

## RECORD OF PROCEEDINGS

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Hotchkiss Board of Trustees

July 11, 2019

1. CALL THE MEETING TO ORDER

Mayor Wilkening called the meeting to order at 6:30 p.m. Roll Call was taken, those present included Pat Medina, Mary Hockenbery, Esther Koontz, Patrick Webb and John Marta. Absent was Sheila Maki.

PLEDGE OF ALLEGIANCE

Those present recited the Pledge of Allegiance.

2. CONSENT AGENDA

MINUTES FOR JULY 13, 2019

Esther Koontz moved to approve the minutes as presented. Mary Hockenbery seconded, motion passed.

MINUTES FOR JULY 25, 2019

Esther Koontz wanted clarification in item #4 that the Town would like examples of the climate that the silicone fabric has been used in before and the life of this product in each climate.

Esther Koontz moved to approve the above mentioned minutes as amended. John Marta seconded, motion passed.

3. CONSIDERATION OF BILLS

Mary Hockenbery thanked Gary Oberle for painting the picnic tables and benches in the Willow Heights Park.

Esther Koontz moved to approve the bills as presented. Mary Hockenbery seconded, motion passed.

4. PUBLIC COMMENT

Marshal Dan Miller told the Board that the Town of Hotchkiss computer system was hit with a cyber attack on June 30th. A local IT (Information Technician) person, Wesley Long, helped and 99% of the information was restored. This was a ransom ware attack that happened when one of the Officers was downloading an update to the system. Mr. Long volunteered his time to help with the restoration and would like to help upgrade the server and the phone system to prevent anything like this from happening in the future. Wesley Long will need to have security clearance to help with this upgrade.

Proposals will be done over the next three (3) to four (4) months. Attorney Nerlin said that this purchase will be covered under the procurement policy. The budget can be adjusted if needed. The Board directed Marshal Miller to proceed with the upgrade.

5. OLD BUSINESS

UPDATE OF BUILDING CODE TO 2018

Attorney Nerlin told the Board that this was added to the agenda late. He explained the contract to the Board. The Towns portion of the update is the amount of \$2185. If there are any services done outside of this contract it will be at a cost of \$135.00 per hour. Colorado Code Consulting

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5. (cont.) UPDATE OF BUILDING CODE TO 2018  
will present the update and the Board and Staff will review it and update it as needed to work for the Town.  
John Marta moved to proceed with the Professional Services Contract with Colorado Code Consulting to update the Town Building Code from the 2006 to the 2018 version. Mary Hockenbery seconded, motion passed.

### HANSON MESA DOMESTIC PIPELINE COMPANY-CONTINUED

This item will be removed from the agenda until Hanson Mesa contacts the Board again.

### MOBILE HOME REGULATIONS AMENDMENT-POSSIBLE FIRST READING

Mayor Wilkening told the Board that the items in red are the items that need to have some clarification and updating. There were several minutes of discussion on the additions and changes.

Tiny homes were an addition, the wording for mobile home fire resistant materials should match the Building Code and the length of time for a mobile home to be vacant should be changed from ten (10) months to one year.

The Town Staff will work on the revisions for a possible first reading at the August meeting.

6. PUBLIC HEARINGS

### MARLIN MCCRACKEN-735 BARROW MESA ROAD-SPECIAL ZONING USE REVIEW

Mayor Wilkening read the procedure followed for a Public Hearing.

The Public Hearing was opened at 7:05 p.m. Marlin McCracken told the Board that his goal was to put the one acre of his property into hemp but was too late to apply to the State for permission. Since he is retired he needs something to do. He decided to grow hay/millet on that acre and bail it once. This acre does have irrigation water with it.

There were no comments for or against this item. The public comment portion of this hearing closed at 7:09 p.m.

The Board discussed this item for several minutes.

Mary Hockenbery moved to approve the request to grow millet on Marlin McCracken's acre at 735 Barrow Mesa Road for three years without further review, however, if the crop grown changes, approval needs to be given by the Board. Pat Medina seconded, motion passed.

7. NEW BUSINESS

### SPECIAL EVENTS LIQUOR LICENSE-DELTA COUNTY BOARD OF COMMISSIONERS

Kim Shay represented the Delta County Commissioners for this request. The event will be held on July 18th from the hours of 4:00 p.m. to 9:00 p.m. This will be a family event with music and activities for children. The Commissioners would like to have more activities like this in the future to utilize the Fair Grounds.

Marshal Miller asked for more detail about where the alcohol will be and how it will be handled. Esther Koontz moved to approve the above noted Special Events Liquor License with the condition that more information be sent to Marshal Miller. John Marta seconded, motion passed.

