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**Agenda**  
**New Castle Town Council Meeting**  
**Tuesday, February 19, 2019, 7:00 p.m.**

Starting times on the agenda are approximate and intended as a guide for Council.  
The starting times are subject to change by Council, as is the order of items on the agenda.

**Call to Order**  
**Pledge of Allegiance**  
**Roll Call**  
**Meeting Notice**  
**Conflicts of Interest**  
**Agenda Changes**

**Citizen Comments on Items not on the Agenda**  
-Comments are limited to three minutes-

**Consultant Reports**  
Consultant Attorney  
Consultant Engineer

**Items for Consideration**

- A. Garfield RE-2 School Board (7:05 p.m.)**
- B. Update and Potential Action on Request for Temporary Certificate of Occupancy for Lakota Ridge Senior Apartments (7:25 p.m.)**
- C. Chief Pagni - Safety Protocol for Council Meetings (7:45 p.m.)**
- D. Consider Resolution TC 2019-3, A Resolution of the New Castle Town Council Adopting a Policy for Citizen Comments at Public Meetings (8:00 p.m.)**
- E. Wellness Committee Update & 2019 Goals (8:10 p.m.)**

**F. Consent Agenda (8:25 p.m.)**

Items on the consent agenda are routine and non-controversial and will be approved by one motion. There will be no separate discussion of these items unless a council member or citizen requests it, in which case the item will be removed from the consent agenda.

January 15, 2019 council minutes

Resolution TC 2019-4, Approving an FMLD Grant Application for Streets Maintenance

**Staff Reports (8:30 p.m.)**

Town Administrator

Town Clerk

Town Planner

Public Works Director

**Commission Reports (8:40 p.m.)**

Planning & Zoning Commission

Historic Preservation Commission

Climate Action Advisory Committee

Senior Program

RFTA

AGNC

GCE

EAB

**Council Comments (8:50 p.m.)**

**Adjourn (9:00 p.m.)**

TOWN OF NEW CASTLE, COLORADO  
RESOLUTION NO. TC 2019-3

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF NEW CASTLE,  
COLORADO ADOPTING A POLICY FOR CITIZEN COMMENTS AT PUBLIC MEETINGS

WHEREAS, it is the general practice of the New Castle Town Council to include an agenda item at regular Town Council meetings allowing citizens to address the Council on topics not related to specific items on the agenda; and

WHEREAS, the Town Council recognizes and encourages the right of its citizens and members of the public to address the Town Council pursuant to the First Amendment to the Constitution of the United States of America; and

WHEREAS, a Town Council meeting is a limited public forum in which the Town Council has authority to impose reasonable, content-neutral regulations regarding the time, place, and manner of public speech; and

WHEREAS, the Town Council also accepts citizen comments at public hearings and other situations where comments may be invited for specific agenda items; and

WHEREAS, the Town Council has the authority to place reasonable restrictions on citizen comments and citizen presentations in order to provide for the efficient management of public meetings and to allow sufficient time and attention to address specific agenda items and to conduct the business of the Town of New Castle; and

WHEREAS, as a Colorado home rule municipality, the Town of New Castle has the authority to enact its own rules regarding meetings of its governing body; and

WHEREAS, the Town Council desires to adopt a uniform policy to regulate citizen comments at its own meetings and at other public meetings conducted by the Planning Commission or other boards or commissions of the Town of New Castle.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF NEW CASTLE, COLORADO, AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as findings and determinations of the Town Council.

Section 2. The Town Council adopts the following policy, which shall be posted or made available to members of the public at any meeting where members of the public may be permitted to address the Council, the Planning Commission, or other public body of the Town of New Castle.

**TOWN OF NEW CASTLE  
POLICY REGARDING CITIZEN COMMENTS  
AT CITY COUNCIL MEETINGS AND PLANNING COMMISSION MEETINGS**

1. PUBLIC COMMENTS REGARDING MATTERS NOT ON THE AGENDA

Citizen comments regarding any matter not on the agenda will be allowed during the designated time on the agenda and may be disallowed at other times during the meeting.

Those wishing to address the Town Council must print their names on the sign-in sheet and will be allowed a three-minute presentation per speaker. Citizens who have signed-in may delegate their time to another speaker to comment on their behalf.

The Mayor or presiding officer may limit the total time for citizen comments based on the length of an agenda. In such case, comments will be received on a first-come, first-served basis during the available time.

Large posters or signs, sound effects, audio/visual presentation equipment, or other disruptive or distracting materials may be prohibited. Handouts are encouraged to be in 8.5 x 11 format.

