

RECORD OF PROCEEDINGS

Hotchkiss Board of Trustees

8/13/15

1. Those present were Mayor Pro Tem Carrie Wingfield, Dustyn Foster, Larry Jakubiak, Tom Wills and Jim Roberts. Absent were Mayor Wendell Koontz and Lindee Cantrell.
2. Mayor Pro Tem Carrie Wingfield called the meeting to order at 6:32 p.m. and read a quote from Thomas Jefferson.
3. Those present recited the Pledge of Allegiance.
4. Minutes for July 10, 2015
Tom Wills stated that in the minutes under #10 it states that August 29th is the Celebrate the Forks fundraiser instead of stating August 28th in Heritage Hall and August 29th in the park. Larry Jakubiak moved to accept the minutes with the changes and Jim Roberts seconded. The motion passed with all in favor.
5. Special Events Liquor License-North Fork Valley Creative Coalition
Dave Mitchell explained the Celebrate the Fork event which will be held on August 28th and August 29th. This is a fundraiser for the North Fork Valley Creative Coalition and they have requested a Special Events Liquor License. There will be a dinner on August 28th and music in the park on August 29th. The fundraiser will showcase food, arts and crafts and music mostly based in the North Fork Valley. There will be wrist bands given to the adults that are old enough to drink and the drinks will be bought using tickets that can be purchased. There will be a bar set up in Heritage Hall as well as in the park and security will be watching to make sure that no underage drinking occurs. The bartenders and servers will also be trained to watch for underage drinkers.
Larry Jakubiak asked if everything had been coordinated with Marshal Miller. Marshal Miller and Dave Mitchell both said that they have discussed the event.
Larry Jakubiak moved to grant the Special Events Liquor License to the North Fork Valley Creative Coalition. Dustyn Foster seconded the motion and it passed with all in favor.
6. Susan Raymond-Police Department Complaint
Attorney Bo Nerlin stated that he spoke with Dr. Raymond and offered her a face to face meeting with him, Mayor Wendell Koontz, Marshal Miller and the officer instead of addressing her complaint at a Town Meeting. Dr Raymond was agreeable and said that she wished for everything to be documented as well. Attorney Nerlin will update the Trustees on the outcome at the Town meeting in September.
7. Trish Thibodo-DCED Broadband Update
Trish stated that DOLA just awarded a grant for \$5.2 million to Region 10 for the cost of the middle mile. The middle mile is considered to be from Albuquerque, New Mexico to Montrose and then to the local communities to an Anchor Institution or central location. The final mile is from the central location to all of the homes and businesses in the community. An Anchor Institution could be the Town Hall, the library, fire house, school, etc. There has been no discussions with any of the Towns yet as to where the Anchor Institutions will be located. The DOLA grant covers 50% of the cost to get Broadband to the Anchor Institutions and the Town then has a 3 year period to come up with the matching funds to get the Broadband to the homes and businesses in their area. Trish is also encouraging the Town to put a question on the ballot to opt out of SB152. SB152 prohibits municipalities and counties from partnering with private enterprises and becoming providers, without going to a vote. Trish also mentioned that a lot of the communities were putting a question on the ballot in November to opt out of SB152. Opting out of SB152 will give the Town more flexibility and options in dealing with Broadband.
8. DMEA-Resolution-Broadband
Mark Kurtz stated that DMEA has an ownership in the fiber optics that run from Albuquerque to Montrose of 6.2%, which equals about 2 fibers. DMEA has conducted a business case study over the years to make sure that they could support such an option as Broadband and make it affordable. DMEA is participating in the DOLA grant with Region 10 and Region 10 will also provide their share of the fiber optics to DMEA. Region 10 has about 6 fibers to add to DMEA's

