

RECORD OF PROCEEDINGS

Hotchkiss Board of Trustees

August 14, 2025

1. CALL THE MEETING TO ORDER

Mayor Jim Wingfield called the meeting to order at 6:30 p.m. A verbal roll call was taken. Those present were Jim Jorgensen, Randy Thalmann, Pat Medina, Roger Christian, Custer McLeod, and Sven Edstrom.

Those present recited the Pledge of Allegiance.

2. CONSENT AGENDA

MINUTES FOR JULY 10, 2025

Custer McLeod made a motion to approve the minutes as presented, Roger Christian seconded. A verbal vote was taken with all Trustees voting in favor. Motion passed.

3. CONSIDERATION OF BILLS

Town Clerk Ginger Redden read off the additional bills.

Custer McLeod made a motion to pay the bills, Roger Christian seconded. A verbal vote was taken with all Trustees voting in favor. Motion passed.

4. PUBLIC COMMENT

There were no public comments.

5. STAFF COMMENT

There were no staff comments.

6. PUBLIC HEARINGS

CHANGE OF LOCATION FROM 110 PINON TO 179 W BRIDGE STREET-VALLEY HIGH LLC-MICAH ERICKSON

Mayor Wingfield opened the Public Hearing stating that all State laws were followed by posting the proposed building and publishing in the newspaper. Sign-in sheets and copies of the submitted letters from the public are filed with the original minutes.

Mayor Wingfield read the rules for the Public Hearing.

STAFF DELIBERATION

Mayor Pro Tem Pat Medina agreed that the Town had done all procedures right. Mayor Wingfield stated that the minutes were approved for July 10, 2025, and are available to read about the Ordinance passed last meeting on amending the Marijuana business location distance from 500 feet to 250 feet from a school.

APPLICANT DISCUSSION

Micah Erickson told the Board that she has been very compliant with her shop. She explained the distance from the proposed location to the school in question. She told the Board of her current situation with her landlord, that it is costing her currently a lot of time and money. She stated that she would do everything necessary to make the business appropriate for the neighboring

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6. PUBLIC HEARING (Cont.)
CHANGE OF LOCATION FROM 110 PINON TO 179 W BRIDGE STREET-VALLEY HIGH
LLC-MICAH ERICKSON
APPLICANT DISCUSSION

businesses. She stated that she was unaware of a school being within the vicinity until she was informed by the Town. She reiterated that she wants what is best for the community.

PUBLIC COMMENT

Public Comment opened at 6:39 p.m.

Liz Heidrick, 41333 D Road Crawford, told the Board that she was representing both the buyer and the seller of the proposed building. She stated that she is a member of this community as well as a mother. She stated that she has a background in working with children and that she knows Micah is a rule follower. She asked for support in decriminalizing Marijuana and to help a strong business with a clean record.

Jason Crain, 41333 D Rd Crawford, stated that he was Liz Heidrick's Fiance. He explained that he was injured while in the service. He said that to combat the pain, they tend to give Opioids and that instead he goes to Valley High for Marijuana that has helped him a lot.

Josh Powers, 287 Hwy 92 Crawford, told the Board that he supports and agrees with Jason Crain. He had a similar story with an injury and uses Marijuana over Opioids.

Ida May Demaris, 287 Hwy 92 Crawford, told the Board that she grew up in a strict Christian household. She had Lupus that took half of her Kidney. She stated that she has gotten more rest and energy by getting Marijuana from a clean and comfortable business.

Jake DeField, 24725 Hanson Mesa Rd Hotchkiss, told the Board that he is the Pastor of the First Baptist Church, Admin and Principal of the School. He said that he is not opposed to the shop, just the location change. He talked about how the distance buffer differs from what the State says. He stated that the distance change felt tailored more to the shops' advantage. He stated that regulations should be tighter, not looser. His fear is not that children will enter the shop but that it is within eyesight. The buffer is meant to shield the activity to not influence the children. He thinks that it sets a dangerous precedence when the Board passes the regulations without proper notification of those it impacts. He stated that there are other properties that are available for purchase. He asks that the Board deny this request for change of location.

