

## RECORD OF PROCEEDINGS

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Hotchkiss Board of Trustees

March 8, 2012

1. Mayor Koontz called the meeting to order at 6:30 p.m. Those present were Sheila Maki, Carrie Wingfield, Marlin McCracken, Jane Wills, Lindee Cantrell, and Dustyn Foster.
2. Those present recited the Pledge of Allegiance.
3. Carrie Wingfield moved to approve the minutes for February 9, 2012 as presented, seconded by Sheila Maki with all in favor.
4. Public Hearing
  1. Home Occupation Permit – R-1 Zone – Gordon MacAlpine, 410 Duke Hill Rd.  
Mr. MacAlpine is requesting a Home Occupation Permit so he can operate his accounting business in a home office. He stated he has about 90 clients and about 5 to 7 clients will come to the home office per year.  
Pro  
Tom Wills stated he is for the home occupation and he does not feel it will have an impact in that area.  
Opposed  
Georgia Hooper, 484 Duke Hill Rd, stated she is opposed because of the traffic on a very narrow road. Two cars cannot pass on Duke Hill Rd. Also, the Trustees turned down a request for home occupation on Duke Hill. If Mr. MacAlpine is allowed a home occupation, it opens the area to more requests.  
Trustee and Staff Discussion  
The Trustees felt the home occupation office would fit that area of town and not be an impact to the neighborhood.  
Dustyn Foster moved to approve the Home Occupation Permit, seconded by Jane Wills, with all in favor.
  2. Drive-Thru Use for Restaurant- Julie Lange – 301 E. Bridge Street  
Julie Lange is requesting the use of the existing drive-thru for her taco/burrito restaurant. She is planning early morning and lunch hours for 6:00 a.m. to 2:00 p.m. There will be inside seating also.  
Pro  
Tom Wills stated he is in favor of the drive-thru use.  
Opposed  
Valarie Devereux, 335 E. Bridge Street, lives next door and states the head lights from the drive-thru will disturb her life. She would like a privacy fence placed by Ms. Lange.  
Trustee and Staff Discussion  
Clerk Searle read the recommendations from the Planning Commission;
    1. No loud speakers,
    2. A fence between 301 and 335 E. Bridge Street, shared cost,
    3. No bright lights,
    4. Drive-thru not to open before 6:00 a.m. and no later than 9:00 p.m.The request is in the core downtown area,  
Property has been surveyed,  
The drive-thru has been used for years,  
Stipulations can be placed on the business operation.  
Sheila Maki moved to approve the drive-thru use for 301 E. Bridge Street with the recommendations from Planning Commission, except the new business owner must build the fence at her expense, seconded by Carrie Wingfield, with all in favor.
  3. Parking Variance Request by Julie Lange, 301 E. Bridge Street  
Julie Lange asked for a parking variance, but it now appears she will not need one at this time. She asked the Trustees if she provided seating out front of the building, would additional parking be needed. They told her to proceed with the parking variance request.  
Pro  
Tom Wills stated she has nine (9) parking places and that it meets the Town code.  
Oppose  
None  
Trustee and Staff Discussion  
The Town Clerk reported the Planning Commission recommended approval of the parking plan. Mayor Koontz asked Ms. Lange how she was designating the parking spots. She stated she will place signs for public and employee parking. She has no plans to paint or mark the spots.

