



## **AGENDA**

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 and times of agenda items listed are approximate and intended as a guideline for the Town Council.

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

**Wednesday November 18, 2020**

**Meeting to be held via Zoom Conferencing and call-in.**  
**Public welcome to join meeting using the following methods:**

**<https://us02web.zoom.us/j/82403975942>**

**Or join by phone:**

**US: +1 301 715 8592 or +1 651 372 8299**  
**Webinar ID: 824 0397 5942**

**Regular Session – 5:30pm**

**MAYOR – John Widerman**  
**MAYOR PRO TEM – Earle Bidez**

**COUNCIL MEMBERS:**

Terry Armistead  
George Brodin  
Brian Eggleton  
Eric Gotthelf  
Gusty Kanakis

When addressing the Council, please state your name and your address for the record prior to providing your comments. Please address the Council as a whole through the Mayor. All supporting documents are available for public review in the Town Offices – located at 302 Pine Street, Minturn CO 81645 – during regular business hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays.

**Regular Session – 5:30pm**

**1. Call to Order**

- Roll Call
- Pledge of Allegiance

**2. Public comments on items which are ON the consent agenda or are otherwise NOT on the agenda as a public hearing or action item. (5-minute time limit per person)**

**3. Approval of Consent Agenda (5Min)**

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

- November 4, 2020 Meeting Minutes Pg 4
- Shop N Hop #12, annual renewal of a Fermented Malt Beverage (Off Premises-City) Liquor license; 401 Main St; Terry Marcum, Owner/Operator Pg 16

**4. Approval of Agenda**

- Items to be Pulled or Added
- Declaration of Conflicts of Interest

**5. Special Presentations**

- Council Comments/Committee Reports
  - Proclamation - Colorado Gives Day – Denise Kipp Pg 23
  - ECSO Under Sheriff Daniel Loya - Introduction

**PUBLIC HEARINGS AND/OR ACTION ITEMS**

- 6. Public Hearing/Action Item: Budget Discussion Pg 24**
  - Long-range and Sub-area Master Planning Alternatives Evaluation – Hunn Pg 31
- 7. Public Hearing/Action Item: Ordinance 12 – Series 2020 (First Reading) An Ordinance Creating a Supplemental Appropriation to the 2020 Town of Minturn Budget – Brunvand Pg 36**
- 8. Public Hearing/Action Item: Ordinance 13 – Series 2020 (First Reading) An Ordinance Setting the 2021 General Property Tax Mill Levy for the Town of Minturn – Brunvand Pg 42**
- 9. Public Hearing/Action Item: Ordinance 14 – Series 2020 (First Reading) An Ordinance Adopting the Fee Schedules for Fiscal Year 2021 for the Town of Minturn – Brunvand Pg 45**
- 10. Public Hearing/Action Item: Ordinance 15 – Series 2020 (First Reading) An Ordinance Adopting and Recognizing the Town of Minturn’s 2021 Revenues and Expenses by Fund – Brunvand Pg 52**

## COUNCIL INFORMATION / UPDATES

### 11. Staff Updates (5 Min)

- Manager's Report Pg 55
- Future Agenda Items Pg 57

## MISCELLANEOUS ITEMS

### 12. Future Meeting Dates

- a) Council Meetings:
- November 18, 2020
  - December 2, 2020
  - December 16, 2020
  - January 6, 2020

### 13. Other Dates:

- November 26, 2020 – Thanksgiving (Office Closed)
- November 27, 2020 – Thanksgiving (Office Closed)
- December 25, 2020 – Christmas Day (Office Closed)
- January 1, 2021 – New Year's Day (Office Closed)

### 14. Adjournment



## OFFICIAL MINUTES

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### MEETING OF THE MINTURN TOWN COUNCIL

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

**Wednesday November 4, 2020**

**Meeting to be held via Zoom Conferencing and call-in.  
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**Webinar ID: 825 2501 6541**

**Regular Session – 5:30pm**

**MAYOR – John Widerman**

**MAYOR PRO TEM – Earle Bidez**

#### COUNCIL MEMBERS:

Terry Armistead

George Brodin

Brian Eggleton

Eric Gotthelf

Gusty Kanakis

These minutes are formally submitted to the Town of Minturn Town Council for approval as the official written record of the proceedings at the identified Council Meeting. Additionally, all Council meetings are tape-recorded and are available to the public for listening at the Town Center Offices from 8:30am – 2:00 pm, Monday through Friday, by contacting the Town Clerk at 970/827-5645 302 Pine St. Minturn, CO 81645.

**Regular Session – 5:30pm**

#### 1. Call to Order

- Roll Call

The meeting was called to order by Mayor John Widerman at 5:34pm using the ZOOM on-line meeting format.

Those present include: Mayor John Widerman, Mayor Pro Tem Earle Bidez and Town Council members Terry Armistead, George Brodin, Eric Gotthelf, Brian Eggleton, and Gusty Kanakis.

Staff present: Town Manager Michelle Metteer and Town Treasurer/Town Clerk Jay Brunvand.

- Pledge of Allegiance

**2. Public comments on items which are ON the consent agenda or are otherwise NOT on the agenda as a public hearing or action item. (5-minute time limit per person)**

Brian E. read a letter submitted by Emily Gros, 1108 Main St, thanking the council for their service, the bike path, and expressed concern with the speed of traffic on Main St from south to north prior to the sidewalk beginning at the south end of town.

**3. Approval of Consent Agenda (5Min)**

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

- October 21, 2020 Meeting Minutes
- Liquor License – Retail Liquor Store (City) License annual renewal application: Gail Crowder, dba The Minturn Mile, Gail Crowder, Owner/Manager 341 Main St.

Motion by Gusty K, second by Brian E., to approve the Consent Agenda of November 4, 2020 as presented. Motion passed 7-0.

**4. Approval of Agenda**

- Items to be Pulled or Added
- Declaration of Conflicts of Interest

Motion by Terry A., second by Earle B., to approve the Agenda of November 4, 2020 as presented. Motion passed 7-0.

**5. Special Presentations**

- Council Comments/Committee Reports
  - Water Committee Report – Brodin

I.) Operational and infrastructure update

As always, water items are running along at about 100 knots.

### System Water Loss

System water loss remains in our focus as we go into winter.

### Water Leak Detection System

The end of the summer outside water use will allow the leak detection system to potentially discover smaller chronic system water leaks as the volume of water used goes down markedly.

### Water Meter Replacement

Don't be surprised to be contacted by the Town to have your water meter replaced with a new meter. **The Town is paying for this** and everyone will be getting a new meter. PLEASE HELP MAKE THIS AS EASY AS POSSIBLE; WE, YOU, ARE SAVING SIGNIFICANT MONEY BY THIS BEING ACCOMPLISHED IN HOUSE.

### Road and Tank farm site improvements and Soil Testing

The Water Committee and Town Manager attended a conference call to go over testing results. The ground is really good. We may still desire a Seismic Soil Test to determine actually how really good it is.

### Tank Selection and Funding

In accordance with the Water CIP plan, the talk has been, "poured in place concrete tanks." As we approach the going to RFP point, and confront the actual funding and paying for the big dollar infra-structure items, the Water Committee will explore all Water Tank Types, their plusses and minuses and bring recommendations back. These include but are not limited to: Poured Concrete, Pre-cast Concrete, Steel Welded in Place, and Steel Bolted together. The leaks we have and premature replacement need with the existing bolted steel tank indicate this is not, (although cheap) a good fit for the Town. (How often do we want to replace water tanks?)

### Funding: Champagne Tastes on a Beer Budget

The Water Committee continues to look for and discuss funding options for the infrastructure projects. These include; Grants, Bonds, Loans, New Development pre-paid Tap and Impact fees. There has been some reach from developers to do this, but we don't and won't end up in a spot where we, "have to approve something," because of pre-payment. We are very conscious of the financial impact on the individual water user of these improvements. We are likewise aware of the risk and timing inherent in an old system held to ever more strict and increasing compliance standards. It is a balancing exercise to be sure.

### Well 4 pipeline maintenance extension

Ground installation on Well 4 pipeline is completed.

### MW 3 Monitoring Well 3

We are expecting a report on the first 6 months of water quality test results before the end of 2020.

### Water Road Security Fence

This will be completed next construction season. Summer 2021.

### **Still Possible this Season:**

Seismic Testing at Tank Platform Site

Periodic grading, plowing, and site access to Tank Platform.

MW 3 water quality testing.

### **Completed Items this building season**

- 1.) Location and water testing started MW 3.
- 2.) Raw water line.
- 3.) Leak Detection Installed and operational.
- 4.) Major leak discovered and repaired. System loss reduced from 50%+ to under 10% loss.
- 5.) SUE survey: sub underground survey. Cross Creek Road.
- 6.) Cultural survey: Cross Creek Road.
- 7.) Water Meters selected and being installed.
- 8.) Road created to Water Tank Farm.
- 9.) Water Tank Farm Platform Ground Work for soil testing.
- 10.) Well 4 pipeline extension 900 feet excavated, new pipe installed, backfilled, and road levelled. This included conduit for data lines connecting well head and WTP.
- 11.) Soil testing and results for Tank Farm

### **Next Steps**

Water Tank Type Selection  
Funding and Timing Discussion  
Create RFP for Tank Design and Construction  
Select Contractor ( We need to know price to apply for grants )  
Grant Applications for Tank Construction  
Secure Financing: Bonds and Grants  
Grant application for MW3 study for water analyses and treatment  
Grant Application for planning pipeline from MW3 to new WTP  
Grant Applications for Water Plant Planning  
New Water Plant Design and System

The Town has been fiscally prudent by performing much of the water system work, “in house.” This includes leak detection, road and platform creation, pipeline extension, security fence, water meter installation, installation of the raw water line to the bike park, grant searches, etc.

This has been a team effort, with the majority of the hands on physical work being performed by Public Works. Thanks Everyone!!! Once we arrive at the specific, “PROJECT,” point, like Water Tank Construction, the standard RFQ and RFP processes the Town follows will kick in. An estimated dollar value saved this construction season is \$150,000. This has been achieved by doing those things we can, “in house.” We will continue to explore all cost savings and grant opportunities.

#### **• NWCCOG Report – Brodin**

Northwest Colorado Council of Governments meeting.

The NWCCOG is a voluntary association of county and municipal governments that, individually and collectively, believe working together on a regional basis provides benefits that could not be obtained alone.

The principal mission of NWCCOG is: to represent 28 high-functioning counties and municipalities as members while providing many direct services to underserved, at-risk populations across our rural region and beyond.

Economic Development  
Elevator Inspection Program  
Indirect  
Member Services  
Northwest Loan Fund  
Regional Broadband  
Regional Transportation Coordinating Council  
Vintage, formally know as Alpine Area Agency on Aging  
Watershed Services  
Weatherization

Some housekeeping items were done like setting the meeting schedule for next year and then a look at the budget proposal that will be covered in the December Meeting.

We were introduced to Jeff Andrews, the NWCCOG's Regional Business Recovery Coordinator. There are grants and loans available to help in business startups, expansion, and COVID-19 Recovery. Please reach out to [www.nwccog.org](http://www.nwccog.org) or contact the office at 970-468-0295 for more information and specific contact information.

Heidi Williams from the State Attorney General office gave an update on potential Opioid State settlement funding and how that might be distributed.

Heather Coogan updated on Regional Law Enforcement and SB20-217 Senate Bill 20-217, which among other detailed reporting procedures requires body cameras to be worn by all Peace Officers interacting with the public in outside of Law Facilities, which are on camera already, and undercover operations. This is a necessary, but huge expense ranging from hundreds to thousands of dollars. This will document, "what is," and remove a great deal of interpretation out of policing.

- ECO Trails Report – Informational only
- Council Comments

Gusty K. attended a CML meeting on water. This meeting included how communities around the state are working to conserve water.

Terry A. informed the bike park is closed. Riding in the wet dirt will ruin the track. Please take care of our amenities. She reminded and encouraged all to adhere to the speed limits in town. COVID is ticking up again and encouraged all to be smart and stay health so we don't shut down again. John W. noted we have two weeks to reduce our COVID numbers or we will be required to begin shutting down again.

Brian E. updated on Radio Free Minturn, Ms. Janet Brell was hired as the Station Manager.

Earle B. added that the COVID is not limited to business activities but to also includes your private activities where multiple people gather socially.

Eric G. updated on the Partners in Energy conference. Several state and national attendees were present and shared. It was noted the charge station being installed at the Town Hall.



John W. noted the ECO Trail use of the bridge being constructed for the ERWSD sewer line. He noted that due to the COVID effects on ECO Transit their ridership numbers are way down. He noted the Dowd Jct planning grant and the intro meeting held. This will be very positive for Minturn. Earle B. stated the process will be pretty quick and the finished product will be approximately April. This is a design program done by CU and DU university students. John W. suggested council forward ideas and comments to Michelle M. and she will keep a running list of ideas that can be submitted on behalf of the Town. Brian E. felt the Strategic Plan could be utilized in the case study they will be working from.