Pam Jacobus, 37230 Fruitland Mesa Rd Crawford, gave her three (3) minutes to Jake DeField.

Brian Kopko, 42621 Lamborn Mesa Rd Paonia, told the Board that he was on the Board for the Church and that he has a problem with the Board. He said that he has nothing against the owner

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6. PUBLIC HEARING (Cont.)
CHANGE OF LOCATION FROM 110 PINON TO 179 W BRIDGE STREET-VALLEY HIGH
LLC-MICAH ERICKSON
PUBLIC COMMENT

but asked why the Town can make these changes without clear notification. There should be a message about sobriety and against narcotics. He asked what we want for our civic environment. He feels that society has slipped and has changed things to accommodate businesses.

Joel Reed, 553 Cedar Drive, stated that he and his wife have 7 kids. He showed the Board a photo of the proposed location from the Church. He said that children can see the building as they are studying. He explained that when he moved to Town, he was looking to obtain a Variance Request for sheep. He stated that there was an emergency change against sheep in Town and that his Variance Request was denied. He thanked all the Veterans that spoke.

Ben Sheldon, 35815 Fruitland Mesa Rd Crawford, told the Board that he has 5 children in the school. He believes in Christian principles. That all children are precious. He is not opposed to the owner or business, but he can't sit by and not speak against the location. He said that he doesn't agree with the decision that was already made. He asked where does it stop, mentioning sexual offenders. He said that he hopes that doesn't happen.

Edna Sue Chisholm, 279 E Orchard St, stated that Marijuana and those that use it are not evil. She asked Chief Green if there was an increase in activity with the shops. He refrained from answering. She mentioned that all but one speaker has been from Out-of-Town. She said that kids will only see people going in and out and that kids will only know if they are told.

Gary Lindberg, 285 E Orchard St, told the Board that he walks to the church. He said that he has respect for Edna and that he is sympathetic to Marijuana. He asks why the Town needs there to be a meeting on this. He mentioned a few scenarios and stated that he is against having the business so close to the school.

Kim Kelly, 11778 3100 Rd, mentioned her arcade shop as a safe place for kids. She said that she agrees with Liz that this location is a commercial property. She said that she knows Micah very well and that there should be more talk on how well she runs her shop. That it is clean and well-regulated and believes in the Chief to keep it that way. She respects the parents and said that Micah will work hard to maintain that relationship.

Amanda Sheldon, 35815 Fruitland Mesa Rd Crawford, stated that she isn't a Town resident, but her kids go to school here. She stated that her dad uses Marijuana as well but doesn't use it around the kids. She stated that there was a mention of the gas station that has tobacco and restaurant that has liquor but that those were there before the school came along. She stated that

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6. PUBLIC HEARING (Cont.)
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LLC-MICAH ERICKSON
PUBLIC COMMENT

this would not fly near the K-8. She said that driving past the current store, you can tell that it is a pot shop.

Shawna, Micah's sister, stated that she is a mom as well. She sympathizes but states that kids drive past the current shop already. She stated that the owner of the building controlled the look of the shop. That the new building will be professional and that there will be different methods used to block off what happens in the building. She stated that all kids should be represented.

Lisel DeField, 34725 Hanson Mesa Rd, stated that she owns a few businesses in Town. She stated that signage is important. She is not ok with the location. She stated that signs would need to be present and people will still know about it.

Lucas Kirkpatrick, 618 Aspen Ln, stated that he is concerned with the change of buffer distance. He quoted the State statute about the distance. He stated that the Church and School were not notified. He said that he finds this disappointing. He stated the children can see the shop from the church. That if revenue is used for certain purposes, like funding the Police Department, the Town should be transparent.

Benjamin Weber, stated that outdoor signage within the code stated that they cannot advertise within 500 feet. He stated that the current location is within 500 feet.

Public Comment closed at 7:24 p.m.

