

## RECORD OF PROCEEDINGS

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Hotchkiss Board of Trustees

November 17, 2021

1. CALL THE MEETING TO ORDER

Mayor Wilkening called the meeting to order at 6:34 p.m. A verbal roll call was taken, present were Mary Hockenbery, Pat Medina, Sven Edstrom, Patrick Webb, Jim Wingfield, and John Marta.

Those present recited the Pledge of Allegiance.

2. CONSENT AGENDA  
MINUTES FOR OCTOBER 14, 2021

Mary Hockenbery moved to approve the minutes as presented, Patrick Webb seconded. A verbal vote was taken with all Trustees voting in favor. Motion passed.

3. CONSIDERATION OF BILLS

Town Clerk Ginger Redden read the additional bills that were paid. John Marta moved to approve payment of all bills as presented, Patrick Webb seconded. A verbal vote was taken with all Trustees voting in favor. Motion passed.

4. PUBLIC HEARINGS

None

5. OLD BUSINESS

FENCING PERMIT DISCUSSION

Mayor Wilkening told the Board that this subject started with a discussion at the September meeting. The discussion included height, view obstruction for traffic and how the Ordinance would be enforced. Chief Green told the Board that Alpine Fencing has rules about the way that it puts up fences to make sure that there are no obstructions. Jim Wingfield said that he feels this would be beneficial to the Town for safety reasons. Mayor Wilkening said that this would apply only to the front yard and traffic safety. He feels that this could be enforced by the Code Enforcement person. Pat Medina said that along with fences being an obstacle, there are several trees and bushes around Town that cause the same problem. Patrick Webb asked if this Ordinance could address all obstacles.

After several more minutes of discussion, the Board directed Attorney Nerlin to work on an Ordinance that would include obstacles and fence standards.

BUSINESS LICENSE REGISTRY DISCUSSION

Mayor Wilkening told the Board that most Towns do not charge a fee for a business license. It is more to know who is doing business in Town. After several minutes of discussion, the Board directed Attorney Nerlin to collaborate with the Clerk's Office and put a business license registry in place starting January of 2022. The Clerk's Office will also let business owners know that the registry will be happening.

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5. OLD BUSINESS (cont.)

UPDATE REGARDING MUNICIPAL COURT JUDGE

Attorney Nerlin told the Board that two (2) candidates were interviewed by the committee made up of Attorney Nerlin, Patrick Webb, Mary Hockenbery, Chief Green and Town Clerk Ginger Redden, yesterday. The candidates were Bruce Joss, the municipal judge for Cedaredge and a few other communities and Julie Huffman, the municipal judge for Paonia and in house lawyer for Delta Health. Both candidates are extremely qualified. An offer was extended to Bruce Joss who is honored to be chosen if the Board so chooses. The Board approved the choice and Judge Joss will be appointed in January of 2022.

UPDATE ON PRELIMINARY BUDGET FOR 2022

Mayor Wilkening told the Board that this is the most recent preliminary budget. The budget that they receive in December will be the one for possible adoption.

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

CHAMBER OF COMMERCE

Kim was unable to attend the meeting. Town Clerk Ginger Redden read a letter that she sent. The Chamber held its annual meeting on November 11<sup>th</sup> at the Creamery Arts Center. The Citizen of the Year was Mayor Larry Wilkening, Non-Profit of the year was the Creamery Arts Center and Business of the year was Wellspring Vitality.

A special award went to Mary Hockenbery for her prestigious award from Colorado Creative Industries and for her dedication to Downtown projects over the years.

The meetings will now be held on the last Thursday of the month at the Museum at 8:30 a.m.

The new Chamber Officers are:

Kim Shay-President  
Shelly Ware-Vice President  
Tracy Ihnot-Secretary  
Terry O'Brien-Treasurer

Other Members of the Chamber:

Lenore Cambria  
Bill Long

ONE DELTA COUNTY

One Delta County will be holding their annual meeting tomorrow, Thursday, November 18<sup>th</sup> at 5:30 p.m. Pat Medina of Pat's Bar and Grill will be catering the event.

