



AGENDA

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

Wednesday November 20, 2019

Work 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.

Work Session – 5:30pm

- Quarterly review of Council Goals – Metteer Pg 4

Regular Session – 6:30pm

Please remember to bring your FY2020 Budget Book

- 1. Call to Order**
 - Roll Call
 - Pledge of Allegiance
- 2. Public comments on items which are ON the consent agenda or are otherwise NOT on the agenda as a public hearing or action item. (5-minute time limit per person)**

3. Approval of Consent Agenda

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

- November 6, 2019 Minutes Pg 11
- Resolution 46 – Series 2019 Consideration of approving support of an Intergovernmental Agreement with the Colorado Dept of Transportation regarding the Transportation Alternatives Grant (TAP Grant) – Metteer Pg 21

4. Approval of Agenda

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

5. Special Presentations

- Council Comments/Committee Reports
- Action/Motion Item: Proclamation – Colorado Gives Day – Metteer Pg 24

6. Liquor Authority

- Vail Jazz Foundation Request for Special Event Permit Event Date December 1, 2019; Vail Mountain Coffee & Tea/Vail Jazz Foundation.; 23698 Hwy 24 Minturn; James Kenly, Vail Jazz Foundation – Brunvand Pg 25
- Eagle Valley Community Fund – Bindu Memorial Minturn Community Fund Request for Special Event Permit Event Date December 7, 2019; VSSA 1 Academy Loop Minturn; Nick Courtons – Brunvand Pg 34

PUBLIC HEARINGS AND/OR ACTION ITEMS

7. Public Hearing/Action Item: Ordinance 09 – Series 2019 (First Reading) An Ordinance Creating a Supplemental Appropriation to the 2019 Town of Minturn Budget – Brunvand Pg 49
8. Public Hearing/Action Item: Ordinance 10 – Series 2019 (First Reading) An Ordinance Setting the 2020 General Property Tax Mill Levy for the Town of Minturn – Brunvand Pg 55
9. Public Hearing/Action Item: Ordinance 11 – Series 2019 (First Reading) An Ordinance Adopting the Fee Schedules for Fiscal Year 2020 for the Town of Minturn – Brunvand Pg 58

10. Public Hearing/Action Item: Ordinance 12 – Series 2019 (First Reading) An Ordinance Adopting and Recognizing the Town of Minturn’s 2020 Revenues and Expenses by Fund – Brunvand Pg 65

COUNCIL INFORMATION / UPDATES

11. Staff Updates

- Manager’s Report Pg 68
- Attorney’s Report Pg 72
- Future Agenda Items Pg 76

MISCELLANEOUS ITEMS

12. Future Meeting Dates

- a) Council Meetings:
- November 20, 2016
 - December 4, 2019
 - December 18, 2019
 - January 1, 2020 - Canceled

13. Other Dates:

- November 28, 2019 – Thanksgiving (Office Closed)
- November 29, 2019 – Thanksgiving (Office Closed)
- December 25, 2019 – Christmas Day (Office Closed)
- January 1, 2020 – New Years Day (Office Closed)

14. Adjournment

TOWN OF MINTURN
2018 – 2020
STRATEGIC PLAN



Adopted by the Minturn Town Council

Resolution 14, Series 2018
September 5, 2018

Amended by the Minturn Town Council

Resolution 27, Series 2019
July 1, 2019

STRATEGIC PLAN PURPOSE

The purpose of the Strategic Plan is to provide a cumulative roadmap for achieving the vision of the Minturn Community Plan. The 2018-20 Strategic Plan is the first Strategic Plan created by the Town and will set the tone for all forthcoming action items. With the Council and staff embarking on the first strategic plan, an emphasis toward foundational work will be a consistent theme throughout this first Strategic Plan.

The Strategic Plan is designed to work in coordination with the town budget and will be reviewed by the Council every year to adjust for changes as needed. Once approved, the Council and Minturn community will have the general outline for the work expected over the planning period.

The Strategic Plan will ensure that strategies and activities undertaken by the Town are consistent with the vision and values set forth by the Town Council and Minturn community. This plan will strive to achieve the following:

- Clearly communicate with the community the goals and objectives of the town over the next two years
- Establish a 2-year planning period and provide the platform for an ongoing discussion between the staff, Council and community regarding direction of the Town
- Identify challenges and opportunities expected to arise during the planning period and propose specific goals to address these issues
- Give a framework for town staff to set measurable objectives and timelines for execution

STRATEGIC PLAN SUMMARY

Since its inception in 1904, Minturn has been a resilient and proud mountain town that full-time, working-class residents call home. With the closing of the Gilman mine and the decommissioning of the rail-lines, **Minturn has new opportunity within the mountain resort economy.** Today, **having an ideal location as a valley-wide intersection**, Minturn embraces the “basecamp position” geographically within the Eagle County region.

Core to Minturn’s values **is its strong identity as a small mountain-town community.** In the Colorado Rockies, sandwiched between two world-class resorts, this value requires maintaining **principles** and a **desire to lead by example.** Through a **willingness to confront issues** while

maintaining high standards in following the public process, Minturn will work to stay true to this core value.

The Town is committed to providing a respectful and responsive government that follows a solutions-based approach rooted in the municipal code. To sustain community **trust**, we strive to follow a consistent **public process** in all areas of the municipal government.

Town of Minturn staff and elected officials will **support activities outlined in this strategic plan and work toward sustaining a great mountain town** by taking a **proactive approach** to municipal government. With an **engaged community** and a **safe, family-friendly environment**, Minturn endeavors to remain one of the **last great mountain towns**.

STRATEGIC PLAN MISSION STATEMENT

“In collaboration with our community, foster the authentic small town character that is Minturn”

STRATEGIC PLAN VISION STATEMENT

“Lead Minturn to long-term viability while preserving its unique character and genuine mountain town community”

From the Vision Statement, four key strategies are identified to guide the Town efforts:

- Practice fair, transparent and communicative local government
- Long-term stewardship of the natural beauty and health of Minturn’s environment
- Sustain and invest in the things that define Minturn as a proud, sturdy mountain town to “keep Minturn Minturn”
- Advance decisions/projects/initiatives that expand future opportunity and viability for Minturn

STRATEGIC PLAN FISCAL YEARS 2018 - 20

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.

STRATEGIES

- Execute the process of updating the Community Plan through a comprehensive public engagement process.
- Promote the Minturn monthly newsletter as a communication tool.
 - Utilize staff and Council email signatures for sign-up and link access.
- Support code enforcement through communicative educational pieces to the public for a variety of community-wide issues such as:
 - 30’ river setback to protect and rehabilitate the natural environment and riparian area.
 - Verification of design review plans prior to issuing Certificate of Occupancy.
- Rollout of a new, more user-friendly website (combining Minturn.org and gominturn.com), that makes finding information quicker and simpler for our residents, guests and businesses, as well as making it simpler for town staff to post and update accurate information in a timely manner.
- Host quarterly Economic Development Advisory Committee (EDAC) meetings to continually update and follow through on the Economic Development Strategic Plan, as well as share that information in follow up meetings such as the Small Business Support meeting.
- Also evaluate the frequency and format of the Small Business Support Meeting – should this occur quarterly following EDAC meetings?
- Commit to the monthly “Minturn Matters” community sessions by Town Council

STRATEGIC PLAN FISCAL YEARS 2018 - 20

LONG-TERM STEWARDSHIP OF THE NATURAL BEAUTY AND HEALTH OF MINTURN'S ENVIRONMENT

Minturn will work to become a **leader in advancing renewable and sustainable initiatives**. With a forward-thinking approach and focus on **environmental stewardship** the town can responsibly utilize the remaining developable land in the Minturn valley.

STRATEGIES

- Create a Comprehensive Land Plan to outline and then communicate the future goals of the community.
- Execute the Minturn Energy Action Plan.
- Adopt the 2015 International Building Code with amendments and consistently update on a three-year cycle.
- Protect the view corridor through policy implementation and 1041 regulations.
- Support the continued EPA efforts toward clean-up of the Eagle Mine Superfund Site.
- Incorporate “Firewise” guidelines in building and site-planning practice
- Incorporate low impact development (LID) standards for landscape site design into development requirements

STRATEGIC PLAN FISCAL YEARS 2018 - 20

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

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

STRATEGIES

- Adopt and Implement an Attainable Housing Policy through assistance from Eagle County Government and a third-party consultant following a public engagement process.
- Update the Design Review Guidelines to better reflect the vision of the downtown area.
- Complete the Minturn Municipal Code Chapter 16 rewrite for better communication regarding code expectations across all zoning areas.
- Invest in the “community character” elements such as holiday festivities, with the help of community champions.
- Enhance existing community events through additional marketing efforts and creatively utilizing our local resources, as well as explore possible new events that fit our brand.
- Create / develop a Town of Minturn “tagline” / slogan which helps define who we are and can be used in marketing and PR efforts.
- Investigate methods to preserve and protect historic structures
- Enforce ordinances aimed at maintaining the health, safety, welfare and aesthetic of the town – snow, trash, nuisance abatement and zoning/land use
- Attract essential services necessary to form a “complete” community such as – grocery, pharmacy, hardware store, movie theatre
- Investigate opportunities for the development of playgrounds and parks

STRATEGIC PLAN FISCAL YEARS 2018 - 20

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**.

STRATEGIES

- Complete execution of the 2016 Economic Development Strategic Plan.
- Secure Dowd Junction as a revenue-generating location while maintaining public access to Meadow Mountain and encouraging regional transit.
- Outline next steps and framework for executing Minturn’s water production and distribution improvements.
- Develop a Capital Improvement Plan prioritizing upgrades to existing infrastructure including roads, water and storm water drainage and pedestrian/bicycle amenities
- Rollout of a basic, but professional PR and marketing campaign to assist town staff in new and creative ways to market our town as the “non-resort” / “true Colorado” mountain town in between Vail and Beaver Creek – and draw more day visitors to us for events, dining / shopping, and enjoying all the activities available here.
- Work closely with local business to engage them in partnership marketing opportunities with the Town, thereby helping to share costs and get more “bang for our buck” regarding marketing and advertising efforts.



OFFICAL MINUTES

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

Wednesday November 6, 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.

Work Session – CANCELED

Regular Session – 6:30pm
Please remember to bring your FY2020 Budget Book

1. Call to Order

- Roll Call

The meeting was called to order by Mayor John W. at 6:34pm.

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

Staff present: Town Manager Michelle Metteer, Town Attorney Michael Sawyer, Town Planner Scot Hunn, 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)

Cindy Krieg, Econ Dev, was present to announce the awards for the Halloween decorating contest on behalf of the Minturn Community Fund as follows:

Business Winner (we only did one since not many businesses decorate) – The Uptown Store is this year’s winner. The business winner will receive a complimentary Business License for the next fiscal year (April 1 2020 – Mar 31 2021).

Residential:

- 1st Place – Kelly Toon - Prize is a variety of Minturn restaurant gift cards totaling \$100
- 2nd Place – The Anders Family, at 443 Pine St – Prize is a \$75 Gift Certificate for Magustos
- 3rd Place – The Ratzlaff Family, 486 Pine St – Prize is a \$50 Gift Certificate for Saloon

Terry A. presented a signed Minturn Summer Concert Series 2019 poster to the town on behalf of the Minturn Community Fund and thanked the town for their support.

3. Approval of Consent Agenda

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- October 16, 2019 Minutes
- 542 Main St LLC dba Sunrise Cafe annual renewal of a Hotel and Restaurant Liquor license; 132 Main St; Doug McAvity, Owner/Operator
- Planner’s Report – 376 Pine St

Motion by Terry A., second by Eric G., to approve the Consent Agenda of November 6, 2019 as presented. Motion passed 7-0

4. Approval of Agenda

- Items to be Pulled or Added

Motion by Brian E., second by Chelsea W., to approve the Agenda of November 6, 2019 as presented. Motion passed 7-0.

- Declaration of Conflicts of Interest

5. Special Presentations

- Council Comments/Committee Reports

It was expressed how successful Halloween was in spite of the cold and snow.

Eric G. reported on the Eagle County Housing Authority Committee and Habitat for Humanity.

Brian E. reported on Radio Free Minturn. They will be adding a couple of board members to help share the load. At the next Radio Board meeting they will introduce the DJ's and present some of the goals for the next 2-3 years.

John W. noted he and George B. had met with Congressman GET HIS NAME to thank them for their support. During their meeting they discussed the ski industry and the I-70 corridor needs. He stated it was a very productive meeting.

Earle B. stated the latest Minturn Matters was successful.

6. Liquor Authority Minturn Community Fund Request for Special Event Permit Event Date December 14, 2019; 175 Williams St.; Diana Scherr, Community Fund Director and Cindy Krieg, Town Economic Dev Coordinator – Brunvand

Jay B. outlined the permit request and stood for questions. He noted staff is recommending approval.

Cindy K. spoke as the applicant and discussed the event as well as the Fifteen Days Of Minturn which will run in Early December.

Public hearing opened
No public comment
Public hearing closed

Motion by Eric G., second by Chelsea W., to approve the Minturn Community Fund request for a Special Event Permit Event Date December 14, 2019; 175 Williams St; Diana Scherr and Cindy Krieg event managers as presented with the following conditions. Motion passed 7-0.

- The application was received on October 22, 2019, finalized on October 28, 2019 and the Notice of Public Hearing on this matter was posted on the premises by the Town Treasurer on October 28, 2019 at least 10 days prior to the Council Meeting consideration.
- That the selling liquor in the manner currently proposed in the application is not in violation of the Minturn Municipal Code.
- Staff requests at least one T.I.P.S, or equivalent certified server be present, and at least one person to check ID's be present at all times while alcoholic beverages are sold. We would like that those servers and certifications be identified to us in advance.
- Staff requests each entrance/exit and premises be monitored and secured to ensure crowd control and that no outside liquor is introduced to the event and that no liquor is removed from the premises.

PUBLIC HEARINGS AND/OR ACTION ITEMS

7. Public Hearing/Action Item: Resolution No. 45 – Series 2019 a Resolution approving Variance No. 564Taylor-110119 – Hunn

Scot H. presented the variance request for 564 Taylor St. The configuration of the buildings on the site prohibit the minimum setbacks and this will remain the concern once the property is subdivided. He noted the Planning Commission heard this request on October 23, 2019 and recommended approval of the request at that time.

It was noted the snow shedding falls the other direction so as to not cause issues. The proposed variance solution is mutually agreeable to both property owners and both owners have worked toward this decision.

Public Hearing Opened.
No public Comment
Public Hearing Closed.

