

RECORD OF PROCEEDINGS

Hotchkiss Board of Trustees

September 9, 2010

1. Mayor Koontz called the meeting to order at 6:30 p.m. Those present were Sheila Maki, Lindee Cantrell, Marlin McCracken, George Brauneis and Dustyn Foster.
2. Those present recited the Pledge of Allegiance.
3. Sheila Maki moved to approve the minutes of August 5th, 2010 with two corrections. Paragraph #6, 3rd sentence, and should be at. Paragraph #20, 3rd sentence, had should be has. Marlin McCracken seconded the motion, with Lindee Cantrell, and Dustyn Foster voting for the motion. George Brauneis abstained as he was not present at the August meeting.
4. Public Hearing-Terry Calhoun (Dych) Zoning Review
385 North 3rd Street, Hotchkiss

Building Inspector, Mark Sprinkle stated that according to the 2006 International Building Code, the structure located at 385 North 3rd Street is considered a duplex as there are sleeping and kitchen areas for both the upper and lower units of the building. The lower part of the duplex could have the kitchen cabinets, sink area and fridge removed. To be used safely as a duplex, it needs brought up to code with emergency egresses and firewall.

Planning Commission Chairman, George Brauneis stated the Planning commission felt a variance would be appropriate as long as the living situation was not a rental situation. Due to hardships and circumstances, they had tried to meet in the middle with Mrs. Calhoun and recommended one bedroom window in the basement unit have a fire egress added.

Mrs. Calhoun stated she has renters living in the upper unit and her son is living in the lower unit. They are separate units and have their own entrances. She said it is a caregiver situation where the two parties help each other. She stated she would be willing to do the egress.

Attorney Briscoe pointed out that the Town could be at risk if it does not follow the building code. Tom Wills stated, that the duplex is in R2 zoning which is conditional use, another ½ water and ½ sewer tap should be purchased and that the building does need brought up to code to be used as it is being used.

Following discussion, Mrs. Calhoun decided to bring the building up to code with two emergency egresses, firewall and the purchase of the appropriate water and sewer taps. She asked for an extended time period to do this. The trustees felt a year would give her time to get the ½ taps purchased, as long as she began work on the emergency egresses immediately. The firewall will also need done in the year time frame.

Dustyn Foster moved to deny the variance previously requested by Mrs. Calhoun. Sheila Maki seconded the motion, with all in favor.

5. Liquor License Renewal-Tri-R Liquors
The Trustees asked Marshal Miller if there had been any problems relating to the business. He stated there had been none. Marlin McCracken moved to renew the liquor license for Tri-R Liquors. George Brauneis seconded the motion, with all in favor.
6. There is still one vacant Trustee position. The office has had no letters of interest yet.
7. Consideration of Adoption of Resolution 2010-6
Regarding Proposition 101 and Amendments 60 & 61
Attorney Briscoe explained the purpose of the Resolution is to provide information only, not to state a position.
Sheila Maki moved to approve Resolution 2010-6, A Resolution of the Town of Hotchkiss, Colorado, Presenting a Snapshot of Information Regarding Proposition 101 and Amendments 60 and 61. Lindee Cantrell seconded the motion, with Marlin McCracken and Dustyn Foster voting for and George Brauneis voting against it. The motion passed.
8. Building Code Update-Mark Sprinkle
Building Inspector, Mark Sprinkle gave the Trustees an update on building permits in Town.
9. Leroux Creek Planning Committee Member Appointment
Trustee, Sheila Maki volunteered to be on the Leroux Creek Planning Committee if it will work into her schedule. She asked if someone would volunteer as an alternate, no one did!

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9. (continued) Tom Wills will get the Leroux Creek Planning Schedule to Sheila Maki.
10. Sheila Maki-Court Appointed Special Advocate (CASA) Information
Trustee Sheila Maki presented an introduction to CASA, Court Appointed Special Advocates-Voices for Children. They will be having an Open House on September 20th at 10:00 a.m. at the old Delta Housing Authority Building.
11. SBA-Cell Tower Offer of Lump Sum Buyout
Discussion of SBA Communications offer of a \$90,000 one-time lump sum, cash payment buyout for the ground lease of the cell phone tower was tabled until the October work session. The Trustees would like to have more information on the present market value, as Attorney Briscoe and the Trustees feel the figure should be more in the \$225,000 to \$270,000 range.
12. Discussion of Draft Amendment to the Sidewalk Ordinance
The Draft Sidewalk Ordinance was tabled until the October 14th meeting. Attorney Briscoe will tweak it with the input he has received.
13. High School Water Line Discussion
Engineer Fagan stated the Army Corp has looked at the wetlands, set flags and agreed upon a location for the new line through the Fairgrounds. The County will do the legal description, a permit needs to be prepared and plans and specs will go to the Health Department. Once CDPHE approves the design, advertisement can begin for bids. It may be about six weeks out.
14. Enhancement Project Update-Walking Trails
Engineer Fagan Gave Trustees a prepared report on options, costs and pro's and con's of Phase 2-Walking Trails: Option A-A primitive pathway from 3400 Road to BLM on the Orlando property, with parking at the trail head. Trail would run just north of Orlando's south line most of the way to intersect with BLM trails at culvert crossing on Short Ditch

Option B-Curb, gutter, walkway along Cedar Street. Walkway would be on east side of Cedar connecting with path in Willow Heights Park running south by Town Hall to existing sidewalk. Curb and gutter would be required to create grade separation from walkway.

