Official Minutes

Town Council Regular Meeting | 5:30 PM

Wednesday, May 6, 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/88409565746

Zoom Call-In Information: 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 884 0956 5746

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 Eric Gotthelf called the meeting to order at 5:35pm.

2. **Roll Call and Pledge of Allegiance**

   Council present: Mayor Eric Gotthelf, and Town Council Members Gusty Kanakis, Tom Priest, and Kate Schifani (Zoom). Excused Absent: Spence Neubauer and Lynn Feiger.

   Staff Members Present: Town Manager Rob Gutierrez, Town Clerk Jay Brunvand, Town Attorney Mike Sawyer (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. 04-15-2026 Minutes

B. Resolution No. 22 - Series 2026 - A Resolution Reappoining Municipal Judges

C. Resolution No. 24 - Series 2026 - Wildfire Preparedness Month, Eagle County Joint Resolution

D. 0126 Miles End Lane - New Single Family Residence

E. Liquor License Renewal - Minturn Country Club

Motion by Gusty K., second by Tom P., to approve the May 6, 2026 Consent Agenda as presented. Motion passed 4-0.

4. Approval of Regular Agenda
Opportunity for amendment or deletions to the agenda.

Motion by Tom P., second by Gusty K., to approve the May 6, 2026 Consent Agenda as presented. Motion passed 4-0.

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.

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

7. Council and Committee Reports

Gusty K. briefly recapped the recent High Five Access Media Board Retreat.

Eric G. briefly recapped some discussion from the recent Mayors & Managers meeting, which was focused heavily on wildfire preparedness and housing.

8. 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 continue to collect and track speed data in the Pine/Boulder area to better understand traffic patterns and determine whether additional traffic-calming measures are warranted.
- Staff are planning to bring this issue to Town Council for further discussion at the May 20 meeting.

Other Updates

Safe Streets for All Safety Action Plan

- **Background:** In 2024, the Town participated in the federal Safe Streets and Roads for All program, which funded preparation of a Safe Streets for All Safety Action Plan. The plan was prepared with assistance from Stolfus Engineering and was adopted by Town Council in early 2025.
- **Grant Reimbursement:** Although the work was completed, the Town had not previously requested or received reimbursement from the Federal Highway Administration for the grant-funded work. Over the past nine months, the Town Clerk-Treasurer and Town Manager have been working to complete the reimbursement process.
- **Status:** Staff received approval last week for reimbursement of the full **$80,000 grant award** owed to the Town.

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.
- **Construction Contractor Selection:** The construction bid process closed on April 3. The Town received three bids: JHL Constructors – $12,547,730; Native Sun – $12,868,335; and RN Civil – $13,673,335. After review by HDR, Council selected JHL Constructors, LLC at the April 15 meeting as the contractor for the New Water Treatment Plant project.
- **Construction Contract:** Staff are working with the Town Attorney and JHL Constructors to negotiate and finalize the construction contract, including legal review, financing-related conditions, bonding, insurance, and other required contract documents.
- **Construction Administration:** Staff have been working with HDR to negotiate a construction administration contract for the project. HDR's proposal includes engineering services during construction, review of submittals and RFIs, change order support, record drawings, weekly construction meetings, construction observation, startup and commissioning support, and PLC/HMI programming for plant controls and remote operation. HDR's subconsultant, Swiftwater Solutions, would provide resident project representative and commissioning services, including field observation, progress reporting, pay application review, startup coordination, and support from a licensed Class A water treatment operator.
- **Construction Administration Cost Negotiation:** Staff have been negotiating with HDR to reduce the overall cost of the construction administration contract. HDR's earlier proposal totaled approximately **$1,114,161** and included full-time construction observation by Swiftwater Solutions. The revised scope totals approximately **$923,274**, a reduction of about **$190,887**, and shifts SWS field observation from full-time to part-time observation at three days per week while maintaining startup, commissioning, PLC/HMI programming, submittal/RFI review, change order support, and project closeout services. Staff will bring this item forward for further discussion at the May 6 Council meeting.
- **Financing:** The Town has closed on financing with Alpine Bank for the New Water Treatment Plant project. The financing structure includes a 24-month construction draw period, an initial 5.0% fixed rate, and repayment secured by net water enterprise revenues. 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:** Staff have terminated contract negotiations with Coleman Custom Homes due to the inability to reach mutually acceptable contract terms.
- **Next Steps:** Staff will reach out to the second bidder from the original proposal process to determine whether the bidder remains interested and available to complete the project.

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:** Construction will begin at the end of May.

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 the **first week of May 2026**.

