



Official Minutes

Town Council Regular Meeting | 5:30 PM

Wednesday, March 4, 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/88363823633>

Zoom Call-In Information: 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 883 6382 3633

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, Tom Priest, and Lynn Feiger. Kate Schifani was excused absent.

Staff Members Present: Town Manager Rob Gutierrez, Town Clerk Jay Brunvand, Town Attorney Mike Sawyer, Deputy Clerk Cindy Krieg (Zoom), Planning Director Scot Hunn (Zoom).

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. 02-18-2026 Minutes
- B. 0001 Silver Star Trail - New Single Family Residence
- C. 0226 Miles End Lane - Changes to Approved Plans
- D. Resolution No. 14 - Series 2026, A Resolution Allocating the Holy Cross Energy Community Enhancement Funds toward enhancements at the Minturn Bike Park

Motion by Gusty K., second by Eric G., to approve the March 4, 2026 Consent Agenda as presented. Motion passed 6-0. Kate Schifani was excused absent.

4. Approval of Regular Agenda

Opportunity for amendment or deletions to the agenda.

Motion by Eric G., second by Gusty K., to approve the March 4, 2026 Regular Agenda as presented. Motion passed 6-0. Kate Schifani was excused absent.

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.

No public comment.

7. Council and Committee Reports

Lynn F. – Eagle Valley Wildland is obtaining some new equipment, which could make a huge difference with fire protection in our valley (including sensors that are placed in the forest). This can give 45 minutes of advance notice before a fire ignites (based on pre-fire conditions). Areas like Cordillera are putting up a lot of money to incorporate this type of system. The goal is to have this County-wide. She suggested looking into grant opportunities to try to implement this type of technology (it is very costly, hundreds of thousands of dollars).

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 for staff to solicit additional proposals. These proposals will be reviewed by Town Council at the March 4 meeting.

Minturn Bike Park 2026 Improvements

Staff are planning a series of capital improvements to the Minturn Bike Park in May 2026, including significant upgrades to the bike jump features and the dual slalom course. The work will be completed by the Vail Valley Mountain Trails Association (VVMTA) with support from the Town. These improvements are intended to enhance rider safety, improve ride quality, and expand the long-term usability of the park for a wide range of skill levels. Additional details on scope, scheduling, and coordination will be provided as the project is finalized.

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. A change order in the amount of \$99,991.88 was approved by Town Council at the February 18 meeting. We anticipate gas line relocation work by Xcel Energy will begin the **first week of May 2026**.

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. Staff are working on preparing scoring sheets for the RFQ and will return to Council for direction once the scoring is completed.

Minturn Community Garden Improvements**Status:**

Town Council approved submission of an application to the AARP Community Challenge Grant Program at the February 4, 2026, Town Council meeting. The Town has since submitted a request for the maximum \$15,000 grant to support accessibility and gathering space improvements at the Minturn Community Garden.

- Construct an ADA-accessible pathway connecting key areas of the garden.
- Install raised, ADA-accessible planter boxes to improve gardening access.
- Add weather-resistant benches with back support for comfort and rest opportunities.
- Construct a snow- and wind-rated shaded pergola to support gatherings and small events.
- Install permanent electrical service to enable community events, workshops, and performances.
- Install a communal worktable with integrated sinks

Other Projects**Grouse Creek Trailhead Parking Lot Expansion**

Public Works is scheduled to complete the Grouse Creek Trailhead Parking Lot Expansion on April 6 and 7. The project is being completed in collaboration with the Vail Valley Mountain Trails Association (VVMATA) and the U.S. Forest Service (USFS) to improve access and parking at the trailhead.

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.

Status:

The two Highlands Parcels have now been **listed on the MLS as part of the Town's strategy to help offset the cost of the new water treatment plant** 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.

Minturn 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 has started 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:

A two-day community workshop will be held at **Minturn Town Hall** on **March 24 (2:00 p.m. – 6:00 p.m.)** and **March 25 (11:00 a.m. – 3:00 p.m. and 4:00 p.m. – 7:00 p.m.)**. Residents are encouraged to **attend one of the scheduled sessions**.

Housing Affordability and Neighborhood Stability

Staff met with representatives from the Town of Avon and Eagle County on February 18 to discuss progress on the Regional Housing Authority formation study and received updates on the current status of the project. Staff have prepared a memorandum for Town Council summarizing the discussion and will present the item and seek Council direction at the March 4 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 have prepared draft administrative rules and application materials to implement the pilot, which are now available for public review: <https://www.minturn.org/finance/page/mobile-and-modular-business-licensing>

Interested parties may contact manager@minturn.org for information about participation.

Public Engagement:

The Town is accepting public comment on the draft administrative rules through March 11. Written comments may be submitted to manager@minturn.org. Public comment will also continue to be accepted throughout the duration of the pilot program.

In addition to what was in the Managers Report, Rob introduced Jessica Copeland, the Town's new Planning Intern. She will be working with the Town through August.

Brian R. brought up the parcel that was gifted to the Town as part of the Minturn North project. He inquired about doing some type of trial / test park with some items for kids, vs. having it just sit all summer. He suggested this could probably be done very inexpensively, and could at least be a temporary use until the Town determines what long term use might be viable for that space.

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.

No special presentations.

