easement to extend further into the RR. Parking options were discussed. Lynn F. felt the town has limited colors and she feels a separate DRB will not prove productive and we as a town do not want that.

Earle B. noted the HOA DRB would not reduce the approval process the town would still have purview over. The HOA DRB would more streamline the process. The town still has the ultimate authority to review and approve. If the PC approves something the Council would still have call up authority over the PC regardless of what the HOA DRB approved. This adds a layer of review that ensures everyone is on the same page.

Mr. Hermes noted they have an option to buy the northern 5 acres but it is a "rock slide" zone which limits access.

Terry A. asked of the southern cul de sac? Mr. Hermes stated the topography limits access to Taylor and the northern cul de sac to Minturn Rd. She asked about the HOA DRB. Scot H. stated they could be different for our standards but honestly it is the Town's design standards that are most limiting. Rick H. noted what the homeowner wants they will try to accommodate. He said they do need an HOA to maintain the infrastructure and common areas. It is easy to remove the DRB from the HOA. She asked about the common area irrigation. This will be included in the SIA. She asked about the impervious footprint, why is the need? Rick H. stated this allows for garages, overhangs, etc. The point of the PUD allows this and the current zoning does not have any guidelines for this. Scot H. noted the impervious surface does affect water shedding, and landscape to allow for a usable yard. Terry A. asked of risks to not have everything in place? Scot H. stated we have 19 conditions which is on the small side and most of the risk is on the developer.

Tom S. felt the HOA DRB is not an issue and should be in place. He felt the dedicated parcel allows the town's input of what should be there. He feels park, housing, and snow storage could all work there in unison at the same time. He felt this is a good project and we have a developer that is working with the town.

Kate S. encouraged a resolution for more and better parking.

Earle B. agreed with Kate S. He discussed with the council to apply RETT and Const Use Tax funds to overlay Taylor with an eye to increase parking. Council agreed and felt it was something they could get done.

HOA DRB direction and as agreed to by Mr. Hermes was the HOA would not have a DRB

function and no design guidelines.

Staff is recommending approval of the Updated Preliminary Plan, Updated Preliminary Plat for Subdivision, and Updated Zone District Amendment.

Motion by Tom S., second by Gusty K., to approve Ordinance 09 – Series 2023 (Second Reading) an Ordinance Approving the Amendment to the Official Game Creek Character Area and Zoning District Map as presented. Motion passed 6-0.

10.3 Resolution 19 – Series 2023 A Resolution Approving the Minturn North Preliminary Development Plan for Planned Unit Development (PUD) and Preliminary Plat Land Use Applications

Motion by Tom S., second by Kate S., to approve Resolution 19 – Series 2023 A Resolution approving the Minturn North Preliminary Development Plan for Planned Unit Development (PUD) and Preliminary Plat Land Use Application as presented with staff recommended conditions. Motion passed 6-0.

- (1) The Applicant shall work with the Town Engineer prior to or concurrent with any Final Plan/Plat application to address referral comments related to further evaluation of hazards that may impact final design of all civil engineering and/or subdivision design(s).
- (2) The Applicant shall work with the Town Engineer prior to or concurrent with any Final Plan/Plat application to adequately address all remaining technical plat and/or civil engineering details and suggested revisions outlined in letters from Intermountain Engineering dated May 22, 2023, and June 20, 2023.
- (3) The Applicant shall work with the Town to finalize any/all outstanding issues related to the draft Subdivision Improvements Agreement and associated 100% construction level plans prior to or concurrent with Final Plan/Plat application submittal.
- (4) The Applicant shall continue dialogue with the Town Engineer about potential improvements to Taylor Avenue in line with potential capital improvements as determined and approved by the Minturn Town Council as part of the Town of Minturn Capital Improvements Plan, as amended from time to time.
- (5) The Minturn North PUD shall use no more than 54 SFEs. Any unused SFEs shall be relinquished to the Town.
- (6) All Town of Minturn Waterwise Landscaping guidelines and requirements, as amended from time to time, shall be followed for individual lot landscaped design, irrigation and maintenance and all common area revegetation shall be limited to native, drought tolerant seed mixes.

- (7) All residential lots are to be limited to a maximum of 2,000 square feet of outdoor irrigation.
- (8) Any temporary irrigation necessary to reestablish and revegetate all disturbed areas and/or common areas shall be limited on an annual basis to no more than 50,000 square feet.
- (9) Lot and impervious coverage limits prescribed within the Minturn North PUD Guide shall be reduced by a minimum of 5%.
- (10) The Applicant shall work with the Town prior to any Final Plan/Plat application to update plans to add three (3) walkway connections and to provide details for materials and construction. Any plan details for additional trail connections added within the PUD shall be accompanied by engineer estimates of probable costs (to be included in Final Plan Subdivision Improvement Agreement documents) and shall include the following:
 - (a) One (1) at the end of Miles Lane northern driveways connecting to Taylor Avenue.
 - (b) One (1) at the cul-de-sac of Miles Lane connecting to the ECO Trail along Minturn Road.
 - (c) One (1) at the southern end of Mile's Lane connecting to Taylor Avenue.
- (11) The Applicant shall eliminate the Minturn North Design Review Board (DRB) from the PUD.
- (12) Current parking conditions along the West side of Taylor Avenue and within the Taylor Avenue Right-of-Way shall be maintained.
- (13) The Applicant shall revise and update the Minturn North PUD Guide and/or project covenants and declarations to allow for outdoor play equipment such as trampolines.
- (14) The Applicant shall work with the Town prior to or concurrent with any Final Plan for PUD submission to refine fencing guidelines and/or restrictions within the Minturn North PUD Guide and/or project covenants prior to or concurrent with any Final Plan for PUD submission.
- (15) The Applicant shall work with the Town prior to or concurrent with any Final Plan for PUD submission to determine locations where on street parking may be accommodated on or along Minturn Road.
- (16) The Applicant shall facilitate additional review of any Final Plan/Plat documents with the Eagle River Fire Protection District prior to or concurrent with any Final Plan for PUD submission, to specifically and confirm maneuverability, turn-arounds and fire hydrant location.
- (17) The Applicant shall revise and update the Minturn North PUD Guide and/or project covenants prior to or concurrent with any Final Plan for PUD submission to limit construction hours to Mon-Sat 7am to 6pm, with indoor work permitted on Sundays.

- (18) The Applicant shall work with the Town prior to or concurrent with any Final Plan for PUD submission to address Short Term Rentals (STRs) within the PUD.
- (19) The Applicant shall revise the Final Plat document as well as the Minturn North PUD Guide and/or project covenants to remove the “Dedication Parcel” from the PUD boundaries.

THAT, the Updated Preliminary Plat application be approved subject to the following conditions:

- (1) The Applicant shall work with Town staff to update the Updated Preliminary Plat prior to or concurrent with any Final Plan/Plat application to address any/all outstanding technical and/or legal requirements as noted in previous staff and consultant referral comments.
- (2) The Applicant revise the Updated Preliminary Plat to add language specific to Tracts B and E, “Open Space,” as well as Tract C, “Dedication Parcel,” to reference and provide for snow storage uses.
- (3) The Applicant revise the Updated Preliminary Plat to add language and/or easements permitting public access on, over and through Tract D “R-O-W” for Miles End Lane, as well as Tract G “Right of Way,” and associated “Access, Utility and Drainage” easement for Silver Star Trail.

11. DISCUSSION / DIRECTION ITEMS

11.1 Discussion/Direction – Exterior Energy Offset Program

This item was moved to the August 16 meeting.

12. FUTURE AGENDA ITEMS

13. ADJOURN

Motion by Tom S., second by Kate S., to adjourn at 9:43pm.

Earle Bidez, Mayor

ATTEST:

Jay Brunvand, Town Clerk

INFORMATIONAL ONLY ITEMS

Upcoming Council Meetings:

- Aug 2, 2023
- Aug 14, 2023 (tentative) Special Meeting
- Aug 16, 2023



To: Mayor and Council
From: Jay Brunvand
Date: August 2, 2023
Agenda Item: Resolution 21 – Series 2023

REQUEST:

Staff is recommending Council to approve Resolution 21 – Series 2023 as presented.

INTRODUCTION:

The Town of Minturn is prepared to begin Phase II of the South Minturn sidewalk installation. This Resolution approves engineering services for Phase II of that project. The project will include improvements to the pedestrian, bicycle and drainage improvements that will extend the sidewalk approximately 4/10's of a mile from its current terminus at approximately 1003 Main St south to approximately 1350 Main St (The Boneyard).

ANALYSIS:

The project will construct an attached 6' sidewalk that is ADA compliant with curb ramps, parallel parking lanes, curb and gutter, and drainage infrastructure to connect the pedestrian network between downtown Minturn and South Minturn.

The project will be designed and constructed in compliance with federal-aid requirements, with the Colorado Department of Transportation (CDOT), as the oversight entity for the federal funds.

COMMUNITY INPUT:

N/A

BUDGET / STAFF IMPACT:

The General Fund costs for Minturn will include required matching funds for the grants, however, grants are being applied for that would lessen this impact if awarded.

STRATEGIC PLAN ALIGNMENT:

In accordance with Strategy #4 the Town will advance decisions/projects/initiatives that expand future opportunity and viability for Minturn.

RECOMMENDED ACTION OR PROPOSED MOTION:
Motion to approve Resolution 21 – Series 2023

Attachments:

- Resolution 21 – Series 2023 and referenced agreement

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 21 – SERIES 2023**

A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT BETWEEN STOLFUS AND ASSOCIATES, INC AND THE TOWN OF MINTURN FOR PHASE II OF THE EXPANSION OF THE SIDEWALK NETWORK IN SOUTH MINTURN AND AUTHORIZING THE MAYOR OF THE TOWN OF MINTURN TO SIGN THE AGREEMENT.

WHEREAS, The Minturn Town Council has reviewed the Engineering Services Proposal with Stolfus and Associates and deems it acceptable; and,

WHEREAS, The Town Council desires to engage Stolfus and Associates as presented in the attached agreement.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO:

SECTION 1: The Minturn Town Council hereby approves the Professional Services Agreement between Stolfus and Associates and the Town of Minturn, Colorado and authorizes the Mayor or designee to execute said agreement.

SECTION 2: This resolution to be in full force and effect from and after its passage and approval.

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 2ND day of August, 2023.

TOWN OF MINTURN

By: _____
Earle Bidez, Mayor

ATTEST:

Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO
Design and Engineering Services

CDOT RMS Grant – US Highway 24 Pedestrian + Drainage Improvements
CDOT Sub Account Number: 25362
Project Number: M890-002

July 27, 2023

INTRODUCTION

The Town of Minturn has identified a need to improve pedestrian facilities along Main Street (US Highway 24) between the mid-block pedestrian crossing (end of Phase I project) and Boneyard Open Space. The project will expand the local multimodal network and provide an accessible route for people with disabilities. Design of this project has been completed to the FOR level.

The Town of Minturn has obtained Revitalizing Main Streets Grant funding for the design and construction of the proposed improvements. This scope of work identifies the work elements necessary to complete final design and advertisement/bid assistance of the improvements described above including the necessary clearances required for the CDOT Local Agency review process.

The project will be constructing the continuation of sidewalk and drainage improvements on both sides of the project limits along Main Street. This task order identifies the scope of work necessary to provide one final round of design review and complete plan, specification, and estimate construction documents through advertisement.

WORK SCOPE

Work Element 1: Project Administration/Management

Stolfus & Associates, Inc. (Stolfus) with support from Inter-Mountain Engineering (IME), Farnsworth Group, Inc. (Farnsworth), Pinyon Environmental (Pinyon), HDR, and T2 Utilities (T2) will review and process invoices monthly and provide other project administration/management services (coordination and product review) throughout the duration of the project. Stolfus will be responsible for day-to-day management and coordination of the work elements. Stolfus will coordinate with the Town on project progress.

Work Element 2: Initial Project Meeting

Immediately after receipt of notice to proceed, Stolfus, Farnsworth, IME, T2, Pinyon, and HDR will hold a kickoff (scoping) meeting with Town staff and CDOT as identified by the Town. This Work Element will confirm the scope of work, project schedule, work elements to be provided by CDOT and provide an opportunity to confirm design-related issues and requirements. Stolfus will be responsible for scheduling the meeting, preparing meeting exhibits, and participating in the meeting.

Meeting notes will be generated and distributed to the meeting attendees by Stolfus. It is assumed that the project kick-off meeting will be held virtually.

Work Element 3: Sidewalk/Roadway Design

The team completed FOR design for Main Street as part of a previous task order. Final design of the sidewalk will include finalizing horizontal and vertical geometry and project impacts including roadway patching and/or widening. Curb ramp layouts will be finalized. It is assumed that curb ramps can be constructed utilizing CDOT standard details, so no curb ramp details will be provided at final design.

Work Element 4: Driveway Design

Driveway Design will include the development of horizontal and vertical geometry and project impacts. It is assumed that 32 driveway exhibits will be created to be included in the plan set and access documentation. The driveway exhibits will include a plan and profile view with all impacts identified for the CDOT 138 access permitting process, as well as for construction of the driveways. Stolfus will assist with CDOT Forms 138's including a matrix of properties with access modification. It is assumed that CDOT will prepare and distribute the Form 138's.

Work Element 5: Traffic Design

Signing and striping plans will be finalized according to 2009 MUTCD guidance and CDOT Standard Plans. Construction traffic control will be determined and quantities for traffic control devices during construction will be tabulated. Suggested construction phasing and device plans are included. CDOT Form 859 will be prepared at final design and submitted with a construction schedule.

Work Element 6: Specialty Unit and Subconsultant Design Coordination

Stolfus will coordinate with subconsultants on design and work elements. These include survey, drainage and utility design, SUE, and environmental coordination. Stolfus will coordinate with CDOT Specialty Units and facilitate communication with subconsultants as needed. A field visit is also included and will be coordinated with subconsultants as-needed.

Work Element 7: Right-of-Way Coordination

Stolfus will work with the team and Town to support the right-of-way acquisition process. It is assumed that all coordination will be among the team, CDOT Right-of-Way staff, and region representatives. These services will be provided on an as-needed basis. Stolfus will confirm easement shapes once final design updates are completed. It is estimated that there are approximately 18 properties with easements along the corridor. For the purposes of this scope, Stolfus will assume up to two (2) properties will need revisions from the design team based on feedback from the property owner. This scope of work also includes up to 32 hours for Stolfus to respond to questions from the right-of-way acquisition team. Stolfus will provide plan revisions and question responses when requested by the property owners. Stolfus will revise up to two driveway plan/profile exhibits. Stolfus will attend the Right-of-Way Plan Review (ROWPR) meeting and provide comments. Stolfus will inventory existing fences and recommend proposed fence type, material, and location, and determine which fences should be reset vs. placed as new material.

Work Element 8: Plan Production and QA/QC

Plans depicting the project designs will be prepared at the Design Office Review (DOR) and Plans, Specifications, and Estimates (PS&E) stages following CDOT plan submittal processes. Stolfus will provide PDF versions of plans for Town and CDOT circulation and review.

Stolfus will provide QA/QC reviews for the project. We will also provide technical support throughout the project in an advisory capacity. Our review efforts will confirm appropriateness of methodologies used, accuracy of documents, reasonableness of conclusions, document completeness, and overall clarity.

Design Office Review Plans

DOR plans shall include the following sheets (as appropriate):

- Title Sheet
- Standard Plans List
- General Notes
- Typical Sections

Scope of Work

CDOT RMS Grant – US 24 Pedestrian + Drainage Improvements

- Geometric Control Plan
- Tabulations
- Removal Plans
- Roadway Plan & Profile
- Roadway Details
 - Driveway Plan & Profile (included in Work Element 4)
- Drainage Plans, Profiles, and Details
- Utility Plans and Matrix
- SWMP Erosion Control Plans and Template
- Signing & Striping Plans
- Suggested Construction Phasing
- Cross Sections (for information only)

Specifications will be prepared.

Plans, Specifications, and Estimate (PS&E) Plans

PS&E plans will finalize the project documents in preparation for advertisement and address all comments from DOR.

Work Element 9: Advertisement and Bid Assistance

The team will be available to provide support during advertisement and assist with revisions while the project is under advertisement. Stolfus will attend the pre-bid meeting. It is assumed that the pre-bid meeting will be held virtually.

Work by Others/Exclusions

As a result of our review of the requirements for this project and discussions with the Town, various items will be provided and/or completed by CDOT or are excluded from this scope of services. If additional services are needed, the Stolfus team can provide those services in addition to the original approved scope and fee on a time and materials basis at the Standard Hourly Rates, with prior written approval from the Town. These items include:

- Major changes to the design (not anticipated):
 - Sidewalk location
 - Pavement width
 - Other items that require design that differs from the FOR submittal
- Public Involvement
- Public Involvement materials – boards, displays, or graphics
- Town Council Involvement
- Environmental, clearances and permits
- Structural Design (not anticipated)
- Lighting Design
- Landscaping Design
- Phasing and Traffic Control Device Plan
- Irrigation System Design and Plan
- Printing and reproduction of all plans and specifications for bid and/or construction purposes
- Construction observation, contract management and inspection
- Website
- Construction Project Management
- Pavement or materials investigation/design
- Utility relocation design
- Alternatives analysis, including alternate sidewalk alignments

Scope of Work
CDOT RMS Grant – US 24 Pedestrian + Drainage Improvements

- Funding and phasing scenarios
- Curb ramp details

Refer to the subconsultants’ scopes of work for a list of their exclusions in addition to the items listed here.

SCHEDULE AND FEE

Based on our current workload, Stolfus can begin work on this project immediately upon notice to proceed. Anticipated completion of work items is approximately fifteen (15) months from notice to proceed. We will complete this work at our 2023 Standard Hourly Rates. A breakdown of the scope of services and fee for our entire team is shown below.

Firm	Scope of Services	Total Fee
Stolfus and Associates, Inc.	Project Management, Roadway, and Traffic Design	\$99,180
HDR, Inc.	Right-of-Way Acquisition Services	\$79,701
T2 Utility Engineering	Subsurface Utility Engineering	\$49,115
Inter-Mountain	Drainage, Stormwater Management, Utilities, and Survey	\$31,475
Pinyon Environmental	Historic and Hazardous Materials Clearance Support	\$12,167
Farnsworth	Right-of-Way Plans	\$27,962
	<i>TOTAL</i>	<i>\$299,770</i>

End of Scope



Client:	Michelle Metteer	Client PM:	Jenna Siegel	Date:	7/21/2023
Project:	US 24 Pedestrian & Drainage Improvements	Project #:		By:	CCS
Location:	Minturn, CO	Base Budget?			
Date Requested:		Add'l Service?		5	Subconsultants
Requested by:	Michelle Metteer	Anticipated Duration		15	months

Scope Summary

Work Element	Principal \$245.00	PE-5 \$215.00	PE-3 \$195.00	PE-2 \$170.00	PE-1 \$155.00	EI3 \$140.00	EI2 \$135.00	EI1 \$130.00	Student Intern \$75.00	Accountant \$105.00	Admin Asst. 1 \$80.00	TASK HRS	PHASE TOTAL
Work Element 1 - Proj. Admin/Mgmt/Meetings		\$2,580.00	\$4,485.00							\$1,680.00			\$8,745.00
Coordination			15									15	\$2,925
Contract Admin/Billing		8								16		24	\$3,400
Progress Meetings w/ Town		4	8									12	\$2,420
Subtotal Hours		12	23							16		51	
Work Element 2 - Initial Project Meeting		\$645.00	\$1,365.00										\$2,010.00
Kickoff Meeting Prep		1	3									4	\$800
Kickoff Meeting		2	2									4	\$820
Meeting documentation			2									2	\$390
Subtotal Hours		3	7									10	
Work Element 3 - Sidewalk/Roadway Design		\$430.00	\$2,535.00				\$8,640.00						\$11,605.00
Paraline Alignments -- profile tweaks based on updated survey (2 algs)			4				16					20	\$2,945
Connecting road profile - refresh			1				8					9	\$1,275
Modeling		2	8				40					50	\$7,390
Subtotal Hours		2	13				64					79	
Work Element 4 - Driveway Design & Exhibits		\$860.00	\$7,020.00		\$12,400.00		\$540.00	\$8,840.00			\$1,920.00		\$31,580.00
Driveway Horizontal Alignments (32 driveways)			4		16							20	\$3,260
Driveway Vertical Alignments			1		8							57	\$9,215
Driveway sheet layouts			1		16				64			97	\$14,135
Form 138 spreadsheet			2		8			4	4		24	42	\$4,970
Subtotal Hours		4	36		80		4	68			24	216	
Work Element 5 - Traffic Design		\$645.00	\$1,950.00					\$2,860.00					\$5,455.00
Signing and Striping Refresh								6				6	\$780
Construction Phasing			2		4			16				22	\$3,290
CDOT Form 859 and Construction Schedule			1		6							7	\$1,385
Subtotal Hours		3	10					22				35	
Work Element 6 - Specialty Unit and Subconsultant Design Coordination		\$860.00	\$7,605.00		\$1,705.00								\$10,170.00
Monthly meetings (assume 5)		2	5		5							12	\$2,180
Survey Coordination			4									4	\$780
Drainage/Utility Coordination			8									8	\$1,560
SUE Coordination			8									8	\$1,560
Environmental Coordination			2		8							10	\$1,990
Field Meeting			6		6							12	\$2,100
Subtotal Hours		4	39		11							54	
Work Element 7 - ROW Coordination		\$860.00	\$2,340.00		\$620.00		\$1,080.00	\$2,080.00					\$6,980.00
ROW Shapes			1		4							5	\$815
ROWPR			3									3	\$585
ROW Assistance, Plan updates, Driveway updates			4		8			8	16			36	\$5,580
Subtotal Hours		4	12		4		8	16				44	
Work Element 8 - Plan Production and QA/QC		\$1,505.00	\$6,240.00				\$3,240.00	\$8,840.00					\$19,825.00
Front end sheet updates + Typical Sections			2					8				10	\$1,430
Geometric Control			1		2			4				7	\$1,125
Rmv/rdwy (4 sheets each)			1		4			16				21	\$3,075
Cross Sections			1		4			12				16	\$2,400
Tabulation updates			1		4			4	16			25	\$3,615
Specification updates			2		8							10	\$1,990
Address DOR comments			2		8			8	24			42	\$6,190
Subtotal Hours		7	32				24	68				131	
Work Element 9 - Advertisement and BID assistance		\$860.00	\$1,950.00										\$2,810.00
Pre-Bid Meeting (virtual)			2									2	\$390
Advertisement Assistance			4		8								\$2,420
Subtotal Hours		4	10									14	
Total Hours		43	182		95		100	174		16	24	634	
Total Raw Labor \$		\$9,245.00	\$35,490.00		\$14,725.00		\$13,500.00	\$22,620.00		\$1,680.00	\$1,920.00		\$99,180.00

SUBCONSULTANTS/VENDORS

Type Service Provided	Budget
HDR ROW Acquisition	\$79,701
T2 SUE	\$49,115
Inter-Mountain Drainage, SWMP, Utilities, Survey	\$31,475
Pinyon Environmental	\$12,167
Farnsworth ROW Plans	\$27,962
Total Subconsultants	\$200,420

EXPENSES:

expense	cost	units	qty	
Mileage	0.655	mi	260	\$170.30
Hotel	96.00	night		
Per Diem	59.00	day		
Outside Reproduction	200.00	at cost		
Other	200.00	at cost		
				\$170.30

TOTAL SERVICES

\$299,770



July 27, 2023

Jenna Siegel, PE, PMP
Transportation Engineer
Stolfus & Associates, Inc.
5690 DTC Boulevard, Suite 330W
Greenwood Village, CO 80111

RE: *Scope of Work and Fee for HDR to Provide Right of Way Services as a Subconsultant to Stolfus & Associates, Inc. for the Town of Minturn's US Highway 24 Phase 2 Project*

Dear Jenna,

The attached scope of work and fee are HDR's proposal to provide right of way services as a subconsultant to Stolfus & Associates, Inc. for the Town of Minturn's US Highway 24 Phase 2 Project. The attached scope outlines our project approach along with proposed deliverables that we plan to complete. Our fee proposal is \$79,700.75.

