

**New Castle Town Council Regular Virtual Meeting
Tuesday, May 04, 2021, 7:00 PM**

Due to concerns related to COVID-19, this meeting was held as a virtual meeting only. The public was invited to attend.

**To join by computer, smart phone or tablet:
<https://us02web.zoom.us/j/7096588400>**

**If you prefer to telephone in:
Please call: 1-346-248-7799
Meeting ID: 709 658 8400**

Call to Order

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

Pledge of Allegiance

Roll Call

Present	Councilor Hazelton Mayor A Riddile Councilor Leland Councilor G Riddile Councilor Owens Councilor Copeland Councilor Mariscal
Absent	None

Also present at the meeting were Town Administrator Dave Reynolds, Town Clerk Melody Harrison, Administrative Assistant Remi Bordelon, Police Chief Tony Pagni and members of the public.

Meeting Notice

Town Clerk Melody Harrison verified that her office gave notice of the meeting in accordance with Resolution TC 2021-1.

Conflicts of Interest

There were no conflicts of interest.

Agenda Changes

Town Clerk Melody Harrison told the council that the April 6, 2021 minutes needed to be removed from the consent agenda. The council agreed.

Citizen Comments on Items not on the Agenda

There were no citizen comments.

Town Council Meeting
Tuesday, May 4, 2021

Consultant Reports

Consultant Attorney – Town Attorney David McConaughy said that regarding the council's pre-meeting discussion regarding masks, the most recent Governor's Order stated that individuals are permitted to remove the medical or non-medical face coverings in public indoor spaces if 80% of the individuals have shown proof of vaccination.

Consultant Engineer – not present.

Items for Consideration

Consider a Letter of Interest from Denise Scheberle for Reappointment to a Seat on the Climate and Environment Commission

Clerk Harrison told the council that Ms. Denise Scheberle had been appointed to a one-year term seat in 2020 along with two other commissioners. She said that Ms. Scheberle had submitted a letter of interest to be reappointed to the Climate and Environment Commission.

The council thanked Ms. Scheberle for all her effort and hard work in the last year.

MOTION: Councilor Leland made a motion to reappoint Denise Scheberle to a seat on the Climate and Environment Commission. Councilor G Riddile seconded the motion and it passed unanimously.

Consider a Letter of Interest from Emily Jack-Scott for Appointment to a Seat on the Climate and Environment Commission

Ms. Emily Jack-Scott greeted the council. Ms. Scott said that she had learned of the Climate and Environment Commission from Facebook and was very interested in what they were doing. She said that she worked for Aspen Global Change Institute as a program director and was interested in sharing her knowledge with the commission and well as learning from them. Ms. Scott also said that she adored New Castle and would love to be part of the team.

Councilor Hazelton made a motion to appoint Emily Jack-Scott to a seat on the Climate and Environment Commission. Councilor Mariscal seconded the motion and it passed unanimously.

Update: Police Chief Tony Pagni – vehicles a problem.

Police Chief Tony Pagni greeted the council. He introduced new Police Officer Caleb Jones, who he said had family in the New Castle community. The council briefly spoke with Officer Jones and welcomed him to the New Castle team.

Chief Pagni gave the council an update on his department that included staffing, which was light; scheduling and the need for officers to share vehicles; the new police clerk, Robin Miller, and her training; the new secure evidence storage facility that was almost complete; weapons testing and evaluation for possible purchase and the potential hiring of a new office for the fall.

Councilor G Riddile said that Garfield County had reduced their animal control unit and he asked if the police department had felt anything from that. Chief Pagni said that they had received some calls, but residents of the county were outside his department's jurisdiction. Additionally, they were feeling some stress because the Rifle Animal Shelter had recently been unable to take dogs. He said he was currently in negotiations with the new owners of the Divide Creek facility. They will be operating two veterinarians there and

will provide kennel services as well. He said he already had an agreement with them that they will charge the same fees as the animal shelter for impounded dogs.

Chief Pagni did voice concern that because of the county cutbacks on animal control there could be an influx of dogs being dumped in town. He said that the county animal control also handled livestock issues, and because of the Eric Williams ranch, the town had very little in the way of livestock problems. Chief Pagni said that he thought that the issue with the county animal control division being cut back would likely resolve itself in time when the people got fed up with ongoing animal issues.

Councilor Hazelton asked if any cases were beginning to go to court after the 2020 COVID shut down. Chief Pagni said they were seeing a lot of cases being adjudicated, deferred sentences, deferred judgements and lots of plea deals. He said it was distressful for the officers because they put a lot of time into their cases.

Chief Pagni said that on a good note Garfield County was now taking warrants, only Garfield County ones, but that was better than nothing.

Councilor Owens said that he had noticed some graffiti on the trails signs and asked if Chief Pagni had found a lot of that type of activity going on in the area. Chief Pagni said he had not heard that but had noticed a few sign issues on trails he walked.

