

## RECORD OF PROCEEDINGS

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Hotchkiss Board of Trustees

October 10, 2019

1. CALL THE MEETING TO ORDER

Mayor Wilkening called the meeting to order at 6:32 p.m.

Roll call was taken and those present were Sheila Maki, Esther Koontz, Patrick Webb, Pat Medina and Mary Hockenbery. Absent was John Marta.

Those present recited the Pledge of Allegiance.

2. CONSENT AGENDA

MINUTES FOR SEPTEMBER 12, 2019

Sheila Maki moved to approve the minutes as presented. Seconded by Pat Medina, motion passed.

MINUTES FOR SEPTEMBER 17, 2019

Sheila Maki moved to approve the minutes as presented. Seconded by Pat Medina, motion passed.

3. CONSIDERATION OF BILLS

Esther Koontz moved to approve the payment of all bills as presented. Seconded by Sheila Maki, motion passed.

4. PUBLIC COMMENT

Tom Wills gave the Board his presentation on climate change. Tom also gave the Trustees ideas to help with climate change that the Town could implement if they choose to.

5. OLD BUSINESS

BUILDING CODE UPGRADE UPDATE

Attorney Nerlin told the Board that the upgrade was progressing. The Town Building Inspector, John Caven will be looking this over as well and giving his suggestions. In order to receive State funding the Energy Code needed is either the 2015 or the 2018, whichever the Board chooses. The Fire Code portion will not be an Ordinance but a Resolution, flood plain regulations will need to be put in place as well as a Board of Appeals. A new Ordinance will be needed once the changes are made to adopt the updated Building Code. Mayor Wilkening thanked Attorney Nerlin as well as John Marta and Patrick Webb for their work on the upgrade. They are hoping to have a draft Ordinance before the Board in either November or December with possible adoption in January.

HANSON MESA DOMESTIC WATER COMPANY-COMMERCIAL TAP

Peter Pruitt represented Hanson Mesa Domestic Water Company. This item was first presented to the Board in April with two (2) items presented for possible approval. One of the items (Kwiki Tire) had all of the information in order to reach a decision, the second item (High Elevation Hemp) needed more information and discussion in order to proceed.

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5. OLD BUSINESS

(cont.) HANSON MESA DOMESTIC WATER COMPANY

Peter Pruitt stated that they are honoring the contract with the Town by coming before the Board before making a decision on this change to commercial use for High Elevation Hemp. The contract for HMDWC and the Town will need to be renewed in 2022.

High Elevation Hemp stated that they currently have three (3) green houses and 12,000 gallons of water a month should cover all green houses. They would like to add three more green houses in the future but have no plans for that as of now. They will use irrigation water exclusively when it is available.

After several minutes of discussion, the Board directed the Town Staff to get them a copy of the contract with Hanson Mesa Water Company and the amount of water that is currently used so that the Board will have more information before making a decision. This item will be revisited in the November meeting.

6. PUBLIC HEARINGS

None.

7. NEW BUSINESS

SPECIAL EVENTS LIQUOR LICENSE-DELTA COUNTY LIVESTOCK ASSOCIATION  
Canceled.

TOWN WATER QUESTIONS-TERRELL LINDBERG

Mayor Wilkening told Mrs. Lindberg that we have a long meeting and to please keep this subject to no longer than five (5) minutes.

Terrell's husband handed out information on several chemicals to the Board. The chemicals ranged from Fluoride to Gadolinium. There were test results showing the amount of different chemicals in Terrell's body as well as her granddaughter's results.

Terrell is concerned about the chemicals that are in the Town water as well as the use of Round Up to spray the weeds. Terrell says that she is not so much concerned about the Fluoride in the water but the chemicals that are used with it.

Public Works Supervisor Marvin Jackson said that the water is tested monthly and that the Town follows the State guidelines.

Mayor Wilkening said that any changes would have to go to a vote of the people.

Terrell told the Board that Montrose just implemented the changes with no vote needed. Mayor Wilkening told her that Montrose is Home Ruled and not a Statutory Municipality.

HOMELESS POPULATION-AMANDA MEREDITH

Amanda Meredith told the Board that there is a certain homeless woman in Town that has been selling drugs and squatting in various locations around Town. Jamie Freeman has been in the area for the last two (2) years and has been taking advantage of high school kids and leaving trash wherever she stays. She has lived everywhere from the draw below Willow Heights to an animal stall at the Fair Grounds.

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7. NEW BUSINESS

(cont.) HOMELESS POPULATION-AMANDA MEREDITH

Amanda told the Board that this is not just a Homeless issue but also a drug issue. The Board told Amanda that this item would be looked into.

LIQUOR LICENSE RENEWAL-CITY MARKET #29

Sheila Maki moved to approve the Liquor License renewal for City Market #29. Seconded by Mary Hockenbery, motion passed.

