

**New Castle Town Council Meeting
Tuesday, December 6, 2011, 7:00 p.m., Town Hall**

Call to Order

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

Pledge of Allegiance

Roll Call

Present Councilor Russi
 Councilor Riddile
 Councilor Metzger
 Mayor Breslin
 Councilor Bunn
 Councilor Leland
 Councilor Stuckey

Also present were Town Administrator Andy Barton, Town Clerk Melody Harrison, Human Resources Director Mike Edgar, Finance Director Lyle Layton, Finance Assistant Kyra Markiecki, Public Works Director John Wenzel and Police Chief Chris Sadler.

Meeting Notice

Town 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.

Agenda Changes

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

Items for Consideration

Consider letter of interest from Jeff Ellis for appointment to the Historic Preservation Commission.

The council greeted Mr. Ellis and spoke with him briefly about his interest in the Historic Preservation Commission. Mr. Ellis commented that he recently purchased the "Rock Saloon" property on Main Street and that it had a colorful history. The council thanked Mr. Ellis for his interest in HPC.

MOTION: Councilor Leland made a motion to appoint Mr. Jeff Ellis to the Historic Preservation Commission. Councilor Stuckey seconded the motion and it passed unanimously.

Electronic Packet Presentation

Administrator Barton introduced Rob Trebesh, Town IT Consultant, and told council that Mr. Trebesh had arranged a tablet demonstration for council. Mr. Trebesh introduced Wayne Blotske and Jon Wiethoff from Micro Solutions in Glenwood Springs. Wayne and John demonstrated Android Tablets made by Lenovo.

The council and staff discussed some of the current difficulties with remote access and town e-mail, as well as the availability of Wi-Fi in the town hall. The council asked that they be provided a report that compared different tablet options as well as costs. Mr. Trebesh and Administrator Barton agreed to have the comparison at the next council meeting.

Chamber Update

Chamber of Commerce President Ann Guettler and board member Sondra Smith briefed the council on their efforts to increase membership in the New Castle Chamber of Commerce. They said they would be emphasizing the advantages of being a member when making contact with town businesses, members and former members. Last, they would network with other chambers in the county.

Ms. Smith said they were updating their web and Facebook pages to include local business information, and that in addition to the chili cook-off and Burning Mountain Festival, they were considering a golf tournament as a third fundraiser for 2012. A welcome packet was being developed for businesses and families relocating to New Castle. They were exploring providing some special interest classes, and a "Hunter's Table" to provide community information and coupons for hunters. The council felt networking with other chambers was a great plan. Mayor Breslin felt they should continue with the "Business After Hours" event to showcase various businesses in town.

Ms. Guettler said that the chili cook-off went well, despite the cold, and thanked Mayor Breslin for being a judge.

Councilor Metzger suggested that there be a web page for those who did not have a Facebook account. Ms. Smith said the chamber would be maintaining their web page and it would include the same information as their Facebook page.

Consider Purchase of Speed Limit Signs

Police Chief Sadler told the council that the sign project was prompted by a complaint of vehicles speeding through the alleys in town. He said there were no speed limit signs in the alleys in the north end of town, and the municipal code specified where signs would be posted. Chief Sadler said he had inventoried the signs in town and completed a list of what signs were needed to meet the code standards.

Mayor Breslin stated a concern that there would be too many signs with the recent addition of littering and informational signs the council had approved. Councilor Russi asked if the littering signs could be posted on the same pole as the speed limit signs and Chief Sadler said yes, they could. The council approved the purchase of the proposed speed limit signs.

Update Memo on Lakota Issues

Administrator Barton updated council on the court status regarding Lakota Canyon Ranch and Mr. John Elmore. He said no decision had been made by the courts, but the attorneys were optimistic that Alpine bank would maintain possession of the Lakota properties, and they anticipated a decision by the end of the month.

Agenda Changes

Mayor Breslin added a discussion to the agenda regarding the River Center as a budget line item.

