



AGENDA

MEETING OF THE MINTURN TOWN COUNCIL

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

Wednesday January 15, 2020

Executive Session – 5:30PM

Regular Session – 6:30pm

MAYOR – John Widerman

MAYOR PRO TEM – Earle Bidez

COUNCIL MEMBERS:

Terry Armistead

George Brodin

Brian Eggleton

Eric Gotthelf

Chelsea Winters

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.

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

Executive Session – 5:30pm

- 1. An An executive session for the purposes of conferencing with the Town attorney for the purpose of receiving legal advice on specific legal questions under CRS Section 24-6-402(4)(b) and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under CRS Section 24-6-402(4)(e). Battle Mountain Disconnection – Sawyer**

Regular Session – 6:30pm

2. Call to Order

- Roll Call
- Pledge of Allegiance

- 3. 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)**
- 4. Approval of Consent Agenda**

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

- December 18, 2019 Minutes Pg 4
- Resolution No. 01 – Series 2020 A Resolution setting a Resolution setting the official posting sites for the Town of Minturn – Brunvand Pg 11
- Resolution No. 02 – Series 2020 Consideration of a Resolution approving the Mayor to sign a Building Inspection contract – Metteer Pg 13
- Resolution No. 03 – Series 2020 Consideration of a Resolution to approve an Inter Governmental Agreement between Eagle River Water and Sanitation District and the Town of Minturn – Brunvand Pg 19
- Planner Report – Hunn Pg 28

5. Approval of Agenda

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

6. Special Presentations

- Council Comments/Committee Reports

PUBLIC HEARINGS AND/OR ACTION ITEMS

- 7. Public Hearing/Action Item: Resolution No. 05 – Series 2020 a Resolution appointing a Planning Commission Member – Hunn Pg 31**
- 8. Public Hearing/Action Item: Ordinance No. 08 – Series 2019 (Second Reading Continued) An Ordinance approving Disconnection of Real Property from the Town of Minturn – Battle Mountain Bolts Lake Property – Metteer Pg 37**
- 9. Public Hearing/Action Item: Ordinance No. 01 – Series 2020 (First Reading) An Ordinance approving an open container law within the Town of Minturn – Metteer/Sawyer Pg 55**
- 10. Public Hearing/Action Item: Resolution No. 04 – Series 2020 a Resolution approving the Request for Proposal for Minturn Municipal Judge - Metteer Pg 60**

DISCUSSION AND/OR DIRECTION ITEMS

- 11. Discussion/Direction Item:** 2020 Community Survey Review - Metteer Pg 72

COUNCIL INFORMATION / UPDATES

12. Staff Updates

- Manager's Report Pg 80
- Future Agenda Items Pg 82

MISCELLANEOUS ITEMS

13. Future Meeting Dates

- a) Council Meetings:
- January 15, 2020
 - February 5, 2020
 - February 19, 2020

14. Other Dates:

- January 20, 2020 – Martin Luther King Day (Office Closed)

15. Adjournment



OFFICIAL MINUTES

MEETING OF THE MINTURN TOWN COUNCIL

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

Wednesday December 18, 2019

Work Session – ~~CANCELED~~

Regular Session – 6:30pm

MAYOR – John Widerman

MAYOR PRO TEM – Earle Bidez

COUNCIL MEMBERS:

Terry Armistead

George Brodin

Brian Eggleton

Eric Gotthelf

Chelsea Winters

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

Regular Session – 6:30pm

1. Call to Order

- Roll Call

The meeting was called to order by Mayor John W. at 6:32pm.

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

Staff present: Town Manager Michelle Metteer, Town Attorney Michael Sawyer, Town Planner Scot Hunn, Town Planning Intern Madison Harris, 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)

3. Approval of Consent Agenda

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

- December 4, 2019 Minutes

Motion by George B., second by Eric G., to approve the Consent Agenda of December 18, 2019 as presented. Motion passed 6-0. Note: John W. abstained as he was not at the December 4, 2019 meeting.

4. Approval of Agenda

- Items to be Pulled or Added

Motion by Terry A., second by Brian E., to approve the Agenda of December 18, 2019 as presented. Motion passed 7-0.

- Declaration of Conflicts of Interest

5. Special Presentations

- Council Comments/Committee Reports

George B. outlined and recommended the One Book One Valley book, I am not your Perfect Mexican Daughter by Erika L. Sanchez.

Eric G. thanked Public Works for the snow plow and removal efforts resulting from the recent series of storms.

Chelsea W. updated on a Minturn Fitness Center board meeting.

Brian E. updated on the Radio Minturn board meeting. They are looking at a part time station manager position and contributed other updates. He thanked all those involved and the events included in the Fifteen Days of Minturn. He noted due to the storm the concert was moved to the Saloon and was a great success. He also updated on the Climate Action Collaborative Committee meeting. The organization is looking at another community survey in 2020 asking how they can further reduce vehicle impacts.

Earle B. wished all a happy holiday and thanked the efforts of Public Works.

Terry A. thanked Cindy Krieg, Econ Dev, for her efforts on the Fifteen Days of Minturn.

John W. discussed the Eagle Mine meeting. He noted the all-county governments dinner held in Avon on December 11.

PUBLIC HEARINGS AND/OR ACTION ITEMS

6. Public Hearing/Action Item: Northwest Colorado Council of Governments appointment of Representative and Alternate.

Michelle M. asked the Council for appointment of a representative and an alternate to the NWCCOG.

Direction was to appoint George B. and Eric G. as alternate.

DISCUSSION AND/OR DIRECTION ITEMS

7. Discussion/Direction Item: Conceptual review of UPRR Housing PUD – Hunn

Scot H. presented for staff. He noted this is Conceptual Review and was introduced to the Planning Commission as Conceptual Review on December 11, 2019. The PUD is proposed on 18.95 acres between Minturn Rd and Taylor St in the Game Creek Character Area. This is a proposal to subdivide the land and provide infrastructure, not to actually build the units. The current concept is for 117 lots/units and would include 2 parks of a total of 37,350sf and some improvements to Minturn Rd and Taylor St. Scot H. then outlined the PUD process which will continue with Conceptual, Preliminary, and Final Plans. Each stage will include the public and allow for complete insight into the plan prior to approval and development. He noted the Concept Plan is not an approval stage, rather it is to review the plan, evaluate it to the needs of the community and how it interacts with the various town plans and the Municipal Code. Scot H. expressed concerns that the development would require significant upgrades to the existing infrastructure of overhead lines and road improvements. He reviewed comments from the community that were expressed at the December 11 meeting to include overall density, traffic flow, view corridors, trailhead parking, construction timeline, and amenities. The project will be discussed at Conceptual level at the January 8 Planning Commission meeting.

Michael S. noted the Concept stage is a discussion stage, the Preliminary Plan stage will require engineered plans and is more definitive of what the finished project would entail. He stated the Concept Plan is not an approval/denial stage but a discussion stage.

Mr. Greg Sparhawk, GPS Designs (applicant), outlined the sketches of how the development layout is envisioned to look with lot placement, roads, parking, and amenities. He expressed the intent is for the development to be an asset to the town and the Taylor St area. He noted it is proposed to encompass 117 units but with Accessory Units it could build out at 184 units. He outlined the proposed off-street parking, nonmotorized and pedestrian flow, and he

has made some modifications to his plan based on comments from the December 11 meeting and comments received after that meeting.

Council Comments:

Terry A. asked regarding the ECO Trail; part of the proposed trail is on the proposed property and part is on the other side of Minturn Road on the nonproposed land.

In reply to questions Mr. Sparhawk outlined some of the proposed upgrades to Taylor and Minturn Rd which would include curb/gutter/sidewalk and some road rebuild and redefinition.

George B. asked about off-street parking. Mr. Sparhawk noted the plan is in conformance with parking and snow stacking areas as well as 10% deed restricted and attainable housing values.

Public Comment:

In response to audience questions, Scot H. reviewed the existing code for parking requirements.

Mr. Rob Gosiewski, 560 Taylor, was happy to see the straightening of 4th and 5th St. He felt the smaller lots would not have sufficient parking and snow storage. He felt some of the buildings would be too close to the street. Would like to see bigger parks and a more open feel.

Mr. Hany Malek, 498 Taylor St, reviewed a letter he submitted and felt several of his concerns were addressed. He expressed his concern with the proposed density and its impact on the existing town and town infrastructure.

Mr. Michael Patino, 110 Taylor St., lives on the S corner on Taylor St. Agreed with Mr. Malek's comments. He felt it was the developments responsibility to address all the road improvements including a potential new access point on to the Taylor area and eliminating the S corner, and felt the parking needed to be completely addressed. Felt the project as proposed was too dense. Was concerned the snow stacking was not sufficient nor properly placed in some areas, and that the parking and snow code is not sufficient. He wants to see the traffic study once it is done.

Mr. Woody Woodruff, 344 Eagle St, felt the concept was fine. Was concerned with the traffic and felt the straight 4th and 5th Aves were good. He addressed some parking issues with the Minturn Mile by readdressing the park and parking areas.

Mr. David Clapp, 392 Taylor St, felt the density could be less and that the accessory dwellings would add to the density. He felt the parks should be addressed to include the entire town.

Mr. Trent Scheffler, 105 Lyons Ln, discussed the issues present at the Minturn Townhomes which were developed by this proposed developer, Mr. Jim Comerford. He expressed concern that the infrastructure installed would not be of value based on the issues found in

lawsuits with the developer. He stated garages were not built to size codes and was concerned this lack of attention to detail would carry over to this new development. He noted the wild animals in the area and the impacts on them.

Mr. Carl Kruger, 362 Taylor St., felt the public parking of the existing homes should be comparable with the proposed development. Felt some of the maps used do not represent the actual existing lot lines. Expressed concern on the “hot” soils near the existing trailers and wanted to know what they are. Wanted to make sure the street widths were adequate.

Mr. Sparhawk noted he made notes and will try to incorporate the concerns expressed as the project moves forward. This is an ongoing process and will develop over the course of the process.

Council Comments:

George B. liked the concept plan. He felt comparing it to Old Town was beneficial as it compared the concept plan with an existing entity that can be seen.

Eric G. liked the concept and thanked those for expressing their concerns.

Chelsea W. liked the development of the parks, would like it to be less cookie cutter.

Brian E. was encouraged with the conversation that was proceeding. He would like to see some modification to the impact of the Game Creek trail head and the parking it creates.

Earle B. also was encouraged with the conversation and that this was a worthy proposal. Felt Minturn Road is a key feature of this project and that it should be reviewed in the proposal.

Terry A. felt a concept plan at the Council level was a great idea and well received. This will result in an opportunity to create a workable development. Felt another opportunity was that this land and the land surrounding it is owned by the railroad and that they may be willing to help clean up some of the issues on the adjacent areas as part of this proposal.

John W. agreed with all the comments. He stated the water infrastructure plan is predicated on some development and this will go a long way to meeting our goals with an encouraging concept.

COUNCIL INFORMATION / UPDATES

8. Staff Updates

- Manager's Report

Michelle M. noted the need to address the municipal judge appointment. It has not been addressed in years. She is working on an RFP for the judge. Our current judge has requested the Council to review the RFP prior to it going out. She would like to form a small ad hoc committee to address the process and then bring the results to the January 15 meeting.

Brian E. and Eric G. will assist.

Motion by Terry A., second by Earle b., to form a temporary ad hoc committee to review an RFP for a Municipal Judge, which would be brought to Council for final review. The Council representatives on the ad hoc committee will be Brian E and Eric G. Motion passed 7-0.

- April 7, 2020 Election update

Jay B. outlined the upcoming election cycle for the April 7, 2020 election. The election will include the Mayor seat for a 2yr term, three Council seats of 4 years each, and one Council seat of 2 years. Petitions for Council will be available in the Town Clerk's Office beginning January 7, 2020 and due back to the Town Clerk no later than January 27, 2020. Each petition must be properly completed and include not less than 10 signatures of qualified registered electors.

A qualified elector is:

- A US Citizen
- At least 18 years of age
- Has resided within the town limits for not less than 22days
- Is a registered voter of the Town of Minturn

A qualified Candidate is:

- A US citizen for not less than seven (7) years
- At least 25 years of age
- A resident of the town for not less than two (2) years for Council and not less than five (5) years for Mayor

- Future Agenda Items

Earle would like to bring forth discussion on our open container law.

Michelle M. noted we will begin the General Fund Capital Improvement Plan and bringing that forward to Council this coming winter.

MISCELLANEOUS ITEMS

9. Future Meeting Dates

a) Council Meetings:

- January 1, 2020 – Canceled
- January 15, 2020
- February 5, 2020

10. Other Dates:

- December 25, 2019 – Christmas Day (Office Closed)
- January 1, 2020 – New Year's Day (Office Closed)

- January 20, 2020 – Martin Luther King Day (Office Closed)

11. Adjournment

Motion by Terry A., second by George B., to adjourn at 9:12pm. Motion passed 7-0.

John Widerman, Mayor

ATTEST:

Jay Brunvand, Town Clerk



To: Mayor and Council

From: Jay Brunvand

Date: January 15, 2020

Agenda Item: Resolution 01 – Series 2020

REQUEST:

Council is asked to approve Resolution 01 – Series 2020

INTRODUCTION:

This is an annual Resolution setting the posting sites for the community meeting public notices.

ANALYSIS:

This Resolution sets the public posting sites for official town meetings as required and laid forth in the Minturn Town Charter Section 4.8.

COMMUNITY INPUT:

Not Applicable

BUDGET / STAFF IMPACT:

Not Applicable

STRATEGIC PLAN ALIGNMENT:

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

RECOMMENDED ACTION OR PROPOSED MOTION:

Approved within the motion to approve the Consent Agenda.

ATTACHMENTS:

- Resolution 01 – Series 2020

TOWN OF MINTURN

RESOLUTION NO. 01 – SERIES 2020

A RESOLUTION DESIGNATING TWO PUBLIC PLACES WITHIN THE TOWN OF MINTURN AND THE TOWN WEBSITE FOR THE POSTING OF PUBLIC NOTICES AND NOTICE FOR PUBLIC MEETINGS OF THE MINTURN TOWN COUNCIL, PLANNING AND ZONING COMMISSION, AND OTHER BOARDS, COMMISSIONS, AND AUTHORITIES OF THE TOWN OF MINTURN.

WHEREAS, the Town of Minturn is a Home Rule Municipality under the Colorado Constitution; and

WHEREAS, the Town of Minturn Charter – Section 4.8 requires notices of public meetings be posted at two (2) public places and the Town website at least 24-hours prior thereto, and

WHEREAS, the Town of Minturn now wishes to designate two public places within its boundaries for posting of such full and timely notice to the public for public notices and notices for public meetings of the Minturn Town Council, Planning Commission, and other Boards, Commissions, and authorities of the Town of Minturn;

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

- 1) The Town Council hereby designates the following as the public places for the posting of full and timely notice to the public as provided for in the Minturn Town Charter:
 - The bulletin board on the outside of the Town Center at 302 Pine St.
 - The bulletin board outside of the Town Center at 301 Boulder St.
 - The official Town website
- 2) This Resolution shall take effect immediately upon its passage.

INTRODUCED, READ, APPROVED AND ADOPTED this 15th day of January 2020.

JOHN WIDERMAN, MAYOR

ATTESTS:

JAY BRUNVAND, TOWN CLERK



To: Mayor and Council

From: Jay Brunvand

Date: January 15, 2020

Agenda Item: Resolution 02 – Series 2020

REQUEST:

Council is asked to approve Resolution 02 – Series 2020

INTRODUCTION:

In early 2018 the town was informed that the company used for building inspections was withdrawing from the western slope of Colorado. Staff proceeded to solicit inspection companies and contracted with one in June 2019. Since that time Staff has encountered numerous issues that have prevented the town from achieving a high customer satisfaction standard. In light of this, Staff is requesting to contract with the alternative proposal as attached.

ANALYSIS:

The town is required to ensure all building projects permitted within the Town of Minturn are constructed to the national standards laid forth in the various International Building Codes which have been adopted by the Town. Staff feels this proposal best allows the achievement of this standard.

COMMUNITY INPUT:

Not Applicable

BUDGET / STAFF IMPACT:

The annual budget includes appropriation for this service.

STRATEGIC PLAN ALIGNMENT:

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

RECOMMENDED ACTION OR PROPOSED MOTION:

Approved within the motion to approve the Consent Agenda.

ATTACHMENTS:

- Resolution 02 – Series 2020

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 02 – SERIES 2020**

**A RESOLUTION AUTHORIZING THE MAYOR OF THE
TOWN OF MINTURN TO SIGN AN AGREEMENT FOR
BUILDING INSPECTION SERVICES BETWEEN
COLORADO CODE CONSULTING AND THE TOWN OF
MINTURN AND AUTHORIZING THE MAYOR OF THE
TOWN OF MINTURN TO SIGN THE AGREEMENT.**

WHEREAS, The Town of Minturn conducted a search for necessary professional and certified building inspection services, and;

WHEREAS, The Minturn Town Council has reviewed the Professional Services Agreement with Colorado Code Consulting and deems it acceptable; and,

WHEREAS, The Town Council desires to engage Colorado Code Consulting as presented in the attached agreement.

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

1. The Minturn Town Council hereby approves the Professional Services Agreement between Colorado Code Consulting and the Town of Minturn, Colorado and authorizes the Mayor or his designee to execute said agreement.
2. The Minturn Town Council hereby appoints Colorado Code Consulting as the Town's Engineer firm.

**INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this
15th day of January, 2020.**

TOWN OF MINTURN

By: _____
John Widerman, Mayor

ATTEST:

Jay Brunvand, Town Clerk



Colorado Code Consulting, LLC

Main Office

4610 S Ulster, Ste. 150
Denver, CO 80237
(303) 400-6564
Fax: (303) 693-0630

Southern Office

17890 Woodhaven Dr.
Colorado Springs, CO 80908
303-895-9988

August 22, 2018

Ms. Kathy Biggs
Code Compliance Officer, Planning Technician
Town of Minturn
P.O. BOX 309
302 Pine Street
Minturn, CO 81645

Re: Building Inspection and Plan Review Services
Proposal

Dear Ms. Biggs:

I am pleased to submit the attached proposal for building inspection services for your consideration. At Colorado Code Consulting, we believe that being consistent and fair in enforcing codes provides the best means of maintaining control of construction throughout your community. We believe that the code should be used to its fullest and can provide direction regarding the applicable codes used in the review or design of a building ensuring each structure is in compliance with adopted codes.