## COUNCIL DISCUSSION/DIRECTION

### **6. Discussion/Direction:** Little Beach Park recreation area – Brodin/Armistead

Terry A. and George B. noted they had been working on a plan to redevelop Little Beach Park (LBP). This is the town's project and the funding would utilize the Battle Mtn money released in 2012 as part of the escrow funds. They stressed the need to have a lot of voices on this project to ensure a complete coverage. The funds would be used to develop a redevelopment of the park as we have outgrown limited grass seating area. The plan would include improvements such as bathrooms, playground equipment, and vending which would dovetail and support the Bike Park and hiking trails in the area.

Michelle M. noted some of the stakeholders and introduced Mr. Pedro Campos of Zehren and Associates. Mr. Campos has submitted a developed proposal for land planning and community engagement services. Once completed the town would have a solid plan which incorporates the community and adjacent landholder's desires for the park.

Terry A. noted the need for public inclusion for this project. It is important if this is approved to reach out to the community to encourage involvement. She noted the park is such a wonderful asset to the community but we have outgrown the park. This plan would really give a boost to the area and provide years of future use for the community.

Unanimous Council direction given was to commit to the funding of the proposal for the Master Plan. This would include discussions with Battle Mtn to ensure the funds held in escrow are approved.

## PUBLIC HEARINGS AND/OR ACTION ITEMS

### **7. Public Hearing/Action Item:** Public Hearing on Proposed Fiscal Year 2021 Budget – Brunvand

John W. outlined the public hearing process.

- Public Hearing Procedures
- Over View – Brunvand

- Special Projects update – Metteer
- Public questions/comments
- Question/Answer

Public Hearing was opened

Jay B. gave a brief update of the FY2021 Proposed Budget. He noted some changes that have been included from previous discussions.

Questions and comments from Council regarding water rates and special projects. Discussion ensued as to the CIP and the water rates currently proposed in relation to the CIP and when major projects will be undertaken.

Public Hearing opened

No comment

Public hearing closed.

Council Comments:

Gusty K asked to discuss water rates and the increased revenue in the Enterprise Fund budget. He felt that so many changes have been made and he expressed that due to the noted changes the CIP does not reflect current expenses causing a need to review the proposed rates as they are anticipated. He felt our consultant, Elhers, would need to update the CIP plan and the associated funding models.

Michelle M. noted the CIP was designed to be a fluid document and would be reviewed as necessary. She noted because the water committee has not had time to review the rates and the CIP plan, they are not requesting any change tonight. Once the information is received, we can then make the changes to the rates if and as necessary. She noted the first real construction push which would include the two proposed water tanks to replace the existing aging tank would begin this summer (summer 2021) and we would be prepared and ready for that.

The water Committee is recommending the water rate structure stay in place currently but that it be brought back and adjusted as needed based on the rate models. It was noted, this would not be completed within the existing budget approval time frame.

Brian E. felt this was an appropriate path to consider.

Direction was given for the Water Committee to proceed with review of the CIP and associated funding models and that the rates would remain as proposed until the review is completed.

Brian E. asked questions regarding including some of the cuts due to the COVID budget review and if they were reimplemented; some expenses have been authorized. Michelle M. reviewed some of the possible fund use of electronic speed signs to assist in speed control.

Direction was to include electronic speed control signs of approximately \$4,000 in the 2021 funding using reserves if necessary (01-06-5357).

George B. noted the building debt was paid by a combined General Fund/Enterprise split. He noted they are looking at putting money back in to the Enterprise Fund earned from some of the rents received. He noted this was not an ask from the Water Committee and will be reviewed as needed.

John W. stated the First Reading of the Ordinances to pass the budget would be considered at the November 18, 2020 meeting with Second and final Reading at the December 2, 2020 meeting. Citizens may contact the Town Treasurer during regular business hours at 970/827-5645 if they have further questions or comments.

## GENERAL IMPROVEMENT DISTRICT

*NOTE: Convene as General Improvement District*

### **8. Public Hearing/Action Item: General Improvement District**

Mayor John Widerman called the meeting to order at 7:36pm

- Roll Call

Those present included: Mayor John Widerman, Mayor Pro Tem Earle Bidez and Town Council members George Brodin, Brian Eggleton, Terry Armistead, Eric Gotthelf, and Gusty Kanakis. Nonvoting members Tim McGuire was present, Ms. Sarah Baker was absent.

Staff present: Town Manager Michelle Metteer, Mr. Tim McGuire, and Commission Secretary Jay Brunvand.

#### **A) ADMINISTRATIVE MATTERS**

- Approve Agenda

Motion by Terry A., second by Brian E., to approve the agenda as presented. Motion passed 6-0. Note: Gusty K. did not vote as he was yet to be confirmed.

- Discuss and Consider appointment of new member(s) to the Board of Directors:
  - Gusty Kanakis, Elect

Motion by George B., second by Eric G., to ratify the appointments to the Board as presented. Motion passed 6-0. Note: Gusty K. did not vote as he was yet to be confirmed.

- Approve Minutes of November 6, 2019 Board Meeting

Motion by Brian E., second by Earle B., to approve minutes from the November 6, 2019 Board Meeting as presented. Motion passed 7-0.

## **B) LEGISLATIVE MATTERS**

### **C) FINANCIAL MATTERS**

- Discuss and consider ratifying appointment of Town Staff to prepare the 2021 GID Budget

Motion by Terry A., second by Brian E., to Ratify the Appointment of Town Staff to prepare 2020 GID Budget as presented. Motion passed 7-0.

- Discussion/Action – 2021 General Improvement District Budget: Public Hearing and Board Comments

#### a. Open Public Hearing

John W. opened the GID Public Hearing.

#### b. Staff Presentation

Jay B. gave a brief overview of the proposed budget and answered any questions.

#### c. Public Comment or Testimony

There were no public comments.

#### d. Board Comments

There were no Board comments.

#### e. Close Public Hearing

The Public Hearing was closed.

- Discussion/Action – Consider adoption of Resolution No. 2020-11-01 a Resolution to adopt the Fiscal Year 2021 Budget

Motion by Terry A., second by George B., to approve Resolution No. 2020-11-01 a Resolution to adopt the Fiscal year 2021 Budget as presented. Motion passed 7-0.

- Discussion/Action – Consider adoption of Resolution No. 2020-11-02 a Resolution to appropriate sums of money for the Fiscal Year 2021 Budget

Motion by Eric G., second by Brian E., to approve Resolution No. 2020-11-02 a Resolution to appropriate sums of money for the Fiscal year 2021 Budget as presented. Motion passed 7-0.

## **D) OTHER BUSINESS**

- Discuss and set future meeting dates

- i. Board Meeting to consider budget approval set for November 3, 2021 5:30pm at the Minturn Town Hall, 302 Pine Street, Minturn, CO 81645
  1. Alternative Date: This item closely follows the State and the Town of Minturn’s budget cycle. If an alternative is considered it should be considered as the Board in conjunction with the GID Council.

Motion by George B., second by Gusty K., to set to set the future GID Board meetings as recommended. Motion passed 7-0.

Mr. Tim McGuire, Battle Mtn, expressed that he may propose to move forward with potentially dissolving the GID during the upcoming year. This will be taken up at staff level as necessary.

### **E) ADJOURNMENT**

Motion by Terry A., second by Brian E., to adjourn the GID Board meeting at 7:46pm. Motion passed 7-0.

*NOTE: Convene as Town Council*

## **COUNCIL INFORMATION / UPDATES**

### **9. Staff Updates (5 Min)**

- Manager’s Report

#### **Minturn Fitness Center**

The Board and staff continue to make improvements toward the public experience at the Minturn Fitness Center. An updated public access schedule is expected to go out next week, the team is now working on a volunteer program and a new elliptical machine has been donated for public use. We have morning, day, evening, and weekend public hours.

#### **Ground Engineering Soils Report**

The Water Committee held a conference call today for the purposes of reviewing the Ground Engineering Soils report. The soils report identified the option #1 area within SGM’s water tank site analysis study as an acceptable area for the location of two 450kg tanks (this is different from the originally-approved CIP and the Water Committee expects to come back to Council with a tank update). Additional work may be needed to understand the required foundational infrastructure given the seismic rating. (long story short – if we get a better rating the Town may see significant savings in construction costs). Both SGM and Ground Engineering participated on the call.

#### **NAIOP – Rocky Mountain Real Estate Challenge, Dowd Junction**

The Town is excitedly moving forward with NAIOP Rocky Mountain Real Estate Challenge. With the Committee’s selection of the Dowd Junction location and both CU and DU colleges

allowing for the adjustment to a site outside of the Front Range area, the kick-off meeting is scheduled for this Tuesday. John and Earle will be joining me on the call as well as Scot Hunn and Matt Gennette, Vail Town Planner.

### **MMC Chapter 16 Update**

Scot Hunn, Madison Harris, Richard Peterson-Cremer, Mike Sawyer and I all had a Zoom call today to discuss progress on the Chapter 16 rewrite. The team is going through the final stages of revisions before presenting to the Planning Commission. An ongoing discussion taking place is regarding the need for a 100-block parking study in order to determine appropriate commercial parking requirements. I'm planning on connecting with several companies to determine the value-level of such an undertaking.

### **USFS Shooting Range Process Outline**

Local USFS representatives, Leanne Veldhis and Paula Peterson have been working on the memo to Council outlining the public process options to make changes to the operations and/or management of the Two Elk Shooting Range. The memo had to be approved by the federal chain of command and is now awaiting a final ok from the offices in Washington D.C. We are hopeful for additional information sometime after the election but are tentatively hoping for an update to Council at the second meeting in November.

Michelle M. noted the Eco Transit is going through very hard restrictions as a result of the COVID epidemic. The current 50% occupancy/6ft social distancing significantly limits bus occupancy and the state has expressed this is not negotiable. Matters will only get worse if further pull-back is mandated.

Michelle M. met with the ECSO and at a near meeting the new Chief Deputy will be introduced.

Michelle M. noted the public is adhering to the COVID requirements but we need to step up responsibility of private gatherings in order to contain the virus spread. We require the businesses to be open for our resort economy and that uncontrolled private gatherings will cause the spikes that would shut down public gathering numbers.

- Future Agenda Items

Michell M. stated we will be bringing forward discussion on recreational marijuana in the near future.

## **MISCELLANEOUS ITEMS**

### **10. Future Meeting Dates**

- a) Council Meetings:
  - November 4, 2020
  - November 18, 2020
  - December 2, 2020

- December 16, 2020
- January 6, 2020

**11. Other Dates:**

- Veteran's Day - November 11 (Office Closed)
- November 26, 2020 – Thanksgiving (Office Closed)
- November 27, 2021 – Thanksgiving (Office Closed)

**12. Adjournment**

Motion by Earle B., second by Terry A., to adjourn the meeting at 7:52pm. Motion passed 7-0.

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John Widerman, Mayor

ATTEST:

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Jay Brunvand, Town Clerk



To: Mayor and Council

From: Jay Brunvand

Date: October 21, 2020

Agenda Item: Annual renewal of a Fermented Malt Beverage Liquor License

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**REQUEST:**

Staff is requesting Council to review and approve the attached annual renewal of a Fermented Malt Beverage-Off Premises Liquor License for The Shop N Hop located at 401 Main St.

**INTRODUCTION:**

This establishment has an existing Fermented Beverage-Off Premises License and this is the annual renewal.

**ANALYSIS:**

Not Applicable

**COMMUNITY INPUT:**

Not Applicable

**BUDGET / STAFF IMPACT:**

The applicant has submitted the required fee of \$53.75

**STRATEGIC PLAN ALIGNMENT:**

In accordance with Strategy #4 the Town will advance decisions/projects/initiatives that expand future opportunity and viability for Minturn. Both as an employer and a sales tax contributor these businesses each help further Minturn.

**RECOMMENDED ACTION OR PROPOSED MOTION:**

This item is approved on the Consent Agenda, no separate motion is required.

**ATTACHMENTS:**

- Application and supporting documentation for the license renewal.