Mayor A Riddle said that he felt that the police department was doing a fantastic job. He said he was at Elk Creek Elementary the previous week when they conducted a lock-down drill. Police Clerk Jessica Hernandez and Officer Chris Contreras were both there. He said he loved seeing the officers there.

Update: Results of Town Survey

Administrator Reynolds said that there had been over 200 surveys returned. He said that Bill Ray was present to provide the council with the results of the town survey.

Mr. Ray greeted the council. He gave a short description of the survey for the council. He also gave a power point presentation that documented the survey results thoroughly.

The council discussed the survey results and decided that they would continue the discussion regarding the survey at the May 18, 2021 council meeting.

Consider Assignment of and First Amendment to Development Agreements for Lakota Canyon Ranch PUD

Town Attorney David McConaughy told the council that when Lakota Canyon Ranch was first annexed into the town in 2002 there was a provision in the annexation agreement that said the development rights that the original developer had could only be assigned to a buyer with the Town's consent. The reason for that was to avoid the situation where someone felt like they did not want to comply and assigned it to some shell entity who had no assets and no ability to comply. The council was then able to approve assignment of the development agreements to Warrior, and now to the Romero Group who purchased the property as RG Lakota Holdings.

Attorney McConaughy said that the document was mostly identical to what Warrior signed. He reviewed the document for the council saying that section 2 recited all the past agreements and their amendments for Lakota and said that the new developer was bound by them. He said it recited the individual filings which also applied to the new developer. Section 3 said that future agreements were subject to the assignment document and the town code. Section 4 reiterated the golf course agreement that it had to be open to the public and that there was a formula for how golf course fees were determined. In addition,

there was winter use of the golf course. What was new there was a statute that recently came into effect that provided some protections for private landowners, like the trails agreement the council approved at the last meeting. Section 5 spoke to impact and traffic fees. Section 6 talked about the infrastructure master plan. Section 7 spoke to reimbursement of consultant fees and the remaining sections were standard agreement items.

Attorney McConaughy said that he realized that his firm address needed to be updated, and that he would remove the notary section for the Romero Group.

MOTION: Mayor A Riddile made a motion to approve the Assignment of and First Amendment to Development Agreements for Lakota Canyon Ranch PUD, with the amended Garfield & Hecht address. Councilor Owens seconded the motion and it passed unanimously.

Staffing Update and Discussion

Administrator Reynolds gave a lengthy and detailed report to the council on the activities and successes of each department. He also thanked department heads, staff and the council for everyone's hard work and dedication which made New Castle a great place to work and live.

The council thanked Administrator Reynolds for his dedication and leadership.

Update: Colorado Brain Injury Program

Councilor Copeland thanked the council for the opportunity to investigate the program, and she said that her concern was that it did not seem much of the funds were directed back to the western slope.

After a brief discussion, the council decided that collection of the fee on traffic tickets should be stopped.

Consent Agenda

April 6, 2021 minutes-removed.

April Bills of \$503,560.51

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

Staff Reports

Town Administrator – Administrator Reynolds and he and Admin. Asst. Rochelle Firth met with Colorado River Fire Rescue in preparation for messaging the public on the upcoming fire season. Admin. Asst. Firth would be meeting with Public Information Officer group for similar messaging around the county. Administrator Reynolds said that the Climate and Environment Commission was looking at fire issues and wanted involvement in messaging as well. He said it would be a Ready-Set-Go message. Administrator Reynolds said that the council had created a COVID time-off policy for staff in 2020. He said that it may be something to reconsider in the near future. He noted that some towns were taking a transitional position with staff policy for time off since vaccines were available. Councilor Owens said that there had been a new law, effective January 1, 2021 regarding sick policies that staff should look at. He said he could provide details to Administrator Reynolds. Administrator Reynolds said that there was a last-minute grant opportunity through DOLA called the Rural Roadmaps to COVID Recovery Resiliency Grant. He said that the purpose was for communities to team up and creating mini regions. It had been

proposed that there be a New Castle to Parachute region to go after the grant. There was a two-fold: 1. To help with a COVID recovery program and 2. A Resiliency Program. He said that letters of support were due by the end of the week, and the grant application by the middle of the following week. The program was expected to go on for two years, and a staff member would be assigned to the program and would attend weekly meetings. After a short discussion, the council did not feel that New Castle was properly prepared to be involved in the grant program. Administrator Reynolds told the council that he would be on vacation beginning May 5 and returning May 17.

Town Clerk – Clerk Harrison introduced her new Administrative Assistant, Remi Bordelon. Clerk Harrison said she had joined the New Castle team from the Forrest Service. Admin. Asst Bordelon had begun her notary training right away and was working on some research in the Colorado Revised Statutes regarding open records. Clerk Harrison said Admin. Assistant Bordelon will shadow staff at council and P&Z meetings and will begin learning utility billing on June 1. Mayor A Riddle asked which office of the forest service she had been at. Admin. Asst. Bordelon said she had been at the Glenwood Springs office and had been supervisor of the front desk, admin manager, housing manager and soon-to-be executive assistant. The council welcomed her.