Colorado Code Consulting, LLC is a code consulting firm based in Denver, Colorado with satellite offices in Colorado Springs and Leadville, Colorado and Phoenix, Arizona. CCC has been providing building department services to local jurisdictions across the state in the form of plan review, inspection and administration of building codes for over seventeen years. Several of our staff conduct building code training seminars across the United States. We also provide design assistance and consulting to design professionals on building code related issues. The staff at CCC is also very involved in the development of construction codes in the country. We understand the intent and purpose of the code because we have been so involved in this process. This provides your Town with the expertise to work with design professionals and contractors to insure reasonable compliance with your adopted codes.

We look forward to meeting with you to discuss our proposal. If you have any questions, please feel free to call me.

Sincerely,

Stephen L. Thomas, CBO, CBCO, CHCO
President

Introduction

The staff at Colorado Code Consulting, LLC (CCC) is highly qualified in the areas of building department administration, plan review and inspections possessing more than 100 combined years of experience in construction code compliance and enforcement. Our staff consists of fourteen full-time and thirteen part-time employees. We possess a strong resume of mixed use, multi-level and complex projects throughout the state. With our high-level plan review/inspection process, there is no project too large or complex that we cannot handle.

CCC was founded by Stephen Thomas in April of 1999. He is the sole owner and President of the firm. Mr. Thomas served as the building official for the City of Glendale for 18 years prior to starting the firm. He started the firm to address the need for quality code consulting services in the State of Colorado. The firm has grown to a point where we now serve jurisdictions in four states. We also provide building code consulting and education across the country for building departments, design professionals and contractors.

Our staff members are experts in their fields and can address most any type of issue that may arise. We are a fully qualified company that takes great pride in the quality of service we provide to numerous entities throughout Colorado. We are excited about this opportunity to work with the Town of Minturn and look forward to continuing our long relationship with you. Colorado Code Consulting prides itself on the long-lasting relationships we have built over the years. Our clients have come to trust our consistent, fair and loyal service that differentiates us from the rest.

Building Department Related Services

Colorado Code Consulting provides all levels of building department services. We provide plan review, inspection, administration and consulting services for several jurisdictions as noted above. Our plans analysts are qualified and able to handle any type of plan that is submitted. Every new building is reviewed by multiple staff members having expertise in each of the different disciplines. The structural portion of the building is always reviewed by a structural engineer. All other portions of the plans are reviewed by International Code Council (ICC) certified plans examiners. Plans are reviewed in a timely manner and a report will be generated and delivered to the applicant outlining any code issues that are found on the drawings. When corrected drawings are submitted, we will turn the drawings around as quickly as we can to get a permit issued. Our typical turn-around time for reviews is two weeks maximum.

Inspections are all conducted by ICC certified inspectors. We will set up a specific inspection schedule with the Town if awarded the contract. We believe in being service oriented and not the building police. We will work with the contractors to bring a building into compliance with the applicable code whenever we can. Our inspectors provide their cell phone numbers to the contractors if a question arises in the field. We pride ourselves on being problem solvers and not problem makers.

Our staff will also work with the Town to create an efficient program to administer the code. The easier we make the process for the community, the easier it is to get compliance with codes. Many people refrain from getting permits for work in their home because they are afraid of the bureaucracy they perceive at Town hall. We try to help people understand the importance of a building permit and why they need to do the work in compliance with the adopted codes. We will provide helpful handouts for the most common type of projects that people do in their homes. We are always willing to meet with homeowners, developers, design professionals and contractors to discuss projects and resolve issues on a project as soon as possible.

Our staff are experts in their field. We have been providing these types of services for over seventeen years and have earned the reputation of being fair and knowledgeable in our enforcement of the code. We have provided resumes of our key people for your review. It is our intent to have Dan Reardon serve as our representative in Minturn. He is located in Montrose and can provide services from there. We also have other staff across the State to assist Dan if needed. He is currently providing building inspection and plan review services for the Town of Paonia. He will work with both towns to provide the most efficient level of service possible depending on the amount of work. It is anticipated that the following personnel will be used to service this contract.

Name	Location	Services
Jerry Long	Leadville, CO	Prime Contact, Plan Review and Inspections
Dan Reardon	Montrose, CO	Backup Plan Review and Inspections
Hope Medina	Denver, CO	Energy Code Plan Review
Alberto Barrios	Denver, CO	Mechanical, Plumbing, Electrical Plan Review
Anchor Engineering	Denver, CO	Structural Review
Steve Thomas	Denver, CO	President, Supervisor

We also carry a full complement insurance including liability, workers compensation and automobile insurance. We can provide a Certificate of Insurance if you would like.

Scope of Services

Colorado Code Consulting will provide building department services to the Town of Minturn. The scope of services will include, but are not limited to:

- CCC will provide plan review services for all new construction, remodels, additions, decks and other miscellaneous projects as needed.
- CCC will provide building inspections as requested by the Town on buildings with a building permit.
- CCC will provide building department administration services including consultations with property owners, architects and developers as needed.
- CCC will provide assistance with the adoption of constructions codes within the Town as needed.

- CCC will provide dangerous building enforcement including investigations, report writing and follow-up services.

Our proposed fees for the above work are shown in the table below. If the Town needs additional services outside of the normal plan review and inspections, hourly rates have been provided. For projects that are not charged a permit or plan review fee, the hourly rate will be charged to the Town. We invoice our clients on a monthly basis. Invoices are due within thirty (30) days of the invoice date. We have no discount programs.

Pricing

DESCRIPTION	UNIT PRICE
Plan review services	80% of the calculated plan review fee, minimum \$50.00. Includes a maximum of two reviews per project. Additional reviews are invoiced on an hourly basis.
Building Inspections	80% of the calculated building permit fee, minimum \$75.00. Includes all inspections of work conducted under a valid building permit and travel time. Additional inspections invoiced on an hourly basis.
Billing rates for other services	\$125.00 per hour, minimum 1 hour
Travel time outside normal plan review and inspections services	\$62.50 per hour, minimum 1 hour
Reimbursed expenses	At Cost
Total	

Colorado Code Consulting would like to thank you for considering us for the opportunity to serve the Town of Minturn. We are confident in our ability to act as the building department for the Town and look forward to hearing back from you soon. If you have any questions, please feel free to contact me.

Sincerely,



Stephen L. Thomas, CBO
President



To: Mayor and Council

From: Jay Brunvand

Date: January 15, 2020

Agenda Item: Resolution 03 – Series 2020

REQUEST:

Council is asked to approve Resolution 03 – Series 2020

INTRODUCTION:

For many years the Town and ERWSD have combined to share the expense of billing and account maintenance and has been very beneficial to both parties and the community at large.

ANALYSIS:

The town assesses fees for our water service system. Over the years the town has maintained an intergovernmental agreement with ERWSD in an effort to manage the customer billing process by combining efforts for water, trash, and sewer billing operations. This program also ensures that the water SFE is consistent with the sewer SFE for each customer and corresponding property as identified by the County Assessor.

COMMUNITY INPUT:

Not Applicable

BUDGET / STAFF IMPACT:

The annual budget includes appropriation for this service. However, the enclosed documentation includes a 3% increase (\$1,000/mo increased to \$1,030/mo) on the IGA monthly fee. This fee has not increased in many years, the increase has been anticipated, however, the 3% increase was not known until after the FY2020 budget was approved so this will be considered with a supplemental appropriation. This IGA only covers the town's monthly fee, it does not affect the customer fees charged for water or trash.

STRATEGIC PLAN ALIGNMENT:

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

RECOMMENDED ACTION OR PROPOSED MOTION:

Approved within the motion to approve the Consent Agenda.

ATTACHMENTS:

- Resolution 03 – Series 2020

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 03 – SERIES 2020**

**A RESOLUTION AUTHORIZING THE MAYOR OF THE
TOWN OF MINTURN TO SIGN AN OPERATIONS
AGREEMENT WITH EAGLE RIVER WATER AND
SANITATION FOR TOWN WIDE WATER AND TRASH
BILLING SERVICES**

WHEREAS, the current contract existing between Eagle River Water and Sanitation District and the Town of Minturn continues to be a valuable benefit to both entities, and;

WHEREAS, the Minturn Town Council of the Town of Minturn, Colorado has and continues to enjoy cost savings to the Citizens of Minturn by providing for this agreement, and;

WHEREAS, the Town of Minturn wishes to continue with the benefits of the existing contract with the agreed rate increases as set forth

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF
THE TOWN OF MINTURN, COLORADO THAT THE MAYOR OR HIS DESIGNEE IS
AUTHORIZED TO SIGN ON BEHALF OF THE TOWN OF MINTURN ANY AND ALL
NEGOTIATED DOCUMENTS REQUIRED TO EXECUTE SAID AGREEMENT.**

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 15th
day of JANUARY, 2020.

TOWN OF MINTURN

By: _____
Mayor

ATTEST:

Town Clerk



December 19, 2019

Jay Brunvand
Town of Minturn
PO BOX 309
Minturn, CO 81645

Dear Jay,

Enclosed are two copies of the signature page for the 2020 Operations Agreement between the Town of Minturn and the Eagle River Water & Sanitation District. The Agreement was approved by the District Board at its December 19, 2019, meeting.

There was a 3% increase for the monthly service fee, which our general manager discussed with Michelle Metteer prior to presenting the agreement to our board. Other than this slight increase, there were no changes in fees or language in the Agreement from 2019.

Could you please review, gain the needed approval, and sign both copies of the signature page? Please retain one complete copy for your records and return the additional signature page for the District's records.

We appreciate your assistance.

Sincerely,

A handwritten signature in blue ink that reads "Catherine Hayes".

Catherine Hayes
Board Secretary

**OPERATIONS AGREEMENT
BETWEEN
EAGLE RIVER WATER & SANITATION DISTRICT AND
TOWN OF MINTURN**

THIS AGREEMENT entered into this 1st day of January, 2020, by and between TOWN OF MINTURN, a quasi-municipal corporation of the State of Colorado ("Town"), and EAGLE RIVER WATER & SANITATION DISTRICT, a quasi-municipal corporation of the State of Colorado ("District").

WITNESSETH:

WHEREAS, among its other functions Town owns and operates a water treatment and distribution system and provides trash collection services substantially within the boundaries of District; and

WHEREAS, District has sufficient experience, personnel and equipment to perform certain services desired by Town; and

WHEREAS, all previous Agreements dated prior to the date first written above, are superseded by this Agreement;

NOW, THEREFORE, in consideration of the premises, the mutual advantages accruing to the parties hereto and the mutual undertakings herein contained, the parties hereto agree as follows:

**ARTICLE 1
GENERAL CONDITIONS**

- 1.1 District shall provide in a good and workmanlike manner the services described in this agreement upon the terms and conditions herein stated.
- 1.2 District shall be an independent contractor and nothing herein contained shall be construed to create the relationship of principal and agent or employer and employee between Town and District. Any person or party hired by District shall be the employee, agent, servant or contractor of District.
- 1.3 District shall comply with all applicable local, State and Federal laws, rules and regulations.
- 1.4 District shall provide the services described in Article 2 herein in accordance with the Rules and Regulations of District and any amendments thereto.

ARTICLE 2 SCOPE OF SERVICES TO BE PERFORMED BY DISTRICT

- 2.1 Billing Services. District shall provide qualified personnel who shall perform billing services for monthly water and trash collection service subject to the following:
- 2.1.1 Billings for water service and trash collection shall be issued at the same time and in the same manner as sewer service billings.
 - 2.1.2 All bills, which remain unpaid twenty-five days from the date of mailing of such bills, will have a Late Charge of one percent (1%) of any Balance Forward added thereto which shall be retained by District. Town authorizes District to pursue all collection procedures outlined in District's Rules and Regulations, to include Certification of the unpaid amounts to the Eagle County Treasurer for collection as property taxes annually, as allowed by Eagle County. Such unpaid amounts may include Town's unpaid water and trash collection service charges and District's unpaid sewer service charges.
 - 2.1.3 Town, at the request of District, shall discontinue water and/or trash service to customers following notice of disconnection to such customers as provided in the Rules and Regulations of District.
 - 2.1.4 In the event a customer's service is unable to be discontinued, Town will contract the work to correct any system deficiencies so that the customer's water service is able to be discontinued. The cost of such work may be added to the customer billing as an adjustment.
 - 2.1.5 Approximately one month after the end of each billing period, District shall remit to Town, an amount equal to the total water and sewer services billed, less all amounts due from customers, which have any amounts in Balance Forward on their bills, which have remained unpaid for more than one hundred twenty (120) days.

ARTICLE 3 COMPENSATION AND PAYMENT

- 3.1 Cost of Services. Town shall pay District for services performed according to the following:
- 3.1.1 The cost for billing services to be performed by District is \$12,360 per year, to be paid in monthly installments of \$1,030 each.
 - 3.1.2 Other services provided by District, at the request of Town, shall be billed at rates listed in Exhibit A or for amounts agreed to by District and Town.
- 3.2 Payment. Payment by Town to District shall be made within three (3) days following the approval of District's payment request in the regular meeting of Town Council following the end of the calendar month in which the services were performed.

ARTICLE 4 SPECIAL CONDITIONS

- 4.1 Insurance Requirements. At all times during the term of this Agreement, District shall carry and maintain in full force, at District's expense, the following insurance coverage. Such policies shall include a provision requiring a minimum of thirty (30) days' notice to Town of substantial change or cancellation of coverage or insurance policies.
- 4.1.1 General Comprehensive Liability insurance in an amount of \$350,000 per person and \$990,000 per occurrence, including the following coverage: property damage; underground explosion and collapse hazard; and personal injury.
- 4.1.2 Comprehensive Automobile Liability insurance on all owned vehicles used in connection with the services in an amount of \$350,000 per person and \$990,000 per occurrence combined single limits for Bodily Injury and Property Damage.
- 4.1.3 Worker's Compensation insurance in accordance with the provisions of the Worker's Compensation Act of the State of Colorado for all employees to be engaged in the services.
- 4.2 Certificates of Insurance. Prior to commencement of services, District shall provide Town with Certificate(s) of Insurance evidencing the insurance required by this Article and naming Town as an additional named insured as its interests may appear for all Comprehensive General Liability insurance.
- 4.3 Indemnity. To the extent of the limits of any insurance coverage maintained by District, District further agrees to indemnify and hold Town harmless from, and defend all actions against, all claims, damages, losses and expenses, including but not limited to attorneys' fees, arising from any negligent act or omission on the part of District, its agents, or employees, provided, however, that any claim for negligent acts or omissions must be brought in accordance with and subject to the limitations of the Colorado Governmental Immunity Act, C.R.S. 24-10-101, et. seq., as amended, as the same may now or hereafter exist, and nothing herein shall be deemed or construed to be a waiver of the rights granted hereunder. Town shall provide District with notice of the commencement of any action, subject to this paragraph, not more than five (5) days following receipt by Town of notice of commencement of such action.
- 4.4 Renegotiation. Duties or services to be performed by District may be added or deleted and charges for services may be renegotiated by either party upon thirty (30) days written notice to the other party.
- 4.5 Assignment. Either party without the express written consent of both parties shall make no assignment of its rights and/or obligations under this Agreement.
- 4.6 Term of Agreement. The effective date of this Agreement shall be January 1, 2018, for a period of twelve (12) months. This Agreement shall be automatically extended for successive one (1) year periods with no notice required to either party unless either party provides written notice of intent to terminate or amend not later than sixty (60) days prior to the annual extension of the Agreement.
- 4.7 Termination. The provisions of Section 4.6 notwithstanding, either party shall have the right to terminate this Agreement thirty (30) days after written notice of any election to terminate.

ARTICLE 5 MISCELLANEOUS

- 5.1. Entire Agreement. This Agreement constitutes the entire Agreement between the parties hereto relating to the services, and sets forth the rights, duties, and obligations of each to the other as of this date. Any prior agreements, promises, negotiations, or representations not expressly set forth in this Agreement are of no force and effect. This Agreement may not be modified except by a writing executed by both parties.
- 5.2. Binding Agreement. This Agreement shall inure to and be binding upon the parties, their successors, and assigns.
- 5.3. No Waiver. No waiver of any of the provisions of this Agreement shall be deemed to constitute a waiver of any other of the provisions of this Agreement, nor shall such waiver constitute a continuing waiver unless otherwise expressly provided herein, nor shall the waiver of any default hereunder be deemed a waiver of any subsequent default hereunder.
- 5.4. Controlling Law. This Agreement shall be governed by and construed in accordance with the law of the State of Colorado.
- 5.5. Subject to Annual Appropriation and Budget. Under no circumstances shall this Agreement constitute, or be considered as, a multiple-fiscal year obligation of either the District or the Town. The Town's and the District's obligations under this Agreement exist subject to annual budgeting and appropriations, and shall remain subject to the same for the entire term of this Agreement.
- 5.6. Governmental Immunity. Nothing in this Agreement shall be construed to constitute a waiver, in whole or in part, of any of either of the parties' rights and protections under the Colorado Governmental Immunity Act, § 24-10- 101, et seq., C.R.S., as amended from time to time.
- 5.7. No Third Party Beneficiaries. It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the parties and nothing contained in this Agreement shall give or allow any such claim or right of action by any other third party on such Agreement. It is the express intention of the parties that any person other than parties receiving services or benefits under this Agreement shall be deemed to be an incidental beneficiary only.
- 5.8. Counterpart Execution. This Agreement may be executed in counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals as of the day and year first above written.