## Colorado Fermented Malt Beverage License Application

*BEER ONLY*

<input type="checkbox"/> New License <input type="checkbox"/> New-Concurrent <input type="checkbox"/> Transfer of Ownership			
• All answers must be printed in black ink or typewritten • Applicant must check the appropriate box(es) • Local license fee \$ _____ • Applicant should obtain a copy of the Colorado Liquor and Beer Code: <a href="http://www.colorado.gov/enforcement/liquor">www.colorado.gov/enforcement/liquor</a>			
1. Applicant is applying as a/an  <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership (includes Limited Liability and Husband and Wife Partnerships) <input type="checkbox"/> Individual <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Association or Other			
2. Applicant(s) If an LLC, name of LLC; if partnership, at least 2 partners' names; if corporation, name of corporation			FEIN
Shop & Stop #3 LLC			- - - - -
2a. Trade Name of Establishment (DBA)		State Sales Tax No.	Business Telephone
Shop & Stop #12			970 827 9855
3. Address of Premises (specify exact location of premises) 401 Main Street			
City Mintum	County Eagle	State CO	ZIP Code 81637
4. Mailing Address (Number and Street) PO Box 866	City or Town Edwards	State CO	ZIP Code 81632
5. Email Address Tmarcum.ShopnStop@comcast.net			
6. If the premises currently has a liquor or beer license, you MUST answer the following questions			
Present Trade Name of Establishment (DBA) Shop & Stop #12	Present State License No.	Present Class of License beer	Present Expiration Date 11/1/20
<b>Section A      Nonrefundable Application Fees</b>		<b>Section B      Fermented Malt Beverage Beer License Fees</b>	
<input type="checkbox"/> Application Fee for New License                      \$1,550.00	<input type="checkbox"/> Retail Fermented Malt Beverage On-Premises (City)                      \$96.25		
<input type="checkbox"/> Application Fee for New License - w/Concurrent Review                      \$1,650.00	<input type="checkbox"/> Retail Fermented Malt Beverage On-Premises (County)                      \$117.50		
<input type="checkbox"/> Application Fee for Transfer                      \$1,550.00	<input type="checkbox"/> Retail Fermented Malt Beverage Off-Premises (City)                      \$96.25		
	<input type="checkbox"/> Retail Fermented Malt Beverage Off-Premises (County)                      \$117.50		
	<input checked="" type="checkbox"/> Retail Fermented Malt Beverage On/Off-Premises (City)                      \$96.25		
	<input type="checkbox"/> Retail Fermented Malt Beverage On/Off-Premises (County)                      \$117.50		
	<input type="checkbox"/> Master File Location Fee ..... \$25.00 x _____ To _____		
	<input type="checkbox"/> Master File Background ..... \$250.00 x _____ Total _____		
Questions? Visit <a href="http://www.colorado.gov/enforcement/liquor">www.colorado.gov/enforcement/liquor</a> for more information Do Not Write In This Space - For Department Of Revenue Use Only			
<b>Liability Information</b>			
License Account Number	Liability Date:	License Issued Through: (Expiration Date)	Total
			\$

## RETAIL LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

SHOP & HOP #12  
 P O BOX 866  
 EDWARDS CO 81632-0866

Fees Due	
Renewal Fee	96.25
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$160 x _____	_____
<b>Amount Due/Paid</b>	<b>96.25</b>

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

**PLEASE VERIFY & UPDATE ALL INFORMATION BELOW**

**RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE**

Licensee Name <b>MARCUM TERRY S</b>		DBA <b>SHOP &amp; HOP #12</b>		
Liquor License #	License Type <b>Fermented Malt Beverage Off (city)</b>	Sales Tax License #	Expiration Date <b>11/01/2019</b>	Due Date <b>09/17/2019</b>
Operating Manager <i>Terry Marcum</i>	Date of Birth <b>8-2-53</b>	Home Address <i>139 N. Penstemon Ln, Eagle, CO. 81631</i>		
Manager Phone Number <b>970-471-1056</b>	Email Address <i>tmarcum.shopnhop@comcast.net</i>			
Street Address <b>401 MAIN STREET MINTURN CO 81645</b>				Phone Number <b>9709261240</b>
Mailing Address <b>P O BOX 866 EDWARDS CO 81632-0866</b>				<b>970 927 9855</b>

1. Do you have legal possession of the premises at the street address above?  YES  NO  
 Is the premises owned or rented?  Owned  Rented\* \*If rented, expiration date of lease \_\_\_\_\_
22. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested.  YES  NO  
**NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:** If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
3. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation.  YES  NO
4. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation.  
 YES  NO
5. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation.  YES  NO

*beer shop #12 Eagle Dist. Hill Brewery*

**AFFIRMATION & CONSENT**

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business <i>Terry Marcum</i>	Title <i>owner</i>
Signature <i>Terry Marcum</i>	Date <i>8/18/19</i>

**REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY**

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. THEREFORE THIS APPLICATION IS APPROVED.

Local Licensing Authority For <i>Town of Minturn</i>	Date <i>9/18/19</i>
Signature <i>[Signature]</i>	Title <i>mayor</i>
Attest <i>[Signature]</i> <span style="float: right;">18</span>	

<b>7.</b> Is the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers under the age of twenty-one years?	Yes No <input type="checkbox"/> <input type="checkbox"/>			
<b>8.</b> Has the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers ever (in Colorado or any other state):	<input type="checkbox"/> <input checked="" type="checkbox"/>			
(a) been denied an alcohol beverage license?	<input type="checkbox"/> <input checked="" type="checkbox"/>			
(b) had an alcohol beverage license suspended or revoked?	<input type="checkbox"/> <input checked="" type="checkbox"/>			
(c) had interest in another entity that had an alcohol beverage license suspended or revoked?	<input type="checkbox"/> <input checked="" type="checkbox"/>			
If you answered yes to 8a, b or c, explain in detail on a separate sheet				
<b>9.</b> Has a Fermented Malt Beverage license for the premises to be licensed been denied within the preceding one year? If "yes," explain in detail.	<input type="checkbox"/> <input checked="" type="checkbox"/>			
<b>10.</b> Is the proposed Retail Fermented Malt Beverage Off Premises license within 500 feet of any public or parochial school, the principal campus of any college, university, or seminary? NOTE: The distances are to be computed using the methods outlined under C.R.S. 44-3-313(1)(d)(II). Some limited exceptions apply under C.R.S. 44-3-313.	<input type="checkbox"/> <input checked="" type="checkbox"/>			
<b>11.</b> Is the proposed Retail Fermented Malt Beverage Off Premises license, or On/Off premises license, within 500 feet of a Retail Liquor Store licensed under section 44-3-409 C.R.S.? Distance should be determined using guidelines outlined in 44-3-301(12)(c) C.R.S.	<input type="checkbox"/> <input checked="" type="checkbox"/>			
<b>12.</b> Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any current or former financial interest in said business including any loans to or from a licensee.	<input checked="" type="checkbox"/> <input type="checkbox"/>			
<b>13.</b> Does the applicant, as listed on line 2 of this application, have legal possession of the premises by virtue of ownership, lease or other arrangement?	<input checked="" type="checkbox"/> <input type="checkbox"/>			
<input checked="" type="checkbox"/> Ownership <input type="checkbox"/> Lease <input type="checkbox"/> Other (Explain in Detail) _____				
a. If leased, list name of landlord and tenant, and date of expiration, EXACTLY as they appear on the lease:				
Landlord	Tenant	Expires		
b. Is a percentage of alcohol sales included as compensation to the landlord? If yes complete question 12.		<input type="checkbox"/> <input type="checkbox"/>		
c. Attach a diagram or designate the area to be licensed in black bold outline (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11".				
<b>14.</b> Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies) will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business? Attach a separate sheet if necessary.				
Last Name	First Name	Date of Birth	FEIN or SSN	Interest
Last Name	First Name	Date of Birth	FEIN or SSN	Interest
Attach copies of all notes and security instruments and any written agreement or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.				
<b>15. Name of Manager(s) for all on premises applicants.</b>				
Last Name	First Name	Date of Birth		
<b>16.</b> Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number.				
<input type="checkbox"/> <input type="checkbox"/>				
<b>17. Tax Information.</b>				
a. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business?				Yes No <input type="checkbox"/> <input type="checkbox"/>
b. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.?				<input type="checkbox"/> <input type="checkbox"/>

18. If applicant is a corporation, partnership, association or limited liability company, applicant must list all Officers, Directors, General Partners, and Managing Members. In addition, applicant must list any stockholders, partners, or members with ownership of 10% or more in the Applicant. All persons listed below must also attach form DR 8404-I (Individual History Record), and make an appointment to be fingerprinted by an approved State Vendor through the Vendor's website. See application checklist, Section IV, for details.

Name	Home Address, City & State	Date of Birth	Position	% Owned

\*\* If applicant is owned 100% by a parent company, please list the designated principal officer on above.  
 \*\* Corporations - the President, Vice-President, Secretary and Treasurer must be accounted for above (Include ownership percentage if applicable)  
 \*\* If total ownership percentage disclosed here does not total 100%, applicant must check this box:   
 Applicant affirms that no individual other than these disclosed herein owns 10% or more of the applicant and does not have financial interest in a prohibited liquor license pursuant to Article 3 or 5, C.R.S.

**Oath of Applicant**

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.

Authorized Signature <i>Terrance S. Maxum</i>	Printed Name and Title Terrance S. Maxum owner	Date 10/16/20
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**Report and Approval of Local Licensing Authority (City/County)**

Date application filed with local authority <i>10/26/2020</i>	Date of local authority hearing – for new license applicants cannot be less than 30 days from date of application 44-3-311(1) C.R.S.
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Each person required to file DR 8404-I has been:

- Fingerprinted
- Subject to background investigation, including NCIC/CCIC check for outstanding warrants

That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with and aware of, liquor code provisions affecting their class of license.

(Check One)

- Date of Inspection or Anticipated Date \_\_\_\_\_
- Upon approval of state licensing authority
- New Fermented Malt Beverage Off Premises licenses, and On/Off Premises licenses, distance requirements of 44-3-301 C.R.S. are satisfied
- New Fermented Malt Beverage On/Off premises licenses must meet the qualifications of 44-4-104 C.R.S.

The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 44, Article 4 or 3, C.R.S. and Liquor Rules. **Therefore, this application is approved.**

Local Licensing Authority for <i>Town of Montezuma</i>	Telephone Number	<input type="checkbox"/> Town, City <input type="checkbox"/> County
Signature	Printed Name	Title
Signature (attest)	Printed Name	Title
		Date



## AFFIDAVIT - RESTRICTIONS ON PUBLIC BENEFITS

I, Terry S. Marlow, swear or affirm under penalty of perjury under the laws of the State of Colorado that (check one):

- I am a United States citizen.
- I am not a United States citizen but I am a Permanent Resident of the United States.
- I am not a United States citizen but I am lawfully present in the United States pursuant to Federal law.
- I am a foreign national not physically present in the United States.

I understand that this sworn statement is required by law because I have applied for a public benefit. I understand that state law requires me to provide proof that I am lawfully present in the United States prior to receipt of this public benefit. I further acknowledge that making a false, fictitious, or fraudulent statement or representation in this sworn affidavit is punishable under the criminal laws of Colorado as perjury in the second degree under Colorado Revised Statute 18-6-503 and it shall constitute a separate criminal offense each time a public benefit is fraudulently received.

Signature

*Terry S. Marlow*

Date

8/7/18



TOWN OF MINTURN  
P.O. Box 309 (302 Pine Street)  
Minturn, Colorado 81645-0309  
970-827-5645 Fax: 970-827-4049  
treasurer@minturn.org

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**FROM THE DESK OF  
JAY BRUNVAND, TREASURER/FINANCE**

**MEMORANDUM**

To: Mike Sawyer, Attorney  
Scott Peterson, ECSO/Minturn  
CC:  
Date: 11/12/20 11:54 AM  
RE: Liquor License

Attached please find a copy of a Fermented Malt Beverage (Off) Liquor License renewal application for Shop N Hop. Terry Marcum, owner/manager, located at 401 Main St. I have reviewed the application and conducted an onsite inspection which resulted in no issues. I am forwarding it on to you for further review and your report. I will be recommending approval on the Consent Agenda to Council at the November 18, 2020 Council Meeting. You will notice this does NOT look like a normal renewal. The state did not send out the form so we are making due with other forms. Because of this issue the license is a little behind the renewal curve. However, because the paperwork was submitted to the town prior to expiration the license is still valid. Again, this is legal and this is the way the state recommends.

Please let me know if you have any questions or concerns, which I may be able to answer.

Thanks, jay

**Proclamation of the Town of Minturn  
COLORADO GIVES DAY**

**WHEREAS**, charitable giving in Eagle County, Colorado is critical to providing support that local nonprofit organizations need to make our community a desirable place to live; and

**WHEREAS**, research shows an increase in online giving both locally and nationally, and many believe it is the future of philanthropy; and

**WHEREAS**, Community First Foundation and FirstBank have partnered in an effort to increase charitable giving in our community through the online giving initiative Colorado Gives Day; and

**WHEREAS**, Colorado Gives Day in 2019 raised \$355 million in a single 24-hour period via online donations, \$1.1 million to Eagle County nonprofits, at eaglegives.org, a website allowing donors to direct their contributions to one or more of the 50+ local, Eagle County, charities featured on the site, making it an ideal resource for facilitating charitable giving to our locally-based nonprofit organizations.

**WHEREAS**, Colorado Gives Day is Tuesday, December 8th this year, and all citizens are encouraged to participate because all donations, large or small, can make a difference to nonprofits in need.

**NOW, THEREFORE, BE IT PROCLAIMED BY Mayor John Widerman and the Town Council of the Town of Minturn, Colorado THAT: Tuesday, December 8, 2020, will be known as Colorado Gives Day in our community.**

TOWN OF MINTURN

ATTEST:

By: \_\_\_\_\_  
John Widerman, Mayor

\_\_\_\_\_  
Jay Brunvand, Town Clerk



To: Mayor and Council  
From: Jay Brunvand  
Date: November 4, 2020  
Agenda Item: Acceptance of the Fiscal Year 2021 Annual Budget

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REQUEST:  
Fiscal Year 2021 Budget Public Hearing.

INTRODUCTION:  
As required by Colorado State law, the Council must hold a public hearing on the proposed Fiscal Year 2021 budget. This Public Hearing has been published and posted for this meeting.

