



Official Minutes

Town Council Regular Meeting | 5:30 PM

Wednesday, March 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/81299851769>

Zoom Call-In Information: 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 812 9985 1769

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, Kate Schifani and Lynn Feiger.

Staff Members Present: Town Manager Rob Gutierrez, Town Clerk Jay Brunvand, Town Attorney Mike Sawyer, Planning Director Scot Hunn (Zoom), Deputy Clerk Cindy Krieg (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. 03-04-2026 Minutes

Motion by Gusty K., second by Eric G., to approve the March 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 Gusty K., to approve the March 18, 2026 Regular Agenda as presented. 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.

No Public Comment.

7. Council and Committee Reports

Gusty K – QQ Meeting. There was significant discussion regarding data centers. It was noted that many systems are cooled with water, and there is some discussion around regulation requiring use of recycled water.

Also discussed was the Upper Basin of the Colorado River Compact. There still is no agreement between the upper and lower basins regarding water distribution and how the water can be used. This has now been turned over to the federal government. Lake Powell, specifically, is worried they will be below the limit to be able to produce electricity.

Lynn F. echoed these sentiments regarding water conservation, and how extremely important that will be this year with this drought and the high fire danger. We all need to be extra vigilant.

8. Staff Reports

A. Manager's Report

Project Financing

At the **March 4 meeting**, Town Council conducted the **first reading of a bond issuance ordinance** related to financing for the Water Treatment Plant project. Council did not make a final bank financing selection at that meeting but **narrowed the options to three potential financing proposals** that would result in the **lowest ratepayer impact during the initial term of the financing**.

Following the meeting, staff worked with the **Town's Municipal Advisor and the three selected banks** to clarify specific financing terms and obtain the **most competitive rates available to the Town**.

Town Council will **review the three remaining bank financing options again at the March 18 meeting**. Due to the **30-day noticing requirement in the Town Code**, the **second reading of the bond issuance ordinance will occur at an April Town Council 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

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 Project

Design is complete, and the project has completed the public bid process. The Town received **three bids** for the project from **360 Civil, Schofield Excavating, and Phoenix Contracting**. Two of the bids came in **lower than anticipated**, with the **lowest bid submitted by Schofield Excavating in the amount of \$453,638.80**. Staff will present the bid results to **Town Council for review and potential approval at the March 18 meeting**.

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 funding in the **2026 budget** for the replacement and expansion of streetlighting along **Main Street**.

Status:

Staff are pursuing **Holophane** as the preferred streetlight manufacturer, and preliminary fixture and pole concepts have been informally reviewed by **CDOT**. Staff are currently working on **utility coordination with Xcel Energy** as part of project planning for 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

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

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 (VVMTA)** 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 recently conducted a partial review of **draft Article 3: Subdivision & Development Standards**, discussing topics such as parking, clear vision, and cash-in-lieu for non-motorized access. The Planning Commission and staff will continue their work on the **Minturn Forward Land Use Code Update** during a **virtual working meeting on March 25** to review remaining sections. Members of the **public are welcome to attend the meeting or submit comments** for consideration.

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 presented a memorandum to **Town Council at the March 4 meeting**, and Council provided feedback and direction on the concept. Staff are now working to develop a **Minturn-specific framework** outlining how the Town could potentially participate in a future regional housing authority.

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>

Staff expect to **complete the draft program applications within the next week** and anticipate **beginning to accept applications by the end of March**. 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.

Public Works

Weekly Report (March 2-8, 2026)

Operations & Winter Maintenance

Public Works completed all scheduled operations including Water Treatment Plant operations, utility locates, equipment maintenance, snow removal, and servicing of trash and dog waste stations. Crews plowed and shoveled town streets and sidewalks following snowfall on Friday and repositioned the electronic message sign for the First Friday event. Staff also relocated a

snow pile at the upper Little Beach parking lot to allow staking of the proposed Meyer's shed location.