TOWN OF MINTURN

By: _____
Mayor

ATTEST:

Town Clerk

EAGLE RIVER WATER & SANITATION DISTRICT:

By: Bill Hume
Chair

ATTEST:

George Gregory
Secretary

EXHIBIT A
2020 FEE SCHEDULE FOR DISTRICT EQUIPMENT AND PERSONNEL

Equipment\Labor	In- District Hourly Rates
1 Ton Utility, Duramax	\$45.00
3" Pump	\$25.00
6" Power Prime Pump Trailer	\$50.00
Air Compressor	\$20.00
Backhoe	\$75.00
Chain Saw	\$25.00
Composting Auger	\$30.00
Demo Saw	\$25.00
End Dump Trailer	\$75.00
Fork Lift	\$40.00
Generator	\$50.00
Jackhammer	\$45.00
Large Jetting Truck	\$160.00
Loader	\$75.00
Lowboy Tractor	\$65.00
Lowboy Trailer	\$60.00
Message Board	\$25.00
Meter Test Bench	\$40.00
Mikasa Jumping Jack	\$45.00
Pickup with Plow	\$45.00
Pickup with Plow & Liftgate	\$45.00
Skid Steer	\$60.00
Small Dump Truck	\$45.00
Small Jetting Truck	\$100.00
Small Portable Welder	\$20.00
Steamer	\$20.00
Tandem Dump Truck	\$50.00
TV Van	\$100.00
Utility Trailer	\$30.00
Valve Box Cleaner	\$20.00
Valve Box Operator/Cleaner	\$35.00
Vehicle & Tools	\$35.00
LABOR: Operational Interns/Temps	\$20.00
LABOR: Field Operations Personnel	\$49.00
LABOR: Water & Wastewater Operations Personnel	\$35.00
LABOR: Operations Supervisors and Field Operations Leads & Planners	\$49.00
LABOR: Construction Managers, Planning Supervisors, Project Engineers	\$57.00
LABOR: Office Administration & Accounting Staff	\$40.00
LABOR: Manager	\$70.00
LABOR: Executive Manager	\$121.00

Note 1: None of the above equipment includes labor. Labor will be billed in addition to hourly rates for equipment used.

Note 2: Emergency calls after hours will be charged the above rates times 1.5 for labor only. Equipment will be charged the hourly rate stated above.



To: Mayor and Council

From: Scot Hunn, Planning Director

Date: January 10, 2020

Agenda Item: Recent Planning Commission Recommendations and Actions

REQUEST:

No specific request is being made. Staff is providing an update regarding a recent Planning Commission recommendation to allow the Applicant for the Minturn Railroad PUD to proceed from Conceptual Development Plan for Planned Unit Development (PUD) to the Preliminary Plan stage of the PUD process.

INTRODUCTION:

In November 2019 Minturn Crossing LLC submitted an application for the review of a Conceptual Development Plan for the Minturn Railroad Planned Unit Development (PUD).

The Minturn Municipal Code (MMC) requires that any Conceptual Development Plan be presented during a Planning Commission meeting, where the review is largely informal and informative. The intent of conceptual plan review at the Town of Minturn is to provide a forum for evaluation of a proposal in context to the intents and standards for the creation of a PUD, and to provide the Applicant, the Planning Commission and the public the opportunity to understand the proposal, to suggest revisions, to provide critical feedback and, to make preliminary judgements and recommendations on the PUD's conformance with the Town's policies and regulations prior to the Applicant and the Town making significant investments in time and resources developing and reviewing detailed Preliminary Plans and engineering details for the development.

No formal action to approve or deny the application by the Commission is taken during Conceptual Development Plan review, yet the Planning Commission must make a recommendation – based on findings provided by the MMC – that the application meets the regulations and standards, and that the Applicant may proceed to Preliminary Plan, the next stage in the PUD review process.

The Minturn Railroad PUD Conceptual Development Plan was presented to the Planning Commission at their regularly schedule meeting on December 11, 2019, and again on January 8, 2020. The Applicant also voluntarily presented the Concept Development Plan to the Town Council at a regular meeting of December 18, 2019.

Each meeting was properly noticed and during each public hearing, several citizens were give opportunities to address the Planning Commission and/or the Town Council, and to ask questions of the Applicant.

At their regular meeting of January 8, 2020, the Minturn Planning Commission unanimously recommended that the Minturn Railroad PUD - Conceptual Development Plan for PUD met the applicable standards and findings for a Conceptual Development Plan, and that the Planning Director should authorize the Applicant to proceed to the creation of a Preliminary Plan for PUD.

ANALYSIS:

In reviewing the Conceptual Development Plan, the Planning Commission considered the criteria and findings required by the Minturn Municipal Code, as well as testimony of staff, the Applicant and citizens who attended the meeting as well as those who provided written comments. In accordance with the MMC, no formal action was taken at that meeting. However, the Planning Commission asked that the Applicant present the plans at a second conceptual review meeting on January 8, 2020 to allow the Applicant time to respond to comments and issues raised prior to authorizing the Applicant to move forward with the next stage in the PUD review process - the Preliminary Plan.

The Applicant successfully made such revisions, presented updated plans to the Town Council, and held a community meeting in the interim period between December 11, 2019 and January 8, 2020, when updated plans were presented to the Planning Commission and additional public comment was taken.

Ultimately, the Planning Commission voted unanimously to recommend that the Conceptual Development Plan met the criteria and findings prescribed by the Minturn Municipal Code and that the Applicant should move forward to the Preliminary Plan stage of review.

COMMUNITY INPUT:

The December 11th and January 8th regular meetings of the Planning Commission were advertised and noticed according to the provisions of the Minturn Municipal Code, as was the regular Town Council Meeting of December 18th. The plans were posted on the Town's website shortly after the Town received plans, and ample opportunities for public comment were given during each meeting during which several members of the public spoke during the public comment period. Additionally, the Applicant recently held a community meeting voluntarily.

Issues and opportunities raised during the meeting include:

- Overall project density and how the development would relate to the existing Taylor Avenue character
- Affordable and "locals only" deed restrictions as opportunity to further housing goals
- Traffic impacts and transportation improvements
 - Improvements needed at Minturn Road
 - Improvements needed and opportunities to re-align Railroad Avenue
 - Proposed street alignments within the proposed PUD and preserving the existing 4th Ave alignment
- Scale of proposed homes and impacts to views for existing Taylor Avenue residents
- Snow removal and storage
- Existing parking along Taylor Avenue
- Need for future homes to have adequate landscaping, parking, and storage
- Wildlife concerns and the need for a wildlife study if plans move forward
- Game Creek trailhead parking – providing adequate parking for recreational users
- Protection of Game Creek and providing adequate setbacks – this area floods and functions as wildlife migration corridor
- Ensuring that proposed open space and park areas are adequate and can benefit existing Taylor Ave. residents and future residents of the PUD
 - Providing more public amenities such as bathrooms and community meeting space
 - Ensuring adequate parking is provided at park areas

- Exploring ideas to integrate more active recreation such as ball fields
- Water availability
- Undergrounding of overhead power lines
- Positive effects of the development on the Town's economic development and economic viability seen as an opportunity to support existing businesses and provide more critical mass
- Controlled growth in an appropriate area
- Lighting restrictions and minimum landscaping requirements will be needed
- Proposal would increase local population by at least 1/3 in a relatively small area
- Development controls (PUD Guide and Design Guidelines) need to include provisions for alternative energy (solar ready construction) and green building

The Planning Commission's deliberations during their meetings reflected many of the issues or ideas raised during public testimony, with the Commission generally supporting the concept and citing the Conceptual Development Plan application's conformance with the Town's submittal requirements, standards and findings.

BUDGET / STAFF IMPACT:

N/A.

STRATEGIC PLAN ALIGNMENT:

The Planning Commission's review of proposed development projects and their actions to approve minor modifications for individual projects, acting as the Town of Minturn Planning Commission or Town of Minturn Design Review Board, aligns with the following key strategies:

PRACTICE FAIR, TRANSPARENT AND COMMUNICATIVE LOCAL GOVERNMENT

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

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:

1. No action or motion necessary. Staff is providing an update of recent Planning Commission recommendations and/or actions.

ATTACHMENTS:

- None



To: Mayor and Council

From: Scot Hunn, Planning Director

Date: January 7, 2019

Agenda Item: Resolution 05 – Series 2020 Planning Commission Vacancy – Recommendation for Appointment

REQUEST:

Approve Resolution 05 – Series 2020 for the appointment of Chris Manning as a regular member on the Minturn Planning Commission to fill a vacancy left by the recent resignation of Greg Sparhawk. Staff is recommending Mr. Manning be appointed to a two-year term starting upon his appointment and ending March 31, 2022.

INTRODUCTION:

In the fall of 2019, Mr. Manning was one of two qualified residents who applied for and interviewed to fill a vacancy on the Planning Commission that had been advertised. While Mr. Manning was not chosen to fill the volunteer position at that time, he remained interested if another opportunity presented itself. Within one month of the interview and appointment process that took place, Mr. Sparhawk resigned due to potential conflicts of interest associated with his involvement in a major land use application working its way through the approval process before the Commission.

At that time, staff reached out to Mr. Manning to confirm his continued interest in serving as a volunteer on the Planning Commission. Staff also conferred with the Town Attorney at that time to confirm that, given the short amount of time that had elapsed between the time that Mr. Manning submitted his application and the second vacancy occurred, the Town could appoint Mr. Manning without advertising the most recent vacancy.

Therefore, staff is recommending the Council appoint Mr. Manning to a two-year term commencing upon his appointment and ending March 31, 2022.

ANALYSIS:

Mr. Manning's appointment to the Commission will fill the vacancy left by Mr. Sparhawk who's term would have expired on March 31, 2020 and who was expected to re-apply for another two-year term. The following is a breakdown of existing members and their terms:

Terms through 3/31/21:

Lynn Teach
Burk Harrington
Jena Skinner

Terms through 3/31/22:

Jeff Armistead
Chris Manning

Alternate:

Lauren Dickie (through 3/31/21)

COMMUNITY INPUT:

In fall 2019, the Town advertised and noticed a Planning Commission vacancy according to the provisions of the Minturn Municipal Code. At that time, the Town received two applications. Those two applicants – Jena Skinner, and Chris Manning – were given opportunities to interview before the Town Council. As explained above, while Mr. Manning was not appointed at that time, another vacancy presented itself shortly thereafter. As explained above, given the short amount of time that had elapsed between the time that Mr. Manning submitted his application and the second vacancy occurred, Town staff believes the Council may appoint Mr. Manning without advertising the most recent vacancy.

BUDGET / STAFF IMPACT:

N/A.

STRATEGIC PLAN ALIGNMENT:

The Planning Commission's purpose is to assist the Town Council in ensuring orderly growth and development by establishing and administering regulations as well as community policies, goals and implementation strategies.

The Minturn Municipal Code sets forth the following applicable provisions and requirements for service on the Planning Commission:

*(a) **Establishment.** There is hereby established the Town Planning Commission composed of five (5) members, who shall act in accordance with the Charter, this Chapter, the direction of the Town Council and the ordinances of the Town, and shall be appointed and serve as provided in this Chapter.*

*(b) **Membership; appointment; terms.** All the members of the Planning Commission shall be residents of the Town for one (1) year and qualified electors of the Town, and, if any member ceases to reside in the Town, his or her membership on the Commission shall terminate immediately. The terms of the members of the Planning Commission shall be for two (2) years on an overlapping basis and shall expire on March 31 of the year of termination.*

*(c) **Removal from office.** Members of the Planning Commission shall serve at the will of the Town Council and shall be subject to removal by the Town Council for inefficiency, neglect of duty, failure to attend meetings, malfeasance in office or any other reason the Town Council deems proper.*

*(d) **Vacancies.** Vacancies on the Planning Commission shall occur whenever a member of the Planning Commission is removed by the Town Council, dies, becomes incapacitated and unable to perform his or her duties for a period of sixty (60) days, resigns, ceases to meet the qualifications for Planning Commission members or is convicted of a felony. Vacancies shall be filled by a majority vote of the Town Council.*

Ensuring a quorum of qualified Planning Commission members through the filling of vacancies aligns with the following key strategies:

PRACTICE FAIR, TRANSPARENT AND COMMUNICATIVE LOCAL GOVERNMENT

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

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:

1. Approve the attached resolution appointing Chris Manning to a two-year term as a regular member on the Minturn Planning Commission.

ATTACHMENTS:

- Chris Manning Application for Planning Commission Service

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 05 – SERIES 2020**

**A RESOLUTION APPOINTING TOWN PLANNING
COMMISSIONERS**

WHEREAS, The Minturn Town Council has received a resignation from the Planning Commission and desires to fill these vacancies; and

WHEREAS, pursuant to Minturn Municipal Code Section 16.21.4(c), the planning commission is required to be appointed to overlapping terms; and

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

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

NAME	TERM
Chris Manning	Through 3/31/22
_____	_____

**INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this
15th day of January, 2020.**

TOWN OF MINTURN

By: _____
Mayor

ATTEST:

Town Clerk

TOWN OF MINTURN
Planning Commission Application

Thank you for expressing an interest to serve on the Town of Minturn's Planning Commission.

The Commission meetings twice monthly on the second and fourth Wednesday, at 6:30pm (earlier when a Work Session is needed), in the Minturn Town Center Council Chambers (302 Pine Street, Minturn, CO).

Applicants must be residents of Minturn for a minimum of one (1) year, and a registered Minturn voter. To be ensured of appropriate consideration, please complete the following information. You may also include a letter of interest, or use additional pages / attachments as needed. Applicants may be required to appear before Town Council for an interview.

Name: **Christopher M. Manning**

Phone: (H) **970-827-4076** (W) **970-476-8083** (Cell) **970-393-0389**

Email: **ctapman@icloud.com**

Mailing Address: **POB 788, Minturn, CO 81645**

Physical Address: **293 Boulder St., Minturn, CO 81645**

1. How long have you lived in Minturn? **22 years**
2. What is your occupation and/or background? **business owner, Swedish Clog Cabin / Tessa Clogs**
3. Are you currently serving on other community groups, boards, or commissions? If yes, please provide the name(s) of the organization(s), and length of time served.
no
4. What are some of the reasons you wish to serve on the Minturn Planning Commission?
I've been meaning for years to get involved in our community but with life it has not worked out until now. I would love to be considered for this position to help serve our town. There is the possiblity in the near future for much change to happen and I would love to be part of the commission on helping steer decisions toward what will continue to make Minturn what it currently is - a eclectic mix of people, culture and architerture.

5. What is your "long range" vision for the Town of Minturn?

1. development of downtown's 100 block a funky lively place
to stroll and take pictures and not just boxes
2. a town of live beds with mix of young families to retirees
3. continue development of bike parks, green space and some pocket parks

6. What are the most important issues currently facing the Town of Minturn?

1. keeping the soul of minturn with the mixture of locals and 2nd homeowners
2. the future development of the 100 block of town
3. parking and green space - real estate is expensive and understand that
most want to maximise density

7. Please add any other additional comments that you would like to share.

I want to see young families move into town and raise children
here like we have. Unfortunately as we look at current real estate pricing, that is
almost crazy without some intervention. I love the current attitude of our town
council looking at ways to continue to make Minturn a town of live beds.

.....
Please mail / fax / email, or deliver in person, all applications to:

Town of Minturn
Attention Town Planner
PO Box 309
302 Pine St
Minturn, CO 81645

Phone: 970.827.5645
Fax: 970.827.5545
Email: planner@minturn.org

Thank you for your interest in the Town of Minturn Planning Commission.



To: Mayor and Council
From: Michelle Metteer
Date: January 15, 2020
Agenda Item: Ordinance 8 – Series 2019 (Second Reading Continued)

REQUEST:

Battle Mountain Development has requested the tabling of Ordinance 8 – Series 2019 to allow more time for gathering information from the public in order to determine the possibility of the developer to stay in town.

INTRODUCTION:

With the denial of the Funding Agreement and the Water Agreements in the summer of 2019, Battle Mountain, not seeing a path forward, requested to de-annex from the Town of Minturn. The first reading of the de-annexation ordinance took place in the fall of 2020. The second reading was tabled for determining the parameters needed to execute a de-annexation.

ANALYSIS:

The Council can not approve Ordinance 8 – Series 2019 as presented. The de-annexation agreement has not been negotiated which will need to accompany any de-annexation ordinance. Should the Council determine to deny the second reading of Ordinance 8, and the Developer remains intent on de-annexing, the only course forward would be a 106-Action through the courts. If Council wishes to table the Ordinance again, this would permit additional time for the developer and public to determine possible paths forward.

COMMUNITY INPUT: Significant

BUDGET / STAFF IMPACT: TbD

STRATEGIC PLAN ALIGNMENT:

Making informed decisions aligns with Minturn’s strategic plan in the following ways:

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.

RECOMMENDED ACTION OR PROPOSED MOTION:

Staff recommends tabling Ordinance 8 – Series 2019 to July 1, 2020. This will (hopefully) allow enough time for the developer and public to find a path forward or for a de-annexation agreement to be negotiated between the town and developer.

ATTACHMENTS:

- Ordinance 8 – Series 2019

TOWN OF MINTURN, COLORADO
ORDINANCE NO.8 -- SERIES 2019

AN ORDINANCE APPROVING DISCONNECTION OF REAL
PROPERTY FROM THE TOWN OF MINTURN.

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

WHEREAS, the Town Council has authority pursuant to the Home Rule Charter and CRS §31-16-101, *et seq.* to adopt and enforce all ordinances; and

WHEREAS, in the exercise of this authority, the Town Council has previously adopted § 16-1-70 of the Minturn Municipal Code, concerning annexation and disconnection; and

WHEREAS, Minturn Municipal Code § 16-1-70 (b) provides that real property may be disconnected from the Town pursuant to the procedures within the limitations and conditions set forth in that section and in C.R.S. § 31–12–501 through 503, inclusive, as amended; and

WHEREAS, pursuant to C.R.S. § 31–12–501 and Minturn Municipal Code § 16-1-70 (b), the Town Council has received a petition for disconnection of certain real property from the Town, which real property is generally described as the “Battle North tract” and “Battle South tract” and is more fully described on **Exhibit A**, attached hereto and fully incorporated herein by this reference; and

WHEREAS, the Town Council finds that the requirements of C.R.S. § 31–12–501 for disconnection of the subject property from the Town have been satisfied, in that: (1) the owner of the subject property has applied to the Town Council for disconnection; (2) the owner of the subject property has also provided notice and a copy of the application for disconnection to the Board of County Commissioners of Eagle County and to the board of directors of any affected special district pursuant to C.R.S. §31-12-501(2); and (3) the Board of Commissioners **has[has not]** requested and conducted meetings with the property owners requesting disconnection and appointees of the Town Council, as provided by C.R.S. 31–12–501(2); and

WHEREAS, the Town Council finds that the requirements of Minturn Municipal Code § 16-1-70 (b) for disconnection of the subject property from the Town have been satisfied, in that: (1) the application is complete pursuant to Code § 16-1-70 (b)(2); and (2) disconnection will not prejudice the best interests of the Town as defined in § 16-1-70 (b)(3); and

WHEREAS, upon due consideration being given to the disconnection application, the Town Council is of the opinion that the best interests of the Town of Minturn will not be prejudiced by the disconnection of the subject property.