If a topic that you wish to address has been scheduled as an agenda item for a formal Town Council meeting, we would ask that you reserve your remarks for that specific date and time.

Any request for Council action that is not on the agenda will be added to a future Council meeting agenda and addressed at that time.

2. PUBLIC COMMENTS GENERALLY, INCLUDING MATTERS ON THE AGENDA

Please state your name and address for the record.

Comments may be statements or questions, and Council may or may not respond to the same.

Comments should be directed to the Town Council and not to individual members of the public.

Presenters are urged to: (1) state your concern/issue; (2) list possible solutions; and, (3) if you have a hand-out, provide all copies for all members of the Council, Town Administrator and the Town Clerk.

Respect the need for civility for effective public discussion of issues.

Focus your comments on relevant facts and your point of view.

Defamatory or abusive remarks, shouting, threats of violence or profanity are OUT OF ORDER and will not be tolerated.

Citizens wishing to address the Council should dress appropriately. No shirt, no shoes, no service.

The Mayor or presiding officer has authority to apply the "three minute" rule stated above at public hearings if a large number of speakers wish to present comments.

Persons violating these policies may be asked to terminate their comments. In the event of repeated violations or refusal to abide by these policies or directives, the Mayor or presiding officer has authority to direct a peace officer to remove the individual from the Council Chambers.

INTRODUCED, PASSED, AND ADOPTED at a regular meeting of the Town Council of the Town of New Castle, Colorado, on February 19, 2019.

TOWN OF NEW CASTLE:

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Mayor Art Riddile

ATTEST:

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Town Clerk Melody Harrison, CMC

New Castle Town Council Meeting  
Tuesday, January 15, 2019, 7:00 p.m.

Call to Order

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

Pledge of Allegiance

Roll Call

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

Also present at the meeting were Town Administrator Dave Reynolds, Town Clerk Melody Harrison, Town Planner Paul Smith, Town Attorney David McConaughy and Town Engineer Jeff Simonson.

**MOTION: Mayor A Riddile made a motion to excuse Councilor Owens' absence.** Councilor Hazelton seconded the motion and it passed unanimously.

Meeting Notice

Town Clerk Melody Harrison verified that her office gave notice of the meeting in accordance with Resolution TC 2018-1.

Conflicts of Interest

There were no conflicts of interest.

Agenda Changes

There were no agenda changes.

Citizen Comments on Items not on the Agenda

Claire Guides, 624 Lariat Loop. Ms. Guides and Norma Teran gave the council a brief update on the Cooking Matters classes taught in New Castle in 2018. They said that they had received grant funding and in-kind donations for the program. They offered thanks the Garfield County Healthy Communities Coalition, the River Center, Cooking Matters, Peach Valley Community Supported Agriculture and the CSU Extension program for helping make the program a great success. Ms. Guides told the council that they would be applying for grants to expand the classes in 2019. The council thanked Ms. Guides and Ms. Teran and complimented them on their success.

Consultant Reports

1 Consultant Attorney – Town Attorney David McConaughy told the council that there was a  
2 statute passed recently regarding data privacy, so his firm was working on a policy to  
3 bring the town into compliance. Her also suggested that the council consider a formal  
4 policy for public comment periods at meetings, and that would be coming to them for  
5 their consideration as well. Last, he said that there had been a lot of discussion on the  
6 Colorado Municipal League listserv regarding e-cigarettes and vaping, and he thought that  
7 it may be a subject worth discussing as well.  
8 Consultant Engineer – preset for agenda items.

9  
10  
11 Items for Consideration

12  
13 Proclamations:

14 Coal Ridge High School Co-ed Cheer Team 1<sup>st</sup> Place State Champion  
15 Coal Ridge High School All-Girls Cheer Team 2<sup>nd</sup> Place State Champion  
16 Mayor A Riddile read the proclamations into the record. The Council Members and Mayor  
17 congratulated the Coal Ridge High School Co-Ed and Girls Cheer Teams for their  
18 accomplishments.

19  
20  
21 Community Resources and Housing Development Corporation

22 Town Administrator Dave Reynolds that representatives of Community Resources and  
23 Housing Development Corporation (CRHDC) were present to discuss several items  
24 regarding the Lakota Senior Housing project. The first item was the development  
25 agreement and a request from CRHDC to extend the deadline for public improvements. He  
26 said that staff was able to grant one six-month extension which had expired on December  
27 31, 2018, and any further extensions were required to be approved by the Council.  
28 CRHDC was requesting that the council provide them with a second extension.  
29 Administrator Reynolds said that the second item was a request for a temporary  
30 certificate of occupancy (TCO). Although a TCO was a staff approval, Administrator  
31 Reynolds said that because of the partnership between the Council and CRHDC, he felt  
32 that Council should weigh in on the decision for a TCO. Last, Administrator Reynolds said  
33 that CHRDC would provide the council with an update on the progress of the entire  
34 project.