Motion by Terry A., second by Brian E., to approve Resolution No. 45 – Series 2019 a Resolution approving Variance No. 564Taylor-110119 with the following findings as presented. Motion passed 7-0.

- There are exceptional or extraordinary circumstances or conditions applicable to the site of the variance that do not apply generally to other properties in the same zone;
- The exceptional or extraordinary circumstances of the site create a situation in which the strict, literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of this Chapter;
- That the granting of the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity and will not result in substantial impairment to the purposes of this Chapter.
- There is no substantial impairment to the public that would result from the granting of the variance.
- The Applicant successfully complete the Amended Final Plat process to legally relocate the common property boundary between Lots 10 and 11, Taylors Addition to Minturn, Block E and provide the Town with evidence that an executed copy of the Plat is duly recorded with the Eagle County Clerk & Recorder.

8. Public Hearing/Action Item: Resolution No. 42 – Series 2019 a Resolution approving an Intergovernmental Agreement between Eagle County and the Town of Minturn

**regarding referral of land use development applications and joint planning activities
– Hunn**

Scot H. updated the Council on the IGA and thanked those that worked on this plan both at the town and the county. This matter will allow the town to request comments from the County and the County to request comments from the Town in the event either receives a large development request within the Town boundaries and immediate adjacent areas within the town's three mile plan. The IGA by and between the Town and the County represents good faith efforts by the two governments to acknowledge their respective goals and policies with regard to land use, long-range master planning, provision of infrastructure and services, and growth management; and, importantly, to cooperate through interagency referral processes and potentially via joint master planning in the future.

Public Comments were taken, no public commented.

Motion by Earle B., second by George B., to approve Resolution No. 42 – Series 2019 a Resolution approving an Intergovernmental Agreement between Eagle County and the Town of Minturn regarding referral of land use development applications and joint planning activities as presented. Motion passed 7-0.

9. Public Hearing/Action Item: Resolution No. 43 – Series 2019 a Resolution approving a 1st Amendment to the Town Manager's Employment Agreement – Sawyer

Michael S. reviewed the request and the Resolution with Council. This agreement extends the current Manager's Employment Contract to 12/31/22, adds a 6 month severance, and increases her salary. Additionally the contract allows Michelle S. to either reside within the town or within 10 miles thereof. The effective date of the contract amendment will be January 1, 2020.

Discussion ensued as to various scenarios and how those would be handled by the contract.

No Public Comments.

Motion by Terry A., second by George B., to approve Resolution No. 43 – Series 2019 a Resolution approving a 1st Amendment to the Town Manager's Employment Agreement as presented with the amendment becoming effective January 1, 2020. Motion passed 7-0.

10. Public Hearing/Action Item: Resolution No. 44 – Series 2019 a Resolution retracting the Town's support for an amendment to the Colorado Outdoor Recreation and Economy Act, H.R. 823/S.241 – Sawyer

Michael S. noted in May of 2019 the Town of Minturn was actively involved in discussions to enter into three-party agreements (Agreements) between the Town, Battle Mountain Development and Eagle River Water and Sanitation District/Upper Eagle Regional Water

Authority (ERWSD/UERWA), which would have, upon public approval, supplied Minturn with a secondary water source, among other things.

Within these discussions, ERWSD/UERWA expressed a desire to secure the legal ability to independently use Bolts Ditch. The Bolts Ditch headgate and a segment of the Ditch are located within the Holy Cross Wilderness area and currently only the Town of Minturn has been granted, through Congressional approval, the ability to maintain and utilize this infrastructure. The Town of Minturn originally supported the request by ERWSD/UERWA because the pending Agreements addressed the terms and conditions under which Bolts Ditch could be used and addressed the potential impacts of such use on the Town. This support was memorialized in Resolution 24 – Series 2019.

Since the approval of Resolution 24 – Series 2019, the Minturn community and Council have conducted multiple public meetings outlining Minturn’s water infrastructure needs, secondary water source options and water rate costs. The Minturn public vocally opposed the terms under which supplemental water would have been provided under the Agreements, which included requirements for Minturn to subordinate certain of its junior water rights to ERWSD/UERWA. Given this opposition, the Minturn Town Council unanimously denied the Agreements.

This Resolution formally withdraws the previous support of ERWSD. However, the town does feel there is still common ground with the ERWSD with regards to the Bolts Lake and the Bolts Ditch. With proper arrangements in place those common ground discussions will continue to move forward. The town desires to work with the district but feels a more productive discussion can be had if Minturn maintains the headgate, ditch, and lake water rights at this time. It is noted the town does support the CORE act but not the extension of the permission to ERWSD/UERWA. It was noted the appreciation Minturn has with the Colorado US legislators in their efforts with the CORE Act and the work done to assist Minturn’s water maintenance efforts. The CORE Act did pass last week in the US House of Representatives but without this noted amendment.

Public Hearing Opened
No Public Comment
Public Hearing Closed

Motion by Earle B., second by George B., to approve Resolution No. 44 – Series 2019 a Resolution retracting the Town’s support for an amendment to the Colorado Outdoor Recreation and Economy Act, H.R. 823/S.241as presented. Motion passed 7-0.

11. Public Hearing/Action Item: 1st Public Hearing on proposed fiscal year 2020 Budget – Brunvand

John W. outlined the public hearing process.

- Public Hearing Procedures
- Over View – Brunvand
- Water rates and water tap review – Metteer/Brunvand

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

Public Hearing was opened

Jay B. gave a brief update of the FY2020 Proposed Budget. He noted water rates have been reviewed over the past several meetings and will be increased 5% effective January 1 including commercial tap fees as proposed by Staff and by our consultants.

Questions and comments from Council regarding water rates and special projects. Discussion ensued as to the CIP and the base water allowance currently at 6,000gal/mo/SFE. It was noted that commercial users generally do not water landscaping and to reduce to 4,000gal/mo/SFE might weigh heavier on the commercial user.

Direction was given to go to bring back multiple use options and proceed with the 5% increase.

Public opened
No comment
Public hearing closed.

John W. stated the First Reading of the Ordinances to pass the budget would be considered at the November 20, 2019 meeting. Citizens may contact the Town Treasurer during regular business hours at 970/827-5645 if they have further questions or comments.

GENERAL IMPROVEMENT DISTRICT

NOTE: Convene as General Improvement District

12. Public Hearing/Action Item: General Improvement District – Brunvand

Mayor John Widerman called the meeting to order at 8:14pm

- Roll Call

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

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

A) ADMINISTRATIVE MATTERS

- **Approve Agenda**

Motion by George B., second by Terry A., to approve the agenda as presented. Motion passed 6-0. Note: Eric G. did not vote as he was yet to be confirmed.

- **Discuss and consider appointment of new member(s) to the Board of Directors:**
 - a. Eric Gotthelf, Elect

Motion by Earle B., second by Chelsea W., to ratify the appointments to the Board as presented. Motion passed 6-0.

- **Review and approve minutes from the November 7, 2018 Board Meeting**

Motion by Brian E., second by Terry A., to approve minutes from the November 7, 2018 Board Meeting as presented. Motion passed 7-0.

B) LEGISLATIVE MATTERS

C) FINANCIAL MATTERS

- **Discuss and consider ratifying appointment of Town Staff to prepare 2020 GID Budget**

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

- **Discussion/Action – 2019 General Improvement District Budget: Public Hearing and Board Comments**

Action Recommended:

- a. Open Public Hearing

John W. opened the GID Public Hearing.

- b. Staff Presentation

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

- c. Public Comment or Testimony

There were no public comments.

- d. Board Comments

There were no Board comments.

- e. Close Public Hearing

The Public Hearing was closed.

- **Discussion/Action – Consider adoption of Resolution No. 2019-11-01 a Resolution to adopt the Fiscal year 2020 Budget**

Motion by Terry A., second by Brian E., to approve Resolution No. 2019-11-01 a Resolution to adopt the Fiscal year 2020 Budget as presented. Motion passed 7-0.

- **Discussion/Action – Consider adoption of Resolution No. 2019-11-02 a Resolution to appropriate sums of money for the Fiscal year 2020 Budget**

Motion by Brian E., second by George B., to approve Resolution No. 2019-11-02 a Resolution to appropriate sums of money for the Fiscal year 2020 Budget as presented. Motion passed 7-0.

D) OTHER BUSINESS

- Discuss and set future meeting dates:
 - Board Meeting to consider budget approval set for November 4, 2020 6:30pm at the Minturn Town Center, 302 Pine Street, Minturn, CO 81645.
 - a. Alternative Date: This item closely follows the State and the Town of Minturn’s budget cycle. If an alternative is considered it should be considered as the Board in conjunction with the GID Council.
 - b. Note: there is consideration to dissolve the GID in which case a meeting will be set to take this matter up prior to November. 4, 2020.

Motion by Brian E., second by Eric G., to set to set the future GID Board meetings as recommended. Motion passed 7-0.

E) ADJOURNMENT

Motion by Earle B., second by Terry A., to adjourn the GID Board meeting at 8:22pm. Motion passed 7-0.

NOTE: Convene as Town Council

COUNCIL INFORMATION / UPDATES

13. Staff Updates

- Manager’s Report

January 1, 2020 is the first meeting of 2020 and the offices will be closed in observance of New Years Day. Direction was to cancel the meeting.

Michelle M. and Scot H. met with CDOT and the USFS at the Martin Creek USFS parcel to establish a land trade. The parcel would be used for CDOT and workforce housing. This was the

first of many meetings and much more information will be forth coming. Discussion ensued as to what kind of housing and what would be most appropriate.

Discussion ensued to proposed fee incentives to encourage homeowners to shovel their sidewalks. This will include an extensive education and learning curve. It is understood the importance of education before enforcement for those that are getting sidewalks for the first time. Other mountain town codes are being reviewed with the intent of learning what works best in other areas.

She noted the VFW requests us to donate to their annual golf tournament. Michelle M. felt if the Council felt it important it could be included in our normal course of annual fees and dues. Direction was to include this as presented in the amount of \$1000 as an annual giving in 2020 and future years.

- Future Agenda Items

MISCELLANEOUS ITEMS

14. Future Meeting Dates

a) Council Meetings:

- November 6, 2019
- November 20, 2016
- December 4, 2019
- December 18, 2019
- January 1, 2020 CANCELED – Office Closed for Holiday.

15. Other Dates:

- November 11, 2019 – Veteran’s Day (Office Closed)
- November 28, 2019 – Thanksgiving (Office Closed)
- November 29, 2019 – Thanksgiving (Office Closed)

16. Adjournment

Motion by Earle B., second by Brain E., to adjourn at 8:36pm. Motion passed 7-0.

John Widerman, Mayor

ATTEST:

Jay Brunvand, Town Clerk



To: Mayor and Council
From: Michelle Metteer
Date: November 20, 2019
Agenda Item: Res 46 - Series 2019

REQUEST:

Review and approve Resolution 46 - Series 2019; A Resolution supporting Minturn’s application for a Transportation Alternative Program grant.

INTRODUCTION:

Crews are nearing completion of the first phase of sidewalk construction along HWY 24. This work is considered the first step in a multi-phase project to connect the community via alternative transportation routes.

Due to cost, the section of sidewalk between the Enclave townhomes and Cemetery Road on the east side of HWY 24 was unable to be included in the phase 1 work. The retaining wall required for this section of the project is estimated at \$700,000+. This is the work being included in the grant application addressed by Resolution 46 – Series 2019.

ANALYSIS:

Council previously provided direction to apply for the next round of TAP grant funds. Due to the responsibility to supply matching funds, Council approved the efforts of a grant application for the section of sidewalk from the Enclave townhomes to Cemetery Road, east side. This section of the project was the least expensive option of the potential projects provided to Council for consideration.

COMMUNITY INPUT:

Significant – Community Survey

BUDGET / STAFF IMPACT:

Significant

STRATEGIC PLAN ALIGNMENT:

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

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

RECOMMENDED ACTION OR PROPOSED MOTION:

Approve Resolution

ATTACHMENTS:

- Resolution 46 – Series 2019

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 46 – SERIES 2019**

**A RESOLUTION OF SUPPORT FOR A COLORADO
DEPARTMENT OF TRANSPORTATION (CDOT)
TRANSPORTATION ALTERNATIVES PROGRAM GRANT
APPLICATION FOR CONSTRUCTION OF SIDEWALK
ALONG U.S. HIGHWAY 24 WITHIN THE TOWN OF
MINTURN, EAGLE COUNTY, COLORADO**

WHEREAS, The Town of Minturn recognizes the benefits of acquiring alternative funding sources for planning, engineering and capital improvements to the Town transportation system through the pursuit of federal/state grants, public/private cost sharing opportunities, and other community share resources; and,

WHEREAS, The Town of Minturn would like to partner with CDOT to achieve goals of the community; and,

WHEREAS, the area of US Highway 24 within Minturn has been identified as providing inadequate and unsafe bicycle and pedestrian facilities; and,

WHEREAS, certain school bus stops for children have inadequate sidewalks leading to the stops; and

WHEREAS, US 24 Highway is increasingly being used by bicyclists for general recreation, tours and races; and widened paved road shoulders would provide a safety enhancement; and,

WHEREAS, The Town of Minturn's Master Plan identifies and recommends that sidewalks, trails or paths be incorporated along US Highway 24; and,

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

1. The Town Council of the Town of Minturn, CO supports any potential grant awarded by CDOT to the Town of Minturn.
2. The Town Council of the Town of Minturn, CO has sufficient funds on hand to match the required cash funding.
3. The Town Council of the Town of Minturn, CO strongly supports the application and has or will appropriate matching funds for the grant
4. If the grant is awarded, the Town Council, of the Town of Minturn, CO strongly supports the completion of the project as specified in the grant application.
5. The Town Council, of The Town of Minturn, CO authorizes the expenditure of funds necessary to meet the terms and obligations of any Grant awarded.
6. The Town Council of The Town of Minturn, CO recognizes that as the recipient of a grant the project site must provide reasonable public access.
7. This resolution to be in full force and effect from and after its passage and approval.

**INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED THIS __ DAY OF ____,
2019.**

TOWN OF MINTURN

By: _____
John Widerman, Mayor

ATTEST:

Jay Brunvand, Town Clerk

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

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

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

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

WHEREAS, Colorado Gives Day in 2018 raised \$35.1 million in a single 24-hour period via online donations, \$1.1 million to Eagle County nonprofits, at eaglecogives.org, a website allowing donors to direct their contributions to one or more of the fifty-one (51) local, Eagle County, charities featured on the site, making it an ideal resource for facilitating charitable giving to our locally-based nonprofit organizations.

