



OFFICIAL MINUTES

Town Council Regular Meeting 5:30 / Executive Session 4:30

Wednesday, February 07, 2024

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

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

This agenda and meetings can be viewed at www.minturn.org.

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION:

This will be an in-person meeting with access for the public to attend in person or via the Zoom link included. Zoom Link: <https://us02web.zoom.us/j/85462137003>

Zoom Call-In Information: 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 854 6213 7003

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

Mayor Earle B. called the meeting to order at 4:30pm.

2. EXECUTIVE SESSION (4:30 PM)

An Executive Session for the purposes of receiving legal advice on specific legal questions pursuant to C.R.S. 24-6-402(4)(b) – discussion of Town water rights and potential Water Court applications related to Town water infrastructure improvements – Susan Ryan, Esq.

Motion by Brian R., second by Eric G., to convene in Executive Session for the purposes of receiving legal advice on specific legal questions pursuant to C.R.S. 24-6-402(4)(b) – discussion of Town water rights and potential Water Court applications related to Town water infrastructure improvements. Motion passed 6-0. Note: Kate Schifani was excused absent.

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

Staff present: Town Attorneys Michael Sawyer (zoom) and Susan Ryan (zoom), and Town Manager Michelle Metteer.

The Council convened from Executive Session into Regular Session at 5:40pm and proceeded forward with the meeting.

3. ROLL CALL AND PLEDGE OF ALLEGIANCE

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

Staff present: Town Attorneys Michael Sawyer, Town Manager Michelle Metteer, and Town Clerk Jay Brunvand.

Others included Consultants Bill Berg, Cristy Radabaugh, James Mann, Jarod Limke, John Volk, Scot Hunn, and Susan Ryan.

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. Approval of 01-17-2024 Minutes

Motion by Gusty K., second by Terry A., to approve the Consent Agenda of February 7, 2024 as presented. Motion passed 6-0. Note: Kate Schifani was excused absent.

5. APPROVAL OF REGULAR AGENDA

Opportunity for amendment or deletions to the agenda.

Motion by Terry A., second by Eric G., to approve the February 7, 2024 Agenda as presented. Motion passed 6-0. Note: Kate Schifani was excused absent.

6. DECLARATION OF CONFLICTS OF INTEREST

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.

Gusty K. read into the record a letter at the request of Shelley and Dan Bellm, 470 Pine St., regarding snow removal issues at the church next door. The letter and pictures are included at the end of these minutes.

Mr. Robert Martinez, 800 Main St, plow contractor for the Church, spoke to the conflict and his side of the matter stating he has been dealing with this same issue, same citizens, for over 25-28yrs.

Mike S. reminded the Mayor to read the Executive Session memo, it was so read.

8. COUNCIL COMMENTS & COMMITTEE REPORTS

Brian R. updated on the Minturn Fitness Center Board Meeting held in January. He noted an article involving Hwy 6 and CDOT. Brian R. wrote letters to our local state representatives and received feed back of whom to contact at CDOT. He felt the conversation went well and there is a meeting with CDOT representatives in the upcoming week to review the concerns.

Earle B. gave support to Public Works on the snow removal success during the recent big storms.

9. STAFF REPORTS

A. Manager's Report

Unita Basin Railway

The USFS withdrew its permission for the Uinta Basin Railway to build 12-miles of rail through the Ashley national Forest which would connect two segments of rail and thereby getting the project one step closer to transporting crude oil from Utah, through Colorado, to the oil refineries in Texas. The Town of Minturn has been supporting Eagle County in opposition of this project.

Minturn Elections

Minturn elections take place April 2nd. Voting will be in person or residents can apply in advance for an absentee ballot. See Jay Brunvand, clerk, at town hall with questions or email treasurer@minturn.org.

Bolts Ditch Act

I participated in efforts to support the Bolts Ditch Act which is making its way through the House of Representatives and would allow Eagle River Water & Sanitation District and the Upper Eagle Regional Water Authority direct access to the Bolts Ditch and headgate within the Holy Cross Wilderness Area. The trip included meetings with staff from Senator Bennet's and Hickenlooper's office as well as a tour by Congressman Neguse's office. Siri Roman provided witness testimony and the subcommittee on Natural Resources where Congressman Neguse is the ranking chair.