Infrastructure & System Improvements

Crews completed several maintenance and repair tasks including pothole repairs on Boulder, Harrison, Taylor, and Nelson Streets and the north Highway 24 entrance, replacing an exterior light at Town Hall, repairing signage on Cemetery Road, and installing a "Clean Up After Your Dog" sign at the Water Plant access road. Staff also fabricated improvements to a water meter and backflow cage to allow easier maintenance access and completed painting and maintenance work on Town Hall apartment balcony railings and bollards.

Water System Operations

Public Works staff visited 11 homes to verify water meter readings related to the Upper Eagle River Sanitation District "No Read Water" list, which requires physical inspection of mechanical rooms and crawlspaces. Staff are also evaluating a cellular water meter reading system that could automatically transmit readings and reduce the need for manual inspections.

Training, Coordination & Partnerships

Staff participated in several coordination activities including a Water Treatment Plant pre-bid meeting, coordination with Colorado 811 regarding upcoming Exactix utility locate training, and outreach with Core & Main regarding automated water meter reading technology. Staff also attended the Red Cliff Town Council meeting to present a plaque recognizing Billy Martinez and the Town of Red Cliff for assisting Minturn during a prior staffing shortage.

Facilities & Equipment Maintenance

Routine maintenance was completed on loaders, snowplows, and the skid steer. Staff repaired wiring and replaced components on the 2023 Chevy snowplow and completed welding repairs to the SnowEx plow on the 2022 pickup truck after a manufacturer weld failure. Temporary repairs were coordinated with the vendor to preserve warranty eligibility until a full replacement component can be installed.

Safety

The weekly safety meeting focused on fire mitigation practices, including reducing combustible materials near structures and maintaining defensible space. All work during the reporting period was completed safely with no reported injuries or incidents.

Town Clerk also gave a recap / summary of how the April 15th meeting will work with the transition / swearing in of the new Town Council.

Brian R. noted all of the work done recently at the Public Works facility. He suggested that the Town consider hosting a First Friday or something similar out there to invite the community to see those improvements. Rob G. noted perhaps we could partner with ECSO to showcase the facility improvements on the same as the National Night Out event, which happens in early August.

9. Discussion / Direction Items

- A. Legislative Update - Request for Support for HB26-1268 and HB26-1233

Rob G:

Laura Hartman, Eagle County Senior Policy Analyst, addressed the Council to introduce and explain the bill. This bill concerns property tax proceedings for nonresidential property. It aims to amend the appeal process by requiring the consideration of changed valuation information submitted by property owners and establishes penalties, such as waiving interest on refunds, for intentional delays or false information.

HB26-1233 Property Tax Proceedings for Nonresidential Property

[HB26-1233](#) is a **CCI priority bill** that aims to protect public revenue and ensure a more equitable abatement process for all parties by introducing procedural reforms to non residential property tax law.

The bill first imposes civil penalties for providing misinformation or failing to provide information that County Assessors rely on to set initial nonresidential property valuations. The bill then directs only the highest value and most complex cases to the District Court, allowing the BAA to continue serving the average taxpayer where most appropriate. The final provision of the bill protects public revenue from high penalty interest by limiting payments to cases where the county has made an error.

Core Issues and Proposed Reforms

1. Addressing Information Inequity and Fraud

Currently, Colorado counties face a significant **information disadvantage** during mandatory income-based valuations for non-residential properties. While owners are asked to provide data, there is **no penalty for failure to comply, misreporting information, or changing data** mid-proceeding to gain a litigation advantage.

- **The Problem:** Taxpayers often introduce new or different financial information through experts only at the appeal level, making initial county valuation efforts costly and unreliable.
- **The Solution:** Align property tax statutes with sales and income tax laws by **implementing minor civil penalties for misrepresentations**. This reform would primarily impact commercial properties, leaving **residential owners unaffected**. Residential owners do not supply income information for the purposes of property valuation.

2. Rebalancing Venue Selection for Complex Appeals

Currently, taxpayers who are dissatisfied with a Board of Equalization decision can choose to appeal via binding arbitration, District Court, or the **Board of Assessment Appeals (BAA)**; however, respondent counties have no input on this venue selection.