WHEREAS, Colorado Gives Day is Tuesday, December 10th this year, and all citizens are encouraged to participate because all donations, large or small, can make a difference to nonprofits in need.

NOW, THEREFORE, BE IT PROCLAIMED BY Mayor John Widerman and the Town Council of the Town of Minturn, Colorado THAT: Tuesday, December 10, 2019, will be known as Colorado Gives Day in our community.

TOWN OF MINTURN

ATTEST:

By: _____
John Widerman, Mayor

Jay Brunvand, Town Clerk



To: Mayor and Council
From: Jay Brunvand
Date: November 20, 2019
Agenda Item: Public Hearing and consideration for approval – Special Event Permit

REQUEST:

Staff is requesting Council to review and approve the attached Special Event Permit.

INTRODUCTION:

Council is asked to approve a Special Event Permit for the Vail Jazz Foundation for an event to be held on December 1, 2019 at the Vail Mountain Coffee & Tea located at 23698 US Hwy 24 Minturn, CO. The attached documentation indicates the compliance with the posting of the site and the event.

This application will require a Public Hearing to allow input on the request.

ANALYSIS:

Not Applicable

COMMUNITY INPUT:

As of this writing I have not received any remonstrances from the public in any form.

BUDGET / STAFF IMPACT:

Not Applicable.

STRATEGIC PLAN ALIGNMENT:

In accordance with Strategy #3 the Town will sustain and invest in the things that define Minturn as a proud, sturdy, mountain town to “Keep Minturn Minturn”.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to approve the proposed Special Event Permit to sell Malt, Vinous and Spirituous liquor beverages to be located as defined in the attached application as presented with the following conditions:

- 1) The application was received on November 8, 2019. The Notice Of Public Hearing on his matter was posted on the premises by the Town Clerk on Monday November 8, 2019 at least 10 days prior to the Council Meeting consideration.
- 2) That the selling of liquor in the manner currently proposed in the application is not in violation of the Minturn Municipal Code.
- 3) Staff requests at least one T.I.P.S., or equivalent, certified server be present, and at least one person to check ID's be present at all times while alcoholic beverages are sold.
- 4) Staff request each entrance/exit and premises be monitored and secured to ensure crowd control and that no outside liquor is introduced to the event and that no liquor is removed from the premises.

ATTACHMENTS:

- Application and supporting documentation for the license renewal.

Application for a Special Events Permit

Departmental Use Only

In order to qualify for a Special Events Permit, You Must Be a Qualifying Organization Per 44-5-102 C.R.S. and One of the Following (See back for details.)

- | | | |
|------------------------------------|---|---|
| <input type="checkbox"/> Social | <input type="checkbox"/> Athletic | <input checked="" type="checkbox"/> Philanthropic Institution |
| <input type="checkbox"/> Fraternal | <input type="checkbox"/> Chartered Branch, Lodge or Chapter | <input type="checkbox"/> Political Candidate |
| <input type="checkbox"/> Patriotic | <input type="checkbox"/> National Organization or Society | <input type="checkbox"/> Municipality Owned Arts Facilities |
| <input type="checkbox"/> Political | <input type="checkbox"/> Religious Institution | |

LIAB Type of Special Event Applicant is Applying for:	DO NOT WRITE IN THIS SPACE
2110 <input checked="" type="checkbox"/> Malt, Vinous And Spirituous Liquor \$25.00 Per Day	Liquor Permit Number
2170 <input type="checkbox"/> Fermented Malt Beverage \$10.00 Per Day	

1. Name of Applicant Organization or Political Candidate <i>The Vail Jazz Foundation, Inc.</i>	State Sales Tax Number (Required) <i>84-1305072</i>
---	--

2. Mailing Address of Organization or Political Candidate (include street, city/town and ZIP) <i>PO Box 3035 3035 Vail CO 81658</i>	3. Address of Place to Have Special Event (include street, city/town and ZIP) <i>291 main St. Minturn CO 81645</i> <i>Vail Mountain Coffee + Tea 23698 US Hwy 6+24 Minturn, CO 81645</i>
---	--

4. Authorized Representative of Qualifying Organization or Political Candidate <i>James Kenly</i>	Date of Birth <i>09/23/82</i>	Phone Number <i>479.6146</i>
--	----------------------------------	---------------------------------

Authorized Representative's Mailing Address (if different than address provided in Question 2.)

5. Event Manager <i>James Kenly</i>	Date of Birth <i>09/23/82</i>	Phone Number <i>479.6146</i>
--	----------------------------------	---------------------------------

Event Manager Home Address (Street, City, State, ZIP) <i>616 Deer Blvd. B, Avon, CO 81620</i>	Email Address of Event Manager
--	--------------------------------

6. Has Applicant Organization or Political Candidate been Issued a Special Event Permit this Calendar Year? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes How many days? <i>8 (Riverwalk in Edwards)</i>	7. Is the premises for which your event is to be held currently licensed under the Colorado Liquor or Beer codes? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes License Number _____
---	---

8. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed? Yes No

List Below the Exact Date(s) for Which Application is Being Made for Permit

Date	Date	Date	Date	Date
Hours From .m. To .m.	Hours From .m. To .m.	Hours From .m. To .m.	Hours From .m. To .m.	Hours From .m. To .m.
<i>DEC 2, 2019</i>				
From <i>12:00 P.m.</i> To <i>11:00 P.m.</i>				

Oath of Applicant

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Signature 	Title <i>Executive Director</i>	Date <i>11/6/19</i>
---------------	------------------------------------	------------------------

Report and Approval of Local Licensing Authority (City or County)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended.

THEREFORE, THIS APPLICATION IS APPROVED.

Local Licensing Authority (City or County)	<input type="checkbox"/> City <input type="checkbox"/> County	Telephone Number of City/County Clerk
Signature	Title	Date

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

Liability Information			
License Account Number	Liability Date	State	Total
		-750 (999)	\$.

(Instructions on Reverse Side)

Application Information and Checklist

The following supporting documents must be attached to this application for a permit to be issued:

- Appropriate fee. *N/A*
- Diagram of the area to be licensed (not larger than 8 1/2" X 11" reflecting bars, walls, partitions, ingress, egress and dimensions. **Note:** If the event is to be held outside, please submit evidence of intended control, i.e., fencing, ropes, barriers, etc.
- Copy of deed, lease, or written permission of owner for use of the premises.
- Certificate of good corporate standing (NONPROFIT) issued by Secretary of State within last two years; **or**
- If not incorporated, a NONPROFIT charter; **or**
- If a political Candidate, attach copies of reports and statements that were filed with the Secretary of State.

- Application must first be submitted to the Local Licensing Authority (city or county) at least thirty (30) days prior to the event.
- Public notice of the proposed event and procedure for protesting issuance of the permit shall be conspicuously posted at the proposed location for at least (10) days before approval of the permit by Local Licensing Authority. (44-5-106 C.R.S.)
- State Licensing Authority must be notified of approved applications by Local Licensing Authorities within ten (10) days of approval.
- Check payable to the Colorado Department Of Revenue *N/A*

Qualifications for Special Events Permit

(44-5-102 C.R.S.)

A Special Event Permit issued under this article may be issued to an organization, whether or not presently licensed under Articles 4 and 3 of this title, which has been incorporated under the laws of this state for the purpose of a social, fraternal, patriotic, political or athletic nature, and not for pecuniary gain or which is a regularly chartered branch, lodge or chapter of a national organization or society organized for such purposes and being non profit in nature, or which is a regularly established religious or philanthropic institution, and to any political candidate who has filed the necessary reports and statements with the Secretary of State pursuant to Article 45 of Title 1, C.R.S. A Special Event permit may be issued to any municipality owning arts facilities at which productions or performances of an artistic or cultural nature are presented for use at such facilities.

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

THE VAIL JAZZ FOUNDATION, INC.

is a

Nonprofit Corporation

formed or registered on 03/20/1995 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 19951035904 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 05/14/2019 that have been posted, and by documents delivered to this office electronically through 05/15/2019 @ 15:39:17 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 05/15/2019 @ 15:39:17 in accordance with applicable law. This certificate is assigned Confirmation Number 11575708 .



Jena Griswold

Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."

Jay Brunvand

From: Minturn Events
Sent: Friday, November 8, 2019 10:13 AM
To: Jay Brunvand
Subject: Art & Jazz Reception - 12.1 liquor license - approval from VMCT

Will this suffice?
Cindy

From: Austin Julik-Heine <austin@vailcoffee.com>
Sent: Friday, November 8, 2019 10:02 AM
To: Minturn Events <events@minturn.org>
Subject: Re: Art & Jazz Reception - additional request

For:
Cindy,

We are good to go for Dec. 1st.

We permit Vail Jazz Foundation and the Town of Minturn to host an event serving alcohol, at our business (Vail Mountain Coffee and Tea Roastery Cafe) on 12/1/19.

When do you need the layout by? I will work on getting you something today.

Austin Julik-Heine
Café Manager
Vail Mountain Coffee & Tea Co.
Phone: 651-247-4022
Email: austin@vailcoffee.com
Website: www.vailcoffee.com
FUEL YOUR ADVENTURE™



On Nov 6, 2019, at 1:46 PM, Minturn Events <events@minturn.org> wrote:

Sorry, another request along with this – do you have any type of diagram / layout of your space there that we can utilize with our liquor license application?

We are supposed to provide a map / layout showing all of the possible area at the venue where alcohol may be consumed. I assume this will be the entire front area (served at the coffee counter, and consumed in the main lobby area plus the area off to the left when you enter. Not sure if any alcohol would be stored in any office or back area, but if so we need to include that too.

If you have anything that might assist with this, please let me know.

Thank you,

Cindy

From: Minturn Events
Sent: Wednesday, November 6, 2019 1:26 PM
To: 'Austin Julik-Heine' <austin@vailcoffee.com>
Subject: Art & Jazz Reception

Austin,

Quick Update – James Kenly and I are in touch and we would like to move forward with an Art & Jazz Reception on 12/1.

This is a Sunday, but we'd still love to host it at Vail Mountain Coffee and Tea if you and the owners are still willing.

We are pretty flexible on times, and James and I are supposed to meet later this week to hash that out. I'm thinking late afternoon / early evening (maybe 3 – 5 or 4 – 6), but we are open to input.

If you guys are OK with proceeding, we are going to move forward with applying for a liquor license for the event.

James thinks they have some donated wine that they would just give out (open wine bar essentially), and then you guys could sell coffee (and or / probably some coffee drinks with alcohol as well), depending on your thoughts.

Anyway, for us to get the liquor license, we would need something in writing from you, granting permission to Vail Jazz Foundation and the Town of Minturn to host an event serving alcohol, at your business on the stated date (12/1/19). I think an email will be sufficient.

Please let me know your thoughts as soon as you can, and if you'd like – I can schedule a follow up meeting with James, you and myself.

Thanks so much,

Cindy

Cindy Krieg

Economic Development / Special Events

Town of Minturn

events@minturn.org

970-827-5645 x 5

[Minturn Newsletter Sign-up](#)

www.minturn.org

NOTICE

PURSUANT TO THE LIQUOR LAWS
OF COLORADO

VAIL JAZZ FOUNDATION
PO BOX 3035
VAIL, CO 81658

HAS REQUESTED THE LICENSING
OFFICIALS OF MINTURN LIQ Authority
TO GRANT A SPECIAL EVENT PERMIT
LICENSE AT: VAIL MTN COFFEE

23698 VS HWY 24 MINTURN, CO 81645
HEARING ON APPLICATION TO BE HELD AT:
MINTURN TOWN HALL

302 PINE ST EVENT DATE: 12/1/19

TIME AND DATE: NOV 20, 2019 6:30 PM

DATE OF APPLICATION: 11/6, 2019

BY ORDER OF: MINTURN TOWN COUNCIL

OFFICERS: MINTURN TOWN HALL
302 PINE ST
MINTURN, CO 81645

ADDRESS OF THE PLACE AT WHICH PERMITS OR REMITTANCES MAY BE FILED
VAIL JAZZ FOUNDATION

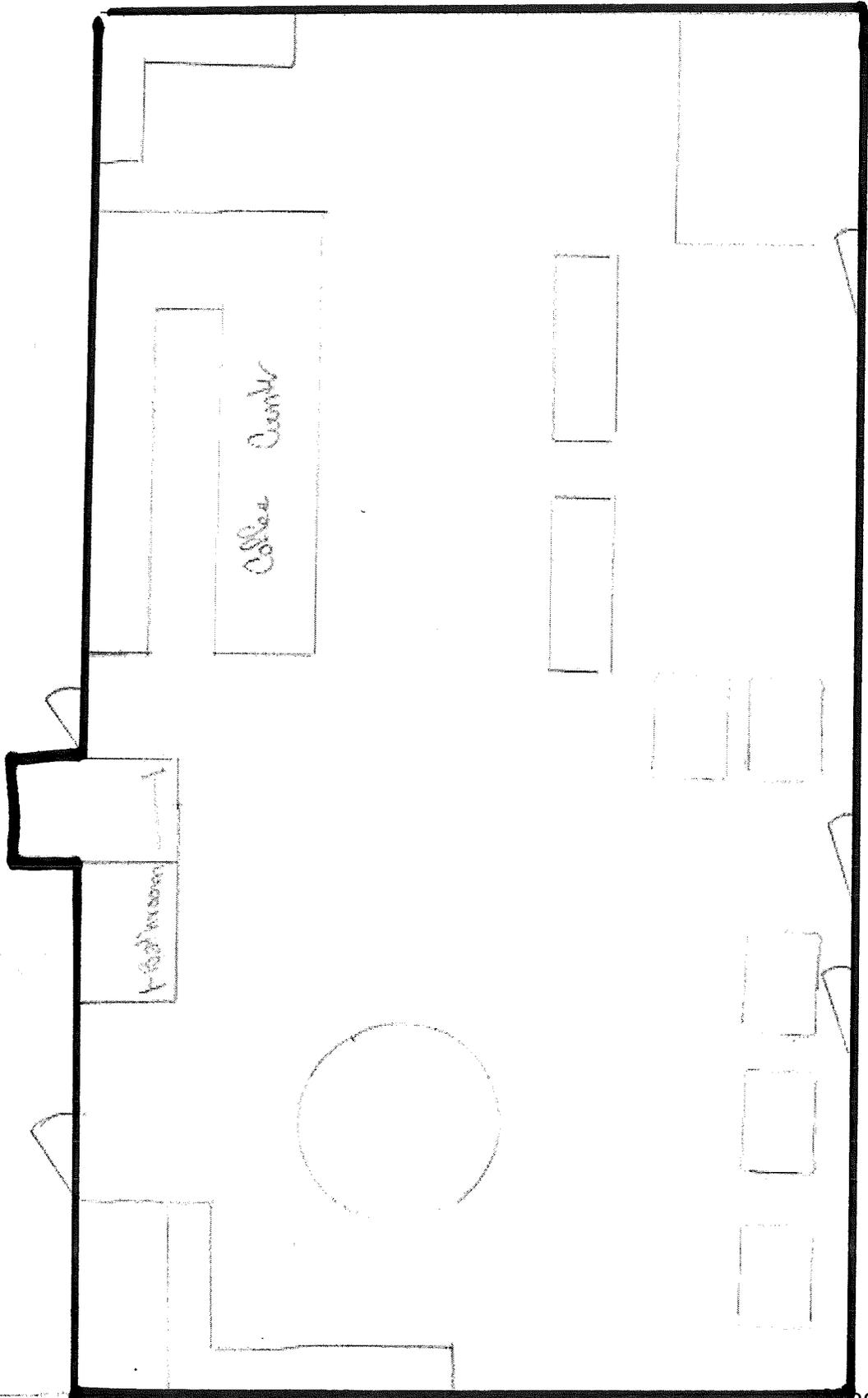
Copyright © 2019 by the State of Colorado

