

## RECORD OF PROCEEDINGS

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Hotchkiss Board of Trustees

March 10, 2016

1. Those present were Wendell Koontz, Dustyn Foster, Jim Roberts, Larry Jakubiak and Tom Wills. Lindee Cantrell was absent.
2. The meeting was called to order at 6:30 p.m. Mayor Koontz asked for a moment of silence in memory of Jane Wills. Mayor Koontz read two quotes from Ronald Reagan.
3. Those present recited the Pledge of Allegiance.
4. Minutes for February 11, 2016  
Tom Wills noted that in #20, Nathan's last name is spelled Sponseller not Sponsellor. Mayor Koontz said that in #8 Brendon is spelled two different ways.  
Jim Roberts moved to approve the minutes with the named corrections. Tom Wills seconded the motion and it passed with all in favor with Larry Jakubiak abstaining.
5. Special Events Liquor License-Outdoors Alive  
Terry Commander represented Outdoors Alive. Terry told the Board that their annual fundraising dinner will be on Saturday, April 30, 2016 from 3:00 p.m. to 10:30 p.m. This is the third year for them to have their fundraiser at Heritage Hall and they are expecting at least 300 people. Outdoors Alive is actively involved in the Community and will be sponsoring the Farm to Fiddle Festival that will be held this year.  
Deputy Lloyd said that there were no problems with this Special Events Liquor License.  
Larry Jakubiak moved to approve the Special Events Liquor License for the Outdoors Alive fundraising dinner on April 30th, 2016. Jim Roberts seconded the motion and it passed with all in favor.
6. Donation Request-HHS Grad Night  
Ann Jardine represented the Hotchkiss High School Grad Night committee to ask for a donation for the HHS Grad Night party. There are 56 Seniors this year and the party will be held on May 15th at the High School from 9:00 p.m. to 3:00 a.m. This party is held every year to celebrate graduation and keep the graduates safe.  
Tom Wills moved to approve a donation to the HHS Grad Night party in the amount of \$1500. Dustyn Foster seconded the motion and it passed with all in favor.
7. Request for Street Closure-Kappa Pi Sheepdog Trials 5K  
The Kappa Pi Sorority would like to request a street closure on Hotchkiss Avenue from Pinon to Cedar and Cedar South from Hotchkiss Avenue on Saturday May 7th from 8:00 a.m. to 9:45 a.m. This is the 7th year for the 5K and it is a fundraiser for the \$1,000 scholarship that they award each year to a Senior girl that is going to college to study Math or Science.  
Jim Roberts moved to approve the street closure on Saturday May 7th from 8:00 a.m. to 9:45 a.m. for the Sheepdog Trials 5K. Larry Jakubiak seconded the motion and it passed with all in favor.
8. Second Reading and Possible Adoption of Ordinance 2016-1  
Attorney Nerlin reintroduced this Ordinance at the Trustee January Work Session and the first reading was at the February 11, 2016 meeting. No changes have been made to the Ordinance since it was first introduced in 2015.  
Larry Jakubiak moved to approve Ordinance 2016-1, an Ordinance of the Town of Hotchkiss amending sections 13-2-4 and 13-3-17 of the Town code regarding water tap requirements within and without the Town and section 14-1-6.A and 14-1-6 II.A regarding sewer tap requirements within and without the Town. Tom Wills seconded the motion and it passed with all in favor.
9. Second Reading and Possible Adoption of Ordinance 2016-2  
Attorney Nerlin introduced this Ordinance in the February 11, 2016 meeting to recognize independent contractors as independent and not as employees of the Town. This Ordinance relieves the Town of responsibility for the contractors taxes and helps the contractors keep their independence.

