



## AGENDA

### Town Council Regular Meeting I 5:30 PM

Wednesday, March 19, 2025

Town Hall / Council Chambers - 302 Pine St Minturn, CO

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The agenda is subject to change, including the addition of items 24 hours in advance or the deletion of items at any time. The order of agenda items listed are approximate.

This agenda and meetings can be viewed at [www.minturn.org](http://www.minturn.org).

#### MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION:

This will be an in-person meeting with access for the public to attend in person or via the Zoom link included. Zoom Link: <https://us02web.zoom.us/j/81536434074>

**Zoom Call-In Information:** 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 815 3643 4074

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

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

1. CALL TO ORDER
2. ROLL CALL AND PLEDGE OF ALLEGIANCE
3. APPROVAL OF CONSENT AGENDA

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

A. 03-05-2025 Minutes

B. Liquor License - Report of Changes, Eagle River Distilling

C. Resolution 12 - Series 2025 an Inter-Governmental Agreement for a Regional Planning Commission for Transportation Planning (Intermountain Region)

4. APPROVAL OF REGULAR AGENDA

Opportunity for amendment or deletions to the agenda.

**5. DECLARATION OF CONFLICTS OF INTEREST**

**6. PUBLIC COMMENT**

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

**7. COUNCIL COMMENTS & COMMITTEE REPORTS**

**8. STAFF REPORTS**

A. Managers Report - Jay Brunvand

B. Managers Report - Katie Sickles

**9. SPECIAL PRESENTATIONS**

Presentations are limited to 5 minutes. Invited presentations are limited to 10 minutes if prior arrangements are made with the Town Clerk.

**10. BUSINESS ITEMS**

Items and/or Public Hearings listed under Business Items may be old or new and may require review or action by the Council.

A. Resolution 11 - Series 2025 Little Beach Park Improvements / Grant Application and Funding Allocation

B. Resolution 10 - Series 2025 A Resolution Appointing Planning Commission Members – Hunn

C. Ord 04-2025 (Second Reading) an Ordinance Codifying the Water Moratorium

**11. DISCUSSION / DIRECTION ITEMS**

A. Highlands Parcels Discussion:

This discussion will include presentations by both Eagle County Open Space and Eagle Valley Land Trust, followed by discussion and Q&A.

**12. FUTURE AGENDA ITEMS**

A. Future Meeting Topics

**13. ADJOURN**

**INFORMATIONAL ONLY ITEMS**

Upcoming Council Meetings:

-- April 2, 2025

-- April 16, 2025

Upcoming Special Events:

-- April 4, 2025 - First Friday Spring Picnic at The Barn



**OFFICIAL MINUTES**  
**Town Council Meeting I Work Session 4:30PM I Regular**  
**Session 5:30PM**

**Wednesday, March 05, 2025**

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

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**MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION:**

This will be an in-person meeting with access for the public to attend in person or via the Zoom link included. Zoom Link: <https://us02web.zoom.us/j/87219220761>

**Zoom Call-In Information:** 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 872 1922 0761

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

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

- 1. WORK SESSION:** Town Council conducted a work session led by Town Engineer Jeff Spanel, to discuss the Taylor St. paving project, and Railroad Ave. Safety / pedestrian improvements.

The highlights of that discussion are contained in that Discussion / Direction section of the regular meeting minutes.

Note: Due to a Conflict of Interest, Tom Priest recused himself from the Work Session and did not attend.

- 2. CALL TO ORDER**

Mayor Earle B. called the meeting to order at 5:43pm.

**3. ROLL CALL AND PLEDGE OF ALLEGIANCE**

Council present: Mayor Earle Bidez, Mayor Pro Tem Eric Gotthelf , Town Council members Lynn Feiger , Gusty Kanakis, Kate Schifani, Tom Priest and Brian Rodine.

Staff present: Town Attorney Michael Sawyer, Town Planner Scot Hunn, Code Compliance Kevin Rindy, Town Clerk Jay Brunvand, and Deputy Clerk Cindy Krieg (zoom).

**4. APPROVAL OF CONSENT AGENDA**

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

- A. 02-19-2025 Minutes
- B. Letter of Support for Eagle County and VVMTA’s Outdoor Stewardship Partnership Grant Application
- C. 532 Main Street - New Single Family Residence
- D. 0019 Belden Way - New Single Family Residence with Accessory Dwelling Unit

Motion by Gusty K, second by Tom P, to approve the Consent Agenda of March 5, 2025 as presented. Motion passed 7-0.

**5. APPROVAL OF REGULAR AGENDA**

Opportunity for amendment or deletions to the agenda.

Motion by Eric G, second by Gusty K, to approve the Agenda of March 5, 2025 as presented. Motion passed 7-0.

**6. DECLARATION OF CONFLICTS OF INTEREST**

Due to a Conflict of Interest, Tom Priest recused himself from the Work Session and the Discussion/Direction: Taylor St. Paving and Railroad Ave. Safety / Pedestrian Improvements. Tom P. is a homeowner and resident of Minturn Townhomes.

**7. PUBLIC COMMENT**

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

**8. COUNCIL COMMENTS & COMMITTEE REPORTS**

Gusty K. brought up some upcoming events: First Friday on 3/7, and the last Community Potluck of the season on 3/10.

Tom P. mentioned that the MFC is doing training for the senior citizens group at VSSA on Wednesdays at 11am.

Lynn F. has applied to be on the Fire District board as the Minturn representative.

Earle B. mentioned that Scott Fitzwilliams has left his role as USFS Supervisor of the White River National Forest. Scott had been our point of contact for the past 15 years.

Earle Also attended the Core Transit board retreat last week. Working on adding more routes for Minturn. He was also able to share that since the inception of the RTA there has been an 80% reduction in greenhouse gas emissions from vehicles on our roads locally.

**9. STAFF REPORTS**  
**A. Manager's Reports**

**Interim Town Manager – Jay Brunvand**

**March 5 Council Meeting**

Staff is looking at having a work session to start the 3/5/25 meeting. This work session will start at 4:30 and dinner will be included. The session will cover the Minturn Townhome drainage and Taylor St Paving and will be presented by our Town Engineer, Jeff Spanel. This will allow Jeff to give a more complete picture of the two projects for the council and citizens.

**MuniBilling Utility Billing System**

We continue to assuage this, as with any new system I am finding minor tweaks that need to be made but all in all I am very happy. I am also working with Core and Main (previously Dana Kepner) who handles the radio tower and data collection process. Currently we receive a monthly data push from ERWSD that gives us the current read for the month. Having our own tower will allow us to access a lot more data to make the system more cohesive and useful. I have been pushing Core and Main to keep this on the front burner but we are looking at April or May, not the February or March I had hoped for and this date might change too. They are the only game in town and they are less responsive than I had desired.

**Minturn Education Fund**

The Minturn Education Fund committee has been busy getting the 2025 Scholarship program ready. Scholarship applications are available and all applications and associated requirements are due in by end of business on March 14, 2025!

**Community Dinners**

There have been two community dinners so far and the last one of the season is scheduled for Monday, March 10.

**Eagle County Wildlife Round Table**

I attended an Eagle County Wildlife Round Table meeting. During the meeting they reviewed the draft Decision Support Tool. During this meeting SG Group provided an update on the

development of the Egle County decision support tool and provided a brief demonstration of the product. The demonstration allowed attendees to comment and ask questions. More information will be forthcoming, but it appears that this tool will allow the user the ability to view specific areas in the county to estimate impacts on the environment and wildlife when looking at developments and new trails before construction is actually begun.

**Town Manager Search**

I spoke with our KRW associate on how the town manager search is progressing. She stated all is going well and they/we currently have 10 applicants. She noted that she **anticipates more** applicants as the deadline draws nearer. The close date for applications is Friday March 14. Once the close date passes things should start moving a little faster with reviews, setting up interviews, interviews, and hire.

**Snow and ice removal**

I wanted to give a shout-out to Public Works. During the recent onslaught of snow, cold and ice they kept our streets safe and traversable. Any call I received has been quickly attended too. During the warm trend of 2/24-28 they attacked the snow dumps and hauled everything to our main Cemetery Rd dump and addressed the traditional ice spots such as Pine to Main on Toledo. A strong thank you to Arnold, Isaiah, Michael and Micah!

**Holy Cross Electric**

HCE has contacted me regarding the Avon to Gilman high power transmission line project that has been under study for the past several years. We have set up a meeting to discuss the current proposal for March 13. This current proposal was agreed to by HCE about a year ago and has been the foundation of the NEPA hearings. The difference from prior iterations is an additional mile or so of undergrounding from the Vail Boneyard to the USFS office and they eliminated the HWY 24 overhead crossing by undergrounding it. Additionally, HCE would like to get back in front of the Council in a near upcoming meeting. I will work with HCE and set a Council meeting date for them to present and field questions.

**Interim Town Manager – Katie Sickles**

It has been a great month getting the feel for the Minturn community. I met all the staff February 11. Town staff has a good handle on their respective duties and I hope to provide support where needed if needed. For the most part I am concentrating on the assigned projects.

**A. Update on the Water Treatment Plant (WTP) Design & Engineering:** HDR provided an explanation to a recent invoice that had \$1,688,540 instead of the \$1,393,000 I reported last month. Below is the breakdown of the \$1,688,540.00 plus the \$280,400.60. This is the comprehensive fee amount from the original contract plus the amendments received over time on the project. Original Contract Fee \$ 1,529,000.00 WTP Design (July 2022) Amendment No. 1 \$ 53,780.00 Water Supply Alternatives & Evaluation Workshops (Nov. 2022) Amendment No. 2 \$ 105,760.00 Additional Engineering Services (Nov. 2023) Amendment No. 3 \$ - Budget Reallocation of \$1,688,540.00 for adjustment of SOW(April 2024) Original + Amend. 1-3 Total \$ 1,688,540.00 Amendment No. 4 \$ 280,400.60 Updated WTP Design Fee (February 2025) Overall Total Fee Booked \$ 1,968,940.60 Invoiced to date \$591,918.45 with \$1,377,022.10 remaining. The 2025

budget includes \$875,136.20. To advance the plans to 90% September 2025 will require a budget supplement. This expense is covered by CDF.

**B. CDOT Feb 26 Bellm Bridge Kickoff Meeting**

CDOT bridge staff will provide an estimate of repurposing the Dolores bridge in Minturn after they review inspection reports, however the other option was to use the arched details as a façade. Even without the inspection reports, CDOT Bridge staff felt that the cost would exceed \$5.5 million. The façade idea seemed to be particularly popular. Minturn is 1st in line for the Dolores bridge and La Junta is next. Minturn will receive an IGA and additional documents in a week or two to draft an RFQ for design. An engineering firm with CDOT and bridge experience was emphasized several times during the meeting. The grant provides design funding of which expires in four years. Although the bridge replacement is important, the design may sit on a shelf for years until construction funding is secured. The CDOT staff recommended that the quiet title work planned in this area be completed ASAP.

C. Williams Street and CDOT: Jeff Spanel found the August 2022 emails regarding redirecting Williams Street north. The explanation provided that without infrastructure to allow a right turn only land and lack of a physical location for a 3rd lane CDOT would not allow. Due to the congestion, confusion, planned development on Nelson and a discussion with Madison I asked Jeff to consider other physical changes in the town right-of-way that may reduce the conflicts. Jeff can provide more info.

D. Little Beach Park Retaining Wall and Playground: Below is a draft schedule for the Little Beach Park Retaining Wall and Playground. For the most part this project will avoid summer events, however there are only two summers to complete both projects. We are searching for grant opportunities regarding the playground expense. Jeff Armistead is interested in housing the playground either temporarily or for his purpose.

E. Revitalizing Main Street – Phase II Sidewalks:

Submittal deadline for proposals - Tuesday, March 11, 2025 (3pm MST) then evaluation of proposals will go to Town Council for Final Selection - Wednesday, March 19, 2025.

F. Safe Streets for All: The virtual meeting was held the evening of February 25 and stakeholders on February 26. Just a couple more meetings and Stolfus will provide a draft SS4A plan. The photo is a Silt pedestrian extension on US Hwy 6.

G. The Town Manager position ad closes on March 14.

**10. SPECIAL PRESENTATIONS**

Presentations are limited to 5 minutes. Invited presentations are limited to 10 minutes if prior arrangements are made with the Town Clerk.

**11. BUSINESS ITEMS**

Items and/or Public Hearings listed under Business Items may be old or new and may require review or action by the Council.

A. Resolution 08 - Series 2025 A Resolution Appointing DDA Board Members

The DDA Board is a five member board appointed with “four year staggered terms from the date of their appointment; The initial staggered terms are set by State statute and cannot be changed. Although two of the initial terms will expire quickly, those board members may apply right away to be reappointed and would then serve a 4 year term.

Ordinance 25-2024 established the Minturn Downtown Development Authority, as set below:

SECTION 3. BOARD ESTABLISHED. The Authority shall have a Board of Directors (the “Board”) comprised of 5 members appointed by the Town Council, constituted as follows:

- One member shall be a member of the Town Council, appointed to serve at the pleasure of the Town Council.
- All members aside from the Town Council member shall be property owners, employees or agents of a business, business lessees, or residents within the designated boundaries of the Authority.
- A business shall include a for-profit business, and business representatives may be an owner, officer or director of a corporation.
- No officer or employee of the Town, other than an appointee from the Town Council, shall be eligible for appointment to the Board.
  
- The Town Council member shall serve at the pleasure of the Town Council.
- The terms of 2 members shall expire on June 30, 2025.
- The terms of 2 members shall expire on June 30, 2026.

SECTION 4. TERMS. A Board member shall hold office until their successor has been appointed and qualified. After the terms of the initial members of the Board have expired, the terms of all members except the Town Council member appointed by the Board shall be four (4) years. Within 30 days after the occurrence of a vacancy, the Town Council shall appoint a successor for the remainder of the unexpired term.

Staff has advertised the formation of the DDA Board and received five (5) applications, all of whom are qualified to serve under the ordinance. Council is asked to appoint four applicants.

Tom Priest has volunteered to serve as the Council representative on this board.

Applicants:

- Spence Neubauer (Property and business owner downtown)
- Tom Warren (MR Minturn representative, representing multiple downtown properties)
- Morgen McLaughlin (Residential and commercial property owner downtown)
- Joe Delude (Business owner downtown)
- Zane Gearhart (Resident within the district)

Each applicant had a chance to introduce themselves and talk about why they want to serve on this board. Tom P. asked the same 2 questions of each applicant, each of whom provided responses.

Ballots were provided to the Council with the five applicants' names. Council was asked to choose four names, and the applicants that receive the two highest votes will be appointed to the longer terms, third and fourth highest votes will be appointed to shorter terms. If there is a tie, Council will ask for volunteers to take the shorter terms and then reapply since those initial terms are so short in duration.

Per State statute, the board is required to have specific board roles including a Chair, Secretary, and Treasurer. A Vice-Chair role is optional, and the council board member will be an at-large member. These roles will be determined by the board itself at the first board meeting.

Upon appointment selections, the DDA Board can begin regular meetings, and can begin with the primary initial goal of creating a Minturn DDA Plan. A DDA Plan serves as a comprehensive roadmap outlining the vision for the development and improvement of a city or town's central business district, aiming to revitalize the area through targeted projects, economic strategies, and beautification efforts, in Minturn's case utilizing funds generated from tax increment financing within the designated downtown district area.

Although the vote is public, ballots are used for maintaining the record.

Applicants in turn introduced themselves and stood for questions.