Mayor Breslin asked the council if they felt the River Center should be added to the 2012 as a line item, or if they should be kept discretionary based on a yearly request for funds. Councilor Russi thought they should be added as a line item because the River Center provided services the town would otherwise have to provide. Councilor Stuckey disagreed, stating that if the town were to add the River Center to the budget, then other non-profits may expect to be added to the budget as opposed to going through the grant request process as usual. He stated the discretionary budget was set up specifically to provide funds for non-profit organizations. Councilor Bunn agreed with Councilor Stuckey stating that adding them as a line item opened the town to possible liability issues as they may be misconstrued as part of the town. Councilors Bunn and Stuckey agreed that the Town should provide funds to the River Center, but under the regular grant process. Councilor Russi wanted to add the center to the budget to provide them with some financial certainty on a year to year basis. Councilor Leland agreed that the reason for adding a line item was for financial security for the River Center. Mayor Breslin thought perhaps there was enough concern amongst the council that the River Center should be left discretionary. He asked the council if they were comfortable with the \$6,500.00 the River Center was asking for, and they agreed they were. The council discussed the grant application process, and advised Lee Price of the River Center that he should submit a grant request application. Mr. Price agreed he would. Mr. Price thanked the council for their consideration. The council told Mr. Price his services to the community were greatly appreciated.

Recess Town Council 8:26 p.m.

Convene as Water/Sewer Enterprise 8:26 p.m.

Consider Ordinance 2011-E-1 - an Ordinance of the Town of New Castle Water and Sewer Enterprise Amending the Municipal Code Regarding Charges for Water and Sewer Service (second reading)

Mayor Breslin opened the public hearing open at 8:26 p.m.

Alan Hunt, 247 Buckthorn Road. Mr. Hunt voiced his concern regarding the increase, stating that rates had tripled in the nineteen years he has lived in town. He asked the council if there were options for those who were not large consumers. Mayor Breslin said that the rate structure was tiered, which offered a base rate for those consumers who used less water, and the tiers provided higher rates for those who used more water. Mr. Hunt stated that he paid approximately \$38.00 per month in 1996, which included garbage service and unmetered water service. He said he understood the cost of producing water would escalate, but he felt triple was excessive inflation. Mayor Breslin explained that the Town of New Castle had never been able to measure water in the past, and with the building boom in the mid-2000s, the town was forced to upgrade the metering system. Councilor Leland added that the cost for treating and producing water had gone up, and that the town had been mandated by the State of Colorado to install a new wastewater plant which was expensive. Councilor Russi agreed that the inflation rate for water utilities was about 6% per year, ahead of the national inflation rate, and that the primary expense was wastewater treatment. Mayor Breslin said every year the State mandated higher water and wastewater treatment standards, which in turn caused the towns to incur higher treatment costs. Additionally, there were costs for protecting water rights, testing, equipment and infrastructure maintenance. He said the town realized they were losing money in utilities and it would be necessary to invest in the main quality item the town had, which is water. Councilor Russi also explained that during the building boom, the town's growth was at 11% and that with the Lakota development the town had

to quickly increase water production and wastewater treatment. What was not expected was the growth would stop. The town installed the new wastewater plant, and regardless of the fact that growth, tap fees and water revenues were down, the town still had to pay for a seven million dollar treatment plant.

Mr. Hunt said the council's discussion was informative, but he did not feel someone like himself should be part of the overall picture of growth and development, and that as a homeowner, he had an expectation of what his average cost increases would be. The proposed rate increase was ahead of his expectations, and he still felt consumers who had very low usage should have options to pay less than the base rates. He stated that he was aware that without water, nothing would exist as it is because water was a basic necessity, but asked again for the council to consider some manner of rate reduction for consumers who had minimal usage.

The council told Mr. Hunt they were glad he came to voice his opinion. Councilor Russi stated again that one of the reasons the council chose to go to a tiered rate structure was to protect those who use very little water. Mayor Breslin said the town's goal was to balance the water/wastewater enterprise. The town was investing in the system, which would cost less in the long run, and provide a long term, lasting service to the citizens. Councilor Leland pointed out that even with the proposed increase, New Castle water/wastewater rates were still lower than the other towns in the county. Mayor Breslin said that part of the objective was that once the water/wastewater fund was balanced, the funds collected thorough penalties would be used to reward conservers. Water saving toilets or shower heads could be provided. Consideration could also be given to lowering rates in the future.

Mr. Hunt asked the council what would be done about the various persistent water leaks about town, including one on Buckthorn Drive. Public Works Director John Wenzel told Mr. Hunt and the council that his department had done extensive work exploring what appeared to be leaks in Castle Valley, and found they were springs, or natural ground water, not potable water at all.

Mr. Hunt thanked the council for their time.

Mayor Breslin closed the public hearing at 8:56 p.m.

The council had a brief discussion about the future of the utility fund should the ordinance not pass, and if there had been any thought to charging for water use per gallon.

