



Official Minutes

Town Council Regular Meeting | 5:30 PM

Wednesday, April 15, 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/81160108248>

Zoom Call-In Information: 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 811 6010 8248

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, Lynn Feiger, and Kate Schifani. Tom Priest attended via Zoom.

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

A. Swearing in of New Council Members:

A. Town Clerk Jay Brunvand swore in new Mayor Eric Gotthelf.

B. Mayor Eric Gotthelf swore in new Council Members, including Spence Neubauer (new Council member), and incumbent Council members who were reelected Kate

Schifani and Lynn Feiger. Council members whose seats were not up this election cycle included Gusty Kanakis and Tom Priest.

Former Mayor Earle Bidez and former Council member Brian Rodine left the meeting.

C. New Roll Call

New Council members present: Mayor Eric Gotthelf, Gusty Kanakis, Kate Schifani, Lynn Feiger, and Spence Neubauer.

D. Confirm Mayor Pro Tem

Mayor Eric G. recommended Gusty Kanakis to serve as Mayor Pro Tem.

Motion by Lynn F., second by Kate S., to appoint Gusty K. as Mayor Pro Tem.

Motion passed 6-0.

D. Direction to Staff to solicit Council Member Applicants.

As the Council is currently short one member, Council provided direction to staff to solicit (advertise) for the Council vacancy. This will begin immediately.

It was noted that some council members are not available on May 6th, so council applicants will be considered at the May 20th meeting.

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. 04-01-2026 Minutes

B. Liquor License: 145 N Main LLC, dba The Eagle River Inn, Renewal of a Lodging Facility License, Joseph DeLude, Owner/Manager

C. Liquor License: Thai Kitchen LLC, Renewal of a Hotel & Restaurant License, Wipanun Somdee, Owner/Manager

Motion by Kate S., second by Lynn F., to approve the April 15, 2026 Consent Agenda as presented. Motion passed 6-0.

4. Approval of Regular Agenda

Opportunity for amendment or deletions to the agenda.

Motion by Gusty K., second by Kate S., to approve the April 15, 2026 Regular Agenda as amended. Motion passed 6-0.

5. Declaration of Conflicts of Interest

6. Public Comment

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

7. Council and Committee Reports

Kate S. – Thanked Earle and Brian for all of their work on Council. Other Council members echoed that. Lynn F. noted that it's obvious how much they both care about Minturn and have it's best interest at heart.

Lynn F. – Noted that her commitment to the fire district board has been much more time consuming than she expected. She feels she needs to resign her board membership on the MFC.

Jay B. noted that Council will review Committee assignments during the May 20th meeting, and this can be addressed then.

Jay B. also noted that Gusty was just appointed as MFC Board Director at the last meeting.

Spence N. noted that he attended the last CORE Transit meeting, and that he will be stepping up into that board role. He also noted that the Minturn summer routes have increased from next summer. The more ridership / demand, the more they will continue to increase service.

Gusty K. noted that annual membership, personal training, and overall revenue is up at the Minturn Fitness Center. MFC is on a May – April fiscal cycle, so they just approved the 2026-2027 budget.

8. Staff Reports

A. Manager's Report

Council Meeting Follow Up

Speeding Concerns on Pine/Boulder

- Staff are evaluating several options to reduce vehicle speeds on Pine Street and Boulder Street, including both short-term and longer-term measures.
- Staff completed an initial speed study on the **500 block of Pine Street** from **April 2 through April 8**. That study recorded **175 total vehicles**, an average daily traffic volume of approximately 25 to 28 vehicles, an **average speed of 14.76 mph**, and an **85th percentile speed of 18 mph**. The **highest recorded speed of 30 mph** occurred during the study period.
- Staff have moved the speed tracker to the **400 block of Pine Street** for the **next seven days** to gather additional speed data.
- Staff will continue evaluating conditions and potential traffic-calming measures and will follow up with Town Council with **recommendations**.

Capital Projects

New Water Treatment Plant (WTP)

- **Design/Review:** Design remains approximately **90% complete** and has been accepted by **CDPHE** for formal review. Local building and zoning review submittals have also been made.
- **Cost Estimate:** Updated 90% estimates from HDR/Glacier are approximately **\$12.43 million with SRF financing** and **\$11.63 million with non-SRF/private financing**.
- **Bids Received:** The construction bid process closed on **April 3**. The Town received three bids: **JHL Constructors – \$12,547,730; Native Sun – \$12,868,335; RN Civil – \$13,673,335**.
- **Recommendation:** HDR reviewed the bids and recommends award to **JHL Constructors, LLC** as the lowest responsive bidder with the strongest relevant qualifications.