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Posted 11/8/19

Warehouse

warehouse



Front



TOWN OF MINTURN
P.O. Box 309 (302 Pine Street)
Minturn, Colorado 81645-0309
970-827-5645 Fax: 970-827-5545
treasurer@minturn.org

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

MEMORANDUM

TO: Scott Peterson, ECSO-Minturn
Mike Sawyer, Town Attorney
FROM: Jay Brunvand, Treasurer/Clerk
CC:
DATE: Friday, November 08, 2019
RE: Special Event Permit

I am in receipt of a Special Event Permit submitted by the Vail Jazz Foundation, Inc. for an event to be held at the Vail Mountain Coffee and Tea located at 23698 US Highway 24 Minturn CO on Sunday December 1, 2019. Because this event is for the VJF, and they have held multiple events before I am not asking for a full background check, fingerprints, etc. at this point. In the event an issue is presented that would require further investigation we would do the fingerprints then. I will be available to work with you in the event you have any questions.

I have scheduled this for Council review on November 20, 2019. Note, because this is a Special Event Permit, only the Town approves the application, the State is informed of the event but they do not approve the application as is done with a Liquor License application.

Please feel free to contact me in the event you have any questions.

Sincerely,

Jay Brunvand
Town Clerk/Treasurer



To: Mayor and Council
From: Jay Brunvand
Date: November 20, 2019
Agenda Item: Public Hearing and consideration for approval – Special Event Permit

REQUEST:

Staff is requesting Council to review and approve the attached Special Event Permit.

INTRODUCTION:

Council is asked to approve a Special Event Permit for the Eagle Valley Community Fund – Bindu Memorial Fund for an event to be held on December 7, 2019 at the VSSA located at 1 Academy Loop Minturn, CO. The attached documentation indicates the compliance with the posting of the site and the event.

This application will require a Public Hearing to allow input on the request.

ANALYSIS:

Not Applicable

COMMUNITY INPUT:

As of this writing I have not received any remonstrances from the public in any form.

BUDGET / STAFF IMPACT:

Not Applicable.

STRATEGIC PLAN ALIGNMENT:

In accordance with Strategy #3 the Town will sustain and invest in the things that define Minturn as a proud, sturdy, mountain town to “Keep Minturn Minturn”.

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to approve the proposed Special Event Permit to sell Malt, Vinous and Spirituous liquor beverages to be located as defined in the attached application as presented with the following conditions:

- 1) The application was received on October 30, 2019. The Notice Of Public Hearing on his matter was posted on the premises by the Town Clerk on Monday November 5, 2019 at least 10 days prior to the Council Meeting consideration.
- 2) That the selling of liquor in the manner currently proposed in the application is not in violation of the Minturn Municipal Code.
- 3) Staff requests at least one T.I.P.S., or equivalent, certified server be present, and at least one person to check ID’s be present at all times while alcoholic beverages are sold.
- 4) Staff request each entrance/exit and premises be monitored and secured to ensure crowd control and that no outside liquor is introduced to the event and that no liquor is removed from the premises.

ATTACHMENTS:

- Application and supporting documentation for the license renewal.

Application for a Special Events Permit

Departmental Use Only

In order to qualify for a Special Events Permit, You Must Be Nonprofit and One of the Following (See back for details.)

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Social | <input type="checkbox"/> Athletic | <input type="checkbox"/> Philanthropic Institution |
| <input type="checkbox"/> Fraternal | <input type="checkbox"/> Chartered Branch, Lodge Or Chapter | <input type="checkbox"/> Political Candidate |
| <input type="checkbox"/> Patriotic | <input type="checkbox"/> Of A National Organization Or Society | <input type="checkbox"/> Municipality Owning Arts Facilities |
| <input type="checkbox"/> Political | <input type="checkbox"/> Religious Institution | |

LIAB Type of Special Event Applicant is Applying for:	DO NOT WRITE IN THIS SPACE
2110 <input checked="" type="checkbox"/> Malt, Vinous And Spirituous Liquor \$25.00 Per Day	Liquor Permit Number
2170 <input type="checkbox"/> Fermented Malt Beverage \$10.00 Per Day	

1. Name of Applicant Organization or Political Candidate <i>Eagle Valley Community Fund - Bindu Memorial Fund</i>	State Sales Tax Number (Required)
--	-----------------------------------

2. Mailing Address of Organization or Political Candidate (include street, city/town and ZIP) <i>PO Box 1580 Vail, CO 81658</i>	3. Address of Place to Have Special Event (include street, city/town and ZIP) <i>1 Academy Loop Minturn, CO 81645</i>
--	--

Name	Date of Birth	Home Address (Street, City, State, ZIP)	Phone Number
4. Pres./Sec'y of Org. or Political Candidate			

5. Event Manager <i>Nick Courtons</i>	Date <i>03/14/89</i>	Home Address (Street, City, State, ZIP) <i>474 Eagle St. Minturn, CO 81645</i>	Phone Number <i>516-755-4169</i>
--	-------------------------	---	-------------------------------------

6. Has Applicant Organization or Political Candidate been issued a Special Event Permit this Calendar Year? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES HOW MANY DAYS? _____	7. Is premises now licensed under state liquor or beer code? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES TO WHOM? _____
---	--

8. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed? Yes No

List Below the Exact Date(s) for Which Application is Being Made for Permit

Date		Date		Date		Date		Date	
Hours	From	Hours	From	Hours	From	Hours	From	Hours	From
	To		To		To		To		To
<i>12</i>	<i>17/19</i>								

Oath of Applicant

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Signature <i>Susan Davis</i>	Title <i>EVCF Director of Community Impact</i>	Date <i>10-11-19</i>
---------------------------------	---	-------------------------

Report and Approval of Local Licensing Authority (City or County)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended.

THEREFORE, THIS APPLICATION IS APPROVED.

Local Licensing Authority (City or County)	<input type="checkbox"/> City <input type="checkbox"/> County	Telephone Number of City/County Clerk
Signature	Title	Date

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

Liability Information			
License Account Number	Liability Date	State	Total
		-750 (999)	\$

(Instructions on Reverse Side)

Application Information and Checklist

The following supporting documents must be attached to this application for a permit to be issued:

- Appropriate fee. *N/A*
- Diagram of the area to be licensed (not larger than 8 1/2" X 11" reflecting bars, walls, partitions, ingress, egress and dimensions. **Note:** If the event is to be held outside, please submit evidence of intended control, i.e., fencing, ropes, barriers, etc.
- Copy of deed, lease, or written permission of owner for use of the premises.
- Certificate of good corporate standing (NONPROFIT) issued by Secretary of State within last two years; **or**
- If not incorporated, a NONPROFIT charter; **or**
- If a political Candidate, attach copies of reports and statements that were filed with the Secretary of State.

- Application must first be submitted to the Local Licensing Authority (city or county) at least thirty (30) days prior to the event.
- Public notice of the proposed event and procedure for protesting issuance of the permit shall be conspicuously posted at the proposed location for at least (10) days before approval of the permit by Local Licensing Authority. (44-5-106 C.R.S.)
- State Licensing Authority must be notified of approved applications by Local Licensing Authorities within ten (10) days of approval.
- Check payable to the Colorado Department Of Revenue *N/A*

Qualifications for Special Events Permit

(44-5-102 C.R.S.)

A Special Event Permit issued under this article may be issued to an organization, whether or not presently licensed under Articles 4 and 3 of this title, which has been incorporated under the laws of this state for the purpose of a social, fraternal, patriotic, political or athletic nature, and not for pecuniary gain or which is a regularly chartered branch, lodge or chapter of a national organization or society organized for such purposes and being non profit in nature, or which is a regularly established religious or philanthropic institution, and to any political candidate who has filed the necessary reports and statements with the Secretary of State pursuant to Article 45 of Title 1, C.R.S. A Special Event permit may be issued to any municipality owning arts facilities at which productions or performances of an artistic or cultural nature are presented for use at such facilities.

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Eagle Valley Community Foundation

is a

Nonprofit Corporation

formed or registered on 09/23/2014 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20141553951 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 10/08/2019 that have been posted, and by documents delivered to this office electronically through 10/10/2019 @ 16:07:27 .

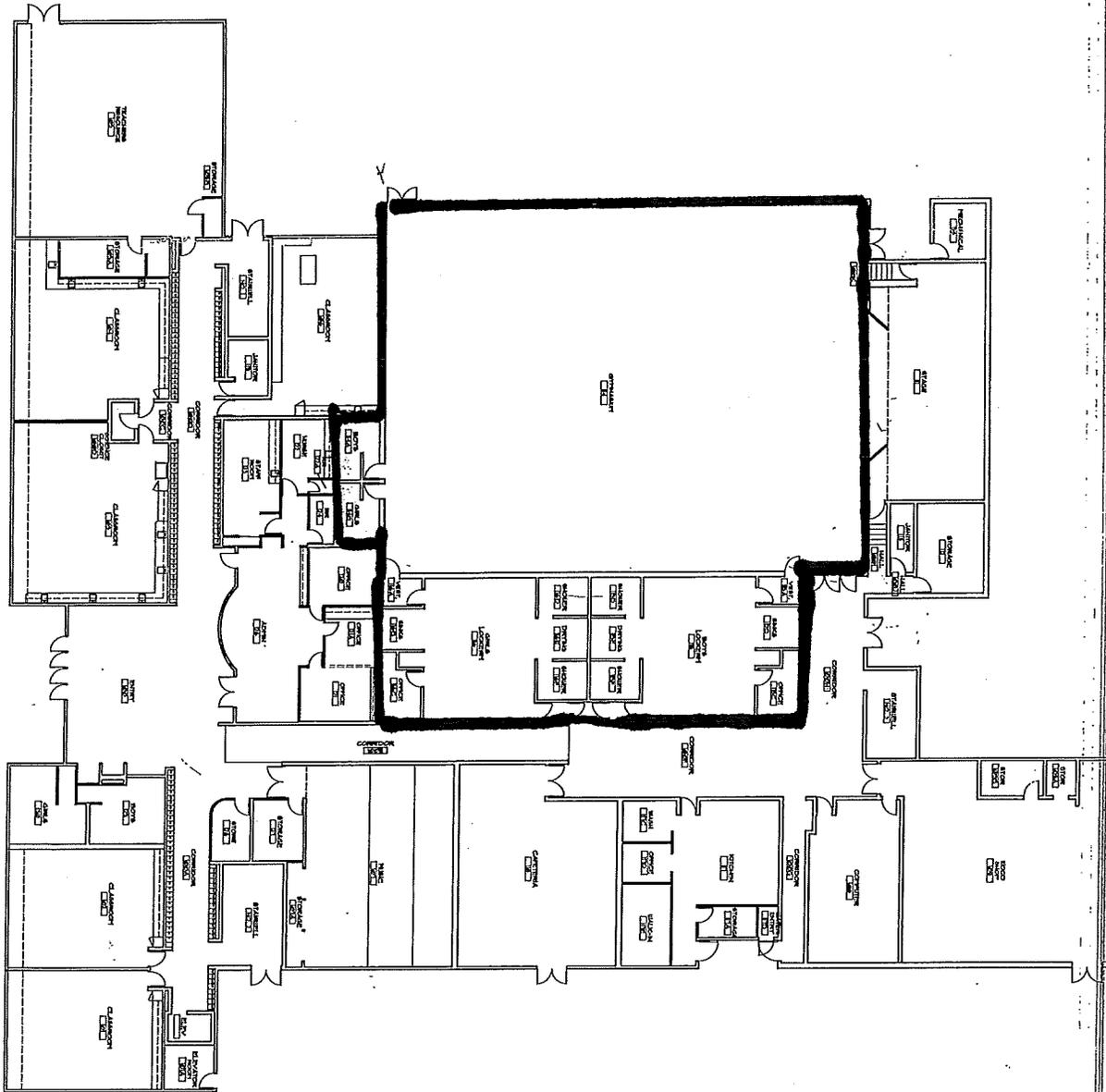
I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 10/10/2019 @ 16:07:27 in accordance with applicable law. This certificate is assigned Confirmation Number 11849749 .

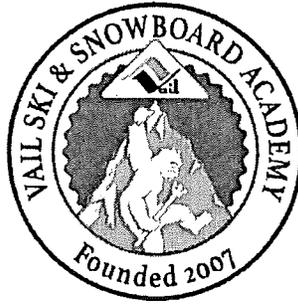


Jena Griswold

Secretary of State of the State of Colorado

*****End of Certificate*****
Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."





10/30/2019

To Whom It May Concern:

It is with full support and authority that I support the Bindu Pomeroy Spirit Movie Premier event to be held by the Bindu Pomeroy Memorial Fund on Saturday, December 7th at the Vail Ski & Snowboard Academy. The film premiers and scholarship announcements are directly in line with our core values that support our students and programs at the VSSA.

I formally grant permission for the facility use of the Vail Ski & Snowboard Academy, under the terms of an acceptable school-based event that allows for consumptive use of alcohol, by its parent organization, Eagle County School District.

Please feel free to contact me with any further questions concerning the use of our facilities.