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 No. 15 - Series 2026, A Resolution Authorizing and Supporting the Submission of a Congressionally Directed Spending (CDS) Request for the Bellm Bridge Replacement Project

Rob G:

We have openings with Representative Neguse, and Senators Bennet and Hickenlooper to submit project requests for Congressionally Directed Spending. Staff thought this project would be a good fit since it's going to be a federalized project.

Had a meeting today with staff from Joe Neguse's office. This would help offset the gap in cost from the \$4M CDOT grant that we've already been awarded. The project is estimated at \$6M, possibly higher based on costs when construction begins. Some additional funding could potentially also help with possibly enhancing the pedestrian / bike path downtown access aspects of the project.

Motion by Gusty K., second by Eric G., to approve Resolution No. 15 – Series 2026, A Resolution Authorizing and Supporting the Submission of a Congressionally Directed Spending (CDS) Request for the Bellm Bridge Replacement Project. Motion passed 6-0. Kate Schifani was excused absent.

- B.** Ordinance No. 02 - Series 2026, an Ordinance acting by and through the Town of Minturn, Water and Sanitation Activities Enterprise, approving a loan, evidenced by a note, to finance water system capital improvements; approving the note form and loan repayment from the operation of the town's water

Rob G. noted that the Town had extended the solicitation period to allow for additional outreach. The Town was able to receive more bids with this extension.

Municipal Advisor Troy Bernberg was also in attendance and addressed the Council. A chart was shared that showed the different bids with details to include percentage rate, terms, debt service, features, upfront costs, and estimated monthly ratepayer impact.

Discussion took place regarding all aspects, but especially repayment terms.

Council agreed that the SRF option is not ideal for Minturn, and that private financing makes the most sense.

Lynn F. inquired how many water users / rate payers are being factored into this.

Mr. Bernberg responded that it was approximately 692 (which accounts for lots under construction and vacant lots). Gusty K. noted that he feels debt service should be paid by everyone, even if under construction.

Gusty K. inquired about the total loan amount.

\$12M project, assuming approximately \$2.5M in cash to be provided. So approximately \$9.5M loan.

Gusty K. inquired about the 101% penalty noted on the chart. Mr. Bernberg responded that this is a 1% penalty on the outstanding balance, if you refi away from that bank (you would need to pay that 1% premium).

Also discussed the construction draw. It was reiterated that you only pay interest on what you draw, so during the project – we're only paying interest on what has been drawn to date.

When construction is complete, the only way there would be less principle to amortize would be if you don't spend the full amount.

Lynn F. inquired about the prepayment note under Fifth Bank Options 1 & 2. Mr. Bernberg explained that the Town has the option to make a one-time cash prepayment at the end of year 2. Then the first opportunity to refi would be at 7 years. This could potentially be negotiated to provide more flexibility, since the Town would likely not have the cash to do that at 2 years (but might possibly between 2 & 7 years).

Brian R. asked about the difference between the Interest Rate Term and the Repayment Term. This is due to the interest rate only being fixed for that initial "interest rate term."

Lynn F. also asked about the No Call prepayment feature. This means that there is not a prepayment option.

Public Comment Opened.
No Public Comment.
Public Comment Closed.

Lynn F. asked for clarification that Council can approve the ordinance even though a specific lender has not yet been selected.

Mike S. noted that it's OK to move forward with the follow up to solidify (following the first, second and third choice options by Council), and the specific details will be updated before second reading.

Brian R. noted that it is tempting to just go with the best / lowest ratepayer impact option. But depending on how the scenario plays out with the Highlands Parcels or impact fee updates, etc, the preferable options could change (ranging from no payoff in 3 years to 100% payoff in 3 years). For example, if you plan to pay off 50% of the project in 3 years, this would be a very different best option for the town vs. if we don't plan to pay any of it off early. It's challenging to make a decision because there are so many complex metrics factoring into this.

Lynn F. also noted that if the Town were to get income from say the Highlands Parcels, if we can't pay off the loan early we could still invest that money (for example, in a bond) to help pay off the loan.

It was clarified that the rate lock noted in the chart refers to a rate lock until close.

Rob G. - Interest rate for what comes after construction – is that pre-determined? Mr. Bernberg noted that while some lenders do try to offer one rate for construction, and a different permanent rate. But none of the lenders we're considering are proposing that.

Direction from Council was to get answers any pending questions, and to proceed with follow up on the following bids. Mr. Bernberg and Town Manager Rob G. will follow up with these lenders and report back to Council. Follow up questions to be clarified include:

- Confirm whether Bank/Bid 3 would allow prepayment
- Confirm what amount of cash Bank/Bid 3 would want the town to keep in an account with them.

Preferred Option 1: Bid 3, Option 3

Preferred Option 2: Bid 5, Option 2

Preferred Option 3: Bid 2, Option 2

Motion by Tom P., second by Gusty K. , to approve Ordinance No. 01 – Series 2026, An Ordinance acting by and through the Town of Minturn, Water and Sanitation Activities Enterprise, approving a loan, evidenced by a note, to finance water system capital improvements; approving the note form and loan repayment from the operation of the town's water. Motion Passed 6-0. Kate Schifani was excused absent.

