

## RECORD OF PROCEEDINGS

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Hotchkiss Board of Trustees

March 12, 2015

1. Mayor, Wendell Koontz, opened the meeting at 6:30 p.m. with a quote from Robert Kennedy. Those present at the meeting were Mayor Pro Tem, Carrie Wingfield, Larry Jakubiak, Tom Wills, Jim Roberts, Lindee Cantrell and Dustyn Foster.
2. Those present recited the Pledge of Allegiance.
3. Minutes for 02/12/15  
Larry Jakubiak noted that in #11 of the minutes, it sounded like Pete Blair was present at the meeting and asked that it be worded differently since Pete Blair was not present. Larry Jakubiak moved to accept the minutes from the last meeting with the change noted. Carrie Wingfield seconded the motion and it was passed with all in favor.
4. Bull Mountain Public Comment  
Mayor Koontz opened the meeting for public comment. Mayor Koontz noted a few rules to be followed by those wishing to speak after they signed in;
  - 1) Please state name,
  - 2) Provide address,
  - 3) Identify if you are registered to vote in the Town of Hotchkiss,
  - 4) While speaking, do not repeat what has already been said,
  - 5) If you agree with what has previously been said simply acknowledge the fact,
  - 6) If you disagree with what has already been said, simply acknowledge that fact,
  - 7) Due to time constraints, if no new concepts are presented for or against, the Mayor may terminate public comment.Mayor Koontz opened the Public Hearing and stated the Trustees are taking public comment on The Bull Mountain EIS letter to be written by the Town of Hotchkiss.  
\*\*Attached to these minutes are the written comments received from the public.  
Mayor Koontz closed the Public Hearing and thanked the citizens for their comments. The Trustees will take the comments into consideration. The letter will be finalized and ready to be sent by April 14, 2015.
5. Jim Biggs-Travel Trailer Variance  
Jim Biggs requested that he be able to park his converted travel trailer on Town property for up to 6 weeks starting in May. Mr. Biggs does a lot of work for the Senior Citizens in our area and has converted his travel trailer into a work station. The trailer is not currently licensed with the state. Mr. Biggs says that it is considered private property and will be used to store tools, have meals and is not considered a living space. Mayor Koontz asked Attorney Nerlin for input on this subject. Attorney Nerlin said that the Town could grant the variance but he recommended there be an understanding that the variance may be revoked if an issue comes up. Trustee Tom Wills noted that Ordinance 10-7-3 Part B states that 'Travel homes may be parked, if unoccupied, upon private property within the setback, or temporarily upon public streets, if registered under State law and lawfully parked;'.  
Trustee Tom Wills moved that Jim Biggs be allowed to park his Travel trailer at the location of 168 E Orchard for up to six weeks as long as the trailer has the proper licensing. The motion was seconded by Jim Roberts and was passed with all in favor.  
Mr. Biggs will let the Town know what day he sets up his trailer and when the project is complete.
6. Donation Request-Hotchkiss Chamber for Bike Racks  
Nathan Sponseller represented the Hotchkiss Chamber of Commerce to ask for a donation of \$300 from the Town to purchase a bike rack. The First State Bank of Colorado has donated \$600, the Chamber has donated \$300 and Julie Littlefield has donated \$300. The cost for each bike rack is \$600 and they are trying to find an artist that will make them locally.  
Trustee Tom Will stated that they will be placed 24 inches from the front of the Gambles building which still leaves the required ADA space of 5 feet and will be where the current Hotchkiss Merchant Herald newspaper box is currently located. The location at the First State Bank of Colorado is still being discussed.  
Public Works Director, Mike Owens, stated that he sent a letter to CIRSA asking about the liability of the Town in reference to these racks. CIRSA was concerned about the design,

