

**New Castle Town Council Meeting
Tuesday, May 17, 2011, 7:00 p.m., Town Hall**

Call to Order

Mayor Breslin opened the meeting at 7:00 p.m.

Pledge of Allegiance

Roll Call

Present	Mayor Breslin Councilor Stuckey Councilor Leland Council Bunn Councilor Metzger Councilor Riddile Councilor Russi
Absent	None

Also present were Town Administrator Andy Barton, Town Clerk Melody Harrison and Public Works Director John Wenzel.

Meeting Notice

Clerk Harrison verified that her office gave notice of the meeting in accordance with Resolution TC-2011-1.

Conflicts of Interest

There were no conflicts of interest

Citizen Comments on Items NOT on Agenda

There were no public comments.

Consultant Reports

Consultant Attorney – not present
Consultant Planner – not present
Consultant Engineer – not present

Agenda Changes

There were no agenda changes.

Public Hearings

Consider Approval of Liquor License Transfer for Lakota Canyon Golf Course Clubhouse (continue public hearing)

Mayor Breslin opened the public hearing at 7:03 p.m.

There were no public comments

Mayor Breslin closed the public hearing at 7:04 p.m.

MOTION: Councilor Leland made a motion to continue the liquor license transfer for Lakota Canyon Golf Course Clubhouse until the June 7, 2011

council meeting. Councilor Bunn seconded the motion and it passed unanimously.

Consider Approval of Liquor License Transfer for Lakota Canyon Recreation Center (continue public hearing)

Mayor Breslin opened the public hearing at 7:05 p.m.

There were no public comments

Mayor Breslin closed the public hearing at 7:05 p.m.

MOTION: Councilor Leland made a motion to continue the liquor license hearing for Lakota Canyon Recreation Center until the June 7, 2011 Council meeting. Councilor Bunn seconded the motion and it passed unanimously.

Items for Consideration

Consider Agreement between the Town of New Castle, Lakota Canyon Ranch and the Court Appointed Receiver related to defaults under various agreements.

Consider Agreement to extend the tolling agreement between the Town of New Castle and Lakota Canyon Ranch.

Cassia Furman of Karp Neu Hanlon addressed the council and described the bankruptcy of Lakota and Mr. Elmore. She told council she was not a bankruptcy attorney and was not familiar with bankruptcy law. She stated that the bankruptcy filing froze everything with Lakota and the receivers until the case could be reviewed further. She said that the receivers had heard the golf course and recreation center were both included in the filing, and did not know how their operations might be affected. Ms. Furman stated that the receivers no longer had any authority to sign a new tolling agreement extension, or any other agreement. Ms. Furman said that persons the receivers had appointed to the HOA or other committees were still valid members of those committees, and that everything the receivers had done up to the date of filing remained valid and viable. She also said that Alpine Bank would be filing a motion to change venue of the bankruptcy case from North Carolina to Colorado, and that the courts had yet to make a ruling for or against Mr. Elmore regaining possession of the Lakota properties.

Ms. Furman stated that more in-depth examination of the documents needed to be done, and suggested that a special council meeting be scheduled for May 24, 2011 to discuss the issues, both in open and executive sessions.

MOTION: Councilor Leland made a motion to hold a special council meeting next Tuesday May 24 at 6:30 p.m. to address the Lakota issues. Mayor Breslin seconded the motion and it passed unanimously.

Discussion regarding access to Town Water Supply at Elk Creek Campground. Briston Peterson, Owner, Elk Creek Campground.

Mr. Briston Peterson addressed the council regarding his county application to extend his operating months. He described the county's requirement to lower the road. His application to expand opened him up to new county regulations that had previously not applied. He stated that he had done a fire compliance inspection that had been

approved by the Fire Marshall, Orrin Moon. Mr. Peterson felt that since the Town used the road and bridge to access the Town Water Supply, that the Town should consider signing a letter of support for his county application as well as providing some level of road maintenance. Administrator Barton asked council to sign the letter of support but the bring the issue back after the staff and Mr. Petersen worked out a maintenance agreement. Mr. Peterson said he intended to remove some of the vegetation at the county road intersection to improve line of sight, as one neighbor had complained that the intersection was dangerous, even though no accidents had occurred there.