35 Administrator Reynolds introduced Kate Gazunis from the Garfield County Housing  
36 Authority who had interest and investment in the project.

37 Arturo Alvarado, the new Executive Director of CRHDC, greeted the council and described  
38 his experience with CRHDC. He expressed his gratitude to the council for their time and  
39 consideration of their requests.

40 Carly Johannsson, Director of Real Estate Development for CRHDC, also greeted the  
41 council. She explained that the project had experienced some difficulties, causing delays  
42 in completion, which was the reason CRHDC was before the Town Council. Ms. Johannsson  
43 said that the first request was for an extension of the public improvements to May 31,  
44 2019. She explained that the improvements still to be completed were all dependent on  
45 weather and could not be completed until spring when the asphalt plants opened and the  
46 weather was warmer. Those included exterior building paint, a final coat on the balcony  
47 floors, courtyard landscaping, completion of pathways in courtyard, installation of site  
48 furnishings, installation of two concrete walkways, reseeding of the swale along Castle

1 Valley Boulevard, reseeding of the school district lot to the west, installation of a t-patch  
2 at new road and Castle Valley Boulevard and installation of final striping of crosswalks,  
3 parking stalls and accessible parking spaces with the new right-of-way and new property  
4 parking lots. Ms. Johannsson said that outside of the public improvements, CRHDC was  
5 working on the project acceptance checklist, the as-built drawings, the bill of sale and the  
6 draft deed. She said that the legal description for the draft deed had been established  
7 through a surveyor, and they were waiting to see the legal description overlaid on the as-  
8 built to ensure that the legal description was appropriate. Ms. Johannsson said she  
9 wanted the council to know that CRHDC was aware of the necessary documentation and  
10 what the next steps were. She said that she hoped it would not take the full five months  
11 of the requested extension, but a lot of the work was weather-dependent. Ms.  
12 Johannsson said that CRHDC was aware the town engineer would not sign off on the road  
13 or public improvements until all the work was complete, which included the t-patch and  
14 striping.

15 Councilor G Riddile asked if CRHDC had issued a change order with their contractor that  
16 would ensure the project would be complete on May 1, 2019.

17 Ms. Johannsson stated that they would not do change order but she agreed to work on an  
18 addendum to contract instead. She felt that a contractual obligation with the contractor  
19 was a good idea.

20 Ms. Johansson told the council that CHRDC wanted to have people moving in to the  
21 apartment by March 1, 2019, which was the reason they were asking for a TCO. She said  
22 that CRHDC had already experienced a \$94k loss of equity because the project was  
23 behind schedule. She said that each month that went by without tenants CRHDC lost  
24 approximately \$40k, which was detrimental to the organization. In addition, she said that  
25 there were now legitimate concerns from their partners, Garfield County Housing  
26 Authority in particular. Ms. Johannsson said that CRHDC was making every effort to have  
27 the project move-in ready by March 1, 2019. She said that the buildings would be  
28 completely ready for occupancy, including all life-safety and energy performance items,  
29 and that the only items not complete would be the exterior items listed before.

30 Ms. Johannsson said that CRHDC had 41 applicants that were being vetted, and Garfield  
31 County Housing Authority also had applicants ready to move in. She reiterated the  
32 detrimental loss CRHDC was experiencing and how important it was to allow occupancy of  
33 the building so that the community needs could be met.

34 Ms. Johansson asked if the council had any questions.

35 Administrator Reynolds said that he felt there were two separate timelines being  
36 discussed. One was a TCO timeline, and the other was a public improvements timeline  
37 and they did not coincide well because the incomplete roadway would be functional and  
38 open for traffic. He asked how CRHDC would be able to complete the public roadways  
39 while fifty tenants were making several trips per day on them because ideally, public  
40 improvements are completed before there is any occupancy.

41 Ms. Johannsson said that they would install temporary parking space and crosswalk  
42 striping to protect the tenants. Managing construction operations around tenant activity  
43 would include an outline of procedures for traffic control.