Your neighbor and community partner,

A handwritten signature in black ink, appearing to read "Wade Hill".

Wade Hill, Principal



Posted 10/5/19



TOWN OF MINTURN
P.O. Box 309 (302 Pine Street)
Minturn, Colorado 81645-0309
970-827-5645 Fax: 970-827-5545
treasurer@minturn.org

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

MEMORANDUM

TO: Scott Peterson, ECSO-Minturn
Mike Sawyer, Town Attorney
FROM: Jay Brunvand, Treasurer/Clerk
CC:
DATE: Friday, November 08, 2019
RE: Special Event Permit

I am in receipt of a Special Event Permit submitted by the Eagle Valley Community Fund for an event to be held at the VSSA Academy located at 1 Academy Loop, Minturn CO on Saturday December 7, 2019. Because this event is for the VSSA, we have held this event before, and our Mayor is closely associated and working this event, I am not asking for a full background check, fingerprints, etc. at this point. In the event an issue is presented that would require further investigation we would do the fingerprints then. I will be available to work with you in the event you have any questions.

I have scheduled this for Council review on November 20, 2019. Note, because this is a Special Event Permit, only the Town approves the application, the State is informed of the event but they do not approve the application as is done with a Liquor License application.

Please feel free to contact me in the event you have any questions.

Sincerely,

Jay Brunvand
Town Clerk/Treasurer

**FROM THE DESK OF
JAY BRUNVAND, MINTURN FINANCE OFFICE**

MEMORANDUM

TO: Town Council
FROM: Jay Brunvand, Finance Office
CC:
DATE: November 20, 2019
RE: FY2020 Annual Budget

At the November 6, 2019 Council Meeting the Council again reviewed the Preliminary FY 2020 budget and opened for discussion the Public Hearing on the budget. During tonight's discussion Council will consider on First Reading approval the four Ordinances used to formally pass the budget. Second Reading and final reading of the Ordinances will be brought forth on December 4, 2019 upon which approval will finalize the budget process and the budget season.

During the discussion November 6, 2019 meeting Council discussed revenue and expense items of material concern and how they affect the overall budget. Specific time was spent on the proposed water rate structure. In summary, the water rates will see a 5% increase over 2019. It was noted that as we flesh out the Capital needs in the Enterprise Fund the rates for water will be again reviewed in order to sufficiently fund those identified needs. A lengthy discussion ensued on the base rate for water and how it was calculated using a standard 6,000gal/mo allowance prior to the user being charged for use above that amount. Discussion identified the need to consider if that amount is appropriate or if it should be lowered to 4,000gal/mo or some other level. No direction was agreed to. The fees proposed in Ordinance 11 – Series 2019 are based on 6,000gal/mo.

11/6/2019 Council Meeting

During tonight's meeting we will do an overview of the budget DURING the Public Hearing as the Staff presentation through this memo.

During the October 16 meeting we reviewed a PowerPoint presentation which highlighted the budget from an overview position and we discussed in detail the water system needs and associated costs. Council was presented with two options to address the needs of the water system and directed Option #2 be pursued. This option, although comes with a steeper cost, does provide for a larger growth potential than Option #1.

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

Page 15:

- 01-00-4010 Property Tax – although this is a reassessment year, property tax is up slightly over 5%. This small increase is due to the constraints in place by the Gallagher Amendment which requires residential valuations statewide to be limited to 40% of the entire tax revenue pie.

Because the commercial sector valuations are not as strong as the Residential, the revenue from the residential sector is held down. This is not something that we foresee to change dramatically in the coming years.

- 01-00-4039 Lodging Tax – adjusted due to the continuing effects of our Short-Term Rental policy as well as the continuing growth of the acceptance and use of short-term rental options by the vacationing public.
- 01-00-4220 Hwy 24 Maintenance – this line item will grow from \$27,000/annually to \$34,000/annually due to a successful renegotiation of this contract with CDOT. This recognizes an almost 26% growth over previous years.
- 01-00-4250 P&Z Fees/Permits – This item represents both growth and a refinement in the method of assessing. A more concerted effort has been made to code fees and permits away from building fees.

Page 21:

- 01-01-5200 Telephone – In 2019 Staff purchased a new phone system which uses Voice Over Internet Protocol (VoIP). This new technology has allowed the town to recognize savings over prior years and will be realized annually in future years. Each phone line item throughout the budget is reflective of this savings.
- 01-01-5255 Elections – 2020 is a Council Election year and is represented here.

Page 24:

- 01-02-5215 Planner Assist – This account has been increased over 2019 to allow for additional costs associated with the various needs to improve the code and the functionality of Chapter 16 and other portions of the municipal code.

Page 34:

- Enterprise Fund Revenues – This page will continue to be discussed as the CIP plan is reviewed.
- In April of 2019, Council passed Ordinance 03-2019 which restructured the Enterprise Fund by moving parks and recreation to the General Fund. This is represented in accounts 01-06-5356 and 01-06-5357. This is a permanent change for the budget hence forth.

Page 39:

- As previously discussed, 2020 represents the final year of payments on the Town Hall. This debt will be retired in mid-February resulting in additional savings in interest and bank fees. Income will be recognized by utilization of the existing escrow funds and the above savings, this will be transferred to the Capital Fund (06) and used to purchase half of a new loader, the second half is budgeted in the Enterprise Fund.

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

Questions?

10/16/2019 Council Meeting

During tonight's Worksession we will begin an in-depth review of the water rate reports and Capital needs for the water plant and system. This discussion will include presentations from our consultants which are designed to guide us through the process. As part of this review the Council will consider a wide variety of needs sorted into various options and time frames to complete. The intent is to maintain the affordability of the system on a month to month basis for our customers while still accomplishing the myriad of needs and improvements.

During the regular Council Meeting time will be provided to further consider the water operations and include a water rate schedule. During the 10/2/19 Council Meeting a complete review of the FY2020

budget was presented. The meeting tonight will afford ample time to ask questions not only on the water issues but on any other items in the FY2020 budget.

As a recap, during the 10/2/19 presentation the council considered and directed the following:

- * Consideration of water rates/fees: it was directed the water and trash rates would increase by 5% as outlined in the budget revenues. However, as the Council was brought to speed with the needs of the water plant and system, we would revisit this for the FY2020 budget. With the information reviewed at tonight's meeting, Staff will again be requesting direction on this subject. This direction may also provide insight to the base water allowance of 6,000gal/mo.
- * Staff has provided for one Public Hearing to be held at the November 6, 2019 Council meeting. Direction was given this was sufficient and to proceed with only one.
- * Council agreed with the proposed budget calendar for FY2020 and directed to proceed as such.

10/2/2019 Council Meeting

When reviewing the Draft FY2020 Annual Budget it is important to realize that this budget is tight. It recognizes the completion of the 2019 sidewalk project which will be completed and closed out in the 4th quarter of 2019 and it also recognizes minimal growth in property tax assessments anticipated in the 2019 reassessment of properties statewide and the anticipated departure of Battle Mountain. Be assured this budget is conservative and represents the needs of the Community in relation to the resources of the Town government.

Different this year, the second meeting in October we will have a brief presentation and then allow time for Council to express their goals and priorities for the budget. This will give Staff the necessary time to prioritize your concerns. It is not a promise to include new items in the budget, rather a chance to consider what can be done in FY2020 and plan for the future.

Please reference the Budget Schedule and Calendar included on pages 67-69. This will give you a pretty good idea of what meetings we will have discussions and public hearings. We all know the budget includes the operational items like electric bills and general day to day items. My intent during the first meeting in October is not to review that material in detail, rather to highlight some of the recent items of note in our General Fund revenues and expenses and allow for council and public questions. I have listed a few of the accounts below to show the Council that we do have money to perform some of the items we have recently discussed that are not Special Projects.

ITEMS OF NOTE:

GENERAL FUND (01):

INCOME:

- Property Tax (01-00-4010) – The amount reported in the Certification of Values represents a very small increase over 2019. As a reminder, in 2017 the legislature passed HB 17-1349 and a similar bill in 2019. This Bill was a housekeeping law to accommodate the Gallagher Amendment from 1982.
 - By way of background, it actually took three tries and over a decade to pass the TABOR Law in 1992. The Gallagher Amendment was an attempt to assuage TABOR supporters and dissuade them from voting for TABOR.
 - The Gallagher Amendment was passed in 1982 and established residential property values for the entire state limited to 45% of the total assessed value.
 - Consequently, as the residential property values increase, periodically they are adjusted to remain compliant. An adjustment was made in 2003 and the value was reduced from 9.15% to 7.96% where it remained until 2018. In 2018 it reduced from 7.96% down to 7.2% and in 2019 from 7.2% to approximately 7.15%. Although this most recent reduction will affect the tax receipts in FY2020 it will come in a reassessment year, meaning we will not increase as much as anticipated. On page 71, I show a formula of

how the taxes are calculated and the effect various laws have had on our funding over the past 20 plus years. On page 72, I show what makes up the tax bills in Minturn. I often hear one comment on how much is paid to Minturn. This graph shows what taxes are paid within the town limits, not just to the town. The worksheets not only show how the property assessment is calculated but, based on a value of \$200,000, how the revenue has decreased or not grown as it has in previous years when the Gallagher Amendment did not adjust. In 2020 our property tax revenue will grow only about \$27,000 or about 5% over 2019.

- Lodging Tax (01-00-4039) has been growing year over year showing a slow gain. This is due to more units and rental of those units as well as a more developed and uniform collection system locally and state wide. Changes in the state laws have made it easier for companies like AirBnB to submit their taxes directly to the state for distribution to Minturn.
- Sales Tax (01-00-4040 and 4050) are showing flat growth over the 2019 budget. The state has begun requiring companies who sell online from both intra and interstate to collect and submit sales tax. These payments are made to the state and distributed to the town monthly and is showing to be about a 10% increase for the town. This new income has already been estimated in the budgeted numbers for 2019 allowing for a flat revenue in 2020.
- The town is anticipating a small number of new unit developments in 2020. This is represented in the increase for Planning and Development fees. Although we have tried to be conservative in these numbers, several of our General, Enterprise, and Capital fund revenues reflect a small increase by association.
- Currently we have 8 leases on the lease lot budgeted for 2020. This includes the concrete plant, and seven others in the developed area behind the berm. (01-00-4516 thru 4526). This revenue source allows for diversification of our revenues and accounts for a budgeted \$138,000 income. Additionally, the town anticipates revenues of over \$5,000 for snow dump services. This diversified income represents almost 10% of the amounts collected in property and sales taxes and 8% of our total General Fund revenues for 2020.
- As the economy has improved and the Federal Reserve increases interest rates our Investment Earned is showing signs of life. In the past three years we have increased from approximately .11% to over 2.40%. This upward trend is reflected in our anticipated interest revenues. (01-00-4540).
- Battle Mountain Development (BMD) (01-00-4575) has filed a request to Disconnect from the town. Although this was not a surprise and we have seen a significant drop in their funding commitments, the FY2020 budget reflects this change throughout.

EXPENSE:

- For all Employee Medical and Disability costs I have budgeted a 10% cost increase since rates are often not available in the early days of the budget. Because of this budgeted 10% increase it skews the insurance line items in the budget process. I anticipate the actual cost to be much lower once the various insurance entities set their rates in the coming months. I have received word from our medical insurance that we will increase approximately 5% in FY2020. In recent years we have seen negative, zero or very modest increases. In an industry that has seen 10-40% annual increases and wild fluctuations in the private markets, Staff feels this is a tremendous success in cost management.
- Community Contribution (01-01-5271) is being phased out as we are faced with large capital improvements on the short- and long-term horizons. Some of the more beneficial community organizations have been funded in separate line items. For example, The Vail Valley Partnership will be funded at \$3,500 (01-01-5235) and the Minturn Community Fund is funded at \$15,000 (01-05-5275).
- In the Planning Department budget, the Planner was moved to a contracted position and the Code Enforcement is a full- time employee. Line item 01-02-5215 has been increased to support further support in the Planning Department.

- Town Events and promotions (01-05-5275) is flat from 2019 however the line item reflects changes within the appropriation to more adequately fund programs that are working and better evaluate some programs.
- Public Works and Water Plant tools have been discussed as a possible need. Again this year, \$5,000 is budgeted in both the Public Works and the Enterprise budgets. (01-06-5120 and 02-06-5150)
- Public Building R&M is budgeted at \$15,000, up from \$12,000 in 2019, and used to assist in maintenance and upgrades to our facilities.
- Maintenance and improvements for streets and sidewalks has again this year been budgeted for \$40,000 (01-06-5352). Although this is not enough to reconstruct a major road it is enough to assist in the maintenance thereof.
- In April of 2019, Council passed Ordinance 03-2019 which restructured the Enterprise Fund by moving parks and recreation to the General Fund. This is represented in accounts 01-06-5356 and 01-06-5357. This is a permanent change for the budget hence forth.

ENTERPRISE FUND (02):

- In accordance with last year's policy direction for setting town water rates and with the recent Ehlers study, Staff is recommending:
 - A base rate increase of \$4.23 or 5% from \$86.50 to \$90.83
 - No change in the base allowance of 6,000gal but an increase from \$5.07 to \$5.32 per 1,000 over the base allowance.

If Council were to consider reducing the base gallon allowance from 6,000gal, I would recommend reducing the allowance but not the fees. It has been made very clear that we need to increase our reserves, this is a good place to start. In previous studies we have shown the average monthly usage is approximately 4,400 gallons.

- An increase in trash service rates from \$32.34 to \$33.96 per month. This is a 5% increase.
- A 5% increase will be implemented to the tiered system for Residential Tap Fees, System Improvement Fees, and Cash in Lieu of Water fees. And, in accordance with previous year's, to match the tap rates for commercial with those of the Eagle River Water and Sanitation District.
- Once we are presented the full picture of the Capital Improvement costs, rates will need to be reevaluated with the options that are presented as part of the various options.

A detailed cost analyses is displayed on page 73 of the budget binder.

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

As part of this review and adoption of the CIP plan water rates, debt needs, and other sources of funding will be examined completely and will require rate increases and the issuance of debt to undertake all the necessary improvements. The rate increases proposed at this time will need to be re-evaluated during the upcoming fiscal year to accommodate the unknowns future needs identified in the CIP program in relation to funding options available at the time of need.

An increase in the Engineering line item (02-06-5247) is only the beginning of such identification. Staff has added \$75,000 to cover the estimated cost of engineering of a new water storage tank to repair or replace the existing 600,000-gallon tank. Much of this cost is recognized in the TAP Fee revenues (02-00-4320, 4321, and 4322).