Jay B. noted that the vote is public, however for recordkeeping, a ballot is used. The council members would vote 1-4 the two with the most votes as 1 or 2 would be appointed for the two-year terms, then the two highest votes would be appointed through June 2025 at which time they would be up for reappointment.

The first round of balloting resulted as follows:

- Spence Neubauer = 6 (2yr term)
- Tom Warren = 14 (2yr term)
- Morgen McLaughlin = 19 (June 2025)
- Joe Delude = 19 (June 2025)
- Zane Gearhart = did not receive the minimum 4 council member votes

Motion by Gusty K, second by Kate S, to approve Resolution 08 - Series 2025 A Resolution Appointing DDA Board Members Councilman Tom Priest, Spence Neubauer (longer term), Tom Warren (Longer Term), Morgen McLaughlin (Shorter Term) and Joe Delude (Shorter Term) as presented. Motion passed 7-0.

**B. Resolution 09 - Series 2025 A Resolution Approving an Encroachment Removal Agreement**

Chris Rhodes and Juliet Greene Rhodes own the property at 501 Pine Street in the Town of Minturn. Town Staff discovered that certain improvements, including a fence, encroach from the Rhodes's property onto the Town-owned right-of-way known as Meadow Lane (the "ROW").

Town Staff have been in communication with the Rhodes's to make a plan for the removal of these encroachments.

The Encroachment Removal Agreement, attached as **Exhibit A**, designates a timeline and conditions for removal of the encroachments from the ROW. The Agreement requires that the Town surveyor place flagging on the property to show the property and ROW boundaries. The Agreement also sets June 30, 2025 as the date for final removal of the encroachments following the snow/mud cycle of the spring months. In the event the property survey shows that certain of the improvements encroach no more than six inches into the ROW, the Rhodes's may apply for an encroachment license from the Town to allow these improvements to remain inside the ROW.

Town Staff recommends the Town Council approve the Encroachment Removal Agreement, attached as **Exhibit A**, to ensure the safe and timely removal of the encroachments.

Juliet Rhodes spoke and explained that the original foundation of the garage is where they built their deck on, they used that as their base / gauge. (it was there from 2 properties ago). They did not realize the Town right of way extended into the woods / beyond the street.

Motion by Gusty K, second by Kate S, to approve Resolution 09 - Series 2025 A Resolution Approving an Encroachment Removal Agreement at 501 Pine St as presented. Motion passed 7-0.

- C. Ordinance 04 - Series 2025 (First Reading) An Ordinance Amending Chapter 13, 16, and 17 of the MMC to Incorporate into the Code Existing Restrictions on Connections to the Town's Water System Based on Limitations of Available Legal and Physical Water Supply

The Town wishes to amend Chapters 13, 16, and 17 of the Minturn Municipal Code (the "Code") to incorporate into the Code existing restrictions on connections to the Town's water system based on limitations of available legal and physical water supply. The limitations that exist on the Town's water availability include: (1) legal consumptive use limitations on the Town's water rights, and (2) limited physical capacity of the Town's water treatment facility, both of which necessitated implementing a moratorium on connection to the Town's water system and allocation of water service in 2020. The Town extended the 2020 moratorium in 2023 to limit allocation of water service to no more than the historic number of Single Family Equivalents ("SFEs") used plus one additional SFE for new water use for an entire property or collection of adjoining properties owned by the same or related owners, as legally configured on the date the 2020 ordinance was passed. Chapter 13 of the Code contains the provisions that govern Municipal Utilities. Chapters 16 and 17 contain the Zoning and Subdivision provisions of the Code and include language on connections to the Town's water supply. Town staff has reviewed these Code chapters and believes it necessary to amend the code provisions set forth in the ordinance exhibit to condition any building permit or subdivision on issuance of a "Letter of Service" from the Town authorizing connection to the Town's water system. This condition will ensure that no building permit is issued without conformance to the restrictions set forth by the 2020 and 2023 moratoriums. The code changes will also limit the processing and approval of a subdivision creating more lots or units than are made available in the Letter of Service.

To protect the Town’s water supply while the Town pursues legal and physical capacity solutions to expand its water service, Town staff recommends codifying the restrictions articulated by the 2020 and 2023 moratoriums into the Code with the adoption of the ordinance attached as Exhibit A.

Mike S. introduced the ordinance. The Town’s water moratorium has been in place since 202. While the Town is actively working on ways to lift the moratorium, it will likely be awhile before those efforts can be brought to fruition. Therefore, the Town wants to make clear through amendments to the code the general enforceability of the restrictions. Counsel recommends to embody this into the code, as that is the reference point for most people looking for information regarding SFEs and the Town’s water service.

The code amendment is not changing the restrictions, but it is creating a new process for obtaining a Letter of Service (verifying the # of SFEs that the property owner is eligible for).

Mike S. also suggested some changes prior to second reading regarding how SFEs read in the code. He will work on clearing this up with some more definitive language.

Council Comments:

Lynn F:  
Regarding historical use + 1  
What if there is a piece of property with no current tap, but there was historic use?

Jay B. responded that, If they don’t currently have a tap, they would qualify for zero + 1 (but is also dependent on contiguous lots).

Vacant lots qualify for 1 total (0 + 1)

Brian R:  
Asked to clarify that this does not create a new waiting period / waiting list for available SFEs.

Mike S. confirmed that this does not create a new waiting period. But any Land use application has to be consistent with a Letter of Service.

Public Hearing Opened  
No Public Comment  
Public Hearing Closed

Motion by Tom P, second by Kate S, to approve Ordinance 04 - Series 2025 (First Reading) An Ordinance Amending Chapter 13, 16, and 17 of the MMC to Incorporate into the Code Existing Restrictions on Connections to the Town's Water System Based on Limitations of Available Legal and Physical Water Supply as presented. Motion passed 7-0.

## 12. DISCUSSION / DIRECTION ITEMS

### A. Discussion/Direction – Live Stream Setback Regulations and Enforcement Discussion – Hunn/Rindy

Scot Hunn introduced the discussion item. Recently, Minturn resident Alex Markels spoke at public comment regarding his concerns about potential violations within the 30’ river setback. In response to that, Council had directed staff to come back for a more detailed discussion about how to address these concerns. One of the requests was to have some subject matter experts join us, and therefore Peter Wadden (watershed specialist with the Town of Vail and board member with the Eagle River Coalition) is present to share some insights regarding riparian health and best practices.

Scot also touched on enforcement, and noted that the Town has had challenges over the years with catching violations. The Town has historically approached code enforcement on a complaint basis; meaning the Town has not proactively identified or pursued enforcement of violations within the 30-foot setback, choosing, instead, to respond to complaints on a case-by-case basis. The Town has also had difficulty enforcing the regulation due to limited resources (lack of code enforcement personnel and/or competing enforcement priorities).

With regard to these most recent complaints, received in late 2024, we are currently in a holding pattern due to snow and needing to be able to see the ground and assess the situation.

Section 16-2-50(B) – *Live Stream Setback*, of the Minturn Municipal Code (MMC) has been in effect since 1999. The regulation generally prohibits human made improvements and disturbance within the 30-foot setback area – measured horizontally from the ordinary high water mark of any live stream, river, or creek - and requires that only “natural” plantings be allowed to grow within that area. Here is the regulation and definition of “Ordinary High Water Mark” for reference:

*(b) Live stream setback. A strip of land measured horizontally from the ordinary high water mark on each side of any live stream, river, or creek shall be protected in its natural state free from human made structures or other improvements and appurtenances, and vegetated with natural riparian vegetation. If necessary to protect the live stream, river or creek, additional setback distances may be required by the Planning Commission. The following exceptions may be considered by the Planning Commission and/or the Town Council on a case-by-case basis:*

*(1) Underground utilities may be located in the live stream river or creek setback; provided, however, that there is no practical alternative location for such utilities, and that plans and/or reports related to proposed disturbance within the setback area are prepared by qualified professionals showing limits of disturbance, erosion control measures and revegetation are approved by the Town Council.*

*(2) Roof overhangs may project a maximum of eighteen (18) inches into the live stream setback if the Planning Commission determines that such encroachments do not detrimentally impact the proper, natural functioning of the protected live stream setback area. (This provision was added in 2023).*

*Ordinary high water mark means that line on the bank established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris or other appropriate means that consider the characteristics of the surrounding areas.*

Historically, the Town has been able to enforce this regulation upon review and approval of new homes along the Eagle River, or upon review of proposed development projects along Cross Creek, Game Creek, or Grouse Creek. For example, plans for new homes include landscape plans showing tree and shrub species as well as areas of natural or “native” seeding as well as areas where sod or seeding of grass is planned. For projects along a stream, river, or creek, this allows staff to identify areas within the 30-foot setback and to determine if proposed planting or seeding is appropriate.

However, once projects are completed and the Town has finalized its building permit inspection process, some residents along the river modify their landscaping within the 30-foot setback area by removing vegetation (cutting trees or other riparian vegetation); by mowing or manicuring areas previously approved as “native” grass; or constructing improvements such as pathways or small patios/seating areas within the setback area.

**Recent Complaints:**

The Town periodically receives complaints about live stream setback violations. In the past, the Town has acted on such complaints by inspecting properties and, depending on the case and the severity of a violation, has required removal of unauthorized encroachments and/or restoration of disturbed areas.

The Town received complaints in late 2024 regarding apparent violations within the 30-foot setback along the Eagle River, including alleged human made improvements, planting/manicuring of non-native or non-riparian species, and the cutting/removal of natural riparian vegetation. In response to those complaints, staff has initiated investigations which may not be completed until late spring or early summer 2025 when the snowpack has receded and areas within the 30-foot setback can be accessed.

**Next Steps:**

While staff continues its investigations, the Town Council has directed staff to facilitate a discussion to address the current live stream setback regulation, recent complaints, enforcement alternatives, and other best practices that the Town could pursue to enhance river and riparian area health and protection.

The Town has invited Peter Wadden, Town of Vail Watershed Health Specialist, and Peder Franson (who was unable to attend), Eagle River Coalition Watershed Restoration Manager to join the Town Council discussion on March 5<sup>th</sup> to share their experience around river and riparian area setback enforcement, restoration, protection, and best practices.

**Peter W:**

Peter spoke about riparian vegetation and what that really means. A waterway is more than just water flowing through a channel, it’s an ecosystem that is dependent on the vegetation on either

side of it. This is important for preventing erosion, shading waterways (for water temperatures / fish health), filtering runoff, etc. When riparian habitat is removed, it's often replaced with something that causes actual harm (such as fertilized turf grass or ornamental vegetation, items involving chemicals that can runoff into the waterway); as well as in some cases intensive irrigation that affects water resources.

Enforcement can be very difficult, it requires a lot of manpower and takes getting people out there early in the season (spring), because once a landscape becomes covered in snow then any investigation or enforcement is essentially paused until the snow melts.

In Vail, they rely heavily on having up to date aerial imagery, which is very helpful for staff to be able to see what's changed. They use a product called Nearmap Imagery, which is updated twice a year. This product also has a public online webmaps portal. While not perfect, it can be a very useful tool.

But it's still imperative to get people out there on the ground to identify and enforce violations.

Peter also spoke regarding a carrot and stick approach. Vail has a modest cost-share program for property owners who want to restore their streambank to native habitat. This program provides up to 50% cost-share for property owners who want to come into compliance. They've had around a dozen property owners take advantage of this so far.

Education and outreach is also extremely important. A lot of people are initially resistant until they understand why the regulations are in place.

Council Questions:

Brian R. asked Peter to share a little about Vail's education efforts. He also asked about public established river access (how can we use those tools to prevent people from developing their own private access points).

Peter W:

Vail had to create a public understanding that there was a problem that needed to be solved. Initially locals felt that Gore Creek was a clear, healthy stream / fishery so they didn't see an issue. When looking to educate individuals about how their actions affect the stream, it can be difficult as they sometimes look to blame larger entities such as the resort, the highway, the golf course, etc. Without blaming or accusing, it's important to paint the picture of how small behaviors have a big impact.

Vail has held workshops for landscapers and homeowners, have produced brochures and have partnered with partner organizations such as ERC, ECCD, and ERWSD regarding outreach and education.

Regarding access points, Vail has had to guess where people want to access the river. You can close a certain number of social trails and access points via strategic signage and barricades, and

encourage people to use designated access points. But it's challenging to figure out how far apart those access points should be, so that people will just create their own.

Tom P. inquired about Vail's stance / policy with regard to enforcement of non-compliance.

Peter: A lot of issues can be resolved without enforcement. Sometimes the threat of enforcement or just being caught is enough. Some things can be retroactively permitted (if in line), but of course some items need to be removed (at the homeowners cost). Vail's code was updated in 2022 and references the general penalties, which are tiered. Every day that the encroachment remains in violation those fines can be applied. There are considerations to be made with regard what a person can reasonably do to correct, depending on circumstances (not just piling on fines). Vail has issues with both people encroaching into setbacks on their own property, and people encroaching onto Town property (hard and fast no with regard to town property).

Maps.vail.gov (publicly available mapping system) – shows rough setbacks.  
(Nearmap platform) – they do an aerial fly-over twice a year to update.

This allows staff to see if something new / unpermitted appears. Staff also does a lot of on-the-ground inspections.

Public Comment Opened.

Public Comment:  
Bill Hoblitzell, 262 Taylor.

Mr. Hoblitzell did not have any questions, but offered his services as a subject matter expert. He runs the water quality assessment program for ERC, and also does all of the land use referrals for the river coalition.

Additional Council Discussion:

Earle B:  
As far as ecological health is concerned, a lot of restoration work was done in the past to restore the river back to good health. It's imperative that we do whatever we can to preserve it. We need some active surveillance. We could walk the railroad tracks to get an idea and take photos. Perhaps we can utilize some volunteer help?

Lynn F:  
What things can be grandfathered in? For things that were approved that should not have been?

Scot H:  
Setback regulations were put in place in 1999.

Scot H: Recommends establishing a process for identifying and researching improvements that may have been put in place before the regulations, and improvements that were perhaps put in place erroneously after the regulations were in place. Also need to staffing and resources. Staff would like to take the next couple of months to assess and come back with recommendations.

Earle B. inquired if there are any grants for this type of work?

Katie S. is not familiar with any grants for this type of work, but we can look into it.

Katie also noted the difference between a formal survey and a windshield (in this case boat) survey.

Tom P. also noted that if residents become aware that the Town is now focusing on this, there could be some self-correction.

Mike S. noted that the Town will have some grandfathered-in items that were approved by the Town, especially buildings with a certificate of occupancy.

Pre-existing / non-conforming structures still have to adhere to the pre-existing / non-conforming section of the code.

Additional Public Comment:

Alex Markels, 624 Main St.

Thanked the Council and staff for addressing these concerns. His initial research resulted in submitting a CORA request for building permits, and the result was learning that there were several projects (mostly decks) in the Enclave that had not been permitted.

Mr. Markels also brought up quiet titling the river. He was curious why the Town didn't try to quiet title whatever riverfront is not privately owned.

New homeowners are buying homes and are quickly moving to quiet title the property between the riverbed and their property line.

Mike S. responded that the decision to focus the quiet title action between the high water marks on either side of the river, were based somewhat on recreational access. But there is also a legal burden with that approach, you have to meet the requirements of adverse possession.

Direction Given:

Scot H:

Would like the opportunity to come back to present a more formalized proposed plan and estimated costs.

Will also research other tools and resources, including the Nearmap aerial imagery option.

