

RECORD OF PROCEEDINGS

Hotchkiss Board of Trustees

June 8, 2017

1. Mayor Pro-Tem Larry Jakubiak called the meeting to order at 6:30 p.m. Those present were Mary Hockenbery, John Marta, Lindee Cantrell, and Tom Wills and James Roberts. Mayor Koontz was not present.
2. Those present recited the Pledge of Allegiance.
3. Minutes for May 11, 2017
Tom Wills wanted to clarification on # 29. He had asked why the Town does not follow the State Statute by giving the actual reason for an executive session instead just using the C.R.S. statement.
James Roberts moved to approve the minutes with the clarification, seconded by John Marta, with all in favor.
4. Public Hearing - Water Tank Replacement Project
Mayor Pro Tem Jakubiak opened the Public Hearing.
Engineer Fagan stated the Town is requesting a loan/grant from the State Health Department and a grant from DOLA to replace/repair the 450,000 gallon water storage tank. The tank is in bad shape and needs to be repaired or replaced.
Options;
 1. Repair the tank - repairs would last about 5 years before additional work required
 2. Replace the roof support system
 3. Replace the tank with a similar tank or smaller tank
 4. Consider a steel roof with columns vs an aluminum dome roof
Engineer Fagan and Director of Public Works Mike Owens recommend replacing the tank with a tank of similar size to the existing and using an aluminum dome for the roof. The initial cost for the dome is a little higher but it will save substantially on painting costs in the future. In addition it is the column and rafter that are most likely to corrode and the dome eliminates the need for both.

There was no public comment.

Mayor Pro Tem Jakubiak closed the Public Hearing.
5. Public Hearing - New Liquor License Application
Richard Omer dba Saddleback, 170 E. Bridge Street, (former Past Times Tavern) is requesting a Hotel and Restaurant License. He is now in the process of cleaning and preparing to open. He would like to have a place for the locals to gather and relax.
Attorney Nerlin stated he has reviewed the application and it is complete.
Public Comment:
Pro - none
Con - none
Mayor Jakubiak closed the Public Hearing and asked for Trustee comment.

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5. (continued) Mary Hockenbery moved to approve to grant a Hotel/Restaurant Liquor License for Richard Omar dba Saddleback, seconded by James Roberts, with all in favor.
6. Special Events Liquor Permit
 1. Delta County Chamber of Commerce (DCCC)

Darnell Place-Wise, DCCC, requested a Special Events Liquor permit for a beer garden during the Delta County Fair. The Delta County Fair Board will be running the beer garden. Marshal Miller has reviewed the application and the beer garden area and found no problems. All ID's will be checked before purchase of ticket for beer. Only 21 or older will be allowed in beer garden.

Tom Wills moved to approve the permit, seconded by Mary Hockenbery, with all in favor.
 2. Hotchkiss Chamber of Commerce (HCC)

Marsy Moore, HHC, requested a Special Events Liquor Permit for a Farm to Fiddle and Colorado Main Street fund raiser to be held at Shadescapes on June 19, 2017.

Mary Hockenbery moved to approve the permit, seconded by Tom Wills, with all in favor.
7. Donation Request

Tracy Ihnot was present to request a donation for the Hotchkiss Library Summer Reading Program.

Tom Wills stated the Trustees need to revisit the Town's donation policy. The policy states the Town does not donate to taxing entities. The Trustees agreed the policy needs to be reviewed.

Mary Hockenbery moved to donate \$50, seconded by James Roberts. The motion passed with Tom Wills voting against.
8. Street Closure Request

Marsy Moore is requesting street closure for Farm to Fiddle Festival. Larry Jakubiak, Mike Owens, Dan Miller, Marsy Moore and Linda Canon met to discuss the closures.

They are asking for the South side of Oak Street from Bridge Street to the alley and possibly 1st Street on the North side from Bridge Street to Main Street and the use of the Town lot on Hotchkiss Avenue.

Marsy stated that she still needed two signatures for the 1st Street closure.

Mary Hockenbery moved to approve the street closures for 1st Street, Oak Street, and the Town lot on Hotchkiss Avenue, conditional upon receiving all signatures, seconded by Tom Wills, with all in favor.
9. Farm to Fiddle Update

Marsy Moore reported everything is going well and gave some information about activities for the event. They are still looking for additional sponsors and vendors for the event.
10. Street Light Discussion

Tabled to July meeting.