## RECORD OF PROCEEDINGS

---

### Hotchkiss Board of Trustees

Page 2  
3/8/12

4. (continued) Sheila Maki moved to approve the parking variance request for 301 E. Bridge Street, with the stipulation that she place parking signs, seconded by Carrie Wingfield, with all in favor.
5. Mayor Koontz congratulated Kathy Browning on the purchase of a new car.
6. Hotchkiss K-8 Disney Planet Challenge Update  
Jared Cantrell and Lacey Rodriguez gave an update on the savings to the Delta County School District with the installation of LED lights at the Hotchkiss K-8 school. They have raised \$13,000 to date. The Board thanked them for the update and hard work.
7. Donation Request  
Brian Matus, Hotchkiss Home Plate requested a donation for the summer programs. This donation pays for uniforms, equipment and maintenance of fields. He said there are about 80 kids signed up at this time and they are hoping for more.  
Sheila Maki moved to donate \$ 300; this was seconded by Carrie Wingfield, with all in favor.
8. Liquor License Renewal  
The Trustees reviewed the renewal application for Campo Fresco Restaurant. Marshal Miller said there had not been any problems.  
Sheila Maki moved to approve the renewal, seconded by Lindee Cantrell, with all in favor.
9. TDS Franchise Agreement  
Attorney Briscoe told the Trustees the franchise agreement with TDS expires April 4, 2012. His communication with TDS shows that TDS is not paying a franchise fee as other utilities do. He is recommending the Trustee extend the current agreement and give him authority to negotiate with TDS for a franchise fee.  
Marlin McCracken moved to extend the current contract 60 days and authorize Attorney Briscoe to negotiate with TDS for a 3% franchise fee, seconded by Sheila Maki, with all in favor.
10. Resolution 2012-2 - Establish Procedures Designating Authorized Volunteers  
The Clerk had checked with Pinnacol, the Town's workman's compensation carrier, on the cost of coverage for volunteers. They cover police, fire and emergency workers for a cost of about \$25 per year. Marshal Miller has completed all the paperwork for anyone who volunteers in his department. Marshal Miller stated the coverage will be for his reserve officers and anyone who volunteers in the police department.  
Carrie Wingfield moved to adopt Resolution 2012-2, seconded by Sheila Maki, with all in favor.
11. Resolution 2012-7 – Authorize Hotchkiss Trustees Approve/Disapprove Special Events Liquor Permits  
The Town Clerk told the Trustees the State Liquor Law allows local licensing boards to approve or disapprove Special Events Liquor permits in house without approval or disapproval from the State.  
Sheila Maki moved to adopt Resolution 2012-7, seconded by Carrie Wingfield, with all in favor.
12. Resolution 2012-5 – Colorado Water and Power Authority  
Attorney Briscoe told the Trustees the resolution is to amend the current contract the Town has with Colorado Water and Power Authority for the HHS line. The remainder of the money will be used for water distribution upgrades and water meters.  
Sheila Maki moved to adopt Resolution 2012-5, seconded by Carrie Wingfield, with all in favor.
13. Resolution 2012-6 – Delegate Authority and Responsibility to the Town Clerk to Appoint Election Judges for the April 3, 2012 Election  
Sheila Maki moved to adopt Resolution 2012-6, seconded by Carrie Wingfield, with all in favor.

## RECORD OF PROCEEDINGS

---

Hotchkiss Board of Trustees

Page 3  
3/8/12

14. **Hotchkiss High School Water Rate Discussion**  
Attorney Briscoe told the Trustees an agreement with Hotchkiss High School and the Delta County School District in 1980 gave the high school lower water rates due to the installation of the water line to the new high school. With replacement of that water line, the Trustees need to discuss if they want to charge the high school the regular water rates. The Town Clerk told the Trustees the current rates would about double the high school monthly water fees.  
Sheila Maki moved to start charging Hotchkiss High School the current water rates as of July 2012, seconded by Carrie Wingfield, with all in favor.
15. **Master Plan Update**  
The staff is continuing work on the update. The Trustees will consider the amended Master Plan at the April meeting. (\*\*The Planning Commission will consider the changes and revise/correct and adopt by Resolution.)
16. **Hotchkiss Planning Commission Update**  
Mayor Koontz reported that Alice McCracken resigned on February 22, 2012. The Clerk will place an ad in the DCI for interest on serving on the Planning Commission.
17. **Building Inspector Update**  
The Town has received three letter of interest for the position. Sheila Maki and Jane Wills will interview them on March 26, 2012. They will report to the Board at the April meeting.
18. **Leroux Creek Planning Update**  
No meeting in February. The March meeting there will be discussion on the chicken farm issue.
19. **Enhancement Project Update**  
In the staff report prepared by Engineer Fagan, she stated the Cedar Hill trail is becoming very expensive and maybe the Trustees want to look at another option.  
Mayor Koontz would like to have a work session. March 28, 2012 at 5:00 p.m. was set for a work session to discuss the trail projects.
20. **Five Minute Public Appearance**  
Attorney Briscoe introduced his law partner Sandra Nettleton. Attorney Briscoe would like to start taking more time off and Ms. Nettleton will start covering some of the Town issues. Ms. Nettleton told the Trustees that being an Attorney is her second career. She was an engineer and a rocket scientist in Washington D. C. before she decided to become a lawyer. She loves the mountains and this area.
21. **Department Reports**  
Mike Owens asked if there were questions on his written report. There were none. The water plant performance testing will begin during spring runoff. Lindee Cantrell said the new pump house in the Willow Heights Park looks really nice.  
  
