

**New Castle Town Council Meeting
Tuesday, May 7, 2019, 7:00 p.m.**

Call to Order

Mayor A Riddile called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Mayor A Riddile asked that everyone remain standing in a moment of silence to honor long-time resident, LaRue Wentz, who had recently passed away.

Roll Call

Present	Councilor Mariscal Councilor Owens Councilor Hazelton Mayor A Riddile Councilor Copeland Councilor G Riddile
Absent	Councilor Leland

Also present at the meeting were Town Administrator Dave Reynolds, Deputy Town Clerk Mindy Andis,

MOTION: Mayor A Riddile made a motion to excuse Councilor Leland's absence. Councilor Mariscal seconded the motion and it passed unanimously.

Meeting Notice

Deputy Town Clerk Mindy Andis verified that her office gave notice of the meeting in accordance with Resolution TC 2019-1.

Conflicts of Interest

There were no conflicts of interest.

Agenda Changes

There were no agenda changes.

Citizen Comments on Items not on the Agenda

There were no citizen comments.

Consultant Reports

Consultant Attorney – present for agenda items.

Consultant Engineer – not present.

Introductions: Officer Charles Bierbaum & Administrative Assistant Bart Mendoza
Police Chief Tony Pagni introduced Officer Charles Bierbaum and described the hiring and training process he had gone through. Officer Bierbaum greeted the council and said that he had originally moved to the area in 2004, and was excited to be able to return and to serve the Town of New Castle.

Town Administrator Dave Reynolds introduced Bart Mendoza, Administrative Assistant to the Town Clerk. He said that the department was happy to have Asst. Mendoza and that he had jumped into several projects right away, including preparing for the golf cart open house, and reorganization of the files in the vault. Asst. Mendoza told the council that he was pleased to be working for New Castle and looked forward to learning.

Items for Consideration

Consider Resolution TC 2019-8, A Resolution of the Town Council of the Town of New Castle Adopting a Directory of Fees and Charges for the Town (Amending Section 2(b)): Impound fees

Police Chief Tony Pagni told the council that going back five years, the town had a shelter agreement with the Talbotts to house dogs that had been picked up. The facility at Talbotts was unlicensed and posed a potential liability for the town, so Chief Pagni obtained an agreement with Divide Creek Animal Hospital. He said that Divide Creek had recently closed their doors and the department had signed an agreement with the Rifle Animal Shelter. Unfortunately, it was more expensive to use the Rifle Shelter, thus the change in the fee schedule.

MOTION: Mayor A Riddile made a motion to approve Resolution TC 2019-8, A Resolution of the Town Council of the Town of New Castle Adopting a Directory of Fees and Charges for the Town (Amending Section 2(b)): Impound fees. Councilor G Riddile seconded the motion and it passed unanimously.

Consider Resolution TC 2019-9, A Resolution of the Town Council of the Town of New Castle, Colorado Adopting New Castle Rides and Reggae Festival as an Official Town Function

Town Administrator Dave Reynolds told the council that New Castle Trails group had been in existence for a number of years, and they had done great work improving the trails system in town. He said that two years ago the group started a summer event that had grown significantly. In 2019 the event is called Rides & Reggae and the scale of the event had New Castle Trails concerned about liability issues. Administrator Reynolds said that the resolution being considered was to officially adopt the Rides & Reggae event as a town event, and to designate Adam Cornely and Joe Urnise of New Castle Trails as the organizers of the event. It also placed town staff in a supervisory position.

Mr. Joe Urnise told the council that after some discussion with the town attorney, he and Mr. Cornely believed they could be held personally liable for any mishaps during the event, and they were uncomfortable.

Mayor A Riddile asked if the liquor license would also be held by the town, and Councilor G Riddile said that it would. He also said the trails group was working on a plan to utilize ServSafe certified staff members from Colorado Animal Rescue (CARE) who would provide

liquor service for free provided that all tips were donated to CARE. Councilor G Riddile said that Mr. Urnise, Mr. Cornely and himself would also be certified in the event the CARE staff could not cover all the shifts serving alcohol. Councilor G Riddile said that they would hire security personnel who would control the entryway/front desk and check guests' identification.