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7. (cont.) NEW BUSINESS

**POSSIBLE ADOPTION OF EASEMENT VACATION-DAN BOLTON PROPERTY**

Attorney Bo Nerlin told the Board that Attorney Steve Harper is representing the purchaser for this property. One condition of this property prior to closing is that the Town vacate a water main easement that is no longer used. A title commitment was received this afternoon and a map of the property and the lines to be vacated was explained.

Pat Medina moved to allow the partial vacation of the water main easement that is no longer needed on this property and allow Town staff to finalize the description for the paperwork and finalize this item with Dan Bolton and allowing the Mayor to sign the final paperwork.

Ratification for this item will be done in the August meeting. Seconded by John Marta, motion passed.

**POSSIBLE DATE CHANGE FOR THE AUGUST MEETING**

Due to the Delta County Fair being the week of August 5th, John Marta moved to change the August meeting to the 15th. Mary Hockenbery seconded, motion passed.

**SET WORK SESSION FOR DOWNTOWN BENCH PLACEMENT DISCUSSION**

This Work Session was set for August 1st at 6:00 p.m. Items to be discussed will be the Down Town bench placement as well as the Prosperity Plan.

**TOM WILLS-ORDINANCE 2015-05 DISCUSSION**

Tom Wills told the Board that he felt that the two No Impact Subdivisions recently approved by the Town were done so without the proper definition. He presented a sample of an amended Ordinance that he felt would be of better use to the Town for this situation.

Mayor Wilkening thanked Tom for his opinion and said that the Board would take his suggestion under consideration. Esther Koontz also thanked Tom for his presentation and requested that the subdivision regulations be discussed by the Planning Commission at their next meeting.

8. STAFF REPORTS

**TOWN ENGINEER REPORT**

Engineer Joanne Fagan told the Board that the DOLA (Department of Local Affairs) grant hearing for the Public Works Building will be next Tuesday, July 16th and a decision should be made by the end of the month.

A cost estimate was received from Ford Construction with some negotiated changes and a budget finalization is getting closer.

There was no more information to report on the Water Tank Project.

**TOWN MARSHAL'S REPORT**

Marshal Miller reported that the new patrol car is nice but the battery is under the front passenger's seat.

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8. (cont.) STAFF REPORTS  
TOWN PUBLIC WORKS REPORT  
Public Works Director Mike Owens told the Board that they hosted a fire hydrant training taught by Kennedy Fire Hydrant. Several fire department members attended the class as well.  
  
TOWN CLERK REPORT  
Deputy Town Clerk Ginger Redden thanked John and Billie Marta, Rich Kramer and the Public Works crew for the great job on landscaping the front of the building.
9. COMMITTEE REPORTS  
Patrick Webb reported on the building permits for the month of June.  
Mayor Wilkening said that the Planning Commission continues to discuss the IGA (Intergovernmental Agreement) with the County.  
Mayor Wilkening reported on items being discussed at the County Planning meetings.  
John Marta reported that on Mondays from 10:00 a.m. to 11:00 a.m. there is a Senior Exercise Program. It is a good class with a really good turnout.
10. MAYOR'S REPORT  
Mayor Wilkening again thanked John and Billie Marta, Rich Kramer and the Public Works Department for all of their hard work.  
A conference call was held with two (2) engineers from CDOT (Colorado Department of Transportation) to discuss the Down Town Streets workshop.  
Mayor Wilkening showed the Board a plaque from the North Fork Ambulance thanking the Town for all of the support given them over the past 50 years.  
The West Elk Clinic had a summer kickoff event at the clinic. Mayor Wilkening tended a booth on behalf of the Town.  
A thank you from Rural Philanthropy Days was shared.
11. UPCOMING EVENTS  
July 18th-Fair Grounds Family Event  
Tomorrow-Creamery Opening
12. POSSIBLE ITEMS FOR THE NEXT AGENDA  
Mobile Home Regulation Update-Possible first reading  
Subdivision Regulations

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13. EXECUTIVE SESSION

Mary Hockenbery 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 negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402 (4)(e) pertaining to the Water Tank Project. Pat Medina seconded, motion passed. The time was 8:18 p.m.

RETURN TO OPEN MEETING

Mayor Larry Wilkening read the following;

The time is now 8:39 p.m., and the executive session has been concluded. The participants in the executive session were; Mayor Larry Wilkening, Patrick Webb, Esther Koontz, John Marta, Pat Medina, Mary Hockenbery, Attorney Nerlin, Deputy Town Clerk Ginger Redden, Public Works Director Mike Owens, and Engineer Joanne Fagan.

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....

14. ADJOURNMENT

Pat Medina moved to adjourn the meeting at 8:39 p.m. Seconded by John Marta, motion passed.

Respectfully Submitted,

Ginger R Redden, Deputy Town Clerk