**B. Discussion / Direction – Taylor St. Paving and Railroad Ave. Safety / Pedestrian Improvements – Spanel / Sickles**

This letter is an update to Town Council for the Taylor Avenue capital improvement project. Two meetings were held to allow the Taylor Street residents the opportunity to discuss concerns regarding the resurfacing of Taylor Avenue. The first was the September 18, 2024 Town Council Meeting and an Open House held at Town Hall on January 9, 2025. There were approximately 15 residents who attended the open house and Cindy Krieg (Economic Development/Deputy Clerk)

heard from several residents after the Open House meeting. Our notes from the Town Council and the Open House meetings (including the subsequent comments) are attached. Our letter is our understanding of neighborhood concerns and will provide a framework for the Council to direct final design parameters.

We are requesting direction for these action items to proceed with preparing the design, cost estimates for budget, and construction documents.

**Northern Extent of Taylor Avenue Reconstruction:** The southeast limit of the Taylor Avenue reconstruction is the intersection with Minturn Road in front of the Minturn Towne Homes. Our understanding was to end construction at the north end of the Taylor Avenue public right of way. The right-of-way ends at the north property line of Lot 12 of the Taylor Addition (568 Taylor). Please refer to the partial plan below. At public meetings, several property owners spoke up and said public access extends beyond this point and feel road improvements should extend further uphill to the limits of public access (beyond the right of way).

Action Item: The Town needs to confirm the northerly extent of the repaving project.

Direction Given:

Pave right-of-way only

**Paving Private Driveways:** Several residents asked if the Town would pay for, facilitate, or provide incentives for paving private driveways. At the neighborhood meeting, we informed residents the current plan only included paving within the Taylor Avenue right of way, and suggested the Town could facilitate a meeting with the selected contractor and interested neighbors to negotiate private contracts for private driveway construction while the Taylor construction is underway. This approach would keep the Towns contracted scope of work under its insurance liability and may reduce costs for each owner by eliminating additional contractor mobilization and taking advantage of bulk pricing.

Action Item: The design will include paving a five foot (5.0) asphalt apron at each driveway to facilitate blending the new roadway to existing driveways. Additional pavement and associated costs beyond that would be an additional cost and Town decision.

Direction Given:

5' asphalt apron with each private property owner negotiating their pavement project with awarded contractor

**Taylor/Minturn Road Intersection:** Residents noted the Taylor Avenue intersection with Minturn Road is steep and skewed. It should be noted the skew angle was established with the Final Plat of the Taylor Addition in the 1900's.

- The skew angle of this intersection is approximately 42 degrees, which does not meet design standards. The American Association of State Highway and Transportation Officials (AASHTO), which is considered the industry standard guideline, recommends a maximum skew

angle of 75 degrees. The smaller angle restricts a southbound driver from seeing and reacting to approaching vehicles coming from the north along Minturn Road.

- AASHTO recommends existing intersections with an acute skew ( less than 75 degrees) should ideally have the skew angle corrected. If improving the skew is not possible, alternative measures should be considered such as modifying the intersection to right in right out access on the skewed leg.

- The existing slope of Taylor Street is about 7.0% coming into the intersection. To meet design requirements the road should be no more than 4.0% (flatter) at the intersection for the first fortyfeet (40.0’). If the intersection approach is reduced to 4.0% the balance of Taylor Street coming into the intersection will exceed Minturn Municipal Code (MMC) requirements and the road surface will not align with existing driveways.

Minturn North studied the relocation of Taylor to correct both the slope and skew angle (below). This requires the intersection at Minturn Road to be raised approximately six (6) feet, which will create access issues with connecting driveways at the Minturn Towne Homes.

Neighbors asked if something could be done on a smaller scale such as restriping to improve the intersection. The existing asphalt does not have sufficient width to effectively restripe the existing lines to straighten the intersection. Improving Taylor Avenue will require relocating the intersection with Minturn Road. We looked briefly at straightening Taylor Avenue for a short distance at the intersection. This appears possible but will require right of way to be taken from the Ton Tract C, placing considerable fill material and extensive utility relocation.

Action Item: The Town needs to decide if there will be additional investigation of the Taylor Avenue/Minturn Road intersection.

Direction Given:

Reconstruct & pave current street location

**Realign Taylor Avenue away from Building C of the Minturn Towne Homes.** Residents pointed out Building C of the Minturn Towne Homes is too close to the Taylor Avenue pavement. The driveways are short and large vehicles parked in the driveway encroach into traveled way. They suggested moving the pavement north into the Town’s Parcel C to be able to lengthen the driveways.

- Relocating the asphalt will require widening the right of way into Parcel C. The ground surface falls off steeply at the edge of the pavement and moving the roadway will require extensive fill material and regrading.

Action Item: The Town needs to decide if they want to allow the encroachment into Parcel C and incur the additional reconstruction costs.

Direction Given:

Pave right-of-way only

**Drainage Considerations:** The mountain hillside above Taylor Avenue produces significant runoff, with both surface and subterranean flow, particularly during spring runoff. The existing street slopes to the west and water is allowed to flow over the street. There are a few culverts which collect water and direct drainage under the road. Water damages asphalt paving through frost action and damaging the subgrade. The typical design for a road in a similar location would include a roadside ditch to collect water with culverts to control the flow of water below the roadway. Residents would like to preserve on-street parking on the east side of Taylor and felt a ditch or shallow swale would preclude parking. A drainage ditch will preclude parking and require culverts to be installed under each driveway.

Taylor Avenue residents would prefer the drainage to continue to sheet flow across the surface of the Taylor Avenue roadway. This would be accomplished by sloping the roadway to the west and bringing the adjoining grading up to the surface of the road. If this alternative is selected, we recommend thickening the east edge of the asphalt to stiffen and minimize water from entering the roadbase. Existing culverts and storm sewer crossings will be inspected and repaired or replaced. Additional inlets and culverts will be added at locations necessary to promote drainage flow.

Action Item: We need guidance from the Town on the preferred roadway section and drainage improvements.

Direction Given:

A roadside swale to convey stormwater away from street

**Width of the roadway:** Residents would like the road to remain in its current location on the west side of the right of way to preserve on-street parking in front of the existing homes. The existing asphalt is approximately 25 feet wide, and the neighborhood would like to maintain the 25 foot width.

- The Town has approved narrowing travel lanes to 10 feet to promote traffic calming. The approval for Minturn Road is 22 feet of asphalt with 10 foot travel lanes.

Action Item: Please provide guidance for the width of the roadway.

Direction Given:

Reconstruct and pave 22 feet of asphalt

**Traffic Calming.** There is concern for slowing traffic and the neighborhood would like to see speed dips installed at the locations where dips in the road already exist. Locations identified include 484 Taylor (Sta 6+50); 392 Taylor (Sta 10+50); 292 Taylor (Sta 15+50); and 232 Taylor (Sta 18+25). A "speed dip" is a depression in the road and a "speed hump" is a raised section of pavement. Both are typical additions used to control speed, with the key difference being that a dip forces drivers to slow down by going through a low point, and a hump forces drivers to slow down driving over a raised obstacle. "Speed humps" are generally considered the preferred method for traffic calming as they are less jarring to vehicles and easier to see than dips. The residents feel

the speed dips are more appropriate and will help transmit drainage across Taylor. Speed dips will lose effectiveness when they fill with ice and snow. Speed Dip Speed Hump

Action Item: Please provide direction on the use of speed dips.

Direction Given:

Jeff Spanel will review in more detail and provide a preferred option based on input.

**Parking for the Minturn Mile:** The Minturn North development agreed to construct 54 perpendicular parking spaces between Fourth Street and the northerly limit of Taylor Avenue. Construction has started and the parking is in use. Residents are concerned there are too many spaces, many are too steep, with vehicles getting stuck regularly. Residents would also like the spaces restricted to daytime use for recreation activities.

- Residents suggest limiting the perpendicular parking area from roughly 564 Taylor to 560 Taylor; switching to parallel parking to 534 Taylor. The limits are marked on the map included with the Neighborhood Meeting Notes.

Action Item: Does the Town wish to make changes to the parking for the Minturn Mile?

Direction Given:

Retain 54 perpendicular parking spaces developed by Minturn North and verify that the parking spaces are constructed as planned.

**Drainage and Grade at Minturn Town Homes** The residents are concerned about the profile of Taylor Avenue near the intersection of Lions Lane. There is a roadway crest (“hump”) in the road at the intersection that reduces the driver’s sight distance. It was suggested to either lower or raise Taylor Avenue north of this area. Lowering the roadway crest will increase the slope of Lions Lane and is not a good solution. We are told vehicles slide through their stop sign at Taylor Avenue now and a steeper slope will exacerbate the current problem. Neighbors suggested adding fill to the north side of the crest area The placement of additional fill material would need to be analyzed to assure it does not interfere with access to existing driveways.

Action Item: The Town needs to consider the request and provide direction.

Direction Given:

Leave as is.

**Minturn Towne Home Drainage** We met with representatives of the Minturn Towne Homes HOA to discuss drainage concerns. The existing storm sewer backs up and they are requesting a larger public storm sewer be constructed as a part of the Taylor Avenue improvements. The request can be summarized as follows:

- Replace the private storm sewer with a new, larger diameter storm sewer Mainline from the retention pond at the corner of Lions Lane and Taylor Avenue to the point of discharge of the

existing storm sewer near the Railroad signal on the east side of the Railroad Avenue crossing. (The actual location would need to be located after the snow melts).

- The new storm sewer would have inlets along the edge of the existing road to collect water flowing along the roadway. These inlets will not collect all the water shown in the example photographs below. These are often caused by small ice dams during freeze/thaw events or pavement irregularities and would require a heated concrete pan to eliminate them.

- The new public storm sewer would be connected to new, larger inlets at the location of the existing inlets.

Action Item: The Town needs to decide if the storm sewer improvements will be added to the scope of the Taylor Avenue roadway improvements and incur the associated construction costs.

Direction Given:

Pave street within right-of-way and recommend HOA to negotiate directly with contractor, and try to align / coordinate the work if possible.

**13. FUTURE AGENDA ITEMS**

**A. Future Meeting Topics**

Earle B: Would like to add to the list an affordable housing discussion around land options

Katie S:

3/19 is scheduled for a follow-up Highlands Parcel discussion.

Will have conservation easement experts in attendance

Katie noted that it would be helpful to have council email questions in advance, so these can be reviewed in advance and our subject matter experts can come prepared.

This will be “education” only (we won’t have financial estimates yet).

If Council has other organizations that should be included, please advise.

KRW Associates will be added to an upcoming meeting (likely in April), regarding the Town Manager search.

The Eagle County Housing Needs Analysis is already on a future agenda. This is different from what Earle B. is proposing to discuss / add to the list.

**14. ADJOURN**

Motion by Tom, second by Kate, to adjourn the meeting at 7:26pm. Motion passed 7-0.

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Earle Bidez, Mayor

ATTEST:

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Jay Brunvand, Town Clerk

**INFORMATIONAL ONLY ITEMS**

Upcoming Council Meetings:

- March 19, 2025
- April 2, 2025
- April 16, 2025

Upcoming Special Events:

- March 7, 2025 First Friday at Gel Z Art & Wild Mountain Cellars
- April 4, 2025 First Friday Community Picnic at The Barn



To: Mayor and Council  
From: Jay Brunvand  
Date: March 19, 2025  
Agenda Item: Eagle River Whisky Change of Name

---

**REQUEST:**  
Eagle River Distilling LLC has filed the required paperwork to change the DBA name from Eagle River Whisky to Minturn Whisky Co.

**INTRODUCTION:**  
Eagle River Distilling LLC has requested to change their DBA name from Eagle River Whisky to Minturn Whisky Co. Although a very simple request, it is required to be approved by the Local Liquor Authority. Staff has no concerns with this request and recommends approval.

This business is in good standing and the request is pursuant to Title 44, Articles 4 and 3 C.R.S. as amended.

**ANALYSIS:**  
Not Applicable

**COMMUNITY INPUT:**  
Not Applicable

**BUDGET / STAFF IMPACT:**  
The state does not allow a fee for this application.

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

**RECOMMENDED ACTION OR PROPOSED MOTION:**  
This item is approved on the Consent Agenda, no separate motion is required.

**ATTACHMENTS:**

- Application and supporting documentation.

DR 8442 (12/11/24)  
COLORADO DEPARTMENT OF REVENUE  
Liquor Enforcement Division  
PO BOX 17087  
Denver CO 80217-0087  
(303) 205-2300

# Permit Application and Report of Changes

All Answers Must Be Printed in Black Ink or Typewritten

**Applicant is a**     Corporation     Individual     Partnership     Limited Liability Company

License Number  
03-17117

Name of Licensee  
Eagle River Distilling LLC

Trade Name of Establishment (DBA)  
Eagle River Whisky

Address of Premises (specify exact location of premises)  
23698 US 24, Unit E-1

City	County	State	ZIP Code
Minturn	Eagle	CO	81645

Business Email Address spence@minturnwhisky.com	Business Phone Number 970-763-8660
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Select the Appropriate Section Below and Reference the Instructions on Page 1.

### Section A – Manager

- Manager's Registration (Hotel & Restaurant)..... \$30.00
- Manager's Registration (Tavern)..... \$30.00
- Manager's Registration (Lodging Facility)..... \$30.00
- Manager's Registration (Entertainment Facility)..... \$30.00
- Change of Manager (Other Licenses pursuant to section 44-3-301(8), C.R.S.)..... No Fee

Please note that Manager's Registration for Hotel & Restaurant, Lodging Facility, Entertainment Facility, and Tavern licenses requires a local fee with submission to the local licensing authority as well. Please reach out to local licensing authorities directly regarding local processing and fees.

### Section B – Duplicate License

- Duplicate License ..... \$50.00

Storage Permit

Retail Warehouse Storage Permit or a Wholesalers Branch House Permit

Retail Warehouse Permit for:

On-Premises Licensee (Taverns, Restaurants etc.)

Off-Premises Licensee (Liquor stores)

Wholesalers Branch House Permit

Address of Storage Premises

[Empty text box for Address of Storage Premises]

City

County

ZIP Code

[Empty text box for City]

[Empty text box for County]

[Empty text box for ZIP Code]

Attach a deed/lease or rental agreement for the storage premises.

Attach a detailed diagram of the storage premises.

Change Trade Name or Corporate Name

Change of Trade Name/DBA only

Corporate Name Change (Attach the following supporting documents)

- 1. Certificate of Amendment filed with the Secretary of State, or
- 2. Statement of Change filed with the Secretary of State, and
- 3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement.

Old Trade Name

Eagle River Whisky

New Trade Name

Minturn Whisky Co.

Old Corporate Name

[Empty text box for Old Corporate Name]

New Corporate Name

[Empty text box for New Corporate Name]

### Campus Liquor Complex Designation

An institution of higher education or a person who contracts with the institution to provide food services I wish to designate my existing:

Liquor License Type	Liquor License Number
<input type="text"/>	<input type="text"/>

to a Campus Liquor Complex.....  Yes  No

### Additional Related Facility

To add a Related Facility to an existing Resort or Campus Liquor Complex, include the name of the Related Facility and include the address and an outlined drawing of the Related Facility Premises.

#### Address of Related Facility

Address

City State ZIP Code

<input type="text"/>	<input type="text"/>	<input type="text"/>
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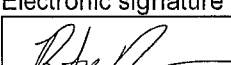
Outlined diagram provided.....  Yes  No

### 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.

Print Name	Title
Spence Neubauer	Member

Electronic signature is not accepted, physical signature is required.