The council questioned why specific persons were named in the resolution. Councilor G Riddile said that New Castle Trails believed another resolution would have to be passed in 2020 authorizing the event, and that specific volunteers needed to be named because of C.R.S 24-10-103, and because the town's insurance carrier, CIRSA, needed specific persons listed on a volunteer list.

Councilor Copeland asked why Roaring Fork Mountain Bike Association (RFMBA) did not sponsor the event since New Castle Trails was a d/b/a of RFMBA. Councilor G Riddile said that RFMBA held to the policy that they were a bike advocacy organization and not in the business of planning/organizing events.

The council felt that proceeds from the event should come back to the town and New Castle Trails since it was a town event. Councilor G Riddile said that RFMBA maintained an account for New Castle Trails and that is where the proceeds would go. After some discussion, the council agreed that for now, the funds going to an account for New Castle Trails through RFMBA was fine, but in the future they wanted to streamline the process for receiving funds.

MOTION: Councilor Owens made a motion to approve Resolution TC 2019-9, A Resolution of the Town Council of the Town of New Castle, Colorado Adopting New Castle Rides and Reggae Festival as an Official Town Function. Mayor A Riddile seconded the motion and it passed unanimously.

Mayor A Riddile made a motion at 7:43 p.m. to go into Executive Session (1) for conference with Town Attorney for purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); and (2) for purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) concerning water rights. Councilor Hazelton seconded the motion and it passed unanimously.

Executive session concluded.

At the end of the executive session, Mayor A Riddile made the following statement:

"The time is now 8:20 p.m. and the executive session has been concluded. The participants in the executive session were: Councilors Mariscal, Owens and Hazelton; Mayor A Riddile; Councilors Copeland and G Riddile; Town Administrator Dave Reynolds, Town Attorney Haley Carmer, Deputy Town Clerk Mindy Andis and Town Treasurer Loni Burk. 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.”

No concerns were stated.

Direction: Microgrid Contract

Administrator Reynolds explained that in 2017, the town had entered into a contract with a company called MicroGrid to purchase solar energy from an industrial-sized solar garden that had not been built yet. The town and Garfield Clean Energy(GCE) had reviewed the project and the council subsequently agreed to the contract, and to become a partner and receive solar credits from the solar grid. He said that staff had been notified that the solar array had been built and that the town would be under contract. MicroGrid, now called Pivot Energy, had provided an estoppel agreement with their finance company that needed a signature from the mayor. Administrator Reynolds said that the document essentially verified who and what the town was and verified that an agreement had been signed. Administrator Reynolds said that GCE and Attorney McConaughy had reviewed the estoppel, and that staff simply needed a motion authorizing either the mayor or administrator to sign it.

MOTION: Mayor A Riddile made a motion to authorize either the mayor or the town administrator to sign the Pivot Energy subscriber estoppel certificate. Councilor Mariscal seconded the motion and it passed unanimously.

Discussion: Downtown Plan

Administrator Reynolds told the council that there was still some concern from Steve Craven who owned developable land in Castle Valley. Mr. Craven felt the plan would negatively affect his vested rights in his property. Administrator Reynolds said that he understood that when the P&Z began their review of the comprehensive plan, they felt that there was one deficiency in that there was nothing that concentrated on the downtown area. The Downtown Plan is meant to be a supplement to the Comprehensive Plan. It is a review document that gives a vision for the downtown. It is not controlling or binding, rather its purpose was to provide a guideline as to what can happen in the downtown. The council agreed to place a statement in the executive summary portion of the Downtown Plan to clarify the purpose of the Downtown Plan.

The council and staff reviewed a few points in the plan and felt that it was a good visionary document.

Consent Agenda

April Bills of \$429,555.09

Capital Deli Hotel & Restaurant Liquor License Renewal

Elk Creek Mining Company Hotel & Restaurant Liquor License Renewal

MOTION: Mayor A Riddile made a motion to approve the consent agenda. Councilor G Riddile seconded the motion and it passed unanimously.