BOARD DELIBERATION

Randy Thalmann stated that there was information in the packets about the building purchased. Mayor Wingfield said that buying the property doesn't have any relevance for the hearing. He stated that the signage will be something that will need to be talked about. Attorney Bo Nerlin said that is outside of the scope of this hearing and can be discussed at another time. Jim Jorgensen said that he questions that there was no mention of tobacco or alcohol that are near the school. He reiterated that the children won't know with the way that the business is run, unless they are told. He said that he believes that Micah runs a great business both in Hotchkiss and Paonia. Sven Edstrom said that he wasn't at the last meeting, so he was not expecting such a large crowd. He stated that he agrees with Jim Jorgensen but that he doesn't agree with how some things have been run. He stated that he has his own personal feelings about where the liquor and tobacco shops are. Also stating that there might be more issues with alcohol. He suggested that maybe a decision not be made tonight on this matter. Custer McLeod said that he

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6. PUBLIC HEARING (Cont.)
CHANGE OF LOCATION FROM 110 PINON TO 179 W BRIDGE STREET-VALLEY HIGH
LLC-MICAH ERICKSON
BOARD DELIBERATION

agrees with Sven Edstrom. He stated that he is in the middle. He stated that he talks with his children and that he raises them to know what is right and wrong. He agreed that kids won't know unless you tell them. Pat Medina said that it is hard to run a business. She reiterated that tobacco and alcohol are close. She stated that she tries to support businesses as a council. That there wasn't a lot of care given to it before until it was a big deal. She asked how far 500 feet would be and that at that distance, it would still be visible. She expressed that she wants the Town to be prosperous. Randy Thalmann said that he had to dig into this and wasn't aware of the 1,000 feet distance. That there is already half that within the Town. That everyone should know their rules. Jim Jorgensen said that in reading the minutes, he was unaware there was a school in the church. He stated that there was plenty of information given out. Bo Nerlin stated that he wants to clarify to the Board that the 500 feet distance was in the law at the time and it has expanded since then.

Mayor Wingfield reopened the Public Hearing at 7:46 p.m.

APPLICANT DISCUSSION

Micah Erickson told the Board that she was unaware of the school at the time too. She mentioned the school registration was expired with the State. She said that she didn't want to do anything against the church, that she had the same beliefs as them. She explained to the Board the situation with her current location and the purchasing of the new property.

PUBLIC COMMENT

Jake DeField, 34725 Hanson Mesa Rd, stated that the kids were not aware of the liquor or tobacco shops. He talked about the signage being an issue with children learning to read from them.

Amanda Sheldon, 35815 Fruitland Mesa Rd Crawford, stated that there is a large, faded sign for the school. That she has nothing against Micah and that she cares about the kids. She explained that the liquor establishments look like restaurants and that the tobacco shop looks like a gas station. She stated that she doesn't want those influences on their kids. Even when teaching right and wrong, they are still present.

Brian Kopko, 42621 Lamborn Mesa Rd Paonia, stated that there is signage and that with a mention to the businesses. That the school is a business as well, they establish alternatives for education. He stated that he isn't worried about the kids going into the shop, just the principle of it. He stated that there should be more discussion and clarity on this matter.

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CHANGE OF LOCATION FROM 110 PINON TO 179 W BRIDGE STREET-VALLEY HIGH LLC-MICAH ERICKSON
PUBLIC COMMENT

Liz Heidrick, 41333 D Rd Crawford, stated that local jurisdictions have the right to adjust the distance and that the 1,000 feet is a recommendation. That the proposed location is a great location within the Town.

Edna Sue Chisholm, 279 E Orchard St, stated that Marijuana is not narcotic, that it is medicinal. Stating that if the current building didn't look the way that it does now, you wouldn't know that it is a pot shop.

Pam Jacobus, 37230 Fruitland Mesa Rd Crawford, told the Board that the signage at the Bud Barns location is very discreet and that you can't tell it is a pot shop.

Public Comment was closed at 7:58 p.m.