Let me know if you have any questions.

Sincerely,

Greg Jamieson
Senior Right of Way Project Manager

Attachments:
Scope of Work and Fee Proposal



SECTION 1: PROJECT SPECIFIC INFORMATION

PROJECT BACKGROUND

The Town of Minturn is designing a project (hereinafter referred to as the “Project”) to improve the pedestrian, bicycle and drainage improvements on U.S. Highway 24 from South Minturn to the Boneyard Open Space Park (MP 146.13 to MP 146.5). The Project will construct an attached 6’ sidewalk that is ADA compliant with curb ramps, parallel parking lanes, curb and gutter, and drainage infrastructure to connect the pedestrian network between downtown Minturn and South Minturn. The Project will formalize parking and drainage. The Project will create a visual corridor approaching south Minturn that will provide traffic calming benefits. It will connect residential and commercial properties with the park and open space within the town and it will also provide connections to transit stops and school bus stops along the highway. The Project be designed and constructed in compliance with federal-aid requirements, with the Colorado Department of Transportation (CDOT) as the oversight entity for the federal funds. Stolfus & Associates (Stolfus) is the consultant engineering firm designing the project.

The Town of Minturn and Stolfus have asked HDR to prepare a proposal for right of way (ROW) services for the Project. This scope of work, and its related fee proposal, is submitted in response to this request.

ROW acquisition is anticipated to be needed from the sixteen (16) ownerships in Table 1 below.

Table 1

Impacted Owners						
Parcel No.	APN	Owner Name	Address	Location	Appraisal or WV	Area of Parcel
TE-45	2103-263-16-008	Mary Pat Armistead	1003 HWY 24 Minturn, CO 81645	South Side of US HWY 24	WV	1,249 SQ. FT. (0.029 AC)
TE-46	2103-351-01-022	Mary Pat Armistead	1011 Main Street Minturn, CO 81645	South Side of US HWY 24		225 SQ. FT. (0.005 AC)
TE-47	2103-351-01-023	William Reis	HWY 24 Minturn, CO 81645	South Side of US HWY 24	WV	906 SQ. FT. (0.021 AC)
TE-48	2103-351-01-024	Rosenfeld Family Holdings, LLC.	1021 Main Street Minturn, CO 81645	South Side of US HWY 24	WV	1,152 SQ. FT. (0.027 AC)
TE-49	2103-351-01-026	William Gary Koehler	Main Street Minturn, CO 81645	South Side of US HWY 24	WV	243 SQ. FT. (0.006 AC)
TE-50	2103-351-01-028	Frances R. Quintana	1071 Main Street Minturn, CO 81645	South Side of US HWY 24	WV	373 SQ. FT. (0.009 AC)

Parcel No.	APN	Owner Name	Address	Location	Appraisal or WV	Comments
TE-51	2103-351-01-029	Frank & Tunde C. Lorenti	1081 Main Street Minturn, CO 81645	South Side of US HWY 24	WV	1,487 SQ. FT. (0.034 AC)
TE-52	2103-351-00-002	US Forest Service	N/A	South Side of US HWY 24	WV	1,684 SQ. FT. (0.039 AC)
TE-53	2103-351-01-082	Carmen Esparsen	1117 Main Street Minturn, CO 81645	South Side of US HWY 24	WV	401 SQ. FT. (0.009 AC)
TE-54	2103-351-01-081	1131 Main Street, LLC.	1131 Main Street Minturn, CO 81645	South Side of US HWY 24	WV	325 SQ. FT. (0.008 AC)
TE-55	2103-351-01-095	John & Cherish Rosenfeld	1141 Main Street Minturn, CO 81645	South Side of US HWY 24	WV	374 SQ. FT. (0.009 AC)
TE-56	2103-351-01-066	Mary Lou Ann Valdez	1011 Mountain Drive #1B Minturn, CO 81645	South Side of US HWY 24	WV	1,099 SQ. FT. (0.025 AC)
PE-57	2103-351-00-006	Vail Corporation	N/A	North Side of US HWY 24	A	3,000 SQ. FT. (0.069 AC)
TE-58	2103-351-01-089	1191 Main Street, LLC.	1191 Main Street #28 Minturn, CO 81645	South Side of US HWY 24	WV	712 SQ. FT. (0.016 AC)
TE-59	2103-351-01-028	Elmer L. Christiansan	1207 Main Street Minturn, CO 81645	South Side of US HWY 24	WV	325 SQ. FT. (0.008 AC)
TE-60	2103-351-06-003	Jean L. & Gordon P. Flaherty	30 Vista Barranco Minturn, CO 81645	South Side of US HWY 24	WV	837 SQ. FT. (0.019 AC)
TE-60A	2103-351-06-003	Jean L. & Gordon P. Flaherty	30 Vista Barranco Minturn, CO 81645	South Side of US HWY 24		670 SQ. FT. (0.019 AC)
TE-61	2103-351-01-041	IVM Investments, LLC. c/o SBR Investments, LLC.	1251 Main Street Minturn, CO 81645	South Side of US HWY 24	WV	613 SQ. FT. (0.019 AC)

- One appraisal will be needed for the ROW parcels from Vail Corporation.

All aspects of the ROW process for Project will be conducted consistent with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act) and the CDOT ROW Manual.

The ROW services HDR will provide pursuant to this scope of work include: (i) assisting Stolfus and its professional land surveying (PLS) subconsultant in developing right of way plans and legal descriptions for the acquisition parcels needed, and obtaining CDOT approval of such ROW plans and legal descriptions for Project, (ii) determining the just compensation for the ROW parcels needed from each ownership, (iii) negotiating the ROW parcels from each ownership, and (iv) closing on the sale of such parcels. Note that Stolfus's professional land surveying (PLS) subconsultant is responsible for preparing and stamping all required ROW plans and legal descriptions.

HDR's ROW team will provide the work described in this document.

ROW TEAM RESPONSIBILITIES AND DUTIES

- Assistance with Development and CDOT Approval of ROW Plans
- Valuation of ROW Parcels.
- Acquisition Negotiation for ROW Parcels.
- Closing on Purchase of ROW Parcels.

WORK PRODUCT

- ROW Schedule
- ROW Budget
- ROW Project Coordination
- Meeting Minutes
- Appraisals and Waiver Valuations
- Acquisition Files, including Offer Packets, Agreements, Conveyance Deeds, Easement Agreements, Negotiation Logs

Requirements are further described in the sections that follow.

TABLE OF CONTENTS

This scope of work will consist of the following four tasks:

1. ROW Project Management, Meetings and Coordination.
2. Valuation - appraisals and waiver valuations will be prepared for ROW parcels.
3. Acquisition Negotiation for ROW Parcels.
4. Coordinate Closings.

HDR seeks to avoid the need for the use of eminent domain on all its projects, however it is sometimes needed to resolve an outlier. Eminent domain support is not a specific task, however if eminent domain were to be needed and approved by the Town of Minturn, HDR can provide support for eminent domain, but additional fee for such support will need to be negotiated.

TASK 1: ROW PROJECT MANAGEMENT, MEETINGS AND COORDINATION

Task 1.1 Project Records Set Up and Invoicing

Set up parcel files and tracking sheets. Prepare and provide monthly invoices.

Assumption:

- Twelve (12) monthly invoices will be needed.

Task 1.2 ROW Kickoff Meeting

The ROW Team will conduct a ROW kickoff meeting with Stolfus and the Town of Minturn. The meeting will include coordination with Stolfus and the Town of Minturn Project Team on the ROW process and Town procedures to be followed. The ROW Project schedule and budget will be discussed at the meeting. An initial ROW Project schedule and budget will be prepared following the meeting. Forms to be used will be identified at this meeting. The Town's approvals and approvers for the ROW process will be identified at this meeting.

Following the kickoff meeting, HDR will compile and send out minutes from the meeting.

Deliverables:

- One (1) meeting agenda
- Minutes from meeting

Task 1.3 External Project Coordination Meetings

HDR and the Town will meet as required to monitor progress on the ROW process, discuss issues and obtain required Town decisions. Discussion items may include assisting Stolfus and its PLS subconsultant in developing right of way plans and legal descriptions for the acquisition parcels needed, and assisting with obtaining CDOT approval of such ROW plans and legal descriptions, modifications to the schedule and budget, progress on the ROW phases (review & comments on draft ROW Plans, valuation, acquisition negotiation and closings), review of acquisition tracking sheets, responses to counteroffers, strategies for challenging negotiations and other issues, and problem solving.

Following the coordination meetings, HDR will compile and send out minutes of the meeting.

Deliverables:

- Four (4) meeting agendas
- Minutes from four (4) meetings
- One (1) ROW project schedule, updated, as needed
- One (1) ROW project budget, updated as needed
- Acquisition tracking sheets

Task 1.4 Internal Coordination

This task is for HDR's tasks associated with managing the project. This task includes the ROW Team's internal coordination, internal ROW Team meetings, updating acquisition tracking sheets, updating the ROW Project schedule and budget, as needed.

TASK 2: PARCEL VALUATIONS

Task 2.1 Waiver Valuation

Review market sales data to determine land values to be used in the waiver valuations (used to be known as value findings). Prepare waiver valuations in compliance with Town requirements. Submit waiver valuations to the Town for review and approval. Waiver valuations will be the basis for the offers made to the landowner.

Deliverables:

- Fifteen (15) waiver valuations.

Assumptions:

- Fifteen (15) waiver valuations will be needed. This number may change as the design advances and ROW impacts are better defined. If more than fifteen (15) waiver valuations are needed, additional fee will need to be negotiated.

Task 2.2 Appraisal

HDR's in-house appraiser will prepare an appraisal consistent with the appraisal requirements of the CDOT ROW Manual. HDR will deliver the draft of such appraisal to the Town. HDR will coordinate with the Town on the Town's review of the appraisal and the with CDOT Region 3 on the appraisal review required by the CDOT ROW Manual. It is assumed that CDOT Region 3 will conduct the CDOT ROW Manual required appraisal review. The appraisal will be modified and completed after the appraiser considers comments from the reviews.

Deliverables:

- One (1) eminent domain appraisal

Assumptions:

- This task assumes one (1) eminent domain appraisal. If additional appraisals are needed, additional fee for such appraisal(s) will need to be negotiated
- This task assumes that CDOT Region 3 will conduct the CDOT ROW Manual required appraisal review.

Task 2.3 Landowner Appraisal Review

Section 38-1-121, C.R.S. requires, for acquisitions with estimated values greater than \$5K, that landowners to be advised of their right to get an appraisal and have the governmental entity reimburse them for the reasonable value of the appraisal if certain conditions are met. If the landowners notified of this right take advantage of it and submit appraisals to the Town, HDR will submit such drafts to CDOT for the appraisal review required by the CDOT ROW Manual. HDR will monitor the CDOT appraisal review process determine if a new FMV should be issued. The results of the CDOT appraisal review will be considered by HDR in its recommendations to the Town, as to whether the landowner appraiser's fee should be paid.

Deliverables:

- CDOT appraisal review memorandums and FMVs, if applicable.

Assumptions:

- Section 38-1-121, C.R.S. requires landowners to be advised of their right to get an appraisal and have the Town pay for it if certain conditions are met, for acquisitions with estimated values greater than \$5K. Landowners may or may not take advantage of this right. This task assumes that four (4) landowners advised of this right will take advantage of it.

The cost of landowner appraisals is not included in this HDR SOW and fee estimate and will be paid separately by the Town.

TASK 3: ACQUISITION NEGOTIATION

Task 3.1 Preparation and Delivery of Acquisition Documents

Prepare and send notice of intent to acquires, offer letters, final offer letters and additional correspondence as agreed to by the Town and HDR.

Deliverables:

- Notice of intent to acquires.
- Offer packets.
- Additional correspondence and documents, as needed.
- Final offers, if required.

Assumptions:

- For consistency, all notice of intent to acquires and offer packets will be prepared on templates acceptable to CDOT for federal-aid acquisitions.
- Acquisition negotiations from sixteen (16) landowners will be needed. This number may change as the design advances and ROW impacts are better defined. If acquisitions from more than sixteen (16) landowners are needed, additional fee will need to be negotiated.

Task 3.2 Conduct Acquisition Negotiations

Negotiate consensual agreements for the acquisition of property rights based on waiver valuations and appraisals, as applicable.

Deliverables:

- Signed settlement agreements.
- Justification for administrative settlements and other Town required settlement forms.
- Negotiation logs.

Task 3.3 File Maintenance, QA/QC Review and Submittal

One hard copy file will be maintained by HDR for each acquisition. At a minimum, the file will contain: the notice of intent to acquire, appraisal or value finding; offer letter; closing documents; typed and signed negotiation logs of contacts with owners; and the related correspondence regarding the parcel acquisition. Upon completion of each acquisition, files will be finalized, QC'd and delivered to the Town.

Deliverables:

- Final files – hard copy and digital

Assumptions:

- Sixteen (16) final files will be needed.

TASK 4: CLOSINGS

Task 4.1 Coordinate Closings

It is anticipated that HDR will conduct the closings for the acquisition of temporary easements only. The closing of the acquisition of the permanent easement needed from Vail Corporation will be through a title company. This task covers HDR preparing documents for and conducting the closing of the acquisitions of temporary easements only and it covers HDR's coordination of the closing of the permanent easement needed from Vail Corporation with a title company. The title company to be used for such closing will be a subconsultant to Stolfus's PLS subconsultant.

Deliverables:

- Closing packets and final signed and recorded agreements from closings. Fifteen HDR closings and one (1) title company closing are anticipated.
- Title insurance policy from the one (1) title company closing.

Assumptions:

- Closings of acquisitions from sixteen (16) landowners will be needed. HDR will conduct fifteen (15) of these closings and one (1) of these closings will be handled by a title company. The title company to be used for such closing will be a subconsultant to Stolfus's PLS subconsultant.

For closings conducted by the Title Company, the Town will pay all Subconsultant Title Company's closing fees, including recording fees, costs associated with lien releases, if any, and the cost of title insurance policies.

ROW PROJECT SCHEDULE

The specific ROW Project Schedule will be developed between HDR, Stolfus and the Town after the notice to proceed. It is currently anticipated that ROW plans for the project will be completed and approved by CDOT in the Spring of 2024. Most of the ROW services described above will not start until such ROW plans are approved.

Stolfus & Associates (The Town of Minturn) ROW for U.S. Highway 24 Pedestrian & Drainage Improvements Project

Fee Estimate

7/27/2023

HDR Labor																					
Job Classification												Hours by Task	Labor \$s by Task	Mileage		Printing, Publication, FedEx, & Misc.	Total ODCs by Task	Subtotal Fee by Task			
Project Role														Units	\$0.655						
Staff Name																					
Billing Category																					
2023 Billing Rate																					
Tot. Weeks																					
001	ROW PROJECT MANAGEMENT, MEETINGS AND COORDINATION	Start Date	8/1/2023	End Date	12/31/2024	74.00	6	36	4	12	12	2	28	2	102.00	\$ 14,886.00	-	\$ -	\$ -	\$ -	\$ 14,886.00
001.1	Project Records Set Up and Invoicing	Start Date	8/1/2023	End Date	12/31/2024			8		2	2		28	2	42.00	\$ 5,294.00		\$ -		\$ -	\$ 5,294.00
001.2	ROW Kickoff Meeting	Start Date	8/1/2023	End Date	12/31/2024		2	2							4.00	\$ 864.00		\$ -		\$ -	\$ 864.00
001.3	External Project Coordination Meetings	Start Date	8/1/2023	End Date	12/31/2024		2	14	2	2	2		2		24.00	\$ 4,154.00		\$ -		\$ -	\$ 4,154.00
001.4	Internal Coordination	Start Date	8/1/2023	End Date	12/31/2024		2	12	2	8	8				32.00	\$ 4,574.00		\$ -		\$ -	\$ 4,574.00
002	PARCEL VALUATIONS	Start Date	3/1/2024	End Date	12/31/2024		4	56	20	22					102.00	\$ 13,794.00	-	\$ -	\$ -	\$ -	\$ 13,794.00
002.1	Waiver Valuation	Start Date	3/1/2024	End Date	12/31/2024			4	12	18	20				54.00	\$ 6,590.00		\$ -		\$ -	\$ 6,590.00
002.2	Appraisal	Start Date	3/1/2024	End Date	12/31/2024				38						38.00	\$ 5,852.00		\$ -		\$ -	\$ 5,852.00
002.3	Landowner Appraisal Review	Start Date	3/1/2024	End Date	12/31/2024				6	2	2				10.00	\$ 1,352.00		\$ -		\$ -	\$ 1,352.00
003	ACQUISITION NEGOTIATION	Start Date	3/1/2024	End Date	12/31/2024	43.58	2	36	2	184	170				394.00	\$ 44,796.00	-	\$ -	\$ -	\$ -	\$ 44,796.00
003.1	Preparation and Delivery of Acquisition Documents	Start Date	3/1/2024	End Date	12/31/2024			10		38	34				82.00	\$ 9,394.00		\$ -		\$ -	\$ 9,394.00
003.2	Conduct Acquisition Negotiations	Start Date	3/1/2024	End Date	12/31/2024		2	20	2	128	120				272.00	\$ 30,750.00		\$ -		\$ -	\$ 30,750.00
003.3	File Maintenance, QA/QC Review & Submittal	Start Date	3/1/2024	End Date	12/31/2024			6		18	16				40.00	\$ 4,652.00		\$ -		\$ -	\$ 4,652.00
004	CLOSINGS	Start Date	9/1/2023	End Date	12/31/2024	69.58	4		22	18					44.00	\$ 4,956.00	-	\$ -	\$ -	\$ -	\$ 4,956.00
004.1	Coordinate Closings	Start Date	3/1/2024	End Date	12/31/2024			4		22	18				44.00	\$ 4,956.00		\$ -		\$ -	\$ 4,956.00
099	Direct Expenses	Start Date	10/1/2023	End Date	12/31/2024	65.29									-	\$ -	1,250.00	\$ 818.75	\$ 450.00	\$ 1,268.75	\$ 1,268.75
099.1		Start Date	10/1/2023	End Date	12/31/2024										-	\$ -	1,250.00	\$ 818.75	\$ 450.00	\$ 1,268.75	\$ 1,268.75
Total HDR Labor Hours							8.00	80.00	62.00	238.00	222.00	2.00	28.00	2.00	642.00	\$ 78,432.00	1,250	\$ 818.75	\$ 450.00	\$ 1,268.75	\$ 79,700.75
TOTAL PROJECT FEE																			\$79,700.75		

Scope of Work

Town of Minturn – US24 Revision 1



July 27, 2023



Stolfus & Associates, Inc.

ATTN: Jenna Siegel, PE, PMP

Email: jenna@StolfusandAssociates.com

Phone: 303.540.3262

RE: Minturn Ped + Bike Phase 2

Ms. Siegel,

Thank you for the opportunity to propose on this project. Our experience providing subsurface utility engineering for State DOTs, counties, municipalities, and various public works departments will enable us to successfully complete this utility investigation and meet the program and project goals. T2 UES, Inc.'s active involvement in the development of 2018 Colorado Revised Statute, Title 9, Article 1.5 underscores our commitment to the State of Colorado and the delivery of successful projects. The combination of our resources and experience will provide you and your Client with the confidence that T2 UES, Inc. is the right choice to complete the project on time and on budget. For more information, please visit www.T2ue.com.

Our Scope of Services is further detailed in the project understanding section of the proposal. The proposal has been prepared based upon information received from Stolfus and Associates, Inc. on July 10, 2023, and a phone call on July 13, 2023. We have provided you with a Not to Exceed Time and Material Fee to complete the specific items described within the Scope of Services. We respectfully request any comments or questions you may have.