ANALYSIS:

#### 11/18/2020 Council Meeting

At the November 5, 2020 Council Meeting the Council again reviewed the Preliminary FY2020 budget and held the required Public Hearing on the Budget. During tonight's discussion Council will consider on First Reading the four Ordinances used to formally pass the budget. Second Reading, and final reading, will be brought forth on December 2, 2020 upon which approval will finalize the budget process and the budget season. Each Ordinance, as usual, will include a Public Hearing.

During the discussion on November 2, Council discussed revenue and expense items of material concern and how they affect the overall budget. Specific time was spent on the water rate structure, proposed rates, and how the rates would cover the approved CIP plan. It was agreed the rates would be effective on January 1 with the start of the fiscal year. However, the CIP would be reviewed and water rates may be adjusted as needed based on the outcome of this study.

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#### 11/4/2020 Council Meeting

During tonight's meeting Staff will do an overview of the budget during the Public Hearing as the Staff presentation through this memo. It should be noted at the beginning, this budget, although reasonable and conservative, there is little we can do to estimate the impact of what another economic shutdown by the State will make. I assure you, this has been at the forefront of every line item and we tried to consider any reasonable scenario.

During the October 21 meeting we reviewed the budget and direction was given to spend some of the available reserves and other changes from the Preliminary Budget. I have noted the pertinent changes below.

- The Snow Plow plan will include \$30,000 for a support contract to assist with plowing and hauling.
- A 5%/\$36,850 Wage Pool was added. This will be disbursed based on merit as a bonus in November 2021.
- Land Lease Easement-State Land Board ROW: \$35,000 allocation.
- NAIOP/Dowd Jct-Masterplan for the Dowd Jct area: \$45,000 allocation to be funded from FY2020.
- Quiet Title-Eagle River Land: \$60,000 allocation.
- ECO Transit Committee funding: \$5,000 allocation.



Other direction given included:

- Minturn Fitness Center: An expense to retrofit and create the ability for allowing citizens after hour use was valued at \$15,000 and placed on hold until further information can be gathered to include MFC Board consideration and previously instituted changes.
- Minturn Community Plan: An expense to update and modify the current Community Plan. Discussion on this included our ability to accomplish this during 2021 in consideration of the size of the project and the staff time necessary to accomplish this.

Often when reviewing a budget, it quickly becomes a very large number and can be confusing. A method for reviewing each department is to look at the right-hand column of the Annual Budget section and review those with significant changes, are new items, or for some other reason stand out. Following are items that, for me, stood out.

Page 16:

- 01-00-4010 Property Tax – This small increase is due to the constraints in place by the Gallagher Amendment which requires residential valuations statewide to be limited to 40% of the entire tax revenue pie. Because STATE WIDE the commercial sector valuations are not as strong as the Residential, the revenue from the residential sector is held down. During the November 3, 2020 election there is a ballot question that is designed to repeal the Gallagher Amendment.
- 01-00-4050/51 Sales Tax – 2019 reflected a 16% growth over 2018. In an effort to ensure this was not just an anomaly, the 2020 Sales Tax revenue was very conservative. However, even with the economic effects of the COVID virus, 2021 is exceeding 2020 by over 14% year to date. Much of this is related to the sales tax now charged by purchases made online.
- 01-00-4052 Highway User Tax – this is a distribution from the State based on taxes collected when a vehicle is licensed or based on the mileage of commercial trucking. Due to the COVID virus the state has downwardly reduced their 2020 estimates and additionally cut their estimated funding for 2021.
- 01-00-4210 Building Permits – this is estimated to increase based on previous recent years and in light of several projects on the horizon.
- 01-00-4220 Hwy 24 Maintenance – this line item grew from \$27,000/annually to \$34,000/annually in 2020 due to a successful renegotiation of this contract with CDOT. As a part of this renegotiation, 2021 will again increase and then expected to flatten in 2022 and thereafter.
- 01-00-4430 Municipal Traffic Fines – This line item was cut in 2021 due to the significant reduction in 2020 due to the COVID virus. This line will most likely be increased as we approach the 2020-year end.

Page 17:

- 01-00-4680 Real Estate Transfer Tax – over the recent years this has been increasing as sales reflect higher property values in Minturn. As such, this line item has increased for 2021. The RETT is restricted by MMC Section 4-3-40 to the purchase of real property for open space/parks, capital improvements, and install and maintenance of bridges/streets/curbs/sidewalks/drainage.

Page 27

- Payroll-Town Judge 01-03-5010 – This position is now a contract and covered under 01-03-5216.
- Law Enforcement Payroll 01-04-5012 – This item has been transferred to page 28 to better reflect expenses.

Page 31

- Street/Sidewalk Maintenance 01-06-5352 – This was increased to allow for approximately 50% of the planned Pine St slurry seal.
- Snow Removal 01-06-5353 – a new expense to account for snow removal contract(s) proposed in the Snow Removal Plan for 2020/21

Page 34:

- Enterprise Fund Revenues – A long term rate schedule was adopted in FY2020 to account for the various CIP projects necessary at the water plant, water tank, and distribution system. Mr. Jim Mann, Elhers Public

Finance Advisors, will be available during the meeting to help outline the rate structure and assist with any questions.

- In April of 2019, Council passed Ordinance 03-2019 which restructured the Enterprise Fund by moving parks and recreation to the General Fund. This is represented in accounts 01-06-5356 and 01-06-5357. This is a permanent change for the budget hence forth.

Page 40:

- 2020 represents the final year of payments on the Town Hall and reflects the various revenue and expense associated changes. In May of 2021 a renegotiated USPS lease will go into effect. Expenses represent repair and maintenance of the Town Hall and interfund transfers to the Capital Fund (06) to cover capital expenses.

Citizens are encouraged to contact Staff with questions or comments on the budget.

Questions?

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#### 10/7/2020 Council Meeting

When reviewing the Draft FY2021 Annual Budget it is important to realize that this budget is tight. It recognizes revenues and expenses for the forthcoming year in a conservative and mindful manner. It recognizes the impacts the COVID-19 Pandemic has had and attempts to fairly estimate income and growth as the local economy safely recovers. Be assured this budget is conservative and represents the needs of the Community in relation to the resources of the Town government.

The second meeting in October we will have a brief presentation in which we will review proposed special projects and capital expenses and then allow time for Council to express their goals and priorities for the budget. This will give Staff the necessary time to prioritize your concerns. It is not a promise to include new items in the budget, rather a chance to consider and discuss what can be done in FY2021 and plan for the future.

Please reference the Budget Schedule and Calendar included on pages 68-72. This will give you a clear vision of what meetings we will have discussions and public hearings. We all know the budget includes the operational items like electric bills and general day to day items. My intent during the first meeting in October is not to review that material in detail, rather to highlight some of the recent items of note in our General Fund revenues and expenses and allow for council and public questions. I have listed a few of the accounts below to show the Council that we do have money to perform some of the items we have recently discussed that are not Special Projects.

ITEMS OF NOTE:

#### GENERAL FUND (01):

INCOME:

- Property Tax (01-00-4010) – The amount reported in the Certification of Values represents a very small increase over 2020. As a reminder, in 2017 the legislature passed HB 17-1349 and a similar bill in 2019. This Bill was a housekeeping law to accommodate the Gallagher Amendment from 1982.
  - By way of background, it actually took three tries and over a decade to pass the TABOR Law in 1992. The Gallagher Amendment was an attempt to assuage TABOR supporters and dissuade them from voting for TABOR. Of note, both of these amendments to the State Constitution have some sort of ballot question to be voted on in November 2020.
  - The Gallagher Amendment was passed in 1982 and established residential property values for the entire state limited to 45% of the total assessed value.
  - Consequently, as the residential property values increase, periodically they are adjusted to remain compliant. An adjustment was made in 2003 and the value was reduced from 9.15% to

7.96% where it remained until 2018. In 2018 it reduced from 7.96% down to 7.2% and in 2019 from 7.2% to approximately 7.15%. On page 74, I show a formula of how the taxes are calculated and the effect various laws have had on our funding over the past 20 plus years. On pages 75-76, I show what makes up the tax bills in Minturn. I often hear one comment on how much is paid to Minturn. This graph shows what taxes are paid within the town limits, not just to the town. The worksheets not only show how the property assessment is calculated but, based on a value of \$200,000, how the revenue has decreased or not grown as it has in previous years when the Gallagher Amendment did not adjust. In 2021 our property tax revenue will be flat.

- Lodging Tax (01-00-4039) has been growing year over year showing a slow gain. This is due to more units and rental of those units as well as a more developed and uniform collection system locally and state wide. Changes in the state laws have made it easier for companies like AirBnB to submit their taxes directly to the state for distribution to Minturn. During the COVID shutdown of the economy our lodging tax has been hit specifically hard and has been very slow to recover. It is anticipated that with the ski season this market will improve.
- Sales Tax (01-00-4040 and 4050) are budgeted at 5% over our 2019 receipts. Again, the COVID shutdown has affected our receipts but in review of 2020 collections compared to 2019 we are recovering nicely. The state has begun requiring companies who sell online from both intra and interstate to collect and submit sales tax. These payments are made to the state and distributed to the town monthly and is showing to be about a 10% increase for the town.
- The town is anticipating a small number of new unit developments in 2020. This is represented in the increase for Planning and Development fees. Although we have tried to be conservative in these numbers, several of our General, Enterprise, and Capital fund revenues reflect a small increase by association. Although we have several large projects that could provide a large increase in our numbers, weighted against the water tap moratorium we are in a wait-and-see position.
- Currently we have 7 leases on the lease lot budgeted for 2021. This includes the concrete plant, and seven others in the developed area behind the berm. (01-00-4516 thru 4526). This revenue source allows for diversification of our revenues and accounts for a budgeted \$129,400 income. This is \$9,000 less than 2020 as we have repurposed one of the lots. Additionally, the town will no longer provide snow dump services. In 2020 the Town received \$10,500 in snow dump fees. This diversified income represents almost 10% of the amounts collected in property and sales taxes and 8% of our total General Fund revenues for 2020.
- In recent years the town has earned upwards of 2.5% interest on our liquid cash investments. As a result of COVID this has dropped to less than 1/10%. This downward earning cycle will continue until the Federal Reserve begins to raise interest rates again in the wake of COVID. (01-00-4540).

EXPENSE:

- For all Employee Medical insurance, I have budgeted a 5% increase and for all other employee insurances we anticipate a zero % increase. These budgeted figures result from word received from our insurance providers. In recent years we have seen negative, zero or very modest increases. In an industry that has seen 10-40% annual increases and wild fluctuations in the private markets, Staff feels this is a tremendous success in cost management.
- Some of the more beneficial community organizations have been funded in separate line items. For example, The Vail Valley Partnership will be funded at \$3,500 (01-01-5235) and the Minturn Community Fund is funded at \$15,000 (01-05-5275).
- In the Planning Department budget, the Planner was moved to a contracted position, a second planner has been hired, and the Code Enforcement is a full- time employee. Line item 01-02-5215 has been increased to support further support in the Planning Department.
- Town Events and promotions (01-05-5275) was reduced from \$75,000 to \$65,000 from 2020 however the line item reflects changes within the appropriation to more adequately fund programs that are working and better evaluate some programs.
- Public Works and Water Plant tools have been discussed as a possible need. Again, this year, \$5,000 is budgeted in both the Public Works and the Enterprise budgets. (01-06-5120 and 02-06-5150)

- Public Building R&M is budgeted at \$15,000 and used to assist in maintenance and upgrades to our facilities.
- Maintenance and improvements for streets and sidewalks has again this year been budgeted for \$50,000 (01-06-5352). Of this amount, \$40,000 has been allocated to partially fund a slurry seal process covering the length of Pine Street.
- In April of 2019, Council passed Ordinance 03-2019 which restructured the Enterprise Fund by moving parks and recreation to the General Fund. This is represented in accounts 01-06-5356.

ENTERPRISE FUND (02):

- In accordance with last year's policy direction for setting town water rates and with the recent Ehlers study, Staff is recommending:
  - A base rate increase from \$82.19 to \$90.83 (10% increase)
  - An increase in the Use Rate per 1,000gal from \$6.50 to \$6.83 (5% increase)
  - No increase in trash services is proposed
  - A 5% increase will be implemented to the tiered system for Residential Tap Fees, System Improvement Fees, and Cash in Lieu of Water fees. And, in accordance with previous year's, to match the tap rates for commercial with those of the Eagle River Water and Sanitation District.
  - As we move forward with the necessary water plant upgrades rates will need to be reevaluated with the options that are presented as part of the various options.

A detailed cost analyses is displayed on pages 77, 78, and 96 of the budget binder.

- I have broken out the various Capital Reserve revenues associated with remodels and new development (02-00-4320, 4321, and 4322). As stated earlier this is pendent on anticipated growth and the effects of the existing water tap moratorium, however, is very conservatively budgeted.
- The Town is in the midst of reviewing and moving forward with desperately needed Capital needs in the Enterprise Fund with the development and implementation of a much need and complete Capital Improvement Plan (CIP). Such needs include a new water tank, improvements to the filters and purification systems, and maintenance to the distribution system.