	Date (MM/DD/YY)
	03/06/25

### Report and Approval of Local Licensing Authority (City / 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 applicable provisions of Title 44, Articles 4 and 3, C.R.S., as amended. Therefore, This Application is Approved.

Local Licensing Authority (City or County)	Date filed with Local Authority
Town of Minturn	03/06/2025

Electronic signature is not accepted, physical signature is required.

<input type="text"/>	Title	Date (MM/DD/YY)

### Report of State Licensing Authority

The foregoing has been examined and complies with the filing requirements of Title 44, Article 3, C.R.S., as amended.

Electronic signature is not accepted, physical signature is required.

<input type="text"/>	Title	Date (MM/DD/YY)



To: Mayor and Council  
From: Jay Brunvand  
Date: March 19, 2025  
Agenda Item: Regional Transit Authority IGA Draft

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**REQUEST:**

Staff is requesting Council to approve the attached IGA regional Planning Commission for a Transportation Planning Intermountain Regional Planning Commission, representing the Intermountain Transportation Planning Region.

**INTRODUCTION:**

As a member of NWCCOG, we have been asked to approve an IGA that enjoins the Intermountain Transportation Planning Region that includes the counties of Eagle, Garfield, Lake, Pitkin and all towns within those counties in addition to CORE Transit and the Roaring Fork Transportation Authority (RFTA). The organization is allowed by CRS and will enable this specified Intermountain Transportation Planning Region to work together on transit issues that most directly affect this region. By approving the IGA, Minturn’s voice will be combined with our regional partners and NWCCOG to support our unique transportation issues within the intermountain region.

**ANALYSIS:**

N/A

**COMMUNITY INPUT:**

N/A

**BUDGET / STAFF IMPACT:**

N/A

**STRATEGIC PLAN ALIGNMENT:**

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

**RECOMMENDED ACTION OR PROPOSED MOTION:**

Motion to approve Resolution

**ATTACHMENTS:**

- Resolution 12 – Series 2025

**TOWN OF MINTURN, COLORADO  
RESOLUTION NO. 12 - SERIES 2025**

**INTERGOVERNMENTAL AGREEMENT FOR A  
REGIONAL PLANNING COMMISSION FOR TRANSPORTATION PLANNING  
INTERMOUNTAIN REGIONAL PLANNING COMMISSION (IMRPC), REPRESENTING THE  
INTERMOUNTAIN TRANSPORTATION PLANNING REGION (IMTPR)**

THIS AGREEMENT made this eighteenth day of April 2025 by and among the following local governments in the Intermountain Transportation Planning Region:

Eagle County  
Town of Avon  
Town of Eagle  
Town of Gypsum  
Town of Minturn  
Town of Red Cliff  
Town of Vail

Garfield County  
Town of Carbondale  
City of Glenwood Springs  
Town of New Castle  
Town of Parachute  
City of Rifle  
Town of Silt

Lake County  
City of Leadville

Pitkin County  
City of Aspen  
Town of Basalt  
Town of Snowmass Village

Summit County  
Town of Blue River  
Town of Breckenridge  
Town of Dillon  
Town of Frisco  
Town of Keystone  
Town of Montezuma  
Town of Silverthorne

CORE Transit  
Roaring Fork Transportation Authority (RFTA)

Participation in this agreement by each aforementioned party is made only upon execution of a Certificate of Participation.

This Agreement is thereby executed in multiple Certificates of Participation, each of which shall constitute an original, but all of which, taken together, shall constitute the same document.

WHEREAS, the parties to this Agreement have the authority pursuant to Article XIV, Section 18 of the Colorado Constitution and Section 29-1-201, et seq., Colorado Revised Statutes, to enter into intergovernmental agreements for the purpose of providing any service or performing any function which they can perform individually, and;

WHEREAS, Section 43-1-1101 C.R.S. recognizes Regional Planning Commissions as the proper forum for transportation planning, and;

WHEREAS, Section 43-1-1102(5) C.R.S. requires that Regional Planning Commissions formed for the purpose of transportation planning must be formed pursuant to Section 30-28-105 C.R.S., and;

WHEREAS, the parties to this Agreement desire to cooperate in developing and maintaining a long range Regional Transportation Plan, the purpose of which is to identify the mobility needs of the Intermountain Transportation Planning Region, and prepare a plan for addressing the needs, and;

WHEREAS, Section 43-1-1103 C.R.S. requires that any Regional Planning Commission formed for the purpose of transportation planning is responsible for regional transportation planning for said region, and;

WHEREAS, the Intermountain Transportation Planning Region, consisting of the areas within the counties of Eagle, Garfield, Lake, Pitkin, and Summit was designated in the Rules Governing Statewide Transportation Planning Process and Transportation Planning Regions (2 CCR 601-22) as adopted by the Transportation Commission of Colorado and effective April 18, 2025, and;

WHEREAS, the parties to this Agreement are governing bodies or officials having charge of public improvements within their jurisdictions in the Intermountain Transportation Planning Region.

NOW, THEREFORE, the parties hereby mutually agree as follows:

1. Designation of Regional Planning Commission. The parties to this Agreement shall have one representative each on the Regional Planning Commission for the Intermountain Transportation Planning Region.

2. Responsibilities of Regional Planning Commission. The Regional Planning Commission shall be responsible, in cooperation with the state and other governmental agencies, for carrying out necessary continuing, cooperative, and comprehensive transportation planning for the Intermountain Transportation Planning Region; for creating, amending, and updating Regional Transportation Plans pursuant to all applicable federal and state laws and rules or regulations including public participation provisions; for recommending the priority for any transportation improvements planned for the region; for abiding by the Regional Planning Commission Bylaws and for participating in the State Transportation Improvement Program development process. The Regional Planning Commission shall keep records of its resolutions, transactions, contractual undertakings, findings, and determinations, which shall be public records.

3. Chairperson and Officers. The Regional Planning Commission shall elect its Chairperson and Vice Chairperson, whose terms shall be two years, with eligibility for reelection. The Chairperson, or the Vice Chairperson, shall be the representative of the Intermountain Transportation Planning Region on the State Transportation Advisory Committee (STAC).

4. Contracting. The Regional Planning Commission may, with the consent of the parties to this Agreement, contract the services of other eligible individuals or entities to carry out all or any portion of the responsibilities assumed by the Regional Planning Commission under this Agreement.

5. Distribution of state or federal funds. The Regional Planning Commission may, through contracts or Memoranda of Agreement, receive and expend state or federal funds designated for regional transportation planning.

6. Meetings must be held at least quarterly and shall be open to the public. Notice of the meeting shall be provided to its members and Contact List and posted on the TPR website no less than one week prior to the meeting. If the meeting provides a virtual option, the meeting link will be included in the public notice.

7. Quorum and Voting. Each member is entitled to one vote, either in person or via email. A quorum is required and shall be as determined by the Bylaws of the Commission.

8. Meeting Minutes and Agendas. The Commission is responsible for recording minutes of its meetings and posting them publicly on its website. The Commission's Administrator and Chairperson are responsible for creating the meeting agenda. The meeting agenda shall be posted on the Commission's website and distributed to members and interested parties on its TPR Contact List.

9. Terms of this Agreement. This Agreement shall remain in full force and effect for so long as the parties to this Agreement consider necessary to complete and maintain Regional Transportation Plans for the Intermountain Transportation Planning Region and for periodic updates or amendments as may be required. Any party to this Agreement may, however, terminate its participation in this Agreement 60 days after providing written notice of such termination to the other parties of this Agreement. This Agreement may be

terminated at any time by agreement of all parties to this Agreement unless a grant contract is in effect with the State. In this case, the State must approve such termination and arrangements for completing the project.

10. Modification and Changes. The terms of this Agreement may be modified at any time by agreement of all parties to this Agreement.

**INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 19<sup>th</sup> day of March, 2025.**

\_\_\_\_\_  
Earle Bidez, Mayor

ATTESTS:

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

TOWN OF MINTURN  
P.O. Box 309 ♦ 302 Pine St  
Minturn, CO 81645  
970-827-5645  
[treasurer@minturn.org](mailto:treasurer@minturn.org)  
[www.minturn.org](http://www.minturn.org)



TOWN COUNCIL  
Mayor – Earle Bidez  
Mayor Pro Tem – Eric Gotthelf  
Council Members  
Lynn Feiger  
Gusty Kanakis  
Tom Priest  
Kate Schifani  
Brian Rodine

Section 3, Item C.

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CERTIFICATE OF PARTICIPATION

IN THE INTERGOVERNMENTAL AGREEMENT FOR  
A REGIONAL PLANNING COMMISSION FOR TRANSPORTATION PLANNING

Intermountain Transportation Planning Region (IMTPR)

THIS is to certify that the Town of Minturn has agreed to participate in this Intergovernmental Agreement for the Intermountain Regional Planning Commission.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first written above on page 1.

\_\_\_\_\_  
Earle Bidez, Mayor

ATTEST

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



To: Minturn Town Council  
From: Jay Brunvand  
Date: March 19, 2025  
RE: Town Manager Update

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**MuniBilling Utility Billing System**

This continues but is going quite well considering the massive changes. Please let me know if you have constituents that have questions or if you have any questions.

**Minturn Education Fund**

The Minturn Education Fund Scholarship applications were due by end of business on March 14, 2025! As of this writing we have received eight applications and I know of one that should be coming in. Early the week of 3/17 I will get the applications to the Scholarship Board Secretary who will review each one for completeness. I am looking at scholarship interviews in a couple weeks and awards thereafter.

**Town Manager Search**

We are pressing down the final stretch of this phase of the search. I anticipate an update from KRW for the April 2 council packet with next steps. The close date for applications is Friday March 14.

**Holy Cross Electric**

I met with HCE regarding the Avon to Gilman high power transmission line project that has been under study for the past several years. The current proposal was agreed to by HCE about a year ago and has been the foundation of the NEPA hearings. The difference from prior iterations is an additional mile or so of undergrounding from the Vail Boneyard to the USFS office and they eliminated the HWY 24 overhead crossing by undergrounding it. They have been talking with the USFS regarding the NEPA review and the FS would like to extend the public process a little. Although HCE would like to meet with Council, they need to hold off until some of these matters have played out. They noted a tentative meeting with Council would be late summer or Fall of this year.

**Water Treatment Plant**

Although this project is on Katie’s radar, I am involved as the Town Treasurer. We are looking at several meetings in the coming week or so to try to get a handle on a VERY expensive project while still trying to maintain our current timeline. My concerns continue that the time line is too tight in light of the mass of the project, the uncertainty of our Federal Government’s financial commitments, and the Fed’s efforts to exacerbate already high costs.

Please feel free to contact either or both Katie and I if you have any questions.



Town Council  
 Mayor – Earle Bidez  
 Mayor Pro Tem – Eric Gotthelf  
 Council Members:  
 Tom Priest  
 Lynn Feiger  
 Gusty Kanakis  
 Brian Rodine  
 Kate Schifani

Section 8, Item B.

Interim Town Manager Katie Sickles  
 March 19, 2025 Meeting Update

I will be working remote all next week and will be back in Minturn the afternoon of March 31.

**A. Rails to Trails:**

**Benefits of Railbanking**

**For Railroads:**



- Preserves reactivation rights
- Can create goodwill in the community
- Allows for negotiations with one party
- Removes need to investigate historic corridor assemblage, resolve ownership issues and respond to litigation
- Removes liability for existing trestles and tunnels

The City/County of Montrose are using a rail bed for a trail. I have a colleague that worked on that project many years ago. She could not give many specifics but directed me to the Rails to Trails website. Has the Town of Minturn explored railbanking? Although there are several publicly available videos and resources it may be worth joining and bringing other interested local governments or entities on board.

**B. Bellm Bridge and Quiet Title:**

I am matching an assortment of projects together. Yowza Minturn!

**C. Water Plant Development, Resources and Operations:**

There are several elements of the water plant development that I am piecing together. I thought I would attach the one page 30% cost summary. The document details are an additional 19 pages. If any are interested, please contact me.

**D. Little Beach Park Playground:**

There are sentimental items at Little Beach Park that I would like to protect. In addition, the playground equipment could be of value. In order to dispose, per state statute, the town must dispose via a competitive bid process. An advertisement has been created to request a bid for the used playground equipment before it is marked for demolition.

**E. Revitalizing Main Street – Phase II Sidewalks:**

A preferred contractor submitted a bid under review by the Engineers.



Town of Minturn, CO WTP  
30% OPC

THIS IS AN EXAMPLE BID PRICE BASED ON THE AUG 2024 30% DRAWINGS FOR WORK BEGINING IMMEDIATELY. RECOMMEND THE TOWN CONSIDER \$12M TO \$14M FOR PLANNING PURPOSES.

Section 8, Item B.

			12.50%	1.00%	0.1500%	0.000%	0.000%	0.300%	0.300%	
		\$ 10,242,477.91	\$ 1,463,211.13	\$ 118,418.71	\$ 17,762.81	\$ -	\$ -	\$ 30,727.43	\$ 30,727.43	\$ 11,903,325.41
BID ITEM DESCRIPTION	QUANTITY	ESTIMATED COST	OH&P	BONDS	BLDR RISK	BLDG PERMIT	EXCISE TAX	PROCORE	WARR WORK	EXTENDED PRICE
01 - General Conditions	1	\$ 810,341.32	\$ 115,763.05	\$ 9,368.78	\$ 1,405.32	\$ -	\$ -	\$ 2,431.02	\$ 2,431.02	\$ 941,740.51
02 - Existing Conditions	1	\$ 58,501.31	\$ 8,357.33	\$ 676.36	\$ 101.45	\$ -	\$ -	\$ 175.50	\$ 175.50	\$ 67,987.47
03 - Concrete	1	\$ 562,071.51	\$ 80,295.93	\$ 6,498.41	\$ 974.76	\$ -	\$ -	\$ 1,686.21	\$ 1,686.21	\$ 653,213.04
04 - Masonry	1	\$ 177,390.94	\$ 25,341.56	\$ 2,050.91	\$ 307.64	\$ -	\$ -	\$ 532.17	\$ 532.17	\$ 206,155.39
05 - Metals	1	\$ 40,964.10	\$ 5,852.01	\$ 473.61	\$ 71.04	\$ -	\$ -	\$ 122.89	\$ 122.89	\$ 47,606.55
06 - Woods and Plastics	1	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
07 - Thermal and Moisture	1	\$ 31,264.12	\$ 4,466.30	\$ 361.46	\$ 54.22	\$ -	\$ -	\$ 93.79	\$ 93.79	\$ 36,333.69
08 - Openings	1	\$ 110,958.52	\$ 15,851.22	\$ 1,282.85	\$ 192.43	\$ -	\$ -	\$ 332.88	\$ 332.88	\$ 128,950.76
09 - Finishes	1	\$ 126,261.78	\$ 18,037.40	\$ 1,459.78	\$ 218.97	\$ -	\$ -	\$ 378.79	\$ 378.79	\$ 146,735.49
10 - Specialties	1	\$ 4,813.83	\$ 687.69	\$ 55.66	\$ 8.35	\$ -	\$ -	\$ 14.44	\$ 14.44	\$ 5,594.41
12 - Furnishings	1	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
13 - Special Construction	1	\$ 871,615.89	\$ 124,516.56	\$ 10,077.21	\$ 1,511.58	\$ -	\$ -	\$ 2,614.85	\$ 2,614.85	\$ 1,012,950.94
21 - Fire Suppression	1	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
22 - Plumbing	1	\$ 418,222.00	\$ 59,746.00	\$ 4,835.29	\$ 725.29	\$ -	\$ -	\$ 1,254.67	\$ 1,254.67	\$ 486,037.91
23 - HVAC	1	\$ 306,000.00	\$ 43,714.29	\$ 3,537.83	\$ 530.67	\$ -	\$ -	\$ 918.00	\$ 918.00	\$ 355,618.79
26 - Electrical	1	\$ 3,129,963.03	\$ 447,137.58	\$ 36,187.16	\$ 5,428.07	\$ -	\$ -	\$ 9,389.89	\$ 9,389.89	\$ 3,637,495.62
31 - Earthwork	1	\$ 1,042,132.45	\$ 148,876.06	\$ 12,048.64	\$ 1,807.30	\$ -	\$ -	\$ 3,126.40	\$ 3,126.40	\$ 1,211,117.25
32 - Exterior Improvments	1	\$ 62,636.49	\$ 8,948.07	\$ 724.17	\$ 108.63	\$ -	\$ -	\$ 187.91	\$ 187.91	\$ 72,793.18
33 - Utilites	1	\$ 408,692.75	\$ 58,384.68	\$ 4,725.11	\$ 708.77	\$ -	\$ -	\$ 1,226.08	\$ 1,226.08	\$ 474,963.46
35 - Waterways & Marine	1	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
40 - Process Piping	1	\$ 390,799.39	\$ 55,828.48	\$ 4,518.24	\$ 677.74	\$ -	\$ -	\$ 1,172.40	\$ 1,172.40	\$ 454,168.65
41 - Material Processing & Handling Equip	1	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
43 - Process Gas & Liquid Handling, Purification, Stora	1	\$ 322,152.97	\$ 46,021.85	\$ 3,724.58	\$ 558.69	\$ -	\$ -	\$ 966.46	\$ 966.46	\$ 374,391.01
46 - Water & Wastewater Equipment	1	\$ 1,367,695.50	\$ 195,385.07	\$ 15,812.65	\$ 2,371.90	\$ -	\$ -	\$ 4,103.09	\$ 4,103.09	\$ 1,589,471.30



To: Mayor and Town Council  
From: Cindy Krieg  
Date: March 13, 2025  
Agenda Item: Resolution 11 – Series 2025

**Request**

Council is asked to approve Resolution 11- Series 2025 approving allocation of funds for Little Beach Park improvements, and additional grant seeking opportunities.

