

## RECORD OF PROCEEDINGS

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Hotchkiss Board of Trustees

March 10, 2022

1. CALL THE MEETING TO ORDER

Mayor Wilkening called the meeting to order at 6:30 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.

At this time the Board amended the agenda to add Double J Disposal for the purpose of discussing a possible trash fee increase due to the price of fuel going up.

Mary Hockenbery moved to amend the agenda with the above noted change to place it under New Business, seconded by Pat Medina. A verbal vote was taken with all Trustees voting in favor. Motion passed.

2. CONSENT AGENDA

MINUTES FOR FEBRUARY 10, 2022

Sven Edstrom had one correction to the minutes, under number 6, Public Comment, the name should be Ben Graves not Ben Katz.

Mary Hockenbery moved to approve the minutes as amended, Jim Wingfield 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

SETBACK VARIANCE REQUEST-DEE LAND LLC

This request was withdrawn.

TRAVEL TRAILER VARIANCE REQUEST, 120 PINON-PATRICK SULLIVAN

Mayor Wilkening read the rules of the Public Hearing to all present. This request was presented to the Planning Commission on February 23, 2022

STAFF PRESENTATION

Mayor Wilkening told the Board that the Planning Commission's unapproved minutes regarding this request were in the packet that they received.

APPLICANT PRESENTATION

Patrick Sullivan told the Board that he had a property manager for this property, and they ended up getting a bad tenant. The trailer burned down, and he has had a lot of interest in people with travel trailers wanting to stay there. He wishes that he had broadened his request since he feels the Board is going to refuse this variance.

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4. PUBLIC HEARINGS (cont.)

APPLICANT PRESENTATION (cont.)

Patrick would like to park a travel trailer on his property for two (2) years while he decides what he is going to do with it.

Attorney Nerlin told the Board that this item's discussion needed to stick to the application request. More solutions can be discussed later.

Patrick said that he knows that the travel home park reservation list is at least six (6) months out and knowing that there is a housing shortage, he wanted to pitch this idea to the Board as a possible solution.

John Marta said that according to the Ordinance, a travel trailer cannot be parked on a property for more than thirty days in any calendar year to be used like a guest bedroom. Also, the travel trailer cannot be hooked up to the sewer line.

Mayor Wilkening said that the Board spent several months going through the Mobile Home Ordinance and reworking it. The Ordinance includes travel trailers.

Public Works Director Mike Owens explained the reason that travel trailers cannot be hooked up to the Town sewer. The chemicals that they use are very harsh and will kill all the good bacteria in the sewer ponds.

Patrick Sullivan asked about the rules on Tiny Homes.

Mayor Wilkening said that a real estate company was granted a variance for a Tiny Office and talked about some of the rules associated with it.

Attorney Nerlin stated that the variance request needed to be the focus of this discussion.

PUBLIC COMMENT

Public Comment was opened at 6:53 p.m.

Tom Wills, 159 W Main Street, stated that this request was unreasonable. Two (2) years is not considered temporary.

Public Comment was closed at 6:54.

BOARD DELIBERATION

The Board had several minutes of discussion about the shortage of rentals in Town and the fact that the Ordinance needs to be followed. The hard work to adopt the changes was done for good reason.

Jim Wingfield moved to deny the request for the temporary placement of a travel trailer at 120 Pinon, Patrick Webb seconded. A verbal vote was taken with all Trustees voting in favor. Motion passed.

5. OLD BUSINESS

ORDINANCE 2022-01 FENCING ORDINANCE-POSSIBLE FIRST READING

Mayor Wilkening said that this Ordinance has been gone through several times and is getting closer to being done. The Board decided to go through the Ordinance item by item to discuss any other changes needed.

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5. OLD BUSINESS (cont.)  
ORDINANCE 2022-01

Under Section 2- Addition to the Town Code

Items 1, 2 and 3 are fine the way that they are

Item 4 should also include the alley.

Item 5 needs a definition regarding what sharp pointed fences entail

Item 7 should have a maximum height listed for the side and back fences as well as be changed to have the Board make the decision to grant a permit, not the building inspector.

The Board discussed that a maximum height of six (6) feet is good for the side and back fencing. A variance can be requested for anything higher. The Board also requested an addition of any fence, with points, that is sold at a reputable home improvement store should be allowed without a variance request. Also, with the front fence, the addition that anything within the twenty-five (25) foot setback cannot be over four (4) feet high.

Attorney Nerlin stated that he will make the revisions and bring it back to the Board for a possible first reading at the April 14<sup>th</sup> meeting.

HOTCHKISS CHAMBER OF COMMERCE UPDATE/ONE DELTA COUNTY UPDATE-  
KIM SHAY/SHELLY WARE  
CHAMBER OF COMMERCE  
Kim and Shelly were not present.

ONE DELTA COUNTY UPDATE  
Kim and Shelley were not present

### ELECTION 2022 INFORMATION

The Candidate Forum was not well attended by the public. All Candidates were present.

The first Statement of Non-Receipt Contributions and Expenditures for all Candidates is March 15<sup>th</sup>.

