

RECORD OF PROCEEDINGS

Hotchkiss Board of Trustees

March 12, 2009

1. Mayor Jakubiak called the meeting to order at 6:35 p.m. Those present were Wendell Koontz, Sheila Maki, Gerald Pearson, Tom Wills, West McKee, and George Brauneis.
2. Those present recited the Pledge of Allegiance.
3. Wendell Koontz moved to approve the minutes for February 12, 2009 with the following spelling corrections; paragraph # 14 – sign , paragraph #16 – they, and paragraph # 4 – vegetation, seconded by Sheila Maki, with all in favor.
4. **Public Hearing**
Dan Bolton requested to keep livestock within Town on property located at 555 Cedar Drive. The cattle would be on the property no longer than the end of March 2009. The number will vary, as they rotate the cows/calves in and out.
Those opposed to the keeping of the cattle on this property – 0.
Those for keeping the cattle on this property were 3 verbal and 2 written comments.
Sheila Maki moved to approve the keeping of livestock on the property at 555 Cedar Drive until the end of March 2009, seconded by George Brauneis, with all in favor.
5. **Special Events Liquor License Requests**
Janelle Comer, KVNF, requested a Special Events Liquor License for April 18, 2009 at Memorial Hall for KVNF's 30th Anniversary party/fund raiser. Marshal Miller reported there had not been any problems with KVNF liquor licenses in the past.
Wendell Koontz moved to approve the Special Events Liquor License for KVNF, seconded by Tom Wills, with all in favor.
6. **Liquor License Renewals**
The Trustees reviewed the liquor license renewal for the West Elk Inn. Marshal Miller reported no problems.
Sheila Maki moved to approve the liquor license renewal for West Elk Inn, seconded by Tom Wills, with all in favor.

The Trustees reviewed the liquor license renewal for Fiesta Vallarta. Marshal Miller reported no problems.
Wendell Koontz moved to approve the liquor license renewal for Fiesta Vallarta, seconded by West McKee, with all in favor.
7. **Donation Requests**
Amber Bayles, Hotchkiss Home Plate, told the Trustees they have combined baseball and softball leagues into one. There were 144 players from the area in 2008. They are requesting a \$ 300. donation for the 2009 season.
Sheila Maki moved to donate \$ 300. to Hotchkiss Home Plate, seconded by Wendell Koontz, with all in favor.

Delta Senior Benefit Fund.
Jane Wills requested a \$ 100 donation, but did not attend this meeting. This fund provides for Senior Citizens and poverty level citizens Delta County wide. They provide prescription drug gift cards, food, utility bill assistance, and housing assistance. They receive referrals from family members, neighbors, and Delta County Social Services.
Sheila Maki moved to donate \$100. This motion was amended by West McKee to donate \$150. George Brauneis seconded the amended motion to donate \$ 150, with all in favor.
8. **Request to Transfer a Water and Sewer Tap**
Leonard and Dinah Wiggins asked the Trustees if they could move an unused water and sewer tap from 521 Park Drive to 110 E. Main Street the old Lighthouse Church. They are considering purchasing the church property and doing multi-family units.
Tom Wills stated that transferring taps from one property to another may create a private commodity, and the Town has not allowed the transferring of taps from one property to another.