44 JV DeSousa, Architect for the project, greeted the council and offered to produce a traffic  
45 management plan that would block one lane, allowing construction in the other lane. It  
46 would likely include flaggers for safety. Mr. DeSousa said he felt most of the right-of-way  
47 improvements were complete except for some striping and an easement for a storm water  
48 inlet that ties into the detention pond on the neighboring private property. He said there



1 may need to be an easement for the line from the street to the detention pond. Mr.  
2 DeSousa said that the final t-patch would depend on the weather.  
3 Town Attorney David McConaughy asked if CRHDC had the necessary survey data to  
4 define what the public right-of-way would be, because currently there was no public right-  
5 of-way, and the town would need a deed provided or a temporary easement so that  
6 emergency vehicles could enter the property. Ms. Johannsson said that CRHDC did have a  
7 legal description along with a plat, and she and Mr. DeSousa agreed that a temporary  
8 easement agreement could be done so that there would be legal access to the property,  
9 and it would need to be done before the March 1 date.  
10 Administrator Reynolds asked Ms. Johannsson how she envisioned the phasing of tenant  
11 move-ins.  
12 Ms. Johannsson said she said that they would begin with the eight project-based voucher  
13 holders, and then CRHDC would begin moving in those tenants that CRHDC has vetted,  
14 which is a several-step process that they could begin immediately so that they would be  
15 ready by March 1. Her priority would be the voucher holders.  
16 Administrator Reynolds said that although dates for move-in were being discussed, there  
17 could be no date guarantees made for the TCO because it was impossible to know what  
18 the outcome of the TCO inspections would be. He said that CRHDC had yet to call for the  
19 TCO inspections, and those inspections could take quite a bit of time to complete.  
20 Administrator Reynolds also said that a TCO was a limited thing in that if necessary work  
21 was not complete within a certain timeframe, the TCO would expire and occupancy would  
22 no longer be allowed. He said it would be a very complicated situation and likely  
23 impossible to move 50 people out of senior housing if the TCO expired.  
24 Ms. Johannsson said that CRHDC was already out quite a bit of money, and that because  
25 of the nature of the financing for the project, CRHDC would not get paid anything until  
26 they had a certificate of occupancy (CO) in hand. Having tenants occupying the units  
27 would provide monthly income, but they would not receive final payment if they did not  
28 receive a CO. She said that CRHDC had a vested interest in obtaining the final CO.  
29 Ms. Johannsson said that amending the contract with the contractor would help meet the  
30 deadline, but that CRHDC was also soliciting bids on some of the work to ensure it was  
31 done timely. In addition, if they saw that the general contractor was moving slowly on  
32 something, they were sub-contracting the work out, and their general contractor was  
33 aware. Ms. Johannsson said that they had issued punch lists for some of the units and  
34 would complete final punch lists for all the units within two weeks.  
35 Mayor A Riddile asked how long it would take for Town Planner/Building Inspector Paul  
36 Smith and himself to inspect the buildings for TCO. Administrator Reynolds said that he  
37 and Inspector Smith had provided final inspection checklists to CRHDC so they understood  
38 what would be looked at, but it was impossible to tell how long it would be before the  
39 units were ready for inspection, whether they would pass inspection and how long it might  
40 take if corrections or repairs needed to be made.  
41 Garfield County Housing Authority Executive Director Kate Gazunis greeted the council.  
42 She explained that the tenants she had that were supposed to move in to Lakota Ridge  
43 Senior Apartments were project-based. Project-based vouchers differ from standard  
44 vouchers in that the voucher was assigned to a unit, whereas standard vouchers were  
45 essentially assigned to the person. Director Gazunis said that because the vouchers were  
46 unit-assigned, the units were subject to a HUD inspection. HUD standards were not as  
47 stringent as the building code, but the inspector would be traveling from outside the area,  
48 so needed to be noticed to have enough time to plan for travel, complete the inspections

1 and write their reports which would be submitted to the housing authority. Director  
2 **Gazunis said that once that was done, a 'reasonableness' report needed to be completed**  
3 that ensured that the rent for the unit was reasonable for the local market. The next step  
4 then would be that the Board of County Commissioners will have to pass a resolution to  
5 enter into a contract with CRHDC that says that the county housing authority will pay for  
6 the units. Director Gazunis told the council that her budget came from HUD, and she was  
7 given a specific amount of money to pay for vouchers. She said that if the project-based  
8 voucher tenants did not move in on March 1, 2019, it would jeopardize her \$4 million  
9 dollar budget from Washington D.C. Director Gazunis said that if CRHDC could not  
10 guarantee her a move-in date of March 1, 2019, she would look to investing the money in  
11 some other apartment complex. Director Gazunis said that she had more than 600 people  
12 on waiting lists, and she has had to delay housing people month after month, and it  
13 needed to stop. She also said that the eight vouchers for Lakota Senior Apartments had  
14 been pre-qualified and were ready to move in. Director Gazunis said that she needed time  
15 to complete all that was necessary for her agency. She also noted that HUD was willing to  
16 allow move-in on a TCO.