**Introduction and Analysis**

The Town has identified a need for a coordinated vision and framework to guide the future of the Little Beach Park area due to the increasing use and greater intensity of community and recreation activity. In 2021, the Town of Minturn contracted with Zehren & Associates to develop a recreation-based plan for Little Beach Park and the surrounding area. The purpose of the plan is to “establish a long-term vision for the area as the Town’s major recreation hub” and “unify existing facilities and identify appropriate improvements to support community recreation, trails, and open space uses.” The planning process engaged the residents and stakeholders of Minturn through an open house, pop-up events, in-person and virtual meetings, and guided tours of the area and outlined a variety of potential improvements suggested and vetted with members of the public and stakeholders. The plan culminated in recommendations and concept design plans.

The hope is that with the proposed Little Beach Park & Amphitheater improvements, we can ensure that this area continues to serve as an inclusive and accessible hub for recreation, arts, performances, and community events. The \$482,017 budget for the project includes:

- \$147,000 to stabilize the existing timber retaining wall
- \$64,392 to reconstruct the interior access road
- \$18,000 for demolition of existing bathrooms
- \$29,000 for a new multi-use court
- \$178,000 for updating and replacing the playground
- \$45,625 for one new seating area

The project will enable people of all ages and abilities to access and enjoy the park’s wide variety of offerings, enhance the overall user experience, and create greater synergy between uses.

The Town of Minturn has received \$147,000 in funding via a DOLA for phase 1 of the planned Little Beach Park improvements, and continues to seek additional funding for phases 2 and 3.

Phase 1 will consist of stabilizing the existing failing retaining wall on the north end of the park, removal of the playground, and reconstructing the interior access road all the way to the stage / amphitheater area. Additionally, the vault bathroom will be removed and accessible parking will be slated for that area. The DOLA grant is for \$147,000, with \$153,000 being matched by the Town. The Town matching funds are slated to come from the Battle Mountain Funding that was allocated for use of Little Beach Park improvements. To maintain transparency, staff are updating both Town Council and the public that this is the planned use for those funds.

Phase 2 will consist of playground replacement with a new playground (as well as new tables / patio area) in the spring of 2026. The Town is seeking a T-Mobile Hometown Grant (<https://www.t-mobile.com/brand/hometown-grants>) to help offset these costs. If awarded, the T-Mobile grant would fund \$50,000 toward this project with no required match. The remaining cost would be covered by the Town also from the Little Beach Park Battle Mountain Funding. It should be noted that the current equipment does not meet current safety and insurance guidelines.

Phase 3 (date TBD) would consist of enhancements on the south end of the park / amphitheater. Planned improvements to that area include extending both the stage and the lawn seating area, regrading the access path (to make it both ADA accessible with a new ramp, and more pedestrian and bike friendly in general, create a concessions area repurposing the old Myers Barn, and ideally also some new restroom facilities.

There is a planned replacement of the existing basketball court with a new

**Community Input**

There was significant community input throughout the Little Beach Park Recreation Area public planning process.

Additionally, staff has publicly noticed an invitation to bid for anyone interested in removal and disassembly of the existing playground equipment (the Town will accept bids for the equipment, with the removal cost being covered by the bidder). The other option is demolition, which would be handled by the contractor.

**Budget/Staff Impact:**

Full project budget noted above.

**Strategic Plan Alignment**

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

- Transparency
- Collaboration
- Resourcefulness

**Attachments**

- Resolution 11 - Series 2025

**TOWN OF MINTURN, COLORADO  
RESOLUTION 11 – SERIES 2025**

**RESOLUTION AUTHORIZING AND SUPPORTING A GRANT APPLICATION TO  
THE T-MOBILE HOMETOWN GRANTS PROGRAM, FOR THE LITTLE BEACH  
PARK ENHANCEMENT PROJECT**

**WHEREAS**, the Town of Minturn ("Town") is an eligible applicant for the Hometown Grants grant program offered by T-Mobile ; and

**WHEREAS**, T-Mobile is committing up to \$25 million through 2026 to support small towns, villages, and territories across America by funding community projects; and

**WHEREAS**, The T-Mobile Hometown Grants program funds projects to build, rebuild, or refresh community spaces that help foster local connections in your town. Projects should be shovel-ready, physical builds or improvements that can be completed within 12 months of receiving Hometown Grants funding. Examples of eligible projects include but are not limited to: adaptive uses of older and historic buildings into community gathering spaces, improvements to outdoor parks or trails, and technology projects for public libraries; and

**WHEREAS**, the Town has undertaken and will continue a community outreach process to determine final amenities at Little Beach Park; and

**WHEREAS**, the Town is highly committed to protecting existing outdoor recreation at Little Beach Park the community’s only park and expanding outdoor recreation with new and updated park and playground equipment, amenities and services for the residents of Minturn; and

**WHEREAS**, the T-Mobile Hometown Grants Program would provide \$50,000 in funding toward the playground replacement portion of the Little Beach Park enhancement project, and does not require a cash match; and

**WHEREAS**, the Minturn Town Council finds that the Little Beach Enhancement Project will promote the health, safety and general welfare of the Minturn community.

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

**Section 1.** The above recitals are hereby incorporated as findings by the Town.

**Section 2.** The Town Council of the Town of Minturn supports the T-Mobile Hometown Grants Application and will authorize the expenditure of funds necessary to meet the terms and obligations of any grant awarded pursuant to a Grant Agreement with T-Mobile.

**Section 3.** If the grant is awarded, the Town Council hereby authorizes the Mayor or his designee to sign the grant agreement with T-Mobile.

**Section 4.** This resolution to be in full force and effect from and after its passage and approval.

**INTRODUCED, READ, APPROVED, RESOLVED, AND ADOPTED THIS 19<sup>th</sup> DAY OF MARCH, 2025.**

\_\_\_\_\_  
**Earle Bidez, Mayor**

**Attests:**

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



To: Mayor and Council  
From: Madison Harris, Planner II  
Date: March 13, 2025  
Agenda Item: Resolution 10 - Series 2025 A Resolution Appointing Planning Commission Members

---

**REQUEST:**

Council is asked to approve Resolution 10 - Series 2025 appointing three Planning Commission Members to the Minturn Planning Commission.

**INTRODUCTION:**

The Minturn Planning Commission is a five member/plus one alternate commission appointed for two year overlapping terms. Members are appointed by the Town Council for two-year terms that run April 1st through March 31st. Similar to Council there are no term limits, only that public review and appointment take place.

Staff has advertised the commission member openings and received three applications, all of whom are qualified to serve. Council is asked to appoint three applicants to regular member seats. In order to be qualified, an applicant must be a resident of Minturn for more than 12 months, and eligible to register to vote.

Applicants (in order of Receipt):

- Darell Wegert - 1718 Main Street
- Lynn Teach - 253 Pine Street
- Amanda Mire - 414 Eagle Street

Members not up for appointment:

- Mr. Jeff Armistead - 1632 Main Street (appointment runs through 3/31/26)
- Mr. Michael Boyd - 504 Eagle Street (appointment runs through 3/31/26)
- Mr. Eric Rippeth - 1951 US Hwy 24 - (appointment runs through 3/31/26)

Applicants will have time to discuss their positions on Minturn matters and to answer questions from Council. The three applicants appointed will be placed on the Resolution for approval.

**ANALYSIS:**

N/A

**COMMUNITY INPUT:**

Candidates were solicited through public notice and advertisements in the Vail Daily.

**BUDGET / STAFF IMPACT:**

Each member is paid \$125 per Planning Commission meeting attended. This participation is an annually budgeted expense.

**STRATEGIC PLAN ALIGNMENT:**

The comprehensive review of the Town’s regulations and processes aligns with the following key values:

- Transparency
- Collaboration
- Resourcefulness

**RECOMMENDED ACTION OR PROPOSED MOTION:**

“Motion to approve Resolution No. 10 - Series 2025 appointing \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_, to serve on the Minturn Planning Commission in regular member seats through March 31, 2027.”

**ATTACHMENTS:**

- Resolution 10 - Series 2025
- Applications Submitted

**TOWN OF MINTURN, COLORADO  
RESOLUTION NO. 10 – SERIES 2025**

**A RESOLUTION APPOINTING PLANNING COMMISSIONERS, TOWN OF  
MINTURN, COLORADO**

**WHEREAS**, the Minturn Planning Commission Members are appointed by the Town Council pursuant to Minturn Municipal Code Section 16-21-40(b); and

**WHEREAS**, pursuant to Minturn Municipal Code Section 16-21-40(b), the Planning Commission is required to be appointed to overlapping terms; and

**WHEREAS**, the Town Council recognizes and appreciates the service and commitment of the Planning Commission members.

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

<b>NAME</b>	<b>TERM</b>
_____	March 31, 2027 – 2yr
_____	March 31, 2027 – 2yr
_____	March 31, 2027 – 2yr

**INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 19<sup>th</sup> day of March, 2025.**

TOWN OF MINTURN

By: \_\_\_\_\_  
Earle Bidez, Mayor

ATTEST:

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



## APPLICATION FOR COUNCIL OR COMMISSION

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Attached is information about serving for the Town of Minturn on the Planning Commission, the Town Council (as an appointed position only between elections), or the Historic Preservation Commission.

Each member serving on a commission or board must reside in the Town of Minturn.

If you are interested in serving on a commission or board, please complete the application and return it to Minturn Town Hall, or to the appropriate email address as noted below. Thank you for your interest in serving your community.

- **Planning Commission**

- Number of members: 5 voting members, plus one alternate (6 total)
- Length of term: 2 years
- Meeting date & time: 2<sup>nd</sup> and 4<sup>th</sup> Wednesday of each month at 6:30pm
- Residency requirement: Must have resided in the Town of Minturn for at least one year; be 18 years of age and a registered elector in the Town of Minturn
- Submit Application to: Madison Harris, Planning Department  
[Planner1@minturn.org](mailto:Planner1@minturn.org), or in person

- **Town Council (appointments to fill a vacancy only)**

- Number of members: 7 members
- Length of term: Until the next election in April of even numbered years
- Meeting date & time: 1<sup>st</sup> and 3<sup>rd</sup> Wednesday of each month at 5:30pm
- Residency requirement: Must have resided in the Town of Minturn for at least two years; be 18 years of age and a registered elector in the Town of Minturn
- Submit Application to: Jay Brunvand, Town Clerk  
[treasurer@minturn.org](mailto:treasurer@minturn.org), or in person

- **Historic Preservation Commission**

- Number of members: 5 members
- Length of term: 3 years
- Meeting date & time: Typically the Third Tuesday of each month at 5:30pm
- Residency requirement: See Minturn Code Sec. 19-2-20
- Submit Application to: Madison Harris, Planning Department  
[Planner1@minturn.org](mailto:Planner1@minturn.org), or in person



## APPLICATION FOR COUNCIL OR COMMISSION

---

Return completed application to:  
Town of Minturn  
302 Pine St, Minturn CO 81645  
(or via email – see previous page)

What Board or Commission are you interested in serving on? Planning and Zoning Commission

Name: Amanda Mire

Mailing Address: PO Box 447, Minturn CO 81645

Residence (Physical Address): 414 Eagle St., Minturn CO 81645

Phone: (303)818-5908 Email: amanda1975mire@gmail.com

Length of Residency in the Town of Minturn: 9 YRS Are You Over 18 Years of Age? Yes

Are You Currently a Registered Voter in the Town of Minturn? Yes

Current Occupation: IT Risk/Compliance Employer: Truist Bank

I hereby certify and affirm that all the information contained in this application is true, complete and correct. I understand that false or misleading statements or the omission of important information made on this application or any time during the process may disqualify me from serving for this position. I understand that the Board of Trustees must appoint members to all Boards and Commissions.

Amanda Mire  
Applicant's Signature

3/12/2025  
Date

**(FOR INTERNAL USE ONLY)**

Appointed:  Yes  No

New Appointment  Reappointment

Appointment Date: \_\_\_\_\_ Term expiration: \_\_\_\_\_



1.) Tell us briefly about yourself, why you are interested in being appointed and what experience or education would you bring to this Commission or Council?

I am interested in remaining on the commission because I have a vested interest in our community, both large and small.

The last two years I have grown to understand the responsibilities of the commission and the positive role it has within our community.

2.) Why do you wish to be appointed/reappointed to this Commission or Council?

Over the last 2 years the Commission has completed a large body of work related to Code re-write. My goal is to see this work through to completion so that our community realizes its vision as a unique, one of a kind community within Eagle County.

Additionally, after this work is completed, I want to continue as part of the positive and dedicated commission to apply the new code with incoming applications.

3.) Are you aware of the time commitment and do you have the personal time to devote to this Commission or Council?

Yes, I am aware of the time commitment to read the Commission packets and attend meetings.

4.) What other Boards have you served on?

I continue to serve on Berry Creek Middle School's Accountability Board, as part of the larger Accountability Board for Eagle County School District.



1.) If appointed, what would you like to accomplish on the Commission or Board while you are involved?  
If appointed, I would like to complete the Code re-write project. Otherwise, continue to apply the code as written to incoming applications.

