

**New Castle Town Council Regular Meeting
Tuesday, March 15, 2022, 7:00 PM**

Virtual Meetings are subject to internet and technical capabilities.

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

Follow the prompts as directed. Be sure to set your
phone to mute until called on

Call to Order

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

Pledge of Allegiance

Roll Call

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

Also present at the meeting were Town Administrator Dave Reynolds, Town Clerk Melody Harrison, Town Treasurer Loni Burk, Assistant Town Attorney Haley Carmer, and members of the public.

MOTION: Mayor A Riddile made a motion to approve Councilor Mariscal's absence. Councilor Copeland seconded the motion and it passed with Councilor Owens voting no.

Meeting Notice

Town Clerk Melody Harrison verified that her office gave notice of the meeting in accordance with Resolution TC 2022-1.

Conflicts of Interest

There were no conflicts of interest.

Agenda Changes

There were no agenda changes.

Town Council Meeting
Tuesday, March 15, 2022

Citizen Comments on Items not on the Agenda

There were no citizen comments.

Consultant Reports

Consultant Attorney – present for agenda items.

Consultant Engineer – not present.

Items for Consideration

Proclamation Recognizing Parkinson's Awareness Month

Mayor A Riddile told the council that he felt it was appropriate to recognize Parkinson's Awareness month because there were many people who suffered with the disease, including people that he knew.

Mayor A Riddile read the proclamation into the record.

Climate and Environment Commission Update to Council

Climate and Environment Commission Chair Denise Scheberle greeted the council and thanked them for the opportunity to speak to them.

Chair Scheberle said that she was honored to chair the commission which consisted of six other volunteers who had accomplished a lot in the prior year. Chair Scheberle said that in the packet were a list of those accomplishments as well as a draft work plan for the upcoming year.

Chair Scheberle reviewed the work plan goals that had shaped the commissions' projects. She also reviewed in detail the projects the commission had completed. Those included doorhangers for the Garfield Clean Energy Solarwise program, informational doorhangers regarding fire protection, two fire awareness videos, participation in the Burning Mountain Festival parade distributing pollinator-friendly wildflower seeds and fire educational materials for adults and children, creation of pollinator gardens, distribution of Smokey the Bear educational story books to children at the library, meeting with Mountain Waste & Recycling to learn about recycling and waste management challenges, and much more. Chair Scheberle introduced Dave Reindel, Co-Founder and Chief Operations Officer of EverGreen ZeroWaste.

Mr. Reindel said that his company had been in business since 2010 and they were registered with the Colorado Secretary of State as a public benefit corporation (PBC). He said that they had clients as far away as Parachute and hoped to inspire interest in the residents of New Castle. He further stated that food waste they collected was delivered to South Canyon to their commercial compost operation.

Mr. Reindel introduced Liz Mauro, Manager of the Glenwood Springs South Canyon Landfill, saying that she was passionate about composting.

Ms. Mauro greeted the council and said that South Canyon was a full-service commercial compost operation which meant that they composted everything, including food waste, which was great for compost. She said they wanted more food waste and would like to start receiving food waste from New Castle. Ms. Mauro said that she received several phone calls per month from New Castle residents asking about a composting program. Ms. Mauro said that approximately 40% of the waste going into the landfill was organic, which meant that 40% could be diverted and composted. She said it was low-hanging fruit and one of the biggest environmental accomplishments a city could make. Ms. Mauro said diverting organics from the trash into a compost operation will make a difference to

the residents, it will help in keeping the landfill open longer, it will reduce methane emissions and produce a beneficial product. Ms. Mauro invited the council to stop in at the landfill and she would be happy to provide a tour of the compost operations. She also passed around a sample of the compost product that people's food waste will help create. Mr. Reindel noted that composting also provided employment opportunities for the area as well as providing product for ranchers and farmers.

Councilor Hazelton asked Mr. Reindel what he was looking for from the town or what relationship he wanted with the town. Mr. Reindel said that he was looking for the town's blessing. He said that he understood there were different requirements in each municipality, and they were able to accommodate those rules. He noted that if there were enough subscribers in New Castle, they would run one, single-axel truck through town once per week. He said the larger trucks would not be in New Castle unless the smaller one broke down. Mr. Reindel said that they provided a 6.5-gallon bucket with a screw-on lid that was animal-resistive and prevented odor from escaping the bucket. He said people could put anything out – food waste, yard waste, non-recyclable paper, bathroom products such as cotton swabs, cotton balls, tissue paper. He said that they also provided guides on what to compost and sent out a monthly newsletter to their clients.