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

SECTION 1. Disconnection approved. Disconnection of the real property described on **Exhibit A** hereto is hereby approved and the said property is hereby disconnected from the Town of Minturn.

SECTION 2. Approval Contingent. Disconnection of the real property described on **Exhibit A** is contingent upon the approval and execution of a separate disconnection agreement between the Town of Minturn and the Battle Mountain Entities as discussed in Resolution No. _____. If, for any reason, the disconnection agreement is declared invalid or rescinded, the disconnection effectuated by the Ordinance shall similarly be declared invalid and/or rescinded.

SECTION 3. Recording. The Town Clerk is hereby authorized and directed to file for record with the Eagle County Clerk and Recorder two certified copies of this disconnection ordinance and map, and to request that the County Clerk and Recorder file the second certified copy with the Division of Local Government and the Department of Local Affairs as provided by section 24-32-109, C.R.S. The Town Clerk is further authorized and directed to take all other ministerial and filing actions required or appropriate to effectuate the action of the Town Council in- approving disconnection of the subject property.

SECTION 4. Effective date. This ordinance shall take effect 7 days after publication in accordance with Section 11.5 of the Minturn Home Rule Charter.

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 16th DAY OF OCTOBER 2019. 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 4TH DAY OF DECEMBER 2019 AT 6:30p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

John Widerman IV, 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 4th DAY OF DECEMBER 2019.

TOWN OF MINTURN, COLORADO

John Widerman IV, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk

EXHIBIT A
REAL PROPERTY DISCONNECTED
[Legal Description and Map attached]

EXHIBIT A

Legal Description of the Battle Mountain Property

The following tracts of real property which, collectively, comprise the Battle Mountain Property:

Parcel 1: Bolts Lake Property (Battle North)

Tract A

A parcel of land located in Sections 1, 2, 11 and 12 of Township 6 South, Range 81 West of the Sixth Principal Meridian and Section 36 of Township 5 South, Range 81 West of the Sixth Principal Meridian and consisting of the following parcels: Mineral Survey 20712 - Treasury Vault Mill Site, Mineral Survey 20712 - Gold Star Mill Site, H.E.S. 41, Mineral Survey 20745 - Mars Mill Site; along with those portions of the following parcels situated westerly of the western right-of-way for U.S. Highway 24 as described in the Boundary Agreement recorded July 27, 2018 at reception number 201812787 and westerly of the western right-of-way for the Union Pacific Railroad as described in the D&RGW Right-of-Way and Track Map dated June 30, 1919: Nelson Addition (Book 131 Page 76), H.E.S. 46, Mineral Survey 19500 - Brooklyn Placer, Mineral Survey 20043 - May No. 5 Lode, Mineral Survey 20257 - May No. 14 and May No. 15, Mineral Survey 20461 - Ruby Lode, H.E.S. 40 and Mineral Survey 19856 - River Bend Mill Site; and excepting the parcel described in Book 380 Page 574; being more particularly described as follows:

Beginning at the Southwesterly corner of a parcel of land described in Book 131 page 76 said point also being the Southwest corner of said Section 36 being a 2-1/2 inch GLO Brass Cap found in place whence the South Quarter corner of said Section 36 being a 2-1/2 inch GLO Brass Cap found in place bears N 89°58'35" E a distance of 2,694.09 feet; thence the following five courses along the northwesterly boundary of said parcel described in Book 131 page 76:

1. N 00°20'54" W a distance of 99.96 feet along the west line of said Section 36;
2. N 28°13'18" E a distance of 715.35 feet;
3. N 57°23'50" E a distance of 557.58 feet;
4. N 70°47'50" E a distance of 762.18 feet;
5. N 89°56'50" E a distance of 491.16 feet to a point on said westerly right-of-way of U.S. Highway 24;

thence the following four courses along said westerly right-of-way of U.S. Highway 24:

1. 57.85 feet along the arc of a non tangent curve to the left having a radius of 756.30 feet, a central angle of 04°22'58", and the chord bears S30°36'24" E a distance of 57.84 feet;
2. S 32°47'53" E a distance of 199.00 feet;
3. 228.45 feet along the arc of a non tangent curve to the right having a radius of 2,825.00 feet, a central angle of 04°38'00", and the chord bears S 30°28'53" E a distance of 228.39 feet;
4. S 28°09'53" E a distance of 895.89 feet to a point on the easterly boundary of said parcel described in Book 131 page 76;

thence along said easterly boundary S 00°10'02" W a distance of 77.04 feet to the South Quarter corner of said Section 36 being a 2-1/2 inch GLO Brass Cap found in place said point also being Angle Point 1 of Homestead Entry Survey (H.E.S.) No. 46, Township 6 South, Range 81 West of the Sixth Principal Meridian; thence along line 1-2 of said H.E.S. No. 46 S 89°38'32" E a distance of 41.61 feet to a point on said westerly right-of-way of U.S. Highway 24; thence the following two courses along said westerly right-of-way of U.S. Highway 24:

1. S 28°09'53" E a distance of 149.51 feet;
2. S 27°31'53" E a distance of 807.36 feet to a point on line 1-2 of Homestead Entry Survey (H.E.S.) No. 40 Township 6 South, Range 81 West of the Sixth Principal Meridian;

thence along said line 1-2 of H.E.S. No. 40 S 21°45'15" E a distance of 1,161.84 feet to a point on line 1-2 of Mineral Survey 20461 "Ruby Lode"; thence along said line 1-2 of Mineral Survey 20461 "Ruby Lode" N 59°21'27" E a distance of 100.96 feet to a point on said westerly right-of-way of U.S. Highway 24; thence the following six courses along said westerly right-of-way:

1. S 24°22'53" E a distance of 31.22 feet;
2. 76.61 feet along the arc of a tangent curve to the left having a radius of 800.00 feet, a central angle of 05°29'13", and the chord bears S 27°07'29" E a distance of 76.58 feet;
3. 75.27 feet along the arc of a tangent curve to the right having a radius of 800.00 feet, a central angle of 05°23'27", and the chord bears S 27°10'22" E a distance of 75.24 feet;
4. S 24°28'38" E a distance of 57.10 feet;
5. S 24°28'38" E a distance of 79.86 feet;
6. 436.38 feet along the arc of a non tangent curve to the right having a radius of 915.00 feet, a central angle of 27°19'32", and the chord bears S 10°48'52" E a distance of 432.26 feet to a point on line 2-3 of said Mineral Survey 20461 "Ruby Lode";

thence along said 2-3 line of Mineral Survey 20461 "Ruby Lode" N 53°55'33" W a distance of 74.99 feet to a point on said line 1-2 of H.E.S. No. 40; thence along said line 1-2 of H.E.S. No. 40 S 21°45'15" E a distance of 140.75 feet to a point on said westerly right-of-way of U.S. Highway 24; thence the following six courses along said westerly right-of-way of U.S. Highway 24:

1. 262.58 feet along the arc of a non tangent curve to the right having a radius of 915.00 feet, a central angle of 16°26'33", and the chord bears S 16°31'05" W a distance of 261.68 feet;
2. S 24°44'22" W a distance of 216.35 feet;
3. S 35°45'52" W a distance of 205.41 feet;
4. S 14°36'41" W a distance of 532.15 feet;
5. S 01°15'08" E a distance of 429.27 feet;
6. S 01°25'41" W a distance of 268.53 feet to a point on line 3-4 of said H.E.S. No. 40;

thence along said 3-4 line of H.E.S. No. 40 S 33°56'45" W a distance of 246.93 feet to Angle Point 4 of said H.E.S. No. 40 said point also being Angle Point 8 of Homestead Entry Survey (H.E.S.) No. 41, Township 6 South, Range 81 West of the Sixth Principal Meridian; thence along line 7-8 of said H.E.S. No. 41 S 08°01'50" E a distance of 682.50 feet to Angle Point 8 of Mineral Survey 19856 "River Bend Mill Site"; thence along line 8-9 of said Mineral Survey 19856 "River Bend Mill Site" N 73°03'36" E a distance of 114.40 feet to Angle Point 9 of said Mineral Survey 19856 "River Bend Mill Site"; thence along line 1-9 of said Mineral Survey 19856 "River Bend Mill Site" N 00°06'36" E a distance of 101.02 feet to a point on the southwesterly right-of-way of U.S. Highway 24; thence along said southwesterly right-of-way of U.S. Highway 24, S 55°00'36" E a distance of 95.06 feet to a point on line 3-4 of said Mineral Survey 19856 "River Bend Mill Site"; thence along said line 3-4 of Mineral Survey 19856 "River Bend Mill Site" S 11°05'59" W a distance of 246.97 feet to a point on line 1-2 of Mineral Survey 20257 "May No. 14"; thence along said line 1-2 of Mineral Survey 20257 "May No. 14" N 38°38'30" E a distance of 23.65 feet to a point on the westerly right-of-way of Union Pacific Railroad as described in D&RGW Right-of-Way and Track Map dated June 30, 1919; thence the following four courses along said westerly right-of-way of Union Pacific Railroad, said right-of-way being parallel to and offset 50-feet westerly from the centerline of the main line of said Union Pacific Railroad:

1. S 14°36'28" W a distance of 130.66 feet;
2. 299.94 feet along the arc of a tangent curve to the right having a radius of 29,800.64 feet, a central angle of 00°34'36", and the chord bears S 14°53'46" W a distance of 299.94 feet;
3. 346.51 feet along the arc of a tangent curve to the right having a radius of 1,687.09 feet, a central angle of 11°46'05", and the chord bears S 21°04'06" W a distance of 345.90 feet;
4. 117.33 feet along the arc of a tangent curve to the right having a radius of 2,298.64 feet, a central angle of 02°55'28", and the chord bears S 28°24'53" W a distance of 117.33 feet to a point on the 5-6 line of the unpatented Astor-Eureka Placer as described in the Location Certificate recorded in Book 8 Page 77;

Thence the following seven courses along said westerly right-of-way of the Union Pacific Railroad as described:

1. along said 5-6 line S 89°10'02" W a distance of 66.59 feet to the westerly right-of-way of said Union Pacific;
2. along the westerly right-of-way of said Union Pacific S 30°39'47" W a distance of 22.42 feet to the 6-1 line of said Astor-Eureka Placer, said right-of-way being along a line parallel to and offset 82.00 feet westerly from the centerline of the mainline of said Union Pacific Railroad;
3. along the 6-1 line of said Astor-Eureka Placer S 00°49'58" E a distance of 109.10 feet;
4. S 30°39'47" W a distance of 884.09 feet along a line which is parallel to and offset 25.00 feet westerly from the centerline of the main line of said Union Pacific Railroad to a point on the 1-2 line of the unpatented Henry Clay Lode as described in the Location Certificate recorded in Book 7 Page 298;
5. along said 1-2 line N 13°07'52" W a distance of 39.09 feet;
6. 37.95 feet along the arc of a non tangent curve to the left having a radius of 836.49 feet, a central angle of 02°35'59", and the chord bears S 13°13'46" W a distance of 37.95 feet, said curve being parallel to and offset 100.00-feet westerly from the centerline of the eastern corridor of said Union Pacific Railroad;
7. 47.98 feet along the arc of a tangent curve to the left having a radius of 3,919.72 feet, a central angle of 00°42'05", and the chord bears S 11°34'45" W a distance of 47.98 feet, said curve being parallel to and offset 100.00-feet westerly from the centerline of the eastern corridor of said Union Pacific Railroad;

Thence the following five courses along said westerly right-of-way of the Union Pacific Railroad, said right-of-way being parallel to and offset 25.00 feet westerly from the centerline of the western corridor of said Union Pacific Railroad:

1. S 30°39'47" W a distance of 44.76 feet;
2. 141.71 feet along the arc of a tangent curve to the left having a radius of 4,816.15 feet, a central angle of 01°41'09", and the chord bears S 29°49'13" W a distance of 141.71 feet;
3. 577.96 feet along the arc of a tangent curve to the left having a radius of 873.26 feet, a central angle of 37°55'13", and the chord bears S 10°01'01" W a distance of 567.46 feet;
4. 132.72 feet along the arc of a tangent curve to the left having a radius of 2,684.59 feet, a central angle of 02°49'57", and the chord bears S 10°21'34" E a distance of 132.70 feet;
5. S 11°46'32" E a distance of 338.53 to a point on line 5-6 of Mineral Survey 19500 "Brooklyn Placer";

thence along said line 5-6 of Mineral Survey 19500 "Brooklyn Placer" N 16°11'23" W a distance of 982.56 feet to Angle Point 6 of said Mineral Survey 19500 "Brooklyn Placer"; thence along line 6-7 of said Mineral Survey 19500 "Brooklyn Placer" N 12°07'10" W a distance of 494.47 feet to Angle Point 3 of Mineral Survey 20745 "Mars Mill Site"; thence along line 2-3 of said Mineral Survey 20745 "Mars Mill Site" N 45°47'44" W a distance of 1,091.01 feet to Angle Point 2 of said Mineral Survey 20745 "Mars Mill Site" said point also being on line 5-6 of said H.E.S. No. 41;

thence the following five courses along said H.E.S. No. 41:

1. along line 5-6 N 79°06'56" W a distance of 2,661.26 feet to Angle Point 5;
2. along line 4-5 N 38°40'30" W a distance of 385.83 feet to Angle Point 4;
3. along line 3-4 N 44°15'35" E a distance of 992.47 feet to Angle Point 3;
4. along line 2-3 S 82°15'42" E a distance of 1,508.05 feet to Angle Point 2;
5. along line 1-2 N 39°24'50" E a distance of 1,104.62 feet to Angle Point 1 said point also being Angle Point 5 of H.E.S. No. 40;

thence the following two courses along said H.E.S. No. 40:

1. along line 5-6 N 23°21'23" E a distance of 1,564.21 feet to Angle Point 6;

2. along line 6-7 N 25°10'25" W a distance of 707.61 feet to Angle Point 2 of Mineral Survey 20712 "Gold Star Mill Site";

thence along line 2-3 of said Mineral Survey 20712 "Gold Star Mill Site" N 67°56'00" W a distance of 967.24 feet to Angle Point 3 of said Mineral Survey 20712 "Gold Star Mill Site" said point also being Angle Point 3 of Mineral Survey 20712 "Treasury Vault Mill Site"; thence along line 3-4 of said Mineral Survey 20712 "Treasury Vault Mill Site" N 67°56'00" W a distance of 403.10 feet to Angle Point 4 of said Mineral Survey 20712 "Treasury Vault Mill Site" said point also being on line 3-4 of said H.E.S. No. 46; thence along line 3-4 of said H.E.S. No. 46 N 69°12'00" E a distance of 553.58 feet to a point on a parcel described in Book 380 Page 574;

thence the following four courses along the easterly boundary of said parcel described in Book 380 Page 574:

1. N 34°17'20" E a distance of 269.23 feet;
2. N 33°47'30" W a distance of 346.69 feet;
3. N 59°40'30" W a distance of 743.48 feet;
4. N 00°15'50" E a distance of 459.11 feet to a point on line 1-7 of said H.E.S. No. 46 said point also being on the South line of said Section 36;

thence along said line 1-7 of H.E.S. No. 46 S 89°58'35" W a distance of 420.19 feet to the point of beginning, Tract A containing 454.34 acres more or less.

Tract B

A parcel of land located in Section 1 of Township 6 South, Range 81 West of the Sixth Principal Meridian and consisting of that portion of Mineral Survey 20461 Ruby and Sapphire Lodes situated easterly of the eastern right-of-way for U.S. Highway 24 as described in the Boundary Agreement recorded July 27, 2018 at reception number 201812787 and westerly of the western right-of-way of the Union Pacific Railroad as described in D&RGW Right-of-Way and Track Map dated June 30, 1919; being more particularly described as follows:

Beginning at a point on the 1-2 line of Mineral Survey 20461 Sapphire Lode and the intersection of the western right-of-way of the Union Pacific Railroad, whence the Southwest corner of said Section 36 being a 2-1/2 inch GLO Brass Cap bears N 65°38'07" W a distance of 4,268.70 feet; thence the following three courses along said west right-of-way of the Union Pacific Railroad:

1. S 19°13'15" E a distance of 625.71 feet;
2. 147.39 feet along the arc of a tangent curve to the right having a radius of 3365.06 feet, a central angle of 02°30'34", and the chord bears S 17°57'58" E a distance of 147.37 feet;
3. 301.02 feet along the arc of a tangent curve to the right having a radius of 1,286.60 feet, a central angle of 13°24'19", and the chord bears S 10°00'31" E a distance of 300.34 feet to a point on the 2-3 line of said Mineral Survey 20461 Ruby Lode;

thence along said 2-3 line of Mineral Survey 20461 Ruby Lode N 53°55'33" W a distance of 246.47 feet to a point on the easterly right-of-way of U.S. Highway 24; thence the following five courses along said easterly right-of-way of U.S. Highway 24:

1. 526.06 feet along the arc of a non tangent curve to the left having a radius of 994.91 feet, a central angle of 30°17'42", and the chord bears N 09°19'47" W a distance of 519.95 feet;
2. N 24°28'38" W a distance of 137.00 feet;
3. 82.80 feet along the arc of a tangent curve to the left having a radius of 880.00 feet, a central angle of 05°23'27", and the chord bears N 27°10'22" W a distance of 82.77 feet;
4. 68.95 feet along the arc of a tangent curve to the right having a radius of 720.00 feet, a central angle of 05°29'13", and the chord bears N 27°07'29" W a distance of 68.92 feet;

5. N 24°22'53" W a distance of 40.00 feet to a point on the 1-2 line of Mineral Survey 20461 Ruby Lode;

thence along said 1-2 line of Mineral Survey 20461 Ruby Lode N 59°21'27" E a distance of 86.36 feet to corner number 1 of Mineral Survey 20461 Ruby Lode said point also being corner number 1 of Mineral Survey 20461 Sapphire Lode; thence along the 1-2 line of said Mineral Survey 20461 Sapphire Lode N 59°21'07" E a distance of 55.86 feet to the point of beginning, Tract B containing 2.81 acres more or less.

