



OFFICIAL MINUTES

Town Council Regular Meeting | 5:30 PM

Wednesday, February 18, 2026

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/81693259606>

Zoom Call-In Information: 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 816 9325 9606

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 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 Bidez called the meeting to order at 5:30pm.

2. Roll Call and Pledge of Allegiance

Council present: Mayor Earle Bidez, and Town Council Members Eric Gotthelf, Gusty Kanakis, Brian Rodine, and Tom Priest. Lynn Feiger. Note: Kate Schifani was excused absent.

Staff Members Present: Town Manager Rob Gutierrez, Town Clerk Jay Brunvand (zoom), Town Planners Scot Hunn and Madison Harris, and Town Engineer Jeff Spanel.

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. 02-04-2026 Minutes
- B. Liquor License: 146 North Main St. - Minturn Saloon Annual Renewal of a Hotel / Restaurant Liquor License. Connie Mazza, Owner/Manager
- C. 0013 Belden Way - Changes to Approved Plans
- D. 0015 Belden Way - Changes to Approved Plans
- E. Resolution 11 - Series 2026, A Resolution Approving a Term Limited Internship Position

Request: move Items 10c to consent, remove golf cart and council stands to March 4 meeting.

Motion by Gusty K., second by Eric G., to approve the February 18, 2026 Consent Agenda as presented. Motion passed 7-0.

4. Approval of Regular Agenda

Opportunity for amendment or deletions to the agenda.

Motion by Eric G., second by Lynn F., to approve the February 18, 2026 Agenda as amended. Motion passed 7-0.

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 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 and Committee Reports

8. Staff Reports

- A. Manager's Report

Top Updates

1. Water Supply & Conservation

Town staff are coordinating with the Town's water consultants, **Martin and Wood**, and the **Eagle River Water and Sanitation District (ERWSD)** to evaluate current snowpack conditions and water supply forecasts. ERWSD representatives will attend the **April 1 Town Council meeting** to discuss their plans for water conservation and community engagement. Residents are encouraged to begin voluntary water conservation efforts now and should expect to see a **significant public outreach and engagement effort** focused on conservation this spring.

2. 2026 Colorado Legislative Session

Staff are actively tracking the **2026 Colorado legislative session** for bills that may affect local governments and the Town of Minturn. A **legislative session tracking memo** is included in the **Council packet** (separate from the Manager's Report) for residents and others who would like more detailed information about current legislation.

Capital Projects

New Water Treatment Plant (WTP)

Design & Regulatory Review

The Water Treatment Plant design is approximately **90 percent complete** and has been submitted to, and accepted by, the Colorado Department of Public Health & Environment (CDPHE) for formal review. Plans have also been submitted for local building and zoning review.

Updated Cost Estimates

Staff received an updated construction cost estimate on February 4 from HDR and Glacier based on the 90 percent design for the Water Treatment Plant. The updated estimate is approximately **\$12,429,000 assuming SRF financing**, and approximately **\$11,629,000 assuming non-SRF (private bank) financing**.

Project Financing

At the **February 4 meeting**, Town Council reviewed the three submitted bank proposals for project financing. During discussion with the Town's Municipal Advisor, Council expressed a desire to seek additional proposals, particularly from local banks that were not part of the initial solicitation. Council directed the Municipal Advisor to prepare an amended solicitation to include:

- **Both direct loan and bank bond financing options;**
- **A 24-month construction draw period** followed by conversion to permanent financing;
- **Terms greater than 5 years and not to exceed 15 years;** and
- **A strong preference for no prepayment penalties.**

Staff also reached out directly to three local banks to discuss submitting responses to the amended solicitation. Staff also directed the Municipal Advisor to extend the solicitation period until **Monday March 2** to allow staff to solicit additional proposals. These proposals will be reviewed by Town Council at the **March 4 meeting**.

Town Hall 2-Bedroom Apartment Reconstruction

Status: Following evaluation of proposals, Coleman Custom Homes was selected for the project. Staff have negotiated a draft contract, which is **pending review and approval by the Town Attorney**.

Taylor Avenue Repaving

Status: Design is complete, and the project has entered the public bid process. The **Invitation for Bids (IFB)** was issued on **January 30, 2026**.

Next Steps: A **mandatory pre-bid meeting** will be held on **February 17, 2026**, and bids are due on **March 9, 2026**. Following bid evaluation, the Town anticipates a **final selection on March 18**,

2026.

US 24 Pedestrian Improvement Project Phase II

Status: Negotiations with **CDOT, Xcel Energy, and Phoenix Industries** have been completed.

Next Steps: A **proposed change order** in the amount of **\$99,991.88** will be presented to **Town Council at the February 18 meeting** for review and approval.

Main Street Streetlighting

Background: Town Council approved the 2026 budget with funding allocated for streetlight replacement and expansion along Main Street.

Status: Based on initial pricing and technical discussions, staff are pursuing Holophane as the preferred streetlight manufacturer. Proposed fixture and pole concepts were informally reviewed by the Colorado Department of Transportation (CDOT), and staff believe the designs will satisfy applicable regulatory requirements. Staff met with the Town Engineer on Tuesday, January 27, to discuss next steps in project planning. On-street site visits will be conducted over the coming weeks to evaluate potential pathways for providing electrical service to the new lights.