BOARD DELIBERATION

Sven Edstrom asked Bo Nerlin what the options going forward are. Bo Nerlin told the Board the options that they could take. Those directions need to be given to the staff if there is additional information being asked for. That the Board can't go off on their own searching for answers or information. Sven Edstrom asked about the signage.

Roger Christian made a motion to allow the change of location from 110 Pinon to 179 W Bridge St for Valley High LLC, Jim Jorgensen seconded. A verbal vote was taken with Jim Jorgensen, Pat Medina, Roger Christian, and Custer McLeod voting in favor, and Randy Thalmann and Sven Edstrom voting against. With a vote of 4 in favor and 2 against. Motion passed.

Pat Medina stated that this was not an easy decision to make. Jim Jorgensen said that he liked the fact that there was a good crowd that showed up.

There was a recess taken at 8:03 p.m.

Returned to the meeting at 8:10 p.m.

7. OLD BUSINESS
HR POLICY UPDATE

Pat Medina told the Board that she placed the first draft of the HR Policy on the tables, stating it was a condensed version. She said if there are any changes, the Board and Department Heads would write them down for discussion. A workshop was scheduled for Wednesday, September 3, 2025, at 6:00 p.m.

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7. OLD BUSINESS (Cont.)
SENIOR CENTER DRY WALL REPAIR POSSIBLE BID AWARDING
Mayor Wingfield told the Board that there was one (1) bid submitted, and he wasn't happy with the cost. It will be reposted for more bids.

MASTER PLAN UPDATE
Town Clerk Ginger Redden said that the minutes from the Planning Commission were in the packets and explained the process that will go into updating the Master Plan.

MUNICODE UPDATE
Mayor Wingfield tabled this item to the September meeting.

MAIN STREET IMPROVEMENT GRANT UPDATE
Mayor Wingfield told the Board that there were no bids submitted. This will be reposted for bids again.

WATERSMART WORKSHOP UPDATE-SET A POSSIBLE DATE FOR TOURING OF THE WATER PLANT.
Public Works Department Head Marvin Jackson told the Board that he was getting some slides together for the Board to show them the water plant without having to do an in-person tour.
8. MAYOR REPORT
DEPARTMENT HEAD REPORTS
POLICE DEPARTMENT
Chief Scott Green said that the Delta County National Night Out went well. There was an incident at City Market that needed the use of an AED. The North Fork EMS agreed to donate to the Police Department two (2) AED's if they in turn purchased two (2) additional. A mockup of Police Department badges was shown to the Board. He stated that the lease for the three (3) new patrol vehicles was still being worked on and that \$500 may be taken off by each vehicle. He spoke to the Board about the IGA with Delta County regarding the Generator for the Homeland Security Grant. Bo Nerlin explained that the IGA is if Federal funding is pulled for the grant that the Town will honor and cover the portion of the cost for the generator. Chief Green reiterated that this would be very beneficial for the Town in the event of a disaster.
Pat Medina made a motion to approve entering the IGA with Delta County, Jim Jorgensen seconded. A verbal vote was taken with all Trustees voting in favor. Motion passed.
Chief Green explained to the Board that the Smart Wage Grant was used to cover Officer Flores and her transition from the academy, as well as retention bonuses for the Police Officers. He stated that the grant will most likely not be available for the following year. He is suggesting to the Board that the remaining of the grant funds be used for another bonus in November for each officer.

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8. MAYOR REPORT (Cont.)
PUBLIC WORKS

Department Head Marvin Jackson talked to the Board about the Leroux fire and said it didn't impact the water shed. The pumps at the sewer plant need replacement and there was a water break on Main Street Sunday.

TOWN CLERKS

Town Clerk Ginger Redden told the Board that the Clerk's happenings report was in the packets and that she attended CMCA training.

