

RECORD OF PROCEEDINGS

Hotchkiss Board of Trustees

July 8, 2010

1. Mayor Koontz called the meeting to order at 6:30 p.m. Those present were Sheila Maki, Marlin McCracken, Kelley Harper, George Brauneis, and Lindee Cantrell. Dustyn Foster came in late.
2. Those present recited the Pledge of Allegiance.
3. Sheila Maki moved to approve the minutes for June 10, 2010 with a spelling correction to paragraph #10, line one "broad", seconded by Lindee Cantrell, with all in favor.
4. Steve Duffy, 360 – 390 W. Bridge Street
Steve explained he has a contract on the property and would like to know if there is anything he needs to do concerning the two commercial properties on the lower level and an apartment above the two commercial units. The prospective new owner, Philip Hassinger, will continue the same use. Attorney Briscoe stated there is not an ordinance in place to charge for the living unit above the commercial units. The Trustees agreed without clear direction, the Town should allow the use as it exists now. Sheila Maki moved to allow the properties at 360-390 W. Bridge Street to remain as they are now, seconded by Marlin McCracken. Motion passed with Dustyn Foster abstaining, as he was not present for the full discussion.
5. Jonathan Hickam, 353 River Ridge Rd.
Mr. Hickam told the Trustees he has an out of Town water tap that is not connected to the Town's water system at this time. He is working on a deal with Mr. Yeoman to connect to his private line. He would like to place a fire hydrant at the same time.
Mike Owens told the Trustees our regulations require a fire hydrant be connected to a six inch main, the Yeoman water line is four inch. There are concerns if the fire hydrant is used it could collapse the line and reduce the pressure, to dangerous levels, at the high school and all others on the line that goes to the high school. Fire Chief Doug Fritz stated there is a need for a fire hydrant in that area and the fire department uses flat hoses, so it will not collapse the water line. Attorney Briscoe stated the Town has an agreement with the School District to not allow additional water taps on that line until the line is improved to allow more pressure to the school. Engineer Fagan stated the drop in pressure can also cause contamination problems.
The Trustees agreed to the following with Mr. Hickam;
 1. to install the fire hydrant fixtures as a six inch line then reduce to a four inch, this will require a variance from the Town regulations,
 2. the hydrant will not be placed on the line until the water line project to the High School is complete.Mr. Hickam is to investigate the tap size at Mr. Yeoman's and talk to the School District about tapping onto the line at this time.
Mr. Hickam will be on the September agenda to further discuss this matter.
6. Dale Maxwell - Requesting Partial Payment of Bill
Mr. Maxwell was not present and had asked the Town Clerk to present two bills he received for materials to build a lid for the box the Town installed during the trails project. The total of the two bills is \$ 139.89 and Mr. Maxwell would like the Town to pay one half of this amount.
After discussion Kelley Harper moved to decline the request, seconded by Dustyn Foster. The motion passed with Sheila Maki and George Brauneis abstaining.
7. Building Inspector Report
Mayor Koontz read the written report from Mark Sprinkle to the Trustees.
8. Consideration of Adoption of the Amended Dog Ordinance
Marshal Miller and Attorney Briscoe completed the changes requested at the June meeting. Marshal Miller stated Judge French approved the fees within the ordinance. The Attorney will change 11-2-16 and 11-2-29 to read five (5) days. All typos will be corrected before publication. Attorney Briscoe will change 11-2-10 to state; dogs on owners property will not be required to have their tags on.
Sheila Maki moved to adopt Ordinance 2010-3 with the change to 11-2-10 as quoted by Attorney Briscoe, seconded by Dustyn Foster. The motion passed with George Brauneis and Kelley Harper opposed.