Bellm Bridge Replacement

Status: The Town has been **awarded \$4,000,000** from CDOT's **Off-System Bridge Grant Program** for the Bellm Bridge project. The professional services agreement between the Town and **Short Elliott Hendrickson (SEH)** has been approved, and **design work is now commencing** on the replacement of the Bellm Bridge.

Next Steps: Staff will continue to work with SEH on advancing the bridge design and will proceed with **grant programming and contracting coordination with CDOT**. Staff will also continue to **identify and secure the remaining funding** needed for the estimated **\$6 million** construction cost.

Little Beach Park Improvements

Status: Installation of the new retaining wall and asphalt access road is complete. The RFQ for playground design and installation has been completed, and all submittals have been evaluated.

Next Steps: Staff will present the **recommended firm** from the RFQ process to Town Council at the **February 18 meeting**.

Other Projects

Highlands Parcels

Background: As part of a settlement agreement with the former developer of the Battle Mountain Ski Resort, the Town obtained ownership of approximately **55 acres of land** located west of **U.S. Highway 24** at the south end of Town. The property was conveyed to the Town after the developer failed to meet financial obligations associated with the construction of a new water treatment plant.

On **November 19, 2025**, Town Council approved a contract with **Slifer Smith & Frampton** to list the property for sale. This action followed a recommendation from a **Council-appointed**

committee tasked with identifying a qualified broker and evaluating the market value of the property.

Status: The two Highlands Parcels have now been **listed on the MLS** and are publicly available for viewing. The listings can be accessed at the following links:

1. https://www.realtor.com/realestateandhomes-detail/Notch-Mountain-Unit-highlands-2-Rd-Parcel-B_Minturn_CO_81645_M91907-95156
2. https://www.realtor.com/realestateandhomes-detail/Notch-Mountain-Unit-highlands-1-Rd-Parcel-A_Minturn_CO_81645_M93795-65402

Minturn USFS Shooting Range

Background: At the **November 19, 2025, Town Council meeting**, Council directed staff to explore options for Town management of the **Minturn Shooting Range** in order to address long-standing community concerns related to **safety, noise, and environmental impacts**. The shooting range is located on **federal land south of the Minturn Bike Park**.

Status: On **January 8, 2026**, staff met with **U.S. Forest Service (USFS) District Ranger Leanne Veldhuis** to discuss the process for seeking a **Special Use Permit** to operate the shooting range. Staff are awaiting follow-up from USFS regarding several outstanding questions related to the permitting process.

Policy & Planning Initiatives

Minturn Forward Land Use Code Update

The Planning Commission just conducted a partial review of draft Article 3: Subdivision & Development Standards discussing items such as parking, clear vision, and cash-in-lieu for non-motorized access. The Planning Commission and staff need to wrap up the rest of Article 3, Article 1: General Provisions, and Article 12: Terms & Definitions prior to starting the adoption hearings. We hope to have this accomplished by the end of March.

Comprehensive Impact Fee Study

Background: In November 2025, staff issued a Request for Proposals (RFP) to solicit qualified firms to conduct a comprehensive impact fee study. The purpose of the study is to ensure that the impacts of new developments appropriately contribute to the Town's future infrastructure costs.

Status: A professional services agreement with **BBC Research and Consulting** has been approved. The study is expected to kick off with staff in the **third week of February**, and the project is anticipated to be completed by **July 2026**.

Rural Technical Assistance Program

Background: The Town was selected to participate in the **Rural Technical Assistance Program (RTAP)** through the Colorado Office of Economic Development & International Trade (OEDIT).

The program pairs Minturn with graduate students from the **University of Colorado Boulder** and **Colorado State University** to develop strategies for leveraging outdoor recreation to support the local economy.

Status: Staff are meeting weekly with the CU Boulder student group leading the project. The next steering committee meeting will be held **in-person and virtually on Wednesday February 18 from 2 P.M. to 3:30 P.M. Meeting Link:**

<https://teams.microsoft.com/meet/2401087641658?p=qFjYzg4cKg8qFjiwV>

Housing Affordability and Neighborhood Stability

Staff are coordinating with the Avon–Eagle County Multijurisdictional Housing Authority study team. Additional information and potential discussion items are expected for Council at a March meeting.

Temporary & Mobile Business Pilot Program

At the February 4 meeting, Town Council approved the Temporary & Mobile Business Pilot Program, authorizing the licensing of mobile and modular businesses on Town-owned property through **October 31, 2026**. Staff are currently working to draft program guidelines and application materials to administer the pilot. Interested parties may contact **manager@minturn.org** for information about participation.

Public Engagement: Public comment will be accepted at any time throughout the duration of the pilot program. Written comments may be submitted to **manager@minturn.org**.

Public Works

Weekly Report (February 2-8, 2026)

Overall Operations: The Public Works Department completed all scheduled operations during the reporting period. Routine activities included water treatment plant operations, utility locates, equipment maintenance, and regular servicing of trash and dog waste stations.

Key Accomplishments

Key accomplishments included manual collection of outstanding water meter readings, ordering necessary water treatment chemicals, and completing maintenance and repairs at Town Hall. Public Works also addressed damaged water meter wiring at a Minturn North residence, restoring service and completing all required documentation.

Infrastructure & Public Safety

Infrastructure and public safety efforts included reporting leaning power poles on Taylor Street to Xcel Energy, removing roadway hazards along Cemetery Road, and responding to an emergency water leak on Main Street.

