

## RECORD OF PROCEEDINGS

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Hotchkiss Board of Trustees

September 9, 2021

1. CALL THE MEETING TO ORDER

Mayor Wilkening called the meeting to order at 6:30 p.m. A verbal roll call was taken and those present were Mary Hockenbery, Patrick Webb, Jim Wingfield, Pat Medina, and John Marta. Absent was Sven Edstrom.

Those present recited the Pledge of Allegiance.

2. CONSENT AGENDA

MINUTES FOR AUGUST 12, 2021

Mayor Wilkening had one correction on item #7. The year should be 2020 instead of 2019 for the statement of the net asset increase. Mary Hockenbery moved to approve the minutes as amended. Pat Medina seconded. A verbal vote was taken with all Trustees voting in favor. Motion passed.

3. CONSIDERATION OF BILLS

Pat Medina moved to approve all bills as presented, Jim Wingfield seconded. A verbal vote was taken with all Trustees voting in favor. Motion passed.

4. PUBLIC HEARINGS

None

5. OLD BUSINESS

WATER RESTRICTIONS REMINDER

Mayor Wilkening reminded the Board and citizens that the odd and even watering days are still in effect and conserving water where possible is a priority.

HOTCHKISS CHAMBER OF COMMERCE UPDATE/ONE DELTA COUNTY UPDATE-  
KIM SHAY

Kim was absent due to just having knee surgery. Mary Hockenbery told the Board that tomorrow would be Bank of Colorado's president, Mitch Swanda's last day of work here. They are moving back to Nebraska.

ORDINANCE 2021-02 BUILDING CODE AMENDMENTS-SECOND READING

Mayor Wilkening summarized this item from the last meeting.

Attorney Nerlin told the Board that the deck part of this Ordinance amendment should be left the same as it was originally. The original exemption says that no site plan or building permit is required for a deck that is twenty-five (25) square feet and less than eighteen (18) inches from the ground.

The fence amendment should state that fences under six (6) feet do not require a building permit. There was also several minutes of discussion about a separate fence Ordinance for fences built on easements and a height requirement for safety. Attorney Nerlin stated that this would have to be a separate Ordinance. This discussion will be on the October 14<sup>th</sup> agenda.

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5. OLD BUSINESS (cont.)  
ORDINANCE 2021-02 BUILDING CODE AMENDMENTS-SECOND READING  
Mary Hockenbery moved to accept the second reading of Ordinance 2021-02, an ordinance of the Town of Hotchkiss, Colorado updating certain provisions of the Town building regulation with the amended language of fences six (6) feet and under not needing a building permit and the size and height of the deck requiring a permit stay the same, seconded by Pat Medina. A verbal vote was taken with all Trustees voting in favor. Motion passed.  
  
ORDINANCE 2021-03-PLANNING COMMISSION MAKE UP AMENDMENT-FIRST READING  
The Board gave Attorney Nerlin direction in the August meeting to do an Ordinance to amend the makeup of the Planning Commission. The Planning Commission will change to five (5) members instead of seven (7) and will be made up of the Mayor, one (1) Trustee and three (3) citizens of the Town.  
Mary Hockenbery moved to introduce Ordinance 2021-03 an ordinance of the Town of Hotchkiss, Colorado updating certain provisions of the Town code regarding the appointment of Planning Commission members as a first reading, seconded by Jim Wingfield. A verbal vote was taken with all Trustees voting in favor. Motion passed.
6. PUBLIC COMMENT  
Mayor Wilkening explained that this is for comment only and speakers will be limited to five (5) minutes each.  
No comment was given.
7. MAYOR'S REPORT  
There are no birthdays this month.  
Two (2) new employees started in the Hotchkiss Marshal's Office, Brian Berger a Deputy and Joann Katzer the new evidence custodian/court clerk. Public Works has a new employee, Brandon Hartzo and another new employee will start in the Public Works Department on Monday, September 13<sup>th</sup>  
The County Commissioners will only allow camping at the Fairgrounds for events being held there and only on the East side. Once the RV (recreational vehicle) dump problem has been resolved camping will be reinstated.  
Mayor Wilkening, Town Clerk Ginger Redden and Deputy Town Clerk Karen Laing attended a CIRSA (Colorado Intergovernmental Risk Sharing Agency) training on due process. The training was taught by Sam Light. Fairness is the most important factor to have in due process. The Town of Hotchkiss has a good hearing process it just needs to be tightened up some.  
Budget season is in progress. The first preliminary budget will be handed out at the October Board meeting.

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### 8. NEW BUSINESS

#### NORTH FORK HIGH SCHOOL STUDENT COUNCIL INTRODUCTIONS

Coulson Hollembeak and Ben Rodriguez introduced themselves to the Council. They are both Seniors and represent two (2) of the ten (10) Executive Student Council members. They have played one football game so far and will play Monte Vista tomorrow.