Thank you again for this opportunity. We are committed to giving you the quality and service that you expect from T2 UES, Inc.

Sincerely

T2 UES, Inc.

Kristen Miller, P.E.

Project Manager

150 Capital Drive, Suite 190

Golden, CO 80401

kristen.miller@t2ue.com

303.549.1424



Scope of Work

Town of Minturn – US24

PROJECT UNDERSTANDING

The Town of Minturn is looking to complete Subsurface Utility Engineering (SUE) services in the support of the Minturn Pedestrian and Drainage Improvements Project. The limits of the Subsurface Utility Engineering (SUE) Investigation can be seen below in Figure 1 depicted in purple. The SUE Investigation limits span approximately 0.45 miles of US 24 and includes the area from ROW to ROW of US 24.

T2 UES, Inc. estimates from preliminary research and observations that approximately 11,300 linear feet of subsurface utilities are present within the project limits. T2 UES, Inc. identified five utility owners within the project limits during preliminary research.

It is understood that the Town of Minturn desires to comply with the requirements outlined in Colorado Revised Statutes, Title 9, Article 1.5 (CRS 9-1.5) and perform an ASCE/UESI/CI 38-22: Standard Guideline for Investigating and Documenting Existing Utilities compliant SUE investigation that is signed and sealed by a Professional Engineer. The T2 UES, Inc. team will utilize the ASCE/ UESI/CI 38-22 standard for collecting and depicting the existing utilities and build a high-quality representation of the existing utilities. This process will include an iterative field investigation and drawings that are signed and sealed by a Professional Engineer licensed in the state of Colorado in accordance with all of the requirements outlined in the State Law.



Figure 1: SUE Investigation Limits



Scope of Work

Town of Minturn – US24

PROJECT APPROACH

T2 UES, Inc.'s general workflow to our approach is outlined below and includes weekly updates for the entire project team:

1. Perform records research.
2. Perform a geophysical investigation (field designating).
3. Perform a survey of utility appurtenances and markings placed by our designators.
4. Complete utility depictions as outlined in the ASCE/UESI/CI 38-22 standard.
5. QA/QC of our investigation's findings based on existing records and our fieldwork.
6. Review the investigation's findings with the design team and project stakeholders.
7. Coordinate and perform QLA test holes.
8. Provide documentation of the completed utility investigation findings – signed and sealed by a licensed engineer.

ASCE/UESI/CI 38-22 provides a nationally recognized, standard guideline for the collection and depiction of existing subsurface utility data. The quality level provides a professional opinion of the quality and reliability of the utility information. The four quality levels are as follows:

- **Quality Level D (QLD):** Utility Quality Level D (QLD) information is determined primarily from the review and documentation of existing second-party information, such as utility records, historical project records, permits, verbal accounts, the existence of service, visual indicators, and/or One-Call markings, put into context with any other information the SUE Professional has in their possession during a Utility Investigation.
- **Quality Level C (QLC):** Utility Quality Level C (QLC) information is determined by correlating underground Utility Segments from existing second-party information to observable and measurable visible Utility Features. QLC does not refer to the Utility Feature or portion of the Utility Segment that is visible. It refers to the unobservable portion of the Utility Feature or Utility Segment that connects to visible, typically aboveground or within an accessible vault, surveyed Utility Features.
- **Quality Level B (QLB):** A Utility Quality Level B (QLB) may be assigned to a Utility Segment after the application of appropriate surface geophysical methods to identify the existence and approximate horizontal position of utilities (a Utility's "Designation"), followed by survey and documentation, review of available field and office data, and a final determination of the position for the Utility Segment or Utility Feature on the Deliverables. All aforementioned tasks are performed under the direct responsible charge of the SUE Professional. The largest source of potential error is usually the interpretation of the geophysical findings and results.
- **Quality Level A (QLA):** Quality Level A (QLA) builds on QLB information by confirming the existence, exact locations, and other attributes of subsurface utility through the exposure of the utility using safe excavating practices. QLA data are determined by physically exposing an unobservable utility feature or utility segment (essentially making it observable) and documenting its spatial extent and characteristics with a high degree of accuracy. Conventional accuracies shall be 0.1ft (30mm) vertical and 0.2ft (60 mm) horizontal for the measurements of the outside limits of the utility features or utility segment that is exposed.



Scope of Work

Town of Minturn – US24

SCOPE OF WORK

The scope of services identified below provides for a QLA, QLB, QLC, and QLD investigation.

T2 UES, Inc. shall conduct, document, stamp, and seal a Subsurface Utility Engineering (SUE) investigation of the project area to document existing utilities within the project limits. As part of the SUE investigation for this project, T2 UES, Inc. will work on the following tasks:

Utility Records Research

- Submit a Subsurface Utility Engineering ticket to Colorado 811 to aid in the identification of Utility Owners that may have facilities on, or be affected by, the project.
- Request, collect and review applicable utility facility records available through Utility Owner(s), such as one-call notification, service maps, as-built drawings, standard drawings, service plats, construction plans from prior projects, local government or Agency permit exhibit drawings, and oral histories gained through interviews with Utility Owner officials and authorities.
- Compile a list of all utility companies contacted for information. Note information received with contact information for each response and note non-response if applicable.

Field Utility Investigation (Utility Designation)

- Utilize appropriate surface geophysical techniques to determine the approximate horizontal position of utilities within the project area. Once designated (horizontally positioned), verified utilities are marked using appropriate pink paint and flagging which is the standard industry color for temporary survey markings. Utilities type or ownership that cannot be confirmed by the field investigation will be termed “unknown”. T2 UES, Inc. will utilize a suite of equipment including pipe and cable locators (PCL), Ground Penetrating Radar (GPR), magnetometers, and detectable sondes.
- If accessible, structures connected to gravity-fed systems will be opened, and inverts will be measured. Invert information and, where accessible, pipe size/material for the sewers will be collected at manholes/catch-basins from the surface and shown on the drawings accordingly. The alignment of the sewer pipes will be shown on the drawing based on a combination of record information received, results of the invert investigation, surveyed manholes/catch-basins, and professional judgment. If chambers are full of water or confined space entry is required, extra costs will be incurred and will be discussed with the Client in advance.
- T2 UES, Inc. will survey the utility designation marks and utility appurtenances referenced to the project survey controls. The results of this utility investigation and any survey work performed in conjunction with the investigation will be tied to the project datum as specified by the client and existing survey grade control points provided to T2 UES, Inc. for their use if available. In the absence of direction from the client or a control diagram, T2 UES, Inc. will choose a Local Coordinate System based on either local or NAVD88 vertical datum.

QA/QC and Professional Services

- Generate and review permits and Maintenance of Traffic plans.
- Review the field investigation documents and records collected as a part of records research. Use professional judgment to assign quality levels and horizontal positions to subsurface utilities.
- Consolidate and draft the collected field information into ORD and PDF deliverables compliant with CDOT formatting.



Scope of Work

Town of Minturn – US24

QLB/C/D Utility Investigation Assumptions, Exclusions, and Stipulations

- T2 UES, Inc. cannot guarantee we will find all unknown, abandoned, retired, or inactive utilities.
- Individual utility services to homes and buildings will include water, electricity, and natural gas. Telephone and CATV services are excluded.
- Underground storage tanks (USTs), septic fields, traffic loop systems, thrust blocks, cathodic protection systems, drain tiles, irrigation channels, irrigation gates, irrigation valves, irrigation piping, irrigation headwalls, and landscape irrigation two inches in diameter or less (both public & private) are excluded.
- Overhead utility lines will be shown as a singular line running pole to pole. We will attempt to identify both ownership & connections on the poles and incorporate this information into the plans using pole diagrams, images, and/or spreadsheets (or some combination thereof) as best suits this project and existing site conditions.
- No butterfly diagrams or 3D modeling (with pipe networks) will be included as part of this scope.
- The removal of Colorado 811 paint marks or designation marks is not included.
- The degree of success of a ground-penetrating radar (GPR) investigation is based entirely on the composition of the soils and the depth and scale of subsurface targets. Electrically less-conductive soils, such as quartz sands, typically allow for the detection of some utilities and/or their trenches at depths greater than 10 feet. Electrically conductive soils, such as clay, moist silt, or saline soils, typically preclude the investigation of targets deeper than three to six feet. Due to the unknown receptiveness of specific site soils to the passage of radar energy, conclusive results cannot be guaranteed from GPR.
- Diagrams of the conduits within vaults are excluded.
- No utility coordination, utility relocation design, or conflict analysis will be performed as part of this scope.



Scope of Work

Town of Minturn – US24

QLA Investigation

T2 UES, Inc. will perform 5 Quality Level A test holes to determine the location and depth of the existing utility lines. T2 UES, Inc. shall use minimally-intrusive excavation techniques, which ensure the safety of the excavation and the integrity of the utility line to be documented. Other lines which may be encountered during the excavation will be noted. The excavation shall be conducted by means of air-assisted vacuum excavation equipment manufactured specifically for this purpose. To help minimize the number of test holes required, T2 UES, Inc. will lay out the holes and re-designate the associated utility prior to excavation. Test Hole Data Reports will be signed and sealed by a professional engineer and shall include project-specific coordinates, depth of the utility from the existing ground, material, and size of the utility found.

QLA Investigation Assumptions

- It is assumed that each hole will be excavated with the intent of finding one utility per hole. If additional utilities are discovered within a hole, data for each additional utility will be collected and a separate test hole report will be provided. Each test hole report for an unintended utility will be billed as a reimbursable expense at \$250/test hole report.
- The Client will have test hole locations determined and right-of-entry secured prior to the commencement of T2 UES, Inc.'s services. If the parameters of the QLA investigation change after T2 UES, Inc. has initiated QLA services, T2 UES, Inc. will discuss the implications for workflow, traffic control, and other activities with the Client and determine if a change order or additional funds are needed to account for the changes.
- The vacuum excavation truck utilized by T2 UES, Inc. for test holes (potholes) employs an air-lance system and is not hydro-based. As a cost-saving measure on this project, native backfill compacted in six-inch lifts and cold patch is recommended to restore test holes, if permissible. It is assumed that all holes will follow this restoration method and that slurry and hot patch are not included as part of this proposal.
- If concrete or asphalt coring is required, it will be completed under the reimbursable section for \$200 per hole
- If the dimensions of a utility necessitate a test hole diameter exceeding 18 inches, an additional test hole will be billed as a reimbursable expense.
- The standard price for test holes includes excavation to a depth of six feet. For every foot of depth over six feet, an additional \$95/foot will be billed as a reimbursable expense. If a test hole is on a QLC or QLD utility line, T2 UES, Inc. will excavate to a maximum depth of six feet unless directed otherwise by the Client.
- T2 UES, Inc. will do everything within our control to access the test hole locations; however, some areas may be inaccessible due to unsuitable terrain, limited access, weather conditions, truck limitations, safety concerns, etc., and may not be able to be excavated. If any of these instances occur, they will be discussed with the Client and noted accordingly.
- T2 UES, Inc. will provide traffic protection in accordance with local municipality specifications and permit requirements. This item will be subcontracted to a local traffic control company. The fee provided for this service is estimated based on quoted daily rates from the provider.
- Removal of One-Call marks and designation paint, concrete panel replacement or restoration, landscape restoration, and shoring are not included.
- Traffic Control Flag men have not been included in the estimate for QLA test holes.



Scope of Work

Town of Minturn – US24

SUE Investigation Deliverables

Deliverables produced from this Subsurface Utility Engineering (SUE) investigation will be:

- A drawing showing the location of the utilities within the investigation area at the achieved ASCE 38-22 Quality Level. Utility line work will be depicted according to the standard APWA utility colors. This drawing will be a digital 11" x 17" PDF plan set that is signed and sealed by a licensed PE. See Figure 2 for an example SUE drawing deliverable.
- Invert elevations that reference the Client's specified project datum (if provided).
- An electronic file containing utility line work in a CDOT compliant ORD format.
- Test hole Summary Reports presented in electronic format signed and sealed by a licensed PE. Test Hole Data Reports shall include project-specific coordinates, depth of the utility from the existing ground, material, and size of the utility found. The data collected as a part of the QLA investigation will then be incorporated into the existing utility drawing. An example of the test hole data sheet that will be provided can be seen in Figure 3.
- A utility contact list to include the utility provider, contact name, email address, and phone numbers shown in the utility general notes and specifications.

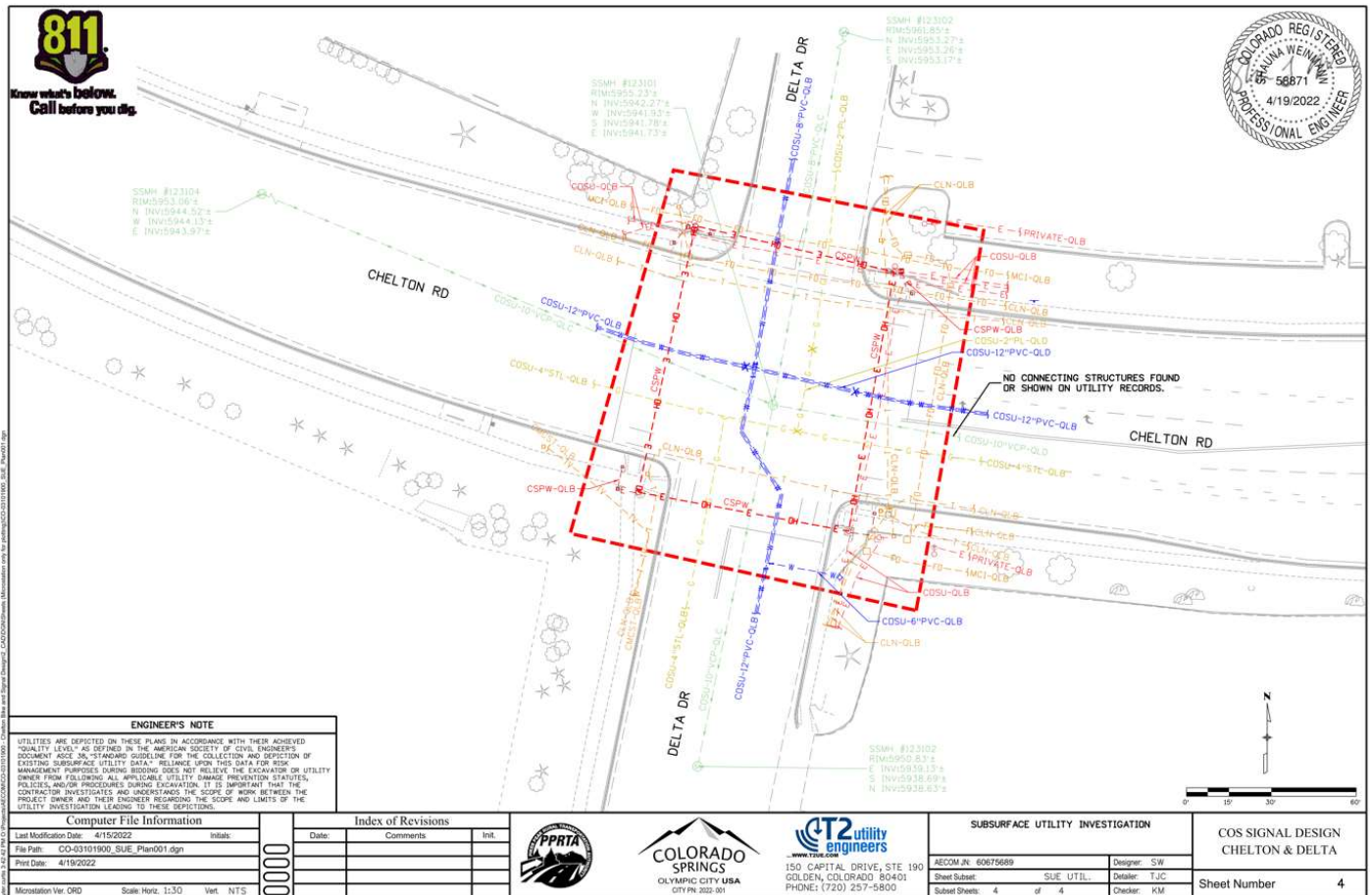


Figure 2 SUE Investigation Deliverable Example

Scope of Work

Town of Minturn – US24

TEST HOLE DATA REPORT			
TEST HOLE NO: TH16B		CLIENT TEST HOLE NO: TH16	
TEST HOLE DATE: 6/29/2022	150 Capital Drive Suite 190 Golden, Colorado 80401 TEL: 720.452.1090 www.T2ue.com	SUE CREW/TRUCK NO: DJI & DH	
PROJECT NO: CO03101800		CITY/COUNTY: COLORADO SPRINGS, EL PASO COUNTY	
CLIENT: AECOM		LOCATION/INTERSECTION: INTERQUEST PKWY & WINDSWEPT VW	
PROJECT: BRIARGATE 16 WATERLINE			
VICINITY MAP	SITE PHOTO - FACING NORTHWEST		
CROSS SECTION - NOT TO SCALE	TEST HOLE - UTILITY - FACING SOUTHWEST		
DISCLAIMER: ADDITIONAL MATERIAL AND/OR UTILITIES MAY EXIST BELOW APPARENT BOTTOM			
UTILITY DESCRIPTION UTILITY TYPE: FIBER OPTIC UTILITY MATERIAL: PLASTIC (PVC, PE, HDPE) UTILITY DIRECTION: NORTHEAST - SOUTHWEST UTILITY WIDTH (FIELD): 4.5" UTILITY WIDTH (RECORD): - APPARENT UTILITY OWNER: COLORADO SPRINGS UTILITIES	REFERENCE MARKER NORTHING: 22875.64' EASTING: 104171.17' ELEVATION: 6791.20' LOCATION: CENTER OF UTILITY MARKED BY: NAIL & DISK		
DEPTH FROM REFERENCE MARKER TOP OF UTILITY: 4.02' BOTTOM OF UTILITY: 4.52'	ELEVATION OF UTILITY TOP OF UTILITY: 6787.18' APPARENT BOTTOM OF UTILITY: 6786.68'		
SURFACE TYPE: ASPHALT THICKNESS: 5"			
REMARKS: FOUND FOUR (4) 1.75" CONDUITS IN A BUNDLE WITH A TOTAL WIDTH OF 4.5".			
REVISION NOTES:			
REVIEWED DATE: 7/11/2022	CHECKED DATE: 7/20/2022	REVISION DATE:	
REVIEWED BY: KM	CHECKED BY: SW		

Figure 3 QLA Investigation Deliverable Example

Scope of Work

Town of Minturn – US24



CLIENT RESPONSIBILITIES

The Client and/or their representative will provide the following services:

- The Client will have right-of-entry secured prior to the commencement of T2 UES, Inc.'s services.
- If changes occur to the project limits after T2 UES, Inc. has reviewed the plans, any recognized changes to workflow, traffic control, or other miscellaneous activities will be discussed with the Client to see if a change order or additional funds are needed to account for the changes.
- In situations beyond the control of the SUE Consultant, the Client will provide assistance in obtaining required data/information from other local, regional, State, and federal agencies.
- The Client will provide a timely review, comment, or direction as required to aid T2 UES, Inc. in completing an assigned task or maintaining the established project schedule.
- The Client will provide applicable general notes, special specifications, and special provisions.
- If not readily available online, the Client may provide graphic file data, standards, font libraries, and AutoCAD cell/block libraries, etc. as required.
- The Client will provide any and all CAD and/or PDF files of the design provided by others and those files will be accurate and suitable for use by T2 UES, Inc. T2 UES, Inc. assumes that these files are approved and that they are the most current and up-to-date files available, including any and all approved addendums.
- Client to provide topo and survey control and other relevant files for incorporation of the SUE work completed by T2 UES, Inc.

GENERAL ASSUMPTIONS

- ROW and/or boundary work will not be completed by T2 UES, Inc. as part of this scope and fee. Any ROW or boundary line work that T2 UES, Inc. is asked to incorporate into our plans will need to be provided to T2 UES, Inc. for its use. If this information is unable to be provided, it will not be included or shown on the SUE utility plans prepared and submitted by T2 UES, Inc.
- This Scope of Services has been detailed to ensure we are providing the services desired and agreed to by the Client and T2 UES, Inc. Services not specifically listed are assumed to be excluded from T2 UES, Inc.'s scope.
- Possible delays to the schedule will be discussed with the Client as soon as they are identified.

SCHEDULE

The project will commence upon written notice to proceed provided by the Client. Upon award, T2 UES, Inc. will work with the Client to develop a schedule that works for the Client based on T2 UES Inc.'s current workload and the Client specified project deadlines.

ESTIMATED FEE

Please see the attached sheet for a full cost breakdown. T2 UES, Inc. will not exceed the estimated fee without prior authorization from the Client. An invoice will be prepared monthly with one final invoice upon completion for the actual work performed, up to the estimated budget amount. T2 UES, Inc. appreciates this opportunity to provide professional Subsurface Utility Engineering services for this project. Should you have any questions or require additional information, please do not hesitate to call.