As part of this review and adoption of the CIP plan water rates, debt needs, and other sources of funding will be examined completely and will require rate increases and the issuance of debt to undertake all the necessary improvements.

At this time staff is moving forward with connecting Well #4 to the Clear Well for purification purposes, testing and placement of new water storage tanks, a water loss detection system, and much needed repairs to the plant and distribution system. The work included to date is already evident as we monitor our reduced water loss in the distribution system. The 2021 budget reflects a \$2,000,000 bond issuance and matching expenses as we begin to implement the proposed needs.

- Annual H2O water right maintenance (02-06-5352) will increase approximately 3%. The \$125,500 covers the Cross Creek flow gage station, water rights of 5acre ft, 20acre ft, and 50acre ft through the Colorado River Pact. The gage station shows expense; however, this is split in thirds. We pay the full amount and I then bill 1/3 to CBS/Viacom and 1/3 to BMD. At this time, it is unclear if BMD will continue to contribute to this expense.
- With the pending needs in the Enterprise Fund of water plant and distribution line work, it will be important that we save where we can and manage our reserves in the coming several years. Our water rates are admittedly steep as are the expenses and the estimated capital needs, all must be weighed as best we can.

BUILDING FUND (04):

- FY2020 marked the final year of the Town Hall bond payments. This retirement will alleviate the need to transfer funds from the General and Enterprise Funds to cover what is not received in rents from the USPO and the apartments. Rents not needed to pay off the debt will be used to maintain the Town Hall and be diverted to the Building Fund (06) to accommodate non-Enterprise Fund expenses.

CAPITAL FUND (06):

- The Capital Fund recognizes revenues resulting from the implementation of the Construction Use Tax and the previously noted income from the Building Fund transfer.
- Vehicles/Equipment (06-01-5249) is earmarked for 50% of the cost of a new vehicle in Public Works, the remaining 50% is budgeted as an expense in the Enterprise Fund (02). Previous direction has been to maintain a 20year rotation of the two loaders. A new loader was purchased in 2020.
- Little Beach Park (06-01-5310) is budgeted for \$260,000 as a place holder. These funds are maintained in a savings account per the previous BMD funding agreements. These funds are held only for development in Little Beach Park and will be utilized once a development plan is approved.

My council questions: during the budget process I always have a few questions that I need direction from the Council on.

- Staff has only scheduled ONE budget hearing in the adoption process not including the required public hearings associated with passage of the Ordinances; is this acceptable?
- Is the following budget calendar sufficient?
- Budget Review during upcoming meetings (Budget page 68):
  - 10/21/20
    - Session under Discussion and Direction for Council to discuss the budget as relates to goals and consider questions or direction from Council
    - Q&A
  - 11/04/20
    - Public Hearing on FY2021 Budget (first and ONLY public hearing)
    - GID public hearing and approval
    - Q&A
  - 11/18/20
    - First Reading of Budget approval Ordinances
      - Review of 2020 Supplemental Appropriations
    - Q&A
  - 12/02/20
    - Second and final reading of Budget approval Ordinances

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**COMMUNITY INPUT:**

Staff has scheduled a Public Hearing on the budget at the November 4, 2020 Council Meeting. Beginning with the November 18<sup>th</sup> Council Meeting, we will have a Public Hearing to adopt each of the four Ordinances used to formally approve the budget, and the public is encouraged to contact Staff to review any questions or comments they might have. Throughout this process any comments offered will be reviewed and as directed by Council items of concern will be discussed and may be included within the final budget document. This final adoption of the budget will be on December 2, 2020.

**BUDGET / STAFF IMPACT:**

The annual fiscal budget sets forth projected income and expenses and sets forth a plan to achieve our stated goals. The budget will appropriate reserves, revenues and expenses and set the mill levy and fees for the ensuing year.

**STRATEGIC PLAN ALIGNMENT:**

In accordance with Strategy #1 to practice fair, transparent, and communicative local government.

**RECOMMENDED ACTION OR PROPOSED MOTION:**

N/A

**ATTACHMENTS:**

N/A



To: Mayor and Council  
From: Scot Hunn, Planning Director  
Date: November 13, 2020

Agenda Item: Long-range and Sub-area Master Planning Alternatives Evaluation

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**REQUEST:**

Discuss and prioritize alternative approaches, costs, and time frames associated with long-range planning initiatives including the update to the 2009 Community Plan, as well as potential sub-area master planning projects.

**INTRODUCTION:**

As staff works to complete two projects – the update to Chapter 16 – *Zoning* of the Minturn Municipal Code and updating the 2010 Minturn Three Mile Plan – we are seeking direction as to planning projects and priorities for 2021.

The Town of Minturn 2018-2020 Strategic Plan aligns the Town’s priorities with transparency in governance, budget considerations, and opportunities to engage the community in working toward the Town’s True North statement:

***“Leverage Minturn’s assets to benefit and maintain our funky, proud, uniquely classic mountain town where people grow roots through creating opportunities and community engagement”***

The plan establishes the following planning-related strategies aimed at furthering the Town’s mission and priorities:

- **Execute the process of updating the Community Plan through a comprehensive public engagement process** (*Practice Fair, Transparent and Communicative Local Government*)
- **Create a Comprehensive Land Plan to outline and then communicate the future goals of the community** (*Long-Term Stewardship of the Natural Beauty and Health of Minturn’s Environment*)
- **Update the Design Review Guidelines to better reflect the vision of the downtown area** (*Sustain and Invest in the Things that Define Minturn as a Proud, Sturdy Mountain Town to “Keep Minturn Minturn”*)

The update to the 2009 Community Plan has been previously slated to kick-off in 2021. In addition, the Town recently completed a design charrette for the 100-Block in which several architectural, land planning and development/municipal finance consultants participated. The charrette exposed the need for additional sub-area master planning focused specifically on parking demand and management, circulation, pedestrian connectivity and safety, redevelopment design standards and community amenities in and around the 100-Block area prior to any major redevelopment activities occur.

Given current development interest and pressures in the 100-Block area, and with an eye toward leveraging the momentum and community engagement created during the charrette event, prioritization of additional sub-area master planning in this area deserves serious consideration.

Staff has previously suggested that the update to the Community Plan – a major strategic goal for the Town - could be completed mostly in-house using minimal consulting services. This would have been possible as the planning staff's only master planning or "long-range" project for 2021 absent other time-consuming planning activities such as facilitating the review of multiple new development proposals. Two such proposals have now been received and are in process (Minturn North Preliminary Plan for PUD and Belden Place Preliminary Plan for PUD) with a third (Bolts Lake PUD Conceptual Plan) expected in early 2021. Staff is also working to facilitate the master planning of Dowd Junction working with the NAIOP Commercial Real Estate Development Association design competition program occurring from December 2020 to approximately May 2021.

From insight and ideas gained during the recent charrette event, as well as from recent community survey results, staff believes that:

1. The community is primed for engagement and discussions about how best to address and direct future growth in the town, how to preserve and enhance elements of community character, and how to create more opportunities for locals.
2. Updating the Community Plan is timely due to significant changes that have occurred in Minturn since the plan's adoption in 2009 including shifting community demographics, changes in desired community amenities and services, increased development pressures and resultant increases in real estate valuations.
3. Focusing attention on the 100-Block and leveraging the gains realized from the recent charrette event is also timely given current development pressure in this area. Importantly, there is a genuine interest and level of engagement by property owners, residents, business owners and consultants who volunteered their time during the event to continue to study the area and to develop solutions based on ideas presented during the charrette.
4. The two long-range master planning initiatives – updating the Community Plan and creating a new sub-area master plan for the 100-Block - can be undertaken separately but are not mutually exclusive.
5. Any update to the Community Plan should include a new future land use map (this addresses the Long-Term Stewardship of the Natural Beauty and Health of Minturn's Environment strategy to "create a comprehensive land plan...").

#### **ANALYSIS:**

Staff has worked with TJ Dlubac, Community Planning Strategies, to develop and scope-out the following master planning alternatives for the Town Council's consideration. This is not an exhaustive list of alternatives but does reflect staff's recommendations for the most logical options to address the community's most pressing growth related issues:

#### ***Alternative 1: Full Community Plan Update***

- *Scope:*
  - Comprehensive update of 2009 Community Plan to include significant community engagement, reexamination of previously established community values and priorities, and the potential evaluation and analysis of:



- Demographics
  - Existing and Future Land Use and Transportation Patterns
  - Real Estate Development Trends
  - Jobs-Housing Ratios and Local Economic Development
  - Sustainability and Natural Resource Management
  - Cultural and Social Factors
  - Community Development and Redevelopment (Infill) Standards
  - Infrastructure and Capital Improvements Needs (growth related impact analyses and nexus studies)
  - Affordable Housing
  - Growth Management Strategies
  - Innovation and Technology
  - Resiliency, Adaptive Management and Regional Planning
- Project scope could include sub-area master plan work focused on 100-Block Commercial Zone District (*see components of 100-Block Sub-area Master Plan scope below under Alternative 2*) as well as other areas such as Little Beach Park/River Corridor.
- *Staff Impact:*
  - Project execution in this alternative will rely heavily on outside resources (consultants and grant funding).
  - Impact will be minimized as staff will be responsible for developing scope, overseeing consultant activities and managing the use of funds.
- *Schedule:*
  - Roughly 15-18 months
- *Budget Considerations:*
  - Estimated costs: \$100,000-\$200,000.
  - Grant funding would be needed. The most prevalent source for these projects is DOLA (likely requires community match).

**Alternative 2: 100-Block Sub Area Master Plan**

- *Scope:*
  - Based on input and momentum gained during the 100-Block Charrette event, staff could focus long-range planning efforts on the 100-Block Commercial Zone District to get ahead of any redevelopment activities.
  - Will include all plan elements and analyses within the project area including parking, architecture and design, connectivity within area and specifically to the Eagle River, mass and bulk controls for new or redeveloped buildings, economic incentives, public amenities and spaces.
  - Potentially include 3D modeling and survey work for mapping.
  - Project could be oriented toward a deliverable of creating a “Form Based Code.”
- *Staff Impact:*
  - Medium impact on staff as this would most likely be the responsibility of a consultant team that is supplemented by town staff.
- *Schedule:*

- Roughly 6 – 9 months
- *Budget Considerations:*
  - Estimated costs: \$70,000 - \$100,000
  - Town staff would seek grant funding.

**Alternative 3: Various Smaller Plans and Studies (100-Block Area)**

- *Scope:*
  - Based on results from the 100-Block charrette, several smaller tasks or projects (studies and/or design work) could be undertaken piecemeal as time and budget permits.
  - Examples of these would be: Connectivity plan, parking plan/study, economic development and public benefits plan, river corridor plan, land use plan, architectural design guidelines/standards.
- *Staff Impact:*
  - Medium - staff impact would involve working with consultants (architects, land planners, engineers) during the development and creation of each plan.
  - There would need to be additional assessment of what plans and studies would be needed. More individual projects undertaken in sequence would likely mean a larger overall scope and costs spread out over a timeframe.
  - Staff recommends, at a minimum, a parking study of the 100-Block and surrounding neighborhoods is a critical need with or without a more comprehensive sub-area master plan effort.
- *Schedule:*
  - Each project/plan would probably take 10 – 12 weeks depending on scope and the amount of outside consultant assistance.
  - The more technical a plan or study, the shorter the timeframe.
  - The more subjective, or politically sensitive, a plan or study the more community engagement may be needed and therefore the higher the costs and the longer the project schedule.
- *Budget Considerations:*
  - Each project-specific budget would vary quite widely depending on scope, approach, professional services needed.
  - Estimated costs: \$5,000 - \$30,000/project

**COMMUNITY INPUT:**

Staff is seeking feedback and direction from the Town Council at a regularly scheduled and noticed public hearing as part of the 2021 Budget Hearing process.

**BUDGET / STAFF IMPACT:**

No budget or staff impacts at this time. Impacts (staff time, direct costs) will differ based on which, if any, long-range planning alternative is chosen for the 2021 fiscal year.

**STRATEGIC PLAN ALIGNMENT:**

The Town Council's actions with regard to directing long-range planning projects and priorities based on need, staff capacity and budgetary constraint aligns with the following key strategies and the Town's True North vision statement adopted in July 2020:

*"Leverage Minturn's assets to benefit and maintain our funky, proud, uniquely classic mountain town where people grow roots through creating opportunities and community engagement; keeping in mind we are Minturn."*

### **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.

### **ADVANCE DECISIONS/PROJECTS/INITIATIVES THAT EXPAND FUTURE OPPORTUNITY AND VIABILITY FOR MINTURN**

The ability for Minturn to approach development as **resilient, sustainable, creative and diverse** will allow the town to continue embracing what has **"made Minturn, Minturn."** The town can further leverage its crossroads location as a valley-wide benefit and **competitive advantage**.

#### **RECOMMENDED ACTION OR PROPOSED MOTION:**

Staff requests direction on these key issues/questions:

1. Should staff pursue any long-range master planning projects in 2021?
2. Which project or projects are most impactful and needed given current needs and opportunities?
3. If multiple projects needing consultant services and grant funding are initiated concurrently (i.e., community plan update and sub-area master planning, for instance) should staff draft Requests for Proposals?
4. For any alternative requiring significant funding, should staff pursue grants and will the Town consider grants that require matching funds?