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:** Staff submitted an application for a $15,000 AARP Community Challenge Grant and are awaiting notification on whether the Town will be awarded funding.
- **Improvements:** Proposed improvements include accessibility upgrades, 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

Eagle Park Restrooms

- **Status:** Staff are evaluating options for replacing the decorative exterior wood on the Eagle Park restrooms, which has experienced significant deterioration and rot.
- **Replacement Options:** Staff are working with the original restroom manufacturer to identify potential replacement materials that are more durable and better suited for long-term exterior use.
- **Year-Round Use:** Staff are also evaluating the feasibility of heating the restroom structures during cold weather so the facilities can potentially remain operational year-round.

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.

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** 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:** Staff are putting the impact fee study on pause to conduct a limited asset inventory and capital improvement planning process. This step is necessary to gather additional data on Town assets and capital needs before proceeding with the study.
- **Next Steps:** Staff will coordinate with BBC Research & Consulting on the revised project timeline and will return to Council with additional information as the inventory and CIP work progresses.

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 have been working with the CU Boulder student group that led the project to compile and analyze the input received.
- **Next Steps:** The CU Boulder student group will present its findings and recommendations to Town Council at the May 6 meeting.

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.

Public Works

Weekly Report (April 20 to April 26)

- **Operations:** Staff completed daily Water Treatment Plant operations, routine trash and dog waste station servicing, utility locates, and general Public Works shop organization. Staff also distributed annual water report door hangers to households and businesses throughout Town.
- **Seasonal Maintenance:** Staff began seasonal grounds maintenance, including mowing, weed trimming, and blowing at Little Beach, Town Hall, Eagle Park, and the Town Manager’s residence. Staff also inspected and serviced lawn maintenance equipment in preparation for the season.
- **Repairs and Improvements:** Staff completed water-related inspections and pressure tests at 491 Main Street and Belden Place Lots 4 and 12, investigated high water usage at 225 Pine Street, shut off water service at Trailer 19 in Maloit Park due to a broken interior line, and repaired damaged fencing at the Bone Yard.
- **Project Coordination:** Public Works coordinated with SEH on water tank inspections, participated in a meeting regarding the 100-Block/Williams Street construction plan, coordinated spring herbicide applications, and worked with Eagle Park representatives on placement of a new memorial bench.
- **Equipment and Supplies:** Staff transported variable message signboards, retrieved license plates and registrations for the new message board and Volvo dump truck, ordered emergency communication radios and traffic safety supplies, and used the Volvo dump truck to haul and organize materials from the Water Plant.

Safety: A weekly safety meeting was held on overhead hazards, including falling objects, power lines, low-clearance hazards, PPE use, and situational awareness. No incidents or injuries were reported during the reporting period

A. Manager's Report

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. RTAP Action Plan Presentation

The RTAP student consultant group (Alex Rudawsky, Angie Balish, Erin Spencer and Erin Bucchin) provided a brief recap of the recent RTAP steering committee meetings and the community workshop. From those meetings, goals and action steps were defined, thereby creating a Community Action Plan. The final CAP will be shared on Friday, 5/8. This plan will be shared publicly via the website and newsletter. The goals and focus of the proposed actions are highlighted in the included presentation (attached at the end of the minutes document).

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. 21 - Series 2026 - A Resolution Implementing Emergency Water Restrictions

This was discussed at the last meeting, and Council approved Town Manager Rob Gutierrez to authorize emergency water restrictions. This resolution is the formal / official follow up to that.

Motion by Tom P., second by Gusty K., to approve Resolution No. 21 – Series 2026 - A Resolution Implementing Emergency Water Restrictions. Motion passed 4-0.

B. Resolution No. 23 - Series 2026 - A Resolution Approving a Construction Administration Agreement with HDR for Managing the Water Treatment Plant Construction

At the last meeting, Town Council approved the construction contract for the Minturn Water Treatment Plant project. The next step is to finalize construction administration services needed to support the Town during construction, startup, commissioning, controls programming, and project closeout.

HDR Engineering, Inc., the Town’s design engineer for the project, has submitted Amendment 05 to its existing agreement for these construction-phase services. The amendment includes HDR’s engineering support and services from its subconsultant, Swiftwater Solutions, which would provide construction observation and startup/commissioning support.

HDR’s initial proposal totaled **$1,114,161**. Following staff review and follow-up with HDR, the revised proposal now before Council totals **$923,274**, a reduction of **$190,887**. The primary change is a reduction in Swiftwater’s construction observation from full-time on-site coverage to part-time coverage, assumed at three days per week. The revised proposal also reduces Swiftwater’s progress meeting support from two additional virtual staff members to one additional virtual staff member for continuity coverage.