- **Next Steps:** Staff are bringing forward a resolution on **April 15** to award the construction contract, subject to final legal review, financing-related conditions, and completion of contract/bonding documents.
- **Financing:** The Town has moved forward with **Alpine Bank** as the financing partner. The structure includes a **24-month construction draw period**, an initial **5.0% fixed rate**, and repayment secured by **net water enterprise revenues**. Second reading of the financing ordinance is scheduled for **April 15**. Based on current assumptions, average annual debt service is estimated at approximately **\$797,820 beginning in 2028**.

Minturn Bike Park 2026 Improvements

- **Planned Work:** Staff are planning improvements in **May 2026** to the bike jump features and dual slalom course.
- **Coordination:** Work will be completed by **VVMTA** with Town support.
- **Purpose:** Improvements are intended to improve **safety, ride quality, and long-term usability** for a range of skill levels.

Town Hall 2-Bedroom Apartment Reconstruction

- **Status:** **Coleman Custom Homes** has been selected for the project.
- **Next Steps:** A draft contract has been negotiated and is pending review and approval by the **Town Attorney**.

Taylor Avenue Repaving Project

- **Status:** Design and bidding are complete, and initial test digging has occurred.
- **Award:** Town Council approved **Schofield Excavating** on **March 18** based on the lowest bid of **\$453,638.80**.
- **Next Step:** The project is anticipated to begin in approximately **8 weeks**.

US 24 Pedestrian Improvement Project Phase II

- **Status:** Negotiations with **CDOT, Xcel Energy, and Phoenix Industries** have been completed.
- **Council Action:** Council approved a change order in the amount of **\$99,991.88** on **February 18**.
- **Next Steps:** **Xcel gas line relocation work** is anticipated to begin **May 9th**.

Main Street Streetlighting Project

- **Status:** Staff continue to pursue **Holophane** as the preferred streetlight manufacturer, and preliminary fixture and pole concepts have been informally reviewed by **CDOT**.
- **Coordination:** Staff are continuing to coordinate with **Xcel Energy** on electrical service and related utility planning.
- **Timing:** The anticipated construction timeline for portions of this project is being pushed back as staff evaluate incorporating some of these improvements into the proposed **First-Williams-Nelson Infrastructure Improvements Project**.

Bellm Bridge Replacement

- **Status:** The Town has secured **\$4,000,000** through CDOT's **Off-System Bridge Grant Program**. Contracts with **SEH** and **Kumar & Associates** have been finalized, and bridge design is underway. Staff also submitted the project to **Congressman Neguse's office** for consideration for **Congressionally Directed Spending**.
- **Next Steps:** Staff will continue advancing design, coordinating grant programming and contracting with CDOT, and pursuing the remaining funding needed for the project.

Little Beach Park Improvements

- **Completed Work:** The new retaining wall and asphalt access road are complete.
- **Design:** Staff have been working with **Rocky Mountain Recreation** on an initial playground design for public and Council review in the coming weeks.
- **Site Preparation:** Staff are coordinating with **Public Works** and the **Town Engineer** to relocate a water line and complete additional excavation needed to prepare the site for the new playground.

Minturn Community Garden Improvements

- **Grant:** Application submitted for a **\$15,000 AARP Community Challenge Grant**.
- **Improvements:** Accessibility, seating, shade, electrical service, and upgraded garden work areas.

First–Williams–Nelson Infrastructure Improvements Project

- **Status:** Staff discussed this project with Town Council at the **April 1** meeting and are continuing to evaluate potential scope and feasibility.
- **Primary Driver:** The project is being explored because there is a **non-compliant water service line** beneath **First Street** that currently serves multiple properties and will require extensive excavation to replace.
- **Potential Improvements:** In addition to water line replacement, staff are evaluating related improvements including **street repairs and repaving**, creation of a **public plaza/flex space on First Street**, new **power infrastructure to support events**, and installation of **conduit for future telecommunications and fiber infrastructure**.
- **Coordination:** Staff are also in discussion with **Xcel Energy** regarding the potential to **underground electric lines** in this area.
- **Timing:** At this time, staff expect this would be a **summer 2027 project at the earliest**.

Other Projects

Highlands Parcels

- **Background:** The Town acquired approximately **55 acres** west of **U.S. Highway 24** through a settlement with the former Battle Mountain developer.
- **Status:** The parcels are now **listed on the MLS** as part of the Town's strategy to help offset water treatment plant costs.