PARK ORDINANCE TIME CHANGE DISCUSSION

Mayor Wilkening told the Board that the Town needs something to help with confusion about the park hours, especially with the Fair Grounds.

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5. OLD BUSINESS (cont.)

PARK ORDINANCE TIME CHANGE DISCUSSION (cont.)

Cody Prentiss, the new grounds keeper at the Fair Grounds said that he would like to have the Ordinance read from sunset to sunrise rather than from dusk until dawn. Lenore Cambria would like to have something posted out at the North Fork Pool Park and Recreation District as well. The Board decided to revise the original Park Ordinance.

OPIOID SETTLEMENT MOU UPDATE/POSSIBLE RATIFICATION

Mayor Wilkening told the Board that the Town is now registered with the State for this item. Attorney Nerlin said that the State did push some deadlines back but is not sure until when. Authorization to participate in the program was given at the last meeting by the Board.

6. PUBLIC COMMENT

None

7. MAYOR'S REPORT

There are no employee birthdays this month.

There is a Due Process Training that CIRSA (Colorado Insurance Rate Sharing Agency) offers on You Tube.

Mayor Wilkening talked to Raelene from CDOT (Colorado Department of Transportation) about the Bridge Street (Highway 92) reconstruction scheduled for next year. When this project was proposed to the Board, Mike Owens asked CDOT who would pay for the reconstruction of the side streets in Town and CDOT replied that they would. Now CDOT is saying that they will not pay for the damages that may be done. CDOT bored and tested our streets and found that several have no base. The policy for CDOT is that if it is not in the bid, they will not do it. If CDOT is not willing to pay for the damages to the side streets, then Plan B will have to be in effect for the reconstruction of Bridge Street (Highway 92). This plan will have more time involved as well as more safety issues. Plan B will push the project into Fair Week and will also involve having to have flaggers to help with traffic. Raelene will do a cost analysis and get back to Mayor Wilkening.

Mayor Wilkening went over the Census data from 2020. According to the results the Town lost 75 people from 2010 to 2020. Mayor Wilkening thinks that this information is incorrect and has a call in to the State Demographers Office. He would like to see what impact this information will have on the Town's future grants and loans that can be applied for.

The direct appropriation request from the Federal Government that Mayor Wilkening applied for to help with our water plant infrastructure has been continued to December 3<sup>rd</sup>. The way things are looking, it may be continued again after that date.

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### 8. NEW BUSINESS

#### DONATION REQUESTS

##### NORTH FORK CHILDREN'S CHRISTMAS PARTY

Pam Bliss told the Board that this is the 30<sup>th</sup> year for this party. Two hundred eighty (280) children will benefit from this party. They are asking that we sponsor four (4) children in the amount of \$50 each for a total of \$200.

John Marta moved to approve the request from the North Fork Children's Christmas Party in the amount of \$200, seconded by Pat Medina. A verbal vote was taken with all Trustees voting in favor. Motion passed.

##### NORTH FORK COMMUNITY DINNERS

At this point Pat Medina excused herself to represent the North Fork Community Dinners.

Larry Jakubiak has been cooking these dinners for over twenty-five (25) years, one on Thanksgiving Day and one on Christmas Day. This year will be a choice of dine in or carry out. Jim Wingfield moved to approve the above noted request in the amount of \$500, seconded by Mary Hockenbery. A verbal vote was taken with all Trustees voting in favor. Motion passed.

##### COMMENT LETTER FOR GRAND MESA NATIONAL FOREST PLAN-BEN KATZ

Ben Katz, Public Lands Director of the Conservation Center told the Board that the Grand Mesa National Forest is revising the plan that directs all forest projects. The current one is from 1983. The final plan will be released in 2022. The deadline to submit a comment letter is November 26, 2021.