Regional Housing Plan

Kickoff Meeting I participated in the Regional Housing Plan kickoff meeting which will work toward better understanding the housing demand, housing supply and the needs, gaps and targets.

Phase II will include the evaluation of the land use once and housing regulations, evaluate sites for housing, funding sources, potential policies and strategies, policy evaluation and an action plan. There will be extensive community outreach as part of this regional housing scope of work. Outreach will include focus groups, direct interviews, household survey, and a transit and partnerships survey.

Safe Streets 4 All Grant Kickoff

Minturn participated in the SS4A grant kickoff meeting which will allow us to begin the process on creating a safety action plan for our streets and mobility needs. This work is the baseline that will help Minturn's grant applications in showing the value and need for additional safety improvements not only along HWY 24 but also along Minturn's side streets.

Michelle M. also updated on the Shoshone Water Rights and the effect that will have on the Colorado River.

Michelle M. noted that George Brodin was the NWCCOG Representative for Minturn. Eric G. volunteered to cover this through the April Election. It was noted after the election all committee appointments will be reviewed.

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 05 - Series 2024 Approving Minturn's Water Nexus Report and Action Plan**

Representatives from the Climate Action Committee presented.

Water and wastewater treatment and distribution processes rely on energy intensive systems, commonly powered by climate change-causing fossil fuels. While there has been a considerable amount of dialogue regarding climate change impacts on water supply and predictability, there have been fewer discussions around the energy intensity of water and wastewater treatment and distribution processes and their impact on our environment. Aerobic water treatment processes are used in all water treatment facilities across Eagle County and are particularly energy intensive compared to anaerobic processes.

The report emphasized the need to conserve water, evaluate use on a consistent basis (monthly), tiered water rates, and promote irrigation assessments especially to high outdoor water users.

Lynn F. asked regarding the tiered water use for irrigation. The intent is to have an equitable base fee for all users and higher fee tiers for more water used. It was noted that outdoor irrigation use is normally higher than needed because users tend to over irrigate. By identifying high users and

supporting them with education and assessments it is hoped that their use would be curbed and ultimately decreased. Michelle M. noted staff will be looking to mirror the ERWSD tiered rate on outdoor irrigation. This is based on a sq ft calculation rather than a multiplier option.

It was noted our current water treatment system uses less energy than newer systems on average.

Michelle M. noted how beneficial this has been for the town to identify our needs.

Motion by Terry A., second by Gusty K___, to approve Resolution 05 – Series 2024 a Resolution approving Minturn’s Water Nexus Report and Action Plan as presented. Motion passed 6-0. Note: Kate Schifani was excused absent.

- B.** Ordinance TBD - Series 2024 Amending Provisions Contained in Chapter 13 (Utilities Code), Chapter 16 (Zoning Code), Chapter 17 (Subdivision Code), and Chapter 18 (Building Code) of the Minturn Municipal Code - Request for Continuance

Staff has been working with Battle North to review a draft ordinance inclusive of amendments to the Town of Minturn Municipal Code (Chapters 13, 16, 17, and 18) that will affect the Bolts Lake properties that are subject to and required as part of the settlement agreement by and between the Town of Minturn and Battle North. Staff anticipated that an ordinance with the code changes would be presented at the January 24, 2024, regular meeting of the Town of Minturn Planning Commission. While staff and Battle North representatives continued to work together to finalize code amendment language and to finalize a draft ordinance prior to that hearing, the ordinance was not ready for presentation and review by the Commission at that time. At their regular meeting of January 24, 2024, the Commission opened the public hearing to consider the ordinance, and then moved to table the review of the ordinance to February 14, 2024, to allow staff and Battle North representatives to continue work on the ordinance. Staff provided public notice for the January 24th Commission meeting and the February 7th Town Council meeting within the same public notice. To avoid renotification, and at the recommendation of staff, the Commission tabled the hearing on the ordinance to a date certain (February 14th). Therefore, staff recommend that the Town Council also open the public hearing on the ordinance, and then entertain a motion to table or continue the public hearing to a date certain.