- **The Problem:** The BAA often handles high-dollar cases (valued over \$20 million) or complex legal disputes without decision-makers who have legal training or are bound by standard codes of conduct. While legally trained County Court judges are barred from hearing cases over \$25,000, the BAA hears cases involving millions under **relaxed evidentiary rules**.
- **The Solution:** Create a statutory mechanism allowing a respondent county or the BAA to **transfer complex cases to District Court** when the public interest requires it (e.g.,

properties over a certain value or those requiring extensive discovery or those with legal disputes).

3. Removing Disincentives to Reasonable Resolution

The current law mandates a **1% per month (12% annual) penalty interest rate** on any tax refund.

- **The Problem:** This high rate—exceeding typical market earnings—creates a **perverse incentive for taxpayers to stall resolutions** to accrue more interest, which is ultimately funded by other taxpayers at large.
- **The Solution:** The right to interest should be waived if a property owner or their representative is found to intentionally delay proceedings, materially change disclosures, or provide false information. When the taxpayer changes initial income/expense disclosures, the county should not be held responsible for high penalty interest on an abatement or return. The current system undermines the financial positions of local government and school districts. Penalty interest should be paid when the Assessor makes a valuation error based on the first income/expense information disclosed by the taxpayer.

Fiscal Impact, local revenue

Improving these proceedings protects local revenue. From 2020-2024, **\$620,728.48** was paid out by local jurisdictions in Eagle County in penalty interest.

- **The Burden on Schools:** Local schools bore the largest share of this cost paying a total of **\$269,000** which represents **43%** of all interest paid in the county. Schools were further impacted by the reduced assessed value.
- **Other Impacted Entities:** Metro Districts accounted for **21%** (\$128,500) of the total interest, while Eagle County Government paid for **13%** (\$80,000).

Some entities have earned **more than 15%** penalty interest on tax refunds via lengthy, drawn out disputes. While other nonresidential tax payers, like municipalities and nonprofits, earned an average of 0.5% penalty interest on all refunds over 5 years.

Direction Given: Council was supportive of staff submitting a letter of support. Staff will submit right away prior to tomorrow's house finance committee hearing.

HB26-1268:

Staff is requesting Council's direction regarding House Bill 26-1268, legislation currently under consideration by the Colorado General Assembly that could create new opportunities for renewable energy development on previously disturbed lands.

HB 26-1268 authorizes local governments to designate certain previously disturbed properties, such as brownfields, closed landfills, and lands impacted by mining or other environmental conditions, as "Renewable Energy Reinvestment Areas." Projects located within these areas could benefit from streamlined administrative approval processes, access to infrastructure financing tools such as tax increment financing, and improved access to utility grid capacity information during project planning.

Given Minturn's history as a mining community, the Town has several areas of land that are disturbed or potentially contaminated and that could be candidates for redevelopment through renewable energy or energy storage projects. The framework proposed in HB 26-1268 could provide additional tools for the Town and regional partners to explore redevelopment of these sites in a way that supports local economic development, environmental remediation, and clean energy generation.

Direction Given: Council provided guidance to support House Bill 26-1268.

10. Special Presentations

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

No Special Presentations.

11. Business Items

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

A. Ordinance 03 - Series 2026 (First Reading), An Ordinance Adopting the State Wildfire Resiliency Code

Scot H. and Kevin R. have been attending a local cohort of Eagle County jurisdictions tracking the State's adoption of their wildfire resiliency code, and working for the past 2 years to try to develop our own code that each of our jurisdictions can adopt, that is equal to or more stringent than the State's. This would serve as our own code (not adopting the State's). The state did adopt a wildfire resiliency code in June of 2025, and they have since set up a board to enforce this and to work with jurisdictions across the state. Groups of jurisdictions are permitted to create / adopt a regional code.

This ordinance reflects the Eagle County cohort's proposed code. The County has submitted a similar County-level version to the state for review as well.

Kevin R. addressed the Council. Our submission is currently being reviewed by the State, and Kevin spoke with Carolyn at the State Wildfire Resiliency Code Board. They are recommending a few minor changes, but it sounds like we are on the right track. There is an initial April 1st deadline to have something submitted (which we have), but the true deadline is July 2026, after which they will start noticing and enforcing jurisdictions that have not adopted some form of code. The changes recommended by the State can be updated for second reading.