**Subsurface Utility Engineering
T2 UES, Inc. Proposal**

PROJECT ESTIMATE					
SUE QUALITY LEVEL B, C, & D					
Geophysical Investigation "Designation"					
Designating (1-man crew)	0	hours @	\$195	per hour	\$0.00
Designating (2-man crew)	55	hours @	\$260	per hour	\$14,300.00
Subtotal:					\$14,300.00
Survey					
*Survey Subconsultant	Reimbursable @ Cost + 10%				\$6,500.00
Subtotal:					\$6,500.00
Professional Services					
Professional Engineer	10	hours @	\$180	per hour	\$1,800.00
Project Manager	25	hours @	\$150	per hour	\$3,750.00
SUE Manager	14	hours @	\$140	per hour	\$1,960.00
CADD Technician	40	hours @	\$115	per hour	\$4,600.00
Administration	5	hours @	\$85	per hour	\$425.00
Subtotal:					\$12,535.00
Permits, Maintenance of Traffic, & Miscellaneous Expenses					
*Permits: (Local permits)	Reimbursable @ Cost + 10%				\$250.00
*Permits: (CDOT permits assumed to be \$0)	Reimbursable @ Cost + 10%				\$0.00
*MOT Plan for Permit Application	Reimbursable @ Cost + 10%				\$200.00
*Traffic Control + 2 Flaggers (Contingency)	Reimbursable @ Cost + 10%				\$1,200.00
Subtotal:					\$1,650.00
Miscellaneous Expenses					
*Hotels (assumes 2 people for 4 nights)	8	nights @	\$120	per night	\$960.00
*Per Diem (assumes 2 people for 4.5 days)	9	days @	\$55	per day	\$495.00
Subtotal:					\$1,455.00
SUE Quality Level B, C, & D Total					\$36,440.00
SUE QUALITY LEVEL A					
Test Hole Excavation					
^A Quality Level A Test Hole	5	holes @	\$1,500	per hole	\$7,500.00
Excessive Depth over 6 feet - (Contingency)	6	feet @	\$95	per foot	\$570.00
Concrete Coring	2	cores @	\$200	per core	\$400.00
* ^B Restoration and Backfill (Flowable Fill)	Reimbursable @ Cost + 10%				\$1,250.00
Subtotal:					\$9,720.00
Permits & Maintenance of Traffic					
*Permits: (Local permits)	Reimbursable @ Cost + 10%				\$300.00
*Permits: (CDOT permits assumed to be \$0)	Reimbursable @ Cost + 10%				\$0.00
*Traffic Control + MOT Plan (assumes 3 days)	Reimbursable @ Cost + 10%				\$2,250.00
Subtotal:					\$2,550.00
Miscellaneous Expenses					
*Hotels (assumes 2 people for 1 night)	2	nights @	\$120	per night	\$240.00
*Per Diem (assumes 2 people for 1.5 days)	3	days @	\$55	per day	\$165.00
Subtotal:					\$405.00
SUE Quality Level A Total					\$12,675.00
GRAND TOTAL					\$49,115.00

* Proposal estimate only, the cost may vary plus or minus due to unknown field conditions & municipalities requirements. Proposal assumes a minimum working time of 8 hours/day. Proposal estimate is valid for a full 60 days from date listed above.

^A QLA Test Holes include One Call Management, Project Management, 2-Man Excavation Crew and Equipment, Mileage, Survey of Test Hole Markers, QLA Test Hole Reports signed and sealed by a CO PE.

^B The vacuum excavation truck utilized by T2 UES, Inc. for Test Holes (potholes) employs an air-lance system and is not hydro-based. As a cost saving measure on this project, native backfill compacted in 6" lifts and cold patch are recommended to restore test holes where permissible. Where a different backfill material is required (flowable fill), the cost for the new material and dumping of the native material will be completed as an additional expense.

Note: In the event the estimated hours for mapping of utilities for this project is over the estimated amount, a change order will be completed prior to the completion of the project to account of the project overage. If less utilities are found, only the utilities hours used will be invoiced.

Scope of Work

Town of Minturn – US24



SUPPLEMENTAL TASKS

To achieve the Client's project goals, the following tasks can be included as supplemental tasks for an additional fee if requested:

PERFORM ADVANCED GEOPHYSICS INVESTIGATION

T2 UES, Inc. uses Stream EM and Stream C which are Multi-Channel Ground Penetrating Radar (MCGPR) solutions dedicated to utility locating and mapping. These units employ 40 separate channels with double polarized antennas enabling the system to simultaneously gather data both longitudinal and transversal. The high number of antennas increases the quality of the data and allows us to detect utilities even in sub-optimal soil conditions. The Stream EM and Stream C are both equipped with a GPS unit that enables the data set to easily be georeferenced to the project survey datum. The system is generally towed behind a vehicle at speeds up to 12 MPH which permits the gathering of GPR data with minimal traffic control thereby reducing the impact on local traffic.

CCTV

T2 UES, Inc. can perform video inspection within drainage facilities, as directed by the Client. Specifically, the consultant ensures the interior of the inspected pipe is visible by means of appropriate illumination and camera equipment; and records all video and images captured during the inspection.

SUE REPORT

A Subsurface Utility Engineering (SUE) report can be completed in accordance with the ASCE/UESI/CI 38-22 standard. The SUE report complements the utility drawings, assists the end user in better understanding the utility landscape and risks, and provides any metadata collected by T2 UES, Inc. during the course of the SUE investigation. The SUE report is signed and sealed by a Professional Engineer.

UNMANNED AERIAL VEHICLE

T2 UES, Inc.'s UAS division operates a Harris Carrier H6 Hybrid UAV with a payload capacity of 15 pounds and a maximum flight time of five hours. Our UAV is equipped with a survey-grade RIEGL 1UAV-22 LiDAR Sensor capable of obtaining registered point clouds with 10mm accuracy and a Sony Alpha 6000 camera for providing rectified aerial imagery. Our UAV is utilized for numerous applications to include: Archeology and cultural heritage documentation, Corridor Mapping of power lines, railways, and pipelines, Topography surveys for open-cast mining, Construction site monitoring, Resource Management, Surveys of Urban environments, and Transportation design surveys. Our deliverables are typically in an AutoCAD or Micro station format, but can be tailored to the individual needs of our Clients.

UTILITY COORDINATION

T2 UES, Inc.'s utility coordination team can coordinate with the Client, Owner, and all other affected municipalities throughout the design process. Utility coordination and project management tasks include working with the design team as well as coordination with all utilities within the project limits. By attending all project milestone meetings, our utility coordination team is able to establish a utility base map, test hole log, and Utility Conflict Matrix. T2 UES, Inc.'s utility coordination team uses data collected from the Utility Records Research and Utility Drawing Scope of work to collect utility information (including existing permits) contact each utility owner and hold early utility coordination meetings, if necessary.



July 24, 2023

Stolfus and Associates, Inc.
Attn: Jenna Siegel, PE
5690 DTC Boulevard, Suite 560E
Greenwood Village, CO 80111

Via E-mail: jenna@stolfusandassociates.com

Re: Professional Land Surveying and Engineering Services for U.S. Highway 24 Pedestrian and Drainage Improvements (CDOT Project SA#25362)

Inter-Mountain Engineering (IME) is pleased to present this proposal for professional services in connection with the next phase of US Highway 24 Pedestrian and Drainage Improvements, for the Town of Minturn, Colorado. The project received FOR approval in 2017 and the current scope includes completing engineering design, survey, and preparation of construction documents (PS & E Plans) for approximately 1,796 feet of paved multi-use roadway and pedestrian/ bicycle use improvements beginning at Milepost 146.13 and extending to approximately Milepost 146.47. Inter-Mountain is prepared to assist with the finalization of drainage & utility plans for this segment of the project.

Our scope of services is based on information provided by Stolfus and Associates, Inc., and our general understanding of the project. Our Scope of Services includes the line items described below and attached fee summary:

Basic Scope of Services:

1. Project Management, Meetings, & Coordination:

Inter-Mountain Engineering (IME) will attend (1) project kick-off meeting with the Town, CDOT, Stolfus & Associates, and other Consultants located at the Minturn Town Hall. This will allow for the design team to coordinate the scope of work, scheduling, and any other design issues.

We have included three (3) progress meetings at Town Hall and (3) conference call meetings for general project coordination. The intent of the meetings is to ensure project design and submittal milestones are met and design issues are coordinated and/or resolved. We have also included participation in one (1) meeting with CDOT at the Eagle Residency or Town Hall. General project phone calls and emails are anticipated and included.

This will also include project coordination, emails, and phone calls with appropriate utility companies for existing utility information/drawings and overall coordination for utility relocations and/or conflicts (as required). IME will also coordinate utility clearance letters associated with the Utility/Special Use Permit Application and provide utility specification special provisions as required to perform the work required. Assumes (4) (seems low) coordination meetings with the Town and appropriate utility companies onsite or at the Town Hall.

Stolfus and Associates, Inc.

Attn: Jenna Siegel, PE

Re: Professional Land Surveying and Engineering Services for U.S. Highway 24 Pedestrian and Drainage Improvements (CDOT Project SA#25362)

2. Information Gathering & Permitting:

Inter-Mountain Engineering will review FOR Plans and perform a site visit to review and verify project requirements. This will allow us to confirm our understanding of required drainage improvements and coordinate potential future drainage improvements that can be incorporated into this project's budget.

**We do not anticipate involvement in project permitting. All permitting will be handled by the Town and other Consultants.*

3. Surveying:

Project control diagrams and survey right-of-way information for the Pedestrian and Drainage Improvements Project will be provided by other consultants. Stolfus and Associates will provide an electronic copy of the base survey in AutoCAD format and Inter-Mountain will rely on the accuracy of this information. Our services will include pick-up survey (TMOSS), where required to supplement the topographic information provided. (Such items may include building/house finished floor doorways, sidewalks, asphalt, curb, and gutter, fencing, storm sewer, and above ground visible utilities). We will coordinate with Stolfus and Associates where additional pick-up survey information is required. All pick-up surveys will conform to CDOT specifications and standards.

**IME anticipates Easement Exhibits for drainage will be provided by other consultants.*

4. PS&E Plan Package Submittals:

IME will coordinate with the design team to incorporate comments from the FOR and produce CDOT standardized bidding and construction plans for the project. IME assumes there will be (2) submittals included in this phase, which consist of:

- a. ***Address FOR Comments/Prepare Bidding Plans***– IME will coordinate with the design team to address Town and CDOT comments and prepare a bidding plan package. We will provide the following described deliverable documents:
 - a. Hydraulic Analysis – IME will coordinate and perform final hydraulic analysis (if design changes occur) for the roadway and inlets at locations as indicated in the Town's Master Drainage Plan. (MDP) to ensure the storm sewer improvements are properly sized and in compliance with the Town's MDP and/or CDOT requirements. Storm sewer culvert sizing will follow the Town's MDP, and no further hydraulic analysis is included at this time.
 - b. Storm Sewer Plan & Profile Sheets (Assumes 4) – IME will update and finalize the storm sewer plan and profiles per the design changes due to Town and CDOT comment.
 - c. Utility Plans –IME will update and finalize the previous utility plans per the design changes due to Town, Utility, and CDOT comment. We understand electrical design for power pole and overhead lines will be by utility company and street lighting will be performed by other consultants. Plans will be distributed to the Town and appropriate utility companies for coordination.
 - d. Storm Water Management Plan – IME will prepare required storm water management site plans, documents, and information required by CDOT for this type and magnitude of

Stolfus and Associates, Inc.

Attn: Jenna Siegel, PE

Re: Professional Land Surveying and Engineering Services for U.S. Highway 24 Pedestrian and Drainage Improvements (CDOT Project SA#25362)

project. We anticipate the original SWMP plans included in the US 24 Resurfacing Project can be supplemented and we will coordinate with CDOT and the design team for the required updated information (Stolfus and Associates to provide the SWMP for US 24 Resurfacing Project). The SWMP information will be incorporated into the complete set assembled by Stolfus for both projects and IME does not intend to create a “stand alone” SWMP for this project. The following documents follow the typical CDOT SWMP formatting.

- i. SWMP Plans – IME will prepare a set of updated storm water management plans (i.e., erosion control) for the U.S. 24 project for water quality purposes that include a cover sheet, general CDOT information and notation, site map plans, and typical BMP details.
- ii. SWMP Notebook – IME will prepare (1) full copy of the CDOT SWMP Notebook that will be used for construction purposes.
- e. Engineer’s Opinion of Probable Cost (EOPC) – IME will update the PEOPC to reflect design changes. We will provide a digital excel spreadsheet that includes approximate quantities, unit cost and totals, using CDOT reference categories and numbers.

- b. **Construction Plans**– Once the Bidding Phase has been completed, IME will coordinate with the design team to prepare a “For Construction” Plan Package. This will include up to (5) sets of stamped and signed documents by a Professional Engineer registered in the State of Colorado.

Proposed Fees:

We propose to provide these services for the following described fees as outlined in our fee summary:

Basic Scope of Services:

1. Project Management, Meetings, & Coordination:	\$5,040
2. Information Gathering & Permitting:	\$1,415
3. Surveying:	\$8,600
4. <u>PS&E Plan Package Submittals:</u>	<u>\$16,420</u>
Total Fee	\$31,475

Note: The breakdown of fees presented above is provided to facilitate the review and approval of progress billings. The total fees for services provided by Inter-Mountain Engineering will not exceed \$31,475 without prior approval.

Exclusions & Clarifications:

The following items are specifically excluded from this proposal. Should any of these items be required, we would be happy to provide them on a time and materials basis according to our Professional Fee Schedule.

- 1. Geotechnical Engineering
- 2. Structural Engineering
- 3. Wetland/Environmental Mitigation
- 4. Construction Administration
- 5. Construction Period Services

Stolfus and Associates, Inc.

Attn: Jenna Siegel, PE

Re: Professional Land Surveying and Engineering Services for U.S. Highway 24 Pedestrian and Drainage Improvements (CDOT Project SA#25362)

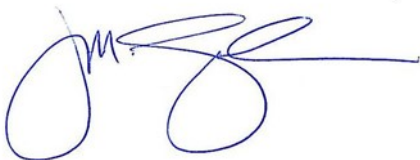
6. Bidding Period Assistance
7. Public and Town Council Meetings
8. Additional CDOT Meetings (other than those mentioned above)
9. Additional Coordination Meetings (other than those mentioned above)
10. Additional Phase Submittals (other than those mentioned above)
11. "Major" Scope of Work Changes
12. Floodplain and Drainage Assessment
13. Permitting
14. CDOT Project Control Diagrams
15. Right-of-Way Plans
16. Ownership Map Exhibits
17. Drainage Easement Exhibits
18. Subsurface Utility Exploration (SUE)
19. Utility Relocation Design (other than those mentioned above)
20. Hydrology/Drainage Studies
21. Hydraulic Reports (other than those mentioned above)
22. Specifications/Special Provisions (other than those mentioned above)
23. Prints, delivery services and other reimbursable expenses will be billed at cost plus 20% and are not part of the agreement.

While we have tried to include all the items requested, our proposal includes only the specific Basic Services noted above. Exclusions simply clarify items that may be required for completion of the scope of work but are not identified in the scope of services. These items, once identified as applicable, may be added to the contract for professional services by change order.

Insurance: IME is fully insured for General Liability, Workman's Compensation, Automobile and Professional Liability; certificates evidencing coverage will be provided on request. The enclosed General Conditions are incorporated into all IME agreements for professional services. Please note that you will be billed monthly for services to date. Invoices submitted are due upon receipt. If invoices remain unpaid after 30 days, you will be charged a service charge of 1.75% per month. If it should become necessary to enforce collection, IME will be entitled to recover its costs of collection, including attorney's fees.

I want to thank you for considering IME and look forward to working with you on this project. If you have questions or need additional information, please give me a call at (970) 949-5072.

Sincerely,
Inter-Mountain Engineering



Jeffery M. Spanel, PE
Vice President

Stolfus and Associates, Inc.

Attn: Jenna Siegel, PE

Re: Professional Land Surveying and Engineering Services for U.S. Highway 24 Pedestrian and Drainage Improvements (CDOT Project SA#25362)

Please acknowledge your consent to this proposal/agreement by signing below and returning one copy to us. If the client and/or contact individual are different than above, please indicate any changes above, including telephone and fax numbers.

By:

Date:

Enclosures: Fee Summary
 IME Professional Fee Schedule and General Conditions

PROFESSIONAL FEE SCHEDULE

January 1, 2023

<u>Personnel:</u>	<u>Rate Per Hour:</u>
Principal Engineer	\$175.00
Senior Engineer - Professional Land Surveyor	\$155.00
Expert Witness	\$300.00
Senior Engineer - Project Manager	\$140.00
Project Engineer	\$120.00
Design or Field Engineer	\$110.00
Land Survey Technician	\$125.00
2-Person Field Survey Crew with GPS or Robotic	\$175.00
1-Person Field Survey Crew with GPS or Robotic	\$150.00
Party Chief	\$110.00
Senior CAD Technician	\$110.00
CAD Technician	\$85.00
<u>Reimbursable Expenses:</u>	Cost
Reprographics	\$0.56/mile
Mileage	Cost +10%
Outside Services	

Schedule overtime (after 6:00 p.m. and weekends) 1.5 x base rate. Overtime must be scheduled 24 hours in advance on weekdays and on Thursday for weekends.

VAIL VALLEY OFFICE

30 Benchmark Road, Suite 216 | PO Box 978 | Avon, CO
81620

970.949.5072 | info@inter-mtn.net



These General Conditions are incorporated into and made a part of Inter-Mountain Engineering's Proposal and Agreement for Services.

I. Responsibilities of Inter-Mountain Engineering:

- A. IME will perform professional engineering and/or professional surveying Services as specified under "Basic Services" and when authorized, "Additional Services".
- B. IME's Services will be performed in a manner consistent with that level of care and skill ordinarily exercised by reputable members of the profession currently practicing under similar conditions in the locality of the project.

II. Responsibilities of Client:

Client shall:

- A. Provide all criteria and full information as to the requirements of the project. Furnish all appropriate tests, geotechnical reports, and site surveys. A title Insurance policy shall be provided when a survey is included in Basic Services. IME shall be entitled to rely upon the accuracy and completeness of such information.
- B. Render approvals and decisions as expeditiously as necessary for the orderly progress of IME Services.
- C. Give prompt notice to IME of any development that affects the scope or timing of its Services.
- D. Coordinate the Services of IME with those of others.
- E. Give complete and careful consideration to Services and recommendations provided by IME.
- F. Provide site access for IME and all necessary equipment. IME will take reasonable care to reduce damage to property, however, it is understood that in the normal course of work, some damage will occur, the repair of which is Client's responsibility. .
- G. Identify and mark the location of all utility lines and subsurface features, including structures and utilities within the property.
- H. Client understands that subsurface conditions may vary from those encountered at the locations where explorations are made, and that data, interpretations and recommendations made by IME are based solely on the information available to it.
- I. Client shall make reasonable efforts to evaluate whether hazardous materials are on or near the project site and inform IME of any information or findings relative to the possible presence of such materials. Should unanticipated hazardous material be discovered in the course of the performance of Services under the Agreement, such discovery shall constitute a changed condition mandating a renegotiation of the scope of work or termination of Services. Should the discovery of unanticipated hazardous materials require IME to take measures to protect health and safety, Client agrees to compensate IME for costs incident to taking such measures and for costs of any decontamination required. IME agrees to notify Client promptly when suspected hazardous materials are encountered. Client agrees to make any disclosure of hazardous materials required by law. Furthermore, Client agrees to defend, indemnify and hold IME harmless from any and all liability arising from discovery, exposure to, or release of hazardous materials on site.

III. Compensation:

- A. IME shall submit invoices to client monthly and a final bill upon completion of Services. The Client shall review the invoices promptly. The Client shall, within 10 days, either approve the invoice for payment or notify IME of any disputed invoices. The Client and IME shall confer and attempt to resolve such disputed invoices. Undisputed invoices are due upon presentation, and past due 30 days after the invoice date. Disputed invoices are due upon resolution and past due 45 days after the invoice date. Client agrees to pay a service charge of 1 3/4 percent per month on past due accounts.
- B. If it becomes necessary to enforce collection of payments due IME, Client agrees to pay all costs of collection, including attorney's fees.
- C. It is understood that estimates of professional fees are based upon the preparation of designs, reports, or surveys for a single design concept or site plan, and that changes to that concept or additional engineering required by governing agencies (except as required by customary "Redlines") shall constitute an increase in the scope of Services and entitled IME to Additional Services. Additional Services ("Additional Services") shall be billed at the normal billing rates for the individuals assigned to the work. No Additional Services will be provided without prior authorization.

IV. Dispute Resolution:

- A. In an effort to resolve any conflicts that arise during the design and construction of the Project or following the completion of the Project, the Client and IME agree that all disputes between them arising out of or relating to this Agreement or the Project shall be submitted to nonbinding mediation with a neutral mediator as a condition precedent to commencement of any other dispute resolution processes.
- B. The Client and IME further agree to include a similar mediation provision in all agreements with independent contractors and consultants retained for the Project and to require all independent contractors and consultants also to include a similar mediation provision in all agreements with their subcontractors, subconsultants, suppliers and fabricators, thereby providing for mediation as the primary method for dispute resolution between the parties to all those agreements.
- C. Any disputes not resolved by the Parties' direct negotiations, or by mediation, shall be subject to mandatory arbitration with the American Arbitration Association under its Construction Industry Rules.

V. Indemnification:

- A. IME agrees, to the fullest extent permitted by law, to indemnify and hold harmless the Client, its officers, directors and employees (collectively, Client) against all damages to the extent caused by the negligent performance of professional Services under this Agreement by IME, its subconsultants, or by anyone for whom IME is legally liable.
- B. The Client agrees, to the fullest extent permitted by law, to indemnify and hold harmless IME, its officers, directors, employees and subconsultants (collectively, IME) against all damages, liabilities or costs, including reasonable attorneys' fees and defense costs, to the extent caused by acts or omissions of Client or its contractors, subcontractors, or consultants, or anyone for whom the Client is legally liable.
- C. Neither the Client nor IME shall be obligated to indemnify the other Party in any manner whatsoever for the other Party's own negligence.

VI. Corporate Protection

IME's Services in connection with the Project shall not subject IME's individual employees, officers or directors to any personal legal exposure for the risks associated with this Project. Therefore, and notwithstanding anything to the contrary contained herein, the Client agrees that as the Client's sole and exclusive remedy, any claim, demand or suit shall be directed and/or asserted only against IME, a Colorado corporation, and not against any of IME's individual employees, officers or directors.

