

## RECORD OF PROCEEDINGS

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Hotchkiss Board of Trustees

April 8, 2010

1. Mayor Larry Jakubiak called the meeting to order at 6:30 p.m. Those present were Wendell Koontz, Sheila Maki, Gerald Pearson, George Brauneis and Tom Wills.
2. Those present recited the Pledge of Allegiance.  
  
Old Business
3. George Brauneis moved to approve the minutes for March 11, 2010 with the following correction, paragraph #5 state Dan Bolton was asked to present his request for livestock in Town in January of each year, seconded by Tom Wills, with all in favor.
4. Wendell Koontz moved to pay all bills, seconded by George Brauneis, with all in favor.
5. Medical Marijuana Ordinance Discussion  
Attorney Briscoe presented the Trustees with three Ordinances. One was to amend the zoning ordinance to include a marijuana dispensary, the second one was to restrict what property in Town can be used for a dispensary and the third one was to extend the current moratorium.  
After discussion, Sheila Maki moved to adopt Ordinance 2010-1 to extend the moratorium on medical marijuana dispensaries for an additional 120 days, seconded by Wendell Koontz, with all in favor.  
Tom Wills moved to adopt Ordinance 2010-2 to amend the current Zoning Ordinance to add; use by right, review, and prohibited zones for medical marijuana dispensaries in Town, seconded by Gerald Pearson, with all in favor.  
The Trustees tabled the ordinance pertaining to restriction of location of a medical marijuana dispensary until the May meeting.  
The Trustees will continue to discuss this issue as the State adopts regulations.
6. Consideration of IGA with Delta County  
After reviewing the final IGA with Delta County, Tom Wills moved to adopt the IGA, seconded by Sheila Maki, with all in favor.  
The IGA will be signed by Mayor Jakubiak and forwarded to the County Commissioners for their signatures.
7. Dog Licensing Amendment Discussion  
The Trustees were given a draft of an amended dog ordinance and asked to review it. The dog ordinance will be on the May agenda for discussion.
8. Water Plant Project Update  
Leonard McCulloch reported most of the piping for the new plant is complete. The electrician is working and the public works crew will start working to complete the outside of the building.  
The Trustees will tour the new plant project at 5:30 p.m. on May 13<sup>th</sup> prior to the meeting.
9. Enhancement Project Update  
Engineer Fagan said the trail work at the middle school has started. The contractor is working on storm water management control.  
  
Engineer Fagan said the trail location on the Orlando Trail has shifted due to wetland concerns. She asked if the Trustees want to move forward with a survey. The Trustees said to continue to move forward and complete the survey of the Orlando Trail area.
10. Planning Commission Update  
Tom Wills reported they had worked on the medical marijuana dispensary regulations and discussed the sidewalk/trails in Town. Tom will put a draft together for the Trustees and Planning Committee members on the status of the plan and a report on the sidewalks in Town.
11. Engineer Fagan asked the Trustees if they wanted her to do wetlands assessment on the proposed water main to the High School. They said to discuss it with the new Trustees.  
  
Gave outgoing Mayor and Trustees a Send off.

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### New Business

12. The Town Clerk reported on the April 6, 2010 election. The election was canceled due to a lack of candidates. There is a need for two additional Trustees. The Town clerk will advertise for these positions.  
The Town Clerk swore in Marlin McCracken and Kelley Harper to four (4) year terms as Trustees and Wendell Koontz as Mayor for four (4) years.
13. Appointment of Town Officers  
Sheila Maki moved to appoint Marlene Searle as Town Clerk/Treasurer, seconded by Kelley Harper with all in favor.  
Sheila Maki moved to appoint James Briscoe as Attorney for the Town, seconded by George Brauneis, with all in favor.  
Sheila Maki moved to appoint Lynn French as Judge for the Town, seconded by Marlin McCracken, with all in favor.  
Marlin McCracken moved to appoint Sheila Maki as Mayor Pro-Mayor, seconded by Kelley Harper, with all in favor.
14. Special Events Liquor License Requests  
Amy Hoyt, Delta County Democratic Party, stated they are hosting a fund raiser on April 24, 2010 at Memorial Hall.  
Sheila Maki moved to approve the special events liquor license for the DCDP, seconded by George Brauneis, with all in favor.  
  
Cathy Shelley, Cocker Kid Foundation, stated they are having a fund raiser concert with Joe Cocker on July 6, 2010 at the Delta County Fairgrounds.  
George Brauneis moved to approve the special events liquor license for the Cocker Kids Foundation, seconded by Sheila Maki, with all in favor.
15. Donation Requests  
Kiwanis Club of Hotchkiss is asking for \$ 20.00 donation for the annual Easter egg hunt.  
Marlin McCracken moved to donate \$ 20.00 to the Kiwanis, seconded by George Brauneis, with all in favor.  
  
The Black Canyon Arts Association is requesting a donation for the June 18<sup>th</sup> art show.  
Sheila Maki moved to donate \$ 200.00 for the Best of Show award, seconded by George Brauneis, with all in favor.
16. Delta County Housing Authority  
Sheila Maki has been attending these meetings as the Town's representative; she is willing to still attend unless a job prevents her attendance. The Town needs an alternate; this will be discussed in the May meeting.
17. Mayor Koontz told the Trustees he will be giving up his position on the Gunnison Basin Roundtable (GBRT) board. This position represents the Delta County Communities and meets monthly in Montrose. The Town Clerk will be sending out a letter to all the Communities; seeking a new representative. George Brauneis stated he may be interested.
18. Five Minute Public Appearance  
No one was present.
19. Hotchkiss Planning Commission Appointment  
Mayor Koontz appointed Marlin McCracken as a member of the Planning Commission.

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20. Tom Wills reported there was not a meeting for the Leroux Creek Planning. He has resigned from the Leroux Creek Planning board so someone needs to be appointed to represent the Town of Hotchkiss. Kelley Harper volunteered to be on the Leroux Creek Planning board.
21. Department Reports  
Mike Owens, Director of Public Works reported the water that was flooding the middle school area has been diverted into the short draw ditch. The Town of Hotchkiss, Farmers Ditch and the County worked jointly on the project.  
The water line is complete for the Delta County Fairgrounds project. They still need to install the sewer line. They will be working on the new restroom/shower facility.  
Mike reported Greg Allen passed his "D" water and wastewater tests.  
  
Marshal Miller welcomed the new members of the board and asked if there were questions on his written report. He stated everything was running smoothly within the police department.
22. Mayor's Report  
Mayor Koontz told the Trustees of a Business Forum presented by the North Fork Chambers. The National Park Service is taking comment on their management plan.  
Mike Owens, Mark Sprinkle and Sheila Maki will be meeting with FEMA on the Town's flood plan on April 20<sup>th</sup>.
23. The Town Clerk asked the Trustees about watching two short video's from CIRSA after the May meeting when we have a full Board of Trustees. The Trustees agreed to this idea.
24. New Business  
Sheila Maki reported she had written a letter of support for the Creamery Arts Center for a grant request. The Trustees will discuss the CML conference to be held in late June in the May meeting to see if a Trustee wants to attend.  
George Brauneis reported he will be attending the BLM resource management meeting as the Town representative.
25. George Brauneis moved to adjourn the meeting at 8:30 p.m., seconded by Marlin McCracken, with all in favor.

Respectfully Submitted,  
Marlene F. Searle, Town Clerk