Lynn F. inquired whether there are any major differences between our proposed code and the State's. Scot H. confirmed that ours is meeting the base level / stringency requirements, but he could not speak to the exact differences.

Kevin R. noted that our code very closely mirrors the state. This version is being used by the other municipalities in Eagle County. It's very similar. Kevin also noted that all local jurisdictions have been represented in this cohort, as has ERFPD. Having consistency throughout our local communities will be helpful.

Earle B. inquired about the extent of the scope.

Kevin R: noted that the primary items addressed are structure hardening, ignition-resistant materials, assembly and design, landscaping, and a few other components.

Scot H: We are creating a new section within Chapter 18 vs. trying to integrate into the building and zoning code. So there will be a new section dealing with structural hardening, ignition-resistant materials, assembly and design. And then another section that deals with site design, which is effectively defensible space. Within 5 feet of a structure, you can't have any plantings or other things that could be combustible. Within the next 30 feet (defensible space), that is where we get into trimming of trees or remodels or things like that. There are landscaping guidelines for where trees can be placed and how far apart they should be. And then out to 100 feet there are additional guidelines.

There are of course guidelines / restrictions around fences and other items as well.

This is for New Construction (or major remodel) ONLY.

It was asked what happens if this new section of code conflicts with an existing section. Scot H. noted that he believed this would take precedence / trump the other.

It was brought up that our current code has minimum requirements for trees.

Mike S. noted that this could be reviewed and changed, if needed to comply with the new wildfire code.

Public Hearing Opened.

No Public Comment.

Public Hearing Closed.

Motion by Tom P., second by Gusty K., to approve Ordinance No. 03 – Series 2026, An Ordinance Amending Chapter 18 of the Minturn Municipal Code to Provide for Adoption of the Town of Minturn Wildfire Resiliency Code as Approved by the State of Colorado. Motion passed 7-0.

B. Resolution 16 - Series 2026 A Resolution Appointing Planning Commission Members

The Minturn Planning Commission is a five member/plus one alternate commission appointed for two year overlapping terms. Members are appointed by the Town Council for two-year terms that run April 1st through March 31st. Similar to Council there are no term limits, only that public review and appointment take place. Staff has advertised the commission member openings and received four applications, all of whom are qualified to serve. Council is asked to appoint three applicants to two regular member seats and one alternate seat. In order to be qualified, an applicant must be a resident of Minturn for more than 12 months, and eligible to register to vote. Applicants (in order of Receipt):

- Michael Boyd - 502.5 Eagle Street
- Andre Vite - 251 Main Street
- Melissa Decker - 821 Main Street
- Jeff Armistead - 1632 Main Street

Members not up for appointment:

- Ms. Amanda Mire - 414 Eagle Street (appointment runs through 3/31/27)
- Ms. Lynn Teach - 253 Pine Street (appointment runs through 3/31/27)

- Mr. Darell Wegert - 1718 Main Street - (appointment runs through 3/31/27)

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

Earle B. asked each candidate to briefly address the Council.

Michael Boyd, 504 Eagle River St.

31-year resident of Minturn. On Planning Commission for 3 years, has been working hard on the new code rewrite.

Questions from Council to Mr. Boyd:

Earle B. asked Mr. Boyd to address his thoughts on future growth for Minturn. Mike S. noted applicants should not address any specific projects.

Mr. Boyd noted he was in support of smart growth / growth that supports itself. He brought up concerns over parking for businesses with regard to downtown business growth.

Tom P. asked if there were any areas in which Mr. Boyd felt that the Town is going in the wrong direction. Mr. Boyd noted that he did not.

Lynn F. asked his thoughts about bringing new businesses to Minturn (pros / cons). Mr. Boyd noted that he feels that new businesses are important / beneficial to the Town, provided parking solutions can be found.

Brian R. brought up Minturn's funky buildings and style, which separate it from other communities in the valley. Asked Mr. Boyd how he sees a planning commissioner's role in continuing the natural, walkable, eclectic evolution of our town?