The Town did submit an application for the Forest Legacy program. Although we may not be the best project fit for this particular program, but it would pay for 75% of the cost of a conservation appraisal. So the Town is moving forward with the application to at least explore this option.

Minturn USFS Shooting Range – See video / transcript – 5:40 – 5:50

- **Background:** At the **November 19, 2025**, Town Council meeting, Council directed staff to explore options for **Town management of the Minturn Shooting Range** to address long-standing concerns related to **safety, noise, and environmental impacts**. The shooting range is located on **federal land south of the Minturn Bike Park**.
- **Status:** Staff have continued coordinating with the **U.S. Forest Service (USFS)** regarding the process for Town management and operation of the range. The Town has submitted a **Colorado Parks and Wildlife grant application for Phase 1 improvements** focused on access, safety, site organization, and basic range management infrastructure.
- **Next Steps:** Staff are working with the **USFS** to develop a **Special Use Permit application** that would allow the Town to formally operate and manage the range. Additional federal review and permitting will likely be required before certain physical improvements can move forward.

Policy & Planning Initiatives

Minturn Forward Land Use Code Update

No update for this report.

Minturn Impact Fee Study

- **Background:** Staff issued an **RFP in November 2025** for a comprehensive impact fee study.
- **Status:** The contract with **BBC Research & Consulting** has been approved, the study is underway, and completion is anticipated by **July 2026**.
- **Next Steps:** **BBC Research & Consulting** is scheduled to present to **Town Council on May 6**.

Rural Technical Assistance Program

- **Background:** Minturn was selected to participate in **OEDIT's RTAP program** focused on strategies to leverage outdoor recreation to support the local economy.
- **Status:** The Town held a two-day community workshop on **March 24 and 25** with more than **45 participants**. Staff are now working with the student team to compile and analyze the input received.

Housing Affordability and Neighborhood Stability

- **Status:** Staff met with **Avon and Eagle County** on **February 18** regarding the Regional Housing Authority formation study and provided a follow-up memo to Town Council on **March 4**.
- **Current Work:** Staff are developing a **Minturn-specific framework** for potential participation in a future regional housing authority and anticipate a presentation to the **Planning Commission in May**.
- **Next Steps:** A **Council work session** on this topic is anticipated in **June**.

Temporary & Mobile Business Pilot Program

- **Status:** Town Council approved the **Temporary & Mobile Business Pilot Program** on **February 4**, authorizing mobile and modular business licensing on Town-owned

property through **October 31, 2026**. Staff have now received **two applications** under the pilot.

- **Applications Received: Little Blue Bakery of Minturn** is proposing to locate at the **Union Pacific lease lot next to the red storage shed**, and **Nomadic Roots Sauna** is proposing to locate at **Little Beach Park**.
- **Public Notice:** Public notice signs have been printed and will be posted for both applications.
- **Next Steps:** Staff will allow at least **7 days for public comment** before issuing any **conditional licenses** under the pilot program.

Downtown Redevelopment Code Evaluation – First/Williams/Nelson Area

- **Status:** Staff are identifying a follow-on planning effort related to the **First–Williams–Nelson Infrastructure Improvements Project**.
- **Purpose:** The goal will be to evaluate whether current development regulations are creating barriers to redevelopment in the west side of the **100 block** as the Town considers major infrastructure investment in the area.
- **Potential Focus:** Building height, parking requirements, and other standards affecting redevelopment on small, constrained lots.
- **Next Steps:** After the current land use code update is complete, staff will develop a process for review with the **DDA, Planning Commission, and Town Council**, and evaluate whether outside consultant support would be beneficial.

Lynn F. did note that although she is pleased that the Town did submit the CPW shooting range grant application, she wants to be careful not to encourage greater use (for example, if we put in a new road and parking, she's concerned that could greatly increase usage).

Fire alert systems and cameras were also discussed as ways to improve safety.

Rob G. also brought up the option to possibly put in license plate readers so that we at least have a record of who has come and gone from the shooting range.

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.

- A.** Brief Update from Vail Valley Foundation (Peggy Wolfe) regarding the GoPro Mountain Games happening June 4 - 7, 2026.

Disc golf will again be happening at Maloit Park this year.
Dual slalom will again be happening at the Minturn Bike Park.

This year is the 24th year of the games, looking forward to the 25th anniversary next year.