Marshal Miller asked if there were questions on his written report. There were none. Marshal Miller asked the Trustees about joining Colorado State Fleet Card Program. The Town could save 15% on gas and other services. All vehicles would have a card and would be tracked by car and driver. The Trustees asked Marshal Miller and Clerk Searle to do more research for discussion at the April meeting.
22. **Hotchkiss Chamber of Commerce Update**  
Tom Wills reported there are 68 members. The Chambers is planning for the Ride the Rockies bike tour. They are looking for citizens to donate housing during the tour. They are also discussing the downtown improvement plan. They would like to see the Hotchkiss Planning Commission, the Hotchkiss Chambers and the Orton Heart and Soul group get involved. They formed a committee to start this process; the members are Tom Wills, Mary Hockenbery, Elaine Brett and Bill Long.

## RECORD OF PROCEEDINGS

---

Hotchkiss Board of Trustees

Page 4  
3/8/12

23. Mayor's Report  
Mayor Koontz told the Trustee there is a report on the chicken laying operation from ERO Engineering firm. Attorney Briscoe said a report from Engineer Fagan and the Mesa Engineering study would help with a response to the information received. Attorney Briscoe, Engineer Fagan, Mayor Koontz and Jane Wills will work on gathering information and reports and write a letter of concerns to the Delta County Commissioners.  
Mayor Koontz said he and the police department are continuing to work with the fire department on emergency preparedness.  
The BLM removed section 6191 from the oil and gas lease area. The second comment deadline is 4/6 /12. Mayor Koontz will write another comment letter from the Town Trustees.  
Mayor Koontz and Mike Owens met with the County concerning the access from the fair grounds on Hwy 92 across from Family Dollar.  
The next Pro Challenge Bike Tour meeting is March 21<sup>st</sup> and Deputy Clerk Tami Smith will try to attend.  
The Colorado Geological Survey team will be updating maps in this area this summer.  
The Gunnison Roundtable group has designated 2012 the Year of Water.  
The Town Logo shirts have been ordered.  
BLM is celebrating their 200th Anniversary and offered to complete a free search of land patents for a site or a building within Delta County.
24. Town Clerk Report  
The Clerk reported there are 7 citizens running for the April 3, 2012 election.
25. Upcoming Events  
3/9/12 Creamery Arts Open Reception  
3/31/12 North Fork Ambulance Membership Drive/Kiddie Train Rides  
3/20/12 FFA Workday Auction  
3/28/12 Work Session  
5/12 12 5K Run  
8/11/12 Fair Parade
26. New Business  
Lindee Cantrell asked the location of a gate for the K-8 Trail. Mike said there is a gate behind the concession stand.
27. Consideration of Bills  
Jane Wills moved to pay all bills, seconded by Lindee Cantrell, with all in favor.
28. Adjournment  
Lindee Cantrell moved to adjourn the meeting at 9:00 p.m., seconded by Carrie Wingfield, with all in favor.

Respectfully Submitted,  
Marlene F. Searle, Town Clerk

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