Public hearing opened
No Public Comments
Public Hearing Closed

Motion by Gusty K., second by Eric G., to continue to the February 21, 2024 Council Meeting Ordinance TBD – Series 2024 an Ordinance Amending Provisions Contained in Chapter 13 (Utilities Code), Chapter 16 (Zoning Code), Chapter 17 (Subdivision Code), and Chapter 18 (Building Code) of the Minturn Municipal Code. Motion passed 6-0. Note: Kate Schifani was excused absent.

12. DISCUSSION / DIRECTION ITEMS

A. Minturn Water Treatment

In 2019, after extensive analysis including the 2019 Water Capital Improvements Plan which was followed by a variety of public outreach efforts that culminated in multiple public discussions surrounding the topic of Minturn's water, water production and water future, the Council decided to move forward with the design and construction of a secondary water source and membrane water treatment plant. Since that time, the original secondary water source, the decreed well field on the Eagle River, did not prove to be a viable long-term water source solution and in keeping with the Strategic Plan to make decisions that "...maintain the viability for Minturn's future..." the Council decided in 2021? to no longer pursue the Eagle River well field option. Instead, the Council negotiated an alternate option for a secondary water source through an IGA signed in 2022 with the Eagle River Water & Sanitation District and the Upper Eagle Regional Water Authority. This alternate option is referred to as the confluence diversion and is a surface diversion water right at the confluence of the Eagle River and Cross Creek. This water right is now moving through the water court process, led by the ERWSD/UERWA legal team and looking for approval sometime in 2024 or 2025. Simultaneous to the secondary water source efforts, Council has tirelessly looked for ways to improve Minturn's water treatment system while keeping utility rates as low as possible. This included the Council's request for a Water Treatment Plant Alternatives Analysis when the updated cost estimates for a membrane plant and diversion structure came back higher than anticipated. This analysis included the review of a package plant as well as the rehabilitation of the slow sand filtration system. The package plant came back more expensive than a membrane plant and the slow sand filtration system is dated technology which is unlikely to keep up with ongoing state-level regulations. Therefore, for these reasons, neither the package plant nor the long-term reliance on only the slow sand filtration system was recommended by the engineers or the operations consultant. Lastly, Minturn's Well Nos. 3 & 4, both located on Cross Creek, were analyzed to see if their water production capacities could be increased to allow for the needed water and thus, make the need for a membrane plant moot. Both wells, as shown in the included memo, failed the testing process and cannot produce close to the amount of water required to support Minturn's long-term needs. The Minturn Well Nos. 3 & 4 Memo ends with the option for more wells and more testing along the Cross Creek well field corridor. Testing more wells remains an option, but there are a number of caveats to consider when making this decision.

Water Treatment Options: The 2019 Capital Improvements Plan recommended Minturn move to membrane filtration technology for the town's water treatment needs. Option 2 supported both the membrane plant and a secondary water source, albeit at much lower cost estimates than what the town is facing today. The Water Treatment Plant Alternatives Analysis likewise recommended Minturn move to membrane filtration technology. This analysis was completed by HDR, Inc., and included the review by Minturn's Water Committee who conducted a matrix analysis of the water treatment options based on the values identified within the document (see matrix included within the Water Treatment Plant Alternatives Analysis). Of note, one of the differences between the 2019 Capital Improvement Plan and the 2023 Water Treatment Plant Alternatives Analysis is the separation of the water treatment infrastructure and the secondary water source. For this analysis, the Water Committee determined financial constraints required a phased approach to the construction of a membrane plant and any potential secondary water source in the future. A key