#### **ATTACHMENTS:**

None



To: Mayor and Council  
From: Jay Brunvand  
Date: November 12, 2020  
Agenda Item: Ordinance 12 – Series 2020

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**REQUEST:**

Council is asked to approve Ordinance 12 – Series 2020 (First Reading)

**INTRODUCTION:**

This is an annual Ordinance to account for various increases in revenues and expenditures which are anticipated to exceed their original budget. Each change in Exhibit “A” is listed in fund order showing the increased amount and the revised total budgeted amount.

**ANALYSIS:**

This Ordinance takes into account only those items which are anticipated to exceed their original line item budget. Revenues which exceed their original budget indicates additional revenue. In order to properly recognize and utilize this surplus, we must include it in the appropriated budget. In order to properly account for and access spending in expenses which exceed their budgeted line we must be increased. This supplemental appropriation only increases revenue and expenses, it does not unappropriate funds which will not exceed. This means the Ordinance and action requested only addressed excess revenue and expense, it does not address items that will save money by coming in under budget. This may give a false view that we are over spending the budget when in fact we do have the funds on hand and in many cases the expense was appropriated by prior council action.

**COMMUNITY INPUT:**

As an Ordinance this will require a public hearing.

**BUDGET / STAFF IMPACT:**

This Ordinance is formal documentation of additional income received and expenses made throughout the FY2020. The impact to the budget is very real and very necessary to include as an update to the originally approved FY2020 budget in order to be in compliance with and prepared for our annual audit.

**STRATEGIC PLAN ALIGNMENT:**

In accordance with Strategy #1 Practice fair, transparent, and communicative local government.

**RECOMMENDED ACTION OR PROPOSED MOTION:**

An ordinance amending the 2020 budget as set forth in the following Exhibit “A”, to appropriate additional General Fund revenues in the amount of \$507,565.00, and appropriating additional General Fund expenditures in the amount of \$333,571.00, and appropriating additional Enterprise Fund

expenditures in the amount of \$260,000.00, and appropriating additional Capital Fund expenditures in the amount of \$12,612.00

ATTACHMENTS:

- Ordinance 12 – Series 2020

**TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 12 – SERIES 2020**

**AN ORDINANCE AMENDING THE 2020 BUDGET AS SET FORTH IN THE FOLLOWING EXHIBIT “A”, TO APPROPRIATE ADDITIONAL GENERAL FUND REVENUES IN THE AMOUNT OF \$507,565.00, AND APPROPRIATING ADDITIONAL GENERAL FUND EXPENDITURES IN THE AMOUNT OF \$333,571.00, AND APPROPRIATING ADDITIONAL ENTERPRISE FUND EXPENDITURES IN THE AMOUNT OF \$260,000.00, AND APPROPRIATING ADDITIONAL CAPITAL FUND EXPENDITURES IN THE AMOUNT OF \$12,612.00.**

**WHEREAS**, in accordance with Section 8.8 of the Minturn Home Rule Charter the Council may make additional appropriations by ordinance during the fiscal year, and;

**WHEREAS**, Jay Brunvand, Treasurer, has verified that additional funds are available for appropriations in each fund from actual and anticipated revenues of the current year and prior year cash reserves, and;

**WHEREAS**, the Town Council is advised that certain revenues, expenditures and transfers must be approved by ordinance.

**NOW, THEREFORE, THE TOWN OF MINTURN, COLORADO ORDAINS:**

Section 1.

Upon the Town Manager’s verification that there are current year revenues available for appropriation in the General Fund, Enterprise Fund, Conservation Trust Fund, Building Fund, Marketing Fund, Capital Fund, Scholarship Fund, and Battle Mountain Resort Fund and un-appropriated prior year cash balance available in one or more of those funds, the Town Council hereby makes supplemental appropriations as specified in attached Exhibit “A”.

Section 2.

The Town Council hereby authorizes and directs the Town Manager to enter into such contracts and execute such documents on behalf of the Town as may be necessary and customary to expend the funds hereby appropriated for all operations and capital projects within the budget as hereby amended in accordance with the requirements of the Home Rule Charter and the Town’s Financial Policies.

Section 3.

The adoption of this Ordinance will promote the health, safety and general welfare of the Minturn community.

Section 4.

If any provision of this Ordinance or portion thereof is held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any other provision which can be given effect without the invalid portion.

**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 18<sup>th</sup> DAY OF NOVEMBER, 2020. 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 2<sup>nd</sup> DAY OF DECEMBER, 2020 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.**

**TOWN OF MINTURN, COLORADO**

\_\_\_\_\_  
**John Widerman, 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 2<sup>nd</sup> DAY OF DECEMBER, 2020.**

\_\_\_\_\_  
**John Widerman, Mayor**

**ATTEST:**

By: \_\_\_\_\_  
**Jay Brunvand, Town Clerk**

**ORDINANCE 12 – SERIES 2020**  
**EXHIBIT “A”**

GENERAL FUND:		Addition	Revised Budget
Additional Revenue	\$ 507,565.00		
County Sales Tax	01-00-4040	3,000	30,000
City Sales Tax	01-00-4050	167,681	720,000
Liquor License Fees	01-00-4230	1,900	3,400
Planning and Zoning Fees	01-00-4250	25,000	35,000
Snow Dump	01-00-4519	5,500	10,500
Grants-DOLA	01-00-4552	50,000	50,000
Grants-COVID	01-00-4562	25,787	25,787
BMR	01-00-4575	1,197	1,197
RETT	01-00-4680	250,000	350,000
 Additional Expense	 \$ 333,571.00		
Telephone	01-01-4200	1,000	10,000
Audit Fees	01-01-5225	500	12,000
Elections	01-01-5255	300	2,300
Computer R&M	01-01-5292	100	3,100
COVID	01-01-5293	25,787	25,787
Town Planner Wages	01-02-5010	34,000	34,000
Emp’ee Ins	01-02-5091	3,710	14,200
FICA	01-02-5092	1,674	5,526
Veh R&M	01-06-5231	1,000	6,000
Equipment R&M	01-06-5291	6,000	12,000
Streets & Sidewalks	01-06-5352	30,000	50,000
Capital Outlay-GF	01-09-8000	19,500	62,500
Grants-DOLA	01-09-8007	210,000	210,000
 ENTERPRISE FUND:			
Additional Revenue	\$0.00		
 Additional Expense	 \$ 260,000.00		
Office/Lab	02-06-5100	30,000	45,000
Meter Install	02-06-5160	84,350	84,350
Veh R&M	02-06-5231	2,000	8,000
Equipment R&M	01-06-5291	2,000	8,000
Water Plant System	02-06-5293	140,000	180,000
Mosquito Control	02-07-6001	2450	4,000
 CONSERVATION TRUST FUND:			
Additional Revenue	\$ 0,00		
 Additional Expense	 \$ 0.00		
 BUILDING FUND:			
Additional Revenue	\$ 0,00		
 Additional Expense	 \$ 0.00		
 MARKET FUND:			
Additional Revenue	\$ 0.00		
 Additional Expense	 \$ 0.00		



CAPITAL FUND:

Additional Revenue	\$ 0.00		
Additional Expense	\$ 12,612.00		
Parks/Rec Center	06-01-5220	12,228	52,228
Veh & Equip	06-01-5249	384	128,729

GID FUND:

Additional Revenue	\$ 0.00
Additional Expense	\$ 0.00

SCHOLARSHIP FUND:

Additional Revenue	\$ 0.00
Additional Expense	\$ 0.00

BATTLE MOUNTAIN RESORT FUND:

Additional Revenue	\$ 0.00
Additional Expense	\$ 0.00



To: Mayor and Council  
From: Jay Brunvand  
Date: November 12, 2020  
Agenda Item: Ordinance 13 – Series 2020

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**REQUEST:**

Council is asked to approve Ordinance 13 – Series 2020 (First Reading)

**INTRODUCTION:**

This is an annual Ordinance setting forth and approving the Fiscal Year 2021 mill levy on First Reading.

**ANALYSIS:**

This is an annual ordinance approved by Council to establish the mill levy on property assessments for the following year. Our mill levy was set at 17.934 mills in 2021 allowing us to collect, spend, or save all revenue generated based on the county assessment. These funds flow into the General Fund as a major source of revenue to meet our budgeted needs. The mill levy collection of property tax makes up over 30% of Minturn's annual General Fund revenues.

**COMMUNITY INPUT:**

As an Ordinance this will require a public hearing.

**BUDGET / STAFF IMPACT:**

This Ordinance formally sets the town mill levy at our allowed 17.934 mills for the following year and is a major source of revenue for the town's General Fund.

**STRATEGIC PLAN ALIGNMENT:**

In accordance with Strategy #1 Practice fair, transparent, and communicative local government.

**RECOMMENDED ACTION OR PROPOSED MOTION:**

Motion to approve Ordinance No. 13 – series 2020 (First Reading), an ordinance levying general property taxes for the year 2021, to meet general operating costs of government for the Town of Minturn, Colorado for the 2021 budget year.

**ATTACHMENTS:**

- Ordinance 13 – Series 2020

**TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 13 – SERIES 2020**

**AN ORDINANCE LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2021, TO MEET GENERAL OPERATING COSTS OF GOVERNMENT FOR THE TOWN OF MINTURN, COLORADO FOR THE 2021 BUDGET YEAR.**

**WHEREAS**, the Minturn Town Council of the Town of Minturn, Colorado will adopt the annual budget for Fiscal Year 2021 in accordance with Local and State Government Budget Law, on December 2, 2020, and;

**WHEREAS**, the assessed valuation for the Town of Minturn, Colorado as certified by the Eagle County Assessor is approximately **\$30,741,740.00** and will generate approximately **\$551,322.00** based on the authorized 17.934 mills of the Town of Minturn, and;

**WHEREAS**, at General Election on November 3, 1998, the citizens of Minturn, Colorado have established the Town Mill Levy at 17.9340 mills in accordance with Article X, Section 20 of the Colorado Constitution, and;

**WHEREAS**, the final assessed valuation for the fiscal year 2021 will be available by December 2, 2020 from the County of Eagle Assessor in a timely manner to allow the passage of this Ordinance as a non-emergency in the normal course of events.

**NOW, THEREFORE, THE TOWN OF MINTURN, COLORADO ORDAINS:**

Section 1. That for the purpose of meeting general operating expenses of the Town of Minturn during the 2021 budget year, there is hereby levied a tax of 17.934 mills upon each dollar of the total valuation for assessment of all taxable property within the Town of Minturn for the 2021 budget year. This assessment of 17.934 mills shall be duly made by the County of Eagle, State of Colorado, as directed by the Colorado Revised Statutes (as amended), and as otherwise required by law.

Section 2. The Minturn Town Treasurer is hereby authorized and directed to immediately certify to the County Commissioners of Eagle County, Colorado, the mill levies for the Town of Minturn, Colorado as here in above determined and set.

Section 3. The Minturn Town Council hereby finds, determines, and declares that this ordinance is necessary and proper for the health, safety, and welfare of the Town of Minturn, Colorado and the inhabitants thereof.

Severability. If any part, section, sub-section, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance; and the Town Council for the Town of Minturn, Colorado hereby declares it would have passed this Ordinance and each part, section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more parts, sections, sub-sections sentences, clauses or phrases be declared invalid.

**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 18<sup>th</sup> DAY OF NOVEMBER, 2020. 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 2<sup>nd</sup> DAY OF DECEMBER, 2020 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.**

**TOWN OF MINTURN, COLORADO**

\_\_\_\_\_  
**John Widerman, Mayor**

**ATTEST:**

\_\_\_\_\_  
**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 2<sup>nd</sup> DAY OF DECEMBER, 2020.**

\_\_\_\_\_  
**John Widerman, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Jay Brunvand, Town Clerk**



To: Mayor and Council  
From: Jay Brunvand  
Date: November 12, 2020  
Agenda Item: Ordinance 14 – Series 2020

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**REQUEST:**

Council is asked to approve Ordinance 14 – Series 2020 on First Reading.

**INTRODUCTION:**

This is an annual Ordinance setting forth and approving the various fees proposed for Fiscal Year 2021 on First Reading. The Town Municipal Code has many fees cited in various areas of the Code. This Ordinance combines those fees into one document. It is important to note that in the event a fee conflicts with the Code, the Code will prevail.

**ANALYSIS:**

This is an annual ordinance approved by Council to establish the annual fee schedule and any proposed fee increases. The fee schedule has been discussed in previous meetings with Council and each department, changes to the fees are reflected in the schedule. All fees will go into effect on January 1, 2021.

**COMMUNITY INPUT:**

As an Ordinance this will require a public hearing.

**BUDGET / STAFF IMPACT:**

This Ordinance formally sets the town fee schedule as laid forth in the Minturn Municipal Code and is a major source of revenue for the town's various funds. It is important to note that the fees are set administratively and are allowed by law to change year to year as necessary; whereas, a tax, such as the town's mill levy, is set by the voters and can only change via a formal election of the citizens.