MOTION: Councilor Leland made a motion to modify the support letter and send it promptly to the BOCC. Councilor Russi seconded the motion and it passed unanimously.

LoVa Presentation - Larry Dragon

Mr. Larry Dragon, Executive Director of the Lower Valley Trails Group (LoVa), greeted council and gave a verbal presentation regarding the LoVa accomplishments and goals. He spoke of current projects in Rifle, Parachute and Glenwood Springs, and future projects across the county. Mr. Dragon also told council the ways in which LoVa financed their projects and inquired of the Town's policy on grant money.

Mr. Dragon introduced Mr. Gary Broetzman, LoVa Board member and the liaison between New Castle and LoVa. He asked what committee he should speak to and the council advised the POSTR Committee would be appropriate.

River Center Update - Lee Price

Mr. Lee Price of the River Center thanked council for the grant money awarded to them. Indicating the financial statement included in packet, Mr. Price talked about how monies were spent assisting needy citizens with clothing, food, rent, utilities and prescriptions. He asked council and staff to please feel free to provide input on areas that River Center might improve.

Mayor Breslin complimented Mr. Price on the financial statement, and the Center's ability to do a lot with very little. He stated that what the Center is doing is much more than the Town would be able to accomplish, and justifies the grant money. Mayor Breslin felt that Mr. Price had a lot of dedication and charisma and inspired people to volunteer, and he thanked Mr. Price for his commitment to the community. He also stated that the River Center was an asset to the Town.

Mr. Price stated that the Center felt a disconnect between Castle Valley and Downtown New Castle, and hoped to create more of a connection amongst the citizens. He said that should a crisis occur, he felt confident the Center had enough volunteers and channels of communication to unite the citizens of the Town, and build more community.

Garfield County Comprehensive Plan Discussion

Councilor Leland told council that the letter from the Planning and Zoning Commission which had been re-sent to the County regarding their proposed Comprehensive Plan did not explicitly address the mandatory versus advisory issue that would be discussed the following evening at the BOCC meeting. Councilor Russi offered to draft a letter to the BOCC, stating the Town's position that the Comprehensive Plan should be binding. Administrator Barton stated that he understood the BOCC was leaning towards advisory, and said he wanted one of the Town's planners to attend the meeting.

Council discussed their concerns about the Comprehensive Plan.

Council Goals Priorities

Administrator Barton reviewed the results of the council goals priorities survey. Administrator Barton also asked council when they would prefer to have the council retreat for 2011. He suggested August 13 and noted that Facilitator Gary Suiter would not be available until then. Councilor Riddile thought that creating more goals was unnecessary considering the existing goals could not be reached due to extreme budget constraints. Mayor Breslin said he would like the council retreat to include staff. He felt that getting together with staff, sharing with them the council's collective thoughts on what was important, and what they cared about would create confidence. Administrator Barton stated that with the poor economy and the reduction in employees, staff was attempting to do much more with less, and he would like the retreat to cover how basic services would be met. Mayor Breslin added that perhaps what is not a priority should be discussed. Administrator Barton felt it might best serve everyone to hire Gary Suiter to facilitate as he is a would provide focus and neutrality. Mayor Breslin stated that it would be important that staff not be reticent in speaking their minds so that staff and council could collaborate. Administrator Barton suggested that staff do some 'homework' and be prepared with ideas to present. Councilor Leland suggested that the homework not be a prepared report to read out loud, rather ideas that could be talked about, to stimulate conversation. Council briefly discussed what facilitator to use, and everyone agreed on August 13th as the date of the retreat.

Consent Agenda

Minutes of the April 5, 2011 Council Meeting

MOTION: Councilor Leland made a motion to approve the minutes of the April 5, 2011 council meeting with the corrections as noted. Councilor Bunn seconded the motion and it passed unanimously.

Council Comments

Councilor Russi read the letter to the county he had drafted. Council offered comments on his draft and Councilor Russi said he would refine the letter and submit it to the BOCC.