Speed climbing is being brought back again this year (this was the biggest spectator event last year). And there is a new kids running event this year (ages 6 – 11). This brings the total to 37 competitions over the weekend.

Water update – As a result of the drought that we're in, there are 9 contingency plans in place but likely some of the whitewater events will be canceled or relocated.

10. Business Items

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

- A. Ordinance No. 02 - Series 2026, Second Reading, 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

The Town has completed a thorough and deliberate evaluation process in selecting a finance partner for its important water treatment project. Since the Council last discussed the matter in March, the comparative analysis remained exceptionally close through final selection. Once final Q&A and due diligence were completed with the two finalists, it was a 50/50 decision as of March 19th. Alpine Bank was selected on March 20th to lock the interest rate through closing (April 28th). And the timing could not have been more ideal as interest rates, as indicated by the 10-year Treasury yield, closed the day up substantively and currently remain elevated.

Following the selection of Alpine, Tom Peltz of Kutak Rock, the Town's bond attorney, revised the ordinance to reflect the terms and provisions of the bank's proposal. Notable inclusions are the initial fixed interest rate and the draw feature for construction proceeds. The remaining document changes were primarily from bank counsel, and finalization/clean-up.

The ordinance represents the authorizing and governing document for the 2026 loan. The preamble is informative outlining the authority and reason for the loan. This is followed by 29 sections detailing the loan issuance, highlights of which include:

- Defined terms.
- Loan provisions – interest rate, payment dates, final maturity, etc.
- Security – pledge of net revenue with a rate covenant of 110%. Just like with the water tank project the Town must demonstrate annual net revenues of the Water Enterprise exceed debt service obligations by 110% or 1.10x.
- The construction draw feature.
- Prepayment.
- The bank's security in the loan, and the Town's repayment obligation under the loan, is evidenced by a Note, which is being approved along with the ordinance upon second reading and passage.

As previously discussed, the long-term loan amount is determined at the end of construction. And at the Council's direction and request, there is the ability to pay down the loan before it's amortized for repayment. Consequently, the final loan amount to be amortized, along with an accompanying repayment (or debt service) schedule, will be provided to the Town at the end of the construction period, 24 months from the anticipated April 28th, 2026, loan closing. And with no draft construction draw schedule available as of April 9th, the current debt service schedule assumes all project/construction proceeds are drawn at closing. While these numbers don't represent the construction draw feature in place, they do indicate that *if all* project proceeds are indeed drawn *with no loan paydown* and amortized for repayment, the average annual debt service will be \$797,820, beginning in 2028.

Public Comment Opened.

No Public Comment. Public Comment Closed.

Motion by Spence N., second by Gusty K., to approve 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. Motion passed 6-0.

B. Ordinance No. 04 - Series 2026, First Reading, An Ordinance setting Debt Service fees in the Enterprise Fund as adjusted for the Water Plant Construction Loan for the Town of Minturn

Council is asked to discuss and consider Ordinance 04 – Series 2026 adjusting the fee charged for Debt Service in the Enterprise fund. This fee increase will be effective 6/1/26.

The town sets our fee schedule as part of the annual budget process. As a result of the Enterprise Fund debt increasing to allow for the Water Plant Construction Loan the Debt Service will be increasing dramatically.

This revised fee ONLY affects the Debt Service Fee charged per Single Family Equivalent (SFE). The Debt Service fee is calculated by taking the annual debt payments, dividing that by the current SFE count, and dividing that by 12mo. Using this formula our fee will increase \$45 in addition to the currently existing debt fee for a total monthly fee of \$62.37/sfe. This is lower than the proposed approximate \$80 increase as we will only have one interest payment on the new loan this year and we will not have drawn the full loan amount.

Annually, this fee will be adjusted each budget season to consider variables such as when new projects sell or some other unknown occurrence. Once the plant construction project is completed and we know the final value of the loan, we will be at the \$80 debt service fee increase that has been discussed in addition to other existing debt. Again, this full effect will not be realized until we draw down the full loan over the next two years. Further, as part of the loan agreement we are paying off and retiring one of two current loans the town has. This means the only debt the town will have outstanding will be for the new tank and the water treatment plant.

The concern of those involved with the issuance of the debt stems from the need to recognize upfront that the fees will need to be set in order to cover the 120% value of the existing debt. This Resolution is in line with that need and is in line with the estimated loan needs for the water plant construction.