Tract C

A parcel of land located in Section 1 of Township 6 South, Range 81 West of the Sixth Principal Meridian and consisting of that portion of Homestead Entry Survey (H.E.S.) 40 and Mineral Survey 20461 Puritan Lode situated easterly of the eastern right-of-way for U.S. Highway 24 as described in the Boundary Agreement recorded July 27, 2018 at reception number 201812787 and westerly of the western right-of-way for Union Pacific Railroad, being more particularly described as follows:

Beginning at Corner No. 2 of said H.E.S. 40, whence the Southwest corner of said Section 36 being a 2-1/2 inch GLO Brass Cap bears N 52°43'19" W a distance of 5,128.97 feet; thence along the 2-3 line of said H.E.S. 40 S 20°12'45" W a distance of 192.30 feet to a point on the 1-2 line of Mineral Survey 20461 Puritan Lode; thence along said 1-2 line of said Mineral Survey 20461 Puritan Lode N 59°22'30" E a distance of 155.38 feet to a point on the western right-of-way of the Union Pacific Railroad as described in D&RGW Right-of-Way and Track Map dated June 30, 1919; thence along said western right-of-way of the Union Pacific Railroad the following two courses:

1. 26.42 feet along the arc of a non tangent curve to the right having a radius of 2408.63 feet, a central angle of 00°37'43", and the chord bears S14°03'37" W a distance of 26.42 feet;
2. 184.39 feet along the arc of a tangent curve to the right having a radius of 58445.82 feet, a central angle of 00°10'51", and the chord bears S14°27'54" W a distance of 184.39 feet to a point on the 2-3 line of the Mineral Survey 20461 Puritan Lode;

thence along said 2-3 line of the Mineral Survey 20461 Puritan Lode N 45°06'44" W a distance of 131.43 feet to the 2-3 line of said H.E.S. 40; thence along said 2-3 line of said H.E.S. 40 S 20°12'45" W a distance of 927.03 feet to a point on the eastern right-of-way of U.S. Highway 24; thence the following four courses along said eastern right-of-way of U.S. Highway 24:

1. N 01°30'38" W a distance of 546.66 feet;
2. 309.80 feet along the arc of a tangent curve to the right having a radius of 676.20 feet, a central angle of 26°15'00", and the chord bears N 11°36'52" E a distance of 307.10 feet;
3. N 24°44'22" E a distance of 422.47 feet;
4. 160.49 feet along the arc of a non tangent curve to the left having a radius of 994.91 feet, a central angle of 09°14'33", and the chord bears N 20°07'14" E a distance of 160.32 feet to a point on the 1-2 line of said H.E.S. 40;

thence along said 1-2 line of said H.E.S. 40 S 21°45'15" E a distance of 321.76 feet; to the point of beginning, Tract C containing 5.57 acres more or less.

Tract D

A parcel of land located in Section 1 of Township 6 South, Range 81 West of the Sixth Principal Meridian and consisting of that portion of Mineral Survey 19856 - River Bend Mill Site situated easterly of the eastern right-of-way for U.S. Highway 24 as described in the Boundary Agreement recorded July 27, 2018 at reception number 201812787 being more particularly described as follows:

Beginning at Corner No. 2 of said River Bend Mill Site, being a 2-1/2" U.S.D.A. Aluminum Cap marked "2 MS 19856 LS7235 1988", whence the Southwest corner of said Section 36 being a 2-1/2 inch GLO Brass Cap bears N 40°38'51" W a distance of 5,894.14 feet; thence along the 2-3 line of said River Bend

Mill Site S 15°52'59" W a distance of 381.86 feet to a point on the eastern right-of-way of U.S. Highway 24; thence the following four courses along the easterly right-of-way of U.S. Highway 24:

1. 82.50 feet along the arc of a non tangent curve to the right having a radius of 646.20 feet, a central angle of 07°18'55", and the chord bears N05°10'06" W a distance of 82.45 feet;
2. N 01°30'38" W a distance of 282.09 feet;
3. S 88°29'22" W a distance of 30.00 feet;
4. N 01°30'38" W a distance of 4.26 feet to a point on the 1-2 line of said River Bend Mill Site;

thence S 89°53'21" E a distance of 149.47 feet along said 1-2 line of said River Bend Mill Site to the point of beginning, Tract D containing 0.52 acres more or less.

Tract E

A parcel of land located in Sections 1, 11 and 12 of Township 6 South, Range 81 West of the Sixth Principal Meridian and consisting of that portion of Mineral Surveys 2367 John C. Godfrey, 5712 Rosa M. and Peru Lodes, 19500 Brooklyn Placer Lode, 19960 General Pershing Lode, 20043 May No. 5 Lode, 20257 May Nos. 13, 14, 15, I Have It and Lincoln Highway Lodes, 20292 Big Timber and St. Patrick Lodes, 20293 Cave Lode, and 20461 May Nos. 4 and 16 Lodes situated westerly and southerly of the western right-of-way for U.S. Highway 24 as described in the Boundary Agreement recorded July 27, 2018 at reception number 201812787 and easterly of the easternmost right-of-way for Union Pacific Railroad, being more particularly described as follows:

Beginning at Corner No. 2 of said Cave Lode from whence the Southwest corner of Section 36, Township 5 South, Range 81 West of the 6th P.M., being a 2-1/2 inch GLO Brass Cap found in place bears *N 20°54'18" W* a distance of 10659.37 feet; thence feet along the 2-3 line of said Cave Lode *N 45°07'27" W* a distance of 356.25 to a point on the eastern right-of-way for the Union Pacific Railroad; thence along said eastern right-of-way for the Union Pacific Railroad the following five courses:

1. *N 77°36'39" E* a distance of 20.62 feet along the southern boundary of the unpatented Cleveland No. 2 Lode;
2. *N 18°04'49" W* a distance of 301.49 feet along a line which is parallel to and offset 100-feet easterly from the centerline of the eastern corridor of said Union Pacific Railroad;
3. *S 77°36'39" W* a distance of 75.37 feet along line 2-3 of said Peru Lode;
4. *N 18°04'49" W* a distance of 600.75 feet along a line which is parallel to and offset 25-feet easterly from the centerline of the eastern corridor of said Union Pacific Railroad;
5. *N 77°36'39" E* a distance of 75.37 feet along the 6-7 line of said Rosa M Lode to a point on the eastern right-of-way for the Union Pacific Railroad, said point being on a line offset 100-feet easterly from the centerline of the eastern corridor of said Union Pacific Railroad;

Thence continuing along the 6-7 line of said Rosa M Lode *N 77°36'39" E* a distance of 21.52 feet to Corner No. 3 of said St. Patrick Lode; thence *N 17°11'16" W* a distance of 2.67 feet along the 2-3 line of said St. Patrick Lode to Corner No. 3 of said Brooklyn Placer; thence *S 76°33'32" W* a distance of 21.53 feet along the 3-4 line of said Brooklyn Placer to a point on the eastern right-of-way for the Union Pacific Railroad, said point being 100-feet easterly from the centerline of the eastern corridor of said Union Pacific Railroad; thence along said eastern right-of-way for the Union Pacific Railroad the following twenty-two courses:

1. *N 18°04'49" W* a distance of 299.21 feet along a line which is parallel to and offset 100-feet easterly from the centerline of the eastern corridor of said Union Pacific Railroad;

2. *S 77°36'39" W* a distance of 50.25 feet along the northerly boundary of the unpatented No. 33 Lode;
3. *N 18°04'49" W* a distance of 723.16 feet along a line which is parallel to and offset 50-feet easterly from the centerline of the eastern corridor of said Union Pacific Railroad;
4. 135.32 feet along the arc of a *tangent* curve to the *right* having a radius of 2434.10 feet, a central angle of *03°11'07"*, and the chord bears *N 16°29'15" W* a distance of 135.30 feet, said curve being parallel to and offset 50-feet easterly from the centerline of the eastern corridor of said Union Pacific Railroad;
5. 150.44 feet along the arc of a *tangent* curve to the *right* having a radius of 553.78 feet, a central angle of *15°33'54"*, and the chord bears *N 07°06'45" W* a distance of 149.98 feet said curve being parallel to and offset 50-feet easterly from the centerline of the eastern corridor of said Union Pacific Railroad;
6. *N 13°07'52" W* a distance of 81.85 feet along the westerly boundary of the unpatented Henry Clay Lode;
7. 244.56 feet along the arc of a *non tangent* curve to the *right* having a radius of 3794.72 feet, a central angle of *03°41'33"*, and the chord bears *N 10°05'01" E* a distance of 244.52 feet, said curve being parallel to and offset 25-feet easterly from the centerline of the eastern corridor of said Union Pacific Railroad;
8. 226.02 feet along the arc of a *tangent* curve to the *right* having a radius of 711.48 feet, a central angle of *18°12'05"*, and the chord bears *N 21°01'50" E* a distance of 225.07 feet, said curve being parallel to and offset 25-feet easterly from the centerline of the eastern corridor of said Union Pacific Railroad;
9. *N 76°52'08" E* a distance of 48.45 feet along the northerly boundary of the unpatented Henry Clay Lode;
10. *N 30°39'47" E* a distance of 58.25 feet along a line which is parallel to and offset 75-feet easterly from the centerline of the main line of said Union Pacific Railroad;
11. *S 82°41'41" W* a distance of 63.42 feet along the southerly boundary of the unpatented San Louis Lode;
12. *N 30°39'47" E* a distance of 190.27 feet along a line which is parallel to and offset 25-feet easterly from the centerline of the main line of said Union Pacific Railroad;
13. *N 82°41'41" E* a distance of 63.42 feet along the northerly boundary of the unpatented San Louis Lode;
14. *N 30°39'47" E* a distance of 184.78 feet along a line which is parallel to and offset 75-feet easterly from the centerline of the main line of said Union Pacific Railroad;
15. *S 00°49'58" E* a distance of 82.31 feet along the westerly boundary of the unpatented Astor Eureka Placer claim;
16. *N 30°39'47" E* a distance of 352.10 feet along a line which is parallel to and offset 118-feet easterly from the centerline of the main line of said Union Pacific Railroad;
17. 117.60 feet along the arc of a *tangent* curve to the *left* having a radius of 2441.64 feet, a central angle of *02°45'34"*, and the chord bears *N 29°17'00" E* a distance of 117.59 feet, said curve being parallel to and offset 118-feet easterly from the centerline of the main line of said Union Pacific Railroad;
18. *S 89°10'02" W* a distance of 49.17 feet along the southerly boundary of the unpatented Astor Eureka Placer claim;
19. 63.46 feet along the arc of a *non tangent* curve to the *left* having a radius of 2398.64 feet, a central angle of *01°30'57"*, and the chord bears *N 27°42'37" E* a distance of 63.46 feet, said curve being parallel to and offset 75-feet easterly from the centerline of the main line of said Union Pacific Railroad;

20. 367.05 feet along the arc of a *tangent* curve to the *left* having a radius of 1787.09 feet, a central angle of $11^{\circ}46'05''$, and the chord bears $N 21^{\circ}04'06'' E$ a distance of 366.41 feet, said curve being parallel to and offset 75-feet easterly from the centerline of the main line of said Union Pacific Railroad;
21. 300.95 feet along the arc of a *tangent* curve to the *left* having a radius of 29900.64 feet, a central angle of $00^{\circ}34'36''$, and the chord bears $N 14^{\circ}53'46'' E$ a distance of 300.95 feet, said curve being parallel to and offset 75-feet easterly from the centerline of the main line of said Union Pacific Railroad;
22. $N 14^{\circ}36'28'' E$ a distance of 309.21 feet along a line which is parallel to and offset 75-feet easterly from the centerline of the main line of said Union Pacific Railroad to a point on said western right-of-way of U.S. Highway 24;

thence the following nineteen courses along said western right-of-way of U.S. Highway 24:

1. $S 55^{\circ}00'36'' E$ a distance of 299.10 feet;
2. $N 56^{\circ}45'57'' E$ a distance of 216.37 feet;
3. $N 29^{\circ}39'07'' E$ a distance of 275.58 feet;
4. $N 02^{\circ}26'21'' E$ a distance of 269.62 feet;
5. $N 37^{\circ}48'55'' E$ a distance of 427.27 feet;
6. $S 61^{\circ}41'50'' E$ a distance of 114.28 feet;
7. $S 16^{\circ}35'49'' W$ a distance of 567.34 feet;
8. $S 48^{\circ}39'59'' W$ a distance of 175.60 feet;
9. $S 09^{\circ}52'34'' W$ a distance of 532.21 feet;
10. $S 47^{\circ}54'05'' W$ a distance of 673.50 feet;
11. $S 16^{\circ}36'56'' W$ a distance of 631.44 feet;
12. $S 42^{\circ}50'33'' E$ a distance of 206.37 feet;
13. $S 10^{\circ}21'25'' E$ a distance of 389.77 feet;
14. $S 47^{\circ}30'31'' E$ a distance of 350.91 feet;
15. $S 13^{\circ}25'37'' E$ a distance of 237.62 feet;
16. $S 47^{\circ}15'23'' W$ a distance of 356.18 feet;
17. $S 16^{\circ}21'06'' W$ a distance of 394.80 feet;
18. $S 06^{\circ}53'19'' E$ a distance of 612.04 feet;
19. $S 22^{\circ}20'58'' E$ a distance of 832.28 feet to a point on the 1-2 line of said Cave Lode;

thence along said 1-2 line of Cave Lode, $S 77^{\circ}36'39'' W$ a distance of 363.34 feet to the point of beginning. Tract E containing 71.84 acres more or less.

Tract F

A parcel of land located in Sections 11 and 12 of Township 6 South, Range 81 West of the Sixth Principal Meridian and consisting of that portion of Mineral Survey 19500 Brooklyn Placer situated easterly of the eastern right of way of the western corridor and westerly of the western right-of-way of the eastern corridor for the Union Pacific Railroad, being more particularly described as follows:

Beginning at a point on said western right-of-way of the eastern corridor for the Union Pacific Railroad, said point being on a line offset 50-feet westerly from the centerline of the eastern corridor of said Union Pacific Railroad, whence the Southwest corner of Section 36, Township 5 South, Range 81 West of the 6th P.M., being a 2-1/2 inch GLO Brass Cap found in place bears $N 20^{\circ}06'13'' W$ a distance of 8,054.90 feet; thence along said western right-of-way of the eastern corridor the following three courses, said right-of-way being parallel to and offset 50-feet westerly from the centerline of the eastern corridor of said Union Pacific Railroad:

1. 214.72 feet along the arc of a *non tangent* curve to the *left* having a radius of 653.78 feet, a central angle of $18^{\circ}49'04''$, and the chord bears $S\ 05^{\circ}29'10''\ E$ a distance of 213.76 feet;
2. 140.88 feet along the arc of a *tangent* curve to the *left* having a radius of 2534.10 feet, a central angle of $03^{\circ}11'07''$, and the chord bears $S\ 16^{\circ}29'15''\ E$ a distance of 140.86 feet;
3. $S\ 18^{\circ}04'49''\ E$ a distance of 1014.66 feet to a point on the 4-5 line of said MS 19500 Brooklyn Placer;

thence along said 4-5 line of said MS 19500 Brooklyn Placer, $S\ 77^{\circ}39'37''\ W$ a distance of 300.62 feet to the eastern right-of-way of the western corridor for the Union Pacific Railroad; thence along the eastern right-of-way of the western corridor for the Union Pacific Railroad the following five courses, said right-of-way being parallel to and offset 25-feet easterly from the centerline of the western corridor of said Union Pacific Railroad:

1. 193.66 feet along the arc of a *non tangent* curve to the *right* having a radius of 788.65 feet, a central angle of $14^{\circ}04'10''$, and the chord bears $N\ 23^{\circ}10'39''\ W$ a distance of 193.17 feet;
2. 124.90 feet along the arc of a *tangent* curve to the *right* having a radius of 1638.73 feet, a central angle of $04^{\circ}22'01''$, and the chord bears $N\ 13^{\circ}57'33''\ W$ a distance of 124.87 feet;
3. $N\ 11^{\circ}46'32''\ W$ a distance of 509.04 feet;
4. 130.25 feet along the arc of a *tangent* curve to the *right* having a radius of 2634.59 feet, a central angle of $02^{\circ}49'57''$, and the chord bears $N\ 10^{\circ}21'34''\ W$ a distance of 130.23 feet;
5. 502.96 feet along the arc of a *tangent* curve to the *right* having a radius of 823.26 feet, a central angle of $35^{\circ}00'13''$, and the chord bears $N\ 08^{\circ}33'32''\ E$ a distance of 495.17 feet;

thence $S\ 63^{\circ}56'22''\ E$ a distance of 86.97 feet; to the point of beginning. Tract F containing 8.01 acres more or less.

Tract G

A parcel of land located in Section 11 of Township 6 South, Range 81 West of the Sixth Principal Meridian and consisting of that portion of Mineral Survey 19500 Brooklyn Placer situated westerly of the western right-of-way of the western corridor for the Union Pacific Railroad, being more particularly described as follows:

Beginning at the intersection of the 5-6 line of said MS 19500 Brooklyn Placer and said western railroad right-of-way whence the Southwest corner of Section 36, Township 5 South, Range 81 West of the 6th P.M., being a 2-1/2 inch GLO Brass Cap found in place bears $N\ 17^{\circ}20'46''\ W$ distance of 9,365.21 feet; thence along the western right-of-way of the western corridor for the Union Pacific Railroad 14.46 feet along the arc of a *non tangent* curve to the *left* having a radius of 838.65 feet, a central angle of $00^{\circ}59'17''$, and the chord bears $S\ 28^{\circ}37'12''\ E$ a distance of 14.46 feet, said right-of-way being parallel to and offset 25-feet westerly from the centerline of the western corridor of said Union Pacific Railroad, to a point on the 4-5 line of said MS 19500 Brooklyn Placer; thence along said 4-5 line of said MS 19500 Brooklyn Placer $S\ 77^{\circ}39'37''\ W$ a distance of 3.12 feet to corner number 5 of said MS 19500 Brooklyn Placer; thence along the 5-6 line of said MS 19500 Brooklyn Placer $N\ 16^{\circ}11'23''\ W$ a distance of 13.91 feet to the point of beginning. Tract G containing 21 square feet or 0.0005 acres more or less.