Community Support & Facilities

The department supported community communication by deploying the electric sign trailer for the

Town's "First Friday" event and continued construction of a new Community Board for Town Hall.

Coordination & Upcoming Work

Coordination efforts continued with partner agencies and developers. Public Works met with the U.S. Forest Service and Eagle County Recreation District to plan the Grouse Creek Parking Lot Extension Project scheduled for early April. Additional dog waste receptacles are being coordinated for installation in the Minturn North neighborhood pending utility locates and ground conditions.

Safety

All work was completed safely with no reported injuries or incidents during the reporting period.

Rob G. added an update on the discussion item of the water plant funding. This will be discussed fully at the March 4 meeting.

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.** Ordinance No. 01 - Series 2026 (Second Reading), An Ordinance Amending Sections 7-3-160 and 16-18-30 of the Minturn Municipal Code to Regulate Noise Levels in Accordance with State Law

Colorado state law establishes maximum permissible noise levels for the state and authorizes local governments to adopt noise level standards no less restrictive than state law provisions. State law also specifies the times of day and zoning types applicable to different noise level standards.

The Town of Minturn Municipal Code (the "Code") currently sets maximum noise levels that apply uniformly throughout the jurisdiction. The Code also allows the Town to issue permits to any person within the Town authorizing amplification or noise levels to exceed the Code's maximum levels.

The Town wishes to amend the relevant Code provisions concerning noise level regulation to conform with state standards. The Ordinance, attached as **Exhibit A**, would permit noise levels and time and place restrictions only up to the state maximum. To ensure compliance with state law, the Ordinance also removes the Town's ability to issue permits to exceed maximum noise levels. However, none of the Code changes limit the Town's ability to exceed noise levels "for the purpose of [the Town] promoting, producing, or holding cultural, entertainment, athletic, or patriotic events, including but not limited to, concerts, music festivals, and fireworks displays." [C.R.S. § 25-12-103](#)(11).

Staff advises the Town Council adopt this Ordinance to comply with state law and for the health,

safety, and welfare of the Town.
No changes from First Reading.

Public Hearing Opened
No Public Comment
Public Hearing Closed

Motion by Gusty K., second by Tom P., to approve Ordinance No. 01 - Series 2026 (Second Reading), An Ordinance Amending Sections 7-3-160 and 16-18-30 of the Minturn Municipal Code to Regulate Noise Levels in Accordance with State Law as presented. Motion passed 6-0. Note: Kate S. was excused absent.

B. Resolution No. 10 - Series 2026, A Resolution Approving a Change Order for the Phase II Sidewalk Project

This Change Order was prepared to revise the Commencement and Completion requirements of the project and to compensate the prime contractor for costs incurred as a result of Xcel Energy not relocating an existing gas main that conflicts with the proposed storm sewer drainage system associated with the project. The added costs include the following:

1. Demobilization
2. Remobilization
3. Standby Equipment
4. Increases to existing contract items

The Construction Management Team of RockSol and HDR have worked with the construction contractor to get to a total change order cost that is justifiable by CDOT's Force Account Analysis method. The total cost of this change order and subsequent increase to the construction contract is \$99,991.88.

The projects construction contract has built in a Minor Contract Revision Force Account of \$70,000. These Force Accounts are put into contracts to address unforeseen circumstances and minor change orders that arise during the course of construction. This \$70,000 can be used to offset the cost of the change order. This leaves approximately \$30,000 needed to cover the change order costs.

The construction management team to work with the contractor to limit any additional work/expenditures that may arise once construction commences.

Anticipated schedule:

May 1, 2026 - Xcel expects to resume gas line relocation work. The anticipated duration is 2-4 weeks. The CM team is hoping to get them on site earlier than May 1.

June 1, 2026 - Pheonix Industries remobilizes to site to resume construction of the Main Street Pedestrian Improvements. The anticipated duration is 4-6 weeks, to be confirmed with Marty/Jordan

Motion by Tom P., second by Gusty K., to approve Resolution 10 - Series 2026, A Resolution Approving a Change Order for the Phase II Sidewalk Project as presented. Motion passed 6-0.

Note: Kate S. was excused absent.

- C.** Resolution No. 11 - Series 2026, A Resolution Approving a Term Limited Internship Position

Moved to Consent agenda.

- D.** Resolution No. 12 - Series 2026, A Resolution Approving the Purchase of a Dump Truck from the Town of Vail

Rob G. outlined the purchase and that this might result in a second truck in the fall depending on events.

Brian R. noted the working with red cliff and vail as very positive

Motion by Gusty K., second by Eric G., to approve Resolution 12 - Series 2026, A Resolution Approving the Purchase of a Dump Truck from the Town of Vail as presented. Motion passed 6-0. Note: Kate S. was excused absent

- E.** Resolution No. 13 - Series 2026 Maloit Park Exemption Tract A Eagle County School District Subdivision - Preliminary Plat

Executive Summary:

The following report has been prepared for the benefit of the Minturn Planning Commission, Town Council, the Applicant, and the general public as the Town of Minturn continues its public review of the Eagle County School District Maloit Park Workforce Housing Preliminary Plat for Subdivision.