17 The council voiced concern that there were many items to be completed and only six  
18 weeks in which to accomplish them, and although Ms. Johannsson was confident it could  
19 be accomplished, the council did not share that confidence because to date, that level of  
20 efficiency had not been demonstrated by CRHDC. The council and Administrator Reynolds  
21 discussed the need for all the units in all of the buildings to be complete for the TCO  
22 because it would be impossible to approve specific units or portions of buildings, as there  
23 was no way to keep people safe if the whole building was not habitable.

24 Town Attorney David McConaughy asked if the general contractor had a performance  
25 bond. Ms. Johannsson said there was a performance and payment bond. Attorney  
26 McConaughy said that the town could issue a TCO, and then CRHDC could go bankrupt  
27 and there would be no remedy to ensure the remaining work was completed. He said that  
28 the town could hold the \$500k letter of credit (LOC), but that LOC only went to the road.  
29 He said they could approach the bank and see if the bank would agree to allow the LOC to  
30 apply to the residences. Alternatively, he said that **the contractor's performance bond**  
31 could be assigned to the town, but CRHDC needed to provide some form of security for  
32 the project in the event it was necessary.

33 Ms. Johannsson said that Wells Fargo was a limited partner on the project, and in the  
34 event it was necessary, they would be the entity that would step in and complete the  
35 project because they had vested financial interest and ownership of the project. They  
36 were also the bank that provided the LOC.

37 Administrator Reynolds clarified that the council had directed that staff had authority to  
38 determine if a TCO was appropriate based on the condition that the only items that  
39 remained were the exterior items as previously listed and that CRHDC would provide a  
40 financial security for the project. The council agreed.

41 MOTION: Mayor A Riddile made a motion to extend the deadline to complete the  
42 public improvements for the Lakota Ridge Senior Apartments to May 31, 2019;  
43 and at present not to charge the \$4,000.00 penalty fee for failing to be the  
44 existing deadline. Councilor G Riddile seconded the motion.

45 Discussion: Councilor Copeland felt that the \$4,000.00 fee should not be waived.

46 Attorney McConaughy explained that the fee was for failure to provide as-builts after it  
47 was built. Not a penalty for timing, and the fee was still in place because CRHDC will have

1 to provide the as-builts once the project was complete. Councilor Leland noted for the  
2 council that his vote would be a reluctant yes.  
3 The motion passed unanimously.

4  
5 Ms. Johannsson thanked the council.  
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#### 8 New Castle Trails Update

9 Adam Cornely and Joe Urnise, both members of New Castle Trails, greeted the council.  
10 Mr. Cornely gave the council a verbal list of structural items that New Castle Trails had  
11 completed in 2018 with funding assistance from the town and a grant from Garfield  
12 County. Those included: The Youth Skills Loop in VIX Ranch Park, they had designed  
13 large, trailhead style maps for VIX Ranch and Alder Park which will be sent to print in the  
14 spring of 2019. Mr. Cornely said that the big project that was completed was the downhill,  
15 bike-only flow trails that are located below the water tank. He said that they had received  
16 an FMLD grant for electrical upgrades to VIX Ranch Park which were complete. Mr.  
17 Cornely said that he and Mr. Urnise also spent several days making repairs and  
18 improvements to the stage owned by the Chamber of Commerce.

19 Mr. Urnise told the council that New Castle Trails had held two events, one in the winter  
20 and one in the summer. Both had been very successful. He felt they had learned a lot and  
21 that they were also learning their identity as a group and where they wanted to go.

22 In 2019, Mr. Urnise said that they would change up the winter event to be more of a  
23 social hour, happy hour event rather than a movie event. He said they expected similar  
24 attendance and revenues as in previous years.