2.) What do you believe could be a concern or issue facing this Commission or Council?  
One challenge I predict is being to communicate the changes with current Code vs. the Code re-write. Being able to articulate

3.) What do you think the Town's responsibility is in overseeing and regulating residential and commercial development?  
The towns responsibility is to ensure the Community Plan is reflected in the Code as written with the Commission and Council applying the code.

Thank you for your interest and time commitment in serving your community.



### APPLICATION FOR COUNCIL OR COMMISSION

Return completed application to:  
Town of Minturn  
302 Pine St, Minturn CO 81645  
(or via email – see previous page)

What Board or Commission are you interested in serving on? Minturn Planning Com.

Name: Darrell Wegert

Mailing Address: P.O. Box 97

Residence (Physical Address): 1718 Main Street

Phone: 970-827-5633 Email: dwcall@comcast.net

Length of Residency in the Town of Minturn: 49 yr Are You Over 18 Years of Age? Yes

Are You Currently a Registered Voter in the Town of Minturn? yes

Current Occupation: Retired Employer: N/A

I hereby certify and affirm that all the information contained in this application is true, complete and correct. I understand that false or misleading statements or the omission of important information made on this application or any time during the process may disqualify me from serving for this position. I understand that the Board of Trustees must appoint members to all Boards and Commissions.

Darrell Wegert  
Applicant's Signature

2-12-2025  
Date

**(FOR INTERNAL USE ONLY)**

Appointed:  Yes  No

New Appointment  Reappointment

Appointment Date: \_\_\_\_\_ Term expiration: \_\_\_\_\_



1.) Tell us briefly about yourself, why you are interested in being appointed and what experience or education would you bring to this Commission or Council?

I've been a resident of Minturn since 1976.

Been a member of Town Council for 12 yrs.

Mayor for 6 or 8 yrs

Been on the ERWTSAN Board for 8 yrs representing Minturn

Been on the ERFPD Board for 13 yrs representing Minturn.

I think I know the lay of the land + government pretty well.

2.) Why do you wish to be appointed/reappointed to this Commission or Council?

To bring my experience with govt. + Minturn history to the table.

3.) Are you aware of the time commitment and do you have the personal time to devote to this Commission or Council?

Yes!

4.) What other Boards have you served on?

- Town Council Minturn (12 yrs + 6 as Mayor)
- "Old" P + Z council in Minturn (2 to 4)
- Eagle River Water + Sanitation Board (8 yrs)
- Eagle County Open Space Board (2 yrs)
- Eagle County Capital Dispersment Council (?) (6 months)
- Eagle River Fire Protection District Board (13 yrs)
- "Old" Vail Recreation Board (2 yrs)



1.) If appointed, what would you like to accomplish on the Commission or Board while you are involved?

To maintain Minturn's character (SP).

2.) What do you believe could be a concern or issue facing this Commission or Council?

Density of Growth

3.) What do you think the Town's responsibility is in overseeing and regulating residential and commercial development?

To maintain what Minturn is known as for.

Thank you for your interest and time commitment in serving your community.

To the Town Council,

I will not be able to attend the Council's meeting as I will be out of town. But I do wish to express my desire to continue serving on the P&Z Committee. Although I have only been on P&Z for a short year as an appointee, I feel I offer insight and experience from serving on Boards with the Town, County, and Districts for many years. I can contribute additional and historical information to the discussion. Please consider me for a position on the P&Z Committee.

Darell Wegert





APPLICATION FOR COUNCIL OR COMMISSION 2025

Return completed application to:  
Town of Minturn  
302 Pine St, Minturn CO 81645  
(or via email – see previous page)

What Board or Commission are you interested in serving on? PLANNING COMMISSION

Name: LYNN TEACH

Mailing Address: PO Box 654 MINTURN CO 81645

Residence (Physical Address): 253 PINE STREET

Phone: 970 827 4133 Email: N/A

Length of Residency in the Town of Minturn: 42 yrs Are You Over 18 Years of Age? YES

Are You Currently a Registered Voter in the Town of Minturn? YES

Current Occupation: Retired Employer: WAS SELF EMPLOYED

I hereby certify and affirm that all the information contained in this application is true, complete and correct. I understand that false or misleading statements or the omission of important information made on this application or any time during the process may disqualify me from serving for this position. I understand that the Board of Trustees must appoint members to all Boards and Commissions.

Lynn Teach  
Applicant's Signature

3/7/2025  
Date

(FOR INTERNAL USE ONLY)

Appointed: \_\_\_ Yes \_\_\_ No

\_\_\_ New Appointment \_\_\_ Reappointment

Appointment Date: \_\_\_\_\_ Term expiration: \_\_\_\_\_



2025

1.) Tell us briefly about yourself, why you are interested in being appointed and what experience or education would you bring to this Commission or Council?

I have lived here for 42 yrs. I ran a service and retail business for 42 yrs - the retail was 8 yrs in the business center outside of downtown and 14 years downtown - I have worked with the local community & the resort tourists that visit here. I have been on the commission since 2006 when we first started working with Battle Mtn. and want to continue.

2.) Why do you wish to be appointed/reappointed to this Commission or Council?

Currently I am involved in the rewrite of Chapter 16-17 of the Building Code also Design Review P&Z is also involved in Minturn North, Belden Place Midtown, Battle Mtn, and soon Maloit Park and some day Doud Junction, all of these are projects that I have had the opportunity to be involved in. I am proud to be a part of this great community I enjoy being involved in it & would like to finish the ones I am working on.

3.) Are you aware of the time commitment and do you have the personal time to devote to this Commission or Council?

Yes I have served on the commission for 19 yrs. and have only had to miss 3 meetings. I am now retired, I do not see any problem devoting the time necessary and I have no personal conflicts of interest.

4.) What other Boards have you served on? EDAC - Economic Development  
 2 - Master Plans  
 1 - Community Plan  
 open Houses on the Highland

Minturn Market Vision Committee  
 Employee Housing Group  
 Chapter 16 Charette  
 Currently Historic Preservation Committee (4 mtgs.)  
 I attend or watch many Council Mtgs on TV



1.) If appointed, what would you like to accomplish on the Commission or Board while you are involved?

I would like to continue working on the projects we currently have. Especially I would like to see Chapter 16 & 17 and an updated Design Review thru to completion. We are trying hard to see that it is written so that anyone having to use the code will be able to follow the regulations easier.

2.) What do you believe could be a concern or issue facing this Commission or Council?

With increased growth comes a lot more traffic, more need for parking, air pollution, river pollution, more wear and tear on our aging infrastructure, increased fire danger and need for more water. Smart Growth becomes very important.

3.) What do you think the Town's responsibility is in overseeing and regulating residential and commercial development?

The Health and Safety of the community. In all the years I have lived here one of the main concerns of the community is to protect what we have, a small charming local town, with beautiful views, great hiking, the river and some of the best wild life in the valley.

Thank you for your consideration

Lynn Seash

Thank you for your interest and time commitment in serving your community.

**TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 04 – SERIES 2025**

**AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING  
CHAPTERS 13, 16, AND 17 OF THE MINTURN MUNICIPAL CODE TO  
INCORPORATE INTO THE CODE EXISTING RESTRICTIONS ON  
CONNECTIONS TO THE TOWN’S WATER SYSTEM BASED ON  
LIMITATIONS OF AVAILABLE LEGAL AND PHYSICAL WATER SUPPLY**

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

**WHEREAS**, limitations on the Town’s water supply, due to (1) consumptive use limitations on the Town’s ability to divert and use water within its service area and (2) limited capacity of the Town’s water treatment facility necessitated implementing a moratorium on connection to the Town’s water system and allocation of water service (the “Moratorium”); and

**WHEREAS**, by Ordinance No. 02 – Series 2023, the Town Council continued the Moratorium on connection to the Town’s water system that limits allocation of water service to no more than the historic number of Single Family Equivalents (“SFEs”) used plus one additional SFE for new water use for an entire property or collection of adjoining properties owned by the same or related owners as legally configured on the date Ordinance No. 05 – Series 2020 was passed; and

**WHEREAS**, in order to comply with its decreed water rights and physical supply limitation, the Town has determined it is necessary to incorporate the restrictions imposed by the Moratorium into the Minturn Municipal Code (the “Code”) until the Town has adequate water supply to allocate additional SFEs for connection to the Town’s water system beyond what is provided for in the Moratorium; and

**WHEREAS**, the Town Council hereby finds and determines that the passage of this Ordinance is necessary to protect public health and safety and promote orderly development within the Town and is not contrary to any statewide regulatory schemes or policies.

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

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

SECTION 2. AMENDMENT. Chapters 13, 16, and 17 of the Code are hereby amended as set forth in **Exhibit A**, with double underlined text added and ~~strike-through language~~ deleted.

SECTION 3. SEVERABILITY. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall


not affect the validity or constitutionality of the remaining portions of this ordinance. The Town Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

SECTION 4. REPEAL OF INCONSISTENT ORDINANCES. Ordinance No. 02 – Series 2023 and Ordinance No. 05 – Series 2020 are repealed. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof is hereby repealed to the extent of such inconsistency or conflict.

SECTION 5. SAFETY. This ordinance is deemed necessary for the protection of the public health, safety, and welfare.

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 5<sup>th</sup> DAY OF MARCH 2025. 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 19<sup>th</sup> DAY OF MARCH 2025 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

  
\_\_\_\_\_  
Earle Bidez, Mavor

ATTEST:

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



THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THIS 19<sup>th</sup> DAY OF MARCH 2025.

TOWN OF MINTURN, COLORADO

\_\_\_\_\_  
Earle Bidez, Mayor

ATTEST:

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



To: Town Council  
From: Madison Harris  
Date: February 27, 2025  
Agenda Item: Ordinance 04 - Series 2025 (First Reading) An Ordinance Amending Chapter 13, 16, and 17 of the MMC to Incorporate into the Code Existing Restrictions on Connections to the Town's Water System Based on Limitations of Available Legal and Physical Water Supply

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**REQUEST:**

Council to approve on first reading Ordinance 04 - Series 2025 amending Chapter 13, 16, and 17 of the MMC to incorporate into the Code existing restrictions on connections to the Town's water system based on limitations of available legal and physical water supply .

**INTRODUCTION:**

Per the Town Attorney's direction explained in the attached memo, this ordinance is essentially codifying the existing water moratorium (Ord. 02 - Series 2023).

**ANALYSIS:**

The Planning Commission reviewed the ordinance at their regular meeting on February 26, 2025. They forwarded a recommendation of approval to the Town Council with no recommended changes.

**COMMUNITY INPUT:**

No members of the public spoke at the hearing. Public notice was provided in accordance with the Minturn Municipal Code as a matter of posting of the official agenda and packet materials for public review prior to the hearing, and following Section 16-21-610 Public notice.

**BUDGET / STAFF IMPACT: TBD**

**STRATEGIC PLAN ALIGNMENT:**

The comprehensive review of the Town's regulations and processes aligns with the following key values:

- Transparency
- Collaboration
- Resourcefulness

## INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **Vail Daily (Eagle Valley Enterprise Alternative)** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(970) 949-0555**.

Notice ID: viaoXmCAu6a5MN2s8KMA | **Proof Updated: Mar. 07, 2025 at 09:41am MST**  
 Notice Name: 8CD07 ORDINANCE NO. 04 – SERIES 2025

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER	FILING FOR
TOWN OF MINTURN treasurer@minturn.org (970) 827-5645	Vail Daily (Eagle Valley Enterprise Alternative)

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**Columns Wide:** 1    **Ad Class:** Legals

**Total Column Inches:** 2.58

**Number of Lines:** 31

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03/11/2025: Other	15.81
Affidavit Fee	10.00

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Subtotal	\$25.81
Tax	\$0.00
Processing Fee	\$2.58
<b>Total</b>	<b>\$28.39</b>

TOWN OF MINTURN, COLORADO ORDINANCE NO. 04 – SERIES 2025  
 AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING CHAPTERS 13, 16, AND 17 OF THE MINTURN MUNICIPAL CODE TO INCORPORATE INTO THE CODE EXISTING RESTRICTIONS ON CONNECTIONS TO THE TOWN'S WATER SYSTEM BASED ON LIMITATIONS OF AVAILABLE LEGAL AND PHYSICAL WATER SUPPLY

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 5th DAY OF MARCH 2025. 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 19th DAY OF MARCH 2025 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO  
 Earle Bidez, Mayor  
 ATTEST:  
 By:  
 Jay Brunvand, Town Clerk

**PUBLISHED IN THE VAIL DAILY ON TUESDAY, MARCH 11, 2025.**

**EXHIBIT A**  
**MINTURN MUNICIPAL CODE AMENDMENT**

**Sec. 13-1-10. Definitions.**

As used in this Chapter, the following definitions shall apply:

*Accessory areas* means areas such as lobbies, mechanical rooms, convention centers, ballrooms, auxiliary dining rooms and guest recreational facilities in a hotel, lodge, motel, lock-off or accommodation unit.

*ADD* means average daily demand.

*Backflow* means the flow of nonpotable water or other nonpotable liquids, mixtures, gases or substances into the distributing pipes of a potable water supply, from any source other than its intended source.

*Backflow preventer* means an assembly or method designed to prevent backflow, consisting of one (1) of the following:

- a. Air-gap method. The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture or other device and the flood-level rim of said vessels.
- b. Atmospheric vacuum-breaker assembly.
- c. Pressure vacuum-breaker assembly.
- d. Double-check valve assembly.
- e. Reduced pressure principle assembly.

*Backflow prevention* means the prevention of the flow of any foreign liquids, mixtures, gases or substances into the distributing pipe lines of the public water system.

*Backflow prevention device* is a device or assembly accepted and approved by the Town as meeting an applicable specification stated or cited in this Chapter, or as suitable for the proposed use and as approved and accepted by the Colorado Department of Public Health and Environment (CDPHE).

*Battle Retained Parcels* has the meaning stated in Section 16-2-20.

*Bolts Development Agreement* means, as may be amended, that certain Development and Vested Property Rights Agreement Implementing the Bolts Lake Settlement Agreement Battle One Developer, LLLP, a Georgia limited liability limited partnership, Battle Two Developer, LLLP, a Georgia limited liability limited partnership, Battle North, LLC, a Georgia limited liability company, Battle South, LLC, a Georgia limited liability company, and Battle One A Developer, LLC, a Georgia limited liability company (collectively, together with their respective successors and assigns, "Battle"), and the Town of Minturn, Colorado, a home rule municipal corporation (together with its successors and assigns, the "Town") having an execution date of \_\_\_\_\_, 2024, recorded in the public records of Eagle County at Reception No. \_\_\_\_.

*Bolts Lake Property* has the meaning stated in Section 16-2-20.

*Bolts Water Distribution System* means all water mains, storage tanks, distribution lines, service lines, and related infrastructure necessary to deliver water from the Bolts Water Treatment Plant to lots within the Battle Retained Parcels and, if applicable, to support non-Town (or Town successors and assigns) activities permitted upon or within the restricted parcels.

*Bolts Water Treatment Plant* means the ERWSD water treatment plant developed within the Battle Retained Parcels (or as may be permitted use within a restricted parcel, within a restricted parcel) to serve the Battle Retained Parcels with a treatment capacity sized to serve up to two hundred fifty (250) dwelling units and fifty thousand (50,000) square feet of gross leasable area.

*Bolts Water Treatment System* means the Bolts Water Treatment Plant and all diversion structures, raw water input lines and related infrastructure inboard to the Bolts Water Treatment Plant.

*CDPHE* means the Colorado Department of Public Health & Environment.

*CDPHE regulations* means the regulations promulgated from time to time by CDPHE.