Item	Initial Proposal	Revised Proposal
Total Fee	$1,114,161	$923,274

Reduction	—	$190,887
Field Observation	Full-time on-site coverage	Part-time, 3 days/week
Swiftwater Meeting Continuity	Two additional virtual staff	One additional virtual staff

The revised proposal preserves the core construction-phase services, including submittal and RFI review, change order support, field observation, startup and commissioning, PLC/HMI/SCADA programming, testing, operator training, closeout, and cybersecurity-related deliverables.

After reviewing the initial proposal, staff informed HDR that the scope was thorough and that staff did not question the importance or value of construction administration services. However, staff also expressed concern that the proposed cost was difficult to support from a policy and ratepayer standpoint, especially given the overall financial impact of the Water Treatment Plant project.

Staff asked HDR to explore whether the construction administration scope could be right-sized closer to approximately **6–7% of total project cost** without reducing oversight to a level that would create unacceptable risk. Specific areas identified for review included lodging and travel assumptions, staffing levels and frequency, HDR meeting attendance, startup/commissioning scope, controls-related scope, and opportunities to preserve core risk-management services while reducing cost.

The revised proposal is a meaningful reduction from the initial proposal, but the amount remains substantial. Several Council members have expressed interest in reducing construction administration costs further, closer to **6% of total project cost**.

Staff recommends authorizing approval of Amendment 05 in an amount not to exceed **$923,274**, subject to satisfactory resolution of the outstanding clarification items and final review by the Town Attorney.

Motion by Gusty K., second by Tom P., to approve Resolution No. 23 – Series 2026 (Amendment No. 05) – with the noted provisions, subject to satisfactory resolution of the outstanding clarification items and final review by the Town Attorney. Motion passed 4-0.

C. Ordinance No. 04 - Series 2026 (Second Reading), An Ordinance Modifying and Setting the Enterprise Fund Debt Service Fee for 2026

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.

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. It is recommended 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.

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

Motion by Tom P., second by Gusty K., to approve Ordinance No. 04 – Series 2026, An Ordinance Modifying and Setting the Enterprise Fund Debt Service Fee for 2026. Motion passed 4-0.

D. Resolution No. 25 - Series 2026 - A Resolution Awarding Contract for 2-Bed Apt Construction

The Town previously issued an RFP for the Town Hall Apartment Re-Conversion and Building Systems Improvements Project. Following review of the proposals, Town Council approved Resolution No. 03, Series 2026, authorizing award to Coleman Custom Homes in an amount not to exceed **$133,365**, subject to final contract terms.

The Town and Coleman Custom Homes were unable to reach mutually acceptable final contract terms. Because those negotiations did not result in an executable contract, staff is requesting authority to proceed with Erik Harren, who previously submitted a proposal through the Town's procurement process and has expressed continued interest in completing the work. Staff also notes that the Town contracted with Erik Harren on two separate projects last year, and both projects were completed successfully and to the Town's satisfaction.

The original proposals did not separately identify the costs of required bonding. As part of finalizing the contract package, staff is now separately identifying required bonding costs so the Town can ensure the contract complies with applicable legal requirements before work begins.

Proposed Action

Resolution No. 25, Series 2026, authorizes the Town Manager, in consultation with the Town Attorney, to negotiate, finalize, execute, and administer a construction contract with Erik Harren. The resolution establishes:

- a lump sum construction contract amount not to exceed **$145,000**; and
- separate authority to pay actual documented costs for required bonding in an amount not to exceed **$10,000**.

The total authorization would not exceed **$155,000**, inclusive of construction and required bonding costs.

The resolution also requires final legal review, receipt and approval of required insurance and bonds, confirmation of the project schedule, and completion of any other necessary contract documents before work begins.

Motion by Gusty K., second by Tom P., to approve Resolution No. 25 – Series 2026, A Resolution awarding a contract for the 2-bedroom apartment construction. Motion passed 4-0.

11. Discussion / Direction Items

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

Rob G. provided a brief update to Council on current legislation.

12. Future Agenda Items

A. Future Meeting Topics

Rob G: We will hopefully have a council member to appoint at the next meeting. We have not yet received any applications. We also need to appoint committees at the next meeting.

Jay B: The auditor will be presenting virtually at the next meeting, the results of our 2025 audit.

13. Adjourn

Motion by Kate S., second by Tom P., to adjourn the meeting at 6:26pm.

Eric Gotthelf, Mayor

ATTEST:

Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO
SEAL
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