Mr. Boyd responded that he feels having a walkable community is very important, and he has no issues with the variety and different building styles in Minturn.

Jeff Armistead, 1632 Main St.

28-year resident of Minturn. Has served on the Planning commission for many years. Feels he has learned a lot while being a commissioner, and feels that one of the primary challenges for a commissioner is how to put funkiness and character into the code, as we go through this code rewrite. He initially got on the PC because he wanted to help with interpreting and updating the code. In years past, it was very vague and created difficulty for both homeowners and developers. He is seeking another term to try to finish what he started. The PC has put in a lot of work to get Chapter 16 to where it is, and the work continues.

He feels it's important to allow homeowners to do what they want without being too heavy handed, but still having clear code guidelines. Essentially, have a clear code that is tight and can be enforced, but still allows for creativity and funkiness.

Earle B. asked Mr. Armistead what he feels are pros and cons of growth.

Mr. Armistead responded that parking is a challenge. The water moratorium has been a big challenge. It has stymied growth. Feels when this is lifted, the floodgates will open. We need to be prepared for that.

He noted that growth is important to run a town, the income is needed for staff, to maintain infrastructure, public works, etc. More businesses are important. There is a smart way to do it, to maintain character but support growth in a way that brings in needed revenue.

Tom P. brought up that growth is already happening to a large extent. He asked Mr. Armistead what he sees as the biggest challenge (from a P&Z standpoint) with regard to the growth that is already happening and the upcoming planned developments following the water moratorium being lifted.

Mr. Armistead noted the importance of asking the right questions in hearings. Not trying to push an agenda, but seeing the bigger picture and helping create an outcome that is positive for Minturn, given the limitations in front of us. It is tough because the code allows uses by right and it's not the planning commission's right to tell someone what they can or can't do as long as it follows the code.

Lynn F. inquired about Mr. Armistead's own project, and how he would handle that conflict of interest. Mr. Armistead noted that the project is pretty far down the line still, and he does not see it as a conflict.

Melissa Decker, 821 Main St. Ms. Decker served on the commission from 2010-2013. She's lived in Minturn 22 years. Her kids are older now, and she has more time on her hands.

Ms. Decker noted that there is room for smart growth. She would like Minturn to remain a place where it's a majority of full-time residents. She does feel we are at a tipping point with that.

Tom P. inquired if she had any ideas on affordable housing that are realistic, in which PC can influence?

Mr. Decker noted that building affordable housing is very difficult, given the cost to build now. The other challenge now is what areas are left that are able to be developed. Funding is limited. She would like to see more young families in Minturn, and see them stay. There is some state funding, but it's not easy.

Lynn F. asked what specifically Ms. Decker feels she could contribute to the planning commission. Ms. Decker noted that she can contribute her legal background as it relates to code updates / rewrite, and also asking relevant questions of developers, understanding conditions, etc. She used to be an environmental lawyer, so she does have a strong background / understanding of land use and environmental regulations.

Brian R. again noted how we are so different from other communities due to our funky blend of building styles, uses, no master plan, and non-strict design guidelines. What does she see as the planning commission's role in continuing that?

Ms. Decker responded that the commission does have opportunities to make suggestions, but they also cannot necessarily encourage specific uniqueness or flair. Funky is hard to encourage, but the commission can continue to create guidelines that allow for creativity.

Council took a vote, and the following members were selected for appointment:

Jeff Armistead – Regular seat
 Melissa Decker – Regular seat
 Michael Boyd - Alternate

Motion by Tom P, second by Kate S, to approve Resolution No. 16 - Series 2026 appointing Jeff Armistead, and Melissa Decker to serve on the Minturn Planning Commission in regular member seats and Michael Boyd to serve on the Minturn Planning Commission in the alternate seat through March 31, 2028. Motion approved 7-0.