Ben submitted to the Board a letter template and encouraged them to submit a letter by the deadline. Only entities that submit letters by the deadline will be able to protest any decisions made. Letters submitted after the deadline will still be read but no protesting will be allowed. Mayor Wilkening asked the Board if they would like to submit a letter or if this should be an individual choice.

After several more minutes of discussion, Sven Edstrom and Mayor Wilkening said that they would get together to come up with a letter to present to the Board in the December meeting. The letter will not be there by the deadline but there will still be a comment from the Town to be considered.

##### LIQUOR LICENSE RENEWALS

##### CREAMERY ARTS CENTER

Jim Wingfield moved to approve the liquor license renewal for the Creamery Arts Center, seconded by Pat Medina. A verbal vote was taken with all Trustees voting in favor. Motion passed.

##### CITY MARKET #29

Jim Wingfield moved to approve the liquor license renewal for City Market, seconded by Pat Medina. A verbal vote was taken with all Trustees voting in favor. Motion passed.

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8. NEW BUSINESS (cont.)

**MAHALO BEVERAGES DBA TRI-R LIQUORS**

John Marta moved to approve the liquor license renewal for Tri-R Liquors, seconded by Jim Wingfield. A verbal vote was taken with all Trustees voting in favor. Motion passed.

**SPECIAL EVENTS LIQUOR LICENSE**

**DELTA COUNTY LIVESTOCK ASSOCIATION-ZACH HOTCHKISS**

Zach told the Board that this event will take place in Heritage Hall on Saturday, December 4<sup>th</sup> from 5:00 p.m. to 11:00 p.m. The Elks Club will be serving the alcohol and doing the security. Dinner will be served, and a DJ will be providing music. The proceeds from this dinner go towards scholarships that are given to high school seniors.

John Marta moved to approve the above noted liquor license, seconded by Jim Wingfield. A verbal vote was taken with all Trustees voting in favor. Motion passed.

**SIDEWALK ORDINANCE DISCUSSION-TOM WILLS**

Tom Wills told the Board that after comments made in the Budget Work Session about sidewalks, he wanted to come talk to the Board. Tom gave the Board a history of the sidewalk Ordinance and the reason for it. Tom told the Board that he would be willing to work with planning and update the Ordinance if needed. The Board discussed several aspects of the sidewalk Ordinance, from the cost and who should pay to where the sidewalks should be replaced first.

Mary Hockenbery said that the Sidewalk Permit that is a part of the Ordinance should be gotten rid of. It has never been enforced.

After several more minutes of discussion the Board agreed that the sidewalk Ordinance update needs to start with the Planning Commission. Mayor Wilkening will talk to Planning Chairperson Roger Christian about moving forward with this update.

**YEAR END BONUS DISCUSSION**

Town Clerk Ginger Redden explained the bonuses. Every year the Town gets City Market gift cards for the employees as a bonus. Each employee gets \$250, and the Mayor and Council members get \$50 each.

Jim Wingfield moved to approve the year-end bonuses in the above noted amounts, seconded by Mary Hockenbery. A verbal vote was taken with all Trustees voting in favor. Motion passed.

**RESOLUTION 2021-09 DESIGNATED EMERGENCY RESPONSE AUTHORITY (DERA)**

Mayor Wilkening explained the need for this Resolution to the Board and then read the Resolution out loud. Historically the Designated Response Authority has been the Fire Department, but with the new FEMA (Federal Emergency Management Agency) and County requirements, more responsibilities have been placed on Towns and Counties.

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8. NEW BUSINESS (cont.)  
Mary Hockenbery moved to approve Resolution 2021-09 a resolution of the Board of Trustees appointing a hazardous materials emergency response authority within the Town of Hotchkiss, seconded by Pat Medina. A verbal vote was taken with all Trustees voting in favor. Motion passed.
  
9. ADJOURNMENT  
Pat Medina moved to adjourn the meeting at 9:14 p.m., seconded by Jim Wingfield. A verbal vote was taken with all Trustees voting in favor. Motion passed.

Respectfully Submitted,

Ginger R. Redden, Town Clerk