Tract H

A parcel of land located in Section 12 of Township 6 South, Range 81 West of the Sixth Principal Meridian and consisting of that portion of Mineral Surveys 5712 Peru Lode and Rosa M. Lode situated

westerly of the western right-of-way for the eastern corridor for the Union Pacific Railroad, being more particularly described as follows:

Beginning at corner number two of said MS 5712 Peru Lode, whence the Southwest corner of Section 36, Township 5 South, Range 81 West of the 6th P.M., being a 2-1/2 inch GLO Brass Cap found in place bears *N 19°14'39" W* a distance of 10,013.77 feet; thence along the 1-2 line of said MS 5712 Peru Lode *N 12°33'49" W* a distance of 298.89 feet to corner numbers 1 and 5 of said MS 5712 Peru and Rosa M. Lodes. thence along the 5-6 line of said MS 5712 Rosa M. Lode *N 12°33'49" W* a distance of 277.96 feet to a point on the western right-of-way for the eastern corridor for the Union Pacific Railroad, said right of way being parallel to and offset 25-feet westerly from the centerline of the eastern corridor of said Union Pacific Railroad; thence along said western right-of-way for the eastern corridor for the Union Pacific Railroad *S 18°04'49" E* a distance of 579.71 feet to a point on the 2-3 line of said MS 5712 Peru Lode; thence along said 2-3 line of MS 5712 Peru Lode *S 77°36'39" W* a distance of 55.73 feet to the point of beginning. Tract H containing 0.37 acres more or less.

Parcel 2: Gillman Property (Battle South)

A parcel of land located in Sections 12 and 13, Township 6 South, Range 81 West of the Sixth Principal Meridian, Eagle County, Colorado.

Beginning at a point on the 3-4 line of the Coolidge Lode (MS #20293); also being the 1-2 line of the Cave Lode (MS #20293); and the western boundary of the U.S. Highway 24 right-of-way as described in the Boundary Agreement recorded July 27, 2018 in the Eagle County Clerk and Recorder's office at reception number 201812787, whence the South Quarter Corner of Section 36, Township 5 South, Range 81 West of the 6th P.M., being a 2-1/2 inch GLO Brass Cap found in place bears N 08°25'46" W a distance of 9988.76 feet; and from whence the Southwest corner of said Section 36, being a 2-1/2 inch GLO Brass Cap found in place bears S 89°58'35" W a distance of 2694.09 feet; thence along said right-of-way the following twenty-three (23) courses:

1. S 22°20'58" E a distance of 265.88 feet;
2. S 47°00'56" E a distance of 294.43 feet;
3. S 12°36'07" E a distance of 369.21 feet;
4. S 08°55'00" W a distance of 424.02 feet;
5. S 12°06'21" E a distance of 306.40 feet;
6. S 64°26'53" E a distance of 317.25 feet;
7. N 75°03'03" E a distance of 289.94 feet;
8. N 48°44'48" E a distance of 372.35 feet;
9. N 61°36'41" E a distance of 850.71 feet;
10. S 64°09'19" E a distance of 292.05 feet;
11. S 17°39'35" W a distance of 626.41 feet;
12. S 04°01'16" E a distance of 527.58 feet;
13. S 20°35'11" W a distance of 385.25 feet;
14. S 20°57'40" W a distance of 406.86 feet;
15. S 17°58'17" W a distance of 105.50 feet;
16. S 11°28'50" W a distance of 152.15 feet;
17. S 03°47'09" E a distance of 171.58 feet;
18. S 04°41'56" E a distance of 351.99 feet;
19. S 44°03'55" E a distance of 480.77 feet;
20. S 78°00'57" E a distance of 496.76 feet;
21. S 50°06'29" E a distance of 205.43 feet;
22. S 12°46'19" W a distance of 522.84 feet;
23. S 04°14'48" W a distance of 80.72 feet;

To the intersection of said right-of-way and the 2-3 line of the Mamie Lode (MS #781); thence departing said point S 89°53'50" W a distance of 235.86 feet; thence continuing the following seventeen (17) courses:

1. N 29°13'18" E a distance of 293.41 feet;
2. N 04°18'55" E a distance of 427.87 feet;
3. N 79°06'52" W a distance of 796.21 feet;
4. N 04°21'10" W a distance of 361.84 feet;
5. S 67°13'01" W a distance of 626.85 feet;
6. S 81°30'30" W a distance of 569.84 feet;
7. S 69°30'35" W a distance of 702.54 feet;
8. N 20°25'12" W a distance of 200.64 feet;

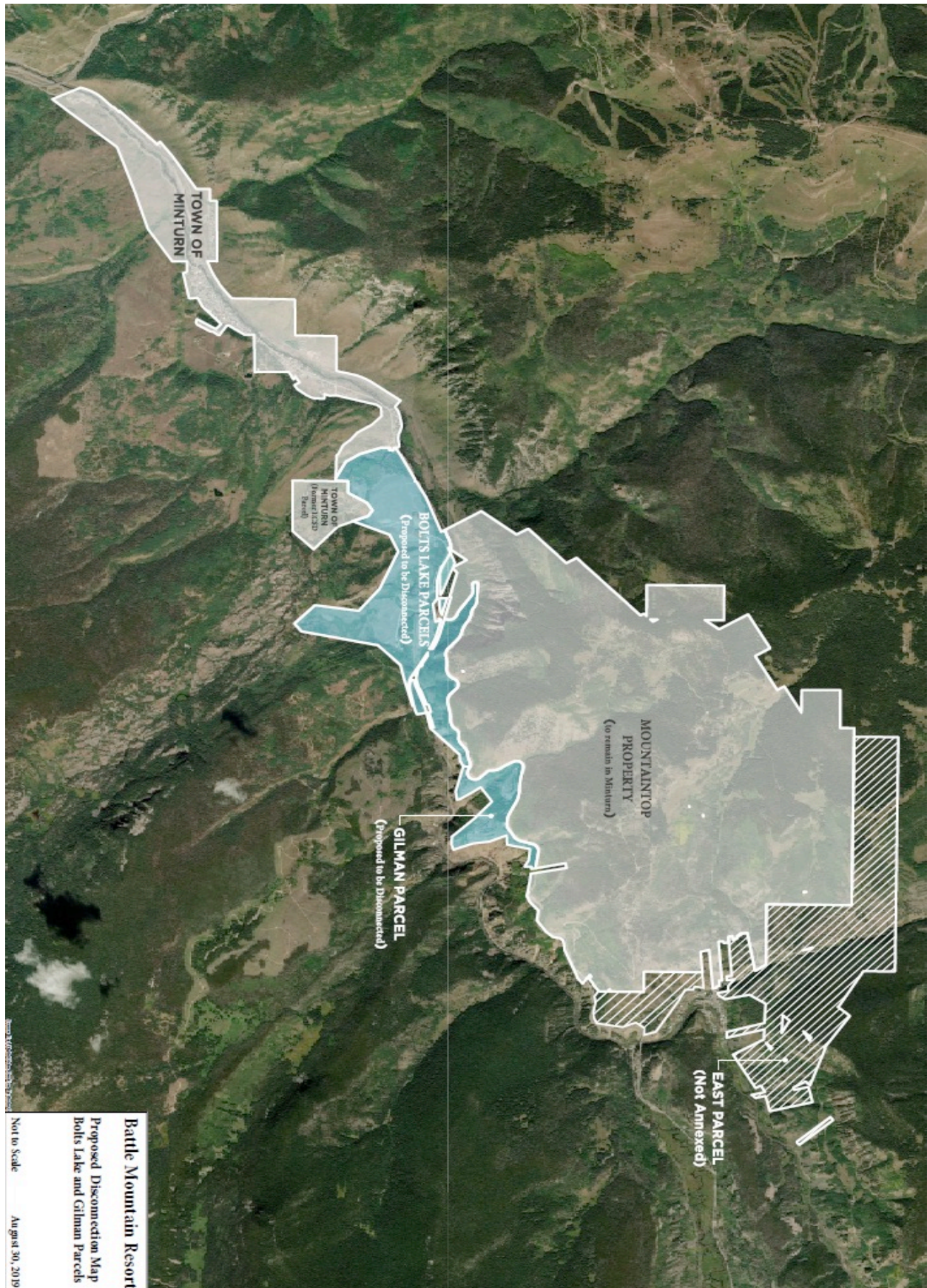
9. N 00°06'47" E a distance of 307.43 feet;
10. N 46°57'32" E a distance of 1044.73 feet;
11. N 42°03'38" E a distance of 889.41 feet;
12. N 35°31'47" W a distance of 675.33 feet;
13. S 54°00'31" W a distance of 975.90 feet;
14. N 08°51'48" W a distance of 394.02 feet;
15. N 14°09'10" E a distance of 1014.80 feet;
16. N 28°42'12" W a distance of 241.37 feet;
17. N 03°03'58" W a distance of 239.97 feet;

To corner No. 2 of the Coolidge Lode (MS #20293); thence along the 2-3 line of the said Coolidge Lode N 45°07'27" W a distance of 712.37 feet to Corner No. 3 of said Coolidge Lode also being Corner No. 2 of the Cave Lode (MS #20293); thence along the 3-4 line of said Coolidge Lode also being the 1-2 line of said Cave Lode N 77°36'39" E a distance of 363.34 feet to the Point of Beginning.

Said parcel containing 100.159 acres more or less.

EXHIBIT B

Graphic Depiction of the Battle Mountain Property



Glenwood Springs – Main Office

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

Aspen

323 W. Main Street
Suite 301
Aspen, CO 81611

Montrose

1544 Oxbow Drive
Suite 224
Montrose, CO 81402

Office: 970.945.2261

Fax: 970.945.7336

[*Direct Mail to Glenwood Springs](#)

DATE: January 10, 2020
TO: Minturn Mayor and Council
FROM: Karp Neu Hanlon, P.C.
RE: Repealing Open Container Prohibition

Ordinance No. 1, Series 2020 will remove from the Code the offense of publicly possessing an open container of alcohol in Town. Instead that code provision will make it an offense to remove an open container of alcohol from a premises licensed to serve alcohol. Absent the establishment of an Entertainment District, it is already prohibited in the state liquor code to permit removal of an open container from a premises licensed to serve alcohol, so this will ensure that there is an accompanying incentive for individuals to follow that law.

After further review of Article 10, we discovered that what appears to have been intended as an exemption to the open container prohibition within Little Beach Park, actually operated as an exemption from most of the Town's liquor laws. Because open containers will be permitted throughout the Town, we have removed the Little Beach Park exemption in its entirety.

Additionally, the reference to the state liquor code was updated because it was moved to Title 44, C.R.S. in 2018.

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 01 – SERIES 2020**

**AN ORDINANCE OF THE TOWN OF MINTURN,
COLORADO AMENDING CHAPTER 10, ARTICLE 10 OF
THE MINTURN MUNICIPAL CODE TO REMOVE THE
OFFENSE OF PUBLIC POSSESSION OF OPEN
CONTAINERS OF ALCOHOL WITHIN THE TOWN AND
CONFORM THE CODE THEREWITH.**

WHEREAS, the Town of Minturn (“Town”) is a legal and political subdivision of the State of Colorado for which the Minturn Town Council (“Town Council”) is authorized to act; and

WHEREAS, Chapter 10 of the Minturn Municipal Code (the “Code”) provides for certain offenses, currently including a prohibition on open containers of alcohol in public; and

WHEREAS, the Minturn Town Council finds and believes that it is necessary and proper to amend the Minturn Town Code to remove the prohibition on open containers of alcohol in public within the Town and adopt other amendments necessary to conform therewith.

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

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

SECTION 2. Article 10, Chapter 10 of the Minturn Municipal Code is hereby amended to add a new section that reads as follows, with additions shown in double underlined text. Sections of Chapter 10 which are not expressly described in this Ordinance are deemed to continue to be in full effect without change.

ARTICLE 10 - Alcoholic Beverages

* * *

Sec. 10-10-20. – Removal of Open container from licensed premises.

It is unlawful for any person to ~~possess~~ remove from a premises licensed to serve alcohol an open container of beer, vinous or spirituous liquor obtained therein ~~in any open container in any public place within the Town~~, provided that:

- ~~(1) — It shall not be unlawful for any person to have in his or her possession or under his or her control one (1) opened container of vinous liquor removed from a licensed premises pursuant to Section 12-47-411(3.5)44-3-423, C.R.S.~~
- ~~(2) — It shall not be unlawful for any person to consume any malt, vinous or spirituous liquor in any such location when a special events permit has been issued pursuant to Article 48, Title 12, C.R.S.~~

Sec. 10-10-30. - Alcoholic beverages; unlawful acts.

- (a) It is an offense for any person:
- (1) To sell, serve, give away, dispose of, exchange or deliver or permit the sale, serving, giving or procuring of any alcoholic beverage to or for any person under the age of twenty-one (21) years, to a visibly intoxicated person or to a known habitual drunkard;
 - (2) To obtain or attempt to obtain any alcoholic beverage by misrepresentation of age or by any other method in any place where alcoholic beverages are sold when such person is under twenty-one (21) years of age;
 - (3) To have in his or her possession any alcoholic beverage in any store, in any public place, including public streets, alleys, roads or highways, or upon property owned by the State, the Town or any subdivisions thereof, or inside vehicles while upon public streets, alleys, roads or highways when such person is under twenty-one (21) years of age;
 - (4) To knowingly, or under conditions which an average parent or guardian should have knowledge of, suffer or permit any person under twenty-one (21) years of age, of whom he or she may be a parent or guardian, to violate any provisions of this Article;
 - (5) To buy any alcoholic beverage from any person not licensed to sell at retail;
 - (6) To manufacture, sell or possess for sale any alcoholic beverage without holding a valid liquor license;
 - (7) To consume any alcoholic beverage in any public place except on any licensed premises permitted to sell such alcoholic beverages;
 - (8) To provide premises, or any portion thereof, together with soft drinks or other mix, ice, glasses or containers at a direct or indirect cost or charge to any person who brings alcoholic beverages upon such premises for the purpose of consuming such alcoholic beverages on said premises, without holding a valid liquor license; or
 - (9) Under twenty-one (21) years of age to possess or consume ethyl alcohol anywhere in the Town. Illegal possession or consumption of ethyl alcohol by an underage person is a strict liability offense.
- (b) It shall be an affirmative defense to the offense described in Paragraph (a)(9) above that the ethyl alcohol was possessed or consumed by a person under the age of twenty-one (21) years under the following circumstances:
- (1) While such person was legally upon private property with the knowledge and consent of the owner or legal possessor of such private property and the ethyl alcohol was possessed or consumed with the consent of his or her parent or legal guardian who was present during such possession or consumption; or

- (2) When the existence of ethyl alcohol in a person's body was due solely to the ingestion of a confectionery which contained ethyl alcohol within limits prescribed by Section 25-5-410(1)(i)(II), C.R.S.; or the ingestion of any substance which was manufactured, designed or intended primarily for a purpose other than human oral ingestion or the ingestion of any substance which was manufactured, designed or intended solely for medicinal or hygienic purpose; or solely from the ingestion of a beverage which contained less than one-half of one percent (.5%) of ethyl alcohol by weight.
- (c) The possession or consumption of ethyl alcohol shall not constitute a violation of this Section if such possession or consumption takes place for religious purposes protected by the first amendment to the United States Constitution.
- ~~(d) The following property owned or managed by the Town is excluded from the coverage of this Section during the hours of 8:00 a.m. to 10:00 p.m.: Little Beach Park and Amphitheater, but if a special event permit for the sale of liquor or fermented malt beverages has been issued for all or a portion of such property pursuant to Title 12, Article 48, C.R.S. (Section 12-48-101, et seq., C.R.S.), then no person shall take or consume any malt, vinous or spirituous liquor or fermented malt beverage onto or in the area designated in such permit except in accordance with such permit if a sign has been posted giving notice of the time and location of the area so restricted.~~
- ~~(e)~~(d) Prima facie evidence of a violation of Paragraph (a)(9) above shall consist of:
- (1) Evidence that the defendant was under the age of twenty-one (21) years and possessed or consumed ethyl alcohol; or
 - (2) Evidence that the defendant was under the age of twenty-one (21) years and manifested any of the characteristics commonly associated with ethyl alcohol intoxication or impairment.
- ~~(f)~~(e) During any trial for a violation of Paragraph (a)(9) above, any bottle, can or any other container with labeling indicating the contents of such bottle, can or container shall be admissible into evidence, and the information contained on any label or such bottle, can or other container shall be admissible into evidence and shall not constitute hearsay. A jury or judge, whichever is appropriate, may consider the information upon such label in determining whether the contents of the bottle, can or other container were composed in whole or in part of ethyl alcohol. A label which identifies the contents of any bottle, can or other container as "beer," "ale," "malt beverage," "fermented malt beverage," "malt liquor," "wine," "champagne," "whiskey," "whisky," "gin," "vodka," "tequila," "schnapps," "brandy," "cognac," "liqueur," "cordial," "alcohol" or "liquor" shall constitute prima facie evidence that the contents of the bottle, can or other container were composed in whole or in part of ethyl alcohol.
- ~~(g)~~(f) The qualitative result of an alcohol test shall be admissible at the trial of any person charged with a violation of Paragraph (a)(9) above upon a showing that the device used to

conduct such test has been approved as accurate in detecting alcohol by the Executive Director of the Department of Public Health and Environment.

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 15th DAY OF JANUARY, 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 5th DAY OF FEBRUARY, 2020 AT 6:30p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

John Widerman IV, 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 5TH DAY OF FEBRUARY, 2020.

TOWN OF MINTURN, COLORADO

John Widerman IV, Mayor

ATTEST:

By:_____
Jay Brunvand, Town Clerk



To: Mayor and Council

From: Jay Brunvand

Date: January 15, 2020

Agenda Item: Resolution 04 – Series 2020

REQUEST:

Council is asked to approve Resolution 04 – Series 2020

INTRODUCTION:

For over 20 years the Town has used the same Municipal Judge and in my tenure we have not reappointed the position. Town Charter Article 6.1 states this position should be appointed for a two-year term.

ANALYSIS:

After Staff and Staff/Council discussion direction was given to proceed with a Request for Proposal process utilizing a small committee to assist in the design of the RFP and the process in general. The Committee has reviewed the RFP and is requesting Council to approve the RFP and the proposed process. An emphasis in the RFP is for the enforcement of the Minturn code.

COMMUNITY INPUT:

Not Applicable

BUDGET / STAFF IMPACT:

The annual budget includes appropriation for Municipal Court costs including the judgeship costs. At this point Staff feels the approved budget is sufficient to cover any expenses.

STRATEGIC PLAN ALIGNMENT:

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

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to approve Resolution 04 – Series 2020 authorizing the Minturn Staff to proceed with a request for Judicial services as presented.