11. Discussion / Direction Items

A. Golf Cart Discussion

Cindy K:

The Town of Minturn currently permits the personal use of golf carts on Town streets, subject to specific regulations. Golf carts must be registered with the Town and are subject to restrictions related to size, passenger capacity, and compliance with applicable state and local traffic laws. Golf carts are not permitted on Main Street (Highway 24), which is a state highway. These regulations were intentionally structured to allow limited, low-speed personal transportation while minimizing the Town's regulatory and enforcement obligations. The current framework does not authorize, permit, or regulate the use of golf carts for commercial passenger transport or shuttle services.

This distinction is significant because authorizing commercial use would represent a shift from allowing individual vehicle operation to affirmatively permitting a transportation service. The existing regulations reflect a policy choice to allow limited personal mobility while avoiding the need for the Town to actively regulate commercial transportation services.

The Town has received inquiries from local businesses requesting that the Town either waive or increase the current size and/or passenger restrictions for golf carts. The stated intent of these requests is to allow golf carts to operate as shuttle vehicles transporting patrons between different areas of Town.

These requests would effectively introduce commercial passenger transport into a regulatory framework that was designed for limited personal use.

While the Town currently allows personal golf cart use under defined conditions, authorizing golf carts for commercial shuttle purposes would introduce additional considerations related to public safety, liability, and regulatory oversight.

If the Town were to consider allowing this commercial use, the Code would need to be updated.

Discussion took place amongst staff and council regarding how the use of golf carts is currently going, and what challenges this might present. Currently, there are approximately 8 registered personal golf carts in town, and it's going well. There are currently minimal issues with the program as it stands now. The primary concerns that were brought up were legal liability and safety, including the inability to transport from one of town to the other, or from the Minturn Mile into downtown, or to/from Little Beach Park to downtown, without going the wrong way on a one-way street.

Brian R. inquired as to whether we could we allow two-way traffic for certain types of vehicles (snowmobiles, golf carts) on Eagle River St.

Mike S. responded that we could, with a change to the code.

He suggested that we would first want to talk to CIRSA (our insurance provider).

We would need to establish insurance requirements, and any commercial licensee would need to indemnify the Town.

Brian R. noted his only concern would be if the end of Taylor would get congested with pickups.

Brian R. also inquired about creating access to LBP for golf carts (via CDOT ROW or railroad).

Currently, you can't drive a golf cart to Little Beach Park for events (though people do), without driving on Highway 24.

Public Comment:

Lynn Teach, 253 Pine St:

Ms. Teach asked if the DDA could speak to the downtown merchants to see if they are interested in all chipping in to get a shuttle that is a standard vehicle (SUV or other similar vehicle) to provide this service?

Rob Gosiewski, 560 Taylor St.:

Mr. Gosiewski noted that the trailhead at the end of Taylor is already pretty congested, it wouldn't probably have a big impact to that.

Does not feel it would be the Town's concern to police impaired drivers or other traffic issues, that should be ECSO / law enforcement. If golf cart drivers are being responsible, he feels that should not fall on the town to deal with.

Direction Given:

Council directed staff to hold off on pursuing this, but there was some support so this will be looked into at a later date.

B. Minturn Rd. North Railroad Crossing

Rob G:

The Town was contacted by a resident recently, due to the Minturn Rd. north railroad crossing being in bad shape. The Town had no plans to address this at the time, so Rob spoke with Town Engineer Jeff Spanel. It was suggested that our best option is to do what we did at the south end, which is to remove the wood and recover it with asphalt. But there are 2 options being presented. Or we could do nothing.

Asphalt Repair Option 1: The simplest repair would be to leave the existing timber crossing; fill the small pothole and seal the cracks. Seal coating this section of the road should cost less than \$6,000. This would appear to meet the requirements of paragraph 5.A of the maintenance provisions of the Crossing Agreement and would likely require UPRR approval.

Asphalt Repair Option 2: This would involve milling and overlaying roughly 100 feet of Minturn Road from the west side of the tracks to the east edge of the bridge. This work is similar to what was done on Norman near Town Hall this past summer. The timber crossing would not be touched.

Based on recent construction cost data a ROM estimate would be about \$35,000, assuming it is done as a part of a larger contract such as Taylor Avenue reconstruction. This would appear to fall under Paragraph 5.A of the maintenance provisions of the Crossing Agreement and would likely require UPRR approval.

Replace the Timber Crossing (this would take longer):

The timbers between the tracks are degrading. We expect the Railroad will require the timbers to be replaced with concrete panels. Concrete panels were used at the Beaver Creek Boulevard crossing in Avon for reference. This work would appear to fall under paragraph 5.B of the maintenance provisions in the Crossing Agreement. Estimating the cost for this work is difficult as the agreement

stipulates work will be performed by the UPRR at the expense of the Town. Based on an internet search, the cost could run \$60,000. This work will require UPRR and may require PUC approval.

Tom P: Did we talk to Union Pacific? Rob G – we did, but not specifically about the timber replacement yet.

Rob noted that once staff has direction from Council, staff will go back to UP to get final approval.

Gusty K: – In favor of option 1.