- Annual H2O water right maintenance (02-06-5352) will increase approximately 3%. The \$125,500 covers the Cross Creek flow gage station, water rights of 5acre ft and 20acre ft through the Colorado River Pact, and 50acre feet in Eagle Park through ERWSD. The gage station shows expense; however, this is split in thirds. We pay the full amount and I then bill 1/3 to CBS/Viacom and 1/3 to BMD. At this time, it is unclear if BMD will continue to contribute to this expense.
- I have not held back the full amount of Depreciation which would then fund our reserves. With the pending needs in the Enterprise Fund of water plant and distribution line work, it will be important that we save where we can and manage our reserves in the coming several years. Our water rates are admittedly steep as are the expenses and the estimated capital needs, all must be weighed as best we can. Until we can get firm numbers on the costs and firm commitments on the projects and when those projects will be initiated, we are in somewhat of a “wait and see” mode; however, a proactive mode as well.

BUILDING FUND (04):

- FY2020 marks the final year of the Town Hall bond payments. The town has held in escrow approximately \$205,000 which will be used to retire the debt in 2020. This retirement will alleviate the need to transfer funds from the General and Enterprise Funds to cover what is not received in rents from the USPO and the apartments. Excess funds not needed to pay off the debt will be diverted to the Building Fund (06) to accommodate non-Enterprise Fund expenses. Funds normally transferred annually to the Building Fund will remain in the Enterprise Fund for capital needs.

CAPITAL FUND (06):

- The Capital Fund recognizes revenues resulting from the implementation of the Construction Use Tax and the previously noted income from the General Fund transfer.
- Vehicles/Equipment (06-01-5249) is earmarked for 50% of the cost of a new loader, the remaining 50% is budgeted as an expense in the Enterprise Fund (02). Previous direction has been to maintain a 20year rotation of the two loaders. This rotation will mean at the oldest point one loader will be 10years old and the second will be replaced at 20years.
- Little Beach Park (06-01-5310) is budgeted for \$260,000 as a place holder. These funds are maintained in a savings account per the previous BMD funding agreements. These funds are held only for development in Little Beach Park and once a development plan is approved.

BATTLE MOUNTAIN DEVELOPMENT (09):

- With the previously noted developments between the town and BMD this Fund is in somewhat of a holding pattern. As funds are depleted or as otherwise directed, BMD will be invoiced for work done by Staff and town contracted experts.

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

- Consideration of water rates/fees – the proposed fees are to fund normal expense and to somewhat ramp-up for the anticipated expenses associated with the Capital Improvement Plan needs. Since these needs are currently being developed and the associated expenses are largely unknown, funding for the CIP will be developed as recommended by our consultants.
 - Sufficient rates?
 - Consideration of the 6,000gal per month base?
- Staff has only scheduled ONE budget hearing in the adoption process not including the required public hearings associated with passage of the Ordinances; is this acceptable?
- Is the following budget calendar sufficient?

- Budget Review during upcoming meetings (Budget page 66):
 - 10/16/19
 - Session under Discussion and Direction for Council to discuss the budget as relates to goals and consider questions or direction from Council
 - Q&A
 - 11/06/19
 - Public Hearing on FY2020 Budget (first and ONLY public hearing)
 - GID public hearing and approval
 - Q&A
 - 11/20/19
 - First Reading of Budget approval Ordinances
 - Review of 2019 Supplemental Appropriations
 - Q&A
 - 12/04/19
 - Second and final reading of Budget approval Ordinances



To: Mayor and Council
From: Jay Brunvand
Date: November 14, 2019
Agenda Item: Ordinance 09 – Series 2019

REQUEST:

Council is asked to approve Ordinance 09 – Series 2019.

INTRODUCTION:

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

ANALYSIS:

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

COMMUNITY INPUT:

As an Ordinance this will require a public hearing.

BUDGET / STAFF IMPACT:

This Ordinance is formal documentation of additional income received and expenses made throughout the FY2019. The impact to the budget is very real and very necessary to include as an update to the originally approved FY2019 budget in order to be in compliance with and prepared for our annual audit.

STRATEGIC PLAN ALIGNMENT:

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

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to approve Ordinance No. 09 – series 2019, An ordinance amending the 2019 budget as set forth in the following exhibit “A”, to appropriate additional general fund revenues in the amount of \$178,584.00, and appropriating additional general fund expenditures in the amount of \$141,410.00, and

appropriating additional enterprise fund revenues in the amount of \$65,035.00 and appropriating additional enterprise fund expenditures in the amount of \$135,050.00, and appropriating additional conservation trust fund revenue in the amount of \$525.00, and appropriating additional market fund revenue in the amount of \$4,350.00, and appropriating additional capital fund revenue in the amount of \$3,600.00, and appropriating additional scholarship fund revenues in the amount of \$10,000.00 and appropriating additional battle mountain resort fund revenues in the amount of \$2,200.00.

ATTACHMENTS:

- Ordinance 09 – Series 2019

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 09 – SERIES 2019**

AN ORDINANCE AMENDING THE 2019 BUDGET AS SET FORTH IN THE FOLLOWING EXHIBIT “A”, TO APPROPRIATE ADDITIONAL GENERAL FUND REVENUES IN THE AMOUNT OF \$178,584.00, AND APPROPRIATING ADDITIONAL GENERAL FUND EXPENDITURES IN THE AMOUNT OF \$141,410.00, AND APPROPRIATING ADDITIONAL ENTERPRISE FUND REVENUES IN THE AMOUNT OF \$65,035.00 AND APPROPRIATING ADDITIONAL ENTERPRISE FUND EXPENDITURES IN THE AMOUNT OF \$135,050.00, AND APPROPRIATING ADDITIONAL CONSERVATION TRUST FUND REVENUE IN THE AMOUNT OF \$525.00, AND APPROPRIATING ADDITIONAL MARKET FUND REVENUE IN THE AMOUNT OF \$4,350.00, AND APPROPRIATING ADDITIONAL CAPITAL FUND REVENUE IN THE AMOUNT OF \$3,600.00, AND APPROPRIATING ADDITIONAL SCHOLARSHIP FUND REVENUES IN THE AMOUNT OF \$10,000.00 AND APPROPRIATING ADDITIONAL BATTLE MOUNTAIN RESORT FUND REVENUES IN THE AMOUNT OF \$2,200.00.

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

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

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

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

Section 1.

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

Section 2.

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

Section 3.

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

Section 4.

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

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 20th DAY OF NOVEMBER, 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 6:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

John Widerman, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk

THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 5TH DAY OF DECEMBER, 2018.

John Widerman, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk

ORDINANCE 09 – SERIES 2019

EXHIBIT “A”

GENERAL FUND:		Addition	Revised Budget
Additional Revenue	\$ 178,584.00		
Property Tax	01-00-4010	750	512,053
Specific Ownership	01-00-4020	1,000	22,000
City Sales Tax	01-00-4050	22,000	640,000
Building Permits	01-00-4210	30,000	55,000
Highway 24 Maintenance	01-00-4220	4,000	31,000
Liquor License Fees	01-00-4230	1,700	3,000
Business/Contractor Lic	01-00-4240	2,200	22,000
Planning and Zoning Fees	01-00-4250	2,000	7,000
Municipal Traffic Fines	01-00-4430	2,000	17,000
Non-Traffic Fines	01-00-4435	8,000	9,000
Town Hall Rent	01-00-4511	350	1,350
ERFPD Impact Fees	01-00-4512	6,684	6,684
Snow Dump	01-00-4519	2,900	5,400
Investment Earned	01-00-4540	25,000	65,000
RETT	01-00-4680	70,000	170,000
 Additional Expense	 \$ 141,410.00		
Legal and Professional	01-01-5220	35,000	120,000
ERFPD	01-01-5240	6,283	6,283
Building Inspections	01-02-5214	12,000	30,750
Equipment R&M	01-06-5291	5,000	11,000
Capital Outlay-GF	01-09-8000	19,500	62,500
Spec Proj-Main Easemts	01-09-8006	32,502	32,502
Spec Proj-Dowd Jct	01-09-8008	31,125	31,125
 ENTERPRISE FUND:			
Additional Revenue	\$ 65,035.00		
Water Meters	02-00-4240	1,035	1,035
Tap Fees	02-00-4320	2,000	22,000
Tap Fees-CIL	02-00-4321	22,500	22,500
Tap Fees-SIF	02-00-4322	39,500	39,500
 Additional Expense	 \$ 135,050.00		
Legal Services	02-06-5220	25,000	85,000
Engineering	02-06-5247	110,000	185,000
Mosquito Control	02-07-6001	50	50
 CONSERVATION TRUST FUND:			
Additional Revenue	\$ 525.00		
Inv Earn	03-00-4540	525	925
 Additional Expense	 \$ 0.00		
 BUILDING FUND:			
Additional Revenue	\$ 0.00		
 Additional Expense	 \$ 0.00		
 MARKET FUND:			
Additional Revenue	\$ 4,350.00		
Sponsorship/Donations	05-00-4592	4,000	10,000
Sales/Promotions	05-00-4593	350	350
 Additional Expense	 \$ 0.00		

CAPITAL FUND:

Additional Revenue	\$ 3,600.00		
Investment Earned	06-00-4540	3,600	6,400
Additional Expense	\$ 0 .00		

GID FUND:

Additional Revenue	\$ 0.00		
Additional Expense	\$ 0 .00		

SCHOLARSHIP FUND:

Additional Revenue	\$ 10,000.00		
Investment Earned	08-00-4540	10,000	20,000
Additional Expense	\$ 0 .00		

BATTLE MOUNTAIN RESORT FUND:

Additional Revenue	\$ 2,200.00		
Investment Earned	09-00-4540	2,200	4,700
Additional Expense	\$ 0.00		



To: Mayor and Council
From: Jay Brunvand
Date: November 14, 2019
Agenda Item: Ordinance 10 – Series 2019

REQUEST:
Council is asked to approve Ordinance 10 – Series 2019.

INTRODUCTION:
This is an annual Ordinance setting forth and approving the Fiscal Year 2020 mill levy on First Reading.

ANALYSIS:
This is an annual ordinance approved by Council to establish the mill levy on property assessments for the following year. Our mill levy was set at 17.934 mills in 2000 allowing us to collect, spend, or save all revenue generated based on the county assessment. These funds flow into the General Fund as a major source of revenue to meet our budgeted needs. The mill levy collection of property tax makes up 29% of Minturn’s annual General Fund revenues.

COMMUNITY INPUT:
As an Ordinance this will require a public hearing.

BUDGET / STAFF IMPACT:
This Ordinance formally sets the town mill levy at our allowed 17.934 mills for the following year and is a major source of revenue for the town’s General Fund.

STRATEGIC PLAN ALIGNMENT:
In accordance with Strategy #1 Practice fair, transparent, and communicative local government.

RECOMMENDED ACTION OR PROPOSED MOTION:
Motion to approve ordinance no. 10 – series 2019, an ordinance levying general property taxes for the year 2020, to meet general operating costs of government for the Town of Minturn, Colorado for the 2020 budget year.

ATTACHMENTS:

- Ordinance 10 – Series 2019

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 10 – SERIES 2019**

AN ORDINANCE LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2020, TO MEET GENERAL OPERATING COSTS OF GOVERNMENT FOR THE TOWN OF MINTURN, COLORADO FOR THE 2020 BUDGET YEAR.

WHEREAS, the Minturn Town Council of the Town of Minturn, Colorado will adopt the annual budget in accordance with Local and State Government Budget Law, on December 4, 2019, and;

WHEREAS, the assessed valuation for the Town of Minturn, Colorado as certified by the Eagle County Assessor is approximately **\$30,036,320.00** and will generate approximately **\$538,671.00** based on the authorized 17.934 mills of the Town of Minturn, and;

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

WHEREAS, the final assessed valuation for the fiscal year 2019 will be available by December 1, 2019 from the County of Eagle Assessor in a timely manner to allow the passage of this Ordinance as a non-emergency in the normal course of events.

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

Section 1. That for the purpose of meeting general operating expenses of the Town of Minturn during the 2020 budget year, there is hereby levied a tax of 17.934 mills upon each dollar of the total valuation for assessment of all taxable property within the Town of Minturn for the 2020 budget year. This assessment of 17.934 mills shall be duly made by the County of Eagle, State of Colorado, as directed by the Colorado Revised Statutes (as amended), and as otherwise required by law.

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

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

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

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 20th DAY OF NOVEMBER, 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 6:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

John Widerman, Mayor

ATTEST:

Jay Brunvand, Town Clerk

THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 4th DAY OF DECEMBER, 2019.

John Widerman, Mayor

ATTEST:

Jay Brunvand, Town Clerk



To: Mayor and Council
From: Jay Brunvand
Date: November 14, 2019
Agenda Item: Ordinance 11 – Series 2019

REQUEST:

Council is asked to approve Ordinance 11 – Series 2019 on First Reading.

INTRODUCTION:

This is an annual Ordinance setting forth and approving the various fees proposed for Fiscal Year 2020 on First Reading. The Town Municipal Code has many fees cited in various areas of the Code. This Ordinance combines those fees into one document. It is important to note that in the event a fee conflicts with the Code, the Code will prevail.

ANALYSIS:

This is an annual ordinance approved by Council to establish the annual fee schedule and any proposed fee increases. The fee schedule has been discussed in previous meetings with Council and each department, changes to the fees are reflected in the schedule. All fees will go into effect on January 1, 2020

COMMUNITY INPUT:

As an Ordinance this will require a public hearing.

BUDGET / STAFF IMPACT:

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

STRATEGIC PLAN ALIGNMENT:

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

RECOMMENDED ACTION OR PROPOSED MOTION: Motion to approve Ordinance No. 11 – series 2019 (First Reading) an Ordinance annually setting, amending and approving town fees as set forth in the following attachment to be included in Appendix "A" of the Minturn Municipal Code for the Town of Minturn, Colorado fees commencing January 1, 2020

ATTACHMENTS:

- Ordinance 11 – Series 2019

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 11 – SERIES 2019**

AN ORDINANCE ANNUALLY SETTING, AMENDING AND APPROVING TOWN FEES AS SET FORTH IN THE FOLLOWING ATTACHMENT TO BE INCLUDED IN APPENDIX “A” OF THE MINTURN MUNICIPAL CODE FOR THE TOWN OF MINTURN, COLORADO FEES COMMENCING JANUARY 1, 2020

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

WHEREAS, The fee schedule is available for review during regular business hours at the Town Offices.

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

Section 1.