RECORD OF PROCEEDINGS

Hotchkiss Board of Trustees

Page 2
8/13/15

8. (cont.) 2 fibers. DMEA will also need right of ways and easements to lay the last mile, about 2500 miles of fiber, to get Broadband to the communities.
DMEA would like to have all of the Communities sign an MOU with them to ensure that they will have support when it comes time to lay the last mile. It will take a while to get to the point of laying the last mile and they want to make sure that when the time comes that they are not met with resistance. The middle mile has been mapped out but it will take some time to get it underway. DMEA hopes to bring Broadband in at a lower cost to all involved. Broadband has an unlimited capacity and the fiber is expandable.
Larry Jakubiak noted that he has TDS as his provider now for Broadband and wondered how DMEA will compete. DMEA said that TDS does have part of the fiber now that comes in from Delta and DMEA will be a competitor to TDS once it is up and running.
Mayor Pro Tem Carrie Wingfield voiced some concerns about #5 on DMEA's resolution which states that the Town would work with DMEA, and will aid in the marketing efforts. Mark said that the Board at DMEA may not have realized the wording that they put in the resolution and he will address it with them at the next meeting.
Mayor Pro Tem Carrie Wingfield also asked for clarification about #4 of the resolution. Mark said that the biggest cost to put in the fiber is the placement underground. They are just asking that if there are already lines in place that the Towns let them replace it where it is. If that means it is already on lines in the air, they ask that the Town lets them put it in the air at less cost than starting all over again with underground placement.
Attorney Bo Nerlin stated that this is a subject that could be considered at a future meeting.
Tom Wills stated that he was in favor of the Resolution without #5, if at all possible, because every business has to be treated equally.
DCED supports DMEA and the opt out option of SB152 will give the Town more flexibility in how to proceed with Broadband.
In a verbal poll Larry Jakubiak, Dustyn Foster and Jim Roberts voted in support of DMEA. Tom Wills supports DMEA with the exception of #5 in the Resolution.
Attorney Nerlin stated that the Town could write a separate Resolution and present it to DMEA. He has all of the information and will present it at the September meeting.
DMEA agreed that a Town resolution would be good as long as the support is in writing and no resistance would be met in the future.
9. Possible November Coordinated Election of SB152 Discussion
Attorney Nerlin stated that SB152 can be opted out of if it is taken to a vote and the voters are in favor of it.
Larry Jakubiak asked why the Town would want to opt out of this state bill.
Tom Wills explained that if the Town does not opt out of it the Town will not be allowed to have a partnership with a private business and we have less flexibility which can cause future problems.
Attorney Nerlin said that we do not have an MOU with DMEA so there would not be a violation.
Town Clerk Marlene Searle stated that if we do set a question on the ballot, the voters need to be educated about the ballot issue.
Tom Wills moved that Attorney Nerlin draft a ballot measure for the Town to place on the ballot in the November election to opt out of SB152 and that the Board set a Special Meeting on August 27th at 6:00 p.m. for a possible adoption of the ballot question.
Larry Jakubiak seconded the motion and it passed with all in favor.
10. Intergovernmental Agreement with the County for Coordinated Election
Attorney Nerlin stated that the Inter Governmental Agreement (IGA) that the County proposes for the election is agreeable to him. The county needs the IGA back by August 23 before we can place a question on the ballot.
Larry Jakubiak moved to allow the execution of the Inter Governmental Agreement with the County. Tom Wills seconded the motion and it passed with all in favor.
11. North Fork Valley Creative Coalition Update
Dave Mitchell covered the update with the Special Events Liquor License request.

RECORD OF PROCEEDINGS

Hotchkiss Board of Trustees

Page 3
8/13/15

12. Enhancement Trails Project
Engineer Joanne Fagan stated that this item can be removed from the agenda.
13. Town Engineer Report
The CRWPDA loan closes tomorrow for the Sewer Line Upgrade Project in the amount of \$1,024,657.73 and the bid was awarded to William's Construction. William's Construction would like to start on the upgrade the first part of next month. Engineer Fagan and William's Construction will have a preconstruction meeting on August 28th. Discussions continue on the Effluent Line Project and the permit may remain the same until 2018.
14. Sanitation Line Upgrade Update
Please see the above #13.
15. BLM Resource Management Plan Update
The report will be available in either November or January.
16. Downtown Improvements Discussion
Tom Wills reported that they had a float in the Delta County Fair Parade. Tom also said that the committee is moving forward with the winter flower project to make sure that there is enough wooden flowers to put in the pots in Town once the live flowers die back.
17. Delta County Housing Task Force Update
No meeting was held.
18. Hotchkiss Planning Commission Update
Tom Wills reported that the Planning Commission is working with the Chamber of Commerce in regards to the parking situation downtown.
19. Leroux Creek Planning Update
There was no meeting held. Carrie Wingfield also asked if anyone would like to replace her on this Board. Tom Wills said that he would be interested in taking her place. Carrie will contact the Leroux Creek Planning chairperson and will get back with Tom.
20. Five Minute Public Appearance
Jim Roberts stated that he would like to have another street light placed on Poplar. He has talked with some of his neighbors and they all think it would be nice to have. It is very dark in Willow Heights and the addition would add to the safety of the area. Tom Wills asked what the cost of a new light would be. Attorney Nerlin said that the Trustees could direct Public Works Director, Mike Owens, to get prices on the new lights and discuss it at the next meeting. Mike said that he would ask about the prices and get back with the Board.
21. Department Reports
Public Works Director Mike Owens asked if there were any questions on his department report. Larry Jakubiak asked what the difference was between a sodium vapor street light and an LED. Mike said that the technology in each is different as well as the LED is the brighter white light. There were no further questions for Mike.
There were no questions for Marshal Miller on his written report.
22. Hotchkiss Chamber Update
Tom Wills stated that they were looking into the parking complaints in the downtown area. Larry Jakubiak asked how many complaints were received. Tom said that it was really not an issue right now but in the future it could be and the right signage should be in place.
23. Mayor's Report
Carrie Wingfield reported that the Rocky Mountain Elk Foundation will be having its annual fundraiser on August 22 at Heritage Hall. Mayor Wendell Koontz donated a Red Ryder BB gun on behalf of the Town. Carrie also noted that the cooperative meeting with the Hotchkiss High School student government will be held in November at Hotchkiss Town Hall.

RECORD OF PROCEEDINGS

Hotchkiss Board of Trustees

Page 4
8/13/15

24. Town Clerk Report
The trash contract with Double J will expire in November. Ads have been placed in the newspaper requesting bids and letters of interest have been sent to refuse companies. The Clerk asked the Trustees if a short meeting could be held on September 29th, when the Board meets for a workshop with Attorney Nerlin, to consider the bids and possibly approve one of the bids.
25. Upcoming Events/Schedules
School starts August 19th.
26. New Business
No new business.
27. Consideration of Bills
Larry Jakubiak moved to pay all of the bills as presented. Tom Wills seconded the motion and it passed with all in favor.
28. Adjournment
Larry Jakubiak moved to adjourn the meeting at 8:05 p.m., Jim Roberts seconded the motion and it passed with all in favor.

Respectfully Submitted,
Ginger R. Redden
Deputy Town Clerk