Brian R. noted that he walked over there today to take a look. He noted this doesn't really address the worst ending of the Eagle Valley Trail and connection. We have all these people coming into town on e bikes all summer long, which is increasing and increasing, and they're guests to the town. They pop out at the bridge across there. And it's pretty nice. And then right at the crossing, there it's terrible on a bike. It's popping tires and that kind of stuff. Brian noted he'd be in favor of somehow connecting the trail with pavement or something to connect that and make it better for bike travel. He suggested it's fine to let it be bumpy for the cars, it's the only thing slowing them down over there right now.

how wide that, um... Crossing is the right-of-way, would it be the same problem as the one you just had to navigate over there with the extra asphalt for bikes? They just did not want concrete there, or a trail, or, like, they did not want it delineated on the plans in any way. That was a dead no. So the way we did it is, like, we just had some extra asphalt, and it wasn't.

Rob G:

They just did not want concrete there, or a trail, they did not want it delineated on the plans in any way. That was a dead no. So the way we did it with the Railroad Ave. improvements, we just had some extra asphalt, and it wasn't even on the plans as sidewalk. It just was asphalt.

Brian R. just reiterated that it seems silly to do all this work without addressing the minor hole in the trail system.

Rob G. noted that this is more of a railroad issue vs. an EcoTrails issue, but we can still pursue / ask the question.

Public Comment:

Rob G. 560 Taylor

There is a group of parents trying to get the school bus to come down Minturn Rd. / Taylor again. They previously stopped due to the dirt road being so bad. Now with the road being paved, they are working on getting this re-implemented.

Tom P: This needs to be resolved. Long term we should probably ask about / get approval for timber replacement. But not thrilled about potentially spending \$60K.

Direction Given: Investigate the cost scenarios, both short and long term, then follow up again with UP.

Rob G. noted that we're not committing to anything yet. Will do more due diligence first. Also reiterated that the timber replacement would require permission from PUC.

5 minute recess taken at 7:13pm.

C. Senator Bennet Letter of Support Request Berlaimont Development

Delaney Deskin (Senator Bennet's Central Mountains Regional Representative), addressed Council.

The request is for a letter of support for some legislation that the senator is planning to introduce later this month. It's called the Forest Resources Accountability Act. And this is sort of the next phase of some of the amendments that you might have seen published recently regarding construction of a year-round paved road between Eagle County Roads and the Berlaimont development up north of Edwards. The Senator's office is reaching out to most of the towns in the valley to seek their support on this. The Senator recently put forward an amendment in the government funding process, which was later unsuccessful.

So now stand-alone legislation is being looked at.

A critical way to protect U.S. Forest staffing and resources at a time when we all know staff are extremely stretched in both money, time out of the day, as well as just how many folks they have working, both at the forest level as well as here at the district level.

The first half of last year, the Forest Service lost nearly 6,000 employees in Colorado alone. We lost three of our longest tenured forest supervisors, and many field offices in the state have seen double-digit personnel decreases.

As a result, the Forest Service has only been able to complete about 40% of hazardous fuels mitigation projects compared to average years in the past, and in December, an internal Forest Service analysis also found the agency has not been able to maintain trails at the scale that they have been in the past. Ms. Deskin noted that they feel at a time when Forest Service personnel and funding and resources are already so stretched, prioritizing the construction of a year-round paved road is the wrong move at the wrong time. We're looking at what is likely going to be an extremely challenging fire year, and we need all hands on deck addressing that, rather than these sorts of projects that don't serve the majority of the taxpaying public whose tax dollars go into maintaining the White River National Forest and the forest system as a whole, particularly this bill prohibits the use of federal funds for issuing any permits to open, improve, authorize, permit, or construct a year-round road connecting to the Berlaimont parcel, and it clarifies the definition of adequate access to that parcel as what is currently in place. It's an unpaved seasonal road. That was the road that was in place historically, and it provides adequate access, as we know it. It is very similar to similar in holdings in Eagle County, um, connecting, um, private in holdings to the rest of the county. Additionally this bill comes after a couple different legal decisions. There have been lawsuits regarding this. While the Forest Service approved a modified road alignment in 2023, citing an Alaska law that requires the Forest Service to provide adequate access to in holdings to their properties. That term is currently unclear. We want to specifically say that adequate access is the road that's currently in use. This is in line with sort of the support that we've sought from other environmental groups, and that we've successfully had on both the amendment as well as the standalone bill.

Additionally, the town of Eagle provided us a letter support, as well as the Edwards Metropolitan district. We're looking at support in the past that we've received from the amendment include Representative Joe Naguse, Dan Gibbs, State Senator Dylan Roberts, State Representative Megan Lukens.

Also Mike Trueblood, Brian Woods, Eagle Summit Wilderness Alliance, Vail Valley Mountain Trails Alliance, and the Eagle River Coalition all express support for the amendment. Have had great community outpouring of support for this, and would like to have the town of Minturn join as well.

Council Questions:

Brian R: Could this effect our efforts (listing) with the Highlands Parcels? Could that set precedent if we're opposing this, but would eventually need to allow a road / access to the Highlands Parcels (since it's currently only a dirt road)?

Mike S: This would not apply to lands such as the Highlands if we were to take a position on the legislation. And the Highlands is not technically landlocked. The practical and historic access requires using Forest Service Tigiwon Road to get there.

The Forest Service has typically issued use permits for certain forest roads to access certain kinds of limited development. This wouldn't just be Highlands, also the OTP.

The Forest Service could say that they're only willing to permit for a very limited use, as opposed to something more robust. Some level of consistency may be important in that situation. Eventually, depending on the level of development, the lower portion of Tigiwon Road may need to be paved.