25 Mr. Urnise said that their big event will be the Rides and Reggae summer event.

26 Mr. Cornely said that the Rides and Reggae event would be held in VIZ Ranch Park on  
27 Saturday, August 10, 2019. There would be a legitimate mountain bike race as part of the  
28 event, and they were working on the permitting process with the Bureau of Land  
29 Management (BLM). **The race would include a children's level, an**  
30 **introductory/intermediate level and a third level that would challenge elite riders.**

31 Administrator Reynolds said that the town was the event holder on the BLM permit  
32 applications, and liability would be covered by **the town's insurance company, CIRSA.**

33 Mr. Cornely said that another element of the event would be a bike demo, where a bike  
34 manufacturer attends the event with a small fleet of bikes for the guests try out for free.  
35 He said he was hoping for three to five companies for the demo. Mr. Cornely said that the  
36 bands would be the sane genre as last year, just slightly bigger bands. He said that they  
37 expected the event to attract more people than last year, so they will bring in food trucks  
38 and the Diner, and they had a backup plan with Slow Groovin BBQ.

39 Mr. Cornely said that they had opened up pre-sale tickets and nearly sold out which he  
40 felt was a good sign. They had also decided to have a logo contest for the event and had  
41 received nine entries. The winner will be announced at the winter event.

42 Mr. Urnise said that they had created a New Castle Trails website that would be linked to  
43 the recreation website. They were coordinating with local walking, hiking and running  
44 clubs on the website calendar.

45 Mr. Cornely, Mr. Urnise and the council spoke briefly about other trails projects and ideas,  
46 primarily the idea of a trail that would connect the Colorow to Canyon Creek, and  
47 ultimately, the LoVa Trail.

1 Mr. Cornely told the council that he had hoped that the council would consider holding the  
2 liquor license for the Saturday, August 10 event. On Friday evening, August 9, Roaring  
3 Fork Mountain Bike Association (RFMBA) and New Castle Trails will hold a race registration  
4 party in Ritter Plaza and they will apply for the liquor license for that. Mr. Cornely said  
5 that RFMBA had applied for and obtained the liquor licenses for the 2018 events, and he  
6 asked if the council would be willing to obtain the liquor license on their behalf for the  
7 Saturday August 10 event. He said that Mike Pritchard, Executive Director of RFMBA felt  
8 that summer conference event was getting a bit larger than he was comfortable with, and  
9 they felt that the town had a bit more experience and insulation for the larger events. The  
10 council agreed they could obtain the liquor license.

11 Mr. Cornely thanked the council.  
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14

15 Consider Ordinance TC 2019-1, An Ordinance of the Town Council of the Town of  
16 New Castle, Colorado, Amending Chapters 5.12 and 15.04 of the Town Municipal  
17 Code (first Reading)

18 Clerk Harrison told the council that the ordinance was to remove the sections of the  
19 municipal code that required BEST testing for contractors as well as a **contractor's**  
20 licensing, and moving the requirement into business licensing. The proposed process was  
21 to require workers compensation and general liability insurance certificates as a condition  
22 of obtaining a business license. Building projects in New Castle were reviewed and  
23 inspected against the requirements of the international building code, so testing  
24 contractors on the building code was unnecessarily redundant. Finally, valid insurance  
25 would be required for the certificate of occupancy.

26 MOTION: Mayor A Riddile made a motion to approve Ordinance TC 2019-1, An  
27 Ordinance of the Town Council of the Town of New Castle, Colorado, Amending  
28 Chapters 5.12 and 15.04 of the Town Municipal Code on first reading. Councilor  
29 Mariscal seconded the motion and it passed on a roll-call vote: Councilor  
30 Copeland: yes; Mayor A Riddile: yes; Councilor G Riddile: yes; Councilor Leland:  
31 yes; Councilor Hazelton: yes; Councilor Mariscal: yes.  
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34 MOTION: Councilor Leland made a motion at 8:55 p.m. to go into Executive  
35 Session for discussion of a personnel matter under C.R.S. Section 24-6-402 (f)(I)  
36 regarding an employee evaluation of the Town Administrator, and not involving:  
37 any specific employees who have requested discussion of the matter in open  
38 session; any member of this body or of any elected official; the appointment of any  
39 person to fill an office of this body or of an elected official; or personnel policies  
40 that do not require the discussion of matters personal to particular employees.  
41 Councilor Copeland seconded the motion and it passed unanimously.  
42

43 Executive session concluded.  
44

45 At the end of the executive session, Mayor A Riddile made the following statement:  
46

47 **"The time is now** 9:07 p.m. and the executive session has been concluded. The participants  
48 in the executive session were: Councilors Mariscal and Hazelton; Mayor A Riddile; Councilors

1 Leland, Copeland and G Riddile and Town Administrator Dave Reynolds. For the record, if  
2 any person who participated in the executive session believes that any substantial  
3 discussion of any matters not included in the motion to go into the executive session  
4 occurred during the executive session, or that any improper action occurred during the  
5 executive session in violation of the Open Meetings Law, I would ask that you state your  
6 concerns for the record.”