In addition to this rate change, some properties throughout town are under a construction shut off. Our code states these will incur the base rate and debt rate. When we were under the administration of ERWSD, this was the case and the town would receive only \$50 of that fee. During FY2025, we continued with this \$50 cost. The intent was to get everyone switched and accustomed to the new system before making other changes such as this. I recommend that we now increase this cost to the base rate for water service and the base rate for debt service as provided in the Code effective with the 6/1/26 debt service increase.

Council also gave direction for staff to explore options for seniors and income challenged residents, for possible financial assistance programs.

Public Comment:

No Public Comment. Public Comment Closed.

Motion by Gusty K., second by Spence N., to approve Ordinance No. 04 – Series 2026, An Ordinance setting Debt Service fees in the Enterprise Fund as adjusted for the Water Plant Construction Loan for the Town of Minturn. Motion approved 6-0.

C. Resolution No. 20-2026, A Resolution of the Town Council of the Town of Minturn, Colorado, Approving the Award of a Construction Contract to JHL Constructors, LLC,

for the Minturn Water Treatment Plant Project, and Authorizing the Town Manager and Town Attorney to Negotiate and Execute the Agreement and Related Contract Documents

The Town has been advancing the Minturn Water Treatment Plant project to replace and modernize the Town's existing treatment facility. The project was publicly advertised for bids on February 19, 2026. The bid documents required a mandatory pre-bid conference on March 3, 2026, and established April 3, 2026, at 3:00 p.m. as the deadline for bid submittals. The Notice of Award was identified in the bid schedule as contingent upon bond closing, with a proposed Notice to Proceed date of May 1, 2026.

The bid documents also made clear that the Town is not required to award the contract solely on the basis of lowest price. Under the Instructions to Bidders, the Town may award the contract to the bidder determined to be in the Town's best interest and may consider whether the bid complies with the bidding requirements, as well as the bidder's qualifications, experience, and resources. The bid documents further state that failure to submit required qualification information may disqualify a bidder.

Status

The Town received three bids for construction of the Minturn Water Treatment Plant:

- **JHL Constructors, LLC – \$12,547,730.00**
- **Native Sun Construction – \$12,868,335.00**
- **RN Civil Construction, LLC – \$13,673,335.00**

Based on the bids received, JHL submitted the lowest total bid. Native Sun's bid was \$320,605 higher than JHL's bid, and RN Civil's bid was \$1,125,605 higher than JHL's bid.

Staff requested HDR Engineering, Inc. to review the bid packages and bidder qualifications. Based on HDR's review, including outreach to bidder references, HDR has recommended award to **JHL Constructors, LLC**. As summarized by HDR, JHL was viewed as having the most relevant qualifications in addition to submitting the lowest bid, and HDR concluded that these factors support JHL as the highest-value contractor for the project.

Rob G:

The one thing that we do intend to confirm before finalizing a contract is the JHL personnel availability. Since some of proposed key staff are unsigned in parts of other active work.

Lynn F. inquired as to whether there was any affiliation between HDR and JHL. Rob G. noted that he was not aware of any, but that he would confirm.

Rob G:

Another piece of this is the construction administration contract. Staff will be bringing that back to council for review and approval.

Mike S. noted that we were surprised by HDR's estimate for contract administration and construction management. He compared it to a recent project in Silt (which was a larger scale project). Staff are negotiating to try to get the cost down.

There is a little bit of HDR specific special work that they're proposing to do, which we think is worthwhile, and it's around creating the operating system for the for the water plant so that it runs the way we want it to. That does add a little bit of cost. But we are still looking at ways to try to get the cost down.

Motion by Kate S., second by Gusty K., to approve Resolution No. 20 – Series 2026, A Resolution of the Town Council of the Town of Minturn, Colorado, Approving the Award of a Construction Contract to JHL Constructors, LLC, for the Minturn Water Treatment Plant Project, and Authorizing the Town Manager and Town Attorney to Negotiate and Execute the Agreement and Related Contract Documents. Motion Passed 6-0.

Lynn F. noted – With contingency that they are independent of HDR.

- D.** Ordinance 03 - Series 2026 (Second Reading), 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

Town staff (Kevin Rindy and Scot Hunn) presented, on first reading, Ordinance No. 3, Series 2026 - the Town of Minturn Wildfire Resiliency Code – to Council at their regular meeting of March 18, 2026.

Ordinance No. 3 proposes changes to the Town of Minturn Building Resolution (Chapter 18) by introducing new building requirements along with site development standards (defensible space) that will only apply to new construction and/or major exterior additions or remodels.