element was that a membrane plant leaves a secondary water source option viable into the future where other water treatment options do not. Separately, and although this topic hasn't arisen in years, there is merit in addressing the concept of an interconnect with the ERWSD/UERWA system. This concept was broached by the Minturn public in 2018 and was met with opposition. Residents identify Minturn as a "strong mountain town" which seems to coincide with having its own water treatment system. Additionally, any interconnect would require extensive costly infrastructure improvements all of which would be borne entirely by Minturn residents, not by the overall ERWSD/UERWA system. I would anticipate if this avenue were pursued for the purposes of costs savings, it would not be as financially beneficial as some might initially assume. The Minturn Well Nos. 3 & 4 Analysis brought the Town further understanding on the limitations of Minturn's current alluvial wells on Cross Creek and their volumetric production. Neither well can currently produce over 100 gpm reliably and maintain confidence of remaining within the GWUDI regulations. For the utilization of wells as Minturn's sole water treatment option, additional exploratory wells are necessary within the Cross Creek wellfield decreed area. These additional wells would also need to be tested to estimate their yield and determine if the wells are under the influence of surface water (non-GWUDI). Assuming the testing results are favorable, a legal source of water would need to be obtained. There are several options for obtaining a legal source of water, which are detailed in the attached memo from Holland & Hart. Several of the options would require filing a water court action. The water court process may be time consuming and could result in new risks to and limitations on the Town's existing water rights. Exposing the Town's existing water rights to the risks associated with a water court proceeding should be carefully considered when weighing this option. The Town's water attorney, Susan Ryan, is available to discuss this topic in more detail during the executive session.

The Town of Minturn (Minturn) is evaluating the best path forward for improving the reliability of water production as their existing water treatment plant (WTP) is nearing the end of its serviceable life. A new WTP is proposed to replace the existing one which uses slow sand filtration to treat the surface water. Several alternative treatment process technologies are being considered by Minturn for the new WTP. Three WTP process alternatives are proposed for evaluation against subjective criteria developed by the project team. Life cycle cost estimates for each alternative are provided separate from the qualitative evaluations so that Minturn can make a value-based decision on the best path forward. The alternatives being evaluated are:

- Alternative A: Rehabilitation of existing slow sand direct filtration WTP
- Alternative B: Construction of new WTP using packaged conventional treatment units with dual-media filters
- Alternative C: Construction of a new WTP with membrane filtration with consideration for future preliminary treatment

The evaluation will consider each alternatives' ability to meet or exceed established criteria. The project consists of a new 0.6 mgd capacity water treatment plant using water from Cross Creek, Minturn's only existing surface water source. Minturn also operates two groundwater wells which can provide up to 80 gpm each as supplemental water to the existing WTP's clearwell.

Minturn presently operates a direct filtration WTP consisting of three slow sand filters. Filter 1 and Filter 2 are earthen pits constructed in 1963. Filter 1 is no longer in service, and Filter 2 feeds a 1.0-micron cartridge filter (Harmsco PPF5-HC-170-1) capable of producing 50 gpm of treated

water. Filter 3 is a concrete lined filter constructed in 1991, capable of producing 60 gpm. Water treated through Filter #3 and the cartridge filter comes from a surface water diversion on Cross Creek. The water is blended together in the WTP clearwell, where chlorine is applied for disinfection, and then pumped to the Minturn distribution system. During spring runoff, turbidity increases in Cross Creek and Filter 3 struggles to maintain turbidity compliance at the higher solids loading. Filter 3 is subsequently taken offline during spring runoff for filter skimming, where the fouled layer of sand and particles is removed and washed, a process that takes approximately 2-3 months. Filter 3 is brought back online when turbidity has declined, and the filters are clean. While Filter 3 is skimmed, groundwater is used to as the source of supply to Minturn. Groundwater wells #3 and #4 can produce up to 80 gpm each (approx. 0.25 mgd in total) to the existing clearwell where they are combined with the filtrate from the slow sand filters