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11. First Reading of Ordinance 2017- for Possession of Marijuana
Attorney Nerlin stated that the Town had adopted Marijuana ordinances in 2014 and 2016. The Town now needs to incorporate the changes that have been made to the criminal code and general housekeeping to the Town's code.
Tom Wills moved to approve the 1st reading of the Marijuana ordinance, seconded by John Marta, with all in favor.
12. First Reading of Ordinance 2017- for Off Highway Vehicles (OHV)
Attorney Nerlin stated he had reviewed other communities for rules and regulations for use of OHV's on Town streets. The drivers are required to have a State drivers license and insurance.
Tom Wills moved to approve the 1st reading of the OHV's ordinance regulating the use on Town streets, seconded by Mary Hockenbery with all in favor.
13. Resolution 2017-04 - Possible Adoption of Town Fees
Attorney Nerlin stated the Resolution has been amended with changes requested at the May meeting.
Lindee Cantrell moved to adopt Resolution 2017-04 for Town fees, effective July 1, 2017, seconded by Tom Wills, with all in favor.
14. Town Attorney
No report.
15. Colorado Main Street update
Informational documents were given to the Trustees.
16. Five Minute Public Appearance
None
17. Master Plan Update
Master Plan surveys were given to Trustees to hand out to neighbors and friends. Larry Jakubiak said the surveys should be at all businesses for customers to take. Tom Wills said the surveys need to be publicized more. May have to do a mail out of the surveys.
18. NF Creative Coalition Update
Mary Hockenbery is receiving weekly emails and staying informed. Mary has attended the Creative Coalition Council for the last four years and has learned a lot and introduced people to our Town. She asked for a small reimbursement for the expenses.
Mayor Pro Tem thanked Mary for attending these councils and representing the Town.
Tom Wills moved to give Mary a reimbursement of \$100.00, seconded by Lindee Cantrell, with all in favor.

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19. **Town Engineer Report**
To determine the scope of the sewer line replacement on Pinon Street and Hotchkiss Avenue they are waiting on camera views of the sewer line in the Hotchkiss' field.
Also working on seep water in that area that is damaging the road, and talking to land owners about a solution. Mike and Joanne are requesting \$ 8,000 from the Capital Projects Fund (CPF) to repair the seep water problem.
Mary Hockenbery moved to authorize the spending of \$ 8,000 from CPF for storm water line repair, seconded by John Marta, with all in favor.
20. **Delta County Housing Task Force Update**
Larry Jakubiak told the Trustees that Delta County Housing Authority has funds to loan for down payments and repairs. The housing units in Delta are full and there is a waiting list.
21. **Leroux Creek Planning Update**
Tom Wills reported they reviewed two subdivision requests at last month's meeting. Both were quite a ways out of Town. Next week they will be reviewing a subdivision request close to Town on River Ridge Road. This property has two homes and two Town water taps. There is not an issue with this request, but our IGA with the County requires the County to notify the Town and the Town should respond if there is or is not interest in annexation of the property to Town. Tom went on to explain about the property and the road. Mike Owens said he has been in contact with Kelly Yeager, Delta County Planner, about this property. The Trustees asked the Town Clerk to notify the County that the Town has no interest in annexing the property at this time.
22. **Department Reports**
Mike Owens asked if there were questions on his written report. He stated a fire hydrant will be installed close to the new DCMH clinic.
Marshal Miller asked if there were questions on his written report. He said Deputy McDonald is doing a good job.
23. **Hotchkiss Planning Commission Update**
Tom Wills said Orchard City has "Tiny House Development" regulations. Hotchkiss Planning Commission will start talking about tiny house regulations in Hotchkiss.
24. **Hotchkiss Chamber of Commerce Update**
None
25. **Mayor's Report**
Mayor Pro-Tem reminded all of the fund raiser for DCMH Hotchkiss clinic. The Trustees had a written update from Elevate.

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26. Town Clerk Report
None
27. Upcoming Events
None
28. New Business
Mayor Pro-Tem Larry Jakubiak reported he will be resigning from the Board. His last meeting will be August. He stated he needed a break, but may be back. Trustees wished him well and said they will miss him.
29. Possible Items for Next Meeting
Approval of DOLA application and signature authorization for the Water Tank Project.
30. Consideration of Bills
Lindee Cantrell moved to approve the bills, seconded by James Roberts, with all in favor.
31. Lindee Cantrell moved to go into and executive session at 8:00 p.m. for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402 (4)(b). James Roberts seconded the motion with all in favor.
32. Returned to Open Meeting.
Mayor Pro Tem Larry Jakubiak read the following:
The time is now 8:23 p.m., and the executive session has been concluded. The participants in the executive session were; Mayor Pro Tem Larry Jakubiak, Tom Wills, Lindee Cantrell, Attorney Nerlin, John Marta, Jim Roberts, Mary Hockenbery, Marlene Searle, Joanne Fagan and Mike Owens.
For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record. Seeing none, the next agenda is adjournment.
33. Lindee Cantrell moved to adjourn the meeting, seconded by Mary Hockenbery with all in favor.

Respectfully Submitted,

Marlene F. Searle,
Town Clerk

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