Summary of Request:

The Applicant requests Town Council review of the Eagle County School District's proposed subdivision of its property located at Maloit Park within the Town of Minturn. The Preliminary Plat for Subdivision application proposes to:

- Subdivide a 19.1-acre tract of land located within the Maloit Park Character Area Mixed-Use Zone District.
- Create eight (8) distinct parcels ("planning parcels") along with five (5) open space tracts to allow for the phased development of public infrastructure to serve up to 137 dwelling units of varying types and sizes, along with the creation of park areas and trails.
- Allow for density to be transferred between planning parcels 2, 3, 6, 7, and 8 based on market conditions and need, so long as overall project density does not exceed 137 dwelling units.
- Create dedicated easements for access and utilities.

According to the application narrative provided by Braun & Associates, Inc., the following summarizes the project: "The proposed subdivision is located on approximately 19.1 acres of Tract A, a 46.9 acre parcel that was created by the 2011 Maloit Park Exemption Plat. The subdivision accommodates lots and tracts that will allow for a total of 137 housing units. This level of development was established in the 2011 Annexation Agreement that gave ECSD the right to

develop 120 housing units in addition to the 17 units existing at that time. A combination of duplex lots and parcels for townhomes and multi-family development are proposed. The project is within the Maloit Park Character Area and is zoned Mixed Use.”

Background:

The application narrative provided by Braun & Associates, Inc. summarizes the history of the School District’s ownership, use, and planning efforts in the Maloit Park area, dating back to the early 1960’s. As early as 1996, the School District initiated site specific planning and evaluation of the Maloit Park site – specifically for school facilities and the development of workforce housing. In 2001, the School District undertook a master planning project for the Maloit Park parcels. In 2011, the District annexed the Maloit Park properties into the Town; created several tracts of land using the Exemption Plat process; zoned those parcels (under the Maloit Park Character Area); and executed an annexation agreement which, among other things, assigned density and water taps (Single-Family Equivalents, or SFE’s) to the parcels. Then in 2019 the School District solicited proposals from developers to construct housing in Maloit Park. While that effort did not move forward or lead to actual development, it led the School District to conduct a district wide housing master plan in 2020. This planning effort, again, identified the Maloit Park Character Area parcel as one of several locations the School District intended to develop workforce housing within the larger Eagle River Valley.

Preliminary Plat Application and Review Timeline:

The ECSD Maloit Park Preliminary Plat for Subdivision proposal has been in the Town’s review process since late 2023. The following is a general background and timeline of previous plan reviews before the Town related to the Minturn North Planned Unit Development proposal:

- November 2023 – The Applicant applied for a Preliminary Plat for Subdivision review.
- August 2024 – Following months of internal staff review and working with the Applicant to update the initial application, the application was deemed complete and ready for referral to public agencies (commencing the official “public” review process).
- September 2024 – The application was sent to public agencies for review.
- October 2024-October 2025 - The Applicant received two separate, subsequent rounds of comments from public agencies leading the Applicant to resubmit updated Preliminary Plat and accompanying plans and supporting documents for additional referral review by Town staff, consultants, and outside agencies.

- November 2025 – The application was deemed sufficient for review by the Planning Commission and the Applicant resubmitted final versions of Preliminary Plat and accompanying plans and supporting documents addressing a majority of previous review comments.
- December 2025 – The first public hearing was scheduled for Planning Commission Review (File was opened during the December 10, 2025, Planning Commission hearing, but continued to January 14, 2026).
- January 14th and February 11th 2026 – The Minturn Planning Commission held two hearings and conducted a site visit in consideration of the application. At their regular meeting of February 11, 2026, the Commission voted 4-1 to forward a recommendation of denial to the Town Council. (See attached staff memo/addendum to this report

summarizing the Planning Commission's review of the application and the proceedings during their public hearings).

Process Overview:

The Preliminary Plat for Subdivision review before the Town of Minturn Planning Commission and Town Council is the first of a two-stage public review and approval process necessary for a major subdivision. Major subdivisions are generally defined as subdivisions creating more than six (6) lots. Major subdivisions are typically associated with the need to develop public infrastructure such as roads, water & sanitary sewer lines, and other improvements necessary to serve development.

The following outlines the steps involved in the Town of Minturn Major Subdivision process:

1. NOW - Preliminary Plat for Subdivision.
2. Final Plat for Subdivision and Subdivision Improvements Agreement (SIA).

The Preliminary Plat for Subdivision application and review process is detailed in nature and is intended to demonstrate the feasibility of the project from a technical engineering/design and regulatory (zoning) standpoint. The numerous plans, reports, legal documents and other graphic materials required by the Town of Minturn Municipal Code (MMC) and attached with this staff report are intended to give staff, decision makers, partner referral agencies, and the general public detailed information and understanding of:

- How the proposal conforms with the Town's subdivision plat and engineering standards for public improvements.

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- How the proposal aligns with the Town's Strategic and Community Plan goals, policies, and priorities.
- What areas of non-compliance, if any, there are with regard to Town requirements and what potential solutions or mitigation might look like.
- What issues may need to be addressed as conditions of Preliminary Plat approval prior to any Final Plat application being filed with the Town.

All public hearings will be advertised and the general public is encouraged to participate in the public review process by reviewing the ECSD Maloit Park Workforce Housing Preliminary Plat for Subdivision application and associated materials at the Town's website (<https://www.minturn.org/planning-zoning/pages/active-planning-applications>), by submitting any written comments to the Town by emailing (planner1@minturn.org), or by attending the public hearings and giving public comment.