Earle B: Since we're not sure if the Highlands Parcels will even sell (or when), he doesn't see an issue.

Gusty K. noted that he also sees Brian R.'s point.

Ms. Deskin: The legislation itself is specific to the Berlaimont Estates parcel, and the road in question is 6 miles long. It doesn't address adequate access more broadly, it's very specific.

Lynn F. brought up fire protection access as well.

Motion by Tom P., second by Lynn F., to approve staff to proceed with a letter of support for Senator Bennet's Letter of Support Request regarding the Berlaimont Development. All approved.

D. Exploring Partnership Opportunities with ECSD for Maloit Park

Rob G:

At the February 18 Town Council meeting, Council approved the preliminary plat for the Maloit Park subdivision. During the review process, the Town and community expressed strong interest in maximizing the number of deed-restricted workforce or affordable housing units within the project. While ECSD acknowledged these community goals, the District was not willing at that time to commit to a 100% deed-restricted housing outcome as part of the preliminary plat approval.

The preliminary plat decision is now complete. However, the project is still in its early stages, and there may be opportunities, outside of the land use approval process, for the Town and ECSD to explore whether financial, regulatory, or partnership-based tools could make a higher percentage of deed-restricted housing more feasible or attractive for the District.

This discussion would be focused on intergovernmental collaboration and housing policy objectives, not on revisiting or modifying the preliminary plat approval.

Policy Considerations and Guardrails

Any discussions with ECSD would be guided by the following principles:

- This effort would **not reopen or reconsider** the preliminary plat approval.
- This effort would **not impose new conditions** on the approved application.
- Participation by ECSD would be **voluntary and collaborative**.
- Any potential tools, incentives, partnerships, or policy changes would be brought back to Town Council for separate consideration and approval.
- The focus would be on exploring **feasible pathways** to increase long-term deed-restricted workforce or affordable housing outcomes consistent with Town policy goals.

Potential Areas of Exploration

If directed by Council, staff could explore topics such as:

- Potential partnership structures with ECSD or a third-party housing entity
- Financial or funding strategies that could support deeper affordability or deed restriction
- Land value, phasing, or development structure considerations
- Deed restriction models that protect long-term affordability while remaining workable for the District
- Roles the Town could play in facilitating or supporting a workforce/affordable housing outcome
- The feasibility of the Town purchasing one or more lots or units within the project for use as deed-restricted employee housing, including potential funding sources, ownership and management models, and long-term operational implications

These discussions would be exploratory in nature and intended to identify realistic options, constraints, costs, and risks.

Fiscal Impact

At this stage, there is no direct fiscal impact associated with authorizing staff to explore potential collaboration and return with options. Any future financial commitments or incentives would be presented to Town Council for consideration and approval.

Recommendation

Staff recommends that Town Council provide direction on whether to:

1. Authorize staff to engage Eagle County School District in discussions to explore pathways to increase the amount of deed-restricted workforce or affordable housing at Maloit Park, and
2. Direct staff to return to Council with potential options, implications, and recommendations for further consideration.

Gusty K. stated he would be in favor of ongoing discussion / considerations, except not in favor of the Town trying to obtain one of the lots for employee housing.

Tom P. noted that he would like to see the housing authority come up with more than one category or demographic for affordable housing and revisit their AMI calculations. The 5-year piece should also be evaluated.

Brian R. recommended updating the code to require a higher percentage of resident occupied housing. We want / need a higher percentage of resident-occupied housing. Unfortunately, with the

way our code reads now we're relying on developers to do more than is being asked. Suggested urgently updating the code.

Lynn F. would also like to see revisions to their rent policies.

Council direction was to pursue more conversation, aiming for as close as possible to 100% resident-occupied workforce housing.

E. Regional Housing Authority Update

Rob G:

Town staff had a meeting recently with Avon Town Manager Eric Heil and Kim Bell-Williams from the Housing Authority.

They provided some specifics as to what they are proposing at this point. Staff is looking for direction from Council as to our continued participation in these conversations, and get some of the initial preferences of what Council thinks would work best for this community. If we do decide to participate, and then we can go back, communicate those things and based on some of the feedback, come back to Council with options. Such as, if we decide to participate in a hybrid type option where we would pay a certain percentage to the housing authority for administration, serving deed restriction type things, and then the rest of the money would come back to the town. And it could direct those funds how it wants to address housing issues, and it wouldn't necessarily be dictated by a regional board that maybe we would have a seat on. So it needs to be decided which option we prefer.

The concept under discussion is a Regional Housing Authority that could serve as a centralized entity for some combination of:

- Housing policy and planning
- Program administration (e.g., deed restriction management, lotteries, compliance, assistance programs)
- Funding strategy and grant coordination
- Potentially development and/or property management functions

Importantly, this work is **exploratory**. No decisions have been made regarding governance, funding mechanisms, or participation levels by any jurisdiction.

Two General Model Directions

While several variants have been discussed, the options generally fall into two categories:

1. Coordinating / Shared Services Model (Base or Hybrid):

- Local jurisdictions retain most programs and control
- The regional entity focuses on coordination, administration, and selected core functions
- Revenues largely pass through to participating jurisdictions
- More incremental change, lower organizational footprint

2. Full Regional Operator Model:

- The regional entity takes on most housing functions, including programs, development, and possibly property management
- Revenues are retained and managed by the regional authority

- Greater centralization, but also greater potential scale and impact

Funding Context

Preliminary revenue models have been prepared by Eagle County and the Town of Avon to illustrate the **order of magnitude** of funding that would be required to meaningfully address regional housing needs. These models are **for discussion purposes only** and would require **voter approval** if any were ever pursued; **no tax proposal is being advanced at this time**.