Councilor Owens recalled that Mountain Waste & Recycling had attended an earlier council meeting and gave a presentation about the cost of recycling, which turned out to be much more expensive than simply taking the materials to the landfill, and the majority of the materials were not recycled anyhow. He said that he liked the composing idea because it was actually accomplishing something, and he felt that the residents likely did not understand what happened to their waste materials from start to finish. Councilor Owens said that he felt that it was something to look at as a town on how to better educate the residents so they could make appropriate choices for their households.

Mr. Reindel said that was one of the great things about compose was that it was all local. It was created locally and went back to the local area to schools, farms, gardens and oil field remediation.

Mayor A Riddle said that the garbage trucks that came to town were quite large, and the streets took quite a beating. He asked how large a truck EverGreen would use. Mr. Reindel said their smallest truck, which was a Ram 5500, which was approximately seven tons empty. He said it did not make sense to drive their largest truck through a few neighborhoods because it was not cost-efficient.

Mr. Reindel said he would like to see about twenty percent of the residents participate in the composting program, and he said they would pick up from any residence: River Park Condos, Shibui apartments and townhomes. Mr. Reindel said that they also worked with special events because they were a distributor of compostable bags and cutlery. He noted that they picked up food waste from a number of City Markets and many restaurants in Glenwood Springs and Carbondale.

Administrator Reynolds asked what day of the week EverGreen would collect the food waste, and if everything collected in New Castle would go to South Canyon Landfill for composting. Mr. Reindel said they would collect on the same day as trash day in New Castle, and he confirmed that the waste will go to South Canyon.

Councilor Leland said that he expected residents will be interested in EverGreen's composting program and he suggested that if they did not get enough people signed up on Earth Day, the town also had the Community Market as an opportunity to get more subscribers.

Chair Scheberle said that she had volunteers who were willing to walk door-to-door to share information about the program.

The council thanked Chair Scheberle and Mr. Reindel.

Recess the Town Council Meeting, Convene as the Water & Sewer Enterprise

MOTION: Mayor A Riddile made a motion to recess the town council meeting and to convene as the water and sewer enterprise. Councilor Owens seconded the motion and it passed unanimously.

Consider Ordinance E 2022-2, an Ordinance of the New Castle Water and Sewer Enterprise Amending Chapter 13.20 of the New Castle Municipal Code Concerning Tap Fees (2nd reading)

MOTION: Councilor Leland made a motion to approve Ordinance E 2022-2. An Ordinance of the New Castle Water and Sewer Enterprise Amending Chapter 13.20 of the New Castle Municipal Code Concerning Tap Fees on second reading. Mayor A Riddile seconded the motion.

Discussion: Councilor Copeland said that at first reading of the ordinance she thought that the discussion was that the proposed tap fee increase was in line with what other municipalities charged for taps, and the letter of concern from Mr. Steve Craven stated the opposite. Administrator Reynolds said that in regard to tap fees and recreational development fees there were no appropriate comparisons because the needs vary greatly from town to town. The ordinance contemplated the needs of New Castle's Water and Sewer Enterprise. The needs are evidenced in the report done by Public Works Director John Wenzel. Councilor Hazelton said that after reading Mr. Craven's letter, he recalled the conversation at the previous council meeting where it was noted that if the town had been regularly increasing the tap fees over the years as they should have been, at an equal percentage, the rate now would be about \$10k. Those increases had not been done, and he was certain that the cost of doing water and wastewater business has gone up a lot more than the nominal percentage that taps should have gone up. Councilor Owens agreed and said that the fees currently being charged were inadequate to the cost of providing water and wastewater service. He clarified that tap fees were not for the sake of the fee, rather, the fee was for enterprise costs. Director Wenzel agreed. Councilor Copeland said that she did not feel that comparing national averages as stated in the letter fit because things were much more expensive in the area, and she felt that Director Wenzel's report was on target. Director Wenzel said that the figures in the report were not based on national averages, instead they were based on definitions in the municipal code. He said that there may possibly be some conflicts with the comprehensive plan, but the governing document was the municipal code. He said he consulted with Town Engineer Jeff Simonson and Town Administrator Dave Reynolds on it and they took information from the code in preparing the report.

Mayor A Riddile invited Mr. Steve Craven to comment. Mr. Craven said that he certainly wanted the town to be able to operate the enterprise as necessary but said that the methodology used to come up with the numbers did not make sense to him. He said he had a lot of experience and knew how to write such reports. Mr. Craven said that there was a lot of costs included such as formulas that were paid for by developers, not the town, and he did not know why they were being used. Mr. Craven said that existing infrastructure was being valued, not expansion of the existing infrastructure. He said that there was a lot in the report that did not make sense to him. Mr. Craven said that he was asking if the town was willing to take a step back and study it more thoroughly before making a decision. Mr. Craven restated that the town needed whatever funds they needed to make things work, but in 1999 he and Engineer Simonson put together a 20-year plan that was contained in the infrastructure agreement and it had great detail about future

phasing and future capacities and tap fees and he was not seeing it in the report. Mr. Craven said he was struggling to understand how the decision was being made. Mayor A Riddile thanked Mr. Craven. He reminded the council that there was a motion on the floor to approve the ordinance as well as a second.