Staff Observations and Findings: Town staff finds that the Eagle County School District Maloit Park Preliminary Plat for Subdivision application is generally compliant with the purposes and intents of the Town of Minturn Subdivision Regulations (Chapter 17, Article 5 of the Minturn Municipal Code), the 2011 Annexation Agreement for the Maloit Park Character Area (attached to this report), as well as several guiding policies and strategies outlined in the 2019 Minturn Housing Action Plan and the 2023 Minturn Community Plan. Importantly, staff believes that the

School District's proposal aligns with the overall mission stated in the Town of Minturn 2025-2027 Strategic Plan: "Manage Minturn's growth, including water infrastructure and affordable housing for locals while remaining environmentally & fiscally sustainable." Staff further suggests that this Preliminary Plat for Subdivision application has been thoroughly reviewed by numerous staff members, consultants, and public agencies over the course of two years, with the applicant working with the Town to make changes and to provide additional details and studies along the way to address concerns and to resolve most outstanding issues.

There remain outstanding issues or topics of interest that must be discussed during the public review of the Preliminary Plat. While some items are of a technical nature, other issues are more substantive and are expected to be resolved following Preliminary Plat review and during any Final Plat for Subdivision application.

Recommendation

Based on overall findings of conformance with the applicable standards and approval criteria of the Minturn Municipal Code (MMC), as well as with the Town's adopted master plans and Action Plans such as the 2019 Minturn Housing Action Plan and the 2023 Minturn Community Plan, Staff recommend approval of the Eagle County School District Preliminary Plat for Subdivision with the following recommended conditions:

1. The Applicant shall work with the Town Engineer prior to or concurrent with any Final Plat for Subdivision application to address outstanding review comments from Intermountain Engineering in a letter dated October 31, 2025. Specifically, staff notes the following items needing to be addressed and resolved prior to or concurrent with Final Plat:
 - a. Horizontal geometry will be added to final 100% construction drawing package at Final Plat application.
 - b. Complete design for pump station in coordination with the Town of Minturn.
 - c. Complete design for public pathway and any associated easements for public walkway connection between residential neighborhood and Minturn Fitness Center.
2. Prior to a public hearing for approval of the Final Plat, the District shall indicate whether the lots being created by the subdivision will be used for District development or non-District development (or a mixture of the two) as those terms are defined in the Annexation Agreement and will demonstrate that the Maloit Park Road easement can be conveyed to the Town.
3. Prior to a public hearing for approval of the Final Plat, the District shall comply with the requirements outlined in Intermountain Engineering's letter dated December 18, 2025, and December 30, 2025, and include within a Subdivision Improvements Agreement requirements to remedy all defects in Maloit Park Road as part of the public improvements.
4. Prior to a public hearing for approval of the Final Plat, the District shall present the Town with either (a) an agreement with Battle North, LLC addressing Maloit Park Road or (b) evidence of good faith discussions with Battle Mountain addressing Maloit Park Road.
5. Prior to a public hearing for approval of the Final Plat, the District shall demonstrate that

the District property has legal and physical access, including future needed improvements to Maloit Park Road and the intersection with Highway 24, to the reasonable satisfaction of the Town.

6. The Town will not take ownership of nor maintenance responsibility for Maloit Park Road until either (a) the District provides the Town with a survey demonstrating that all physical elements of the road are located within the easement, or (b) the District provides the Town with an agreement between the District and Battle North, LLC., creating the legal right for all physical elements of the road to remain and be maintained in its current place.

7. The Applicant shall work with the Town Attorney prior to or concurrent with any Final Plat for Subdivision application to address outstanding review comments from Karp Neu Hanlon in a letter dated November 3, 2025.

The Town of Minturn has received numerous letters and emails submitted to the Planning included in the packet and are maintained separate from these Minutes which are of public record.

Rob G. began the presentation for the Town outlining the issues and impacts on the town. He noted the parcel currently is zoned for the use requested. At preliminary review we are looking at the code and proposal not if this is the best use and other more subjective matters. He noted this is a more complex preliminary plat due to the 2011 annexation and other agreements made years ago.

Lynn F. asked about attorney consultation. We have been working with legal and those should be asked. At the next meeting we will have legal present and those matters will be addressed then.

Madison H. clarified what seems to be rumors. She noted Staff asked Planning Commission (PC) to continue to 2/11. At the end of 2/11 it was recommended PC get consent from the applicant to continue the hearing at the Planning Commission or move on to the Council. The applicant requested a decision even though the PC made a motion for continuance. The applicant did not want to continue so a motion was made to deny. It was noted the PC is a recommending body to the Council it is not a final decision.

Scot H. presented the project overview and outlined the process to be followed. Much of Scot H's presentation is in the staff memo information above and included in the recommended conditions presented from Staff. It was noted the development allows up to 120 additional units. The potential unit mix would total 137 units.

Mr. Tom Braun, presented for the Eagle County School District also noted this is Preliminary Plat Approval. In Minturn they are required to file a new complete application addressing the conditions and issues cited in the preliminary review.

- Reviewed the 2011 annexation agreement, including 18.2 acres conveyed to the town zoned for light industrial/public facility use
- Noted the need for employee housing to increase as more senior staff retire or otherwise move out of the employee pool.
- District development includes by statutes traditional educational development and the non-district would include nonemployee housing. The intent is for district development that

will follow our town housing requirements.