REQUEST TO LIVE IN RV WHILE HOME BEING BUILT-501 CLARA VISTA STREET  
BEN AND JESSICA SMART

Ben Smart told the Board that they are the new owners of 501 Clara Vista Street. They have nine (9) acres and would like to live in their RV (Recreational Vehicle) while their home is being built. This home will be a manufactured home and they are looking at eight (8) months until completion. The camp ground where they are currently staying is getting ready to close for the season, leaving them no place to live. Ben brought in a letter with several of his neighbors signatures saying that they had no problem with this arrangement. (Attached to the original minutes)

The Board asked about the sewer collection and told Ben and Jessica that while they could hook up to the water, they could not hook the RV up to the sewer.

Ben said that he has a container that he drains the sewage into and then transports it to Glenwood Springs to dump.

Sheila Maki moved to approve this variance request for Ben and Jessica Smart of 501 Clara Vista Street to live in their RV until May 31, 2020 with the understanding that all regulations must be followed and the sewage handled properly at all times. Seconded by Pat Medina, motion passed with Esther Koontz abstaining since she is a neighbor of the Smarts.

TRUSTEES GIVEN PRELIMINARY 2020 BUDGET

Mayor Wilkening asked the Board to look over this preliminary budget before the work session which will be set at the next agenda item. Any questions should be asked of Town Clerk, Marlene Searle or Deputy Town Clerk Ginger Redden.

Deputy Town Clerk Ginger Redden reminded the Board that this Budget will change several times before the final one will be adopted in December.

SET BUDGET WORK SESSION

The Budget Work Session was set for Tuesday, October 22, 2019 at 6:00 p.m.

DONATION REQUEST-NORTH FORK COMMUNITY DINNERS

Pat Medina represented the North Fork Community Dinners. Larry Jakubiak does all of the cooking for these dinners. They are free to the Community and are served on Thanksgiving and Christmas.

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7. NEW BUSINESS  
DONATION REQUEST-NORTH FORK COMMUNITY DINNERS  
(cont.) Mary Hockenbery moved to approve the \$500 donation to the North Fork Community Dinners. Seconded by Esther Koontz, motion passed with Pat Medina abstaining as the representative.

8. STAFF REPORTS  
ENGINEER REPORT  
Engineer Joanne Fagan told the Board that the people working on the Water Tank dome have been here for two (2) weeks. Foam was placed, the leg was replaced and they will be ready to start cleaning the tank.

The Storm Water Management Permit is waiting for approval for the Public Works Shop Building.

Engineer Fagan asked to Board to approve an extension letter to DOLA (Department of Local Affairs) for the Water Tank Project. A six (6) month extension should be plenty of time to get everything finished on this project.

Sheila Maki moved to approve submittal of a six (6) month extension letter to DOLA for the completion of the Water Tank Project. Seconded by Pat Medina, motion passed.

Joann also told the Board that a \$10.00 an hour increase to her wages will be added to the Engineer Contract for 2020.

### TOWN MARSHAL'S REPORT

Marshal Miller had nothing to add to his written report.

### PUBLIC WORKS REPORT

Public Works Director Mike Owens is on vacation, Supervisor Marvin Jackson attended the meeting. Marvin said that Engineer Joanne Fagan covered his items as well.

### TOWN CLERK REPORT

Deputy Town Clerk Ginger Redden told the Board that the annual City Market/Town of Hotchkiss Secret Santa fundraiser will be Friday, October 18th from 10:00 a.m. to 5:00 p.m. or when they run out of chili, whichever comes first. Chili and corn bread will be served along with baked items to buy.

9. COMMITTEE REPORTS

Patrick Webb updated the Board on Building Permits for the Town. Year to date, the Town has collected \$13,000.

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10. **MAYOR'S REPORT**  
Mayor Wilkening updated the Board on the Hotchkiss Prosperity Plan.  
Mayor Wilkening and Sheila Maki attended the DCED (Delta County Economic Development) meeting. Reorganization is taking place and they may increase their dues.
11. **UPCOMING EVENTS**  
City Market/Town of Hotchkiss Fundraiser-Friday, October 18  
Steering Committee Meeting-Tuesday, October 22  
Budget Work Session-Tuesday, October 22  
Hotchkiss Chamber of Commerce is accepting nominations for Citizen of the Year, Business of the Year and Non-Profit of the year with the annual dinner being November 12, 2019
12. **POSSIBLE ITEMS FOR THE NEXT AGENDA**  
Hanson Mesa Domestic Water Company  
Mobile Home Regulations
13. & **EXECUTIVE SESSIONS**
14. Sheila Maki 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 and the Public Works Shop Project. Seconded by Esther Koontz, motion passed. The time was 8:06 p.m.

### RETURN TO OPEN MEETING

Mayor Larry Wilkening read the following;

The time is now 8:25 p.m., and the executive session has been concluded. The participants in the executive session were; Mayor Larry Wilkening, Patrick Webb, Pat Medina, Mary Hockenbery, Sheila Maki, Esther Koontz, Attorney Bo Nerlin, Deputy Town Clerk Ginger Redden, Public Works Supervisor Marvin Jackson, 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....

15. **ADJOURNMENT**  
Pat Medina moved to adjourn at 8:26 p.m. Seconded by Sheila Maki, motion passed.

Respectfully Submitted,  
Ginger Redden, Deputy Town Clerk