Councilor Riddile stated that he had attended the graduation ceremonies at the Colorado School of Mines, and there were three New Castle residents included - Alex Stepniewski, Brad Harju, and his own son, Graham who graduated cum laude.

Councilor Metzger thought that the efforts made by Ms. Cindy Dawes to clean up the Town were commendable, and felt the Town should thank her.

Councilor Russi asked if the Castle Valley HOA had been contacted regarding the possible exchange of responsibilities, as no one had brought a proposal to council.

Councilor Leland asked that Administrator Barton contact the Aaron Atkinson and ask him to prepare with the CVR HOA to meet with the Town to discuss the exchange.

Mayor Breslin asked if they should consult Public Works Director John Wenzel, and ask him to quantify the landscape island work and see if the costs compared.

Councilor Russi said he had been elected chair of Garfield Clean Energy. He stated he would like to have Pitkin County involved in GCE. Mike Ogburn had been asked to join a grant program for electrical vehicle readiness. Interestingly, the new parking building at the Rifle Library has a special area for electric vehicles. Councilor Russi said he had been told there would be a future market for electric vehicles, and thought perhaps the Town could sell extra solar energy to power electric vehicles. He also stated that he had been asked to plan long-term fleet vehicles around electric

cars, and to add it to our strategic plan. Councilor Russi asked if the council would consider it, and they agreed.

Councilor Leland stated that the RREDC had an inquiry from an electric vehicle manufacturer looking for a location in Colorado, and that considering the fleet plan is probably the correct direction. Mayor Breslin asked if there might be grants available for a battery back-up plan, to concentrate excess solar energy into batteries.

Mayor Breslin said he had received a letter from the City of New Plymouth, Idaho, asking about oil and gas exploration, and he asked Administrator Barton to respond.

Councilor Metzger asked if the council chambers video equipment could be replaced or repaired.

Staff Reports

Public Works Director - not present

Town Administrator - Administrator Barton Told council that information regarding recent sales tax revenue had been released and it was marginally better than the previous year.

Administrator Barton had spoken with Mr. Travis Stewart of the New Castle Center, who invited council to attend a meeting regarding the project. Attorney David McConaughy advised Administrator Barton that only two councilors may attend the meeting as to not have an unnoticed quorum there, and thought a motion to elect meeting representatives was most appropriate.

MOTION: Councilor Russi made a motion to elect Mayor Breslin and Councilor Stuckey to attend the meeting. Councilor Riddile seconded the motion and it passed unanimously.

Administrator Barton informed council the Mr. Anthony Jerkunica was in default, and that the Town would draw on his security deposit to complete the sidewalk project.

Administrator Barton stated that the CML Conference would be in June and Mayor Breslin stated he wanted to attend. Mayor Breslin said that he had spoken with Rosie Ferrin, asking her how the Town could help with her gardens. Councilor Stuckey stated he and Councilor Metzger had also spoken with Ms. Ferrin and felt they made some progress with her.

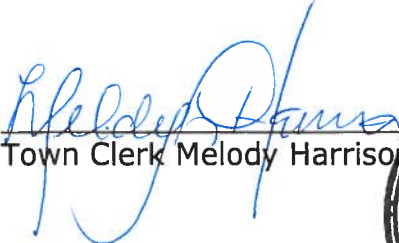
Town Clerk - Clerk Harrison told the council that Mr. Sam Garcia had sent a request for council to consider a financial agreement with him so he could purchase additional taps to expand his business. Clerk Harrison stated she had sent a letter to Mr. Garcia requesting a business plan, and telling him he was scheduled to go before council on June 7, 2011. Clerk Harrison asked council what they wanted to see in the business plan so she could advise Mr. Garcia should he ask. She also told council she would be on vacation for the July 5, 2011 council meeting and that Deputy Town Clerk Wendy Mead would attend in her place. Last, she stated that since Planner Tim Cain had been out on jury duty, the clerk's office had been fielding his phone calls, and that with the elimination of the permit technician position, permits and contractor's licensing would be directed to the clerk's office as well.

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

Adjourn, 9:45 p.m.

Respectfully Submitted,


Mayor Frank Breslin


Town Clerk Melody Harrison