- Phase I will include 97 units, Phase II 40 units.
- Traffic study will require an additional 100ft right turn at Hwy 24 and Maloit Park Rd. and the road does need drainage improvements.
- The development does include walking paths in and amongst the buildings
- Arminda Ditch – use for irrigation using non-potable to include the currently existing ball fields using the ditch and approximately 2.5acres. They do say they have this water right in the ditch as currently mitigated. Head gate will be rebuilt and metered.
- Wildlife – the proposed area is essentially currently developed and would not dramatically affect the wildlife. They are looking at CPW requests and requirements to include construction time envelopes.
- Nordic Trails – existing trails will be realigned to connect and maintained.
- Phasing of project – existing homes will all be displaced. By phasing, Phase I is built and Phase II would displace the existing.
- The intent at final plat is to show a development that works with and in the spirit of the park.
- The development is approximately 40-49units over each five-year cycle for a total of 137units.
- Asking for approval because things take time. If they get approval to move onto the final plat process now they can work on infrastructure in 2026 and start Phase I in 2027.

Five-minute recess at 7:20pm

Clarification by Rob G.: the RETT discussion cannot be considered as they are banned by TABOR

Council Comments:

- Brian R.
 - Noted we are not talking about the annexation
 - The road, the smaller and curvier the better. This should be encouraged to maintain responsible speeds while still allowing emergency vehicle access.
 - Asked about CPW comments, if you don't give people access they will find a way to make access through unauthorized trails. Recommended they provide fishing and river access in the plan in a couple of specified points along a perimeter trail, otherwise trail reclamation will be an ongoing task.
 - Would like a comment from Dan at Ski Club on how the Nordic course is being impacted significantly. There should be a better thought out plan on what the races will look like or what the new 5K loop will look like.
 - Biggest hurdle to affordable housing is roadblocks and there is a use by right in the area.
- Lynn F.
 - Noted the wildlife mitigation plan issues should be at the preliminary not final stage. Noted that the 2011 Agreement states twice that development must strictly comply with the Character area requirements which reference the preservation of wildlife. CPW concerns:
 - Reduce the footprint of the development and she felt it could be condensed and still have the same unit count

- Noted the 75-foot setback from the river requested by CPW not the 50-feet presented
 - Consider reducing the impact by reducing the regrading
 - It was noted the HH housing would be deed restricted but the other homes would not. Tom Braun noted deed restrictions last forever and can restrict future sales and reduce flexibility for the District.
 - Asked a Habitat representative the approximate maximum income levels for Habitat units
 - Single Individual: ~\$90,000
 - Two People: Closer to ~\$100,000
 - Family of Four: ~\$135,000
- Gusty K.
 - His biggest concern is the road(s). All upgrades need to be done before the town would consider taking over the maintenance. He would like the path to be on their property, not necessarily follow the road alignment.
 - Arminda ditch – concerned with drought years, would like a plan showing what would happen in dry years. Mr. Braun offered to work with developing a trigger point where the flows get to a certain level, then the District would agree to not draw down water from the Ditch.
 - Habitat for Humanity deed restrictions – Mr. Braun clarified that all Habitat units will be deed restricted, and any non-Habitat units will be built by the District for District employees.
- Tom P.
 - Asked about consolidating the plat – applicant felt this sale of homes would recreate the need for affordable housing because of future sales by those owners. once sold the control of the affordability would fall away. Tom Braun noted the district has a five year rental cap that is policy by the District to give people time to get established. Any Habitat home or for sale home will be the purchasers i.e. no time limit.
 - Is concerned about the traffic and pedestrian interactions with the traffic and with the evacuation plan.
 - Affordable housing is critical and that is a part of density. Appreciates the phasing and continued use of the park by the public. The parking area needs to be worked on more.
- Eric G.
 - Noted the need for affordable housing, this is admirable.
- Earle B.
 - A lot of citizens are here and have commented against the project but this is an needed balance in affordable housing and accessible recreation.
 - Noted that the big events held out at Maloit Park are way more impactful to wildlife than this project.
 - Asked how we have residents that can not afford housing. HH noted they are a permanent affordable organization. They can not give priority to specific groups but they would be open to any and all who desire to apply. To that end, they would heavily market with the Minturn community in hopes of getting more Minturn

- people to apply.
 - Agreed with the need of an evacuation plan and it being public.
- Rob G. asked how many will be owned by the district, how many buy HH, etc; the applicant does not have that information at this time. It was noted a single person can make only \$90k to qualify