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9. **Consideration of Adoption of Ordinance 2010-4-CWRPA Loan**
Attorney Briscoe reported to the Trustees that the Town had received a 100% principal forgiveness loan from Colorado Water Resources and Power Development Authority (CWRPDA) for \$ 775,000 for the high school water line improvement project. The Town had applied for the loan in 2009 and received approval, but chose to not accept it, at that time, because DOLA grant funding was not available in 2009.
The Trustees need to consider and adopt Ordinance 2010-4 to accept the loan.
Mayor Koontz said he can not overstate the magnitude of receiving a 100% grant to fix a major problem within our water system.
Marlin McCracken moved to adopt Ordinance 2010-4, as an emergency, for the forgiveness loan with CWRPDA, seconded by George Brauneis, with all in favor.
10. **SBA – Cell Tower Buy Out Offer**
The Town Clerk explained that SBA, the cell tower owner, is offering to buy out the Town's fifty year contract for \$90,000 and extend the contract until 2075. The Clerk and Attorney Briscoe have talked to financial people and the offer is not bad, it just depends on what the Trustees want; cash now or payments until 2050. The Trustees tabled this discussion until the August meeting.
11. **Discussion of Amended Sidewalk Ordinance**
This discussion was tabled until the August meeting.
12. **Ride Along Policy**
Attorney Briscoe told the Trustees CIRSA had suggested additional wording to the policy to protect the Town and the ride along participates. This policy will be further discussed at the August meeting.
13. **Marijuana Dispensary Update**
Attorney Briscoe told the Trustees he had been talking with the County Attorney and found most communities are keeping moratoriums in place until regulations can be completed.
The Trustees asked Attorney Briscoe to complete an extension of the current moratorium for the August meeting.
14. **August Meeting Date Change**
Sheila Maki moved to change the August meeting to August 5, 2010 at 6:30 p.m. due to Delta County Fair, seconded by George Brauneis, with all in favor.
15. **Employee Salary Increase Discussion**
After discussion, George Brauneis moved to give all full time employees a 3% raise effective July 1, 2010, seconded by Sheila Maki. Motion passed with Marlin McCracken abstaining.
16. **Sheila Maki reported that she and the Town Clerk attended the Municipal Quarterly in Crawford.**
There was discussion on the marijuana regulations and the upcoming November election concerning Propositions 101, and Amendments 60 and 61. Sheila reported if this proposition and amendments are voted into law the Town and State will have a shortfall in revenue. There is a meeting on July 15th at Orchard City to discuss these issues and the Trustees should try to attend, if possible.
17. **Water Plant Update**
Mike Owens reported a Pall Tech was here about two weeks ago and worked three days. There are to be more techs coming to finish the startup. The plant should be producing water by Wednesday the 14th. Maybe the Town can have an open house sometime in September for the new plant.
18. **High School Water Line Replacement**
Engineer Fagan reported the Corp should be able to complete the wetlands delineation in September.

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19. Enhancement Project – Trails
Engineer Fagan reported that the bid for handrails for the middle school trail came in at \$5,700; two hundred more than the Trustees authorized at the June meeting.
Sheila Maki moved to authorize the additional funds for the handrails, seconded by George Brauneis, with all in favor.
The Trustees will set a work session at the August meeting to discuss additional trails.
20. Five Minute Public Appearance
Kathy Browning stated that the new marijuana laws will require dispensaries to grow 70% of their marijuana to sale. The issues are how/where the growing operation will be, if inside a building how will it be ventilated and smells controlled.
21. Hotchkiss Planning Commission Update
George Brauneis reported the Planning Commission had completed a draft ordinance to amend the current sidewalk ordinance for the Trustees to review and discuss at the August meeting.
22. County Land Use Update
Kelley Harper reported the committee had approved a request from Alan and Lois Todd for a subdivision on Barrow Mesa. There will not be a July meeting.
23. Department Reports
Mike Owens reported the Public Works crew is completing a cross connection survey throughout Town. This information is needed for the TMF report required by CWRPDA.

Marshal Miller introduced Keri Redding as a Reserve Officer for the Town. She will be doing 18 weeks of training with the department.
Miller reported the Joe Cocker concert went well.
24. Hotchkiss Chamber of Commerce Update
Marshal Miller reported that the Chambers are working to get agriculture more involved with the Chambers. The next meeting will be August 4th.
25. Mayor's Report
Mayor Koontz reported that the Town held a nice reception for Mike Ehredt of Project America Run. He thanked everyone involved with the welcome of Mike to the Town.
The Mayor reported everything seems to be going well with the porta potty at the park.
Mayor Koontz congratulated Kathy Browning for being the Grand Marshal for Paonia Cherry Days.
Tom Wills is continuing his work on the mural on the side of the Public Works building.
26. Town Clerk Report
None
27. Upcoming Events
July 15th meeting in Orchard City to discuss the November election,
Reminder the Trustee meeting will be on August 5th,
Delta County Fair August 8th – 14th
July 9th is Creamery Arts Night
28. Consideration of Bills
Sheila Maki moved to pay all bills, seconded by George Brauneis, with all in favor.
29. George Brauneis moved to adjourn the meeting at 9:20 p.m., seconded by Kelley Harper, with all in favor.

Respectfully Submitted,
Marlene F. Searle, Town Clerk

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