The motion passed on a roll-call vote: Councilor Leland: yes; Mayor A Riddile: yes; Councilor Hazelton: yes; Councilor G Riddile: yes; Councilor Copeland: yes; Councilor Owens: yes.

Adjourn the Water & Sewer Enterprise, Reconvene the Town Council Meeting

MOTION: Mayor A Riddile made a motion to adjourn the water and sewer enterprise and to reconvene the town council meeting. Councilor Leland seconded the motion and it passed unanimously.

Update: LoVa Trail Project

Administrator Reynolds told the council that staff had been working hard on the LoVa Trail and there had been trouble getting permits for the different routes that had been proposed. The New Castle side of the project had gone out to bid. He said that there had been a budget for the project and the town had been successful in getting a 500k grant. The project budget was \$650k and there is a private donor giving \$300k for a total \$950k. The bids came back with lowest being \$ 2.2 million. He said they had spoken to the partners and floated some ideas. One thought was to put in only the bridge abutments. Another idea was to approach grantor and ask to move the \$500k to the Glenwood Springs side of the trail to supplement that portion of the project. He said he had spoken to the granting agency, and they were not surprised, and they were not sure how it would go with the board. Administrator Reynolds said the project was due June 30 and that was not enough time to readjust the project. He also said that Mr. Bruno was relying on the bridge for his water line. Administrator Reynolds said that it was not looking very good. He listed potential options: they could try to salvage the project to by changing the scope of work; they could thank the grantors for the opportunity and cancel the project. He said that the town could back out of the project but had about \$100k into the project with about \$50k having been reimbursed from the grant. It will be up to the CPW board to determine what to do about the \$50k, and often they wanted the funds back because there was no product. He said if the town backed out, he would have to speak with grantors CPW and FMLD as well as Glenwood Springs.

Administrator Reynolds said that he was looking for some direction on whether to move forward or not.

The council and staff discussed the issues in detail. The council agreed that the town had many other projects to complete and that it would not be fair to the constituency to pursue the LoVa project that still had so many unknowns. Councilor G Riddile said that he felt it would be a good idea to debrief in a few months. The council agreed that LoVa was a great idea but pursuing it at the current time was not appropriate.

The council thanked the town staff for the years of effort put into the LoVa project.

Discussion: Road Impact Fees

Administrator Reynolds said that in many communities there was a lot of wear and tear to existing roads as development came in. He said the town will see that with the upcoming development. Administrator Reynolds said that the Planning & Zoning Commission (P&Z)

had brought the issue to staff's attention, and they felt it might be time for the town to look at it, to consider assessing a fee to every building permit, or home built to offset the cost of repairing and maintaining roads that are damaged by incoming growth. Assistant Town Attorney Haley Carmer said that the process was similar to adjusting recreation fee and tap fees. It's an impact fee in that it's assessed against new development, so it had to go through the same process of finding that rational nexus or rational basis of how to define what the impact fee was imposed on and determining what the fee would be. She said that at P&Z they discussed if any vested rights would be affected and there wasn't a concern there. There was not an impact fee that had been imposed in Castle Valley. There was an impact fee in Lakota that was imposed at every building permit, and those funds were for specific items: two traffic lights and widening of Castle Valley Boulevard. She explained how typically the new fee would be generally applicable and town wide. She further explained the differences between development specific or targeted fees as compared to general impact fees, how those things may affect vested rights or development agreements and the different methods by which the various types of fees are determined. Mayor A Riddile said that he was in favor of moving forward with a traffic impact fee that would apply to new builds of single-family and duplex homes, town houses, condominiums and apartments. The council agreed that staff should bring the discussion back at a future council meeting.

MOTION: Councilor Leland made a motion at 8:35 p.m. to go into Executive Session for discussion of a personnel matter under C.R.S. Section 24-6-402 (f)(I) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. Councilor Copeland seconded the motion and it passed unanimously.

Executive session concluded.

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

"The time is now 8:47 p.m. and the executive session has been concluded. The participants in the executive session were: Councilors Owens and Hazelton; Mayor A Riddile; Councilors Copeland, Leland and G Riddile, Town Administrator Dave Reynolds, Town Treasurer Loni Burk, and Town Clerk Melody Harrison. For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record."

No concerns were stated.

Consent Agenda

Items on the consent agenda are routine and non-controversial and will be approved by

Town Council Meeting
Tuesday, March 15, 2022

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.