These changes are modeled after code language developed by the Eagle County Code Cohort over the past two years. The cohort includes multiple jurisdictions working collaboratively to develop a regional approach to the State of Colorado's Wildfire Resiliency Code (CWRC) requirements which took effect in 2025.

The Town of Minturn Wildfire Resiliency Code mirrors code changes that Eagle County, Red Cliff, and other jurisdictions in Eagle County plan to adopt in a coordinated manner. Each individual jurisdiction is required to submit their proposed code changes to the CWRC Board for review, recommendation/revision, and approval. So far, Eagle County and the Town of Vail have received approval from the State.

Between first and 2nd reading, staff worked with representatives from the State to receive feedback on the Town's proposed code language. CWRC Board representatives requested the following changes to the Town's ordinance:

1. Scope - Exempt structures: Accessory structures and agricultural structures exempted from the code shall be no closer than 50 feet from habitable or occupiable structures (increased from 30 feet).
2. Ignition-resistant Materials: Flame Spread Index for all components shall be listed at no more than 25 (reduced from 50 or less).
3. Gutters and Downspouts: Include provisions for noncombustible gutters and downspouts (CWRC Section 403.3)
4. Ventilation Openings: Vent openings shall not exceed $\frac{1}{8}$ inch.
5. Vehicle Access Door Perimeter Gap: Provisions for vehicle access door perimeter gaps shall be added (CWRC Section 404.9)
6. Retaining Walls: Retaining walls shall be of noncombustible or ignition-resistant materials (CWRC Section 502.3)
7. Fencing: Fencing requirements (CWRC Section 502.4) shall be included.

After completing the recommended revisions, staff re-submitted the Town's ordinance to the CWRC Board for further consideration. On April 8, 2026, the CWRC Board voted unanimously to approve the Town of Minturn Wildfire Resiliency Code with no further conditions or recommended revisions.

Staff recommend approval on second reading of Ordinance No. 3, Series 2026.

Public Comment:

Burke Harrington, 532 Taylor Ave, had some questions for staff:

- Timing – when do this go into effect?
- What about permits that are already in process? He is also about to submit a new one.

Kevin R:

- This was supposed to go into effect last year, but was postponed due to state legislative updates.
- This will go into effect immediately following passage and publication of the ordinance.

Scot H:

- This would be applicable to any new building permit applications not submitted yet, but would not apply to any permits in process.
- If in design review, but not yet in the building permit process, it would apply.

Public Comment Closed.

Motion by Gusty K., second by Lynn F., 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 6-0.

11. Discussion / Direction Items

A. Discussion of Drought Conditions

Jay:

Council is asked to discuss and give direction on advanced preparation of anticipated drought conditions.

The town has had presentations from Eagle River Water & Sanitation District, seen other municipalities and organizations take proactive steps, and is concerned with the Town of Minturn's water supply and how a drought as anticipated this summer will affect our town water supply.

The Town's current code was reviewed and discussed.

Kate S. and Tom P. stated that they feel our current code is too liberal with regard to our current extreme water shortage conditions.

Council recommended mirroring the ERWSD guidelines / restrictions. Town Manager Rob G. can implement emergency measures, effective immediately. Town Council can approve this on the record by resolution at the May 6th meeting. Staff was directed to move forward with an emergency resolution, and to begin communicating to residents right away about the water restrictions. Staff will post this information on the website and distribute materials with the upcoming spring door hanger notices. Messaging will also be shared via eblast and the VMS board.

Public Comment:

Lynn Teach, 253 Pine St.

Most homes don't have irrigation, so hand watering also needs to be addressed.

Ms. Teach suggested not to use oscillator heads – the water goes up and out, and there is a lot of waste and evaporation. Hand waterers should try to water low and close to the ground.

Hoses can also utilize water timers. Hand watering is best...

Public Comment Closed.

Council also discussed that if conditions worsen as we move into summer, we could consider additional restrictions later. For now, we will follow guidance from ERWSD.

B. Legislative Update

Rob G:

Referenced the state budget shortfall. They are shifting funding around to the highest priorities, so there will be cuts to some programs.

12. Future Agenda Items

A. Future Meeting Topics

May 6th – Kate may be able to attend virtually. Lynn F. will not be able to attend. Spence N. also has a conflict.

It was recommended to push the council recruitment timeline out further, to allow more time for applications. And then to schedule the appointment for 5/20 (vs. 5/6).

13. Adjourn

Motion by Kate S., second by Spence N., to adjourn the meeting at 7:43pm.



Eric Gotthelf, Mayor

ATTEST:



Jay Brunvand, Town Clerk