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

Section 2.

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

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

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 20th DAY OF NOVEMBER, 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 6:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

John Widerman, Mayor

ATTEST:

Jay Brunvand, Town Clerk

THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 4th DAY OF DECEMBER, 2019.

John Widerman, Mayor

ATTEST:

Jay Brunvand, Town Clerk

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

ITEM	DESCRIPTION	FEE 2019	OTHER	2020 Amount if Revised
General Government				
Administration				
Copies	per page	\$0.25		
CD-Town Code		\$50.00		
Bad Check fee		\$35.00		
Open Records Request				
Attorney-Administrative Description	per hour, minimum 1hr after first hour	\$185.00		
Town Staff-Administrative Description	per hour, minimum 1hr after first hour	\$30.00		
Past due monthly fee		\$35.00 plus 1.5%/month		
Real Estate Transfer Tax	per sale due at time of sale	1%		
Lodging Tax		1.5%		
Sales Tax - City		4%		
Use Tax - Construction		4%		
Credit Card Fee	For charges in excess of \$500	3%		
Meeting Room Fees				
	Deposit may be required			
Set-Up Fee	Used in Special circumstances. Will generally only use the space for Town related business or for Town partners. Will generally require they set up on their own.	\$50.00		
Flip Chart and Easel		\$25.00		
LCD Projector/screen		\$100.00		
Sound System/Microphones		\$75.00		
Full Room with Kitchen		\$300.00		
Full Room Without Kitchen		\$200.00		
Cleaning Deposit	Based on actual cost	\$250.00		
Little Beach Park				
Minturn Resident		\$100/block \$150/day		\$150/block \$200/day
Non Profit		\$50/block \$100/day		No Change
Non Resident		\$150/block \$250/day		\$200/block \$300/day
Business Licenses:				
Initial License Fee		\$120.00		
Initial License Fee	(9/1-3/31=\$10/month)	\$60.00		
Business License Fee	(Due 4/1-3/31)	\$120.00		
In-Home License Fee		\$36.00		
Home Business License	(Major household income)	\$120.00		
Outdoor Recreation License		\$120.00		
Short Term Rental License		\$300.00		
Snow Plow Business		\$120.00		
Each additional vehicle		\$12.00		
Peddler or Solicitor:				
License Fees				
1 Day		\$15.00		
2 Days Consecutively		\$30.00		
3 Days Consecutively		\$45.00		
5-Days Consecutively		\$75.00		
7 Days Consecutively		\$120.00		
30 Days consecutively		\$240.00		
Annual License	(Due 4/1)	\$240.00		
Contractor:				

ITEM	DESCRIPTION	FEE 2019	OTHER	2020 Amount if Revised
Annual License Fee - General	Valid for 3yrs	\$240.00		
Business List Print Fee		\$40.00		
MISCELLANEOUS FEES				
	Set administratively to cover the cost of services.			
Professional Use Fee	Inc use of town Eng, etc	Cost + 20%		
LIQUOR LICENSE APP FEES	All fees as set by State			
PUBLIC SAFETY				
Incarceration Fee	Assessed at current daily fee charged by the ECO Sheriff's Office			
Records Requests-Criminal Justice		.25pg + \$5.00 Admin Fee		
Clearance Letter	per individual	\$10.00		
Court Transcripts		\$250.00 Deposit/Actual Cost		
Court Fines		per Judge		
Court Fines-Payment Plan Fee	Per court direction	\$25.00		
Court Cost Fee		\$25.00		
Community Service Fee		\$25.00		
PUBLIC WORKS				
SNOW DUMP-TANDEM		\$50.00		
SNOW DUMP-END DUMP		\$90.00		
SNOW DUMP-FINE	ILLEGAL DUMPING-MINIMUM x4			
SNOW PLOW/SNOW SIDEWALK REMOVAL				1ST OFFENSE = \$125 2ND OFFENSE = \$250 3RD OFFENSE = \$500 4TH OFFENSE = \$1000 PLUS CITE INTO COURT *DURING SAME YEAR
Water				
Cash deposit		\$100.00		
Debt Service Fee	Per SFE/Month	\$1.65		\$7.94
Turn-on/Reconnect Fee		\$50.00		
Turn-off/Disconnect Fee		\$50.00		
Turn-on/Reconnect after 6/02	For non metered water only	\$400.00		
Tap, inspection, connection fee				
(1) Residential Unit; per unit plus Tier fee per sq foot floor		Tap Fee \$4,935 SIF Tier 1 \$4.06/spft SIF Tier 2 \$5.11/sqft SIF Tier 2 \$6.16/sqft		Tap Fee \$5,182 SIF Tier 1 \$4.26/spft SIF Tier 2 \$5.37/sqft SIF Tier 2 \$6.47/sqft
Cash in Lieu of Water		\$11,179.00		\$11,737.95
(2) Hotel/Lodge/Motel/Lock-off/Accommodation Unit:				
(a) per efficiency room		\$3,750.00		
(b) per room		\$2,750.00		
Out of Town Tap Fees are 25% higher				
Tap, Inspection, Connection Fee				
Commercial Service Line Size in inches: Set to equal ERWSD rates		Cost per Tap		
	3/4in (1.5 SFE)	\$15,561.00		
	1in (2.6 SFE)	\$26,970.00		
	1in 1/2 (5.8 SFE)	\$60,165.00		
	2un (10.3 SFE)	\$106,845.00		
	3in (23.0 SFE)	\$240,685.00		
	4in (40.9 SFE)	\$424,268.00		
	6in (92.1 SFE)	\$955,382.00		
All out of Town Taps	Sec. 13-29(b)(1)	+ 50%		
Construction Use Rates	Sec. 13.65			
Any water use for construction purposes	per month flat fee plus use	\$100.00		

ITEM	DESCRIPTION	FEE 2019	OTHER	2020 Amount if Revised
Portable meter fee		\$100.00		
Portable meter water use	\$5.00/1000 gal	\$10.00/1000 gal		
Portable meter deposit or lost meter cost		\$1,750.00		
Unusual Water User Fee	Sec. 13.66	set Administratively		
Unmetered Water Rate	Sec. 13-67			
Monthly rate per SFE for	Residential	\$108.13	Base + 25%	\$113.54
Policy related to other uses	Commercial	108.13	Base + 25%	\$113.54
Replaces Sec. 13-29(b)(2)	Residential out of Town	129.75	Base + 50%	\$136.25
	Commercial out of Town	189.23	Base + 75%	\$158.95
	Seniors-Grandfathered (65 years or older)	64.87	Base -25%	\$68.12
Metered Water Rate	Sec. 13-68			
(a) Residential, basic monthly charge	per SFE	\$86.50		\$90.83
plus a monthly above 6,000 gals. use charge per 1,000 gallons		\$5.07		\$5.58
(b) Commercial, basic monthly charge	per SFE	\$86.50		\$90.83
plus a monthly above 6,000 gals. Use charge per 1,000 gallons		\$5.07		\$5.58
(c) 25% discount for Residential Owner-Occupant over 65 years of age		\$64.87		\$68.12
Out of Town Water Rate are 50% higher for Residential and 75% higher for Commercial	Sec. 13-29(b)(2)	\$129.75		\$136.25
Trash Collection				
(a) Residential, Basic Monthly Charge	per contracted rates	\$32.34		\$33.96
Street Cut Fee				
Basic permit fee	Performance Bond may Required	\$75.00		
Basic utility fee		\$50.00		
	per Sec. 11-26			
	replacement of paving w/oil&chip surface/ per sq. ft.	Per Bid		
	dirt cuts	Per Bid		
	Backfilling	time, material, staff time		
	Saw cuts per lineal foot w/min fee 25.00	time, material, staff time		
	Any re-work	time, material, staff time		
Application for Encroachment	Sec. 11-3	\$40.00		
Eagle River Fire Protection District Impact Fees				
new meter size:	3/4 inch	\$1,671.00		
	1 inch	\$2,841.00		
	1.5 inch	\$5,515.00		
	2 inch	\$8,857.00		
	3 inch	\$18,382.00		
	4 inch	\$28,409.00		
	6 inch	\$55,147.00		

PLANNING AND ZONING FEES

<u>ITEM</u>	<u>2020 FEE</u>	<u>DETAIL</u>
Pre-Application Conference	None	
PUD Concept Plan	\$ 450.00	\$50 per each commercial, industrial or residential unit in PUD
PUD Preliminary Development Plan	\$ 1,500.00	\$50 per each commercial, industrial or residential unit in PUD
PUD Final Development Plan	\$ 2,000.00	\$50 per each commercial, industrial or residential unit in PUD
Minor PUD Concept/Preliminary Development Plan	\$ 1,000.00	\$50 per each commercial, industrial or residential unit in PUD
Changes to Approved Plans-		
Approved by Planning Director	\$ 100.00	
Approved by Planning Commission	\$ 250.00	
Approved by Town Council	\$ 500.00	\$50 for each commercial, industrial or residential unit in PUD above previously approved plan
Amendments To Text of Land Use Regulations	\$ 1,250.00	
Amendments To Official Zone District Map	\$ 1,250.00	
Conditional Use Permit Application	\$ 750.00	\$50 per each commercial, industrial or residential unit
Limited Use Review	\$ 350.00	
Temporary Use Permit	\$ 800.00	
Temporary Use Permit Security Deposit	\$ -	Per Planning Director, impact dependent
Variance Permit	\$ 500.00	
Administrative Replat	\$ 500.00	
Preliminary Subdivision Plat	\$ 500.00	\$25 for each commercial, industrial or residential lot
Final Subdivision Plat	\$ 750.00	\$25 for each commercial, industrial or residential lot
Amended Final Plat	\$ 675.00	
Subdivision	\$ 850.00	\$50 per each commercial, industrial or residential unit
Vacation of Public Easements and ROW	\$ 750.00	
Sign Permit	\$ 125.00	
Design Review Board	\$ 200.00	
Special Planning Commission meeting	\$ 500.00	
Appeal - Planning Commission or Town Council	\$ 300.00	
Professional Review - Single structure project < 1 acre	\$ 105.00	\$105 per each hour over initial hour (see note below)
Multiple structure projects or projects 1 to 3 acre	\$ 210.00	\$210 per each hour over initial hour
Building Permits new construction - based on valuation:**		
\$1.00 to \$500.00	\$ 29.85	
\$501.00 to \$2,000.00	\$ 29.85	\$3.87 for each additional \$100 valuation over \$500.00
\$2,001.00 to \$25,000	\$ 87.95	\$17.78 for each additional \$1,000 valuation over \$2,000
\$25,001.00 to \$50,000	\$ 497.52	\$12.83 for each additional \$1,000 valuation over \$25,000
\$50,001.00 to \$100,000.00	\$ 817.56	\$8.89 for each additional \$1,000 valuation over \$50,000
\$100,001.00 to \$500,000.00	\$ 1,262.06	\$7.11 for each additional \$1,000 valuation over \$100,000
\$500,001.00 to \$1,000,000.00	\$ 4,106.86	\$6.03 for each additional \$1,000 valuation over \$500,000
\$1,000,001.00 and up	\$ 7,123.11	\$4.64 for each additional \$1,000 valuation over \$1,000,000
Construction without a permit		Purchase of Building Permit plus Fine of 75-100% value of permit to be determined by Town
Single item permits ex: re-roofing, basement finish, mechanical, plumbing	\$ 125.00	\$75 for each additional inspection - to be determined by building official
Plan Review		65% of permit fee
Cleanup Deposit	\$ 500.00	
Street Use Fee		1/2% of the project valuation that is valued at \$500 or greater

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

Other:

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

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

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

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

*Professional consultant fees (legal, engineering, etc) as required and necessary shall be at cost + 20%

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



To: Mayor and Council
From: Jay Brunvand
Date: November 14, 2019
Agenda Item: Ordinance 12 – Series 2019

REQUEST:

Council is asked to approve Ordinance 12 – Series 2019 on First Reading.

INTRODUCTION:

This is an annual Ordinance appropriating all beginning fund balances, revenues, and expenses in each fund and adopting the FY2020 budget.

ANALYSIS:

This is an annual ordinance reports, allocates, and appropriates the beginning fund balance, all anticipated revenues, and all anticipated expenses for each fund as detailed in the budget document. To date all changes to the preliminary budget accepted at the first meeting in October 2019 have been assimilated into these final numbers. Council will receive a final budget shortly after second reading in December which will reflect the budget as approved by this Ordinance.

COMMUNITY INPUT:

As an Ordinance this will require a public hearing.

BUDGET / STAFF IMPACT:

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

STRATEGIC PLAN ALIGNMENT:

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

RECOMMENDED ACTION OR PROPOSED MOTION:

Motion to approve Ordinance No. 12 – series 2019 an Ordinance appropriating revenues, appropriating expenditures, approving transfers and adopting the Town of Minturn budget for the period beginning on the first day of January, 2020 and ending on the last day of December, 2020

ATTACHMENTS:

- Ordinance 12 – Series 2019

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 12 – SERIES 2019**

AN ORDINANCE APPROPRIATING REVENUES, APPROPRIATING EXPENDITURES, APPROVING TRANSFERS AND ADOPTING THE TOWN OF MINTURN BUDGET FOR THE PERIOD BEGINNING ON THE FIRST DAY OF JANUARY, 2020 AND ENDING ON THE LAST DAY OF DECEMBER, 2020.

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

WHEREAS, Jay Brunvand, Treasurer, has submitted a proposed 2019 Budget to this governing body on October 2, 2019, for its consideration, and;

WHEREAS, upon due and proper notice, published and posted in accordance with the law, said proposed budget was open for inspection by the public as required by law at the Minturn Town Center, a public hearing was scheduled and held on November 6, 2019 and interested citizens were given the opportunity to file or register any objections to said proposed budget, and;

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

WHEREAS, the final assessed valuation will be available by December 4, 2019 from the County of Eagle Assessor in a timely manner to allow the passage of this Ordinance as a non-emergency in the normal course of events.

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

Section 1.

