

RECORD OF PROCEEDINGS

Hotchkiss Board of Trustees

June 11, 2020

1. CALL THE MEETING TO ORDER

Mayor Wilkening called the meeting to order at 6:30 p.m. Roll call was taken and those present were Mary Hockenbery, Jim Wingfield, Esther Koontz, Patrick Webb, Pat Medina and John Marta.

Those present recited the Pledge of Allegiance.

2. CONSENT AGENDA

MINUTES FOR MAY 14, 2020

Esther Koontz moved to approve the minutes as presented. Seconded by John Marta, motion passed.

3. CONSIDERATION OF BILLS

Engineer Joanne Fagan told the Board that she is working on the Pay Request for Ford Construction and will get it to the Town Clerk once it is completed.

Pat Medina moved to approve payment of all bills as presented, seconded by Jim Wingfield. Motion passed.

4. PUBLIC COMMENT

Mary Hockenbery told the Board that her husband, Touffic was not feeling well so they contacted the Health Department. The Health Department tested them for COVID-19 at no charge and they were very professional and caring. Both results were negative.

Terry O'Brien told the Board that the Town of Hotchkiss website has the Board meetings being on the second Wednesday of the month.

5. OLD BUSINESS

BUILDING CODE UPGRADE ORDINANCE-2020-02 POSSIBLE SECOND READING

Mayor Wilkening told the Board that he had possible changes to the Ordinance that he would like to discuss.

1) Item number seven (7) exhibit one (1) does not require a building permit for decks ten (10) feet by twenty (20) feet and eighteen (18) inches off of the ground but does require a permit to replace any part of the deck such as a board or railing.

2) The Building Inspector is said to be a full time employee of the Town instead of a contractor.

3) A Board of Appeals will be required to have under the 2018 IBC Building Code.

The Board had several minutes of discussion involving these items. It was decided to stay with the Building Inspector as a contractor and a Board of Appeals would be addressed at the July meeting as far as structure and statute requirement.

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5. OLD BUSINESS (cont.)

BUILDING CODE UPGRADE ORDINANCE 2020-02

Mary Hockenbery move to approve Ordinance 2020-02 an Ordinance of the Town of Hotchkiss, Colorado, repealing and replacing certain provisions of chapter X of the Hotchkiss Municipal code to update building regulations and to adopt by reference certain 2018 international code council books and amendments thereto with the exemption in Exhibit one (1) number seven (7) stating that any deck less than twenty five (25) square feet and less than eighteen (18) inches above any grade point is exempt from a building permit as well as any minor repair or component replacement for a deck being exempt from a building permit. Seconded by Esther Koontz, motion passed.

ONE DELTA COUNTY IGA (INTERGOVERNMENTAL AGREEMENT)

Kami Collins represented One Delta County to discuss the transition process that Delta County Economic Development (DCED) went through to become One Delta County. Mayor Wilkening said that it was a long process and he was involved from the beginning. Mary Hockenbery was also involved in this process and supports them and all that they do for the County. Kami explained that this new restructuring will allow for a paid employee to just focus on the economic development of the County instead of having to fundraise in order to keep their position and they are still considered a 5013C. (Non profit business)

Mary Hockenbery moved to approve the signing of the IGA with the newly restructured One Delta County. John Marta seconded, motion passed.

DISASTER DECLARATION EXTENSION DISCUSSION

Mayor Wilkening reminded the Board that the Disaster Declaration was extended to June 12th at the previous meeting and if another extension is needed it would need to be done at this meeting. Attorney Nerlin noted that both Ridgway and Paonia have extended their declarations in part to help the local restaurants with their recovery. The Board agreed that anything to help the businesses would be worth doing.

Esther Koontz moved to extend the disaster declaration to August 14th, 2020. Seconded by Mary Hockenbery, motion passed.

Attorney Nerlin will draw up the new Resolution for the extension and send it to the Town Clerk's Office in the morning. Once it is signed it will be forwarded to the County.

6. PUBLIC HEARINGS

None

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7. NEW BUSINESS

VARIANCE REQUEST FOR TEMPORARY KEEPING OF A 4TH DOG-CASSANDRA PAYNE

Mayor Wilkening told the Board that a Variance Request involved a Public Hearing.

Attorney Nerlin stated that Cassandra could be heard but the Board would not be able to take any action until July, once the appropriate notices have gone out.

Cassandra said that she took the dog in to help a friend get out of a bad situation. She is hoping that the owner will be able to take her back soon but has not heard from her. Right now the dog is in heat so she cannot be fixed and is having to stay in the house. After several minutes of discussion the Board encouraged her to find the dog another place to stay within the next two weeks. If a solution cannot be found, they asked Cassandra to let the staff know so that this item can be revisited in the July meeting. Mayor Wilkening said it could just be called a request not a variance request.

The Board thanked Cassandra for coming in.

IGA BETWEEN THE TOWNS OF HOTCHKISS, CEDAREEDGE AND PAONIA FOR VICTIM ADVOCATES

Mayor Wilkening stated that upon reading this agreement, he felt that more discussion would be needed and should be tabled until the July meeting.

Jim Wingfield moved to postpone this item until the July meeting. Seconded by Esther Koontz, motion passed.

MAYOR APPOINTMENT OF A TRUSTEE TO THE PLANNING COMMITTEE

This appointment will be to replace outgoing Trustee Sheila Maki. Mayor Wilkening encouraged a Board member to volunteer and let him know if anyone was interested.

IRRIGATION WATER DISCUSSION-EMMA STOPHER-GRIFFEN

Emma was not present at this meeting. Mayor Wilkening told the Board that a meeting was held last week to discuss this item. There is an overabundance of runoff irrigation water behind the business at Farm Runners and it runs into the parking lot of City Market and into the trailer court. There are still some property owners that need to be heard from but it looks like a solution is in place to fix the problem.

AGREEMENT FOR CARES COLORADO-FUNDING FOR COUNTIES AND LOCAL GOVERNMENT

Mayor Wilkening explained that this is a draft agreement that the County sent out that will help with reimbursement from Federal and State Governments. The agreement has been sent to Attorney Nerlin for review. Attorney Nerlin said that he has not had a chance to look it over but feels that it would be worth pursuing. Attorney Nerlin will review it and the Board directed Town Staff to move forward with the agreement as necessary.

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13. EXECUTIVE SESSION

Esther Koontz 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 Public Works Shop Project. Seconded by Mary Hockenbery motion passed. The time was 7:37 p.m.

RETURN TO OPEN MEETING

Mayor Larry Wilkening read the following;

The time is now 7:51 p.m., and the executive session has been concluded. The participants in the executive session were; Mayor Larry Wilkening, Patrick Webb, Mary Hockenbery, Esther Koontz, John Marta, Jim Wingfield, Pat Medina, Attorney Bo 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....

MOTIONS IN REFERENCE TO THE EXECUTIVE SESSION

Jim Wingfield moved to approve the Town of Hotchkiss entering into a Settlement Agreement with Ford Construction and approving Mayor Wilkening to sign the final agreement. Seconded by Pat Medina, motion passed.

Jim Wingfield moved to approve payment to Ford Construction be requested with deductions for work that still needs to be completed and inspected. Seconded by Mary Hockenbery, motion passed.

14. ADJOURNMENT

Pat Medina moved to adjourn at 7:56 p.m. Seconded by Jim Wingfield, motion passed.

Respectfully Submitted,

Ginger R. Redden, Deputy Town Clerk