*CDWR* means the Colorado Division of Water Resources, which is also known and referred to as the State Engineer's Office.

*CDWR regulations* means the well permit and related regulations promulgated from time to time by CDWR.

*Community water system* means facilities for the provision of water service to multiple dwelling unit(s), structures and permitted uses located and/or undertaken within multiple estate lots and ranch lots, which system(s) may include community well(s), storage facilities and related distribution facilities that are owned and operated either by an owners association or a metropolitan district organized pursuant to Sections 32-1-101, et seq., C.R.S., in either case in accordance with applicable CDPHE regulations.

*Community well* means a water well for which a well permit has been issued pursuant to CDWR regulations, which well is utilized to provide water service for multiple dwelling unit(s), structures and permitted uses located and/or undertaken within estate lots and ranch lots.

*Cross-connection* means any unprotected actual or potential connection or structural arrangement between the water system or a customer's potable water system and any other source or system, through which it is possible to introduce into any part of the water system any used water, industrial fluid, gas or substance not meeting drinking water requirements in the Colorado Primary Drinking Water Regulations. Bypass arrangements, jumper connections, removable sections, swivel or changeover devices and other temporary or permanent devices through which, or because of which, backflow can or may occur, are considered to be cross-connections.

*Curb stop* means a shut-off valve located in the private service line.

*Customer* is any person or entity authorized to connect to and use the Town's water system. The customer effectively encompasses: owner, renter, contractor, subcontractor, developer, etc. A *customer* is also any person who applies to the Town for a service connection, service disconnection, main line extension or other such service agreement, or who attempts to have real property included within the Town.

*ECPHA* means the Eagle County Public Health Agency.

*ECPHA regulations* means the OWTS permit regulations and related OWTS regulations promulgated from time to time by ECPHA.

*Efficiency room* means a single room with a bathroom and a kitchen.

*ERWSD* means, collectively and together with their respective successors and assigns, the Eagle River Water and Sanitation District and the Upper Eagle Regional Water Authority.

*Estate lot* has the meaning stated in Section 17-2-10.

*Estate lot plat* has the meaning stated in Section 17-2-10.

*Estate lot process* has the meaning stated in Section 17-2-10.

*Exemption plat* has the meaning stated in Section 17-2-10.

*Exemption plat parcel* has the meaning stated in Section 17-2-10.

*Exemption plat process* has the meaning stated in Section 17-2-10.

*Kitchen* includes, but is not limited to, hot and cold water, stove and/or microwave, sink and refrigerator.

Letter of Service has the meaning stated in Section 13-2-10.

*Mountaintop area* has the meaning stated in Section 17-2-10.

*OWTS* means an On-Site Wastewater Treatment System as such term is defined in the ECPHA regulations.

*OWTS permit* means a permit issued by ECPHA pursuant to applicable ECPHA regulations for the construction or alteration, installation, and use or for the repair of an OWTS.

*Package sewage plant* means an OWTS that provides sanitary sewer treatment for multiple ranch lots or estate lots pursuant to an OWTS permit, which OWTS is owned and operated either by a homeowners' association or a metropolitan district organized pursuant to Sections 32-1-101, et seq., C.R.S.

*Private OWTS* means an OWTS that provides sanitary sewer service pursuant to an OWTS permit to dwelling unit(s), other structure(s) and/or any permitted uses within, as applicable, a single ranch lot or a single estate lot.

*Private service line* means the service line from the curb stop to the customer's water-using unit. The private service line includes, without limitation, the curb stop and water meter. With the exception of the water meter, the private service line is owned and maintained by the customer.

*Private well* means a water well for which a well permit has been issued pursuant to CDWR regulations, which well is utilized to provide water service for dwelling unit(s), structures and permitted uses located and/or undertaken within, as applicable, a single estate lot or a single ranch lot.

*Project water rights* means those water rights adjudicated in Case No. 06CW264, as may be further decreed and modified in Case Nos. 16CW3122, 16CW3123 and future water court cases, related to the originally decreed water rights Case No. 06CW264, which water rights are available for use within the Battle Mountain Property (as such term is used in said decrees), including the Mountaintop area in accordance with the terms and conditions set forth in said decrees.

*Ranch lot* has the meaning stated in Section 17-2-10.

*Ranch lot plat* has the meaning stated in Section 17-2-10.

*Ranch lot process* has the meaning stated in Section 17-2-10.

*Reservoir Agreement* means and refers to that certain agreement pertaining to acquisition for Bolts Lake Reservoir by and among Eagle River Water and Sanitation District, Upper Eagle Regional Water Authority and Battle North, LLC, dated as of February 9, 2021.

*Residential unit* means any living unit with a kitchen. Examples are: single-family houses, residential condominiums, townhomes, apartments, duplexes, triplexes, lock-off apartments, etc.

*Restricted parcels* has the meaning stated in Section 16-2-20.

*Room* means a single room without a kitchen, with or without a bathroom, with private access to a central corridor or the outside.

*SFE (single family equivalent)* is the basic unit for determination of water charges and fees. One (1) SFE is the water to serve one Dwelling Unit, as that term is defined in Section 16-2-20, which may include up to three thousand (3,000) square feet of building area as measured from the exterior dimensions of development and two thousand (2,000) square feet of outside irrigated area.

*Square-foot floor area*, as used in determining fees, is calculated on gross residential floor area, plus unfurnished areas, but excluding garage area and multi-unit common space.

*System improvement fee (SIF)* means a payment or charge made for a permanent reservation of water ~~plant~~ system capacity and the right to use water from the Town water system.

*System improvement fee schedule for commercial* means the schedule of fees adopted by resolution of the Town Council and applied based on the water connection service line size needed for a commercial development.

*System improvement fee schedule for residential* means the schedule of fees adopted by resolution of the Town Council and applied to the development of residential dwellings based on square footage added.

*Tap or connection* means the process of connecting a service line to the water main.

*Tap fee* means a fee charged to a customer of water or sewer utility, which fee represents an investment and capital contribution to the Town's present physical water and sewer utility system, and includes such items as collection, treatment and storage, but does not include extensions of the Town water and sewer system to provide service, nor payment for acquisition, adjudication, or changes in water rights necessary to provide water service or to protect the Town's water rights.

*Threshold criteria* means the criteria set forth in Section 13-7-45(i).

*Town parcels* has the meaning stated in Section 16-2-20.

*Water connection or service line* means a service line connection from the property line to the water main, including the curb stop installation.

*Water main* means the principal artery of the water system to which service lines may be connected. The water main is owned, operated and maintained by the Town.

*Water meter* means a device which measures all water use on a property, including in-house use and outside irrigation use.

*Water system* means the public water system owned and/or operated by the Town.

*Water-using property* includes any real property within the Town or outside the legal boundaries of the Town, and being serviced by the Town, on which a water-using unit is located or desired to be located.

*Water-using unit* includes any space, structure or building, movable, fixed or otherwise, or any part or parcel of the same for which a separate water rate is applicable, or, in the alternative, any space, structure or building, movable, fixed or otherwise, or any part or parcel thereof having or being equipped with a device, fixture or method for using water.

*Well permit* means any permit issued in accordance with applicable requirements by CDWR for, as applicable, a "well" that is "exempt" or "non-exempt" (as applicable CDWR regulations define such terms) that is appropriate for providing water service to one (1) or more residential unit(s), other structure(s), and/or for any permitted uses within ranch lots or estate lots located within the mountaintop area.

...

**Sec. 13-2-10. Application procedure generally.**

- (a) An application and written approval of the application Letter of Service by the ~~Public Works Director, Town Treasurer, and Planning Director~~ shall be required for any material change in water service for the customer or potential customer, including, without limitation for any new service connection, any expansion of or addition to the water-using unit, any change in use of the water-using unit or property served (e.g., from residential to commercial, conditional-use permit, any increase in irrigated landscape area beyond 2,000 square feet, home-occupation permit or conversion of a garage or outbuilding into a residential unit), the addition of additional water fixtures in commercial establishments, any remodel or other work for which a building permit is required, any demolition of a water-using unit, and/or rezoning or subdivision of property. The water service application shall be in writing on a form approved by the Town, shall be submitted to the Town Clerk and shall set forth: the name and post office address of the owner of the water-using property, the legal description of the water-using property for which water is desired, the purpose or purposes for which the water will be used, plans or drawings depicting the square footage of structures in which water will be used and water fixtures in the structures, and such other facts reasonably required by the Town, to

determine the purpose, extent, nature and location of water use, the water-using property and the water-using unit.

- (b) Applications shall be made only in the names of and for water-using property owners.
- (c) No Customer may obtain any connection to the Town’s water system or make any material change in water service without receiving written approval from the Town authorizing such connection or use in the form of a Letter of Service. The Letter of Service must state the number of SFEs that will be serviced by the connection. The Town shall only issue a Letter of Service for connection or for any material change in water service in an amount limited to no more than the historic number of SFEs served on a property or collection of adjoining properties, which are owned by the same or related owner, as legally configured on the date Ordinance No. 05 Series 2020 was passed, plus one additional SFE for new water service for residential service and one and one-half SFE for new water service for commercial service.
- (ed) The Town reserves the exclusive right to deny application for service when, in the opinion of the Town, the service applied for would create an excessive seasonal or other demand on the facilities. Denial may also be based upon an unresolved obligation between the Town and the applicant, inadequate documentation of easements for main lines serving the property or any other reason as determined by the Town. The Town reserves the right to revoke any prior approval before service has been provided, and the right to revoke service after it has commenced for any violation of this Chapter.
- (e) Any application required under this Chapter shall be accompanied by such application fee as the Town Council may establish by resolution. Payment shall be made to the Town Clerk.

(Ord. 15-2008 §1; Ord. 2-2018, §3)

**Sec. 13-2-20. Application and wWater system fee payments; water dedication or payment of cash in lieu of water rights.**

- (a) Fees Applicable. Each connection to the water system or for any material change in water service shall be accompanied by a tap fee, water rights dedication and/or SIF. ~~Any other application required under this Chapter shall be accompanied by such application fee as the Town Council may establish by resolution. Payment shall be made to the Town Clerk.~~
- (b) System Improvement and Tap Fees. System improvement fees (SIF) owed to the Town are based on Square-foot floor area. For any new structure (including a structure that replaces a structure that was demolished), the System improvement fee shall be based on the total Square-foot floor area of the structure. For any structure that includes all or part of an existing structure, the system improvement fee shall be based on the Square-foot floor area of new construction.

*Example:* Where one thousand (1,000) square feet is added to a one thousand five hundred (1,500) square foot residential dwelling unit, the SIF shall be calculated at the rate of one thousand (1,000) multiplied by the then applicable Tier 2 price per square foot floor area.

Tap fees owed to the Town are based on the number of SFEs of water service provided to a property. The minimum tap fee is for one SFE per property. For service in excess of one SFE per property, the amount of the SFE will be prorated.

*Example:* Where a property owner requests to construct a residential dwelling unit of 3500 square feet on a property where an existing residential dwelling unit of less than 3000 square feet will be demolished, the property has a credit for a tap fee for 1 SFE and would pay a prorated tap fee of 500 square feet / 3000 square feet.

Fees shall be based on the current fee rates set by resolution of the Town Council.

- (1) Residential water service.

- a. *Tap fee.* A tap fee shall be paid for each SFE of water service or prorated portion thereof.
- b. *System improvement fee.* SIF's for any new development or redevelopment of property resulting in the addition of square footage shall be calculated at rates set by resolution of the Town Council and according to the following SIF Table:

SYSTEM IMPROVEMENT FEE TABLE

	Floor Area Tiers
Tier 1	0—1,500 sq. ft.
Tier 2	1,501—3,000 sq. ft.
Tier 3	3,001 sq. ft. or more

- c. *Accessory unit fees.*
  - 1. *System improvement fee.* The addition of any accessory unit, whether attached or detached from the primary structure on a property, shall be calculated as though an addition of square footage to the primary structure.
  - 2. *Tap fee.* The addition of any accessory unit that does not require the purchase of a separate tap, but which would otherwise result in an additional SFE, shall be charged one-half (0.5) SFE.

(2) *Commercial, industrial, and irrigation water service.*

Commercial water service fees shall be assessed based upon the size of all service lines and using total water demand from all fixtures, connections, outlets, or other water uses, determined by the current section of the International Plumbing Code for metered water.

(c) Water Rights Dedication. In addition to the fees described above, the Town conditions connection to the water system or for any material change in water service to a property upon either a dedication of water rights or a payment of cash in lieu of water rights. This condition applies to:

- (1) All new development or redevelopment within the Town not covered by existing taps and all redevelopment within the Town that will require an increase in water use in excess of the use covered by existing taps; and
- (2) All properties not currently within the Town, as provided in Section 13-2-80 of this Article. The applicant for water service for new development or redevelopment in the Town must agree, in writing, to:
  - a. Dedicate water rights to the Town in an amount, legal priority, and of a quality adequate, in the judgment of the Town and its water consultants, to serve the needs of the new water use or the increase in water use not covered by existing taps; or
  - b. At the Town's sole discretion, pay cash in lieu of such water rights at the then-current rate set by the Town. Such cash-in-lieu payments shall be paid to the Town to be used, at the discretion of the Town, to develop and/or acquire water rights or storage for the Town or to construct or improve municipal water facilities.

The increase in water use caused by redevelopment may be as a result of increased density, increased landscaping or any other change in use of the property that increases the water demand from the pre-redevelopment demand. The applicant must provide evidence, acceptable to the Town, regarding the amount of water required by the proposed use. The applicant shall be required to pay the Town for all legal, engineering and other costs incurred or which may be incurred by the Town to evaluate the application and implement this Section or to adjudicate any Water Court application necessary to provide water service to the new development or redevelopment within the Town. Such agreement shall be made a covenant running with the land.

(d) Letter of Service. Acceptance of an application is conditioned upon issuance by the Town of a Letter of Service as described in Section 13-2-10.

- (e) Should any information disclosed on the application prove at any time to be false, or should the applicant omit any material information, the Town shall have the right to:
  - (1) Reassess the tap fee originally charged to the rate current at the time of discovery by the Town of the false or omitted information;
  - (2) Disconnect the service in question;
  - (3) Back-charge the customer for the water-using unit in question for tap fees and/or service fees that may be due and owned; and/or
  - (4) Charge any other additional fee or penalty specified in this Chapter. Any reassessment, penalties or other additional fees, charged with interest at the maximum legal rate on the entire balance upon and from the date of the original application, shall be due and payable immediately.

(f) Unless otherwise agreed by the Town in writing, the customer shall pay a monthly water service fee commencing upon the earlier of:

- (1) The use of water at the site;
- (2) Two (2) years from the Town's issuance of the tap for the water-using unit or property;
- (3) Expiration of the building permit issued for the water-using unit; or
- (4) Issuance of the certificate of occupancy or temporary certificate of occupancy for the water-using unit.

Monthly service fees commencing under Subparagraphs (e)(1) through (e)(3) above shall be at the base rate, unless the Town Council has established another rate by resolution. Monthly service fees commencing under Paragraph 13-2-20(e)(4) above shall be at the metered water rate.

Editor's note(s)—Ord. 2-2018, §5, adopted May 2, 2018, amended §13-2-20 in its entirety to read as herein set out. Former §13-2-20 pertained to application and tap fee payment; water dedication or payment of cash in lieu of water rights and derived from Ord. 15-2008 §1.

...