Public Hearing Opened

Citizen comment

- Ms. Tanya Rippeth, 23 park lane, spoke to the concerns of the current residents living in the area being displaced. Felt this was rushed to the detriment of the wildlife. If there is any disaster then there will be inadequate infrastructure getting people out.
- Michael Augustino, who lives in Eagle, spoke as a resident of a Habitat Home. As an employee of the District he felt it was a needed and positive development. He pays over \$500 less per month for his home than his apartment two years ago he rented.
- Bryson Bebertt, CFO of ECSD, spoke of the benefits this would present for the district to retain employees. Not able to hire qualified new employees due to the cost of housing they face. Employees who choose to rent save \$750 per month for a 1 bedroom and \$1000 per month for a 2 bedroom. Habitat is allowing people to purchase at 50-60% of market rates. Understands why Maloit residents are resistant to this change, but wants to make the point that the District has provided a lot for the residents. Land leases that the current units sit on is now \$450 per month compared to other market values(\$1200 per month). The District will phase construction allowing current residents to be there for 10 years, the employees being displaced will have first opportunity to purchase, ECSD will pay for the existing unit or fair relocation.
- Cesar, 91 Mt Hope Cr, Eagle spoke in support
- John Martin, 1011 Maloit Park Rd, concerned with the density, traffic, light pollution, effects. Doesn't believe there is a need for this project. There needs to be street lights for the kids that will come with this development. Concerned about impact to wildlife.
- Ian Grask 2444 Chamonix lane, expressed the importance of building housing now because there is no housing continuum. This project is generally good – one of the community's largest affordable housing members and a school district are trying to partner for housing for teachers. This should be a slam dunk.
- Kelly Toon, 531 Main Street, trails need more attention, parking is not sufficient, felt some of the buildings could be better placed, natural landscaping, expressed concern with the traffic and commutes, but was in support. Would like to have housing for VSSA students and families. Makes sense to have people who go to the school, live as close as possible to the school which might help mitigate the line of cars. Should be an education program for anyone living there to respect the wildlife.
- Tim Moffett, 65 Adams way, ECSD teacher for special needs. Owns an HH home and could not afford to live here otherwise. Noted the sweat equity required by HH creates buy in to the community.
- Linda Otsterber, 1791 Main St, spoke against the high density. Had concerns with Maloit Park Rd. Encouraged the Council to work with the state on crossings and connectivity via sidewalks to the project.
- Rob Gosiewski, 560 Taylor St, felt the owner occupied 20% was too small a requirement

for long-term growth. Road easement should be in conjunction with the bike path. Felt a condition to preserve the ball field was needed. Had questions about the original deed to the property and any potential restrictions placed on it.

- Chris Randall, 1013 Park Rd, spoke the car cuing was not sufficient. Felt the project was too dense and would result in too many changes.
- Josh Smith, Avon, emphasized the recreation and ski community at the school, engaging with BM North. Felt they should work together on the joint infrastructure to keep the prices fair.
- Emily Peyton, Valley Brook Rd, spoke and read a prepared letter in support of the project and HH.
- Rob Davis, 1796 Main, felt HH didn't understand the primary focus of the property and that it be open space to the public for the enjoyment of the public. This is a steep and narrow valley and not the conditions HH builds in other areas of the county. Although not opposed to the project felt it needed to be the best it could be.
- Tessa Kurchner, Eagle Vail and former school board member, spoke in support and has been looking and working on this project for years. The School District is a member of the community and felt they understand what needs to be done and how to do right on this project.
- Kary Bankston, 1004 Maloit Park Rd and principal of the VSSA, spoke of the need for this project to attract and retain new teachers and how nice this project will be for our community.
- Terry Armistead, 1632 S Main Street, spoke to the need of affordable housing in the county. This project has been in front of the town for 2 months, felt that the affordable housing number is too small, the effects on the wildlife is very drastic. The road is a 50ft ROW and must have connectivity. Wildfire has not been addressed sufficiently.
- Tracy Andersen, 1016 Mtn Drive and District employee, spoke in support of the wildlife and what we want for the future and asked for a wildlife plan that will work! Suggested limiting the amount of dogs allowed per household or require leashes. She noted the elk and moose but also the beavers for the wetlands. It is also hard to take the bus from Maloit Park. There may need to be some discussion with CORE Transit on bettering the connection.

Public Hearing Close.

Mr. Braun noted a 20% occupancy and addressed items that were discussed. Suggested less formal dialog with citizens and they will work on that. They are already adhering to the Town's Housing guidelines, educational opportunities are already in the works, working with Battle on a trail is already on the list to address, Habitat likely can't be the only developer due to bandwidth. The land was bought from New Jersey Zinc and as far as he's aware, there were no restrictions on use of land. Can host an open house to open dialogue with the community. How to work with others that Habitat doesn't cover – Extremely hard to reach affordability when developing a home, so hopefully can have some confidence in the LOI with Habitat. The ball fields are outside of the area being proposed for the subdivision so nothing is happening to them. If the use is changed then ECSD will need to talk to the Town. Can formalize this better in the SIA. Wildfire is addressed in the submittal. Mapping is taken from Eagle County and there are mitigating measures in the project narrative.

Tom P. stated the HH units are deed restricted and sold, and that all other units will be owned by the District with five-year rental caps not purchase, that was confirmed. He asked what that would be in Phase I. 33 of the first 49 units are HH. Tom P. encourage the Applicant to work with County, State, and Town partnerships to try and get more units to an affordable price.

Brian R. noted the socio-economic diversity in Minturn. He noted units of the same type are bunched together in the proposal and expressed concern on that. Mr. Braun clarified that the illustration was just showing the potential design, but the buildings have not been designed yet. Not trying to separate unit types from the community.

Lynn F. clarified that there would be rentals that would be owned by the district, the HH units, and then a third category would be sold to developers; this is correct and was confirmed as a possibility, however, the District's intent is to solely develop housing to support their staff. She expressed concern that this would make the project not affordable. Felt it important that an employee could rent for longer than five years as proposed. Concerned the public would not be able to access the area during construction. Would like to see the original deed to the land to see what restrictions were originally set on the land when it was given to the district.

Earle B. would like a better idea on the wildlife mitigation and how it would be managed and implemented and that it be in conjunction with the CDW.