C. Resolution No. 17 – Series 2026, A Resolution Approving the Award of a Contract Between the Town of Minturn and Schofield Excavation, Inc. for the Taylor Ave. Roadway Reconstruction Project

The Town recently solicited bids for the **Taylor Avenue Roadway Reconstruction Project**. Bids were publicly opened on **March 9, 2026**, and three bids were received, as follows:

Contractor	Bid Amount
Phoenix Industries Ltd.	\$792,461.31
Schofield Excavation Inc.	\$453,638.80
360 Civil, Inc.	\$523,661.50

The Town’s consulting engineer, Inter-Mountain Engineering, reviewed the bids submitted for compliance with the bid documents and confirmed that the required bid forms, bid bonds, and other required materials were included. The Town engineer also reviewed the bid tabulations and verified the bid calculations and totals. Schofield Excavation Inc. submitted the lowest responsive and responsible bid in the amount of \$453,638.80. Town staff and the Town’s engineer have reviewed the bids and recommend award of the contract to **Schofield Excavation Inc.**

Tom P. inquired, since this cost came in lower than expected, whether perhaps the Town could revisit repaving the rest of the sidewalk by the S-curve, from the railroad up. Council agreed this should be explored. Town staff and the Town engineer will consult and report back to Council with options and estimated costs.

Motion by Gusty K, second by Lynn F, to Approve Resolution No. 17 – Series 2026, A Resolution Approving the Award of a Contract Between the Town of Minturn and Schofield Excavation, Inc. for the Taylor Ave. Roadway Reconstruction Project. Motion passed 7-0.

D. Additional Information / Update – Water Treatment Plant Financing Proposals

Alpine Bank’s proposal includes a condition that the Town maintain **\$2,000,000 in deposits with the bank** as part of the financing relationship.

At this time, Alpine has not committed to a specific interest rate that would apply to these deposits. During discussions with staff, Alpine indicated an estimated deposit yield of

approximately **3.45%**, compared to the Town’s current investment yield of approximately **3.78% through ColoTrust**.

Based on these indicative rates, maintaining a \$2 million balance at Alpine rather than in ColoTrust could result in a difference of approximately:

Estimated annual opportunity cost

$$\$2,000,000 \times (3.78\% - 3.45\%) \approx \mathbf{\$6,600 \text{ per year}}$$

Over a 10-year period, this could represent approximately **\$66,000 in foregone investment earnings**, though actual impacts would depend on future interest rates and the specific deposit terms offered.

Comparison to Interest Rate Differences

The Alpine Bank proposal includes a lower loan interest rate than the Columbia Bank and Western Alliance proposals. Based on the financing proposals received:

Bank	Interest Rate
Alpine Bank	~4.50%
Columbia Bank	~4.83%
Western Alliance Bank	~5.00%

Alpine vs. Columbia Bank

The interest rate difference between Alpine and Columbia is approximately: **0.33%**

Applied to a loan amount of approximately **\$10 million**, this represents an estimated difference in borrowing costs of approximately: $\$10,000,000 \times 0.33\% \approx \mathbf{\$33,000 \text{ per year in the early years of the loan}}$

When the estimated **\$6,600 annual reduction in investment earnings** associated with Alpine’s \$2 million deposit requirement is considered, the net estimated financial advantage of Alpine relative to Columbia may be reduced to approximately: $\approx \mathbf{\$26,000 \text{ per year}}$

These figures are approximate and would vary over time as the loan principal declines and as investment yields change.

Alpine vs. Western Alliance Bank

The interest rate difference between Alpine and Western Alliance is approximately: **0.50%**

Applied to a loan amount of approximately **\$10 million**, this represents an estimated difference in borrowing costs of approximately: $\$10,000,000 \times 0.50\% \approx \mathbf{\$50,000 \text{ per year in the early years of the loan}}$

After accounting for the estimated **\$6,600 annual reduction in investment earnings** associated with Alpine’s deposit requirement, the net estimated financial advantage of Alpine relative to Western Alliance may be approximately: $\approx \mathbf{\$43,000 \text{ per year}}$

Again, these estimates are approximate and depend on final loan terms, investment yields, and the duration of the deposit requirement.

Duration of Deposit Requirement

At this time it is also **unclear how long the Town would be required to maintain the \$2 million deposit balance** with Alpine Bank.