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8. (continued) Wendell Koontz said this request is to transfer taps between two properties owned by the same person.
Mayor Jakubiak said this sets a precedent for moving unused taps to another property.
Attorney Briscoe said this could create a problem for the Town to control the water and sewer system and if a transfer is allowed the water and sewer ordinance needs to address how a transfer is handled.
Mike Owens stated there is not a water pressure problem at this location. He told the Trustees there are other properties in Town with two taps that are not used and they may want to move these taps if the Trustees allow this request.
Tom Wills stated this request would create more housing, which is needed. The master plan states low income and senior housing is needed. Mr. Wiggins stated he may rent the one bedroom apartments for around \$ 500. a month and the 2/3 bedroom apartments would be \$ 700. to \$ 800. per month.
Mr. Wiggins stated he is trying to improve the Town and bring more housing that will benefit the Town. Mayor Jakubiak said the Trustees need to investigate the water and sewer ordinance and asked Mr. and Mrs. Wiggins to come to the April meeting to further discuss this request.
If the taps are transferred, the water tap/meter will need to be physically removed.
Bonita McKee told the Trustees they need to look at what is good for the community not just the Town regulations.
9. Andrew Klotz, RPI Consulting, was present to discuss the Town's fiscal impact analysis. The report shows what it will cost the Town to provide services in the future and the links between land use and fiscal realities. The report takes current information and projects out ten years. The report shows the Town's growth rate at ½ percent over the past twenty years and projects the same growth in the next ten years. The Town's operational budget is in good financial shape. The capital projects fund shows a possible 50% shortfall in the next 20 years. The Town needs to develop a capital improvement plan. Mr. Klotz said the Town may want to consider impact fees in the future.
10. Senior Citizen Services Information
Gary Snider, VOA, was present to report the VOA is considering taking over the senior citizen meal site when Columbine Senior Services discontinues the service June 30, 2009. They are asking the Towns to forgive rent and utility bills and donate to VOA as they donated to Columbine Services in the past. The Town Clerk gave the Trustees information concerning the Hotchkiss Senior Citizen site in the Town Hall building. The Senior Citizens now pay ½ of the electric and natural gas bill to the Town and Receive \$ 2,400 from Columbine Senior Services and are being asked to wave that \$ 2,400. They also pay liability insurance for their facility. The Town can insure the contents of their facility but can not cover the liability portion.
Mayor Jakubiak said he would like to see the Trustees wave the utility bills and pay as much of the insurance as possible.
West McKee said that he felt that this is a small price to pay to keep the meal site functioning.
George Brauneis said we need to spend at home and shop at home.
Wendell Koontz moved that the Town pay all utility bills for the Town Hall building including the Senior Citizen Center from July 1, 2009 though June 30, 2010 contingent upon VOA providing for the Hotchkiss meal site service, seconded by Gerald Pearson, with all in favor.
The donation for the Senior Citizen meal site will be considered in July 2009.
11. Vehicle Purchase
Marshal Miller told the Trustees that the two Chevy Impalas are costing a lot in repairs. He has done some investigation and has found those cars were not made to handle everyday police driving. He had given the Trustees information on purchasing police cars through the State Purchasing Program. These cars are 2008 Ford Crown Vic's and come with police packages. The current equipment will be installed on the new cars. The current State contract expires March 15, 2009, so if a car is purchased it needs to be ordered by March 13, 2009. The cost is \$ 23,263 and will be delivered in 90 to 160 days. After discussion, West McKee moved to buy one vehicle for cash, seconded by Sheila Maki, with all in favor.