The budget for the Town of Minturn, Colorado for the fiscal year 2020 as submitted and summarized by fund as described below is hereby adopted, which adoption shall constitute appropriations of the amounts specified therein as revenues and expenditures from the Funds indicated; and that the estimated Beginning Balances, Revenues and Other Sources are hereby declared to be a reasonable projection of the amount of Revenue available for appropriation and to provide an adequate Fund Balance at the close of the fiscal year beginning January 1, 2020 and ending December 31, 2020 more particularly described as follows:

FUND DESCRIPTION	BEGINNING FUND EST. BALANCE	FY2019 REVENUE	FY2019 EXPENSES
General Fund	\$ 1,230,961	\$4,237,333	\$4,391,044
Enterprise Fund	\$1,190,409	\$ 986,260	\$ 976,216
Conservation Trust Fund	\$ 37,063	\$ 10,400	\$ 25,000
Minturn Building Fund	\$ 205,000	\$ 245,100	\$ 245,100
Market Fund	\$ 3,328	\$ 64,500	\$ 64,500
Capital Fund	\$ 337,200	\$ 252,800	\$ 260,000
Scholarship Fund	\$ 336,500	\$ 10,000	\$ 7,100
Battle Mtn Fund	\$ 0	\$ 102,500	\$ 100,000

Section 2.

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

Section 3.

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

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 20th DAY OF NOVEMBER, 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 6:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

John Widerman, Mayor

ATTEST:

Jay Brunvand, Town Clerk

THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 4th DAY OF DECEMBER, 2019.

John Widerman, Mayor

ATTEST:

Jay Brunvand, Town Clerk

Michelle Metteer
Town Manager
301 Pine St #302 | 302 Pine St
Minturn, CO 81645
970-827-5645 x8
manager@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

TOWN MANAGER UPDATE

November 20, 2019

Minturn Fitness Center

The MFC is looking for part-time staffing. To inquire, contact Kris Bowers at 970-790-5090 or kbowers@minturnfitnesscenter.com.

15 Days of Minturn Calendar www.minturn.org/15days

December 1st

- “15 Days of Minturn Kickoff Party” 4-6pm at Vail Mountain Coffee & Tea, presented by Vail Jazz Foundation and the Town of Minturn. Music by the Kathy Morrow Trio, with featured art on display by the Vail Valley Art Guild.

December 2nd and 3rd

- Explore “Meadow Mountain” voted # 1 Best of the Vail Valley Snowshoe Trail

December 4th and 5th

- Explore Maloit Park via snowshoe or cross-country skis!

December 6th

- Town Tree Lighting, 6-7:30pm in Downtown Minturn (Holy Toledo)
- Vail Valley Art Guild First Friday, 5:30-8pm at Minturn Community Fund
- “Wine and Fine Jewels” at Monkshood Cellars. Get all your holiday shopping done in one garage. 4-8pm

December 7th

- Winter Holiday Market, 10am-2pm in Downtown Minturn
 - In addition to a wide variety of vendors and holiday gift options, the market will also feature carolers, Santa, s’mores and much more!
- Self-Care Saturdays at Anahata Yoga

December 8th

- Send it Sundays at the Saloon, 3pm – Presented by Crazy Mountain Brewery

December 9th and 10th

- Explore “Meadow Mountain” voted # 1 Best of the Vail Valley Snowshoe Trail

December 11th

- Explore Maloit Park via snowshoe or cross-country skis!

December 12th

- Caroling with the Minturn Community Fund 5:30 – 7pm (Meet at 5:30 at MCF, 291 Main St) Hot cocoa provided, please bring your own thermos and headlamp, and dress warm.

December 13th

- Revival Photographic Holiday Party - 1031 Main St. 5:30-10pm.

- A 1900's Inspired Tintype Party. Bring your best 1900's gear, Tophats, Snapcaps, Feathercaps, Think Prohibition era.

December 14th

- Winter Holiday Market, 10am-2pm in Downtown Minturn
- In addition to a wide variety of vendors and holiday gift options, the market will also feature carolers, Santa, s'mores and much more!
- *Historical Walking Tours offered during the 12/14 Market (hosted by the Eagle County Historical Society) >>
- Self-Care Saturdays at Anahata Yoga
- FREE Outdoor Concert, Downtown Minturn. Featuring the Blue Canyon Boys (High Octane Colorado Bluegrass) 3-5pm, following the Market.

December 15th

- Community Dinner at Town Hall, 5:30 – 7pm.
- Send it Sundays at the Minturn Saloon, 3pm

Creative Arts District

Community members are considering a town-wide creative arts district for Minturn. This can include everything from traditional art and pottery to music and trades. For inclusion in these discussions please contact Cindy Krieg at events@minturn.org.

Sidewalks

The town has purchased equipment for the specific use of snowplowing sidewalks immediately adjoining public property. We anticipate the section of sidewalk on the east side of HWY 24 between the Enclave townhomes and Cemetery Road will be closed for the winter season. Once completed, pedestrians will be directed to use the sidewalk on the west side of the road.

Residents with property immediately adjoining a sidewalk are reminded that sidewalks need to be shoveled within 24 hours of a snowfall. This helps keep pedestrian access safe for everyone. Thank you!

Water Rate Increases Coming Soon

We anticipate a water rate discussion during the December 4, 2019 work session prior to the Town Council meeting. All are encouraged to attend.

Additional water efforts include grant and loan opportunities through the USDA and WaterNow Alliance for Project Accelerator.

Town Hall Offices Closed

Town Hall offices will be closed Thursday, November 28 & 29, 2019 in recognition of Thanksgiving.

Battle Mountain Open Discussions

Battle Mountain / Crave Development will be looking to hold several listening sessions pertaining to the viability of a project at the south end of town and the vision residents and businesses have for that area of the community. The discussions will open with the currently proposed project as a starting point to open communication between the community and developer. Initial feedback has been included in the following pages

Michelle Metteer
Town Manager
301 Boulder St #309
Minturn, CO 81645
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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

MEMORANDUM

To: Tim McGuire
From: Michelle Metteer
cc: Scot Hunn
Date: November 15, 2019
Re: South Minturn vision listening sessions

Purpose

After multiple public sessions (Council meetings) of voiced concern regarding growth at the south end of town, staff determined the need to better understand potential community vision(s) for this area.

Session Dates & Attendance:

September 9, 2019: Gusty Kanakis, Laura Wolf, Shelley Bellm, Lynn Feiger & Michael Sawyer
September 16, 2019: Michael Boyd, Woody Woodruff, Tom Sullivan, Earle Bidez, Terry Armistead & Michael Sawyer (by phone)

Key Feedback

- Growth at the south end of town is a significant concern due traffic impacts along HWY 24 (one road in, one road out)
 - Wildlife and light pollution were also mentioned.
- Several of the attendees referenced interest in a hotel along with a very small amount of housing.
 - Economic viability of a hotel was not discussed
 - Feedback for housing options ranged from “McMansions which would always be empty” to a “small amount of affordable housing.”
- Although the session was for the purpose of understanding vision for the south end of town, attendees were unable to separate Crave/Battle from the vision discussion.
- Original Annexation Agreement is in full effect – any renegotiations need to start with the original agreement as the basis for discussions.
- Crave has created a negative narrative. Between the failed land swap, an interconnect requiring current residents to use ERWSD water while Crave development residents would get Cross Creek water and vocally indicating the \$7M would not be replenished as outlined in the 2012 Agreement, attendees felt Crave was not clear on Minturn’s community values.
- Concerns regarding the mountaintop becoming a ski lift area for Vail Resorts.
- Concerns regarding development standards for the mountaintop area (access road too steep, accessibility for police/fire, quality of well water, effects of mining activity under the mountaintop unknown) – all provided concerns are the responsibility of the property owner.

- Battle must supply all necessary water rights for project to Minturn

Staff Feedback

- Battle should hear feedback from as much of the Minturn public as possible.
- Any legislative decision Council makes will be subject to referendum, so it is important to have the input and support from a majority of Minturn residents and businesses (not just a few focus groups)
- Strategically, go into these listening sessions with the goal of obtaining as much public feedback as possible – not trying to sell the project. I've reviewed Tim's draft presentation for the listening sessions and it's a great starting point to open conversations...not a sales pitch, which will help in the success of the discussions.
- There has been a degradation of trust between the community and the developer over the last 10+ years. Trust is a critical factor whenever trying to gain support – to that end, Battle should consider putting the \$7M back in escrow. This step will allow Crave to uphold its end of the 2012 Agreement and show the public the developer is looking to work with the community in good faith. It's my understanding all Agreements can be renegotiated but this step is what many detractors to the development need to see.
- Minturn residents have expressed time and time again that they want to stay a small, independent, mountain-town community. Any one project that threatens to double the population of town is unlikely to fall into that vision.

Glenwood Springs – Main Office

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P. O. Drawer 2030
Glenwood Springs, CO 81602

Aspen

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Suite 301
Aspen, CO 81611

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1544 Oxbow Drive
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Montrose, CO 81402

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[**Direct Mail to Glenwood Springs*](#)

DATE: November 15, 2019
TO: Minturn Mayor and Council
FROM: Karp Neu Hanlon, P.C.
RE: Analysis of potential conflict of interest relating to Town Planner

We are in receipt of a letter from Town Planner Scot Hunn disclosing his prior work for a client, C&B Development, which is owned by Jim Comerford (together “C&B”). C&B has notified the Town of its intent to submit a development application. According to Scot, the nature of his prior work for C&B was related mostly to cannabis business related applications, as well as planning, real estate, and zoning consultation. None of this work related to the Town of Minturn. Additionally, Scot is not currently engaged by C&B and he pledges in his letter not to accept any work from C&B subsequent to its application.

We are also in receipt of a letter from C&B, through counsel, to the Town waiving any rights it may have to claim that a decision by the Town was impacted by a conflict of interest relating to Scot’s former services.

Minturn Municipal Code § 2-4-70 governs conflicts-of-interest by Town officers and employees.¹ It contains nine specific prohibitions on conduct that would be considered a conflict. Because Scot does not have a “substantial financial interest” in C&B or the potential application, the only prohibition implicated is § 2-4-70 (4), which bars performance of an official act which affects a business by which the employee is engaged as a consultant.² However, this provision’s use of the phrase “is engaged” relates only to concurrent representation of a client and the Town, not past representations, as the case is here. We have also taken a review of the American Institute of Certified Planners (AICP) Code of Ethics, and case law in Colorado.

We have determined that disclosure and informed consent of the parties is sufficient to address this potential conflict, and furthermore determined that the potential conflict as it relates to Scot’s previous engagement with C&B, and review of its application as Town Planner, presents a nominal potential to influence his judgment.

¹ While Scot is legally an independent contractor to the Town and not an employee, we will consider him an employee for the purposes of this analysis under the Code of Ethics in the spirit of ethics and transparency.

² Full text reads: “Perform an official act which directly and substantially affects a business or other undertaking by which the officer or employee is employed, or by which such officer or employee is engaged as counsel, consultant, representative or agent.”

HUNN
PLANNING & POLICY, LLC.

October 24, 2019

Mr. Michael J. Sawyer
Town of Minturn Town Attorney
Karp Neu Hanlon
201 14th Street
Glenwood Springs, CO 81601

Re: Town of Minturn Town Planner – Conflict of Interest Disclosure and Waiver Request

Michael,

As you are aware, the Town has been notified (via pre-application meeting request) that Mr. Jim Comerford, C&B Development, Edwards, Colorado, has executed a contract, with Union Pacific Railroad (UPRR) for the sale and purchase of approximately 19 acres of UPRR lands lying to the north of the Turntable Restaurant, within the Town of Minturn.

Mr. Comerford has requested a pre-application meeting with Town staff – to occur as early as this week – for the purpose of discussing conceptual plans for his intended Planned Unit Development (PUD) for the subject property and to seek guidance on the Town’s processes and submittal requirements for a Conceptual Development Plan for PUD pursuant to the Minturn Municipal Code.

As the Town Planner for the Town of Minturn, I am compelled to notify you as the Town Attorney that I have performed private sector planning work for Mr. Comerford in the past. Previous work completed for either Mr. Comerford, personally, or his business C&B Development, included zoning and property analyses, providing general assistance in making applications to local jurisdictions for cannabis businesses owned by Mr. Comerford, or providing general planning, real estate and zoning consultation.

I have never completed any private sector work on behalf of Mr. Comerford or C&B Development specific to any projects or issues related to the Town of Minturn. Any contact I have had with Mr. Comerford with regard to the Town has been in my official capacity as the Town Planner wherein I have provided information related to the Town’s processes and application requirements related to the UPRR property.

I am not currently engaged in work with Mr. Comerford or C&B Development as a private consultant nor do I intend to accept any work from Mr. Comerford or C&B Development at any time following or during any application by Mr. Comerford for land use approvals within the Town of Minturn.

To this end, I do not believe my previous work relationship with Mr. Comerford will, in any way, create issues of impropriety, bias or lack of objectivity in carrying out my duties as the Town Planner when receiving or reviewing any applications put forth by Mr. Comerford.

However, as a certified professional planner, and pursuant to the American Institute of Certified Planners (AICP) Code of Ethics, I am also bound to provide this disclosure and to ensure that, in my service to the Town of Minturn, I avoid a conflict of interest or even the appearance of a conflict of interest in accepting assignments from clients or employers.

Kindest Regards,

A handwritten signature in blue ink, appearing to be "SDH", with a horizontal line extending to the right.

Scot D. Hunn, AICP

Porterfield & Associates, LLC.

Attorneys at Law

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Retired:
Frederick S. Otto
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November 7, 2019

Town of Minturn
c/o Michael J. Sawyer
Karp Neu Hanlon
P.O. Drawer 2030
Glenwood Springs, CO 81602

Re: C & B Development LLC

To Whom It May Concern:

This office represents C & B Development LLC in connection with the conceptual plan for PUD development at the Union Pacific Railroad property in Minturn. In the past, Scot Hunn has provided services on a contract basis to C & B Development LLC and its principal, Jim Comerford. None of these services has been in connection with the proposed Union Pacific project.

C & B Development LLC waives its right to assert that there is a conflict of interest due to the past relationship with Mr. Hunn, or to appeal any decision of the Town of Minturn based upon the prior work relationship.

If additional information is requested, please do not hesitate to contact me.

Very truly yours,



Wendell B. Porterfield, Jr.

WBP:al

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Town Council
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 Brian Eggleton
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 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
November 20, 2019
FY 2020 Budget First Reading of Ordinances
Work session – quarterly review of Council Goals
Proclamation in Support of Colorado Gives Day
Ordinance -- - 2019 an Ordinance to dissolve the Minturn General Improvement District – Sawyer
Leash Law Discussion
December 4, 2019
FY 2020 Budget Second Reading of Ordinances
Public Hearing/Action Item: Ordinance 08 – Series 2019 (Second Reading) An Ordinance approving Disconnection of Real Property from the Town of Minturn – Battle Mountain Bolts Lake Property – Sawyer
December 18, 2019
January 1, 2020
NOTE: THIS MEETING HAS BEEN CANCELED