- Resolution 04 – Series 2020

ATTACHMENTS:

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 04 – SERIES 2020**

**A RESOLUTION AUTHORIZING THE MINTURN STAFF
TO PROCEED WITH A REQUEST FOR PROPOSAL FOR
JUDICIAL SERVICES IN THE MINTURN MUNICIPAL
COURT**

WHEREAS, the Town Charter Article 6.1 sets forth the need and function of the Minturn Municipal Judge, and;

WHEREAS, the Minturn Town Council directed the creation of a committee to obtain a Request for Proposal to solicit qualified candidates for the position of a Municipal Judge, and;

WHEREAS, the aforementioned committee has created a Request for Proposal procedure and desires the Minturn Town Council to confirm the process.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF
THE TOWN OF MINTURN, COLORADO THAT TOWN COUNCIL HEREBY
APPROVES THE REQUEST FOR PROPOSAL FOR A MUNICIPAL JUDGE AS
PRESENTED IN THE ATTACHED REQUEST FOR PROPOSAL AND DIRECTS THE
MINTURN STAFF TO PROCEED AS LAIDFORTH.**

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 15TH
day of JANUARY, 2020.

TOWN OF MINTURN

By: _____
Mayor

ATTEST:

Town Clerk



**REQUEST FOR PROPOSAL
FOR
MUNICIPAL COURT PRESIDING JUDGE**

Date of Issue: January 2, 2020

Proposal Closing Date and Time: January 31, 2020 5:00 p.m.

Proposal to be received by the Deputy Clerk prior to closing date and time above.

RETURN TO:

Town of Minturn
Cindy Krieg, Deputy Clerk
302 Pine St.
PO Box 309
Minturn, CO 81645

courtclerk@minturn.org

THIS REQUEST FOR PROPOSAL (“RFP”) IS NOT A COMPETITIVE BID BASED ON PRICE ONLY. The request for proposal allows the Town of Minturn, Colorado (the “Town”) to select the service provider that best meets the needs of the Town, taking into consideration proposer qualifications, price, products, and service capabilities and other factors relevant to the Town’s policies, programs, administrative resources, and budget.

This RFP is not an offer to contract. Issuance of this RFP and the receipt of responses by the Town do not commit the Town to award a contract to any bidder.

Town of Minturn
302 Pine St / PO Box 309
Minturn, CO 81645
Phone 970-827-5645

PROPOSER'S CERTIFICATION
and
SIGNATURE PAGE

Note: Return this page with your proposal.

The undersigned, hereby certifies that the proposer (please initial the two lines below):

_____ is familiar with all instructions, terms and conditions, and specifications stated in this RFP;

_____ is qualified to perform the work and services outlined in this RFP; and

Signature

Printed Name

Street Address

City, State, Zip Code

Phone Number

Email Address

Please complete the following information:

If so, would you like to explain? _____

If yes, give date(s) and position held. _____

Date of Birth: _____ Social Security #: _____

Signature: _____ Date: _____

REQUEST FOR PROPOSAL

The Town of Minturn is seeking a qualified Colorado licensed attorney / judge to serve as the Presiding Judge of the Minturn Municipal Court. The Town is requesting sealed proposals from qualified proposers for an initial two-year term of appointment and contract to start March 1, 2020, subject to future optional renewal terms upon mutual agreement of the Town and the to-be-appointed Municipal Judge.

Proposals are to be addressed and delivered to the Deputy Clerk for the Town of Minturn, in accordance with the Instructions to Proposers and all other requirements as referenced in this RFP. Proposals will be received until the Proposal Closing Date and Time set forth on the cover page of this RFP, at which time a representative of the Town will publicly announce the names of those firms or individuals submitting proposals. No other public disclosure will be made if and until award of contract.

Town Council will conduct interviews on a date and time to be decided.

TOWN OF MINTURN

/s/ Cindy Krieg
Deputy Clerk / Court Clerk

INSTRUCTIONS TO PROPOSERS

1. Proposers responding to this RFP must submit their proposals in the format specified in this solicitation.
2. A copy of the proposal is to be **received** by the Deputy Clerk, on or prior to **January 31, 5:00 p.m.**.
 - Electronic copies will be accepted and may be submitted to: courtclerk@minturn.org.
 - Paper copies may be mailed or delivered to:
Town of Minturn
Attn: Deputy Clerk
302 Pine St / PO Box 309
Minturn, CO 81645
3. Any proposer may withdraw his / her proposal at any time prior to the RFP closing date and time.
4. The content of all proposals must conform to the following:
 - Proposers must respond to the questions in the order presented in this RFP.
 - Proposers may provide additional supporting documentation pertinent to clarification of the proposal.
5. The following information must be included with your proposal in this order and be indexed/tabbed:
 - Proposer's Certification and Signature Page
 - Required Responses as set forth in the Scope of Work to this RFP
6. All changes in the RFP documents shall be through written addendum and furnished to all proposers.
7. Proposers who have questions concerning the submission of proposals or the RFP process must contact:
Cindy Krieg
Deputy Clerk / Court Clerk
Town of Minturn
Telephone: (970) 827-5645 x5
E-Mail: courtclerk@minturn.org

Proposers who have questions concerning the specifications or scope of work, must contact:
Michelle Metteer
Town Manager
Town of Minturn
Telephone: (970) 827-5645 x8
E-Mail: manager@minturn.org

8. The proposals will be reviewed by Town Council. Council may request additional information from proposers or request personal interviews with one or more proposer. The weight to be given to each evaluation criterion will be as determined by the Town Council. Final evaluation and selection may be based on, but not limited to, any or all of the following:
 - Information presented in the proposal.
 - Service reliability and consistency of quality.
 - Qualifications and experience of the proposer.
 - References.
 - Personal interview.
 - Pricing / total cost.
10. All proposals timely submitted shall become the property of the Town and shall be retained in accordance with the Town's records retention schedule.
11. Public Inspections of Proposals. The Town is a Colorado governmental entity. Therefore, all information included in proposals and other written information submitted by the proposer to the Town is subject to the provisions of the Colorado Open Records Act, Colorado Revised Statutes Sections 24-72-201, *et seq.* ("CORA"). Proposers should expect that the proposal may be viewed by the general public and competitors once submitted to the Town. Under CORA, trade secrets, privileged information, and/or confidential commercial, financial, geological or geophysical data may not be subject to disclosure under CORA ("Confidential Information").
12. No Waiver of Governmental Immunity. Nothing in this RFP or any resulting agreement shall be construed to waive, limit, or otherwise modify any governmental immunity that may be available by law to the Town, its officials, employees, contractors, or agents, or any other person acting on behalf of the Town and, in particular, governmental immunity afforded or available pursuant to the Colorado Governmental Immunity Act, Title 24, Article 10 of the Colorado Revised Statutes.

TERMS & CONDITIONS

1. All participating proposers, by signature, agree to comply with all the terms, conditions, requirements, and instructions of this RFP as stated in this RFP. Should the Town omit anything from this document which is necessary to a clear understanding of the work, or should it appear that various instructions are in conflict, the proposer shall contact the Deputy Clerk and secure written instructions at least 48 hours prior to the time and date of the closing of acceptance of the proposals.
2. The Town reserves the right to:
 - Reject any and all proposals received as a result of this RFP.
 - Waive or decline to waive any irregularities in any proposal or responses received.
 - Adopt all or any part of the proposer's proposal.
 - Negotiate changes in the scope of work or services to be provided.
 - Withhold the appointment/award of contract.
 - Select the proposer it deems to be most qualified to fulfill the needs of the Town. The proposer with the lowest priced proposal will not necessarily be the one most qualified, since several factors other than price are important in the determination of the most acceptable proposal.
3. Any individual submitting a signed proposal shall be deemed to have read and understood all the terms, conditions and requirements of this RFP.
4. The Town shall not be liable for any costs incurred by the proposer in the preparation and production of the proposal, contract negotiations or for any work performed prior to the execution of a contract.
5. All proposals and other materials submitted shall become the property of the Town.
6. The successful proposer shall be required to enter into a written contract with the Town in a form approved by the Town Attorney's Office. In the event of any conflict between this RFP and the contract, the terms and conditions of the contract shall control.
7. The Town reserves the right to conduct discussions with proposers, to accept revisions of proposals, and to negotiate price changes. During this discussion period, the Town will not disclose any information regarding proposal submittals. Upon the execution of the contract(s), the proposals will become public record and contents may be disclosed upon request.
8. The successful proposer shall have their insurance company send the Deputy Clerk a currently in-force Certificate of Insurance which indicates that insurance coverage has been obtained, including professional liability, which meets the minimum requirements as may be set forth in the written contract with the Town.
9. The successful proposer shall comply with all applicable federal, state, and local laws, regulations, administrative rulings, and codes, and shall secure all necessary licenses and permits in connection with this RFP and any goods or services to be provided hereunder.
10. By submission of the proposal, the proposer certifies that the proposal has been arrived at independently and submitted without collusion with any other proposer, and that the contents of the proposal have not been communicated by the proposer, or to the proposer's best knowledge and belief, by any one of its employees or agents, to any person not an employee or agent of the proposer, and will not be communicated to any person prior to the official opening of the proposals.
11. The Town reserves the right to solicit or recruit any municipalities, attorney(s) or legal firms directly to request qualifications.

SCOPE OF WORK

The term of the currently appointed Presiding Municipal Judge is set to expire on February 29, 2020. In accordance with the City's procurement policies, this RFP seeks proposals to fill the role of Presiding Municipal Judge for an initial two-year term commencing March 1, 2020, such appointment to be memorialized by an agreement between the appointed Presiding Municipal Judge and the Town. Re-appointment for additional two-year term(s) will be subject to evaluation by the Town Council.

The Town of Minturn is a home rule municipality that operates a municipal court of record that hears and determines cases arising under the Town's Charter and ordinances. The Presiding Municipal Judge must be a currently licensed Colorado attorney, preferably with experience on the bench in a Colorado municipal court of record.

The Town Council appoints the Presiding Municipal Judge by resolution for an initial term of not less than two years in accordance with state law and the Town's ordinances. The Presiding Municipal Judge and is an independent contractor to the Town.

Law enforcement services for the Town are provided by the Eagle County Sheriff's Office. Prosecution services are provided by contractor under agreement with the Town. The Municipal Court handles all municipal violations, including traffic and parking violations, animal control violations and nuisance and building code violations. The Municipal Court does not handle any domestic violence or felony cases.

The Municipal Court is staffed by a court administrator and staff during all regular Town Hall business hours. The Municipal Court currently convenes once per month – the third Monday of each month, at 2pm (except on holidays or other conflicts when court is rescheduled to the second or fourth Monday).

The Average monthly hours of time for the court (in session for arraignments and trials) have been approximately **2 hours/month** over the past year.

Qualifications and Work: The ideal candidate understands that the Court is the face of the Town for many and will undertake the role with a desire to facilitate the Town's goals of fostering compliance with applicable laws balanced with the need to ensure that court attendees are comfortable that justice was fairly served. A candidate that demonstrates impeccable character, integrity, reputation, judgment, experience and efficiency is preferred. Involvement in local and statewide municipal court committees is preferred.

The appointed Presiding Municipal Judge is expected to attend all regular court sessions, or to indicate in the proposal the number of sessions annually that he/she will not be in attendance. Presiding Municipal Judge services include, but are not limited to:

- Reliably attending all court dates for arraignment and trials.
- Coordinating with the administrator of the municipal court appointed by the Town Manager, whose responsibilities include oversight of court staff and of all operational aspects of the municipal court, including establishing the necessary standards and procedures for the operation of the court and appointment of a staff member to serve as the daily court clerk when court is in session.
- Remaining abreast of changes in the law that affect the operations of the municipal court and training court staff as appropriate.
- Adhering to the Town's Strategic Values: Collaborative, Intentional, Service-Oriented and Innovative, in setting the tone for how defendants, victims and staff are treated by the Municipal Judge and court staff.
- Conducting arraignments, trials, hearings, sentencings and case dispositions.
- Issuing written and/or oral findings and judgments when necessary.
- Managing the courtroom when in session to ensure efficiency, orderliness and justice.
- Enforcing the ordinances of the Town as adopted by the Town Council.
- Explaining the laws and legal system to defendants and ensuring that all defendants understand their rights and, if applicable, knowingly waive their rights.
- Evaluating evidence, testimony, and legal pleadings.
- Interpreting and applying appropriate ordinances, municipal code provisions and/or regulations.
- Imposing fines and penalties as prescribed by the municipal code or ordinances.
- Assessing and overseeing collection of penalties with court staff.
- Ordering and enforcing contempt, failure to appear, abatement of nuisance, and other requirements of the municipal code or ordinances.
- Issuing decisions related to abatement hearings on nuisance, zoning and building code violations.
- Being on-call to review arrest and or search warrant affidavits.
- Issuing inspection orders and search warrants and enforcing municipal subpoenas in accordance with applicable laws.
- Administering oaths of office.

REQUIRED RESPONSES

Proposals should address the following issues/questions in the order presented:

1. Proposer's Certification and Signature Page.
2. Town of Minturn Consent to Background Check.
3. A copy of proposer's current resume that describes at a minimum how you meet the following required or desired qualifications:
 - Attorney at law admitted (active) to practice in Colorado.
 - Experience on the bench in a Colorado municipal court of record.
4. Describe your ability, capacity, and skill as a judge and ability to provide the services as outlined in the Scope of Work.
5. Describe how you and others with whom you have worked view your reliability, character, integrity, reputation, judgment, experience, and efficiency.
6. Describe any municipal court judgments that you have issued that were subject to an appeal and the outcome of such appeal(s).
7. Describe how you will keep abreast of current legislation and obtain ongoing education and training in order to remain current on all matters relating to municipal courts and municipal judges and provide training and guidance to the City on compliance. Also describe how, if any, you will charge the Town for these efforts.
8. Describe your ability to interact with Town staff, defendants, witnesses and attorneys in a professional, congenial manner.
9. Describe how you envision the working relationship of the judge and the court staff and what your expectations are of the court staff as the Presiding Municipal Judge if selected.
10. Describe your ability to meet the time requirements of being in attendance on the bench by describing your existing workload and any time conflicts in meeting the current docket schedule of the Town. Describe whether your current workload fluctuates in any manner that would make your attendance during scheduled court sessions difficult.
11. Describe your availability and adaptability of services to meet the needs of the Town.
12. Describe any conflicts of interest you may have with the Town.
13. Provide a list of references with whom you have worked in the past five (5) years. If you have provided municipal court judge services to municipal or government clients in the recent past, please submit municipal or government client references as well. References from court staff and city or town attorneys for municipalities for which you have provided services are favored.
14. Describe any involvement in local and statewide municipal court committees.
15. Describe how you will remain available and be reachable for those (rare) circumstances when review of an arrest or search warrant affidavit and issuance of any warrant are needed.
16. Cost Proposal. Provide detail on billing structure and rates. If you are open to alternative compensation arrangements, please provide detail of acceptable alternatives.



To: Mayor and Council
From: Michelle Metteer
Date: January 15, 2020
Agenda Item: 2020 Community Survey Discussion

REQUEST:

Review draft 2020 Community Survey questions and come ready to provide recommendations /feedback.

INTRODUCTION:

During the creation of the 2018-2020 Minturn Strategic Plan, Council determined the importance of specifically making data-based decisions. Data comes in many forms, but few are more important than compiled data from the public.

ANALYSIS:

Most of the questions from the 2019 Community survey will remain the same for benchmarking purposes. Some questions can be eliminated altogether, and we expect to add new questions as needed. Open-ended questions become extremely difficult to quantify and thus should be limited (but we expect there may be a few).

Anticipated 2020 Community Survey schedule: Jan 15-Feb 10 work on draft survey; Feb 11-go live; March 3-close survey; Mar 4-Mar 31 analyze results; April 1-present to Council.

COMMUNITY INPUT:

Significant – The entire basis of this exercise is for the obtaining of community input.

BUDGET / STAFF IMPACT:

Minimal to Moderate

STRATEGIC PLAN ALIGNMENT:

Making data-based decisions aligns with Minturn's strategic plan in the following ways:

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.

RECOMMENDED ACTION OR PROPOSED MOTION:

Provide feedback and direction in preparation for the 2020 Community Survey

ATTACHMENTS:

- Draft 2020 Community Survey

2020 Town of Minturn Community Survey

Intercept Insight, LLC

INTRODUCTION

Thank you for agreeing to participate in our survey, we greatly value your feedback. All of your responses will be kept confidential and will only be used to help enhance the Town of Minturn in the future. No sales efforts will be made in response to your participation. Please answer each question as truthfully as possible.

This survey will take about 10 minutes to complete. When you finish the questions on each page, please press the "NEXT" button located in the bottom, right corner.

Upon completion, you will have the opportunity to enter into a GRAND PRIZE DRAWING for: (1) SIX MONTH PASS to the MINTURN FITNESS CENTER!

Your friends at the Town of Minturn!

SCREENER

- 1) What is the zip code of your primary residence?
- 2) I consider myself a (please select all that apply)... [Multiple Response]
 - a. Full time resident of Minturn, within town limits
 - b. Full time resident of Minturn, outside of town limits
 - c. Second homeowner/property owner within Minturn's town limits
 - d. Business owner/operator in Minturn
 - e. Do not live in Minturn **TERMINATE**
 - f. Other (please specify)
- 3) How long have you lived and/or owned property in Minturn? [Resident/property owners only]
 - a. Less than one year
 - b. 1-2 years
 - c. 3-5 years
 - d. 6-10 years
 - e. 11-20 years
 - f. 21+ years
 - g. Do not live in Minturn **TERMINATE**
- 4) Which statements most accurately reflect the reason(s) you live in Minturn? Please select all that apply. [Resident/property owners only]
 - a. I was born here
 - b. To be with family
 - c. To be with friends
 - d. Employment opportunities
 - e. Recreational activities
 - f. Quality of life
 - g. Came here for a place to retire
 - h. Other (please specify)

5) Where do you see yourself living in the next 5-10 years? Please select all that apply. [Resident/property owners only]

- a. Minturn
- b. Elsewhere in Eagle County
- c. Relocate to warmer climate
- d. Relocate to lower elevation
- e. Relocate to a less expensive area
- f. Relocate closer to relatives
- g. Relocate closer to job
- h. Relocate for financial reasons
- i. Relocate for educational opportunities
- j. Relocate to an area with more amenities

6) What do you enjoy MOST about Minturn? Please check all that apply.