Rob G. asked

- You've said the goal here is District housing. Can you help us understand what's preventing the unit mix from being clarified at this stage, particularly which units might be market-rate, so staff can better evaluate impacts and infrastructure? Tom Braun noted they are not at that level yet.
- You stated that delivering affordable housing is very difficult and you've mentioned challenges in delivering units that are affordable across a broader range of incomes. Can you help us understand whether the District has explored partnering with the Eagle County Housing Authority or a similar entity, and if so, what constraints or considerations have affected that? They will look into this.
- The concern for the town is that we have very limited discretionary dollars and if we are not able to calculate new dollars it is difficult for the town to assume the road.

Lynn F. expressed concern that the structure is to provide some affordable housing but not necessarily to district staff.

It was directed that staff will work with the district and the school board to tie some of the questions together.

Motion by Lynn F. to continue to a future meeting, this motion died for lack of a second.

Motion by Brian R., second by Tom P., to approve Resolution No. 13 - Series 2026 Maloit Park

Exemption Tract A Eagle County School District Subdivision - Preliminary Plat as presented with the following conditions. Motion passed 5-1. Note: Lynn F. voted Nay and Kate S. was excused absent.

Conditions:

1. The Applicant shall work with the Town Engineer prior to or concurrent with any Final Plat for Subdivision application to address outstanding review comments from Intermountain Engineering in a letter dated October 31, 2025. Specifically, staff notes the following items needing to be addressed and resolved prior to or concurrent with Final Plat:
 - a. Horizontal geometry will be added to final 100% construction drawing package at Final Plat application.
 - b. Complete design for pump station in coordination with the Town of Minturn.
 - c. Complete design for public pathway and any associated easements for public walkway connection between residential neighborhood and Minturn Fitness Center.
2. Prior to a public hearing for approval of the Final Plat, the District shall indicate whether the lots being created by the subdivision will be used for District development or non-District development (or a mixture of the two) as those terms are defined in the Annexation Agreement and will demonstrate that the Maloit Park Road easement can be conveyed to the Town.
3. Prior to a public hearing for approval of the Final Plat, the District shall comply with the requirements outlined in Intermountain Engineering's letter dated December 18, 2025, and December 30, 2025, and include within a Subdivision Improvements Agreement requirements to remedy all defects in Maloit Park Road as part of the public improvements.
4. Prior to a public hearing for approval of the Final Plat, the District shall present the Town with either (a) an agreement with Battle North, LLC addressing Maloit Park Road or (b) evidence of good faith discussions with Battle Mountain addressing Maloit Park Road.
5. Prior to a public hearing for approval of the Final Plat, the District shall demonstrate that the District property has legal and physical access, including future needed improvements to Maloit Park Road and the intersection with Highway 24, to the reasonable satisfaction of the Town.
6. The Town will not take ownership of nor maintenance responsibility for Maloit Park Road until either (a) the District provides the Town with a survey demonstrating that all physical elements of the road are located within the easement, or (b) the District provides the Town with an agreement between the District and Battle North, LLC., creating the legal right for all physical elements of the road to remain and be maintained in its current place.
7. The Applicant shall work with the Town Attorney prior to or concurrent with any Final Plat for Subdivision application to address outstanding review comments from Karp Neu Hanlon in a letter dated November 3, 2025.

8. The Applicant shall work with the Town to execute a plan that prohibits ECSD from drawing down water from the Arminda Ditch at a certain low flow point to be determined prior to or concurrent with Final Plat.

9. ECSD will continue to work with Colorado Parks and Wildlife on the mitigation plan and will include a revised Wildlife Mitigation Plan with the Final Plat submittal.

10. ECSD will reach out to organizations who currently utilize Maloit Park, with the intention of understanding how and when the Park is utilized and to define a management plan for users and events at Maloit Park. The focus of this effort will be to better understand the parking demands of such uses. The District will prepare an overall use and management plan for Maloit Park that will among other things address how adequate parking can be provided for the future use of the park and events held at the park. Said plan to be submitted with the Final Plat submittal.

11. ECSD agrees to include a water measuring device in the Arminda Ditch headgate and to provide the Town with access to data demonstrating diversions are within the District's water right. Such measuring device will be detailed in design drawings for the headgate, to be provided with the Final Plat submittal.

12. To ensure the development to Maloit Park occurs at a gradual pace, ECSD will define limitations on the number of housing units that may be constructed over five-year periods for the next 15 years. For example:

Years 1-5 49 units (included in Phase I of project)

Years 5-10 48 units (included in Phase I of project)

Years 11-15 40 units (included in Phase II of project)

The condition above to be included with the Final Plat submittal.

13. ECSD will provide information with the Final Plat submittal on how emergency evacuations can be handled

11. Discussion / Direction Items


- A.** Golf Cart Discussion – pulled and moved to March 4 during agenda approval
- B.** Update on Water Treatment Plant Bank Financing Solicitation – given as a Verbal Update from Town Manager during his staff report.
- C.** Consideration of Council positions on select pending state legislation affecting local governments, including housing and municipal finance – pulled and moved to March 4 during agenda approval

12. Future Agenda Items


- A.** Future Meeting Topics

13. Adjourn

Motion by Eric G., second by Tom P., to adjourn at 10:12pm.



Earle Bidez, Mayor

ATTEST:


Jay Brunvand, Town Clerk



Information Only Items

- Upcoming Council Meetings: 3/4, 3/18, 4/1, 4/15.
- Upcoming Special Events: RTAP Community Workshop (March 24th & 25th), March First Friday at Gel Z Art & Wild Mountain Cellars.