VII. Risk Allocation:

A. Based on the relative risks and rewards to the Parties, IME's liability for damages to Client arising from negligent acts, errors or omissions, breach of contract, or any other legal theory, shall not exceed \$50,000 or the total fee under this agreement, whichever is greater. This limitation shall apply to IME and its past and present officers and employees collectively.

B. Notwithstanding any other provision of this Agreement, and to the fullest extent permitted by law, neither the Client nor IME, their respective officers, directors, partners, employees, contractors or subconsultants shall be liable to the other or shall make any claim for any incidental, indirect or consequential damages arising out of or connected in any way to the Project or to this Agreement. This mutual waiver of consequential damages shall include, but is not limited to, loss of use, loss of profit, loss of business, loss of income, loss of reputation or any other consequential damages that either Party may have incurred from any cause of action including negligence, strict liability, breach of contract and breach of strict or implied warranty. Both the Client and IME shall require similar waivers of consequential damages protecting all the entities or persons named herein in all contracts and subcontracts with others involved in this project.

VIII. Ownership of Documents:

All reports, drawings, specifications, notes and other documents prepared by IME in the course of providing Services are instruments of service and shall remain the property of IME. These documents are not intended to be suitable for reuse on extensions of this project or for use on any other project. Documents shall not be altered in any manner without the permission of IME.

IX. Construction:

A. Client agrees to require the construction contractor to assume sole and complete responsibility for the construction of the project including the safety of persons and property and the means, methods, techniques, and sequences of construction.

B. Services Client hereby agrees to notify IME if Client or its construction contractor conclude that IME's Construction Documents are unclear, or if errors or discrepancies are discovered therein. Client assumes all responsibility for interpretation of the Construction Documents in the event IME is not notified and asked for clarification of Construction Documents. In addition, Client agrees, to the fullest extent permitted by law, to indemnify and hold IME, its officers, employees and subconsultants (collectively, IME), harmless against all damages, liabilities, or costs, including reasonable attorneys' fees and defense costs, arising out of or in any way connected with deviations from the intent and requirements of IME's Construction Documents. Services

C. Services IME shall not have control over, charge of, or responsibility for the construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the Work, nor shall IME be responsible for the Construction Contractor's failure to perform the Work in accordance with the requirements of IME's Construction Documents. IME shall not have control over or charge of, and shall not be responsible for, acts or omissions of the Construction Contractor or of any other persons or entities performing portions of the Work. No claim by the Construction Contractor or its subcontractors that IME approved or acquiesced in a deviation from the requirements of the Construction Documents shall be valid unless the deviation has been expressly and specifically approved in writing by IME. D. Any opinions of project cost rendered by IME represent an opinion only based on its experience and judgment. Client recognizes that IME has no control over market conditions, labor or material costs, and agrees that IME shall not be responsible for reliance on such estimates or opinions, nor for any variance of cost estimates and opinions from bids or actual costs.

X. Insurance:

IME carries insurance which meets or exceeds statutory requirements for Workman's Compensation, as well as Commercial General Liability, Automobile, and Professional Liability insurance. Certificates evidencing coverage will be provided upon request. IME and its officers and employees shall in no event be responsible for any loss or damage beyond the available limits of applicable insurance coverage.

XI. Miscellaneous:

A. Excluding choice of law principles, this agreement shall be governed in accordance with Colorado law.

B. IME's Services are for the exclusive use of the Client for this specific project. These Services are not to be relied on by others without the specific authorization of IME.

C. Neither Party shall assign or transfer any interest in this agreement without the written authorization of the other.

D. This agreement may be terminated by either Party upon 7 days written notice to the other, in which case IME shall be paid for all Services provided up to termination, plus all additional costs incurred by IME due to said termination.

E. Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the Client or the Consultant. The Consultant's Services under this Agreement are being performed solely for the Client's benefit, and no other party or entity shall have any claim against the Consultant because of this Agreement or the performance or nonperformance of Services hereunder. The Client and Consultant agree to require a similar provision in all contracts with contractors, subcontractors, subconsultants, vendors and other entities involved in this Project to carry out the intent of this provision.



Corporate Headquarters
3222 South Vance Street, Suite 200, Lakewood, CO 80227
T: 303.980.5200 F: 303.980.0089
www.pinyon-env.com

July 27, 2023

Jenna Siegel
Stolfus & Associates, Inc.
5690 DTC Boulevard, Suite 330W
Greenwood Village, CO 80111

Via email: jenna@stolfusandassociates.com

Subject: Proposal to Provide Environmental Support, US Highway 24 Pedestrian & Drainage Improvements, Town of Minturn, Colorado

Dear Jenna:

Pinyon Environmental, Inc. (Pinyon), is pleased to present this proposal for environmental services for the completion of Segment 2 of the Main Street Pedestrian Improvements for US Highway 24 through Minturn (project). Details regarding Pinyon's estimated scope of work, assumptions, and deliverables are presented in Attachment A. The estimated cost to complete this project, in accordance with the outlined services, will be approximately **\$12,167** (Table 1; Attachment A). Pinyon will invoice on a time and materials basis, in accordance with our 2023 Standard Rate Schedule. The authorized amount will not be exceeded without prior approval.

The project duration is assumed to be 12 months or less; if the project duration is extended, a change order may be required. Should the project be delayed for six months or more, this scope will need to be reexamined in light of changing practices and the fee will need to be revised if Pinyon's rates have changed in that time period.

To authorize the outlined scope of services, please issue a subconsultant agreement for review and execution. Should you have any questions or require additional information, please do not hesitate to call. Thank you for considering Pinyon for your environmental consulting needs.

Sincerely,

PINYON ENVIRONMENTAL, INC.

A handwritten signature in black ink that reads "Pamela Wegener".

Pam Wegener
Project Manager
wegener@pinyon-env.com

The following tasks and assumptions were developed using Pinyon’s professional judgement and knowledge of the environmental context. Additional revision and/or refinement may be necessary as design advancement and design decisions are made, particularly if design changes result in required revisions of deliverables or additional field studies.

Task	Scope of Work Summary	Deliverables
General Project Management	<p>General project management, contract administration, invoicing, etc. The meetings will be held virtually. The following meetings are included in this scope and associated fee:</p> <ul style="list-style-type: none"> • Kick-off meeting (1) • FIR Meeting (1) • FOR Meeting (1) 	<p>Monthly invoices Progress reports</p>
Historic Resources	<p>Pinyon will develop an Area of Potential Effects (APE), in coordination with CDOT. It is assumed that the APE will surround the estimated limits of disturbance, as well as all properties that will be impacted by the project (i.e., new right of way acquisitions or easements). Once the APE is established, Pinyon will research the Office of Archeology and Historic Preservation (OAHP) COMPASS database, the CDOT Historic Bridge Inventory and Historic Sites Viewer, as well as the Online Transportation Information System (OTIS), topographic maps, and local assessor data for the presence of potential historic resources within the APE.</p> <p>Based on preliminary research and early scoping with CDOT, Pinyon will provide documentation for compliance with Section 106 including one OAHP 1405 form for revisitation; eligibility and effects letter; APE map.</p> <p>Assumptions:</p> <ul style="list-style-type: none"> • This scope assumes a Section 106 determination of no adverse effect; should the project result in a determination of adverse effect, this scope will need to be revisited and additional fee will be required. • Should more than one resources for historic survey be identified, this scope will need to be revisited 	<p>APE Map Up to 1 OAHP 1405 Form Eligibility and Effects Letter</p>
Hazardous Materials	<p>Pinyon will complete an Initial Site Assessment (ISA) Technical Report, which will include an agency database (i.e., ERIS) review. The database will be secured by Pinyon. The study area will be the project’s limits of disturbance. Ideally, the design team will have identified the horizontal and vertical limits of disturbance, including all right of way (ROW) and easement requirements.</p> <p>Pinyon will collect paint samples for lead analysis for project components anticipated to be disturbed (if any). Depending on the substrate, Pinyon will evaluate the lead content for total lead, or by the Toxicity Characteristic Leachate Procedure.</p> <p>No soil or water testing is anticipated at this time (if determined necessary, a change order would be required).</p>	<p>ISA Report Lead Based Paint Samples and Results documented in ISA</p>

Table 1. Summary of Estimated Costs

Task 1. General Project Management				
Description	Quantity	Unit	Rate	Extension
Labor Rates				
Project Controller	1.0	hour	\$116.00	\$116.00
Field Specialist / Project Assistant	6.0	hours	\$102.00	\$612.00
Project Manager	18.0	hours	\$177.00	\$3,186.00
Task Subtotal				\$3,914.00
Task 2. Historic Resources				
Description	Quantity	Unit	Rate	Extension
Labor Rates				
Cultural Resource Specialist II	2.0	hours	\$139.00	\$278.00
Cultural Resource Specialist	16.0	hours	\$110.00	\$1,760.00
Assistant Historian	4.0	hours	\$65.00	\$260.00
CAD/GIS Specialist I	2.0	hours	\$133.00	\$266.00
Equipment/Material Unit Rates				
Truck/Van Mileage	210.0	miles	\$0.66	\$137.55
General Field Visit - Day	1.0	day	\$50.00	\$50.00
GPS/Tablet (non-sub meter)	1.0	each	\$50.00	\$50.00
COMPASS Database	1.0	each	\$150.00	\$150.00
Task Subtotal				\$2,951.55
Task 3. Hazardous Materials				
Description	Quantity	Unit	Rate	Extension
Labor Rates				
Scientist III	2.0	hours	\$222.00	\$444.00
Engineer II	2.0	hours	\$177.00	\$354.00
Scientist	28.0	hours	\$138.00	\$3,864.00
CAD/GIS Specialist I	2.0	hours	\$133.00	\$266.00
Equipment/Material Unit Rates				
Database Report	1.0	each	\$150.00	\$150.00
Truck/Van Mileage	210.0	miles	\$0.66	\$137.55
General Field Visit - Day	1.0	day	\$50.00	\$50.00
Laboratory Rates				
LBP FAA 72 Hour TAT (EMSL)	3.0	samples	\$11.94	\$35.81
Task Subtotal				\$5,301.36
Project Total				\$12,166.91

July 19, 2023

Jenna Siegel, PE PMP
Transportation Engineer
Stolfus & Associates
5690 DTC boulevard, Suite 330W
Greenwood Village, CO 80111

Subject: **SCOPE AND FEE FOR TOWN OF MINTURN AT US 24 – PED AND BIKE LANE – PHASE 2**

Hello Jenna,

I am happy to offer Farnsworth’s professional services Stolfus & Associates and CDOT for the subject project. As I understand the project, we will need to provide an updated set of ROW plans for the Minturn Ped and Bike Lane -Phase 2 project in Eagle County, Colorado. The scope of services is an outline of my understanding of this project’s needs from and our call on July 12th and your emails on June 30th. Please review and contact me if any adjustments are required to the attached scope and fee estimate.

SCOPE OF SERVICES

1. Update existing Right-of-way plans. This project was started in 2016. Only half of the project parcels were bought. The existing right-of-way plans need to be updated with design and owner changes from parcel 43 to parcel 61.
 - a. Review existing CDOT right-of-way plans for changes.
 - b. Review Title commitment for PE-57 and ownership changes for the other 17 parcels.
 - c. Update the ROW plan Title sheet, Owner Tabulation sheets, Monumentation sheets, Plan sheets, and Ownership sheets.
 - d. Revise up to eighteen (18) easements for this project and ROW plan set. A legal description will be provided for each proposed easement.
2. Attend a ROWPR meeting to discuss preliminary ROW plans and revise the plans per comments from the meeting.
3. Provide a final, stamped ROW plan set and up to eighteen (18) legal descriptions for the easements for CDOT records.

DELIVERABLES

- Updated ROW plan set with up to eighteen stamped and signed easement documents.

ASSUMPTIONS

- If additional work beyond what is listed in the scope is needed or more design changes are made, the work will be billed at our current rates.
- This scope of work does not include any boundary resolution in case any substantial discrepancy, ambiguity, gap, overlap or conflict with lines of possession is discovered during the survey.
- No field survey or appraisal staking was included in this proposal. If needed, we can provide it in a revised scope of services.

- No easement monuments or property pins will be set unless requested in a revised scope of services.
- It is assumed that the Town of Minturn will file the plans with Eagle County when the project is completed.

PROFESSIONAL FEES

Based on the anticipated work effort, Farnsworth Group proposes to complete the work as outlined above on a time and materials basis, not to exceed **\$27,962**, to be billed in accordance with the Farnsworth Group 2023 published rates. Please see attached fee schedule for hour details.

Thank you again for this opportunity to be of service to you. Should you have any questions regarding this proposal, please do not hesitate to call me at (719) 581-7940.

Sincerely,
Farnsworth Group, Inc.



Lorelei Ward, PLS
Land Surveying Manager

Robert J. McIntosh, PLS
Principal

Attachments (1):
Fee schedule

Farnsworth Group
PROJECT BUDGET WORKSHEET
Cost Estimate

Name Number:		'Minturn at US24 - Ped and Bike lane - Phase 2									
Description:		Update Existing Right of Way plans and parcels									
Project Manager:		Lorelei Ward, PLS									
Date		July 19, 2023									
WORK TASK	2023 HOURLY RATES	Senior Land Survey Manager	Land Survey Manager	Senior Project Land Surveyor	Project Designer	Senior Designer	Admin. / Support	Total Hours	TOTAL COST SUMMARY	TASK GROUP SUMMARY TOTALS	
		\$233.00	\$218.00	\$193.00	\$173.00	\$158.00	\$88.00				
Project Management and Coordination											
Progress reports			4					4	\$872		
ROWPR			3					3	\$654		
Project Management			8					8	\$1,744		
Subtotal		0	15	0	0	0	0	15			\$3,270
ROW plans and Exhibits											
ROW/Boundary/Easement Survey											
Research					4			4	\$692		
Title Commitment review (18 owners)			1	16				17	\$3,306		
Update ROW Plans			6	48				54	\$10,572		
Descriptions (18)			8		26			34	\$6,242		
Revisions per ROWPR			2	4				6	\$1,208		
Subtotal		0	17	68	30	0	0	115			\$22,020
Submittals											
ROW plan set			2					2	\$436		
18 easements documents			2					2	\$436		
								0	\$0		
								0	\$0		
Subtotal		0	4	0	0	0	0	4			\$872
SUB TOTAL HOURS & FEES		0	36	68	30	0	0	134	134		\$26,162
Reimbursable Expenses, Outside Svcs, etc.											
		<i>units/hours/miles</i>									
Title Work	Cost	-->						0	\$1,800		
Subtotal								0			\$1,800
SUB TOTAL REIMBURSABLE EXPS.											\$1,800
TOTAL PROJECT FEES											\$27,962

- Notice:**
1. This survey does not include: title commitments or geo-tech testing.
 2. It is the understanding of Farnsworth Group that the survey area will be made open and safe to approach.
 3. The deliverable will be a AutoCAD Civil 3D DWG including processed surface information.

H.C. Peck & Associates, Inc.

A National Land Service Company

July 12, 2023

Lorelei Ward, PLS
Land Survey Manager
Farnsworth Group, Inc.

Re: Town of Minturn

Dear Lorelei:

Pursuant to your request, what follows is our cost estimate to provide 1 Title Commitment and 20 ownership updates in Eagle County.

Title Commitment	1 @ \$1,100.00	\$1,100.00
Ownership updates	5 hours @ \$140.00	\$700.00
Total Estimate		\$1,800.00

Sincerely,



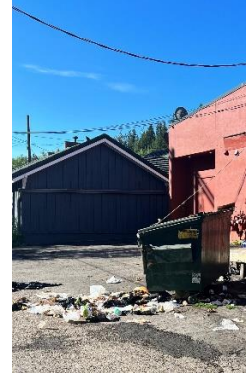
Russell F. Gager,
H.C. Peck & Associates



To: Minturn Town Council
From: Michelle Metteer
Date: August 2, 2023
RE: Town Manager Update

Wildlife & Trash Service

Wildlife is out! We appreciate that humans are infringing on the wildlife's habitat, and we should be cognizant of our impacts. All residents and businesses are required to have wildlife proof trash containers if they are kept outside. Unfortunately, this doesn't do any good when those containers are broken (by wildlife) and not replaced with new containers in a timely manner. The town continues to struggle with timely service for the repair and/or replacement of broken refuse containers and it is the wildlife that will suffer. The staff is now considering bringing forward an RFP for a new trash service contract. Some of the containers around town have been waiting almost a month for replacement.



Geronimo – (Frank Sanders' Car)

Most of you are familiar with Frank's car. Here is a picture for anyone unfamiliar with the blue, rusted, vehicles which has lived on the 100-block of Main Street for decades:



The vehicle was recently towed to the Eagle Park parking lot for repairs. Public parking requirements include the moving of vehicles every 72 hours. Typically, a vehicle in violation would be ticketed and then towed. Staff acknowledges the history of this vehicle within the community and seeks direction from Council on addressing this funky and eclectic issue without having it towed.

Water Rates Special Edition Newsletter

The second edition of the Water Newsletter Series went out on July 27, 2023. This edition covered water rates and how they are calculated. Here is a link to the two Special Edition Water newsletter issues thus far:

<https://www.minturn.org/home/news/special-edition-newsletter-understanding-your-water-bill>.

Dog Poop Pick-up Signs

A recent Council discussion centered around the dog leash law, which quickly divulged into a poop pick-up discussion. Unfortunately, even with the installation of 15+ dog waste stations around town with free dog bags provided, some dog owners are still choosing not to pick up their dog's poop. This is happening throughout town, is against the law and most importantly (in my opinion) makes for terrible resident behavior. Typically, the town takes a friendly approach to addressing issues when possible. For this issue, a friendly approach is no longer possible. The following signs are being installed around town identifying this poor behavior in the hopes that shame will make these dog owners pick up the poop.

Water Treatment Plant Alternatives Analysis

I am hopeful the updated water treatment plant alternatives analysis will be completed by the end of July. Staff and consultants are preparing for a discussion with the Water Committee in early August and then a public discussion will (hopefully) take place by the August 16, 2023, council meeting.

Eagle County Community Wildlife Roundtable

The Roundtable met on Wednesday, July 26th for an update on the mapping progress the steering committee is making. With the award of the \$75,000 grant along with matching funds from the Vail Valley Mountain Trails Alliance, Eagle Valley Land Trust, and others, the group is working to better understand the direction of the Roundtable. The steering committee will bring forward updated mapping along with draft charter language for the entire Roundtable to review in late September.

Evacuation Planning – Let's be prepared!

I am currently working with the Eagle County Sheriff's office for a tabletop evacuation exercise next spring. This exercise will include all parties who respond in the event of a natural disaster/emergency and is extensive in nature. The exercise is internal for the purposes of coordinating the event. We expect to follow-up this exercise with a full, town-wide evacuation drill the following spring of 2025.

Main Street Sidewalks Phase II

Work is getting underway in preparation for phase two of the sidewalk construction along Main Street/HWY 24. This work will be the construction of curb, gutter, drainage, and sidewalk from the current southern end of sidewalks southward as far as funding will allow. Early work will include surveying, sub-utility engineering, and completion of the design and engineering documents.





MEMORANDUM

To: Minturn Town Council
From: Kevin Sharkey
Date: July 27, 2023
Re: Eagle Valley Trail

Thank you for allowing us to present you with an update on the Eagle Valley Trail project. We recognize the Town of Minturn is a great partner as we work towards connecting Minturn to the Eagle Valley Trail this year!

As we look forward to more trail construction in 2024, we would like to ask for your consideration of a financial contribution towards our goal of completing the Eagle Valley Trail as you begin work on your 2024 budget. We look forward to seeing you on August 2nd.

Meanwhile, please visit our website: eaglevalleytrail.org

EAGLE VALLEY TRAIL



**CONNECTING
OUR
COMMUNITY**

eco trails



66 EAGLE COUNTY



What is the EVT?

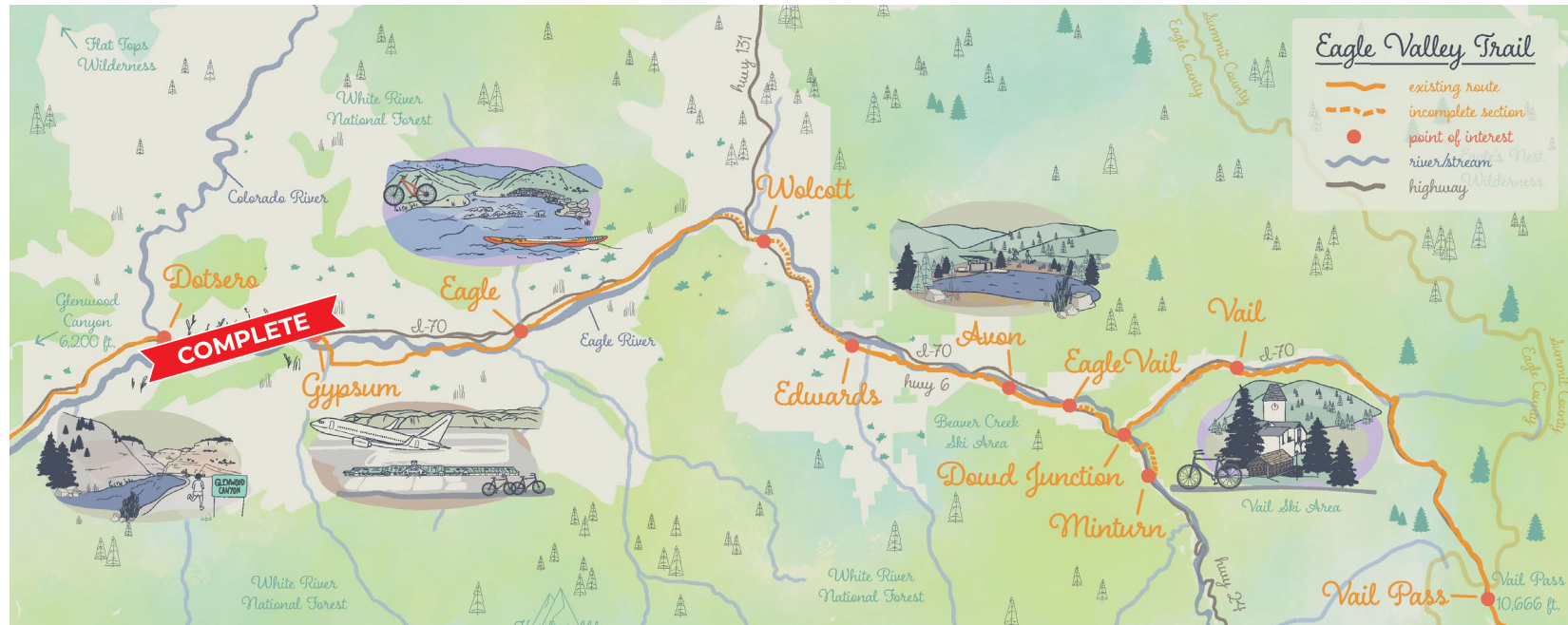
From the top of Vail Pass to Glenwood Canyon, the Eagle Valley Trail (EVT) is a paved recreation path that will traverse Eagle County for a total of 62.7 miles when the final segments are completed.