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9. (cont.) Dustyn Foster moved to approve Ordinance 2016-2, an Ordinance to the Town of Hotchkiss, Colorado concerning officers and employees. Larry Jakubiak seconded the motion and it passed with all in favor.
10. First Reading of Ordinance 2016-3  
This Ordinance concerns the Mayor and having him considered for the purposes of constituting a quorum. Tom Wills expressed concerns about the Mayor not being able to vote and not having a majority of Trustees available to vote during these meetings. Attorney Nerlin said that it is a situation that is less than ideal but the Town would be able to continue with its business and it would bring the Ordinance in line with the State Statute that says the Mayor counts toward a quorum. The second reading of this Ordinance will be held at the April 14, 2016 meeting.
11. North Fork Valley Creative Coalition Update  
Dave Mitchell updated the Board on the Creative Coalition. The Coalition had to move out of the office by the laundry mat and are looking for a new location. They will be starting a membership drive to recruit new members and are looking for non artists as well as artists. They are planning another Celebrate the Fork Festival fundraiser this year and are working with the Farm to Fiddle Festival also. Their Creative District License expires in 2017 so they will be looking to renew it also.
12. Town Engineer Report/Sanitation Line Upgrade Update  
Engineer Fagan said that now that it is warming up the work on the sewer lines is going faster. The most recent alley that they were in had really close gas lines so it was slower work due to having to be more careful. Larry Jakubiak asked if Williams Construction was responsible for the alleys and the mess that they have been left in. Engineer Fagan said that under the contract, Williams Construction is responsible to put 6 inches of 3/4 inch road base back into the alleys and smooth them back out but this cannot be done until the frost is completely out of the ground. One of the main events that was uncovered during the line replacement was that when the manhole at the Fairgrounds was replaced, there was a 50,000 gallon decrease in water discharge to the sewer plant. This may cause a few problems later in the summer with less dilution of the sewage but that will not be determined until this summer. Engineer Fagan also noted that the project is coming in under the estimate so the budget is good.
13. BLM Resource Management Update  
The Resource plan should be going through Washington D.C. by May. It is two years overdue.
14. Downtown Improvements Discussion  
Tom Wills said there is a meeting next week for the Downtown Improvement committee. Mary Hockenbery has already started talking about the flowers.
15. Delta County Housing Task Force Update  
No meeting was held.
16. Hotchkiss Planning Commission Update  
Tom Wills said that the Mobile Home Regulations are continuing to be worked on and will be for the next month or two. Tom also said that 2017 will be five years since the Master Plan was updated. The next planning meeting is March 23 and Mayor Koontz asked Larry Jakubiak to fill in at the Planning meeting since he will be in Denver.
17. Leroux Creek Planning Update  
No meeting was held.
18. Five Minute Public Appearance  
Larry Jakubiak said that the Newsletter was nice.

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19. Department Reports

Deputy Lloyd said that the Police Department was notified that the Colorado Grand will be coming back through Hotchkiss again this year. They are scheduled to come through Town on Friday, September 16.

Mike Owens said that he contacted DMEA about the light replacement. The Town has received the bill for the lights and they should be starting soon. There was a water break on Bridge Street in front of the Dentist's office that the Public Works crew fixed. The Public Works Department has been down two trucks for the last two months and they just spent \$1800 repairing the transmission in one of them. The water plant is gearing up for the Spring runoff and they will start working on the Sidewalk replacements again after May.

20. Hotchkiss Chamber Update

Tom Wills attended the meeting and the Chamber is on board for helping with the flowers again this year and they donated \$500 to the Farm to Fiddle Festival.

21. Mayor's Report

Mountain Coal contacted Mayor Koontz and asked if he would write another support letter for the West Elk mine to the BLM and Forrest Service. Mayor Koontz asked the Trustees their opinion on sending a letter from the Town.

Larry Jakubiak moved to send a support letter to Scott Armentrout in support of the West Elk Mine. Dustyn Foster seconded the motion and it passed with all in favor.

The April meeting will not be held at the High School this year. There is already another activity scheduled for the same night so we will hold the April meeting here at the usual place instead.

The Newsletter turned out good. Thanks to everyone for getting it done.

The Scholarship applications have been turned in. There are 6 girls and 2 boys applying and the results will be announced at the April meeting.

Town Clerk Searle updated the Board on the Fairground meetings and some of the items they are working on.

There is a new coffee shop in Town between the old Conoco and the bank.

22. Town Clerk Report

The election is April 5th. The ballots should be mailed around the 14th. Tomorrow night is the candidate forum at the Church of Art at 7:00 p.m.

23. Upcoming Events

March 15th-County Commissioner Debate  
March 25th-Hotchkiss K-8 Spring Fling (Date has changed)  
April 30th- Outdoors Alive fundraiser and dinner  
Saturday is shop Hotchkiss Day

24. New Business

None

25. Consideration of Bills

Larry Jakubiak moved to pay the bills as presented. Jim Roberts seconded the motion and it passed with all in favor.

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26. Executive Session

At 7:51 p.m. Larry Jakubiak moved to go into an Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy of negotiation, and/or instructing negotiators, under C.R.S. Section 24-6-402 (4)(e).

Mayor Koontz stated, The time is now 8:46 p.m. and the executive session has been concluded. The participants in the executive session were: Jim Roberts, Tom Wills, Wendell Koontz, Ginger Redden, Larry Jakubiak, Dustyn Foster (left at 8:08 p.m. due to work), Bo Nerlin, Joanne Fagan, Mike Owens and Marlene Searle. 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...

27. Possible Action Item After Executive Session

Tom Wills moved to have Attorney Nerlin write a response letter to Steve Harper, the Attorney for Ace Gambles, stating the Trustees approved Option #1 of the Feasibility Study to address drainage issues in the alley between Hotchkiss and Bridge Streets, between 1st and 2nd Streets. Option #1 is to slope the alley North to South to allow sheeting flow of water runoff. Larry Jakubiak seconded the motion and it passed with all in favor.

28. Adjournment

Larry Jakubiak moved to adjourn the meeting at 8:50 p.m. Jim Roberts seconded the motion and it passed with all in favor.

Respectfully Submitted,  
Ginger R. Redden, Deputy Town Clerk