

## RECORD OF PROCEEDINGS

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Hotchkiss Board of Trustees

December 9, 2021

1. CALL THE MEETING TO ORDER

Mayor Wilkening called the meeting to order at 6:31 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 NOVEMBER 17, 2021

Mary Hockenbery had one change to the minutes. On page two (2), the Chamber of Commerce meets at 8:30 a.m. not 8:30 p.m.

Patrick Webb moved to approve the minutes with the above noted changes, Mary Hockenbery 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. Jim Wingfield moved to approve payment of all bills as presented, Pat Medina seconded. A verbal vote was taken with all Trustees voting in favor. Motion passed.

4. PUBLIC HEARINGS

VARIANCE REQUEST DERRAH VARIANCE REQUEST

Mayor Wilkening read the rules of the Public Hearing to all present.

STAFF PRESENTATION

Mayor Wilkening read the Variance request letter submitted by Karl and Heather Derrah

APPLICANT PRESENTATION

Karl Derrah told the Board that Mike Pitt had asked if he could run cows on the property that he and his wife own at 722 Cedar Drive. Mike would like to graze no more than twenty (20) cattle for a period of sixty (60) days. Mike Pitt was not present at the meeting.

The Board stated concerns about the use of an electric fence to keep the cattle in and what kind of food they would have access to. It was noted that cows are not easy to keep fenced, especially if they have no food.

PUBLIC COMMENT

Public Comment was opened at 6:45 p.m.

George Schovajsa of 891 Ryan Court told the Board that he is against this Variance.

Dan Hilleman of 890 Ryan Court also is against the Variance.

Two letters were read by Mayor Wilkening. The first was from Jessica and Ben Smart of 501 Clara Vista and the second letter was from Rebecca Dhbrolav of 938 Ryan Court. Both letters were against this Variance as well.

The Public Comment was closed at 6:51 p.m.

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4. PUBLIC HEARINGS (cont.)  
BOARD DELIBERATION

The Board had several minutes of discussion about the water, food, fencing and the fact that the owner of the animals did not show up for this meeting. They also discussed the Animal Ordinance and the way it reads.

Jim Wingfield moved to deny the Variance request for 722 Cedar Drive, Mary Hockenbery seconded. A verbal vote was taken with all Trustees voting in favor. Motion passed.

5. OLD BUSINESS  
ORDINANCE 2021-03 FENCING PERMIT-1<sup>ST</sup> READING

Mayor Wilkening reminded the Board that this discussion started a couple of months ago and the Board directed Attorney Nerlin to come up with an Ordinance for fences as well as obstructions. Jim Wingfield moved to introduce Ordinance 2021-03, an Ordinance of the Board of Trustees of the Town of Hotchkiss, Colorado, adding provisions to the Town of Hotchkiss Municipal Code for Fencing Regulation, seconded by Mary Hockenbery. A verbal vote was taken with all Trustees voting in favor. Motion passed.

BUSINESS LICENSE REGISTRY DISCUSSION

Mayor Wilkening told the Board that everything was put in place at the last meeting. Starting January 1, 2022, the Clerk's office will start reaching out to businesses in Town to get them registered with the Town.

APPOINTMENT OF MUNICIPAL JUDGE STARTING JANUARY OF 2022

Bruce Joss introduced himself to the Board and thanked them for the opportunity to work for the Town of Hotchkiss. He said that it is a privilege and honor to work here.

Attorney Nerlin welcomed Bruce. Attorney Nerlin told the Board that a motion to Appoint Judge Joss would be needed tonight and another more Official one would be needed after the election in April.

Mary Hockenbery moved to appoint Judge Joss as the Judge for the Town of Hotchkiss starting January 1<sup>st</sup> of 2022, seconded by Jim Wingfield. A verbal vote was taken with all Trustees voting in favor. Motion passed.