The modeling indicates that achieving meaningful impact would likely require **\$15–20 million annually for Avon and Eagle County** and approximately **\$25–30 million annually for the broader Eagle River Valley**, building on existing local housing revenues. The examples explore combinations of sales tax, use tax (limited to construction materials), and property tax to demonstrate scale and tradeoffs, including an **illustrative “maximum” scenario included solely to show the upper bound of potential revenue and not for consideration as a proposal**.

Illustrative Maximum Revenue Scenario (Not a Policy Proposal)

Full 1% Sales Tax, 1% Use Tax, 5 Mill Property Tax. This model represents the revenues generated from the maximum tax rate for all three categories.

	Sales Tax	Use Tax	Mill Levy	% Sales Tax	% Property Tax
Towns	1%	1%	5		
Vail	\$ 10,535,368	\$ 1,261,961	\$ 8,690,854	40%	39%
Minturn	\$ 309,829	\$ 220,130	\$ 235,959	1%	1%
Red Cliff	\$ 48,304	\$ 1,237	\$ 39,619	0%	0%
Avon	\$ 4,753,121	\$ 734,991	\$ 1,881,187	18%	8%
Eagle	\$ 1,850,000	\$ 470,915	\$ 1,219,860	7%	5%
Gypsum	\$ 3,519,656	\$ 1,264,238	\$ 1,376,230	13%	6%
Metro Dists.				20%	40%
Eagle-Vail	\$ 598,640	\$ 69,700	\$ 729,465	2%	3%
Beaver Creek	\$ 1,817,609	\$ 547,361	\$ 2,410,707	7%	11%

Bachelor Gulch	\$ 968,424	\$ 121,384	\$ 1,181,570	4%	5%
Arrowhead	\$ 151,357	\$ 54,136	\$ 1,043,451	1%	5%
Berry Creek	\$ -	\$ 53,630	\$ 636,821		3%
Edwards	\$ 1,790,000	\$ 168,144	\$ 1,428,878	7%	6%
Cordillera	\$ -	\$ 168,144	\$ 1,428,878		6%
TOTAL	\$ 26,342,307	\$ 5,135,971	\$ 22,303,479	\$ 53,781,756	

NOTE: The Use Tax in these revenue models is ONLY on construction materials.

	Total Revenues
Minturn	\$765,918
Avon	\$7,369,299
Vail	\$20,487,913
Eagle County	\$15,368,298

Eagle River Valley Revenues:

1% Sales Tax and 1% Use Tax = \$31,478,277

1% Use Tax and 5 Mill Property Tax = \$27,439,449

Illustrative Hybrid Scenario (Pass-Through Revenue Example)

This illustrative example combines a **0.5% sales tax, 1% use tax, and 3 mill property tax** to demonstrate how a hybrid, pass-through model could function. It is included for context only to show scale and tradeoffs, and not as a proposal. Using multiple sources spreads the cost across residents, visitors, second homeowners, and developers.

	Sales Tax	Use Tax	Mill Levy	TOTAL	%ST	%PT
Towns	0.5%	1%	3			
Vail	\$ 5,267,684	\$ 1,261,961	\$ 5,214,513	\$11,744,157	40%	39%
Minturn	\$ 154,914	\$ 220,130	\$ 141,575	\$ 516,620	1%	1%

Red Cliff	\$ 24,152	\$ 1,237	\$ 23,772	\$ 49,161	0%	0%
Avon	\$ 2,376,561	\$ 734,991	\$ 1,128,712	\$ 4,240,264	18%	8%
Eagle	\$ 925,000	\$ 470,915	\$ 731,916	\$ 2,127,831	7%	5%
Gypsum	\$ 1,759,828	\$ 1,264,238	\$ 825,738	\$ 3,849,804	13%	6%
Metro Dists.				\$ 9,161,375	20%	40%
Eagle-Vail	\$ 299,320	\$ 69,700	\$ 437,679		2%	3%
Beaver Creek	\$ 908,804	\$ 547,361	\$ 1,446,424		7%	11%
Bachelor Gulch	\$ 484,212	\$ 121,384	\$ 708,942		4%	5%
Arrowhead	\$ 75,679	\$ 54,136	\$ 626,071		1%	5%
Berry Creek	\$ -	\$ 53,630	\$ 382,093			3%
Edwards	\$ 895,000	\$ 168,144	\$ 857,327		7%	6%
Cordillera	\$ -	\$ 168,144	\$ 857,327			6%
TOTAL	\$ 13,171,153	\$ 5,135,971	\$ 13,382,087	\$31,689,211		

NOTE: The Use Tax in these revenue models is ONLY on construction materials.