Questions that would require clarification include:

- Whether the deposit requirement would remain **for the full life of the loan**
- Whether the balance requirement would apply **during construction only**
- Whether the Town would have **flexibility to reduce the balance over time**

The duration of the requirement could materially affect the financial impact of this condition.

Impact on Water Enterprise Liquidity

Another consideration is the **source of the \$2 million deposit**.

If the funds are drawn from the **Water Enterprise Fund**, this would represent \$2 million in cash that could otherwise be used for the Water Treatment Plant project or for other water system capital needs.

Maintaining those funds as a required deposit could therefore reduce financial flexibility for the project.

Potential Legal and Accounting Considerations

If the \$2 million deposit were instead provided from **non-enterprise Town funds**, there may be potential legal or accounting considerations related to the use of those funds.

Questions that may warrant review by the Town Attorney include:

- Whether using **General Fund or other non-enterprise funds** to support an enterprise borrowing arrangement raises any legal or accounting concerns
- Whether such a structure could create **cross-subsidization between funds**
- Whether this arrangement would be consistent with **enterprise fund accounting principles and the Town's financial policies**

Staff has not made any legal determination on this issue but believes it would require further evaluation if the Alpine proposal were selected.

Maintaining a compensating balance may also reduce the Town's financial flexibility because those funds could not be used for project costs, capital reserves, or other municipal priorities during the period the requirement is in place.

Summary

Each proposal presents different financial and operational considerations for the Town. The Alpine Bank proposal includes a potentially competitive interest rate but introduces several considerations that are not present in the other proposals:

1. A requirement to maintain **\$2 million in deposits with the bank**
2. An **uncertain deposit interest rate**
3. An **unclear duration** for the deposit requirement
4. Potential **liquidity impacts on the Water Enterprise Fund**

5. Possible **legal or accounting considerations** if non-enterprise funds were used

Municipal Advisor Troy Bernberg addressed the Council to take questions.

Ongoing discussion took place amongst Council regarding the three finalist bids:

- The lowest rate was offered by Alpine Bank, but they were requiring that the Town maintain \$2M in deposits as part of the financing relationship. There were several concerns expressed over this requirement, such as lack of liquidity and return (as the Town gets a very good return with ColoTrust and that money is liquid).
 - It was noted that the Town was told by Alpine that if they removed that requirement, the rate would be higher
 - It was noted that the deposit was expressed as a pure deposit (not related to supporting the financing – so it would not be cross-collateralized with the debt)
- Alpine Bank has a prepayment option available earlier than the other offers, however it was also noted that there is a lot of uncertainty around the sale of the Highlands Parcels and when and how much income that might generate.
- Columbia Bank has the second lowest rate and had favorable terms with a lot of certainty.
- The timing of the construction draws was discussed.
- Rob G. brought up that the Enterprise Fund cannot be mixed with non-Enterprise reserve funds.
- When comparing the rate difference to the requirements / restrictions, the actual cost difference is not that significant.

Direction Given:

- Council expressed that IF Alpine Bank would waive the \$2M deposit requirement, they would be the best option. If not, Columbia Bank is the best option.
- Mr. Bernberg, along with Town Manager Rob G. and Councilmember Gusty K. will follow up to get clarification and meet to finalize next steps.
- It will be important to move forward as soon as possible to lock in the rate.
- The second reading of Ordinance O2 will need to take place at the April 15th meeting.

12. Future Agenda Items

A. Future Meeting Topics

Gusty K. suggested we evaluate our tap fees for empty lots... 7:50pm

13. Adjourn

Motion by Kate S., second by Tom P., to adjourn the meeting at 7:51pm.

Information Only Items

Council was reminded about the upcoming RTAP Community Workshop 3/24 & 3/25. Tuesday 3/24 is from 2-6pm, and Wednesday 3/25 is from 11am-3pm, and then 4-7pm. Community members are invited and encouraged to attend full sessions where possible. RSVPs are also requested so that the Town can plan accordingly.



Earle Bidez, Mayor



ATTEST:



Jay Brunvand, Town Clerk