- a. Climate
- b. Winters
- c. Summers
- d. Recreational amenities
- e. Scenery
- f. Small town atmosphere
- g. Employment opportunities
- h. Proximity to Denver
- i. Friendliness
- j. More affordable than other mountain communities
- k. Quality of life
- l. Other (please specify)

PERFORMANCE

7) Please let the Minturn Town Council know how **IMPORTANT** the following issues are to you (1 - Not at all Important and 5 - Extremely Important)

- a. Economic development
- b. Workforce housing
- c. Recreational programs and events
- d. Parking
- e. Environmental sustainability
- f. Senior housing
- g. Long-term care facility
- h. Affordable childcare
- i. Arts & cultural amenities
- j. Recreational amenities (parks/trails/facilities)
- k. Sense of community
- l. Traffic speed
- m. Traffic congestion
- n. Public transit services (within town)
- o. Wildfire mitigation
- p. Appearance of town
- q. Shopping opportunities
- r. Emergency preparedness
- s. Police Patrol/Public safety

8) Please let the Minturn Town Council know how **SATISFIED** you are today with the following (1 - Not at all Satisfied and 5 - Extremely Satisfied)

- a. Economic development
- b. Workforce housing
- c. Recreational programs and events
- d. Parking
- e. Environmental sustainability
- f. Senior housing

- g. Long-term care facility
- h. Affordable childcare
- i. Arts & cultural amenities
- j. Recreational amenities (parks/trails/facilities)
- k. Sense of community
- l. Traffic speed
- m. Traffic congestion
- n. Public transit services (within town)
- o. Wildfire mitigation
- p. Appearance of town
- q. Shopping opportunities
- r. Emergency preparedness
- s. Police Patrol/Public safety

9) In general, how satisfied are you with how the Town of Minturn government operates? (1 - Not at all Satisfied and 5 – Extremely Satisfied)

10) How safe do you feel in your neighborhood? (1 - Not at all Safe and 5 – Extremely Safe)

11) How well do each of the following statements represent how you feel about Minturn? (how will folks answer this question?)

- a. Minturn residents and I value the same things
- b. I am aware of the current issues the town leaders are facing
- c. It is very important to me to be a part of the Minturn community
- d. If there is a problem in this community, residents can get it solved
- e. Other (please specify)

12) Does Minturn have enough recreational opportunities?

- a. Yes
- b. No

13) What additional recreational activities would you like the Town of Minturn to offer in the future?

- a. Ice Rink
- b. Sledding Hill
- c. Mountain Bike Park
- d. Skate Park
- e. Other (please specify)

14) In general, do you think Minturn is headed in the right direction, or the wrong direction?

- a. Right direction (please explain)
- b. Wrong direction (please explain)
- c. Other (please specify)

COMMUNICATION

15) Which of the following do you rely on most frequently for community news and information? Please rank your top 3.

- a. Vail Daily
- b. Town website (Minturn.org)
- c. KZYR – The Zephyr
- d. Radio Free Minturn
- e. TV8/Outside TV
- f. Town brochures and box holder mailings
- g. Word of mouth
- h. Posters/flyers
- i. Town Newsletter
- j. Facebook
- k. Instagram
- l. Email blasts
- m. Other (please specify)

GROWTH/GOVERNANCE/IMPROVEMENTS

16) From a **community character/quality of life perspective**, please check the top 3 events which you feel have the greatest positive impact on the Minturn community.

- a. Barstool racing
- b. Minturn Market
- c. Blue Starlite Drive-in
- d. Independence Day
- e. Minturn Summer Concert Series
- f. Minturn Halloween
- g. Community Dinners
- h. Neighborhood Block Parties
- i. Town Cleanup Day
- j. Town Tree Lighting
- k. Christmas Tree Bonfire

17) Please rate the quality of service for the following functions/services of town government. Use a scale of 1-5, where 1=Very Poor, and 5=Very Good. If you have no experience with a function/service, please select NA.

- a. Snow removal
- b. Police services
- c. Water service
- d. Building permit process
- e. Business licensing
- f. Programs and events
- g. Public landscaping
- h. Planning Commission
- i. Town Council
- j. Communication with citizens
- k. Customer service (Town Staff)
- l. Paved pathways (quality, quantity, signage)
- m. Public Streets other than HWY 24 (condition and signage)
- n. Effective planning for the future
- o. Gathering feedback from residents on new policies or projects, conducting public process

18) We would like to get your opinion on how important it is for the Town of Minturn to fund the following PROJECTS over the next 5 to 10 years. Realizing that most of these projects would come at significant costs to the Town, we would also like to understand your willingness to pay for them (e.g. through increased fees and/or taxes). Rate 1=Not in Support to 5=Very Supportive & Willing to Pay.

- a. Maintenance of roads other than HWY 24
- b. Create more attainable housing for workers
- c. Expand paved sidewalks, pathways and bikeways throughout town
- d. Add arts & cultural amenities
- e. Expand recreational amenities (parks/trails)
- f. Expand recreational facilities
- g. Other (please specify)

*** Pull responses from last year for "other" project suggestions in this area, and add the most popular responses to the choices.

MINTURN FITNESS CENTER

19) When was the last time you utilized the Minturn Fitness Center?

- a. I utilize the MFC weekly
- b. Last month
- c. A couple of months ago
- d. Six months ago
- e. More than six months ago
- f. One year ago
- g. More than a year ago
- h. Never

20) Would you be more inclined to utilize the Minturn Fitness Center if they offered extended hours?

21) If yes, what hours would you be most likely to utilize the Fitness Center?

- a. 7-10pm
- b. After 10pm
- c. Prior to 6am
- d. 24 hours

*** These choices may need to be revised

22) What are some of the reason you choose not to utilize the Minturn Fitness Center currently? (Please select all that apply)

- a. I work out somewhere else
- b. I do not like going to a fitness center
- c. Cost/Value
- d. Not enough time in the day
- e. I do not know how to use the equipment
- f. The MFC does not have the type of equipment I like to use
- g. Hours of operation
- h. Other people working out
- i. Variety of classes
- j. Limited number of classes
- k. Timing / schedule of classes
- l. Other (please specify)

DEMOGRAPHICS

23) Are you a registered Minturn voter?

- a. Yes
- b. No

24) Do you own the home you currently live in?

- a. Yes
- b. No

25) Family status

- a. Single, no children **[GO TO Q36]**
- b. Single with children
- c. Single, children no longer at home **[GOTO Q36]**
- d. Couple, no children **[GOTO Q36]**
- e. Couple, with children
- f. Couple, children no longer at home **[GOTO Q36]**

26) Do you have children under the age of 18?

- a. Yes
- b. No **[GOTO Q36]**

27) How many children do you have under the age of 18?

- a. 1 Child
- b. 2 Children
- c. 3 Children
- d. 4 Children
- e. 5 Children
- f. More than 5 children **[GOTO Q36]**

28) What are the ages of your children under the age of 18?

- a. Child #1
- b. Child #2
- c. Child #3
- d. Child #4
- e. Child #5

29) Year Born (19XX): _____

30) Gender

- a. Male
- b. Female

31) Ethnicity:

- a. White/Caucasian
- b. Black/African American
- c. Hispanic
- d. Asian
- e. Pacifica Islander
- f. Bi-racial
- g. Other (please specify)

32) What is your employment status?

- a. Part time employed
- b. Full time employed
- c. Retired
- d. Looking for work
- e. Self employed
- f. Work more than one job
- g. Other (please specify)

33) If employed, in which community is your primary job located?

- a. Minturn
- b. Vail
- c. Avon
- d. Edwards
- e. Redcliff
- f. Leadville
- g. Eagle
- h. Other (please specify)
- i. Unemployed
- j. Retired

34) Do you have a second job?

- a. Yes
- b. No

35) Do you have a third job?

- a. Yes
- b. No

36) Please select the lifestyle categories which best represent you. (Please select all that apply)

- a. Sports Enthusiast (hiking, biking, skiing)
- b. Outdoor Enthusiast (camping, hunting, fishing)
- c. Traveler
- d. Health & Fitness
- e. Wine & Foodie
- f. Home Enthusiast (gardening, pet owner, avid reader)
- g. Arts & Culture (dance, music, theater)
- h. Hobbies & Interests (collector, crafts, home shop)
- i. Investment & Money
- j. Craft Beer Enthusiast
- k. Tech Enthusiast
- l. Music Festival Enthusiast

37) Please use this space to share any suggestions or recommendations you have regarding the community.

38) Would you like to be entered into the GRAND PRIZE DRAWING for: _____?

- a. Yes
- b. No

Thank you for participating in the 2020 Town of Minturn Community Survey! We appreciate your time and input.

END SURVEY

*** Need to add "water" questions

INTERCEPT INSIGHT
Research | Analytics | Performance | Design



MINTURN MONTHLY NEWSLETTER

January 2020



CHRISTMAS TREE PICKUP & BONFIRE

Christmas Tree Pick-Up & Bonfire

Friday, Jan 10th

5:30 - 7:00 p.m.

Location: Little Beach Park, upper parking lot, 800 Cemetery Rd, Minturn,



Come enjoy a small-town celebration to close out the holiday season. Visit with friends around a warm fire and enjoy free hot chocolate. Residents may leave their undecorated trees at the end of their driveway anytime between now and January 10th, for free pick-up by the Minturn Public Works Dept, or you can drop your tree off directly to the upper parking lot at Little Beach Park anytime within that same time frame.

Special thanks to the ERFPD and Minturn Public Works for making this event possible.

RECYCLING REMINDER

Reminder – Minturn Residents – Cardboard is not accepted in curbside recycling in Minturn, so please use the designated drop sites if you have cardboard to be recycled. Thank you!

JANUARY COMMUNITY DINNER



Community Dinners have returned and will be running through March 2020.

The **January Dinner** will be held on January 12th, and the theme this month is Italian. The main dish will be provided by the Minturn Community Fund and our Community Dinner volunteer committee. Guests should bring an appetizer, salad, side dish or dessert. The dinner will be held from 5:30 – 7pm at the Minturn Town Hall.

SNOWSKATE RAIL JAM RETURNS FEB 1ST

Join Hovland Snowskates and the Town of Minturn on Saturday, February 1st for The Snowskate Open Pro/Am Rail Jam.

Little Beach Park:

Registration begins at 2pm,
Contest starts at 4pm.

After party at 7pm at the Saloon.

Click [HERE](#) for more information.



WATER RATES INCREASING

The Town of Minturn has held multiple public meetings and received feedback from residents acknowledging the need for improvements to the Town's water infrastructure. Residential and commercial water rates will increase accordingly to address these infrastructure needs. The new rate structure allows for residents and businesses to have the most direct control of their bills (pay for what you use). Please contact Jay Brunvand, Town Clerk/Treasurer at the Town Hall or 970-827-5645 Ext 1 for any questions you may have. More information can be found [HERE](#).

MINTURN POSTERS FOR SALE

Beth Levine's poster depicting Minturn's historic structures is now for sale. Contact the Vail Valley Art Guild for more information. More information to follow soon.

ECONOMIC DEVELOPMENT

The Economic Development Advisory Committee (EDAC) meets quarterly to work toward achieving the goals outlined in Minturn's Economic Development Strategic Plan. Please consider attending EDAC's next meeting if you're interested in contributing to Minturn's economic growth. EDAC quarter one meeting is scheduled for January 28th, 5:30-7:30pm, upstairs at Minturn Town Hall.

UPDATED SNOW REMOVAL PLAN

The Town of Minturn would like to share the updated **2019 / 2020 Snow Removal Plan**. You can download the Plan [HERE](#). Physical printed copies are also available at Town Hall, and the document is also available on the Residents section of the Town website at www.minturn.org.

SNOW PLOWING & REMOVAL OPERATIONS

UTILIZING ON-SITE PARKING

The Town of Minturn would like to ask anyone with available on-site parking to utilize this option instead of parking on town streets. Parking on town streets slows down the efficiency of plowing and removal operations. We understand some properties may not have onsite parking available, but for those of you with onsite parking and garages available...please use these resources before parking on the street.

WINDROWS

Please be prepared, when the Minturn public works team plows the roads, a "snowline or windrow" is left behind. This snowline/windrow may be next to your driveway. This is a normal occurrence when plowing.

NOTICE OF ELECTION

TOWN OF MINTURN MUNICIPAL ELECTION **APRIL 7, 2020. CALL FOR NOMINATIONS**

- Three (3) Council positions for Four (4) year terms
- One (1) Council position for a Two (2) year term
- One (1) Mayor position for a Two (2) year term

Nomination Petitions are available at the town office from 8am - 5pm, Monday through Friday, starting **Tuesday, January 7, 2020**. Petitions must be turned in to the town office by **5pm, Monday, January 27, 2020**. For additional information and questions: Jay Brunvand, Town Clerk. 970-827-5645, x1, or treasurer@minturn.org.

SAVE THE DATE – BARSTOOL RACING RETURNS MARCH 7TH

The 5th Annual Barstool Races, presented by the Town of Minturn, will return on Saturday, March 7th. Registration will open on February 1st. For more information, Click [HERE](#). All proceeds benefit the Minturn Community Fund.



RESIDENT BUS PASS PROGRAM

We have a limited number of 10-ride bus passes available at no cost to Minturn residents. To be eligible, you must participate in an online survey at the end of the season. Passes (1 per person) may

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be picked up at Town Hall during regular business hours, and you must provide: Name, Phone, Email, Physical and Mailing Address. Please see Cindy Krieg to get your pass. Or for more info, 970-827-5645 x 5, events@minturn.org).

SCHOLARSHIP APPLICATIONS
With funding from Battle Mountain Development, The Town of Minturn is pleased to offer academic scholarships to qualifying residents on an annual basis.

The purpose of the Scholarship Fund is to award educational scholarships for the benefit of Minturn residents based on academic merit and other relevant criteria.

The deadline for submitting an application is Friday, March 31, 2020 at 5:00 pm. **APPLICATIONS SUBMITTED AFTER THE DEADLINE WILL NOT BE ACCEPTED.** Incomplete applications without all the requested documentation will void the application process for that applicant, so please have your application complete before submitting.

COMMUNITY SURVEY COMING SOON!



Our 2020 Online Community Survey will be available soon, and we need your input. Please look for the survey via email if you are on our current email list. If you are not on the list, you may still register online to receive e-news. Just visit www.minturn.org, and click on the Notify Me icon on the homepage.

For those not able to complete the survey electronically, we will have physical copies available at Town Hall for pickup. We will mail surveys only upon request.

PARKING LANE SNOW REMOVAL

Please remember to follow the Mon/Wed or Tues/Thurs no parking requirements. Public Works needs to get the snow removed from parking lanes and when cars are illegally parked it leaves large sections of the lane un-plowed. Town staff had been going door to door trying to find these parking violators so they don't get a ticket, however tickets have now started being issued and repeat violators will be towed at the owners' expense.

UNDERSTANDING YOUR WATER BILL

The Town of Minturn contracts with the Eagle River Water and Sanitation District (ERWSD) to send out and collect all of Minturn's water system billing. Although the bill comes from ERWSD, please remember if there is an issue with your water service call the Town of Minturn at 970-827-5645. If after working hours, please call Vail Dispatch, 970-479-2201 and you will be connected with the on-call Minturn public works staff.

GET YOUR MAIL!

Ever wonder which address to use when buying something online? Frustrated with items getting returned to sender? You may need to update your mailing address. Residents and businesses are now able to utilize one address for all purposes (physical and mailing). Talk to the postmaster about utilizing one mailing address. Get your mail!

MINTURN FITNESS CENTER
FREE MEMBERSHIP!

Minturn residents are eligible for a ONE MONTH FREE TRIAL. Free trials are available on a limited basis, and you must have a free trial pass card (which can be picked up at Town Hall). You must also register to use your free trial, with Kris Bowers at MFC. Kris works Monday through Thursday 8:30–2.

BUSINESS LICENSE RENEWALS

Business license renewal season is upon us! We would like to remind all Minturn based businesses (any business physically located within Minturn), that you are required to obtain and maintain a Minturn business license. The licenses are issued on an annual basis and are valid April 1st of the current year, through March 31st of the following year. Reminders will also be mailed, and you may obtain the business license (new or renewal) application by clicking [HERE](#) or in person at Town Hall during regular business hours. Please contact Cindy Krieg with any questions, at 970-827-5645, x5 or via email (events@minturn.org). Thank you!

JANUARY LED SWAP

Throughout the month of January, the Town of Minturn (in conjunction with the [Climate Action Collaborative](#)) is hosting another LED Swap. We had great success with the last Swap, so we'd decided to host another.



Stop by Town Hall during regular business hours to take advantage of the swap. Limit 2 bulbs per person, or 6 bulbs per household. We also have a limited number of Household Conservation Kits available, courtesy of [Xcel Energy's](#) Partners in Energy.

Replacing two LED bulbs saves \$16 per year on electric bills and cuts 230 pounds of air pollution. Switching to LED lighting is one of the easiest and lowest-cost ways to reduce air pollution!

FEATURED BUSINESS POSTINGS

Hosting a special event at your business? Please reach out to Cindy Krieg to get your announcement posted in an upcoming newsletter (space permitting). events@minturn.org, or 970-827-5645, x5.

Jay Brunvand
 Clerk/Treasurer
 301 Pine St #309 ♦ 302 Pine St
 Minturn, CO 81645
 970-827-5645 x1
treasurer@minturn.org
www.minturn.org



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

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

REGULAR TOWN COUNCIL MEETINGS	
January 15, 2020	
Ordinance No. 01 – Series 2020 (First Reading) an Ordinance approving an open container law within the Town of Minturn	
<u>Public Hearing/Action Item:</u> Ordinance 08 – Series 2019 (Second Reading) An Ordinance approving Disconnection of Real Property from the Town of Minturn – Battle Mountain Bolts Lake Property – Sawyer	
Resolution No. 01 – Series 2020 A Resolution setting A Resolution setting the official posting sites for the Town of Minturn – Brunvand	
Review of RFP for Municipal Judge	
Consent Agenda: Resolution No. 02 – Series 2020 Consideration of a Resolution approving the Mayor to sign a Building Inspection contract – Metteer	
February 5, 2020	
Presentation for ERWSD Capital Improvement Plan update	
Ordinance No. 01 – Series 2020 (Second Reading) an Ordinance approving an open container law within the Town of Minturn	
Liquor License – New Beer and Wine License application: Rocky Mountain Taco LLC, Chris McGinnis, owner/Manager 291 Main St	
February 19, 2020	
General Fund Capital Improvement Plan	
March 4, 2020	
March 18, 2020	