7  
8 No concerns were stated.

9  
10 MOTION: Mayor A Riddile made a motion to approve a pay raise for Town  
11 Administrator Dave Reynolds, increasing his annual salary to \$85k per year,  
12 effectively retroactively to January 1, 2019. In addition, the three-month  
13 employee reviews no longer needed to take place. Councilor Mariscal seconded  
14 the motion and it passed unanimously.

15  
16  
17 Consider a Motion to Begin the February 5, 2019 Council Meeting at 6:00 p.m.  
18 Clerk Harrison told the council that the reason for the early start on February 5 was that it  
19 would be the combined meeting with the Board of County Commissioners. Dinner would  
20 be served at 5:30 p.m., and the meeting would begin at 6:00 p.m.

21 MOTION: Councilor Leland made a motion to begin the February 5, 2019 council  
22 meeting at 6:00 p.m. Councilor Copeland seconded the motion and it passed  
23 unanimously.

24  
25  
26 Consent Agenda

27 December 18, 2018 council minutes

28 December Bills of \$413,125.71

29 Lakota Canyon Ranch Golf Course Optional Premises Liquor License Renewal

30 Lazy Bear Restaurant Hotel & Restaurant Liquor License Renewal

31 Resolution TC 2019-1 – Posting Places

32 Resolution TC 2019-2 – Waiving Bonds for Employees

33 Councilor Leland asked that the minutes be removed from the consent agenda for  
34 corrections. The council agreed.

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

37  
38 Councilor Leland noted that the time of adjournment of the December meeting was  
39 incorrect in the minutes and asked that it be corrected. The council agreed to the change.

40 MOTION: Councilor Leland made a motion to approve the December 18, 2018  
41 minutes as amended. Mayor A Riddile seconded the motion and it passed  
42 unanimously.

1 Staff Reports

2 Town Administrator – Administrator Reynolds said that the town had received the grant  
3 agreement for the LoVa Trails grant, and it was earlier than expected, so it was likely that  
4 the project may be able to begin earlier. He said he would also be meeting with CDOT to  
5 discuss planning for the LoVa Trail. Administrator Reynolds said that he would have a  
6 phone conference with Greg Russi to get some clarification on some of the elements of the  
7 various grants, and he and Mayor Riddile would meet with Glenwood Springs to discuss a  
8 possible Federal Land Access Program (FLAP) grant. Administrator Reynolds told the  
9 council that Police Chief Tony Pagni had a police officer candidate and that the panel  
10 interview will be on January 24.

11 Town Clerk – Clerk Harrison said that she had the resolution from the city of delta for a  
12 public comment policy that she could send to the council members if they wanted. Clerk  
13 Harrison said that she had been appointed to two Colorado Municipal Clerk Association  
14 committees, membership and the handbook. She also said that her department was  
15 working on getting some old records organized on both the server and in the vault.

16 Town Planner – Town Planner Paul Smith said that there were a handful of building  
17 permits in town that he was working on as well as inspections for senior housing who was  
18 working in earnest. Planner Smith said there had been a few questions come up regarding  
19 variances, and he said there were several potential land use applications coming up and  
20 he had been studying the code related to land use so he could properly vet the  
21 applications before they went to P&Z or council.

22 Public Works Director – not present

23

24 Commission Reports

25 Planning & Zoning Commission – Councilor Hazelton said they had held a work session to  
26 discuss the comprehensive plan.

27 Historic Preservation Commission – nothing to report.

28 Climate Action Advisory Committee – nothing to report.

29 Senior Program – nothing to report.

30 RFTA – Mayor A Riddile said that at the last meeting a Roaring Fork Valley group came to  
31 the meeting looking for an endorsement of an immigration resolution, and he did not feel  
32 that RFTA should be addressing political or social issues. The item failed at the RFTA board  
33 meeting, but he said that he suggested the group should approach municipalities, so they  
34 may come to New Castle. He also said that he had been elected as the RFTA board  
35 president. The council congratulated him.

36 AGNC – nothing to report

37 GCE –Councilor Leland said that he had attended the energy summit and it seemed a bit  
38 repetitive. He said there were attendees from Pitkin and Eagle counties as well as  
39 representatives from all the energy companies that serve the residents of the three  
40 counties. The companies will move ahead to collaborate on an action plan for the three  
41 counties. They will apply for an FMLD grant in the fall of 2019 to fund vehicle charging  
42 stations.