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

CHAMBER OF COMMERCE

Kim Shay was unable to attend the meeting. Mayor Wilkening read a letter that she sent stating that she will be trading off meetings with the new Chamber of Commerce Vice President, Shelly Ware and the Christmas Lighting judging will be done by Tracy Ihnot and some of the library kids.

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5. OLD BUSINESS (cont.)  
ORDINANCE 2021-04 PARK ORDINANCE REVISION  
Attorney Nerlin told the Board that this could be a Resolution rather than an Ordinance. The Resolution was not ready tonight, but he would like to have a motion stating the hours for the parks in Town and it will be ratified in the January meeting.  
Jim Wingfield moved to change the hours of the parks in Town to be closed from sunset to sunrise, 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  
Mayor Wilkening told the Board that he and Sven Edstrom put this letter together. Mayor Wilkening will send the letter as well as the Source Water Protection plan if the Board approves it.  
Mary Hockenbery moved to approve the above noted letter and the sending of it and the Source Water Protection Plan, seconded by Jim Wingfield. A verbal vote was taken with all Trustees voting in favor. Motion passed.
6. PUBLIC COMMENT  
None
7. MAYOR'S REPORT  
There are three (3) employee birthdays this month; Town Clerk Ginger Redden, Officer Brian Berger and Mayor Wilkening.  
Public Works Director Mike Owens and Mayor Wilkening are still talking to CDOT (Colorado Department of Transportation) about the reconstruction of Highway 92 (Bridge Street). CDOT would like to have a MOU (Memorandum of Understanding) with the Town to help with any damages that will be done to the side streets. It is hard to figure out a cost as to what the damage will be. The marble trucks alone haul eighty (80,000) to ninety (90,000) thousand pounds unless they are hauling heavy equipment which can be at least two hundred thousand (200,000) pounds. The Town and CDOT may have to explore other options and alternate routes.  
The Federal appropriation that Mayor Wilkening applied for has been continued again until February 18<sup>th</sup>. Public Works Director Mike Owens has ordered the first half of the membranes for the Water Plant and the Town will use ARP (American Recovery Plan) funds to pay for them.  
There will be an election in April of 2022. Petitions can be picked up starting January 4<sup>th</sup>. There are three (3) Trustee positions and the Mayor position available. Mayor Wilkening will not be running for a second term.  
Delta County had their first Fair Grounds committee meeting last night to discuss the Fair Grounds Master Plan. Half of the plan has been accomplished so far. The next meeting will be held on January 12<sup>th</sup> and the locations for the meetings will be rotated. The County would like to have a representative from the Town on this Board. He encouraged the Board to let him know if anyone was interested.

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7. MAYOR'S REPORT (cont.)

Judge Lynn French will be retiring as the Town Judge on December 31<sup>st</sup> after 38 plus years. Mayor Wilkening wished him well in his retirement.

### DEPARTMENT REPORTS

#### PUBLIC WORKS

Public Works Director Mike Owens told the Board that he ordered twenty-seven (27) modules for the Water Plant but has not heard when they will ship yet.

A couple of weeks ago, Flow Point, the company that handles the standpipe, or bulk water station, said that their computer component needed to be changed out to prevent anyone from hacking into it.

The Water Plant will have the computers replaced starting on Monday. Brian Mitchum from Mountain Peak Controls and Brian Redmon from ProVelocity will be working together for this process.

Core and Main ordered the new handheld meter readers and they are hoping to have them to the Town by the end of the month.

The Public Works crew has been out picking up leaves and decorating the Town for Christmas. There is one Christmas light on a power pole that is not working. DMEA (Delta Montrose Electric Association) hopes to have it fixed quickly.

Trustee John Marta complimented Public Works on how nice the streets are looking.

#### POLICE DEPARTMENT

Chief Green introduced the new mission statement for the Police Department. He told the Board that it was a collaborative effort from the whole department. Chief Green also showed the Board the new badges that he created. The badges will also be placed on the cars with the new signs.