#### CENTER FOR MENTAL HEALTH-LEIGH ROBERTSON

Rebecca Lister addressed the Board on behalf of Leigh Robertson.

Rebecca gave a history of the Center for Mental Health and said that 1,058 residents of the Town were helped last year. They would like the support of the Town in the amount of \$500.00 in the 2022 budget.

Mary Hockenbery moved to approve the donation in the amount of \$500.00 for the 2022 budget year to the Center for Mental Health, seconded by Pat Medina. A verbal vote was taken with all Trustees voting in favor. Motion passed.

#### CDOT-ADA RAMP/CROSSWALK & BRIDGE STREET RECONSTRUCTION

##### DISCUSSION-RAELENE SHELLY

Raelene Shelly from CDOT (Colorado Department of Transportation) attended the Town meeting in person and several other CDOT employees attended via Zoom. The Zoom attendees were Michael Curtis, Andi Staley, and Brenan Sellers.

Raelene told the Board that the new sidewalk ramps are ADA (Americans with Disabilities Act) compliant with the ramps being mostly on the West side of the street with the exception being at 1<sup>st</sup> Street and Bridge Street. Brenan Sellers shared his screen with the plans for the total revision of Highway 92 (Bridge Street) through Town. CDOT went through all of plans for the revision with Raelene offering a couple of strategies for the construction. The work will be done from Pinon to 4<sup>th</sup> Street.

- 1) Rip the band aid off which would mean a full closure of Highway 92 with traffic being diverted up Hotchkiss Avenue if they are East Bound and up Main Street if they are West bound. This plan would be complete in about thirty-five (35) days starting July 5<sup>th</sup> and ending August 22<sup>nd</sup>. This work cannot be started until the work on Highway 50 is done and Highway 92 is no longer a detour.
- 2) A three (3) phase strategy would allow for one lane to be open for traffic while the work is done. This would require forty-five (45) days of work time starting on July 5<sup>th</sup> and ending around September 8<sup>th</sup>.

The Board and CDOT discussed the strategies. It was mentioned that Fair is the first full week in August and the Board asked for options available for that week.

Raelene told the Board that the construction could still start on July 5<sup>th</sup> with the first phase starting in the middle of Bridge Street and being done around Fair week. CDOT could then take a break and complete the project on either end of Bridge Street once Fair week is done.

The consensus of the Board was the Rip the Band Aid off strategy was the best.

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8. NEW BUSINESS (cont.)

Sven Edstrom was present at 8:00 p.m.

NORTH FORK EMS GRANT UPDATE

No representative present.

GRAY AND BLACK-MARKET MARIJUANA ENFORCEMENT GRANT-MARSHAL GREEN

Marshal Green told the Board that this grant is available through DOLA (Department of Local Affairs) and helps with the prosecution of illegal marijuana grows. This grant can also be used for the purchase of equipment that can be used for this purpose as well as other purposes.

Marshal Green applied for and received this grant when he worked in Edgewater and used the funds to start a drone program. Marshal Green said that all he needs now to apply for the grant is council approval. The application must be submitted by September 17<sup>th</sup>.

Jim Wingfield moved to approve Marshal Green submitting the application for the Gray and Black-Market Marijuana Enforcement grant, seconded by Mary Hockenbery. A verbal vote was taken with all Trustees voting in favor. Motion passed.

9. EXECUTIVE SESSION

Jim Wingfield moved to go into an Executive Session for a conference with the Town Attorney for the purpose pursuant to C.R.S. 24-6-402 (2)(f) for the personnel matter discussion with the Town and Municipal Court Judge French, seconded by Mary Hockenbery. A verbal vote was taken with all Trustees voting in favor. Motion passed. The time was 8:08 p.m.

At 8:08 p.m. the recording was turned off due to Attorney/Client privilege.

RETURN TO OPEN MEETING

The recording of the meeting was turned back on at 9:16 p.m.

Mayor Larry Wilkening read the following.

The time is now 9:17 p.m., and the executive session has been concluded. The participants in the executive session were Mayor Larry Wilkening, Patrick Webb, Mary Hockenbery, Jim Wingfield, Pat Medina, John Marta, Sven Edstrom, Judge Lynn French, Attorney Bo Nerlin, Town Clerk Ginger Redden and Deputy Town Clerk Karen Laing.

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....

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9. EXECUTIVE SESSION (cont.)  
POSSIBLE MOTION FROM THE EXECUTIVE SESSION  
No motion made.
  
10. ADJOURNMENT  
Pat Medina moved to adjourn the meeting at 9:17 p.m., seconded by Mary Hockenbery. A verbal vote was taken with all Trustees voting in favor. Motion passed.

Respectfully Submitted,

Ginger R. Redden, Town Clerk