Clerk Harrison said she had been busy programming the town's VoIP phone system with the many new employees. She said they had spent a good part of Monday setting Ms. Bordelon up with memberships in the Colorado Municipal League, International Institute of Municipal Clerks and the Colorado Municipal Clerks Association. In addition, computer, e-mail, Caselle, website and MuniCode meetings user/passwords. Clerk Harrison said she was still working on a training schedule, and there were plans to send Ms. Bordelon to clerks institute in 2021. Clerk Harrison said she received a verbal thank you from Joel Vasquez who was the manager of the Lazy Bear. He asked that his gratefulness for the COVID assistance funds be passed along to the council and apologized for not having written to them.

Town Treasurer – Treasurer Burk thanked Councilor Owens for the sick leave policy. She said that the town was already in compliance with the full-time employee requirements but had to adjust for the part-time. Treasurer Burk said she would be in Colorado beginning May 10 to prepare for the audit. Treasurer Burk asked if Clerk Harrison could get a phone set up in her town hall office, and Clerk Harrison agreed.

Mayor A Riddle asked Treasurer Burk what the previous month's tobacco tax had been. Treasurer Burk said that the town was sitting at just under \$100k year-to-date and the budget was \$150k. She said she would be attending the next council meeting in-person and would have another update then.

Town Planner – Planner Smith said that Ambleside School had begun their remodel of the old schoolhouse on Main Street. He said they would be holding an open house sometime in May. Planner Smith said building permits had been steady and there were several them in Lakota Canyon and Castle Valley Ranch. Planner Smith said that New Castle was rather conservative regarding energy efficiencies in new building, and he said that the town was currently on the 2009 energy efficiency code but that moving to the 2021 code should be relatively easy.

Public Works Director – not present.

Commission Reports

Planning & Zoning Commission – nothing to report.

Historic Preservation Commission – nothing to report.

Climate and Environment Commission – Councilor Leland said that CEC had been in

communication with Zelenka from CLEER who was trying to get all the Garfield County Towns moving with the Sol Smart Certification. Councilor Leland said it was paperwork and looked a lot like the Healthy Communities certification from several years ago. Senior Program – Councilor Mariscal said Senior Programs had a new logo and she said she would share it with everyone.

RFTA – nothing to report.

AGNC – Councilor Hazelton said AGNC had met but it was rather awkward because part was Zoom and was difficult to hear. He said he would be the voting member for Garfield County for the next two years. He also said that Councilor Mariscal said she wanted to be an alternate.

GCE – nothing to report.

EAB – nothing to report.

Council Comments

Councilor Hazelton thanked Administrator Reynolds for always making the council look really good. He said Administrator Reynolds had handed out a lot of pats on the back earlier in the evening but that the biggest one should go to him because no one worked harder. The council agreed. Administrator Reynolds thanked the council.

Councilor Mariscal said had meeting with the Board of County Commissioners (BOCC) regarding the Latino Group and she said she needed to change the name because some people felt the name was racist. She said she would be brainstorming a new name.

Councilor Mariscal said the BOCC would be discussing budget and staff time and what the legal parameters would be for the group. She said she made her point clear that she did not want any political agenda in the committee, rather that she wanted it to be something that helped the community and the BOCC agreed. Councilor Mariscal said she was excited about it.

Councilor Mariscal said she would not be attending the next meeting because her Sister would be visiting.

Mayor A Riddle asked Councilor Mariscal what the politically correct name would be.

Councilor Mariscal said she did not know, she was still thinking about it.

Councilor Owens said that he sat on a committee for equity, diversity and inclusion and there was some confusion because the system was naming 'white' as non-Hispanic/Latino and those who were Hispanic/Latino. He asked for clarification what the proper nomenclature was, was it Latinx, Hispanic or Latino. The two persons on the board who are Latino said 'Hispanic' should be used because it was more all-inclusive. Later, however others said 'Hispanic' could not be used.

Councilor Mariscal said the 'Latino' was a new word and it was more for Caucasian use because she did not see a lot of Hispanics using the word Latinx. She said she was still trying to figure out an appropriate name.

Councilor Leland said that eight years ago he began working with the Colorado Historic Tourism to get a sign in front of the town hall. Administrator Reynolds brought the sign into chambers for the council to see. Councilor Leland said that the new sign would replace the paper one and hopefully last a long time.

Mayor A Riddle read a tank you note from Ross and Ramona Talbott for the plant the town send in sympathy for Ross's brother's passing.

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

The meeting adjourned at 9:36 p.m.

Respectfully submitted,



Mayor A Riddile

 CMC
Town Clerk Melody Harrison, CMC