Trustees will meet with staff at 5:30 p.m., October 14th before the regular meeting to tour the options. Mayor Koontz asked the Trustees to please read over Joanne's report so a decision could be made.
15. Five Minute Public Appearance
Kathy Browning asked if the overgrown weeds along the new walking trail were going to be taken care of. Public Works Director, Mike Owens stated they are working on them. They are unable to spray because they do not want to void the planting contract by Extreme.
16. Hotchkiss Planning Commission Update/Vacancy
Chairman George Brauneis stated there are two remaining vacancies on the Planning Commission. Sidewalks and Trails are still being discussed. The next meeting will be September 22, 2010 at 6:30 p.m.
17. County Land Use Update
There was no meeting.
18. Department Reports
Public Works Director, Mike Owens, asked if there were any questions on the handout he had given the Trustees. There were none. Mike stated he had asked for three and had received two concrete bids for curb and gutter, between 2nd and 3rd Street on the North side of Orchard.
The fence that was damaged by the tree falling from the windstorm, on Bridge Street next to Bridge Street Liquors, was repaired as of 09/09/10, and the Short Draw Ditch has been cleaned out.
On Monday, September 13 at 10:00 a.m. there will be an informational CDOT meeting. Trustee Maki said she would try to attend as Mike will be on vacation.

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18. (continued) Mike had spoken to Ralph Clark, Delta County Road & Bridge, who stated they are busy and out of time for the year, and may not be able to do paving for the Town this year. Mike will keep the Council informed.
Mayor Koontz stated he would like to see City Market parking lot completed soon.
19. Hotchkiss Chambers Update-Marshal Miller
Marshal Miller stated there will be a Hotchkiss Chamber meeting on October 6th at 7:30 a.m. in the basement at the Library. He said the Colorado Grand car rally will stop in Hotchkiss on Monday, September 13th, with the Chamber hosting the lunch. The Hotchkiss Chamber is trying to pass a resolution on Proposition 101 and Amendments 60 & 61.
20. Mayor's Report
Mayor Koontz read a thank you from Mr. Gordon Cole.
Mayor Koontz stated the Power Point presentation by Jim Pringle from the National Weather Service, about the large windstorm in Hotchkiss was very interesting.
Mayor Koontz gave dates for some upcoming events:
 - Downtown Colorado Inc.-September 22-24 in Glenwood Springs
 - Colorado Municipal League-District 10 dinner meeting-Sept 30th in Montrose
 - Creamery Arts Center-Opening Reception-September 10th, 6-8 p.m.
 - Home Volleyball and Football game-September 10th
 - New Treatment Plant Open House-October 2nd, 12-4 p.m.
 - Staff meetings-September 15th-4:00 p.m.
 - Mountain Harvest Festival-September 23-25th
21. Town Clerk Report-Trash Disposal Contract Bid Information
Deputy Clerk, Tami Owens, told the Trustees the 5-year trash contract with Double J Disposal will terminate as of October 31, 2010. Bid letters and a legal ad to the paper need to go out following the September 9, 2010 meeting. The staff had discussed the idea of requiring all Town residents to have a toter. A toter keeps the wind and animals from scattering trash, there is less confusion as to the amount of trash picked up, many citizens have voiced they feel it would be good for everyone to have toters. It could be requested in the bid, if the Trustees want that as a requirement.
Following discussion, the Trustees would like the legal ad for trash bids to include with/without toters. The staff can open the bids when they come in and prepare a summary sheet for the October 14th meeting to be given to the Trustees and Attorney Briscoe so a decision can be made for a new 5-year contract at the October meeting.
22. Upcoming Events/Schedule
Mayor Koontz reminded Trustees that a Budget Work Session date will need to be set at the October 14th Council meeting.
23. There was no new business.
24. Consideration of Bills
Sheila Maki made a motion to pay the bills. George Brauneis seconded the motion, with all in favor.
25. George Brauneis moved to adjourn the meeting, seconded by Marlin McCracken, with all in favor.

Respectfully Submitted,

Tami Owens/Deputy Clerk
Town of Hotchkiss

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