9. NEW BUSINESS

AGENDA REQUEST APPLICATION-MICHAEL SPAYD-REQUEST FOR
APPROVAL LETTER FROM THE TOWN TO THE COUNTY FOR A WELL
PERMIT

Michael Spayd told the Board that he was applying to get domestic water for livestock, gardening, and the house. He stated that contingencies were approved but that he checked that he is within the Town of Hotchkiss water system. Marvin Jackson told the Board that if the well is approved then the Town tap would need to be disconnected to prevent cross contamination. Michael stated that he would like to be sure that the water is tested and is acceptable for a well before the Town water is disconnected. The Board was very supportive of the idea. Mayor Wingfield asked Marvin to closely watch over this. Custer McLeod made a motion to approve the letter of support from the Town to the County for a well permit, Pat Medina seconded. A verbal vote was taken with all Trustees voting in favor. Motion passed.

AGENDA REQUEST APPLICATION-LAURIE CONNOR/LISSA PABST-FARMERS
MARKET LOCATION REQUEST

Laurie Connor told the Board that the fairgrounds gave priority to the Firefighters for the headquarters for the Leroux fire. She is asking if the Farmers Market can utilize the Triangle Park as a secondary location. She stated that they would ask for permission each year. Roger Christian asked if they received permission from City Market to use their parking lot during their event. Laurie stated that she hadn't asked City Market for permission yet but that she will, as well as the bank and realtor office. She stated that they are looking to keep this event going and growing. Bo Nerlin said that in speaking with Chief Green, they will need to get a permit for this event. Ginger Redden told the Board that this event would be covered under the Festival/Farmers Market and would not need to obtain a vendor permit.

Sven Edstrom made a motion to approve the request for the Farmers Market to use Triangle Park as a secondary location, Custer McLeod seconded. A verbal vote was taken with all Trustees voting in favor. Motion passed.

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9. NEW BUSINESS (Cont.)

ORDINANCE 2025-02 ADOPTION OF THE 2024 MODEL TRAFFIC CODE
UPDATE-POSSIBLE FIRST READING

Bo Nerlin explained to the Board that this was presented last month and that he had received no comments on it from the Board.

Pat Medina made a motion to approve Ordinance 2025-02 adoption of the 2024 model traffic code as a first reading, Roger Christian seconded. A verbal vote was taken with all Trustees voting in favor. Motion passed.

RATIFICATION OF STAGE 2 FIRE BAN

Mayor Wingfield explained that a Stage 2 fire ban was enacted on August 8, 2025, to follow suit with Delta County.

Sven Edstrom made a motion to ratify the Stage 2 fire ban, Custer McLeod seconded. A verbal vote was taken with all Trustees voting in favor. Motion passed.

EXECUTIVE SESSION

Custer McLeod moved to go into Executive Session Pursuant to CRS 24-6-402 (4)(b) for the purpose of receiving legal advice regarding the engagement of Colorado Department of Local Affairs to undertake a staff and cultural assessment and to discuss staff management, Sven Edstrom second. A verbal vote was taken with all Trustees voting in favor. Motion passed.

The participants of the Executive Session moved into the craft room in the Senior Center at 8:39 p.m.

RETURN TO OPEN MEETING

Mayor Wingfield read the following.

The time is now 9:16 p.m., and the executive session has been concluded. The participants in the executive session were Mayor Jim Wingfield, Jim Jorgensen, Roger Christian, Randy Thalmann, Mayor Pro Tem Pat Medina, Custer McLeod, Sven Edstrom, Attorney Bo Nerlin and DOLA representative Dana Hlavac. For the record, if any person who participated in the Executive Session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the Executive Session in violation of the Open Meetings Law, I would ask that you state your concerns for the record. Seeing none, the next agenda item is....

POSSIBLE MOTION FROM THE EXECUTIVE SESSION

Sven Edstrom made a motion to enter into an agreement to engage with Colorado Department of Local Affairs to undertake a staff and cultural assessment and to discuss

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9. NEW BUSINESS (Cont.)
EXECUTIVE SESSION
staff management, Pat Medina seconded. A verbal vote was taken with all Trustees voting in favor. Motion passed.
10. ADJOURNMENT
The meeting was adjourned at 9:18 p.m.

Respectfully Submitted,

Ashley M. Rodarte, Deputy Town Clerk