Three of the four remaining segments are either completed or currently under construction. We're now raising money to fund the final 7.5 miles between Horn Ranch Open Space at Edwards.





Remaining sections to be constructed



Dotsero to **COMPLETE**
Duck Pond Open Space
1.7 miles

Horn Ranch to Edwards
7.5 miles

Eagle Vail to Dowd Junction
1.5 miles – **Under Construction**

Minturn Connection
1.3 miles – **Construction
Summer 2023**



Fundraising Targets





Our purpose

Connect Our Community

Address Climate Change

Equity and Inclusivity

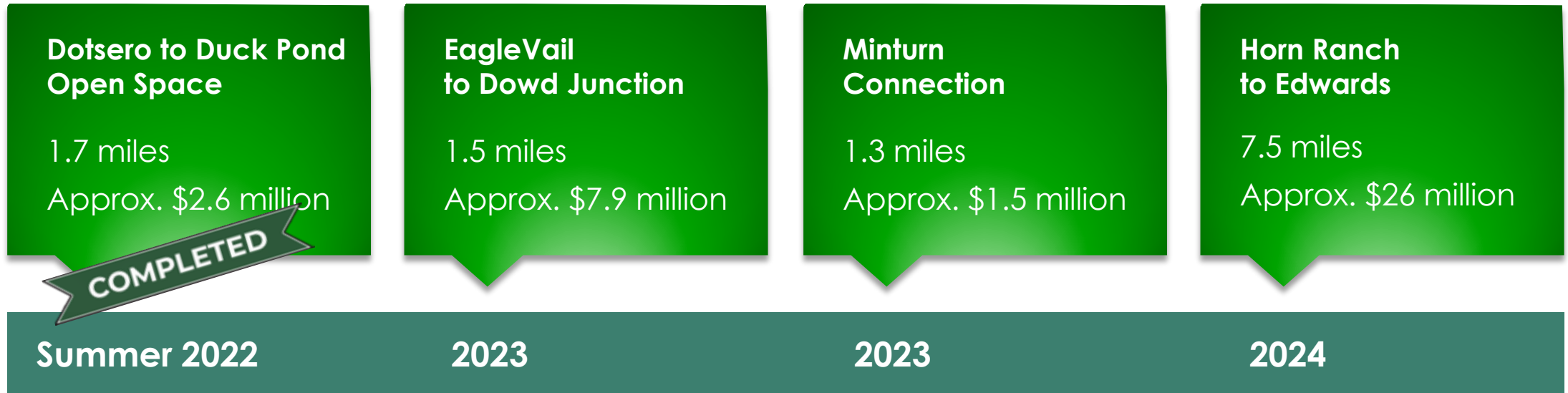
Economic Impact

Quality of Place

Sustainable Tourism

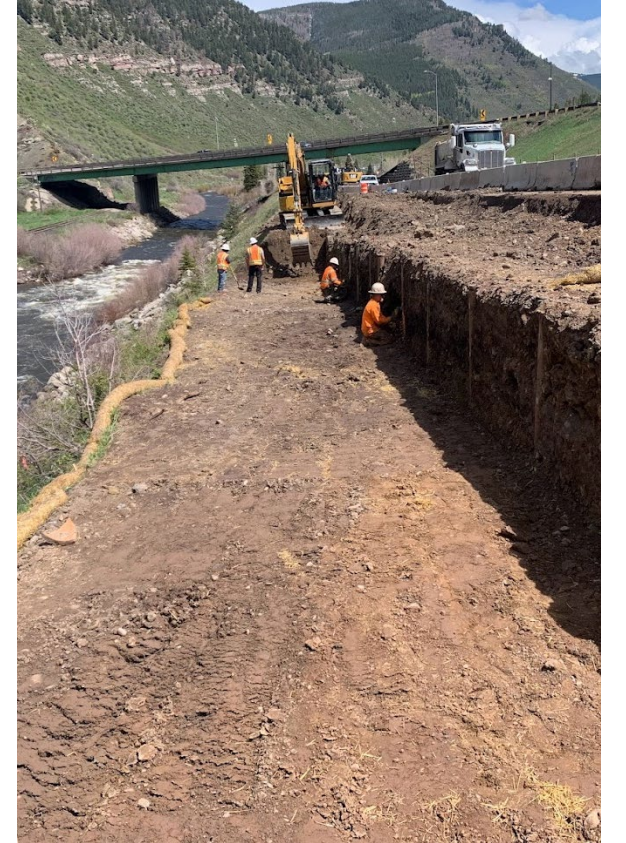


Estimated Costs and Timeline





Construction





Trail Construction
happening this summer



Naming opportunities and signage



Trail Signs

Potential for jurisdictional, or boundary, signs to be used to recognize financial support of the Eagle Valley Trail

Jurisdictional



Directional



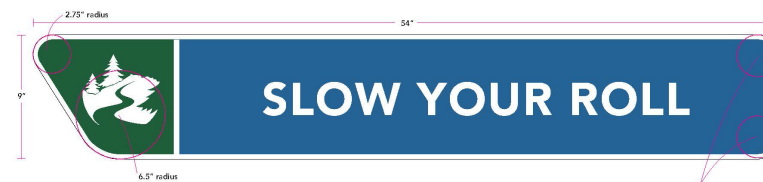
Adopt-A-Trail



Fundraising



Etiquette



Mile Marker



Trail Marker





Naming Opportunities

Naming Opportunities	Estimated Available	Donation	Naming Opportunities	Estimated Available	Donation
Bridge or Tunnel	6	\$250,000	Bench	3	\$25,000
Bus Stop Display	3	\$200,000	Picnic Table	2	\$25,000
Parking Area with Maps and History	3	\$100,000	Directional Sign	10	\$10,000
Kiosk with Trail Information	6	\$50,000	Mile Marker	60	\$5,000
Trail Signage	10	\$25,000	Pet Station	20	\$2,500
			Recycle and Trash Receptacle	20	\$1,000



Total To Date

INDIVIDUAL, FAMILY FOUNDATION AND DONOR ADVISED FUND DONATIONS AND GRANTING FOUNDATION DONATIONS	\$ 267,000
GOVERNMENT CONTRIBUTIONS	\$ 5,000,000
TOWN AND METRO DISTRICT CONTRIBUTIONS	\$ 435,000
EAGLE COUNTY CONTRIBUTIONS	\$ 22,000,000
TOTAL FUNDS RECEIVED AND PLEDGED	\$ 27,702,000*

*73% to goal of \$38,000,000



Thank you for being a valued partner of the
Eagle Valley Trail

How Can You Help?



- Financial contribution to complete the trail
- Letters of support for grant applications
- Allow ECO Trails to install trail markers and other trail signage on your municipality's section(s) of trail
- Send EVT newsletter to your database

For more information
on the EVT



www.EagleValleyTrail.org

eco trails



To donate



Minturn Planning Department
Minturn Town Center
302 Pine Street
Minturn, Colorado 81645



Minturn Planning Commission
Chair – Lynn Teach
Jeff Armistead
Michael Boyd
Amanda Mire
Sage Pierson
Tom Priest

To: Town Council
From: Madison Harris, Planner I
Date: July 27, 2023
Re: Historic Preservation Commission Appointment

Request

Council is asked to approve Resolution 20 - Series 2023 appointing a Historic Preservation Commission Member to the Historic Preservation Commission (“HPC”).

Introduction

The HPC is a five member commission appointed with “three year staggered terms...” - Minturn Municipal Code (“MMC”) Sec. 19-2-30 (1). Sec. 19-2-20 of the MMC states that “At least 3 of the voting members shall be full time Residents, Property or business Owners, or designated representatives of Property or business Owners within the Town” and that “At least 2 of the voting members shall be professionals or shall have extensive expertise in a preservation-related discipline, including but not limited to History, Architecture, Landscape Architecture, American Studies, American Civilization, Construction and Building Trades; Cultural Geography, Cultural Anthropology, Environmental Expertise, Planning, Real Estate, or Archeology. The Town Council may waive this requirement on a determination that there are not eligible prospective members who meet these criteria.” There are no term limits, only that public review and appointment take place.

Staff has advertised the formation of the HPC and received one application, who is qualified to serve. Council is asked to appoint one applicant to the open three year term.

Applicant:

- Tracy Andersen

The applicant will have time to answer questions from the Council. Ballots will be provided to the Council with the applicant(s) names. Council will be asked to choose their top applicant.

Analysis

Meetings are held once a month on the third Tuesday, with the ability to add more should the occasion call for it. Of the four HPC members still appointed, there is a mix of full time residents, property owners, business owners as well as experience in Architecture, Planning, and Building Trades.

Community Input

Candidates were solicited through public notice via e-blast and public notices in the Vail Daily legal section.

Budget/Staff Impact:

TBD.

Strategic Plan Alignment

The Town Council's review and approval of the resolution aligns with the following key strategies:

PRACTICE FAIR, TRANSPARENT AND COMMUNICATIVE LOCAL GOVERNMENT

THE TOWN WILL SEEK TO MAKE INFORMED, DATA-BASED DECISIONS WITH A STANDARD OF "DOING IT RIGHT." WITH AN HONEST APPROACH TO ALL ASPECTS OF LOCAL GOVERNMENT AND A FOCUS ON THE PUBLIC PROCESS, THE TOWN COUNCIL AND STAFF ARE COMMITTED TO SERVING MINTURN WITH THE HONESTY AND INTEGRITY EXPECTED OF A SMALL-TOWN GOVERNMENT.

SUSTAIN AND INVEST IN THE THINGS THAT DEFINE MINTURN AS A PROUD, STURDY MOUNTAIN TOWN TO "KEEP MINTURN MINTURN"

Minturn strongly values its full-time resident community. Founded by the working-class, the town continues to emphasize the local's experience and quality of life. To maintain the character of Minturn and its ability to transcend time, the community must continually make strides to emphasize the working class.

Recommended Action or Proposed Motion

"I make a motion to approve Resolution 20 - Series 2023 appointing _____ to serve on the Minturn Historic Preservation Commission through July 31, 2026."

Attachments

- Resolution 20 - Series 2023
- HPC Letter of Interest Submitted

1016 Mountain Drive
Minturn, Co 81645
(303) 543-8738
tracyandersen@comcast.net
July 12, 2023

Dear Madison,

I am submitting this letter of interest for the open position on the Historic Preservation Commission.

I am grateful for the previous appointment to the Historic Preservation Commission. I have enjoyed being a part of the planning, creation, logistics, and execution of the plan that is now in place which guides how buildings will be preserved in perpetuity.

I feel that while a lot has been accomplished, there is more to do, specifically in the realm of funding. As such, I would like to help identify ways to help pay for historic preservation. I would also like to delineate all the benefits of preservation for residents interested in designating their properties.

As a Minturn resident since 2005, I am always thinking about the future of the town. My background is diverse. I have been a high school teacher for 20 years. I taught sciences (Chemistry, Environmental Science, Biology, Anatomy/Physiology, Geology) for most of that time. Currently, I am on the ESS (Exceptional Student Services) team at Battle Mountain High School. Prior to teaching, I was a Program Manager with The Nature Conservancy for eight years, mostly in my home state of New Jersey. I have an undergraduate degree in biology (Smith College) and a masters degree in Environmental Management (Yale University).

I enjoy being involved in my community and being on the HPC has been rewarding. It has acquainted me with the workings of small town government. I am also on the Board of my HOA in South Minturn. Essentially, I like being part of teams that aim to make life a bit better for all parties.

Thank you for your time and consideration of this request.

Tracy

Tracy Andersen

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 20 – SERIES 2023**

**A RESOLUTION APPOINTING A HISTORIC PRESERVATION COMMISSION
MEMBER**

WHEREAS, The Minturn Historic Preservation Commission (“HPC”) Members are appointed by the Town Council pursuant to Minturn Municipal Code Section 19-2-10; and

WHEREAS, pursuant to Minturn Municipal Code Section 19-2-30(1), the HPC is required to be appointed to staggered three year terms; and

WHEREAS, the Town Council recognizes and appreciates the service and commitment of the HPC members.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO THAT THE FOLLOWING INDIVIDUAL IS HEREBY APPOINTED AS INDICATED:

NAME	TERM
_____	July 31, 2026 – 3yr

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 2nd DAY OF AUGUST, 2023.

TOWN OF MINTURN

By: _____
Earle Bidez, Mayor

ATTEST:

Jay Brunvand, Town Clerk

To: Minturn Town Council
From: Madison Harris
Date: July 13, 2023
Agenda Item: Landmark Designation for 25 Harrison Ave (Meyer’s Barn)



REQUEST:

Review the landmark designation nomination of 25 Harrison Avenue (Commonly known as the Meyer’s Barn) based on the criteria outlined in the Minturn Municipal Code Sec. 19-3-20, citing findings of fact, and forwarding a recommendation of approval, approval with conditions, or denial to the Minturn Town Council.

Application: #2023L – 001
Address: 25 Harrison Avenue
Zoning: Old Town Character Area – Mixed-Use Zone
Owner: PowPowNow LLC (locally Loren Bendel)
Applicant(s): Ken Halliday
Kelly Toon
John “Woody” Woodruff

CASE SUMMARY:

A nomination has been submitted for Historic Landmark status of the Meyer’s Barn located at 25 Harrison Avenue. Staff reviewed and deemed the application complete and to meet the Minturn landmark designation criteria. As such, staff scheduled a public hearing for the Historic Preservation Commission meeting on July 6, 2023. Adjacent properties and the owner of 25 Harrison Avenue were notified via certified mail, and a notice placed in the Vail Daily 10 days before the public hearing.

DESIGNATION CRITERIA & EVALUATION; CHAPTER 19 MINTURN MUNICIPAL CODE:

To meet landmark designation criteria, in accordance with Chapter 19, Minturn Municipal Code, the application(s) must be complete, and the structure must meet the following criteria:

MMC Sec. 19-3-20. Eligibility Criteria.

- a. Properties or historic districts shall be at least seventy-five (75) years old and meet one (1) or more of the following criteria in order to be considered for designation:
 - 1) Association with events that have made a significant contribution to history
 - 2) Connection with persons significant in history
 - 3) Distinctive characteristics of a type, period, method of construction, or artisan
 - 4) Geographic importance
 - 5) Possibility to yield important information related to prehistory or history

CRITERIA EVALUATION

Town staff found that the application for designation demonstrates that the structure meets the following criteria.

A. Association with events that have made a significant contribution to history (exemplifies cultural, political, economic, or ethnic heritage of the Town)

“The Meyer’s barn is the largest remaining log barn structure in Mintun from the late 1800’s. It is an iconic element in town prominently located on Harrison Street and can be viewed from Main Street. When you study the barn up close, you can get sense of awe about of what life must have been like back then. When you look at the hand-hewn logs and notched joints, you can imagine the hard work and craftsmanship required to prepare and assemble them back in those days. You also get a sense of the importance of using locally sourced pine logs given the difficulty of transportation. Most importantly, you can see how the structures in the earliest days of the development of Mintun were a fitting reflection of the surrounding natural environment.”
(Nomination Application)

From this original period forward the Meyer’s Barn has been an unofficial landmark in Mintun. The Meyer’s Barn remains close to how it was originally was established.

B. Connection with persons significant in history



Photo Credit: Vail Daily, May 2014

The Meyer’s were an institution for Minturn with Ms. Irene Meyer owning Grammy’s Attic and Mr. Ralph Meyer running Grandpa’s Garage starting in 1937. According to Mr. Meyer’s grandson Wayne Trujillo “Both Lionshead and grandpa were Minturn royalty, albeit different sorts of monarchs. Lionshead held the town’s scepter loftily and aloofly from on high while grandpa extended a helping hand, credit, a shot of whiskey and the benefit of a doubt from below, ruling as town Samaritan...Mr. Ralph Meyer was the nephew of former Eagle Mayor Gus Meyer and Oscar Meyer, the slain sheriff...” (Vail Daily, May 27, 2014)

C. Distinctive characteristics of a type, period, method of construction or artisan (exemplifies specific elements of an architectural style or period; demonstrates superior craftsmanship or high artistic value; represents a style that is particular to the Town; and, represents a built environment of a group of people in an era of history)

The Meyer's Barn reflects the traditional log cabin style of architecture that were constructed in North America between the 1600s and the early 1900s as a method brought over from Europe. (Pollio) A more modern version can still be constructed today, and often is in the Western United States. The preface of this architecture was to make simple structures out of materials that were readily available.

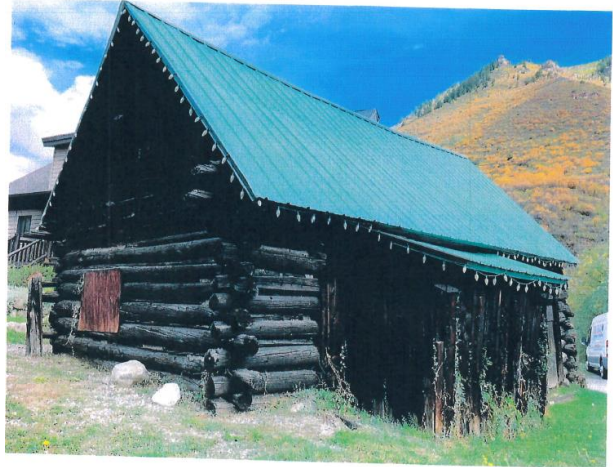


Photo Credit: Nomination Application

Log structures, both historic and not, can be seen all over the state of Colorado, and indeed, in many states.

D. Geographic Importance (enhances the sense of identity of the Town or community; is an established and familiar natural setting or visual feature of the Town or community)

“The Meyer’s barn is the largest remaining log barn structure in Mintun from the late 1800’s. It is an iconic element in town prominently located on Harrison Street and can be viewed from Main Street. When you study the barn up close, you can get sense of awe about of what life must have been like back then. When you look at the hand-hewn logs and notched joints, you can imagine the hard work and craftsmanship required to prepare and assemble them back in those days. You also get a sense of the importance of using locally sourced pine logs given the difficulty of transportation. Most importantly, you can see how the structures in the earliest days of the development of Mintun were a fitting reflection of the surrounding natural environment.”
(Nomination Application)

The Meyer’s Barn represents a bygone era of Minturn’s history where we still needed horses in Town. 25 Harrison Avenue is a lot that is adjacent to the river, but can also be viewed from Main Street as you walk by. This barn is a familiar sight to any local’s who have lived in or frequented Minturn.

E. Possibility to yield important information related to prehistory or history (embodies construction, development, or design adaptations)

This barn is representative of a common construction type as stated above. However, there were often different construction methods that varied based on ethnic groups such as the Block House End Method found in the Ohio River Valley and Southeastern Indiana. Detailing the construction type if possible, may be able to provide insight into what construction methods were used in Minturn in the 1800s.

PUBLIC REVIEW PROCESS:

Town staff has met all posting and notification requirements delineated in Chapter 19, Sec 19-4-10 identifying legal notice procedures follow established guidelines as set forth in MMC. Sec. 16-21-610.

PUBLIC COMMENTS:

As of June 30,2023, no public comments have been received regarding this application.

RECOMMENDED ACTION OR PROPOSED MOTION:

Recommend approval to the Town Council of the Historic Landmark Nomination Applications for the Meyer's Barn located at 25 Harrison Avenue.

ATTACHMENTS:

- Historic Landmark Nomination Application for the Meyer's Barn located at 25 Harrison Avenue

REFERENCES:

Pollio, Vitruvius (1914). *Ten Books on Architecture*. Harvard University Press. p. 39.

Trujillo, W. (2014, May 27). *Vail Daily Column: Grandpa's garage and Grammy's Attic*. VailDaily.com. <https://www.vaildaily.com/opinion/editorial/vail-daily-column-grandpas-garage-and-grammys-attic/>

4/13/23



HISTORIC LANDMARK NOMINATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

P.O. Box 309/302 Pine Street Minturn, Colorado 81645-0309

970-827-5645 | planner1@minturn.org

Section 1 - Purpose:

The purpose of Historic Preservation is to enhance the Town of Minturn's local resources and to promote the public health, safety, and welfare through:

1. The protection and preservation of the Town's architecture, culture, and heritage as embodied in historic properties and historic districts, by appropriate regulations and incentives;
2. The stabilization of historic neighborhoods;
3. The establishment of the Town's Historic Register listing historic properties and historic districts;
4. The cultivation of civic pride in the art, architecture, and accomplishments of the past;
5. The encouragement of continued private ownership and utilization of such historic properties or historic districts now so owned and used;
6. The promotion of thoughtful community planning and design; and
7. The provision of educational opportunities to increase public appreciation of the Town's unique heritage.