**STRATEGIC PLAN ALIGNMENT:**

In accordance with Strategy #1 Practice fair, transparent, and communicative local government.

**RECOMMENDED ACTION OR PROPOSED MOTION:** Motion to approve Ordinance No. 14 – series 2020 (First Reading) an Ordinance annually setting, amending and approving town fees as set forth in the following attachment to be included in Appendix "A" of the Minturn Municipal Code for the Town of Minturn, Colorado fees commencing January 1, 2021

**ATTACHMENTS:**

- Ordinance 14– Series 2020

**TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 14 – SERIES 2020**

**AN ORDINANCE ANNUALLY SETTING, AMENDING AND APPROVING TOWN FEES AS SET FORTH IN THE FOLLOWING ATTACHMENT TO BE INCLUDED IN APPENDIX “A” OF THE MINTURN MUNICIPAL CODE FOR THE TOWN OF MINTURN, COLORADO FEES COMMENCING JANUARY 1, 2021**

**WHEREAS**, The Town of Minturn reviews and approves such fees by ordinance annually and as necessary, and;

**WHEREAS**, The fee schedule is available for review during regular business hours at the Town Offices as well as the Official Town Website.

**NOW, THEREFORE, THE TOWN OF MINTURN, COLORADO, ORDAINS:**

Section 1.

The following fees and deposits are hereby set as set forth or added in Appendix “A” is adopted.

Section 2.

In the event of a conflict between the fees, rates and charges listed in this Appendix A and the Text of any individual section of the Town Code, the provisions of The Minturn Municipal Code shall control.

Severability. If any part, section, sub-section, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance; and the Town Council for the Town of Minturn, Colorado hereby declares it would have passed this Ordinance and each part, section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more parts, sections, sub-sections sentences, clauses or phrases be declared invalid.

**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 18<sup>th</sup> DAY OF NOVEMBER, 2020. 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 2<sup>nd</sup> DAY OF DECEMBER, 2020 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.**

**TOWN OF MINTURN, COLORADO**

---

**John Widerman, Mayor**

**ATTEST:**

---

**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 2<sup>nd</sup> DAY OF DECEMBER, 2020.**

---

**John Widerman, Mayor**

**ATTEST:**

---

**Jay Brunvand, Town Clerk**

**Fees, Rates, and Charges Imposed Pursuant to the Minturn Town Code**

ITEM	DESCRIPTION	FEE 2020	OTHER	2021 Amount If Revised
<b>General Government</b>				
<b>Administration</b>				
Copies	per page	\$0.25		
CD-Town Code		\$50.00		
Bad Check fee		\$35.00		
<b>Open Records Request</b>				
Attorney-Administrative Description	per hour, minimum 1hr after first hour	\$185.00		
Town Staff-Administrative Description	per hour, minimum 1hr after first hour	\$30.00		
Past due monthly fee		\$35.00 plus 1.5%/month		
Real Estate Transfer Tax	per sale due at time of sale	1%		
Lodging Tax		1.5%		
Sales Tax - City		4%		
Use Tax - Construction		4%		
Credit Card Fee	For charges in excess of \$500	3%		
<b>Meeting Room Fees</b>				
Set-Up Fee	Deposit may be required Used in Special circumstances. Will generally only use the space for Town related business or for Town partners. Will generally require they set up on their own.	\$50.00		
Flip Chart and Easel		\$25.00		
LCD Projector/screen		\$100.00		
Sound System/Microphones		\$75.00		
Full Room with Kitchen		\$300.00		
Full Room Without Kitchen		\$200.00		
Cleaning Deposit	Based on actual cost	\$250.00		
Little Beach Park				
Minturn Resident		\$150/block \$250/day		No Change
Non Profit		\$50		\$100
Non Resident		\$200/block \$300/day		No Change
<b>Business Licenses:</b>				
Initial License Fee		\$120.00		
	Prorated at \$10/month			
Business License Fee	(Due 4/1-3/31)	\$120.00		
In-Home License Fee		\$36.00		
Home Business License-Renewal	(Major household income)	\$120.00		
Outdoor Recreation License		\$120.00		
Short Term Rental License		\$300.00		
Snow Plow Business		\$120.00		
Each additional vehicle		\$12.00		
<b>Peddler or Solicitor:</b>				
<b>License Fees</b>				
1 Day		\$15.00		
2 Days Consecutively		\$30.00		
3 Days Consecutively		\$45.00		
5-Days Consecutively		\$75.00		
7 Days Consecutively		\$120.00		
30 Days consecutively		\$240.00		
Annual License	(Due 4/1)	\$240.00		
<b>Contractor:</b>				
Annual License Fee - General	Valid for 3yrs	\$240.00		
Business List Print Fee		\$40.00		



ITEM	DESCRIPTION	FEE 2020	OTHER	2021 Amount If Revised
<b>MISCELLANEOUS FEES</b>		Set administratively to cover the cost of services.		
Professional Use Fee	Inc use of town Eng, etc	Cost + 20%		
<b>LIQUOR LICENSE APP FEES</b>	All fees as set by State			
<b>PUBLIC SAFETY</b>				
Incarceration Fee	Assessed at current daily fee charged by the ECO Sheriff's Office			
Records Requests-Criminal Justice		.25pg + \$5.00 Admin Fee		
Clearance Letter	per individual	\$10.00		
Court Transcripts		\$250.00 Deposit/Actual Cost		
Court Fines		per Judge		
Court Fines-Payment Plan Fee	Per court direction	\$25.00		
Court Cost Fee		\$25.00		
Community Service Fee		\$25.00		
<b>PUBLIC WORKS</b>				
SNOW DUMP-TANDEM		\$50.00		
SNOW DUMP-END DUMP		\$90.00		
SNOW DUMP-FINE	ILLEGAL DUMPING-MINIMUM x4			
Water				
Cash deposit		\$100.00		
Debt Service Fee	Per SFE/Month	\$7.81		\$20.32
Turn-on/Reconnect Fee		\$50.00		
Turn-off/Disconnect Fee		\$50.00		
Turn-on/Reconnect	For non metered water only	\$400.00		
Tap, inspection, connection fee				
(1) Residential Unit; per unit plus Tier fee per sq foot floor		Tap Fee \$5,182 SIF Tier 1 \$4.26/spft SIF Tier 2 \$5.37/sqft SIF Tier 2 \$6.47/sqft		Tap Fee \$5,441 SIF Tier 1 \$4.47/spft SIF Tier 2 \$5.64/sqft SIF Tier 2 \$6.79/sqft
Accessory Dwelling Unit (>750sf)	.5sfe	\$4.26/sf		\$4.47/sf
Cash in Lieu of Water		\$11,737.95		\$12,324.85
(2) Hotel/Lodge/Motel/Lock-off/Accommodation Unit:				
(a) per efficiency room		\$3,750.00		\$3,937.50
(b) per room		\$2,750.00		\$2,887.50
Out of Town Tap Fees are 25% higher				
Tap, Inspection, Connection Fee				
Commercial Service Line Size in inches: Set to equal ERWSD rates		Cost per Tap		
	3/4in (1.5 SFE)	\$16,495.00		\$17,320.00
	1in (2.6 SFE)	\$28,588.00		\$30,017.00
	1in 1/2 (5.8 SFE)	\$63,775.00		\$66,964.00
	2un (10.3 SFE)	\$113,255.00		\$122,068.00
	3in (23.0 SFE)	\$255,116.00		\$267,875.00
	4in (40.9 SFE)	\$449,724.00		\$472,210.00
	6in (92.1 SFE)	\$1,012,705.00		\$1,063,340.00
All out of Town Taps	Sec. 13-29(b)(1)	+ 50%		
Construction Use Rates	Sec. 13.65			
Any water use for construction purposes	per month flat fee plus use	\$100.00		
Portable meter fee		\$100.00		
Portable meter water use	\$5.00/1000 gal	\$10.00/1000 gal		
Portable meter deposit or lost meter cost		\$1,750.00		
Unusual Water User Fee	Sec. 13.66	set Administratively		

ITEM	DESCRIPTION	FEE 2020	OTHER	2021 Amount if Revised
<b>Unmetered Water Rate</b>	Sec. 13-67			
Monthly rate per SFE for	Residential	\$102.74	Base + 25%	\$113.02
Policy related to other uses	Commercial	\$102.74	Base + 25%	\$113.02
Replaces Sec. 13-29(b)(2)	Residential out of Town	\$123.29	Base + 50%	\$135.62
	Commercial out of Town	\$143.83	Base + 75%	\$158.22
	Seniors-Grandfathered (65 years or older)	\$77.05	Base -25%	\$84.77
<b>Metered Water Rate</b>	Sec. 13-68			
(a) Residential, basic monthly charge	per SFE	\$82.19		\$90.41
plus a monthly above 0 gals. Use charge per 1,000 gallons		\$6.50		\$6.83
(b) Commercial, basic monthly charge	per SFE	\$82.19		\$90.41
plus a monthly above 0 gals. Use charge per 1,000 gallons		\$6.50		\$6.83
(c) 25% discount for Residential Owner-Occupant over 65 years of age		\$77.05		\$84.77
Out of Town Water Rate are 50% higher for Residential and 75% higher for Commercial	Sec. 13-29(b)(2)	\$123.29		\$135.62
<b>Trash Collection</b>				
(a) Residential/Commercial, Basic Monthly Charge (No Dumpster)	per contracted rates	\$33.96		
(b) Extra can fee		\$10.00		
<b>Street Cut Fee</b>				
Basic permit fee	Performance Bond may Required	\$75.00		
Basic utility fee		\$50.00		
	per Sec. 11-26			
	replacement of paving w/oil&chip surface/ per sq. ft.	Per Bid		
	dirt cuts	Per Bid		
	Backfilling	time, material, staff time		
	Saw cuts per lineal foot w/min fee 25.00	time, material, staff time		
	Any re-work	time, material, staff time		
<b>Application for Encroachment</b>	Sec. 11-3	\$40.00		
<b>Encroachment Fee</b>		\$16sqft annually		
<b>Eagle River Fire Protection District Impact Fees</b>				
new meter size:	3/4 inch	\$1,671.00		
	1 inch	\$2,841.00		
	1.5 inch	\$5,515.00		
	2 inch	\$8,857.00		
	3 inch	\$18,382.00		
	4 inch	\$28,409.00		
	6 inch	\$55,147.00		

ITEM	2020 FEE	DETAIL
<b>PUD Applications</b>		
Pre-Application Conference		
PUD Concept Plan	\$850 + \$25/Unit + \$5,000 Deposit	
PUD Preliminary Development Plan	\$2500 + \$25/Unit + \$5,000 Deposit	
PUD Final Development Plan	\$1500 + \$25/Unit + \$5,000 Deposit	
Minor PUD Concept/Preliminary Development Plan	\$1000 + \$25/Unit + \$5,000 Deposit	
Changes to Approved PUD Plans-		
(Minor) Approved by Planning Director	\$350 + \$1,000 Deposit	
(Minor) Approved by Planning Commission	\$500 + \$25/Additional Units + \$1,000 Deposit	
(Major) Approved by Town Council	\$1000 + \$25/Additional Units + \$5,000 Deposit	
<b>Subdivision Application</b>		
Administrative Replat	\$500 + Cost	
Correction Plat	\$350 + Cost	
Preliminary Subdivision Plat	\$1500 + 25/Lot + \$5,000 Deposit	
Final Subdivision Plat	\$1000 + 25/Lot + \$3,000 Deposit	
Minor Subdivision		
Amended Final Plat	\$650 + Cost	
Minor Type A Subdivision	\$850 + Cost	
Minor Type B Subdivision	\$850 + Cost	
<b>Miscellaneous</b>		
Annexation	\$5,000 + \$10,000 Deposit	
Amendments To Text of Land Use Regulations	\$1,750 + Cost	
Amendments To Official Zone District Map	\$1,000 + Cost	
Conditional Use Permit Application	\$800 + Cost	
Limited Use Review	\$450 + Cost	
Temporary Use Permit	\$425 + Cost	
Temporary Use Permit Security Deposit	TBD on Per Case Basis	
Variance	\$575 + Cost	
Vacation of Public Easements and ROW	\$750 + Cost	
Sign Permit	\$60 + 1.50/Sq. Ft.	
Design Review Board		
Major Design Review Application	\$200	
Minor Design Review Application	\$75	
Special Planning Commission meeting	\$500 + Cost	
Appeal - Planning Commission or Town Council	\$300 + Cost	
Professional Review - Single structure project < 1 acre		
Multiple structure projects or projects 1 to 3 acre		
Building Permits new construction - based on valuation:**		
\$1.00 to \$500.00		
\$501.00 to \$2,000.00		\$3.87 for each additional \$100 valuation over \$500.00
\$2,001.00 to \$25,000		\$17.78 for each additional \$1,000 valuation over \$2,000
\$25,001.00 to \$50,000		\$12.83 for each additional \$1,000 valuation over \$25,000
\$50,001.00 to \$100,000.00		\$8.89 for each additional \$1,000 valuation over \$50,000
\$100,001.00 to \$500,000.00		\$7.11 for each additional \$1,000 valuation over \$100,000
\$500,001.00 to \$1,000,000.00		\$6.03 for each additional \$1,000 valuation over \$500,000
\$1,000,001.00 and up		\$4.64 for each additional \$1,000 valuation over \$1,000,000
Construction without a permit		Purchase of Building Permit plus Fine of 75-100% value of permit to be determined by Town
Single item permits ex: re-roofing, basement finish, mechanical, plumbing		\$75 for each additional inspection - to be determined by building official
Plan Review		65% of permit fee
Cleanup Deposit		
Street Use Fee		1/2% of the project valuation that is valued at \$500 or greater

**Application Review Deposit:**

Deposits are required to cover staff and consultant time attributable to a particular land use application review, meeting attendance, and phone consultations over and above the minimum application fee required for the application.