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11. (continued) George Brauneis moved to purchase a second car on a three year lease/own with a maximum of 5% interest rate and to consider an early payoff if the budget allows, seconded by Tom Wills, with all in favor.
The Town Clerk told the Trustees that Public Works department is also in need of a pickup. The Trustees said they would consider the purchase of a pickup for Public Works in the 2010 budget.
12. Letter of Recommendation for Mr. John McClow – CWCB
Wendell Koontz said Mr. McClow is a board member of the Gunnison Basin Roundtable and is being considered as a board member on the Colorado Water Conservation Board (CWCB). Wendell said he would make a good board member and be a representative for Western Colorado water issues.
Wendell Koontz moved to send a letter of recommendation for John McClow for the seat on the board of the CWCB, seconded by West McKee, with all in favor.
13. BLM Memorandum of Understanding
Attorney Briscoe said it is similar to the prior MOU and he recommends the Trustees sign the MOU. This MOU will give the Town more involvement with the BLM.
Wendell Koontz moved to sign the MOU with the BLM, seconded by Tom Wills, with all in favor.
The Town's contact person will be the Town Clerk/Town of Hotchkiss
The Town's representative will be George Brauneis with Wendell Koontz as alternate.
14. Out of Town Water Tap Discussion
The current ordinance for the sale of out of town water taps expired 12/31/08. Tom Wills stated he would like connection to out of town water taps within a limited area from Town to be required to conform to the Town's building code regulations. Properties adjacent to Town that may be annexed into Town in a short period of time build to the Town's code, within the Town's growth area not miles from the Town limits.
The Trustees are willing to sell six (6) out of town water taps in 2009, to be placed in service within one year, for residential use only and a signed annexation agreement.
Mike Owens stated the Town has a new water plant to pay for and requiring building codes on out of town property may force potential buyers away from Town.
Wendell Koontz stated good developers will build to code.
Tom Wills stated the County will not allow wells for subdivision within ½ mile of Towns. They are referring developers to the Towns for purchase of water taps.
The Trustees will gather information that clearly defines outlying area and discuss this issue at the April meeting.
15. Water Plant Project Update
The last of the concrete for the foundation for the new plant will be complete tomorrow. Pall still needs to provide the Health Department with information. The Health Department has three weeks from the time they receive the information from Pall to approve the plans. Once approval is received from the Health Department, it will take six weeks for the plant to be shipped from Pall.
Wendell Koontz asked rather the building can go out for bid. Engineer Fagan stated the bid process would take six to eight weeks. A contract could be in place by May 1st and the building complete in four to six weeks. Mike Owens stated he is checking with Pro Build, formally UBC of Delta, about SEP panels. They do not come with insulation but the Public Works crew could complete the building. The Town committed a lot of man hours as in kind for the DOLA grant and working on the building would satisfy those hours. Public Works will be very busy when the plant is delivered and some work will have to be contracted out at that time.
Wendell Koontz said local labor should be used as much as possible.
16. Enhancement Project Update
Engineer Fagan said CDOT is working on the amended contract to include the \$ 75,000 additional funding. Phase #1 will be the school trail. The Town needs an IGA with the school district for the trails. The project will be contracted through a bid process. The Orlando trail, south of Town will be the second phase. The Attorney will be meeting with them to work out an agreement.

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16. (continued) The Trustees considered Resolution 2009-1 for an amended contract with CDOT to include the additional \$ 75,000 for the trails
Tom Wills moved to approve Resolution 2009-1 to amend the contract with CDOT, seconded by Gerald Pearson, with all in favor.
17. Zoning Ordinance
Attorney Briscoe sent a draft ordinance to the Trustees with some wording changes. He did not address the definitions or zones. The Trustees will review the draft ordinance and they will discuss it in the April meeting.
18. Five Minute Public Appearance
None
19. Hotchkiss Planning Commission
Tom Wills reported the Commission did not have a quorum for the February meeting, so they had a work session and discussed the sign code and went over sample IGA's with County. Tom gave the Trustees three sample IGA's written by the County and he gave them a draft IGA for the Town of Hotchkiss that he wrote.
20. County Land Use Update
Tom Wills reported they considered a three lot split on Powell Mesa. They will be considering a split on Redlands Mesa at their next meeting.
21. Department Reports
Mike Owens asked if there were questions on his written report. Mike told the Trustees BLM is considering gas wells on Oak Mesa. Mike will draft a letter to BLM with the Town's concerns and have the Mayor sign the letter.

Marshal Miller asked if there were questions on his written report. He told the Trustees there will be two bike tours in Town in the month of June at the fair grounds. He is working with both committees and things are going well with the plans.

George Brauneis complimented Deputy Lloyd on his professionalism and common sense while dealing with a situation in Willow Heights.
22. Mayor's Report
None
23. Town Clerk Report
The Clerk reminded the Trustees about the on line training for Liability Training for Elected and Appointed Officials with CIRSA.
24. New Business
None
25. Consideration of Bills
Gerald Pearson moved to pay all bills, seconded by Wendell Koontz, with all in favor.
26. West McKee moved to adjourn the meeting at 9:40 p.m., seconded by Sheila Maki, with all in favor.

Respectfully Submitted,
Marlene F. Searle,
Town Clerk

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