February 15, 2022 minutes

Hong's Garden Hotel and Restaurant Liquor License Renewal

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

Staff Reports

Town Administrator – Administrator Reynolds said that he and Planner Smith will meet with the BLD group which is the buyer for Steve Craven's property. He said BLD wanted to provide an update and ask if it would be acceptable if SGM served as their civil engineer. He said that staff opinion is no, and Engineer Simonson's opinion was also no.

Administrator Reynolds said that the town had a prior experience where there had been a third-party agreement with Filing 9 in Castle Valley where they used the town engineer and that did not work out well, so moving forward staff is not inclined to allow it to happen again. Administrator Reynolds said that the next council meeting will be on April 5 and the meeting will be in the community center because that is also election night, and the election will be conducted in council chambers. Administrator Reynolds said that staff has consulted with CLEER regarding the solar panels on the public works building. They were working on the finances of buying out those solar panels. He said that will come to council on April 19. Administrator Reynolds said that CLEER had also helped staff with a council question regarding EV charging stations in residences which will probably come back to council on April 5. Administrator Reynolds said he would be out the following week on Thursday and Friday but would be available by phone.

Town Clerk – Clerk Harrison said she did not have much to report other than she had been very busy with the election. She said ballots had gone out the previous day. She also said that the town will be using the county ballot box that was installed outside the town hall. Clerk Harrison said that the next council meeting will be in the community center and Administrative Assistant Remi Bordelon will be clerking the meeting because she herself will be conducting the election. Clerk Harrison gave the council a timeline for the final election results.

Town Treasurer – Treasurer Burk said that her Assistant Treasurer, Viktoriya Ehlers, was very touched by the council's support. She thanked the council for being so kind.

Treasurer Burk said her office was working on closing out 2021. She said she had sent an update to council regarding the lodging tax, tobacco tax and retail tax, all of which finished out well for 2021.

Town Planner – not present.

Public Works Director – not present.

Commission Reports

Planning & Zoning Commission – Mayor A Riddile said they had discussed road impact fees.

Historic Preservation Commission – Councilor Hazelton said they had approved designation for the old school house. In addition, he said that HPC had been awarded the grant they applied for a historic building survey.

Climate and Environment Commission – nothing to report.

Senior Program – nothing to report.

RFTA – nothing to report.

Town Council Meeting
Tuesday, March 15, 2022

AGNC – nothing to report.

GCE – Councilor Leland said that the Reenergize Garfield County program was very well publicized, and a success. He said there was a new grant cycle for EV charging stations, and if the town wanted another on it was time to apply. Councilor Leland said the Energy Navigator System was 12 years old and the software was outdated, and they will be replaced. He said the replacement will not cost anything and will be a better system than before.

EAB – nothing to report.

Council Comments

Councilor Hazelton thanked Mayor A Riddile for what he did for Viktoriya.

Councilor Copeland said that the new website looked nice

Councilor Copeland said she read a newspaper article about Mind Springs who had visited Rifle, and they mentioned that most of their intake was from Rifle. She felt that it was important that New Castle paid their fair share in that, but when and if Mind Springs came back to the town, she would like to see a better budget, particularly with their recent loose financial situation and she wanted to be able to trust them.

Administrator Reynolds said that he had spoken to Debbie Wilde for a debriefing after the meeting since she had been unable to attend. He said that he told her that the financials were somewhat lacking and the town did not understand where the numbers came from. He said that if they wanted to come back to the town, they will need to tighten up their budget. He said Ms. Wilde very much appreciated the input.

Councilor Leland said that the dog park meeting will be at 6:00 p.m. tomorrow. Councilor Leland said that Spellebration will be on April 1, and it will be online. Councilor Leland thanked Clerk Harrison for helping him get his tablet to work for the third time. Councilor Leland said that he had seen the USGS crew in Rollie Gordon Park.

Mayor A Riddile reiterated that the dog park meeting will be at 6:00 p.m. the following day.

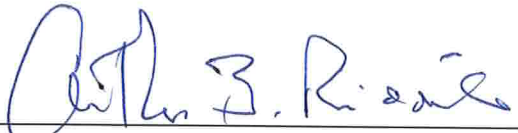
Mayor A Riddile said that the last Bingo event had almost 50 people in attendance. He said it was packed and a lot of fun.

Mayor A Riddile said that on Thursday at 4:15 p.m. there will be a dedication of the front doors of the Ambleside School with a plaque with all the council members names.

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

The meeting adjourned at 9:04 p.m.

Respectfully submitted,


Mayor Art Riddile


Town Clerk Melody Harrison, CMC

Town Council Meeting
Tuesday, March 15, 2022