For multi-step applications (e.g. PUD Concept, PUD Preliminary Plan, PUD Final Plan) any unused deposit amounts from one application may be applied toward the next application. Minimum deposit balances for each land use application type must be maintained or replenished upon notice by the Town.

**Costs:**

Costs attributable to the review by consultant time are billed at actual hourly rates. Cost assessed after first hour.

**Temporary Use Permit Security Deposit:**

Security deposit amounts for the cleanup or restoration following the termination of an approved temporary use are determined by the Planning Director on a case by case basis dependent on the intensity, scope, timing, and location of the use; and, upon the intensity, scope, timing, and location of the anticipated mitigation needed to return the unit, site, or area to its pre-permit condition.

\*\* Valuation is based upon the national average per/square foot construction cost published semi-annually by the International Code Council, with a 1.4 multiplier applied as a regional cost differential.

**Other:**

\*For all applications requiring legal descriptions to be published in the newspaper, additional fees will be charged on a per cost basis, for publications that are in excess of \$50

\*Review fees charged by a state or federal agency shall be made payable to the reviewing agency based on current rates and paid at the time of application.

\*No application shall be considered or reviewed until the application fees are paid in full and the application is deemed complete. Where multiple applications are required, multiple fees shall be assessed. Fees are not required for Town-initiated applications.

\*Application fees shall be paid by cash or by a check made payable to the Town of Minturn, and shall be submitted with the application to the Town of Minturn Planning Department.

\*Additional Town Staff services may be billed at an hourly rate as deemed necessary.



To: Mayor and Council  
From: Jay Brunvand  
Date: November 12, 2020  
Agenda Item: Ordinance 15 – Series 2020

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**REQUEST:**

Council is asked to approve Ordinance 15 – Series 2020 on First Reading.

**INTRODUCTION:**

This is an annual Ordinance appropriating all estimated beginning fund balances, revenues, and expenses in each fund and adopting the FY2021 budget.

**ANALYSIS:**

This is an annual ordinance reports, allocates, and appropriates the beginning fund balance, all anticipated revenues, and all anticipated expenses for each fund as detailed in the budget document. To date all changes to the preliminary budget accepted at the first meeting in October 2020 have been assimilated into these final numbers. Council will receive a final budget shortly after second reading in December which will reflect the budget as approved by this Ordinance.

**COMMUNITY INPUT:**

As an Ordinance this will require a public hearing.

**BUDGET / STAFF IMPACT:**

This Ordinance represents the formal funding mechanism per State law in the budget approval process.

**STRATEGIC PLAN ALIGNMENT:**

In accordance with Strategy #1 Practice fair, transparent, and communicative local government.

**RECOMMENDED ACTION OR PROPOSED MOTION:**

Motion to approve Ordinance No. 15 – series 2020 an Ordinance appropriating revenues, appropriating expenditures, approving transfers and adopting the Town of Minturn budget for the period beginning on the first day of January, 2021 and ending on the last day of December, 2021 as presented.

**ATTACHMENTS:**

- Ordinance 15 – Series 2020

**TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 15 – SERIES 2020**

**AN ORDINANCE APPROPRIATING REVENUES, APPROPRIATING EXPENDITURES, APPROVING TRANSFERS AND ADOPTING THE TOWN OF MINTURN BUDGET FOR THE PERIOD BEGINNING ON THE FIRST DAY OF JANUARY, 2021 AND ENDING ON THE LAST DAY OF DECEMBER, 2021.**

**WHEREAS**, the Minturn Town Council of the Town of Minturn, Colorado has appointed Jay Brunvand, Treasurer, to prepare and submit a proposed budget to said governing body at the proper time, and;

**WHEREAS**, Jay Brunvand, Treasurer, has submitted a proposed 2020 Budget to this governing body on October 7, 2020, for its consideration, and;

**WHEREAS**, upon due and proper notice, published and posted in accordance with the law, said proposed budget was open for inspection by the public as required by law at the Minturn Town Center, a public hearing was scheduled and held on November 4, 2020 and interested citizens were given the opportunity to file or register any objections to said proposed budget, and;

**WHEREAS**, this proposed budget balances by fund as required by law, and;

**WHEREAS**, the final assessed valuation will be available by December 2, 2020 from the County of Eagle Assessor in a timely manner to allow the passage of this Ordinance as a non-emergency in the normal course of events.

**NOW, THEREFORE, THE TOWN OF MINTURN, COLORADO ORDAINS:**

Section 1.

The budget for the Town of Minturn, Colorado for the fiscal year 2021 as submitted and summarized by fund as described below is hereby adopted, which adoption shall constitute appropriations of the amounts specified therein as revenues and expenditures from the Funds indicated; and that the estimated Beginning Balances, Revenues and Other Sources are hereby declared to be a reasonable projection of the amount of Revenue available for appropriation and to provide an adequate Fund Balance at the close of the fiscal year beginning January 1, 2021 and ending December 31, 2021 more particularly described as follows:

FUND DESCRIPTION	BEGINNING FUND EST. BALANCE	FY2021 REVENUE	FY2021 EXPENSES
General Fund	\$ 1,368,555	\$1,961,149	\$2,042,977
Enterprise Fund	\$1,292,135	\$3,586,941	\$3,438,087
Conservation Trust Fund	\$ 15,829	\$ 10,400	\$ 10,000
Minturn Building Fund	\$ 213,550	\$ 57,394	\$ 53,500
Market Fund	\$ 5,633	\$ 50,000	\$ 50,000
Capital Fund	\$ 334,130	\$ 181,868	\$ 329,600
Scholarship Fund	\$ 310,613	\$ 10,000	\$ 7,100
Battle Mtn Fund	\$ 79,131	\$ 2,500	\$ 0

Section 2.

The Town Council hereby authorizes and directs the Town Manager and Treasurer to enter into such contracts and execute such documents on behalf of the Town as may be necessary and customary to expend the funds hereby appropriated for all operations and capital projects within the budget as hereby adopted all in accordance with the requirements of the Home Rule Charter and the Town's Financial Policies.

Section 3.

The budget hereby approved and adopted shall be signed by the Mayor and Town Clerk and made a part of the public records of the Town of Minturn, Colorado.

**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 18<sup>th</sup> DAY OF NOVEMBER, 2020. 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 2<sup>nd</sup> DAY OF DECEMBER, 2020 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.**

**TOWN OF MINTURN, COLORADO**

\_\_\_\_\_  
**John Widerman, Mayor**

**ATTEST:**

\_\_\_\_\_  
**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 2<sup>nd</sup> DAY OF DECEMBER, 2020.**

\_\_\_\_\_  
**John Widerman, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Jay Brunvand, Town Clerk**

Michelle Metteer  
Town Manager  
301 Boulder St #309  
Minturn, CO 81645  
970-827-5645 x8  
[manager@minturn.org](mailto:manager@minturn.org)  
[www.minturn.org](http://www.minturn.org)



Town Council  
Mayor – John Widerman  
Mayor Pro Tem – Earle Bidez  
Council Members:  
Terry Armistead  
George Brodin  
Brian Eggleton  
Eric Gotthelf  
Gusty Kanakis

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## **TOWN MANAGER UPDATE**

### **November 18, 2020**

#### **Minturn Water Infrastructure Capital Improvement Plan (CIP)**

Council gave permission at the October 18<sup>th</sup> Council meeting for the drafting of an updated CIP. The original CIP was approved via Resolution and included a growth scenario of an additional 450 sfe's (not including Battle Mountain), so any changes made to the original document must be directed by Council with a minimum of four votes.

The Water Committee met with Ryan Gordon, SGM, on Friday, November 6<sup>th</sup> to discuss progress made over the last year and updates needed to the CIP. Minturn was able to handle some projects in-house which saw some cost savings. Staff anticipates other projects, like repair of the clearwell, may be unnecessary. Staff now awaits the updated document from SGM for a full review and discussion at the Council level which should take place sometime in December 2020.

#### **Town Hall Closed**

Governor Jared Polis has asked for the voluntary closure of all municipal town halls due to the ever-increasing COVID-19 case numbers as a result of people continuing to have personal gatherings. Starting Monday, November 16<sup>th</sup> the Minturn Town Hall will be closed for in-person services. Residents can call or email for conducting essential business.

#### **CDPHE Sanitary Survey**

Minturn has received our second corrective action plan from the CDPHE on the sanitary survey that originated back in November of 2018. This extension of the Corrective Action Plan (CAP) primarily focuses on slow sand filters 1 & 2. When tests came back showing the outdoor filters were compromised, a plan was needed to mitigate the issue. John Volk, Ryan Gordon and I spoke with representatives of CDPHE over the summer regarding an alternative filtration as part of the treatment train for filter No 2 and with the approval of this second corrective action plan Minturn is able to move forward with installing this temporary option. Slow Sand Filter No. 1 will remain permanently offline.

#### **Cardboard Recycling**

This update is being written on a Wednesday (trash/recycle day) and once again so many residents and businesses have cardboard out with their recycling pick-up. As a reminder, the Minturn curbside recycling program does not take cardboard. Honeywagon still tends to pick up the cardboard, but it is eventually thrown away. For cardboard recycling please use the drop off station at the southeastern corner of the Town Hall building which is next to the compost bin.

## Live-Streamed Minturn Town Council meetings

Starting November 4<sup>th</sup>, High Five Media will live-stream the Minturn Town Council meetings. This will continue the efforts by the Minturn Town Council for transparent government.

## Minturn Fitness Center

Want a free monthly gym pass? The Minturn Fitness Center is looking for locals who are willing to cover evening or weekend shifts at the Center in exchange for a free pass. These shifts are typically two hours each and a free membership can be obtained after volunteering just four hours a month. Call or email the MFC for details. [kbowers@minturnfitnesscenter.com](mailto:kbowers@minturnfitnesscenter.com) or 970-790-5090.

## COVID-19 Restrictions

Minturn anticipates that Eagle County will be moving into the “Orange Level” of the COVID guidelines and restrictions by Nov 16<sup>th</sup> at the latest. This is due to people continuing to have **personal gatherings** and not following the recommended guidelines. Here is what the Safer at home – High Risk level looks like.

## LEVEL ORANGE: SAFER AT HOME HIGH RISK



### GUIDELINES AND RESTRICTIONS



#### P-12 Schools

In-person, hybrid, or remote as appropriate



#### Group Sports

Virtual, or outdoors in groups less than 10



#### Higher Education

Remote or hybrid suggested, limited in-person as appropriate



#### Retail

25% capacity



#### Places of Worship

INDOORS: Unseated: 25%, 50 people with calculator  
Seated: 25%, 50 people  
OUTDOORS: 6ft between parties per local zoning



#### Personal Services

25% capacity or 25 people



#### Restaurants

INDOORS: 25% capacity, 50 people  
OUTDOORS: 6ft between parties outdoors, per local zoning



#### Indoor Events

Unseated: 25%, 50 people with calculator  
Seated: 25%, 50 people with 6ft distancing



#### Offices

25% capacity



#### Outdoor Events

Unseated: 25%, 75 people (with calculator)  
Seated: 25%, 75 people with 6ft distancing



#### Bars

Closed



#### Outdoor Guided Services

25% capacity or 10 people



#### Gyms/Fitness

25% capacity, 25 indoors, or outdoors in groups less than 10





Jay Brunvand  
 Clerk/Treasurer  
 301 Pine St #309 ♦ 302 Pine St  
 Minturn, CO 81645  
 970-827-5645 x1  
[treasurer@minturn.org](mailto:treasurer@minturn.org)  
[www.minturn.org](http://www.minturn.org)



Town Council  
 Mayor – John Widerman  
 Mayor Pro Tem – Earle Bidez  
 Council Members:  
 Terry Armistead  
 George Brodin  
 Brian Eggleton  
 Eric Gotthelf  
 Gusty Kanakis

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

<b>REGULAR TOWN COUNCIL MEETINGS</b>
<b>November 18, 2020</b>
First Reading of FY2021 Budget Ordinances – Brunvand
Proclamation - Colorado Gives Day – Denise Kipp
<u>Discussion/Direction</u> : Minturn Shooting Range Update – Metteer
<b>December 2, 2020</b>
Second Reading of FY2021 Budget Ordinances – Brunvand
<b>December 16, 2020</b>
<b>DATE TO BE DETERMINED</b>
Ordinance ___ - Series 2020 an Ordinance adopting Specified Sustainability Building Codes
Recreational Marijuana