Expansion of Existing Groundwater Supply Upon completion of the analysis of the three surface water treatment alternatives presented thus far, a fourth alternative was proposed to address the treatment capacity issues of the existing WTP. Minturn expressed interest in investigating the possibility of increasing the capacity of the existing wells (Wells #3 and #4) such that Minturn could rely solely on the groundwater supply to meet the water demands and eliminate their dependence on challenging treatment of available surface water. Because this potential alternative is reliant on the groundwater supply in Minturn, it was not included in the alternatives analysis that focuses on the three surface water treatment process alternatives. This analysis of the groundwater wells will focus on answering three pertinent questions:

1. Will the Minturn's water rights allow for expanded withdrawals from the wells?
2. Do the existing wells have capacity (or yield) to produce at the required rate (0.6 mgd cumulative)?
3. Will the wells be classified as a ground water source at the increased production rate?

Recommendations & Conclusions:

Based on the results of this alternative analysis, it is recommended that Minturn move forward with construction of a new membrane filtration plant. It resulted in the highest qualitative score and is recognized to best address the priorities Minturn has for a providing a resilient and reliable treatment system. While rehabilitation of the slow sand filters ultimately had the lowest cost of the alternatives, the drawbacks of continuing to rely on an aging technology and cutting off the option for the addition of Eagle River water in the future far outweigh the cost savings associated with the option. Membrane filtration allows Minturn to address the needs of its existing customers, while leaving open the option for future development and water rights.

Council discussion with consultants:

Lynn F. commented on system redundancy stating it is important to have the membrane plant as well as our wells in good working order. She felt it was important to refurbish water tank #2. She asked about the costs and needs of the rehab of the wells, specifically #4, refurbishing tank #3, and installing a long term membrane plant. Bill Burg, noted well #3 is in working order, #4 has a dent in the screen that needs to be repaired eventually but it is working now.

Gusty K. asked about funding source options in today's market. Jarod Limke will look further into this but grants are prioritized toward Disadvantaged Communities which we do not qualify for but other finance opportunities may be available and he will look into that again. Gusty K. felt it important to invest in additional wells, repair/maintenance the sand filters to CDPHE standards. This would get us down the road when Battle Mountain lands might be utilized.

Bill Berg stated the wells are working well and should for the next few years. It was noted both well pumps are set to produce at 80gpm.

Brian R. asked about the time frame and what investment level would be required. His concern was the urgency of the needs. Jarod Limke stated rehab of the sand filters. 1 and 2 are outdoor, they are unlined causing them to require a significant upgrade to bring them to compliance. Filter 3 is inside and in a concrete lined basin. John Volk stated at this point we are investigating leak detection, turbidity etc but things are working well. However, we are not able to grow.

Michelle M. stated the rehab of the filters is not cheap and not viable for an interim fix.

Eric G. asked about the age of the filters and expectancy. Filter #3 is from 1993, filters 1 & 2 are originally from the 60's and maybe rebuilt in the 80's.

Terry A. asked if we rebuild the sand filters, is there a chance the biology would not come back? John V. noted this is a potential risk. The bacterial process works best in warmer water, even in the summer we verge on the lower end of temperature ranges where they work best. John Volk stated filters 1 & 2 are near their life expectancy. Filter 3 is running at a reduced level and said we are looking at a complete rebuild in the next 5-10 years or so. She asked what happens if one of the wells fails within the next 5yrs, are we putting ourselves at risk. John Volk stated yes, that is a distinct possibility. She further asked when we priced a membrane plant in 2016 we were looking at \$3m or so, now it is \$9m; she is concerned with waiting any longer and continued cost growth. She then asked how much water do we have above what we have committed to? Discussion ensued as to the numbers and it was noted that when all this is built out, our current capacity will be reached.

Earle B. summarized council is concerned with the best path to take. He stated concern with our current water rates, we are the only water source in town, and to delay needed investment or move forward now is the crux of the council concerns. Jarod Limke stated CDPHE is moving toward using the latest and best systems which leans to the packaged plant or the membrane plant, when we would be required to make this complete jump away from the sand filters is an unknown. Jarod Limke stated we need 3.2mgd with all our current systems running at full rate would cover our current buildout allowance. John Volk stated their might be times when maintenance is needed such as sand cleaning where we might run short.