MOTION: Councilor Russi made a motion to approve Ordinance 2011-E-1. Councilor Riddile seconded the motion and it passed unanimously on a roll call vote: Councilor Riddile: yes; Councilor Russi: yes; Mayor Breslin: yes; Councilor Metzger: yes; Councilor Stuckey: yes; Councilor Leland: yes; Councilor Bunn: yes.

**Adjourn Water/Sewer Enterprise 8:59 p.m.
Reconvene as Town Council**

Consider Ordinance 2011-9 - An Ordinance of the Town of New Castle, Colorado summarizing additional expenditures for the General Fund and adopting a supplemental budget for the Town of New Castle, Colorado, for the calendar year beginning on the first day of January, 2011 and ending on the last day of December, 2011. (second reading)

MOTION: Councilor Leland made a motion to approve Ordinance 2011-9. Councilor Bunn seconded the motion and it passed unanimously on a roll call vote: Councilor Riddile: yes; Councilor Leland: yes; Councilor Russi: yes; Mayor Breslin: yes; Councilor Bunn: yes; Councilor Metzger: yes; Councilor Stuckey: yes.

Consider Resolution TC-2011-18, 2012 A Resolution of the Town Council of the Town of New Castle Adopting a Budget for the Town of New Castle, Colorado, for the Fiscal Year Beginning on January 1, 2012 and Ending on December 31, 2012, Appropriating the Amounts Specified in the Budget as Expenditures from the Funds Indicated, Levying the Property Tax Proposed in the Budget, and Reserving and Designating Certain Amounts in Each Fund.

Councilor Leland noted that a heading was missing in the resolution for miscellaneous reserves, and that the amendment be changed to move the \$6,500.00 designated for the River Center back into the general health and welfare budget.

MOTION: Mayor Breslin made a motion to approve Resolution TC-2011-18, A Resolution of the Town Council of the Town of New Castle Adopting a Budget for the Town of New Castle, Colorado, for the Fiscal Year Beginning on January 1, 2012 and Ending on December 31, 2012, Appropriating the Amounts Specified in the Budget as Expenditures from the Funds Indicated, Levying the Property Tax Proposed in the Budget, and Reserving and Designating Certain Amounts in Each Fund as amended. Councilor Leland seconded the motion and it passed unanimously.

Executive Session

Mayor Breslin asked if the executive session was necessary. Administrator Barton said the council had asked for a contingency budget should 2012 not go as expected, and because the contingency budget has staffing implications the town attorney said it would be appropriate. Councilor Leland felt it should be in executive session.

Councilor Leland made a motion to go into executive at 9:06 p.m. for the 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); and for consideration of any documents protected by mandatory nondisclosure provisions of the "Colorado Open Records Act", under C.R.S. section §26-6-402 (4)(g);

Concerning Town fiscal matters

Mayor Breslin seconded the motion and it passed unanimously.

Executive session concluded, 9:13

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

"The date is December 6, 2011, the time is 9:13 p.m. and the executive session has been concluded. The participants in the executive session were: Councilors Riddile Metzger, Leland, Bunn and Stuckey; Mayor Breslin; Clerk Harrison, Administrator Barton, Finance Director Layton and Human Resources Director Mike Edgar. 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."

There were no concerns stated.

Consider Request for board member appointment for Garfield County Senior Programs.

The council appointed Councilor Bunn as the voting board member, and Councilor Metzger as the alternate voting board member.

Consider Adopting Resolution TC-2011-21, a resolution waiving the requirement for posting of bonds by certain town officers

MOTION: Councilor Leland made a motion to approve resolution TC-2011-21, A Resolution of the New Castle Town Council waiving the requirement for posting of bonds by certain town officers. Councilor Bunn seconded the motion and it passed unanimously.

Town Hall Security

Administrator Barton described the proposed system which included panic buttons, computerized locks, and proximity keys, coded pass cards and a strobe light system. The locking system will be programmable by computer, and in the event an employee left the organization, their codes could be immediately deleted. The system will also keep record of who entered. He explained which doors would be secured. The public works building would have two locking doors. Other buildings would be done as funds allowed. The council was pleased with the system.

Consent Agenda

- November Bills of \$ 308,984.81
- Contract for Prosecuting Attorney
- Minutes of the November 1, 2011 Meeting
- Minutes of the November 15, 2011 Meeting
- Stop and Save Liquor License Renewal
- Pending Business List

MOTION: Mayor Breslin made a motion to approve the consent agenda with corrections to the minutes as provided by Councilor Leland. Councilor Bunn seconded the motion and it passed unanimously.