		10% for RHA	Pass-Thru
Minturn	\$516,620	\$51,662	\$464,958
Avon	\$4,240,264	\$424,026	\$3,816,237
Vail	\$11,744,157	\$1,174,415	\$10,569,741
Eagle County	\$9,161,375	\$916,138	\$8,245,238
TOTAL	\$25,662,416.00	\$2,566,241.00	\$23,096,174.00

What This Means for Minturn

Minturn is **not being asked to commit to any governance structure**, funding mechanism, or level of participation at this stage. The current phase is about **shaping the concept** and ensuring that the interests of smaller jurisdictions are considered early in the process. Participation levels could vary

by community depending on the model ultimately pursued. **At the same time, Minturn does need to consider which approach best aligns with the Town's interests so staff can clearly communicate that preference as the regional discussions continue.**

Key Policy Questions for Council

Council input is requested on the following high-level questions:

1. Does Council wish to **direct staff to remain engaged** in the regional housing authority discussions and continue exploring potential participation in a multi-jurisdictional approach?
2. In concept, does Council see more value in a **hybrid model**, where revenues and most program control remain with the Town but certain functions are coordinated regionally, or a **more centralized regional model**, where the Town would participate through representation on a regional board and a regional authority would manage programs and funding?
3. If Council is generally supportive of a **hybrid model**, would Council be willing to direct staff to draft and return with a **plan of action** outlining how a hybrid model could work for Minturn, including what the Town would do programmatically and how revenues would be handled?

Hybrid Model: Conceptual Framework for Minturn

Under a hybrid, pass-through model, staff's initial concept is that regional housing authority revenues allocated to Minturn could be used to **support locally defined priorities**, potentially including:

Expansion of Town Employee Housing

- Acquisition, construction, or rehabilitation of units dedicated to Town employees
- Stabilizing workforce housing for critical municipal positions

Expanded Down Payment Assistance for Owner-Occupants

- Increased local funding for first-time and workforce buyers
- Targeted assistance to help residents remain in the community

Market-Rate Buydowns with Deed Restrictions

- Strategic purchase or subsidy of market-rate single-family homes
- Conversion of those homes to long-term deed-restricted units to expand the attainable housing stock

Strategic Acquisition of Deed-Restricted Lots (e.g., Maloit Park)

- Use of funds to acquire or help acquire lots intended for deed-restricted housing
- Supporting long-term affordability and local workforce housing goals

These examples are intended to illustrate how a hybrid, pass-through model could allow Minturn to retain **local control over priorities** while benefiting **from regional coordination and support**, in a manner that is consistent with the Town's longstanding desire to remain **independent and locally directed** in addressing housing needs.

Next Steps

Based on Council's direction, staff will either continue to engage in, or step back from, the regional housing authority discussions and will communicate Minturn's preferences regarding potential participation and structure to the regional partners. Feedback from participating jurisdictions will inform the next round of discussions being led by Eagle County and Avon, and staff will return to Council with updates and more specific options if and when a clearer proposal emerges.

Council Comments / Questions:

These funding mechanisms would require a vote.

Gusty K. noted that he is not in favor of a tax increase or mill levy. Taxpayers are already paying such a high burden between taxes, high utilities, and high cost of living in general, that he feels residents are already stretched. He feels a lot of this responsibility has to fall to the employers. He feels the burden should not fall to the municipalities, especially Minturn being how small we are and how small our budget is.

Lynn F. noted the revenue reflected in these examples for Minturn is very minimal.

Brian R. inquired about whether a second homeowner / unoccupied home tax could help pay for this. It was explained that this is not a current legal pathway.

Rob G. noted that even though we are a small player in the larger picture, we can still influence what and how this gets implemented, so we just need to provide guidance.

Earle B. noted that the Town has never adjusted our mill levy, since he's been involved with Council. He noted that the construction use tax has been helpful for capital improvements, but a mill levy would be tough for Minturn.

Rob G: Both the taxation and programmatic side of things need to be reviewed. Because proportionally we're small. But things such as buy downs, if we were interested in doing that on a very small scale, additional employee housing or even deed restricted housing or land banking of any kind. This would be a start to working on those things, whereas now we don't really have any dedicated revenue for something like that.

That's something we can change in our code for new development coming down the road, have more of a percentage of deed restriction than what we currently have. You could do that. One thing that's really important to understand about deed restriction is it requires a lot of work and a lot of money to administer.

In many Colorado's jurisdictions have really struggled with that, and so it may be easy to say let's do more deed restriction, but you need to make sure that somebody's watching property turnover, somebody's watching who's buying, somebody monitoring eligibility compliance.

That's why we want to work with somebody like this. Yeah, you want to make sure whatever you're planning, you have adequate funding to administer those kind of programs. Several of those programs have not gone as planned due to lack of oversight.

Brian R: What we've learned from some of those programs like the Vail indeed program is a great example. We when we were trying to buy a home, we were working through that problem, and we couldn't get banks to give us a loan because there was uncertainty around just the owner-occupied deed restriction, because they were a new type deed restriction, not people who were familiar with it. And they had to pivot their strategy and start buying properties, putting deed restrictions on them, and putting them back on the market, like, in essence, just flipping stuff with their own cash in order to get these deed restrictions.

We are in a place where if we could work with an agency like this, that had some funding and some help that instead of giving hard cash to fight the affordable housing problem that we don't have, we could make some changes to the code that would be minimum costs on our side, get some help from funded nonprofits or government agencies at the county level and make a big impact without having

to buy stuff on our side. We could just change our code with their approval. That would be like the partnership idea, where we work with somebody like that, or have a housing authority and say, even though our voters may not approve of a ballot issue tax increase (which they probably won't), we would still love to be a part of this. How can we contribute to addressing the greater problem? We just are a small town with no money.