Lynn F. asked if it was correct that with our current use and our current future allocation that we have enough water. Cristy Radabaugh noted this is correct, however we have moved from the sand filters to the wells more consistently. She stated augmentation water will be needed on Cross Creek and we do not have augmentation capacity. Lynn F. noted that we do have some of the highest rates in the state currently and we are needing to increase further. She asked for an accurate dollar

cost to rehab at least one of the sand filters (1 or 2 filters). She stated we are looking at very significant costs and, although we can anticipate new revenues, those are not anticipated to be enough to cover our growing costs.

Jim Mann discussed the costs and how those would equate to water rates for citizens. He stated that we would need to borrow \$8-15m and our debt fee would need to be increased (added to our current fee) about \$75 to \$115/sfe. He noted the base and volumetric have been addressed in recent years and we are in a pretty good place with them.

Eric G. noted it is unfortunate the costs have increased like they have in the past few years, he felt we needed to not wait and move forward.

Gusty K. felt some of the capital estimates are/were low, he would like to know what the cost would be to rehab just one sand filter.

Discussion ensued on how long our sand filters 1 & 2 have been off line; since about July 2020. The concern was we have been band aiding the plant since about 2013. John Volk felt rehabbing the outdoor filters was not money well spent. He stated the clear well is also near the end of its life. It was noted we are looking at about 40% of the anticipated growth being outdoor irrigation. John Volk stated the plant is not very robust nor completely redundant. Terry A. stated to continue to bury our heads in the sand is not an option. She stated hedging our bets on something like Battle Mountain coming in and saving us isn't useful. We need to resolve this with the tools we have. She felt it was very important to make a decision and move forward.

Earle B summarized

Membrane plant would be \$8.8-14.3m

Sand filters rehab would be \$5.6-9.8m (just to rebuild filters 1 & 2; 3 is not included)

Lynn F. felt we needed to rehab both wells and we need a cost on that. Then rehab tank 2. Then look into the cost of rehab/rebuild filter #3. Discussion ensued. Jarod Limke noted that small plants have the same issues as big plants but a fraction of the budget which makes this most difficult.

Gusty K. asked if the .6mgd has any growth built in. Jarod Limke we need 416gal/min flow rate. Our existing can do .3mgd now so we do have growth built in. Jarod Limke presented that three .4mgd membrane filters giving us 1.2 just for the skids, not installed would be \$1.1m; two skids would be .6mgd and cost \$950k.

Public Comment:

Lynn Teach, 252 Pine St, said the average cost would be about \$120 more per month; of course, this is during a period that all home owner taxes and insurances are increasing. She stated our current population need this now. She asked how she could help to get the message out.

Roy Vasquez, 61 Toledo St, said as a senior citizen he cannot afford the projected increase, the options are to sell and move; sell to a second homeowner that is not here all the time.

Robert Creasy, 453 Pine St, stated the cost to rate payers is a big deal, basic water needs are a priority over irrigation so we need to look at conservation and tiered rates. He felt maximizing our groundwater wells was a priority and we should consider more wells because they are cheaper than a plant. Cross Creek is clean so we can use the sand filters but at some point, we will need the new plant. He said we have quality water, good wells, and encouraged an all-alternative approach.

Tracy Anderson, 1016 Mountain Dr, discussed the alternatives presented and also asked about grants/alternative funding.

Jerod Limke noted the membrane plants can filter turbidity quite well and outlined how the various options deal with treatment and turbidity. Lynn F. asked about TOC and pretreatment and if pretreatment would increase the cost in a membrane plant. It was noted dilution can also be utilized to reduce turbidity (use of wells).

Terry A. asked if we use the wells primarily in the spring? John Volk stated that is the current strategy. She said we are going off the 2019 study and felt it would be helpful to inform the town why we are here. She felt the information on the town website is very valuable and felt the water memos be printed and available to the public, she also felt the information in this packet is very good. She asked if the sale of some of the Battle Mtn land could be used in the water plant, because the enterprise fund is listed in the original agreements included the water services agreement, therefore the settlement would accrue to both the general and the enterprise funds.