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6. (cont.) placement and whether or not these racks were a hazard to children. Mike also stated that in his opinion, the Pocket Parks would be a much better placement for the bike racks. Lindee Cantrell moved that the Town donate \$300.00 to the Chamber of Commerce for the bike racks on the condition that they work with Public Works Director, Mike Owens, and that the Town have the final approval on where the racks will be set and what the design will be. Tom Wills seconded the motion and it passed with all in favor.
7. Ordinance 2015-3 Intra-Fund Loan Agreement-First Reading  
Loan from the Water Fund to the Sewer Fund to pay off the loan that was taken out for the construction of the wastewater treatment plant that serves the Town of Hotchkiss. Attorney Nerlin said that the only change he could see is changing the wording from inter-fund to intra-fund loan. Larry Jakubiak moved to accept Ordinance 2015-3 as a first reading with the wording change to allow the Board to move forward. Carrie Wingfield seconded the motion and it passed with all in favor.
8. Ordinance 2015-4-First Reading Loan Agreement with CWPRDA  
Attorney Nerlin read the Ordinance to the Counsel. This Ordinance covers the loan agreement with CWPRDA (Colorado Water Power Resource Development Authority) to finance the sewer line upgrades. Tom Wills moved to accept Ordinance 2015-4 as a first reading, approving a loan from the Colorado Water Resources and Power Development Authority to finance sewer line upgrades and authorizing the execution of a loan agreement and a bond to document the loan and providing for the payment of the bond from net revenue of the sewer system. Jim Roberts seconded the motion and it was passed with all in favor.
9. Ordinance 2015-5-First Reading-Amendment to Subdivision Regulations  
Trustee Tom Wills explained the Ordinance to the Trustees. The Planning Commission held a Public Hearing regarding this Ordinance. This Ordinance cleans up the procedures for creating a subdivision as well as creating a No Impact Subdivision. There were no questions regarding this Ordinance.  
Carrie Wingfield moved to approve the First Reading of this Ordinance as it is. Larry Jakubiak seconded the motion and it was passed with all in favor.
10. Ordinance 2015-2-First Reading-Amendment to Water and Sewer Tap Ordinance  
Mayor Wendell Koontz suggested that this Ordinance be turned over to the Planning Commission for further consideration before it comes back before the Board. Attorney Nerlin said that Variances can be granted to individuals that are interested in doing a plural tap to an outbuilding before the Ordinance is passed. Trustee Larry Jakubiak wondered why the Ordinance needed changing if everything was already in place and we could just grant variances for interested individuals. Mayor Wendell Koontz stated that it would be in place for Public Works and the Staff if this comes up again. Mayor Koontz also stated that the interested parties could go before the Planning Commission Board to ask for the variance until the Ordinance can be passed. Ordinance 2015-2 was turned back over to the Planning Commission to look over and consider. The Deputy Town Clerk will contact the interested individuals and ask them to come before the Planning Commission on March 25th at 6:30 p.m.
11. North Fork Valley Creative Coalition Update  
Dave Mitchell represented the Creative Coalition to give an update to the Trustees. The first thing that Dave wanted to do was apologize to the Board for the comments that were made in the article that was published in the February edition of the Colorado Municipal League Magazine. He also handed out a letter of apology to all members of the Board that was written by Kelli Hepler, President of the North Fork Valley Creative Coalition.  
Dave also wanted to talk about the upcoming fundraiser that the Creative Coalition is planning to have on Friday, August 28, 2015 and Saturday, August 29, 2015 at the Fairgrounds here in Hotchkiss. Friday will be a dinner at Heritage Hall using as much local food and produce as possible and Saturday will be a music event with the local vendors setting up to sell their wares and display what is available here in the North Fork Valley. They will have many local bands playing and they are expecting 500 to 1000 people to show up for this event. They will be applying to the Town for a Special Events Liquor License.

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11. (cont.) The Creative Coalition asks for three things from the Town:
  - 1) A letter of support from the Town that they can take to the Crawford Town Council, the Paonia Town Council and the Delta County Board of County Commissioners, vendors and financial contributors whose support they will be soliciting.
  - 2) The Town's enthusiastic support.
  - 3) A Town liaison that can go between the Town and the Creative Coalition.Trustee Larry Jakubiak was appointed the Liaison from the Town.  
Carrie Wingfield motioned that the Town of Hotchkiss write a letter in support of the North Fork Valley Creative Coalition fundraiser that is to be held in August of 2015. Tom Wills seconded the motion and it passed with all in favor.  
At this point in the evening, Carrie Wingfield excused herself from the meeting since she was not feeling well.
12. Enhancement Trails Project Update  
No report given.
13. Town Engineer Report  
Town Engineer Joanne Fagan reported that all of the plans and specs have been submitted to the Health Department for the sewer line upgrade. She also stated that Wednesday, March 18th at 8:00 a.m. is the hearing for the Town's DOLA application. The hearing will be in Grand Junction with Joanne, Mike Owens and Mayor Koontz attending.
14. Sanitation Line Upgrade Update  
The sewer line cannot be started until the contract is executed. Engineer Fagan reported that she is unsure exactly when the project will be starting. She is hopeful for starting in June.
15. BLM Resource Management Plan Update  
Mayor Koontz reported that the report should be out in late May or early June.
16. Downtown Improvements Discussion  
Trustee Tom Wills talked about the flowers that were put out during the winter months to brighten up the downtown area. He also stated that he would like to take picture of the children making them. There were no further questions or comments.
17. Delta County Housing Task Force Update  
Trustee Larry Jakubiak recommended that the Town write a letter of support to the Housing Authority so that they can use the letter to apply for grant money.  
Larry Jakubiak moved that the Town of Hotchkiss write a letter of support to the Delta County Housing Authority that can be used when they apply for grant money. Jim Roberts seconded the motion and it passed with all present voting in favor.
18. Hotchkiss Planning Commission Update  
Sharon Schmidt reported that the next meeting for the Planning Commission will be March 25th at 6:30 p.m. The meetings are held here in the chambers on the last Wednesday of the month. They will be discussion the Ordinance 2015-2, the Water and Sewer Tap Ordinance. They will also be reviewing Subdivision and Mobile Home Park Regulations.
19. Leroux Creek Planning Update  
Trustee Carrie Wingfield went home early since she was not feeling well.
20. Five Minute Public Appearance  
Kathy Browning spoke up on Dale Maxwell's behalf. Dale still has not received any of the money from the VA and spoke on the radio station KUBC today. She encouraged writing more letters to the same people that the Town wrote letters to in support of Mr. Maxwell in December. Mayor Koontz said that he would put another call into the VA and with the Trustees approval will write another letter of support.