Tom P: With the pass-through hybrid model we can visit what the facts look like, some short and long term, because the reality is generally speaking, most of the development in this town is kind of already projected. And/or approved pending water moratorium issues. So some of this just won't apply or will on the backside. So just an idea of how we navigate those waters if this regional housing authority gets developed, because Avon is an entirely different animal based on sheer volume and tax base. And

Lynn F: With the anticipated drought that's coming up, thinks the water moratorium is likely to last longer than we originally anticipated. Also heard that Bolts Lake is probably being pushed down 5 years or so due to funding issues. Feels that water will play into this.

Rob G: If we enter into a program like this, it doesn't necessarily mean that we're adding more units. The major concerns we hear from the community is a fear of change, and a fear of losing people, especially working-class people, and people seem to see that's a very important aspect to this town, and I think if that's a concern, we need to find a way to address that over the long term, and that's going to cost money. Is there anything that's a hard no or should staff go down this path and give Council an option that's more on the programmatic side? Or is any sales tax increase a hard no, we need to look at other things.

Tom P: Feels there is currently an erroneous AMI calculation. Based on the policies and the programs that are being put forward here with the expectation of really no money out of our pocket, just the programs that are there, and the ways that we can facilitate some of these things which would be the buy downs, more deed restriction, or resale of properties as they come along.

Council Direction: Continue discussions, and revisit. Currently leaning toward the hybrid option.

- F. Consideration of Council positions on select pending state legislation affecting local governments, including housing and municipal finance

This was brought up in the last meeting. No further discussion at this time.

- G. Colorado Forest Legacy Program Pre-Application

The purpose of this discussion is to request Town Council direction on whether staff should pursue a **pre-application discussion and exploratory submission** to the Colorado Forest Legacy Program (FLP) for the Highlands Parcels.

No commitment to conservation, sale structure, or land disposition is requested at this time.

Background

The Colorado Forest Legacy Program is a partnership between the Colorado State Forest Service and the U.S. Forest Service that provides federal funding to permanently conserve privately owned forest lands that are at risk of conversion to non-forest uses. The program may fund up to **75% of a project's appraised value**, with at least 25% provided through non-federal match sources.

Projects typically involve either:

- Purchase of a **conservation easement**, allowing continued ownership while limiting development rights; or
- **Fee simple acquisition**, transferring land into permanent conservation ownership.

Participation in the program is voluntary and occurs only with a willing landowner. Projects generally require several years to complete and advance through a competitive state and national review process.

Why Consider the Highlands Parcels

The Highlands Parcels possess several characteristics that may align with Forest Legacy Program priorities, including:

- Large contiguous acreage adjacent to public lands and conserved landscapes
- Forested and environmentally sensitive terrain
- Potential watershed and ecological benefits
- Development pressure consistent with program eligibility criteria
- Opportunity to evaluate conservation value alongside market valuation through the current listing process

Exploring eligibility does **not** preclude continued marketing of the property or consideration of other disposition strategies previously discussed by Council.

What a Pre-Application Means (and Does Not Mean)

A pre-application WOULD:

- Initiate discussions with the Colorado State Forest Service
- Evaluate eligibility and competitiveness
- Provide information on potential conservation valuation scenarios
- Identify potential funding partners and match sources
- Preserve an additional strategic option for Council consideration

A pre-application WOULD NOT:

- Commit the Town or Water Enterprise to conservation
- Remove the property from the market
- Establish a sale price or development outcome
- Bind Council to participate in the program

At this stage, staff would only be gathering information and assessing feasibility.

Strategic Considerations

Pursuing a pre-application may help Council better understand:

- The potential conservation value of the parcels relative to highest-and-best-use market value
- Availability of federal funding that could offset acquisition or conservation costs
- Whether a conservation pathway could serve as a viable alternative or complement to private market outcomes

Because FLP projects typically take **2-3 years** from concept to funding, early exploration is necessary if Council wishes to maintain this option.

Fiscal Impact

There is no direct fiscal commitment associated with initiating a pre-application. Staff time would be the primary resource required at this stage.

If the project advanced beyond preliminary eligibility, Council would receive additional analysis and direction requests before any financial commitments were considered.

Requested Council Direction

Staff requests Council direction on the following:

- Does Council support staff initiating a Forest Legacy Program pre-application and eligibility discussion with the Colorado State Forest Service for the Highlands Parcels?

Next Steps (If Directed)

If Council provides direction to proceed, staff would:

1. Coordinate an initial consultation with the CSFS Forest Legacy Program specialist
2. Conduct a preliminary eligibility and competitiveness review
3. Identify potential partners and match funding concepts
4. Return to Council with findings and policy options prior to any formal application submission

Council Direction:

The Highlands Tract meets most of the eligibility requirements for this program. Council was in support of pursuing this option, and directed staff to move forward with the pre-application process.

12. Future Agenda Items

- A. Future Meeting Topics

13. Adjourn

Motion by Tom P., second by Eric G., to adjourn the meeting at 7:59pm.



Earle Bidez, Mayor

ATTEST:



Jay Brunvand, Town Clerk