43 EAB – nothing to report

44

45 Council Comments

46 Councilor Mariscal said she had attended the Garfield County Health Services Commission  
47 meeting and talked about health insurance. Eagle County is assisting Mountain Family

1 Health in getting families covered. 36 percent of Mountain **Family's clientele are without**  
2 health insurance.  
3 Councilor Mariscal said that she had spoken with Vola Mercer of Garfield County to  
4 coordinate a meeting with the Board of County Commissioners with the Mexican  
5 Consulate, and she wanted New Castle to host the meeting.  
6 Councilor Mariscal said she had gone to a meeting of Latino Leaders in the valley, and  
7 they discussed creating a Hispanic Chamber of Commerce.  
8 Councilor Hazelton congratulated Mayor A Riddile on being selected as RFTA chairman,  
9 particularly considering that the RFTA board attitude towards New Castle had not been  
10 great in the past.  
11 Councilor G Riddile thanked the staff for keeping streets clear of snow over the holidays,  
12 saying they had done a wonderful job.  
13 Councilor Leland said that he felt the council should recognize in the minutes that Alpine  
14 Bank was offering assistance to furloughed federal employees.  
15 Councilor Leland said that he felt the council should talk about the code section dealing  
16 with too many unrelated persons living in a home because he come across a Facebook ad  
17 for someone looking for a fourth roommate. He also felt that Air BnBs should be discussed  
18 sometime in the near future.  
19 Councilor Copeland asked if other council members had been e-mailed by the teacher who  
20 was looking for council attendance at a community involvement program. Mayor A Riddile  
21 said he had gotten it but could not attend because he would be out of town.  
22 Mayor A Riddile reminded the council that there would be a volunteer New Castle event on  
23 Saturday, January 26 at 3:00 p.m.  
24 Mayor A Riddile said that he would be attending an autonomous vehicle/public transit  
25 conference in California Jan 22-24 for RFTA.

26  
27  
28 MOTION: Councilor Leland made a motion to adjourn. Mayor A Riddile seconded  
29 the motion and it passed unanimously.

30  
31 The meeting adjourned at 9:52 p.m.

32  
33  
34 Respectfully submitted,

35  
36  
37  
38 \_\_\_\_\_  
Mayor Art Riddile

39  
40 \_\_\_\_\_  
41 Town Clerk Melody Harrison, CMC

**TOWN OF NEW CASTLE, COLORADO  
RESOLUTION NO. TC-2019 - 4**

**A RESOLUTION OF THE TOWN OF NEW CASTLE TOWN COUNCIL SUPPORTING  
THE APPLICATION FOR A GRANT FROM THE GARFIELD COUNTY FEDERAL  
MINERAL LEASE DISTRICT FOR STREET MAINTENANCE THROUGHOUT THE  
TOWN OF NEW CASTLE**

**WHEREAS**, the Town of New Castle is a political subdivision of the State of Colorado, and therefore an eligible applicant for a grant awarded by the Garfield County Federal Mineral Lease District (“GCFMLD”); and

**WHEREAS**, the Town of New Castle has submitted a Grant Application for the Construction and Maintenance of Public Facilities: street maintenance throughout New Castle requesting a total award of \$90,000; and

**WHEREAS**, the Town of New Castle supports Street Maintenance throughout New Castle if a grant is awarded by the GCFMLD.

**NOW, THEREFORE, BE IT RESOLVED BY THE** Town of New Castle **THAT:**

1. The above recitals are hereby incorporated as findings by the Town of New Castle.
2. The Town of New Castle strongly supports the Grant Application.
3. If the grant is awarded, the Town of New Castle strongly supports Street Maintenance throughout New Castle.
4. The Town of New Castle authorizes the expenditure of funds necessary to meet the terms and obligations of any grant awarded pursuant to a Grant Agreement with the GCFMLD.
5. The project property is owned by the Town of New Castle and will be owned by The Town of New Castle for its foreseeable, useful life. The Town of New Castle will continue to maintain the properties in a high quality condition and will appropriate funds for maintenance annually. The estimated annual maintenance cost of Street Maintenance throughout New Castle to be \$2,500.00 annually.
6. If a grant is awarded, the Town of New Castle hereby authorizes the Mayor to sign a Grant Agreement with the GCFMLD.

Introduced, Read and Adopted at a Regular Meeting of the Town Council of the Town of New Castle, Colorado, on February 19, 2019.

TOWN OF NEW CASTLE

ATTEST:

\_\_\_\_\_  
Mayor Pro Tem Grady Hazelton

\_\_\_\_\_  
Town Clerk Melody L Harrison, CMC