Section 2 - Intent:

The intention of Historic Preservation is to create a reasonable balance between private property rights and the public interest in preserving the Town's unique historic character through the nomination of buildings, structures, sites, objects, and historic districts for preservation.

Narrative Description:

Please describe the current appearance of the property and any alterations that have occurred since its original construction.

The Meyer's barn was originally built for horses by the Meyer family who lived in Minturn in the early years. We believe it was constructed in the late 1800's. It is one story and measures 17 feet by 27 feet. It is constructed with hand-hewn pine logs with notched joints. All logs appear to be original to the structure. The logs show signs of weathering, especially at the ground level, but overall they are in pretty good shape in spite of their age. The barn has a dirt floor. A green metal roof was added at some point in the 1900's to protect the structure. As part of the roof replacement, some of the original roof framing under the roof was replaced.

Photographs:

Please attach current photographs of the property and, if available, copies of historic photographs. For building, structures, or objects, current photographs should show the property from all directions.

If you are not the owner of the property that is being nominated, have you discussed this application with the owner(s)? This is encouraged, but not required. Yes No *Aware but hasn't reviewed yet.*

Signature:

M. Halliday

[Signature]

[Signature] 89



HISTORIC LANDMARK NOMINATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

P.O. Box 309/302 Pine Street Minturn, Colorado 81645-0309

970-827-5645 | planner1@minturn.org

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2. The stabilization of historic neighborhoods;
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5. The encouragement of continued private ownership and utilization of such historic properties or historic districts now so owned and used;
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Please describe the current appearance of the property and any alterations that have occurred since its original construction.

The Meyer's barn was originally built for horses by the Meyer family who lived in Minturn in the early years. We believe it was constructed in the late 1800's. It is one story and measures 17 feet by 27 feet. It is constructed with hand-hewn pine logs with notched joints. All logs appear to be original to the structure. The logs show signs of weathering, especially at the ground level, but overall they are in pretty good shape in spite of their age. The barn has a dirt floor. A green metal roof was added at some point in the 1900's to protect the structure. As part of the roof replacement, some of the original roof framing under the roof was replaced.

Photographs:

Please attach current photographs of the property and, if available, copies of historic photographs. For building, structures, or objects, current photographs should show the property from all directions.

If you are not the owner of the property that is being nominated, have you discussed this application with the owner(s)? This is encouraged, but not required. Yes No

Signature:



HISTORIC LANDMARK NOMINATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

P.O. Box 309/302 Pine Street Minturn, Colorado 81645-0309

970-827-5645 | planner1@minturn.org

Section 3 - Basic Property Information:

Historic Name of Property (if applicable) and any other names:

Meyer's barn

Address of Property

Street Address: 25 Harrison Street, Minturn

Legal Description of Property: Quarter: SW Section: 26 Township: 5 Range: 81 PCL IN Subdivision: MEYER SUBDIVISION Lot: 12

Maps:

1. Include a location map on 8.5x11 inch page showing the property in relation to major streets
2. Include a site plan on 8.5x11 inch page showing the footprint of the building if applicable

Property Owner Information:

Name: POWPOW NOW LLC
c/o Loren Bendele

Mailing Address: 933 Kalmia Avenue
Boulder, CO 80304-1741

Email: Loren.bendele@gmail.com

Phone: 310-266-2787

Applicant Information (if different):

Name: Ken Halliday, Kelly Toon & Woody Woodruff

Mailing Address: c/o Ken Halliday
301 Boulder Street #1153, Minturn CO 81645

Email: khalliday62@gmail.com

Phone: 210-867-1514

Is property listed on the National Register of Historic Places or the State Register of Historic Properties?

Yes No

If yes, please provide date and registration number. Date: _____ Registration #: _____

For Official Use:

Date Received: _____ Planner: _____

Historic Preservation Commission - Approval Denial

Comments:



HISTORIC LANDMARK NOMINATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

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970-827-5645 | planner1@minturn.org

Section 4 - Eligibility Criteria:

Indicate how the property is significant to the Town of Minturn and its past by checking one or more of the following: Properties (*buildings, structures, sites, or objects*) or historic districts shall be at least 75 years old and meet 1 or more of the following criteria in order to be considered for designation:

- Association with events that have made a significant contribution to history;
 - Is a site of a historic event that had an effect upon society; or
 - Exemplifies cultural, political, economic, or ethnic heritage of the Town.
- Connection with persons significant in history.
- Distinctive characteristics of a type, period, method of construction, or artisan:
 - Exemplifies specific elements of an architectural style or period;
 - Is an example of the work of an architect or builder who is recognized for expertise nationally, state-wide, regionally, or locally;
 - Demonstrates superior craftsmanship or high artistic value;
 - Represents a style that is particular to the Town;
 - Represents an innovation in construction, materials, or design; or
 - Represents a built environment of a group of people in an era of history.
- Geographic importance:
 - Enhances the sense of identity of the Town or community; or
 - Is an established and familiar natural setting or visual feature of the Town or community.
- Possibility to yield important information related to prehistory or history:
 - Addresses research questions or fills recognized data gaps;
 - Embodies construction, development, or design adaptations; or
 - Informs on the development of engineering systems.

A property or historic district may be exempted from the age standard if the Town Council finds it to be exceptionally important in other criteria. - Sec. 19-3-20 MMC

For any eligibility criteria selected above, please provide sources and documentation below with the research and documentation for why this application should be designated historic. If this space is not enough please feel free to attach additional sheets.

Given the age of the structure, there is no detail documentation that could be located on its history.



HISTORIC LANDMARK NOMINATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

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Section 5 - Category and Resources:

Category of Nomination (check one):

- Building (any shelter or enclosure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials of any kind.)
- Site (the location of a significant event; a prehistoric or historic occupation or activity; or a building, structure, or object, whether standing or vanished, where the location itself maintains historic or archeological value regardless of the value of any existing building, structure, or object.)
- Object (a material item of functional, aesthetic, cultural, historical, or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.)
- District (a geographically definable area including a concentration, linkage, or continuity of properties within a specified period of significance and may include within its geographic boundaries one (1) or more contributing properties, which has been designated by the Town Council)
- Structure (anything constructed or erected, the use of which requires location on or in the ground, for purposes other than shelter of humans, animals, or chattels.)

Narrative Statement of Significance:

Please describe how this property contributes to the history of Minturn. Why should the property be landmarked? For any category selected above, please provide sources and documentation below with the research and documentation for why this application should be designated historic. If this space is not enough please feel free to attach additional sheets.

The Meyer's barn is the largest remaining log barn structure in Mintun from the late 1800's. It is an iconic element in town prominently located on Harrision Street and can be viewed from Main Street. When you study the barn up close, you can get sense of awe about of what life must have been like back then. When you look at the hand-hewn logs and notched joints, you can imagine the hard work and craftsmanship required to prepare and assemble them back in those days. You also get a sense of the importance of using locally sourced pine logs given the difficulty of transportation. Most importantly, you can see how the structures in the earliest days of the development of Minturn were a fitting reflection of the surrounding natural environment.

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Section 6 - Description:

Architectural Description:

If property is a building, please describe the predominate architectural style such as Victorian or Mid-Century Modern.

Hand-hewn log barn with notched corner joints.

List of References:

Please cite the books, articles, personal contacts, and other sources used in preparing this application.

Given the age of the structure, there is no detail documentation that could be located on its history.



Google Earth

MEXER'S
BLVD

HARRISON ST.

EAGLE RIVER ST

estimate # 1192 for JOHN WOODRUM
issued on May 10, 2023 from Preci...



Madison Harris

From: Kenneth Schapiro <ken@condorcapital.com>
Sent: Wednesday, July 5, 2023 3:26 PM
To: Madison Harris
Subject: 25 Harrison ave

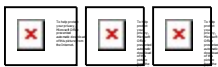
Dear historic commission

I am a neighbor of this structure. My house is located at 424 eagle river st one house away. This structure is in need of repair and falling apart. Ralph Meyer, the prior owner, used to keep his horses in it back in the day and really only kept it to preserve the ability to have an Adu on his property. The historic commissions purpose is to preserve structures which are in more public spaces like the 100 block and which are part of the fabric of our town. Given the state of disrepair and its location I see no need to preserve this. However if the town moved this to little beach park and preserved it there it would make more sense. Most notably in its current state it is an eyesore and a potential place which could be used on eagle river st for snow storage. If you want to talk with me personally please contact me on my cell at 732 991 8414.

Ken Schapiro, CFA®
Chief Executive Officer



1973 Washington Valley Road, Suite 1
Martinsville, NJ 08836
Phone: (732) 356-7323
Fax: (732) 356-5875
Email: ken@condorcapital.com
<https://www.condorcapital.com/>



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*Please remember to contact Condor Capital Management, **in writing**, if there are any changes in your personal/financial situation or investment objectives for the purpose of reviewing/evaluating/revising our previous recommendations and/or services, or if you want to impose, add, or modify any reasonable restrictions to our investment advisory services, or if you wish to direct that Condor Capital Management effect any specific transactions for your account. **Please be advised that there can be no assurance that any email request will be reviewed and/or acted upon on the day it is received-please be guided accordingly.** A copy of our current written disclosure statement discussing our advisory services and fees continues to remain available for your review upon request.*

Madison Harris

From: BYRON ALICE WALKER <byronalice@msn.com>
Sent: Saturday, July 1, 2023 11:48 AM
To: Madison Harris
Subject: Meyer's Barn

I am in favor of this designation. Byron

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 10 – SERIES 2023**

**AN ORDINANCE OF THE TOWN OF MINTURN,
COLORADO AMENDING THE TOWN’S HISTORIC
REGISTER ADDING THE MEYER’S BARN – PARCEL
NUMBER: 2103-263-30-002**

WHEREAS, the Town of Minturn (“Town”) is a Colorado home rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Town of Minturn Home Rule Charter for which the Minturn Town Council (“Town Council”) is authorized to act; and

WHEREAS, the Town of Minturn has established the Town of Minturn Register of Historic Places (the “Town’s Historic Register”) in Section 19-3-10 of the Minturn Municipal Code (“Code”); and

WHEREAS, pursuant to Code Sec. 19-4-30 the Historic Preservation Commission (“HPC”) has transmitted to the Town Council a proposed designation of a structure for preservation; and

WHEREAS, based upon evidence received by the HPC at a hearing on July 6, 2023, the staff report and evidence received at the hearings before Town Council on July 19, 2023 and August 2, 2023 the Meyer’s Barn structure which is a seventeen (17) foot by twenty-seven (27) foot log barn, located at Parcel Number 2103-263-30-002 meets the criteria for designation as a structure for preservation as set out in Code Sec. 19-3-20 by:

- (a) Properties or historic districts shall be at least seventy-five (75) years old and meet one (1) or more of the following criteria in order to be considered for designation:*
 - (1) Association with events that have made a significant contribution to history;*
 - b. Exemplifies cultural, political, economic, or ethnic heritage of the Town.*
 - (2) Connection with persons significant in history.*
 - (3) Distinctive characteristics of a type, period, method of construction, or artisan:*
 - a. Exemplifies specific elements of an architectural style or period;*
 - c. Demonstrates superior craftsmanship or high artistic value;*
 - d. Represents a style that is particular to the Town;*
 - f. Represents a built environment of a group of people in an era of history.*
 - (4) Geographic importance;*
 - a. Enhances the sense of identity of the Town or community;*
 - b. Is an established and familiar natural setting or visual feature of the Town or community.*
 - (5) Possibility to yield important information related to prehistory or history:*
 - b. Embodies construction, development, or design adaptations*

WHEREAS, the Nomination Application indicates that: “The Meyer’s barn is the largest remaining log barn structure in Minturn from the late 1800’s. It is an iconic element in town prominently located on Harrison Street and can be viewed from Main Street. When you study the barn up close, you can get sense of awe about of what life must have been like back then...”; and

WHEREAS, the Meyer’s Barn is an iconic historic structure that is emblematic of the architecture of Minturn’s frontier heritage; and

WHEREAS, the Meyer’s Barn is part of the sense of community that makes up the Town of Minturn and provides an important bridge to the Town’s past.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO:

SECTION 1. The foregoing recitals are incorporated herein as if set forth in full.

SECTION 2. That based upon the analysis reference above, and the evidence received at the public hearings, certain property herein called the Meyer’s Barn, a seventeen (17) foot by twenty-seven (27) foot log barn, located at Parcel Number 2103-263-30-002, separate from all improvements situated and located thereon, be and the same is hereby designated as a structure for preservation and inclusion on the Town’s Historic Register.

SECTION 3. The effect of this designation may enhance the value of the property and of the structure, but may delay or require denial of building permits found unacceptable by the Historic Preservation Commission under the criteria contained in Chapter 19 of the Minturn Municipal Code.

SECTION 4. This ordinance shall be recorded among the records of the Clerk and Recorder of Eagle County.

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 19th DAY OF JULY 2023. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 2nd DAY OF AUGUST 2023 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk

THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THIS 2nd DAY OF AUGUST 2023.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk

Glenwood Springs – Main Office

201 14th Street, Suite 200
P. O. Drawer 2030
Glenwood Springs, CO 81602

Aspen

323 W. Main Street
Suite 301
Aspen, CO 81611

Montrose

1544 Oxbow Drive
Suite 224
Montrose, CO 81402

Office: 970.945.2261

Fax: 970.945.7336

**Direct Mail to Glenwood Springs*

DATE: July 28, 2023
TO: Minturn Mayor and Council
FROM: Karp Neu Hanlon, P.C.
RE: Minturn Saloon Encroachment

As Council is aware, a major renovation of the Minturn saloon building has occurred over the last year. This has included work on the overhang along North Main St. that covers the historic sidewalk. A portion of the overhang extends into the North Main Street right of way. Under the Town code, encroachments in the right of way require an encroachment license. The saloon has made application to have the encroachment license granted. Under the town code, encroachment licenses must be granted by ordinance which requires two readings.

Town staff has prepared a draft encroachment license agreement using the standard form used for other encroachments in the Town. We are still working with the Town surveyor and the applicant's surveyor to complete the exhibit identifying the scope of the encroachment. The ordinance approving the encroachment license contains a waiver of the annual license fee. The reason is that as part of this encroachment license the Town will be receiving easements for public encroachments into the saloon property. These encroachments include a portion of the Railroad Ave. right of way and the sidewalk that runs along North Main St. Due to the public benefit to be conferred by granting these easements, Town staff supports the waiver of the annual fee.

Town staff recommends approving this ordinance on first reading. Town staff will work with the saloon property owners to finalize the form of easement documents and survey descriptions. This additional information will be provided in the packet for second reading of the ordinance.

TOWN OF MINTURN, COLORADO
ORDINANCE NO. 11 – SERIES 2023

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO,
AUTHORIZING A REVOCABLE LICENSE TO ENCROACH
AND AGREEMENT FOR THE ENCROACHMENT OF
PHYSICAL IMPROVEMENTS AND ASSOCIATED USES INTO
THE NORTH MAIN STREET RIGHT-OF-WAY.

WHEREAS, Town of Minturn (the “Town”) is the Owner of the North Main Street right-of-way situate in Town of Minturn, County of Eagle, Colorado; and

WHEREAS, Los Amigos – Property Company LLC (the “Licensee”) owns the real property located at 146 North Main, Minturn, CO 81645 and identified as Parcel Number 2103-263-08-002; and

WHEREAS, the Licensee desires to maintain certain physical improvements within the North Main Street right-of-way, and to use the same at 146 North Main Street; and

WHEREAS, Chapter 11, Article 3 of the Minturn Municipal Code authorizes the Town Council of the Town of Minturn to enter into license agreements, by ordinance, for long-term licenses to encroach within a public right-of-way, upon finding that license is revocable, the licensee maintains insurance for the property and indemnifies the Town, and that encroachment area is not otherwise necessary for public use during the license period.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO:

1. Incorporation of Recitals. The foregoing recitals are incorporated herein as if set forth in full.
2. Findings. The Minturn Town Council hereby makes the following findings of fact:
 - (a) The portion of the Boulder Street right-of-way presently occupied by the physical improvements located at 146 North Main Street are not needed for public use at this time;
 - (b) The **Revocable License to Encroach and Agreement**, attached and incorporated herein by this reference, is revocable by the Town; and
 - (c) The Owner is providing the Town with material benefit in the form of two easements which warrants the waiver of the encroachment fee; and
 - (d) The License includes appropriate insurance and indemnification policies.
3. Agreement. The Minturn Town Council hereby approves of the License to Encroach and Agreement and authorizes the Mayor to execute said License on behalf of the Town.

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 2nd DAY OF AUGUST 2023. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 16TH DAY OF AUGUST 2023 AT 5:30 P.M. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk

THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 16TH DAY OF AUGUST 2023.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk

REVOCAABLE ENCROACHMENT LICENSE AGREEMENT

This ENCROACHMENT LICENSE AGREEMENT (“Agreement”) entered into this 2ND day of June, 2023, by and between the Town of Minturn, a Colorado Home Rule Municipality, (“Minturn”) and Los Amigos – Property Company LLC, the owner of real property located at 146 North Main Street, Minturn, Colorado (“Owner”).

RECITALS

WHEREAS, Minturn owns right-of-way located at North Main Street, Town of Minturn, Eagle County, Colorado, recorded in the Eagle County property records.

WHEREAS, Owner owns a parcel of property at 146 North Main Street, Town of Minturn, Eagle County, Colorado, Eagle County Parcel Number 2103-263-08-002 (the “Property”).

WHEREAS, Owner has constructed an overhang that encroaches upon Minturn’s property.

WHEREAS, the Owner has applied for an encroachment license agreement with Minturn pursuant to section 11-3-120 of the Code.

WHEREAS, the encroachment does not interfere with public use of Minturn’s property, public roads nor does it create a public safety hazard.

WHEREAS, with Resolution No. 19 – Series 2020 the Minturn Town Council set an encroachment fee of \$16.00 per square foot at a regularly held Council meeting dated July 1, 2020.

WHEREAS, the public sidewalk runs underneath the encroachment overhang.

WHEREAS, due to the Town’s use of the property, the Town wishes to waive the encroachment fee.

NOW, THEREFORE, for and in consideration of the covenants and agreements contained herein, the parties do hereby agree as follows:

TERMS

1. **Encroachment:** Owner may maintain the driveway encroachment on Minturn’s property, depicted on **Exhibit A** (the “License Area”). Without written permission of Minturn, Owner shall not enlarge, replace, nor substantially modify any improvement within the License Area. Owner may use the License Area for the overhang and entry into the building that does not impede the public sidewalk.

2. **Term:** This Agreement shall extend from the date of the execution of this Agreement until the encroachment is removed, allowed to substantially deteriorate, or destroyed. Further, the Town may terminate this Agreement by providing ninety days written notice in the event that the License Area is required for a Town purpose such as roadway, sidewalk, or utility purposes.
3. **Cost:** The Town waives the encroachment fee for the License Area in exchange for the roadway and sidewalk easements running to the Town across the Property.
4. **Condition of Site:** During the term of this Agreement, Owner shall keep the License Area in good and safe condition, free from debris, snow and refuse. At all times Owner shall comply with the terms of the Minturn Code related to encroachments.
5. **Insurance:** The Owner shall obtain and provide the Town with a copy of an umbrella liability policy covering the encroachment area and in limits of no less than five hundred thousand dollars (\$500,000). Such policy shall be renewed by the Owner each year for the life of the encroachment, and a copy of each new policy shall be furnished to the Town upon the anniversary date of this Agreement. The Town shall be a named insured on Owner's umbrella liability policy. Failure to provide the policy as required shall automatically nullify this Agreement without further notice and shall require the Owner's removal of the encroachment at the Owner's sole expense. Should the applicant fail to remove the encroachment within a reasonable time, the Town may declare the encroachment a public nuisance, undertake removal and attach a lien to the applicant's property for the costs of the removal.
6. **Release from Liability:** Owner releases and discharges Minturn from any and all liability arising from the execution and performance of this Agreement.
7. **Indemnification:** Owner agrees that it will indemnify, defend and hold harmless Minturn and its officers, employees, and agents from and against any claim, liability, obligation, loss, damage, assessments, judgment, cost (including attorney fees) or expense incurred as a result of this Agreement, Owner's activities on and use of Minturn's property, or the proximity of Owner's property to Minturn's property, with respect to investigating, preparing or defending against any litigation or claim, action, suit, proceeding or demand of any kind or character.
8. **Disclaimer:** Owner and Owner's successors-in-interest disclaim any and all rights or claims, whether now or in the future, against any and all parts of Minturn's property by virtue of adverse possession or easement by prescription.
9. **Runs with Land:** So long as Owner is in compliance with the terms of this Agreement and such other provisions of the Minturn Code that apply to encroachments, this

Agreement shall be deemed to run with the land for the benefit of the property described as:

Subdivision: BOOCO Block: B Lot: 5 AND:- Lot: 6, TOGETHER WITH
20' X 50' OF LAND ADJOINING SOUTH END OF LOTS 5 & 6
otherwise known as
146 North Main Street, Minturn, Colorado 81645

10. **Recording:** The Agreement may be recorded in the public records of Eagle County.

11. **Binding Agreement:** It is understood and agreed that this Agreement shall be binding upon the assigns and successors in interest of the parties hereto.

TOWN OF MINTURN

By: _____

Date

ATTEST:

Town Clerk

OWNER:

Owner Signature

Date

Notary Public

STATE OF _____)
) ss
COUNTY OF _____)

The foregoing instrument was acknowledged before me on this ____ day of _____, 202_, by _____

My commission expires: _____

WITNESS my hand and official seal.