Work on the cars will start tomorrow. The signs will be highly reflective and will be done by West Elk Signs here in Hotchkiss.

Trustee Mary Hockenbery complimented the Chief on his team approach for the mission statement.

8. NEW BUSINESS

#### NFEMS (NORTH FORK EMERGENCY MEDICAL SERVICES) PRESENTATION OF AUTO DEFIBRILLATOR FOR TOWN HALL

Gregg Angelovich and Sue Whittlesey represented the NFEMS and the NFEMS Auxillary to present the Town with an auto defibrillator. They raised the money for this donation by selling lunch during the Holiday Craft Fairs in November. They matched the amount raised and purchased the defibrillator to donate to the Town. The Trustees thanked them for all that they do and for the donation.

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8. NEW BUSINESS (cont.)

LIQUOR LICENSE RENEWAL-HOTCHKISS ELKS CLUB

Jim Wingfield moved to approve the renewal of the Hotchkiss Elks Club liquor license, seconded by Patrick Webb. A verbal vote was taken with all Trustees voting in favor. Motion passed.

VACATION DAY CARRYOVER REQUEST FOR 2022-MARVIN JACKSON

Mayor Wilkening told the Board that he would like to compliment Marvin Jackson for all the work that he has done in and for the Town. Marvin would like to carry seventy-two (72) hours of vacation time to go with the forty (40) hours that he can carry over into 2022. With all the changes that have gone on in Public Works this year, he has not had a chance to have any time off.

Jim Wingfield moved to approve the vacation carry over request for Marvin Jackson in the amount of 72 hours for 2022, seconded by Mary Hockenbery. A verbal vote was taken with all Trustees voting in favor. Motion passed.

POSSIBLE CLOSING ON CHRISTMAS EVE DISCUSSION

Mayor Wilkening told the Board that according to the HR (Human Resources) policy, if a holiday falls on a Saturday, employees get Friday as a paid day off, if it falls on a Sunday, they get Monday. Since Christmas and New Year's Day are both on Saturday this year the Town Hall will be closed both Christmas Eve and New Year's Eve.

2022 BUDGET

Mayor Wilkening told the Board that the employees have worked hard on this budget and thanked them all for their time. The sales tax is in good shape, and it all looks good.

ORDINANCE 2021-05 ADOPTION OF 2022 BUDGET

Pat Medina moved to adopt Ordinance 2021-05, an Ordinance adopting a budget for the Town of Hotchkiss, Colorado for the calendar year 2022, seconded by Sven Edstrom. A verbal vote was taken with all Trustees voting in favor. Motion passed.

ORDINANCE 2021-06 ADOPTION OF 2022 MILL LEVY

Jim Wingfield moved to adopt Ordinance 2021-06, an Ordinance amending established rate of tax to be levied upon all taxable property within the Town of Hotchkiss, Colorado for Municipal purposes for the calendar year 2022, 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.)  
ORDINANCE 2021-07 ADOPTION OF 2022 APPROPRIATIONS AS AN EMERGENCY  
Jim Wingfield moved to adopt Ordinance 2021-07 an Ordinance appropriating sums of money to defray expenses and liabilities of the Town of Hotchkiss, Colorado for the 2022 calendar year and declaring an emergency, seconded by Pat Medina. A verbal vote was taken with all Trustees voting in favor. Motion passed.

### RESOLUTION 2021-10 RESOLUTION TO APPROPRIATE ADDITIONAL SUMS OF MONEY

Town Clerk Ginger Redden explained the need for this Resolution.

John Marta moved to adopt Resolution 2021-10 a Resolution to appropriate additional sums of money for an increase in expenditures in the Garbage Fund, seconded by Jim Wingfield. A verbal vote was taken with all Trustees voting in favor. Motion passed.

9. ADJOURNMENT  
Pat Medina moved to adjourn the meeting at 7:49 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