### OVERLAND WATER SHARES LEASE DISCUSSION

Mayor Wilkening attended the annual Overland Ditch Company's meeting in February. The Town owns three hundred (300) shares of Overland water which is approximately three (3) percent of the total number of shares that Overland offers. The total assessment of the three hundred (300) shares will be approximately \$5460.00, that is \$18.20 per share. In the past the Town has leased all the shares owned to one person. Water is a commodity that many people would like to have a part of. Mayor Wilkening came up with some different scenarios to use if the Board would like to lease the Overland Water shares this year and handed out a copy of his ideas to the Board. (Attached to the Original Minutes)

The Board discussed this item for several minutes. The Board gave direction to the staff to place the Overland shares out for bid. The bids will be sealed.

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5. OLD BUSINESS (cont.)  
OVERLAND WATER SHARES LEASE DISCUSSION  
Bidding will have two (2) parts. The bidder can bid on all three hundred (300) at \$18.20 plus a ten (10) percent markup which would be a starting bid of \$6006.00. The second way to bid is in one hundred (100) share increments at \$18.20 per share plus a twenty (20) percent markup or \$2184.00 as a starting bid. There are bidding forms available, and staff will get the ad in the paper so that the sealed bids can be opened at the April 14<sup>th</sup> meeting and a decision can be made before the water is released.  
  
TOWN SIDEWALK REPAIR DISCUSSION  
The Planning Commission has almost got the sidewalk inventory complete. Mayor Wilkening should be ready to give the Board the break down at the April meeting.
6. PUBLIC COMMENT  
No comment given.
7. MAYOR'S REPORT  
Molly Wheelock of Studio MW, an architect will be here Friday to look over the Town Hall and help get the improvements going in the right direction.  
There are no employee birthdays this month.  
Brownfields has not returned any of the air test results for the old Public Works building yet. Mayor Wilkening, Jim Wingfield, and Mike Owens attended a meeting with CDOT (Colorado Department of Transportation) to get an update on the Bridge Street Reconstruction. The bid date for this project was postponed until March 17<sup>th</sup>.  
One Delta County will be holding a Workshop on April 29<sup>th</sup>.  
A year ago, Mayor Wilkening applied for a direct appropriation from the Governor's Office for \$108,000 to help with the purchase of membranes for the Water Plant. Mayor Wilkening received a phone call stating that the Town was approved to receive \$91,000. The Town will receive an application and upon completion, will receive these funds. The deadline for the spending of this appropriation is September 30, 2022.  
Daylight Savings Time starts this weekend, March 13<sup>th</sup>.  
Snowpack looks about the same as last year. Water conservation should be emphasized again this year.

### DEPARTMENT REPORTS

#### PUBLIC WORKS

Brandon Hartzo, Public Works Technician has quit.  
Public Works Director Mike Owens had nothing else to add to his written report.

#### POLICE DEPARTMENT

Evidence/Court Clerk Joanne Katzer has given her notice.  
Chief Green will have more of a report in the April meeting.

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8. NEW BUSINESS

DELTA COUNTY HAZARD MITIGATION SUPPORT LETTER DISCUSSION

Mayor Wilkening told the Board that Kris Stewart, Delta County Emergency Management Coordinator is applying for a grant for Multijurisdictional Hazard Mitigation. FEMA (Federal Emergency Management Agency) and Homeland Security feel that this is an important training to have. The County will have to have an in-kind donation in the amount of \$7517.00 with the Town of Hotchkiss' contribution being \$364.00. The in-kind can be mileage to and from meetings around the County for this training.

Two (2) letters are being requested, one is a statement of intent to participate, and the other is the in-kind agreement letter.

Mary Hockenbery moved to approve the letter of intent to participate and the letter of in-kind agreement for the Delta County Emergency Management grant application, seconded by Jim Wingfield. A verbal vote was taken with all Trustees voting in favor. Motion passed.

DONATION REQUEST-WEST ELK LOOP SCENIC AND HISTORIC BYWAY-JOHN HOFFMAN

Jim Wingfield moved to approve the \$150.00 donation request for the above noted entity, seconded by Mary Hockenbery. A verbal vote was taken with all Trustees voting in favor. Motion passed.

SWEARING IN OF NEW OFFICER KADEN HEINIGER-CHIEF GREEN

Chief Green introduced Kaden Heiniger to the Board and had him tell a little about himself. Chief Green swore in Kaden.

DELTA COUNTY FAIRGROUNDS MASTER PLAN UPDATE-COMMISSIONER WENDELL KOONTZ

Commissioner Koontz was not present.

DOUBLE J PROPOSED POSSIBLE SURCHARGE ON TRASH BILL-RACHEL LEONARD

Rachel told the Board that the projections on gas moving forward this summer is slated to be up to \$10.00 per gallon. There was a 56cent increase in the price of diesel since last Friday. Rachel is proposing a fluctuating surcharge be added to the cost of the Town utility bill based on the prior month's cost per gallon. She would like to start this increase in May for April's bill. Rachel will get the Clerk's office the percentage increase on the 25<sup>th</sup> of the month before the bills are printed and sent out. Rachel is hoping that this is just a preemptive gesture, and the predictions are not true.

Jim Wingfield moved to approve Double J's surcharge on the Town trash bill to be adjusted starting in May for April's bill, seconded by Mary Hockenbery. A verbal vote was taken with all Trustees voting in favor. Motion passed.

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9. ADJOURNMENT  
The meeting adjourned at 8:13 p.m.

Respectfully Submitted,

Ginger R. Redden, Town Clerk