Michelle M. noted this is a discussion item and no decision will be requested tonight.

Lynn Teach, 252 Pine St, said she watches the meeting on channel 5, she does not watch on line. She asked that be presented as well so citizens can watch this discussion.

Michelle M. noted no direction was given. She recommended directing Mike S. to look at the impacts of our strict water moratorium on development. Mike S. stated there are considerations with a moratorium that do not have a distinct end date. Council directed Mike S. to advise on this.

C. Water Tank #2 Rehabilitation

Council originally sought the installation of two concrete tanks as part of the 2019 Water Capital Improvements Plan but with prices increasing, when bids came back, the town was only able to afford one tank. This proposed option may be a way to have two functioning tanks for the total cost of approximately \$3M (the value of the tank loan) and stay within the original budget.

With the possibility of taking tank #2 offline, there would be additional waterline work to ensure water service to neighboring properties. This waterline work would be to support the service of a few properties, but necessary to ensure water service. The rehabilitation of tank #2 allows for an upgrade in water storage to the entire town while also ensuring service to these properties thereby providing value to the private property owners and the overall community.

It was stated the cost of this opportunity would run \$750k and most would come from the current water tank loan.

Jarod Limke noted the pressure valve vault would need to be at a specific altitude in order to balance the pressure in both tanks and allow them to work in synchronicity. Discussion ensued on where the vault would need to be installed.

Direction was given to proceed with a deeper dive on this option.

13. FUTURE AGENDA ITEMS

A. Future Agenda Items

Discussion with Mike S. on water moratorium
Review cost of repairs to the wells 3 & 4

14. ADJOURN

Motion by Gusty K., second by Eric G., to adjourn the meeting at 9:26pm.

Earle Bidez, Mayor

ATTEST:

Jay Brunvand, Town Clerk

INFORMATIONAL ONLY ITEMS

Upcoming Council Meetings:

-- February 21, 2024

-- March 6, 2024

February 6, 2024

Dan & Shelley Bellm
470 Pine Street
Minturn, Co 81645

To: Minturn Town Council:

We ask that this letter be read into public comment and attached to the permanent record with the photographs attached.

We are writing to express our concerns regarding recent incidents involving Martinez Trucking plowing cars in at St. Patrick's Parish. We understand that this parking lot is considered private property, we have had a long-standing agreement with the church that allows us use of the property when services are not being held. Additionally, the conditional use permit which allowed the parish center to be constructed in a residential neighborhood, allowed for the public to use this lot for purposes other than attending events.

St. Patrick's parish center was constructed for the purpose of special events and occasional services. They were required to provide parking attendants each time the building is in use. The church has been allowed to hold regular Sunday services and parking requirements have not been enforced under the Conditions of their approval. However, the original documents outlining the conditions of their approval seem to have been removed from Town offices and minutes of the approval are nowhere to be found. I digress.

The intent of this letter is to bring concerns related to this plow service to the Town's attention. By effectively blocking vehicles into the parking lot, the contractor is illegally imprisoning the owner's of the vehicles and preventing them from relocating their vehicles or exiting in a safe manner in the event of a medical emergency.

This is NOT how we treat our neighbors. Mr. Martinez stated that he has had a problem with "us" for 28 years, yet could not tell us what we did wrong. We are not the only people who have been impacted by this immature behavior and we have seen customers from local establishments have their cars "impounded" by this reckless behavior.

This past Saturday, Mr. Martinez blocked our child's vehicle in the parking lot. He was not attempting to clear the lot, he was simply being a jerk. Not only did he block the vehicle, he attempted to run my family down with his plow truck and was stopped by the Eagle County Sheriff's Office.

While there may not be anything you can do to prevent this behavior, we would like this behavior to be documented in the record. The Town has a responsibility to protect our citizens.

Feel free to reach out to us should you have any questions.

Dan & Shelley Bellm