**Sec. 13-2-60. Connections; maintenance and operations; terms generally.**

- (a) No person shall make a tap or connect onto the water system of the Town, either within or without the Town, without first submitting an application and obtaining written approval of the application by the Public Works Director along with a Letter of Service pursuant to Section 13-2-10. Tap and service connections are approved for specific uses, as stated on the application. The Public Works Director may conduct an inspection in accordance with Section 13-1-70 of this Chapter, to identify any unauthorized use for which the customer is subject to a fine in accordance with Sections 13-1-110 and 13-2-120 of this Chapter.

...

**Sec. 16-21-120. Provisions of general applicability.**

Application forms. All applications for development permits shall be submitted with the applicable Town forms, which shall be available from the Planning Department. No application shall be considered complete for review unless the requested numbers of copies of all required materials, twelve (12) minimum, are submitted in sufficient detail for the Planning Director to determine whether the application complies with the substantive requirements of these Land Use Regulations.

Water Service. The Town shall not consider an application complete for review unless the applicant has obtained a Letter of Service from the Town for connection to the Town’s water distribution system pursuant to Section 13-2-10(c).

...

**Sec. 16-21-170. Minimum contents of application.**

The application shall be submitted in a form established by these Land Use Regulations and made available to the public. All applications shall include, at a minimum, the following materials:

- (1) Applicant's identity. The applicant's name, mailing address, telephone and fax number. If the applicant is to be represented by an agent, a letter signed by the applicant granting power of attorney to the agent shall be submitted, authorizing the agent to represent the applicant and stating the representative's name, mailing address, telephone and fax number.
- (2) Legal description. The legal description and street address, if such exists, of the parcel on which development is proposed to occur.
- (3) Disclosure of ownership. A disclosure of ownership of the parcel on which the development is to occur, listing the names of all owners of the property and all mortgages, judgments, liens, easements, contracts and agreements that run with the land. The disclosure of ownership may be in the form of a current certificate from a title insurance company, deed, ownership and encumbrance report, attorney's opinion or other documentation acceptable to the Town Attorney.
- (4) Vicinity map. An eleven-inch-by-seventeen-inch vicinity map, locating the subject parcel within the Town.
- (5) Written description. A written description of the proposal and an explanation in written, graphic or model form of how the proposed development complies with the review standards applicable to the application.
- (6) Environmental impact report, when applicable.
- (7) Adjacent property owners. A list of all adjacent property owners, compiled by the applicant using the most recent county ad valorem tax rolls (as available from the County Assessor), is required for all applications and shall be submitted to the Town Planner as part of the application for development. In addition to submitting a written list, the applicant shall also submit the addresses on adhesive labels or in the form of preaddressed envelopes.
- (8) Water Service. Letter of Service from the Town for connection to the Town’s water distribution system pursuant to Section 13-2-10(c).
- (98) Additional requirements. Submittal requirements as outlined in the specific development permit section of these Land Use Regulations.

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**Sec. 16-21-615. Design Review applications.**

- (a) Purpose. The purpose of a Design Review is to ensure that all new development and major redevelopments in the Town are constructed in a manner that complies with the adopted regulations of the Town.
- (b) Applicability. All major construction must receive Design Review approval from the Design Review Board prior to the issuance of a building permit. Major construction is defined as all new construction projects and any building addition that increases the building footprint and/or square footage of an existing structure.

- (c) Application requirements. In addition to the requirements of Section 16-21-170, the following information must be submitted for a Design Review application.
- (1) Application form and fee. Application fees are set annually by the Town Council.
  - (2) A boundary survey, with a stamp and signature (or electronic equivalent) of a licensed surveyor, that includes the following information:
    - a. Date of survey (survey date must be within six (6) months of the project application date).
    - b. Right-of-way and property lines; including bearings, distances, and curve information.
    - c. Labeled ties to existing USGS benchmark.
    - d. Property boundaries to the nearest one-hundredth (0.01) of a foot accuracy. Distances and bearings and a basis of bearing must be shown. Show existing pins or monuments found and their relationship to the established corner.
    - e. All existing easements recorded with the County Clerk and Recorder. Include bearings and distances.
    - f. Spot elevations at the edge of asphalt along the street frontage of the property at five-foot intervals, and a minimum of two (2) spot elevations on either side of the lot.
    - g. Topographic conditions at two-foot contour intervals.
    - h. Existing trees or groups of trees having trunks with diameters of four (4) inches or more.
    - i. Rock outcroppings and other significant natural features.
    - j. All utility meter locations, including any pedestals on site or in the right-of-way adjacent to the site and the exact location of existing utility sources.
    - k. Environmentally sensitive areas or areas of natural hazards, where applicable (i.e., rock fall, wetlands, or floodplain).
    - l. Watercourse setbacks and floodplain information, if applicable. Show centerline and edge of stream or creek in addition to the one hundred-year floodplain, as well as the required stream setback from the ordinary high-water mark.
  - (3) A scaled site plan showing the following information:
    - a. Property line locations and dimensions based on a current boundary survey of the property.
    - b. Setback lines.
    - c. Existing and proposed easements.
    - d. Existing and proposed buildings, including sheds and enclosures. Include decks, patios, and balconies. Indicate the building footprint and the outside face of exterior walls, inclusive of all cantilevered elements of the building, with a solid line and the roof/eave edge with a dashed line.
    - e. Height elevations of all roof ridgelines and/or the top of all flat roof elements, as well as the mid-point of all sloped roof elements.
    - f. Driveways and parking areas. Indicate finished surface, heated or unheated, grade, percent slope, dimensions, turning radii and spot elevations at the property line.
    - g. Identify all slopes between thirty percent (30%) and forty percent (40%), as well as any slopes in excess of forty (40%) percent.
    - h. Existing and proposed retaining walls including materials and spot elevations.
    - i. Existing and proposed fences (including height and materials).

- j. Waterbodies, stream setbacks from the ordinary high-water mark, and floodplain information according to a current survey of the property, if applicable to the subject property.
  - k. Snow storage areas denoted with hatching and showing corresponding area (expressed in square feet) as a percentage of overall site area.
  - l. Sidewalks and walkways.
  - m. All areas of lot and impervious coverage denoted with hatching and showing corresponding area (expressed in square feet) as a percentage of overall site area.
- (4) A grading and drainage plan that includes the following information:
- a. Existing contours. Existing two-foot contours must be provided for all areas proposed to be disturbed as a result of the project proposal. Contours for undisturbed areas must be shown when drainage in those areas impacts the disturbed area, or vice versa.
  - b. Proposed contours. Proposed two-foot contours for all disturbed areas must be shown and must demonstrate positive drainage.
  - c. Spot elevations. Show critical spot elevations, as necessary to demonstrate positive drainage and the direction of flow. Finished grade at all building corners must be provided.
  - d. Top-of-foundation elevations. The top-of-foundation elevation must be shown on the plan and must be consistent with the foundation plan. For buildings on slopes of thirty percent (30%) or greater, elevations for stepped foundation walls must be shown.
  - e. Drainage arrows. Include drainage arrows that show how stormwater will be routed around buildings and where stormwater will exit the property. Stormwater cannot cause damage to any adjacent property. Drainage and erosion control features needed to prevent damage must be included.
  - f. Drainage facilities. Proposed drainage facilities, such as French drains or culverts, must be shown.
  - g. Retaining walls. Retaining wall details are required and must include drainage details. Note top- and bottom-of-wall elevations shall be shown at each location where the retaining wall steps up or down, and shall include the tallest point of the retaining wall.
- (5) Building elevations and proposed architectural detailing for all sides of the proposed structure(s), indicating type, size, and texture of all exterior materials, as well as building heights, setback lines, locations of exterior lighting fixtures and roof and building drainage system (i.e., gutters and downspouts).
- (6) Color chips and/or a materials board shall be required for all projects.
- (7) A landscaping plan pursuant to the Town of Minturn Landscape Standards shall be provided, if applicable.
- (8) Floor plans of all levels of any proposed structure(s) indicating the proposed uses and dimensions of all interior space shall be included. For additions to existing structures, floor plans must be provided for the existing building as well as all proposed additional floor area.
- (9) Reflected ceiling plans if applicable, showing exterior lighting (recessed or can lighting) within soffits.
- (10) Multi-family and commercial developments may require one (1) or more of the following: a three-dimensional model of the proposed project and adjacent buildings to scale; a three-dimensional architectural model including adjacent structures; and a two-dimensional photo illustration of the proposed building in relation to adjacent structures.
- (11) Property corners shall be staked and remain in place throughout the public hearing process.
- (12) Such additional information as the Planning Department or Design Review Board may require.

(13) Water Service. Letter of Service from the Town for connection to the Town's water distribution system pursuant to Section 13-2-10(c).

- (d) Administrative procedure.
  - (1) Upon receipt of a completed and proper application, the application for Design Review will be scheduled for a public hearing. The hearing will be conducted in accordance with the procedures set forth in this Chapter.
  - (2) Criteria and findings. Before acting on a Design Review application, the Planning Commission, acting as the Design Review Board (DRB), shall consider the following factors with respect to the proposal:
    - a. The proposal's adherence to the Town's zoning regulations.
    - b. The proposal's adherence to the applicable goals and objectives of the Community Plan.
    - c. The proposal's adherence to the Town of Minturn Design Standards and Guidelines.
  - (3) Necessary findings. The Design Review Board shall make the following findings before approving a Design Review application:
    - a. That the proposal is in conformance with the Town zoning regulations.
    - b. That the proposal helps achieve the goals and objectives of the Community Plan.
    - c. That the proposal complies with the Town of Minturn Design Standards and Guidelines.
  - (4) Conditions of approval. The following conditions shall apply to all projects approved by the Design Review Board:
    - a. No changes to an approved plan or design may be made without the written consent of the Town staff. Town staff reserves the right to forward any change to the Design Review Board for final approval.
    - b. Design Review Board approval does not constitute a permit for building.
    - c. Design Review Board approval shall not become valid for twenty (20) days following the date of approval, pursuant to Section 16-21-110(b)(3) and Section 16-21-700.
    - d. Approval of this project shall lapse and become void one (1) year following the date of final approval unless a building permit is issued and construction is commenced and is diligently pursued toward completion. A maximum of one (1) one-year extension may be granted at the request of an applicant.
- (e) Construction process.
  - (1) Building permit required. Once an application has been approved by the Design Review Board, the applicant may apply for a building permit. A building permit shall be submitted in substantial compliance with plans approved by the Planning Commission and shall be reviewed by the Building Official for compliance with all applicable codes and laws enforceable by the Town of Minturn.
  - (2) Pre-construction meeting and inspection required. Once a building permit has been issued, and prior to any construction activity being authorized on the subject property, a pre-construction meeting is required to be held at the subject property. The purpose of the pre-construction meeting is for the contractor (General Contractor and/or Owner's Representative of record with the Town) to familiarize themselves with the Town's construction regulations, inspection process, and requirements. This is also a time for Town staff to inspect the pre-construction conditions of the subject property and to verify limits of disturbance along with any required erosion control measures.
  - (3) Foundation inspection required. After any foundation has been poured and foundation work has been completed, and prior to scheduling a foundation inspection, an Improvement Location Certificate (ILC) verifying the location of the foundation must be submitted to the Building Official. Construction may

not proceed until the location of the approved foundation has been verified by the Building Official as part of the foundation inspection.

- (4) Framing inspection required. After the framing of the structure(s) has been completed, and prior to scheduling a framing inspection, an Improvement Location Certificate (ILC) verifying the location of all roof ridge height(s) and locations of all exterior walls of the structure relative to required setbacks and property boundaries must be submitted to the Building Official. Construction may not proceed until the location and the extents of the structure(s) have been verified by the Building Official as part of the framing inspection.
- (5) TCO inspection required. At the completion of the project, a Temporary Certificate of Occupancy (TCO) inspection shall be required. An updated Improvement Location Certificate showing all new improvements on the site, shall be submitted to the Building Official prior to scheduling a TCO inspection.
- (6) CO inspection required. The final step in the construction and inspection process is the final Certificate of Occupancy inspection.

(Ord. 2-2012 §1; Ord. 4-2023 §2)

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**Sec. 17-1-110. Water service connection – general applicability.**

No person may submit an application pursuant to this Chapter without first having obtained a Letter of Service from the Town for connection to the Town’s water distribution system pursuant to Section 13-2-10(c).



To: Mayor and Council  
From: Scot Hunn, Planning Director  
Date: March 13, 2025  
Agenda Item: Highlands Parcels Planning – Discussion and Direction

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**Background:**

The Highlands Parcels Nos. 1 & 2 have been acquired by the Town as part of the Settlement Agreement executed in 2024 between the Town and Battle North. Parcels 1 & 2 present a unique opportunity for the Town to achieve certain strategic and community plan policy goals while generating revenue specifically earmarked for the water enterprise fund.

**Process to Date:**

As the first steps in the process to inform the Council’s decision on how to best use the parcels, staff completed the following tasks in January and February 2025:

- A [webpage](#) providing background information on the Bolts Lake area – specifically the Settlement Agreement and Highlands Parcels 1 & 2 – was created.
- A short survey was conducted between January 13<sup>th</sup> and January 31<sup>st</sup>.
- An open house was held Wednesday, January 29<sup>th</sup>, from 4:30pm-7:30pm at Town Hall.
- Staff presented the results of the survey and open house to the Council at their regular meeting of February 19<sup>th</sup> and the Council provided direction for staff to invite representatives from the Eagle County Open Space and Natural Resources Department as well as the Eagle Valley Land Trust to join a discussion on March 19<sup>th</sup>.

**Purpose of March 19<sup>th</sup> Discussion**

The purpose of the Council’s ongoing discussion at the March 19<sup>th</sup> meeting will be to review the Highlands process to date, and to allow subject matter experts from Eagle County and EVLT to briefly walk through the following general topics with Council:

- How each organization approaches and evaluates land conservation projects.
- How funding, tax benefits, and partnerships work.
- The timeframes involved and key issues that affect conservation projects.
- Potential scenarios to achieve the Town’s goals for the Highlands.

Following the presentations, staff intend to facilitate a Q&A session with our guests with the goal to better inform future Council decisions on how to move forward with the Highlands Parcels.



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### **FUTURE MEETING AGENDA ITEMS**

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

#### **April 2, 2025**

- Special Presentation – GoPro Mountain Games – Peggy Wolfe, Vail Valley Foundation
- Special Presentation - SS4A Update - Stolfus Engineering
- Resolution \_\_ - Series 2025 A Resolution Adopting Vision Zero
- Resolution \_\_ - Series 2025 A Resolution Renewing the Xcel Energy Franchise Agreement – Brunvand
- Nelson St/Williams Ave Traffic flow, heat exchange project & paving discussion

#### **April 16, 2025**

- Resolution \_\_ - A Resolution Approving the Updated Town of Minturn Employee Handbook – Brunvand
- Special Presentation / Discussion – Town Manager Recruitment Update – KRW Associates
- Eagle County Regional Housing Action Plan (County Housing Needs Analysis) presentation – Hunn
- Town Manager Recruitment Update – KRW Associates

#### **Dates to be Determined:**

- Special Session – Town Manager Interviews
- June 18, 2025 - Resolution to Appoint / Reappoint DDA Board Members for Initial Staggered Terms - Krieg
- Ordinance \_\_ - An Ordinance Adoption of the 2024 Model Traffic Code – Legal/Krieg
- Ordinance \_\_ - An Ordinance to add new Colorado Traffic Violation (Prohibits drivers from holding or handling their phones while driving, including at stoplights). – Legal/Krieg
- Discussion/Direction – Wildlife Migration Corridor/Winter Habitat Area and Approved Windows for Construction – Hunn/Harris