Council Comments

Councilor Riddile offered a thank you to Consultant Engineer Jeff Simonson for being the chairperson of the Garfield Energy Advisory Board, saying he was doing a great job. He also provided the council with information on the economic impacts of the oil and gas industry. He noted some key points of interest and encouraged the council to read the report.

Mayor Breslin said he received a letter from CDOT calling for applications to the Federal Hazard Elimination Program, which he felt was the town's opportunity to declare the four-way intersection at Castle Valley Boulevard and Highway 6&24 a federal hazard. He said it may provide a chance to receive discretionary funds to mitigate the problems right away. He gave the application to Administrator Barton. Councilor Russi asked if the bridge could be added, and the council thought it should be. Mayor Breslin said he would be out of town from December 21 through January 1.

Councilor Bunn encouraged the council and staff to get on a Board of County Commissioner agenda as soon as possible to request funds. She thought the Town had a good chance to be approved for funding, but that it should be done soon.

Councilor Metzger asked about the letter from the fire district. The council agreed the letter was terse and unexpected. Councilor Bunn said she would try and find information on when the town quit claimed the property to the district, so staff could research minutes to find out under what conditions the town had quit claimed it to them.

Councilor Metzger said she had not received an e-mail the previous Friday that council packet was ready. Clerk Harrison said Deputy Clerk Wendy Mead had done packet and

she had forgotten to ask Deputy Mead to e-mail the council. Councilor Metzger also said the town web site was incomplete on the government page; the links to the agenda page worked, but all the agendas were not on the page. She asked that it be finished. Clerk Harrison agreed to get it done.

Councilor Leland said he attended the Northwest Colorado Cultural Heritage Tourism presentation to the BOCC. He said the BOCC seemed very supportive of their work. They had a mock-up of the tourism brochure which included Garfield County. They were expecting grant funds to create cards for each of the communities. The cards and maps would be provided to visitor centers around the state.

Councilor Russi said that Garfield County had joined Garfield Clean Energy (GCE), and that every community in the county, including the library district was now a member, except for the Town of Silt. He also asked the council if they would agree to be the "lead" in GCE's application to become a member of Colorado Intergovernmental Risk Sharing Agency (CIRSA). He provided a sample resolution that council could pass at the next meeting on the consent agenda. There was consensus on the council to be the referring agency for GCE to become a member of CIRSA.

Administrator Barton asked council if they wanted to cancel the next meeting, and if so, the resolution for GCE would have to go on the first meeting agenda in January 2012.

MOTION: Mayor Breslin made a motion to allow the meeting to go past 10:00 p.m. Councilor Stuckey seconded the motion and it passed with Councilor Riddile voting no.

Staff Reports

Public Works Director – not present

Town Clerk – Clerk Harrison asked for a motion to cancel the next regularly scheduled council meeting.

MOTION: Councilor Riddile made a motion to cancel the regularly scheduled council meeting for December 20, 2011. Councilor Metzger seconded the motion and it passed unanimously.

Clerk Harrison told the council that their photos had been uploaded to the web page along with their contact information. Administrative Assistant Sharon Rather had done the work as she was now handling the web page.

Councilor Russi said he wanted to purchase his own tablet so he could use it for personal work as well as town business. Councilor Leland said he wanted to purchase his own as well. Clerk Harrison cautioned that purchasing their own tablets opened them up to the sunshine law, and they should consider that before making their purchases. Councilor Russi did not feel it was really an issue. Councilor Metzger asked when tablets would be purchased.

Town Administrator – Administrator Barton told the council they would bring a comparison of various tablets back to council the first meeting in January, and thought the council could make a decision then. He felt the android tablets were best suited for the council's needs. Training would be done by both the vendors and the towns consultant IT person. Administrator Barton told the council that funds had been budgeted for new flooring in the town hall, and their opinions would be solicited in January. Councilor Metzger offered to help as she was an interior decorator, and could relieve the council of the decision-making process.


Administrator Barton said a conditional use permit application fee waiver request would be coming to the council in January from Brett Payne. He would be relocating his business to a larger facility. Last, he said his "Ask Andy" meeting had gone well. Two citizens came and were very complimentary of the town. His next meeting would be December 16th at

Patti's, and he would let the council know how that went as well.
Councilor Metzger confirmed the town Christmas Party was on December 14th at 6:00 p.m., at Elk Creek Mining Company.
Town Planner – not present

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

Adjourn, 10:16 p.m.

Respectfully Submitted,


Town Clerk Melody Harrison




Mayor Pro Tem Pamela Bunn