Notary Public



2024 Proposal for SCOPE OF SERVICES for the TOWN OF MINTURN

Community Energy Efficiency Program

1/1/2024 through 12/31/2024 (or may also start anytime in 2023)

CONTACT INFORMATION

Walking Mountains Science Center
P.O. Box 9469, Avon, CO 81620
Office Phone: 970-328-8777

Contact: Nikki Maline, Energy Programs Director
Email: nikkim@walkingmountains.org
Website: www.walkingmountains.org/energy

ORGANIZATION PROFILE

The mission of Walking Mountains Science Center is to “awaken a sense of wonder and inspire environmental stewardship and sustainability through natural science education.” Walking Mountains is a community-based nonprofit 501c3 organization in Avon, Colorado that educates residents and visitors while helping businesses, individuals and local governments become more environmentally sustainable. Walking Mountain Science Center (WMSC) Sustainability Department’s objective is to **act as an agent of change to achieve local climate action goals and improve the social, economic, and environmental resilience of the Eagle County community.** We serve as a resource and education hub to inspire action from local to global. Through this objective our staff implement multiple strategies to educate, outreach, and provide opportunities for action. Sustainability staff work across various sectors including energy & buildings, climate action, sustainable business, and waste diversion and reduction while using a lens of equity.

Through the Energy Smart Colorado program, Walking Mountains provides energy coaching, comprehensive home energy assessments (highly discounted), and rebates to both businesses and homes. This includes increased incentives specific for low-to-moderate income (LMI) households; both homeowners and renters eligible.

PURPOSE OF PROGRAM and PARTNERSHIP DETAIL

To create a system of incentives that are specific and targeted for the Town of Minturn community in order to help locals decrease their energy burden and make living environments safer and healthier. Through participation in the Energy Smart Colorado program, homes & business are provided education and recommendations after an in person visit, and incentives for making recommended upgrades. In addition to a reduced energy burden and a healthier living environment, homes and buildings that invest in improvements rebated through the Energy Smart Colorado program for Energy Efficiency, Renewable Energy, and Building Electrification significantly help our community reach our local climate action plan goal of an overall 50% reduction of greenhouse gas emissions by 2030 (from a 2014 baseline). By partnering with Walking Mountains and the Energy Smart Colorado program the Town of Minturn will be able to implement a program that is accessible, available, and affordable to all homes & business.

Through this partnership the Town of Minturn is showing their commitment to our local Climate Action Plan for the Eagle County Community goals and priority actions (from the 2020 Climate Action Plan Update):

We are calling for:

- *Immediate emergency- grade action on climate*
- *Prioritization of strategies to immediately reduce carbon emissions*
- *Timely achievement of carbon pollution reduction goals*
- *Commitment to a healthier and more resilient future for our Eagle County community*



Community Energy Efficiency Program:

Within the Community of the Town of Minturn, we would like to increase the participation and engagement in the already developed Energy Smart Colorado program. Many of the assets for this program are already in place and will be leveraged for your community, including:

- Qualified contractor network for Energy Assessments and Improvements
- Comprehensive Customer Relationship Management tool (Salesforce) for tracking program results/financials
- Stocked Inventory of Quick Fix materials (free direct installs at home energy assessments)

Sustainable Economic and Social Development:

Over the past 10+ years throughout Eagle County, the Energy Smart Colorado program has created a “green workforce” including highly-trained contractors and Building Analysts which have all contributed to the economic growth of the community.

Public Education and Communication:

By providing energy efficiency education to local homeowners and developing more streamlined methods of communication we will be able to increase the capacity for energy saving improvements throughout the town.

Property Verification as part of Town of Minturn:

The Town of Minturn staff will help ensure we can properly identify if a property is part of the Town of Minturn.

DELIVERABLES

During 2024, WMSC will partner with the Town of Minturn, other local municipalities, Eagle County, and local utilities to perform the following work:

- 1) Project management and reporting of the Energy Smart Colorado program in Eagle County;
- 2) Coordination of the Energy Smart Colorado program, providing energy assessments, energy coaching and rebates, and direct outreach to low-to-moderate income households (LMI);
- 3) Annual energy savings report, with data on number of homes and businesses worked with and greenhouse gas (GHG) reductions. This annual report will show Town of Minturn’s specific impact

The above includes managing the entire program and all that is contained within this proposal, including managing the budget, reporting, data management, energy modeling, workflow of setting up and completing assessments, rebate processing, energy coaching, and more.

Marketing & Outreach will include some targeted social media posts, and creative ready to insert into newsletters. WMSC will have a flyer that we will distribute specifically at Minturn locations locals will frequent, and on community and complex bulletin boards. In addition, if there are any events that take place within Minturn that homeowners and businesses may attend, WMSC is happy to set up a table to share information about the promotions available and why it is important to save energy. Specifically, in the Town of Minturn all of these efforts will focus on connecting with local workforce and residents that are at/below 150% Area Median Income (AMI), which are considered LMI households. WMSC is happy to collaborate on final decisions for marketing and outreach with the Town of Minturn, and always happy to take guidance if the Town already has some ideas.



Town of Minturn – Community Incentives (these are above and beyond all regular Energy Smart Colorado incentives):

- **Home Energy Assessments - \$50 cost** to homeowner at time of assessment, any size of home; **LMI households can get a free assessment** (at/below 150% area median income, including renters)
- **Public EV Chargers at Businesses Rebate - \$1,000** for installation on-site; available to public; not to exceed 90% of project cost when all incentives are combined (includes utility incentives and grants)
- **Weatherization BONUS Rebate - \$500** when a homeowner/business completes an air sealing and/or insulation upgrade and meets/exceeds requirements of the ESC rebate program; **LMI households will get a double bonus rebate of \$1,000**; not to exceed 90% of project cost when all incentives are combined (includes utility incentives and grants)
- **Heat Pump BONUS Rebate - \$500** when a homeowner/business installs a heat pump and meets/exceeds requirements of the ESC rebate program; **LMI households will get a double bonus rebate of \$1,000**; not to exceed 90% of project cost when all incentives are combined (includes utility incentives and grants)

BUDGET & GOALS 2024:

<i>Incentive/Hard Cost</i>	<i>Details</i>	<i>Budget</i>	<i>Estimated Annual MtCO2e reduced</i>
Home Energy Assessments	Goal of twenty (20) \$50 assessments	\$1,000	5
Rebates	Goal of seven to ten (7-10) \$500-\$1,000 Rebates	\$6,500	<i>TBD depending on project(s) chosen</i>
Marketing & Outreach	Hard costs for marketing, outreach and communication in order to increase participation	\$500	<i>n/a</i>
Program Administration	Hard costs for program management, staffing, energy coaching and contractor referrals	\$2,000	<i>n/a</i>
Total:		\$10,000	TBD MtCO2e

The top two (2) lines are flow-through funds, and estimated amounts, in order to respond to varying community interest there can be flexibility between these 2 lines. If flow-through funds get low we will notify the Town of Minturn and see if they would like to end special incentives for the year or contribute more funds.

MtCO2e = Metric tons of carbon dioxide equivalent (reduced annually; estimated)

Madison Harris

From: Frick, Jessica L <Jessica.L.Frick@xcelenergy.com>
Sent: Tuesday, July 18, 2023 8:16 PM
To: Michelle Metteer; Madison Harris
Subject: 1041 Main St. Minturn
Attachments: 1041 Main Term pole EDU.pdf; 1041 Main st UG primary extension.pdf

Hello all!

I will try to make this short and informative.

I need to install a new 50KVA transformer to feed 1041 Main St. There is overhead power currently but unfortunately all poles within 1500' are already at capacity for equipment and do not have sufficient clearance or space on the pole for "terminal" equipment. I am proposing one new terminal pole (terminal poles are those that allow overhead primary to transition to underground primary) at 1041 Main St. However, currently the town code does not allow for new overhead utility installations whenever possible.

There are currently no viable poles that can accommodate the terminal pole equipment within 1500' of the new proposed location, so Xcel would like to add one new 40' term pole at the northeast corner of the property, in line with the current primary overhead wire and existing power poles.

This is not a new stretch of overhead power, it is only one pole that would allow for the primary to transition from overhead to underground. I would use this terminal pole to bring the primary power underground and feed an underground transformer to provide power to the business.

The other option would be trenching over 1500' in the ROW, which would obviously require significant trenching and repair, cross 10 or more existing gas lines, or possibly involve road cuts. I feel that to proceed with this method is adding risk of damaging existing utilities/ roadways, and will likely require 10 or more business days of traffic control and possible lane closure on main street.

I also understand that this is a scenic byway, and after discussing with CDOT, they have agreed that- if allowed by the town- this pole would be allowed where proposed.

I have attached a few documents to illustrate. The document titled "1041 Main Term pole" is the scope of work if we install a new term pole. The "UG primary extension" document is the scope of work if we trench to the nearest available pole.

I think installing one pole under an existing powerline to transition power underground would be much safer while still transitioning power underground, which is, to my understanding, in line with the town's future goals. This option would take one day, if all goes to plan.

Thank you very much for your consideration of this one-time exception.

Jess Frick

Xcel Energy | Responsible By Nature

Planner; Mountain Design

Monday- Thursday 7:00a-5:30p MST

Email: jessica.l.frick@xcelenergy.com

Cell: 970-409-7257

Supervisor: Kyle Alsup; Kyle.C.Alsup@xcelenergy.com

WWW.XCELENERGY.COM

BUILDERS CALL LINE: 800-628-2121 or BCLCO@excelenergy.com

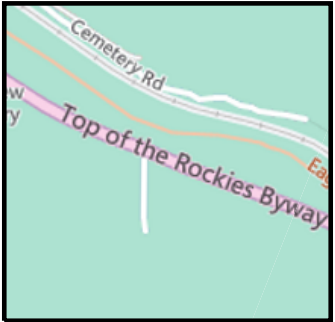
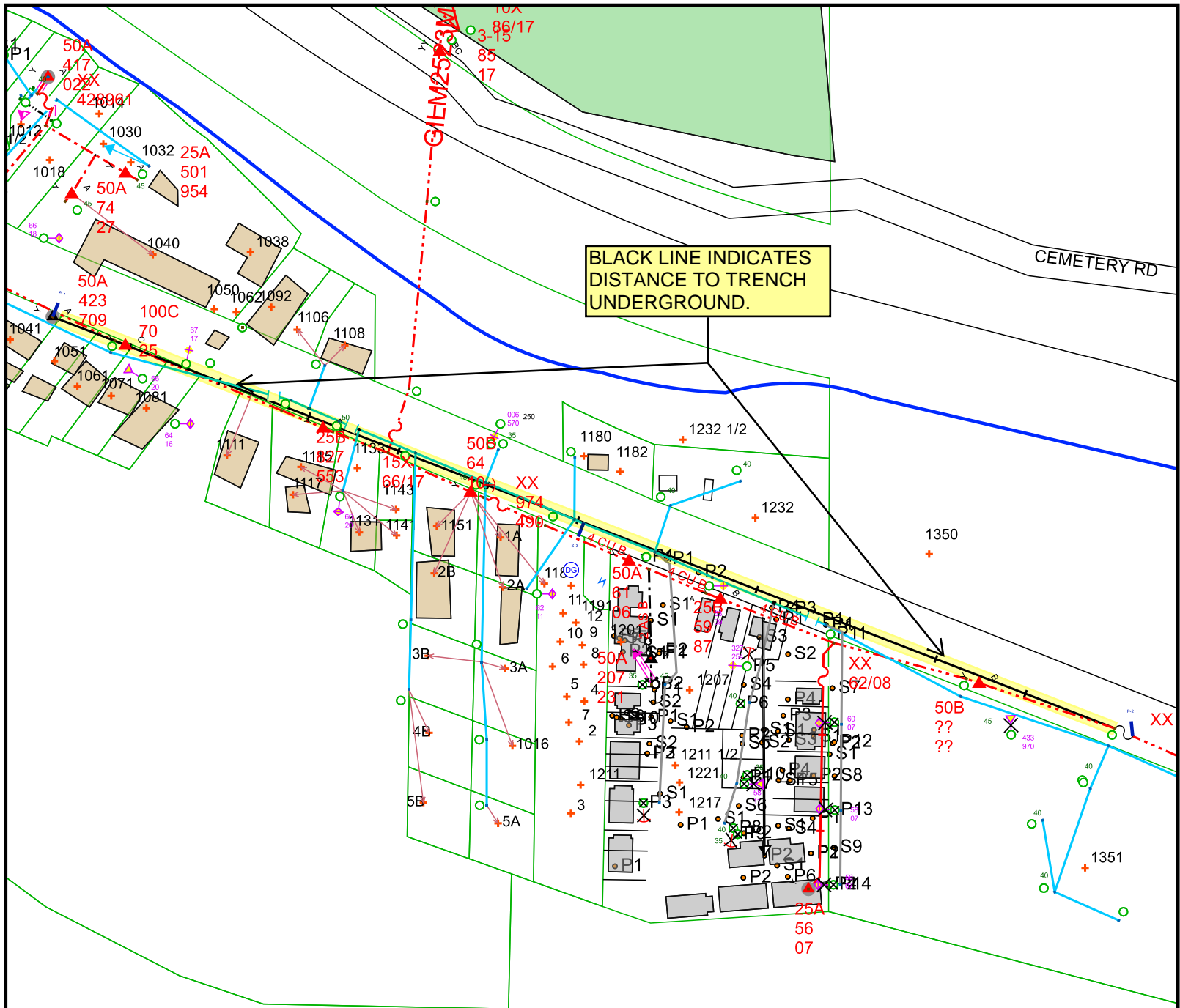
CUSTOMER SERVICE: 800-895-4999

Useful Links:

[CLICK HERE to Apply Online!](#)

[Call 811 Before You Dig!](#)

[Xcel Energy Standard for Installation- Click HERE!](#)



Work Order Information	
Service Request # :	000013683604
Design Number :	000001126939
Designer/Planner ID :	239143
Designer/Planner Name :	JESSICA FRICK
Designer/Planner Ph # :	
Manager Approval:	_____

Joint Utility	
E:	G:
T:	C:

Design Location	
Division:	MOUNTAIN REGION
County :	Eagle
City :	MINTURN
Address:	
T: 5S	R: 81W S: 35
Map #	1740636 02 Permit

Electric	
Feeder:	Voltage:
Phase:	BkupDevID:

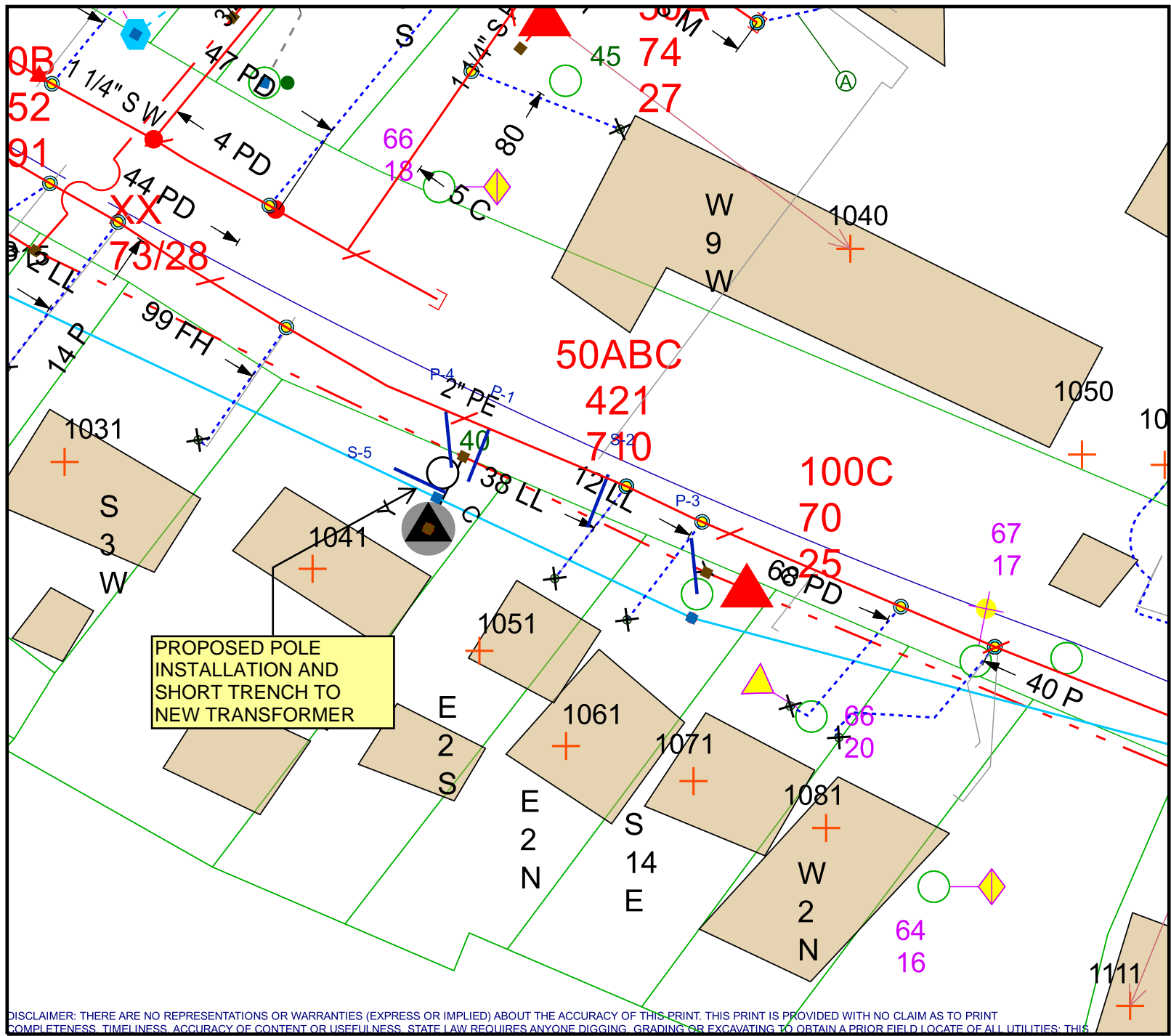
Gas	
System:	Pressure:
Size :	Material :
Dead End :	

Work Order # :	
Date:	07/06/2023
Sketch: # of # Sketch Data	
Scale:	1" equals 183'

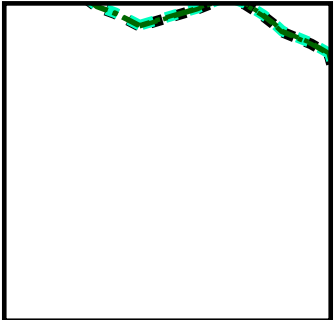


CONSTRUCTION USE ONLY	
<input type="checkbox"/>	NO CHANGES (BUILT AS DESIGNED)
<input type="checkbox"/>	CHANGES MADE AS INDICATED
(ALL URD MUST HAVE ACTUAL MEASUREMENTS FROM THE FIELD SITE)	
RFO:	_____
FOREMAN:	_____ DATE _____
TEAM LEADER:	_____

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**PROPOSED POLE
INSTALLATION AND
SHORT TRENCH TO
NEW TRANSFORMER**



Work Order Information	
Service Request # :	000013683604
Design Number :	000001128210
Designer/Planner ID :	239143
Designer/Planner Name :	JESSICA FRICK
Designer/Planner Ph # :	
Manager Approval:	

Joint Utility	
E:	G:
T:	C:

Design Location	
Division:	MOUNTAIN REGION
County :	Eagle
City :	MINTURN
Address:	
T: 5S	R: 81W S: 35
Map #	1740636 02 Permit

Electric	
Feeder:	Voltage:
Phase:	BkupDevID:

Gas	
System:	Pressure:
Size :	Material :
Dead End :	

Work Order # :
 Date: 07/06/2023
 Sketch: # of # Sketch Data
 Scale: 1" equals 48'



CONSTRUCTION USE ONLY
 NO CHANGES (BUILT AS DESIGNED)
 CHANGES MADE AS INDICATED
 (ALL URD MUST HAVE ACTUAL MEASUREMENTS FROM THE FIELD SITE)
 RFO: _____
 FOREMAN: _____ DATE: _____
 TEAM LEADER: _____

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1041 Main St

Minturn, Colorado

Google Street View

Sep 2021 See more dates



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PROPOSED NEW TERM
POLE.





FUTURE MEETING AGENDA ITEMS

Below reflects proposed topics to be scheduled at future Town Council meetings and is informational only. Dates and topics are subject to change.

August 2, 2023

- Historic Preservation Commission Interview – One open seat
- Xcel Energy Variance Request
- Ordinance ___ - Series 2023 – Saloon Encroachment Agreement
- Discussion/Direction - Colorado Dept. of Wildlife
- Consent Agenda – Public Service Agreement; Stolfus Engineering, for the purposes of design and engineering for the Main Street Phase II Sidewalk project.
- Discussion/Direction – Exterior Energy Offset Program
- Special Presentation – Eagle Valley Trail Update

August 16, 2023

- Revisit Resolution 18 - Series 2023, A Resolution updating the fee for Cash in Lieu
- Liquor License-Public Hearing and consideration for MT Imports DBA VINO
- Discussion/Direction - Historic Preservation – Meyer’s Barn Relocation
- Ord __ - Series 2023 (First Reading) Minturn North Final Plan for PUD
- Ordinance ___ - Series 2023 (Second Reading) – Saloon Encroachment Agreement
- Discussion/Direction – Water Treatment Plant Alternatives Analysis

September 6, 2023

- Special Presentation – Eagle County Sheriff, James Van Beek
- Special Presentation – Eagle Valley Transit Authority
- Ord__ - Series 2023 (Second Reading) Minturn North Final Plan for PUD
- Ord__ - Series 2023 (First Reading) Minturn North PUD Final Plat
- Resolution ___ - Series 2023 Minturn North PUD Subdivision Improvement Agreement
Discussion

Dates to be Determined:

- Holy Cross Energy Transmission Line
- Ord ___ - Series 2023 (First Reading) – ECSD Impact Fee in lieu
- Resolution ___ - Series 2023 a Resolution authorizing a proposed Phase I Environmental Site Assessment
- Discussion/Direction – Battle Mountain Settlement Agreement (Public Discussion only)