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20. (cont.) Bob Pennetta spoke up on the Bull Mountain EIS issue. Bob stated that he felt animosity at the beginning of the meeting with this issue and was sad to see that it has caused such strife. Mayor Koontz said that he appreciated Bob's comments but he also felt like the Town was being bullied by Social Media being flooded with messages to come to the meeting and what to say to the Trustees.  
Mary Simmons said that she felt like she has been bullied by these same organizations and was very impressed by the way that the Town handled the situation. Mary also feels that people are just going on the perception of fracking and the fluids used. She said that people should read up on it and learn the facts. Mayor Koontz said that the perception and the hype does more damage than knowing the facts.  
Another woman from the audience named Emma stated that they moved here to be farmers and if that is the perception they will be unable to sell their goods.  
Public Works Director, Mike Owens, said that the Town is very cautious with the drinking water and make sure that they keep it safe.  
Esther Koontz said that her father has lived around oil rigs all of his life and has never had any problems with the fracking fluids poisoning the water.  
Another person from the audience stated that they are glad that they stayed beyond the Public Comments portion of the meeting. They appreciated seeing the meeting as it is now and seeing that the Town is concerned about the safety issues.  
Mayor Koontz thanked everyone for being at the meeting and for their comments.
21. Department Reports  
Marshal Miller reported that Deputy Shaklee will be in classes for the next two weeks and the Reserve Officer will be working at least one of those weeks to fill in. The Marshal's Office is currently working on an Arson investigation at Tucker's Pizza Pub and a child abuse case. They have also handled multiple mental health issues and Marshal Miller has never seen the first of the year be so busy. He also added that additional funds may be needed for the Police Department since it has been such a busy first part of the year.  
Public Works Director, Mike Owens, said that the Public Works crew is catching up on maintenance work and are getting ready for a busy summer. Mayor Koontz asked Mike if he could pick a Saturday to have the Public Works crew come in and help clean up the Town. They would be working in conjunction with the High School and Hotchkiss K-8. Mike said that if the Mayor could choose the day then he could have the Public Works crew there.
22. Hotchkiss Chamber Update  
Mary Hockenbery was unable to make it to this meeting.
23. Mayor Report  
Mayor Koontz reported that Marshal Miller will be upgrading the phone system at the Town Hall this weekend. He also noted that the North Fork Ambulance District has a \$190,000 deficit and would like input and ideas to change this. The public is invited to the meetings.  
The April Town meeting will be on April 15th at the High School in conjunction with the High School government. It will start at 6:30 p.m. Mr. Beard is retiring and the Scholarship winners will be announced.  
In late May or early June the Town Staff and the Trustees will be attending a training that Attorney Nerlin will be conducting along with some CIRSA training.  
Mayor Koontz also thanked the Police Department and the Public Works department for all of their hard work.
24. Town Clerk Report  
None given.
25. Upcoming Events  
Cabin Fever Quilt Show March 20-22  
HHS Baseball March 20th and 24th  
HHS Track Invitational March 21st  
HHS Girls Tennis March 21st and 24th

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25. (cont.) Grant Writing Workshop at the Creamery Arts Center April 17th  
Contra Dance at Heritage Hall March 13th  
DuckWorks Customer Appreciation March 13th  
HHS Graduation May 23rd  
Ride the Rockies June 15th
26. New Business  
Trustee Jim Roberts noted that Jennifer Celis is in this week's DCI. She is running in National Track as a Freshman at OSU. The Nationals are March 13th and will be held in Fayetteville, Arkansas.  
Marshal Miller has been looking into an Emergency Preparedness phone system through Sprint. 90% of this would be paid by the Federal Government. He is looking at ten phones and these phones would take priority over cell phones in the case of an emergency. The total cost from Sprint right now is \$1000.00. The phones would be placed in the back room until needed and they would benefit the community. Marshal Miller will put something in writing to present at the April meeting.
27. Consideration of Bills  
Lindee Cantrell moved to pay the bills as presented. Jim Roberts seconded the motion and the motion passed with all in favor.
28. Adjournment  
Lindee Cantrell moved to adjourn the meeting at 8:38 p.m. Larry Jakubiak seconded the motion and the motion passed with all in favor.

Respectfully Submitted,  
Ginger R. Redden, Deputy Town Clerk