Staff Reports

Town Administrator – Administrator Reynolds told the council that the POSTR Committee got to meet with the local Girl Scout Troop who put together a fantastic presentation for a Buddy Bench at Bear Dance Park. Administrator Reynolds said that the town had been meeting with some local pastors and were organizing a potluck/memorial service for LaRue Wentz. Administrator Reynolds told the council that the new officer that Chief Pagni expected to hire had taken a position elsewhere, so he would be considering another applicant. He told the council that the starting pay in other jurisdictions was quite a bit higher than New Castle, and that may be something to consider. Administrator Reynolds told the council that public works had extended an offer to an applicant who would replace Greg Jacobs. Administrator Reynolds said that Town Treasurer Loni Burk had done an amazing job on the annual audit and had impressed the auditor. Administrator Reynolds told the council that the town was working on a combined river-marketing concept with some other towns. He said he was also working on a combined project with the Town of Silt called Sol-Smart which was a recognition program for solar-friendly towns. He said he hoped to beat out Silt as being more friendly. Administrator Reynolds said that he and John Wenzel will meet with the public works director and Town Manager of Silt and discuss the possibility of cooperating on things, such as sharing a street-sweeper or jetting equipment. It is a deliberate effort by the town managers to be more collaborative up and down the valley. Administrator Reynolds said staff was working on the golf cart idea, and he said that Cinco de Mayo had gone very well. Administrator Reynolds said that he would be out the following Wednesday and part of Thursday.

Town Clerk – Deputy Clerk Andis told the council that her department was training Administrative Assistant Bart Mendoza who was doing very well, and learning quickly. She said they had preliminary discussions with Planner Smith about having Asst. Mendoza assist the building department. Mayor A Riddile asked how the change in office hours was working. Administrator Reynolds said that he thought perhaps it was too early to tell, but there had not been any push back from the public. Deputy Clerk Andis said that the hours had been helpful since they were training a new employee. Administrator Reynolds said that in the few cases where people have asked him about the hours, the perception is that there was some cost savings in the hours change, and gave some possible awareness to staff efficiencies and budget concerns.

Town Treasurer – Treasurer Burk told the council that although the audit was difficult, it was a great opportunity to learn about everything regarding the town finances. She said she was scheduled to go to Utah for some Caselle training.

Town Planner – nothing to report.

Public Works Director – nothing to report.

Commission Reports

Planning & Zoning Commission – nothing to report.

Historic Preservation Commission – nothing to report.

Climate Action Advisory Committee – nothing to report.

Senior Program – Councilor Mariscal said that she had been unable to attend the meeting, so Clerk Harrison had gone instead.

RFTA – nothing to report.

AGNC – Councilor Hazelton said there had not been anything earth-shattering at the last meeting.

GCE – nothing to report.

EAB – Mayor A Riddile said he had attended the energy symposium and learned that in the six-county of the Western Slope, there were more than 11,000 jobs related directly and indirectly to oil and gas. There were 66,600 industry jobs. The gross domestic product of the region was 1.1 billion. Administrator Reynolds said another interesting item was that the forecast for severance tax revenues was supposed to climb slightly. Mayor A Riddile said that the Jordan Cove project was supposed to be up and running by 2025.

Council Comments

Councilor Owens asked if anyone knew when Burning Mountain Bakery would open. Administrator Reynolds said no. Councilor Copeland said that she heard it wouldn't be until 2020.

Councilor Owens said he understood EAT Bistro was expanding, and Administrator Reynolds confirmed that was true, that EAT would expand towards the west, and had been approved at HPC. He said they were working with Planner Smith on their building permits.

Councilor Owens asked after Colton Odykirk. Treasurer Burk said Colton would return to Colorado the following week.

Councilor Mariscal said she had been invited to be a speaker at Women In Government and it was interesting to understand how poorly women are treated on other councils, and she thanked the council for being so supportive. She said the conference was really great. Councilor Copeland said it was interesting learning how other women communicate in government.

MOTION: Councilor Owens made a motion to adjourn. Mayor A Riddile seconded the motion and it passed unanimously.

The meeting adjourned at 8:55 p.m.

Respectively submitted,



Mayor Art Riddile


Town Clerk Melody Harrison, CMC

