

**New Castle Town Council Regular Meeting
Tuesday, November 01, 2022, 7:00 PM**

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To join by computer, smart phone or tablet:

<https://us02web.zoom.us/j/7096588400>

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Please call: 1-346-248-7799

Meeting ID: 709 658 8400



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The Council Packet is available online by scanning this code:
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Call to Order

Mayor A Riddile called the meeting to order at 7:04 p.m.

Pledge of Allegiance

Roll Call

Present	Councilor Mariscal (virtually)
	Councilor Hazelton (virtually)
	Mayor A Riddile
	Councilor Copeland
	Councilor Leland
	Councilor G Riddile
Absent	Councilor Carey

Also present that the meeting were Town Clerk Melody Harrison, Town Treasurer Loni Burk and members of the public.

MOTION: Mayor A Riddile made a motion to excuse Councilor Carey's absence. Councilor Leland seconded the motion and it passed unanimously.

Meeting Notice

Clerk 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.

Citizen Comments on Items not on the Agenda

There were no citizen comments.

Consultant Reports

Consultant Attorney – not present.

Consultant Engineer – not present.

Items for Consideration

Mountain Waste & Recycling Presentation

Mayor A Riddile greeted Doug Goldsmith and new local manager Bill Cira.

Mr. Goldsmith said that they were present to answer questions regarding bears and trash.

Mr. Goldsmith said that the bear issues were worse in 2022 than ever before, and the problems were not with a lot of bears, it was just a few who were staying in the area. Mr. Cira said that the question was always about bear-proof cans. Referencing the pictures that were in the council packet he told the council that there were bear-resistive containers, but there was certainly no such thing as a bear-proof container. He said that bears could get into a steel container, so plastic was easy for them. Mr. Cira said that the key was how to keep the bears away. He said they had put together a page with tips on what to do to keep bears away because the idea was to prevent the bears from getting comfortable and getting used to a resident's yard. If there was a source of food, they would come back.

Mr. Cira reviewed some of the tip on how to keep bears away from a resident's yard, which included keeping garbage cans in a garage or shed and not putting them on the street until the morning of collection day.

Mr. Goldsmith and Mr. Cira discussed the value of locks and/or straps on trash can, noting that the difficulty for the drivers was that they utilized an automated, robotic arm to pick up and dump the cans, and locks and straps meant the drivers had to get out of the truck and unlock the cans, reducing efficiency and potentially increasing the cost of service. Mr. Goldsmith said that the City of Durango had passed an ordinance that said the resident was required to unlock/unstrap their cans and if they did not and the garbage could not be picked up, that the resident was responsible. They also noted that locks or straps really had little effect on preventing bears from getting into the cans.

The council thanked Mr. Goldsmith and Mr. Cira for their presentation.

Introduction to Interim Prosecutor Tim Graves of LeMoine & Graves, P.C.

Mr. Tim Graves greeted the council. He said that he had been sitting in for Prosecutor Angela Roff since September, 2022 when Ms. Roff was appointed to the bench.

Mr. Graves reviewed his history with the town as the backup prosecutor and public defender as well as his private practice whose offices were located in Rifle.

Mr. Graves described his personal and professional philosophy regarding being the prosecutor in the small community where he lived. He also reviewed his professional history for the council.

Mr. Graves told the council that he was comfortable with the parameters under which Ms. Roff worked for the town and felt that the hourly rate was completely appropriate.

Mr. Graves and the council spoke briefly about the types of cases that went to the municipal court.

The council thanked Mr. Graves for attending the meeting.

Consider Resolution TC 2022-26 - A Resolution of the New Castle Town Council Concerning the Adoption of a Multi-Jurisdictional Hazard Mitigation Plan

Clerk Harrison told the council that Resolution TC 2022-26 was under consideration to adopt the Garfield County Multi-Jurisdictional Hazard Mitigation Plan. She said that it had been five years since the last iteration of the plan, and its adoption put the town in an appropriate position for assistance and funding in the event there was a hazard. She said that staff had been working with Garfield County on the New Castle Community Profile for about the past year.

MOTION: Mayor A Riddile made a motion to approve Resolution TC 2022-26, a Resolution of the New Castle Town Council Concerning the Adoption of a Multi-Jurisdictional Hazard Mitigation Plan. Councilor Leland seconded the motion and it passed unanimously.

MOTION: Councilor Leland made a motion at 7:35 p.m. to go into Executive Session for discussion of a personnel matter under C.R.S. Section 24-6-402 (f)(I) for an evaluation of the Town Clerk, 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 AR 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 7:51 p.m. and the executive session has been concluded. The participants in the executive session were: Councilors Mariscal, and Hazelton; Mayor A Riddile; Councilors Copeland, Leland and G Riddile 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

September 20, 2022 minutes

October 4, 2022 minutes

October 18, 2022 minutes

October Bills of \$451,351.02

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

Staff Reports

Town Administrator – not present.

Town Clerk – Clerk Harrison told the council that the clerk's conference in Canon City was fantastic and she and Mindy had learned a lot. The focus was primarily career development, building teams, and positive work environments. She said they also had an all-day class on town hall security which included a self-defense class. Clerk Harrison said she had also learned of an employee recognition software program called Terry Berry that she wanted to explore for the staff. Clerk Harrison said that she had completed the 2023 CIRSA Excess Cyber Coverage application. Clerk Harrison said that she had updates for the code books and anyone who had one should bring the book in. Clerk Harrison her office was working on updating the fees schedule for 2023, business, contractor, tobacco and animal licensing for 2023 as well as the meetings and holidays calendar. Clerk Harrison said that in 2023 she will train to do utility billing, and Remi will learn municipal court. Clerk Harrison said that she had looked into minutes software and the MuniCode Meetings package the town owned allowed for live minute-taking in the meetings program and then the program would produce the minutes documents. Clerk Harrison said that she had received the FMLD grant agreement documents and will be completing those. Clerk Harrison said that at the next council meeting the Hacienda San Miguel liquor license transfer application and an application for the special events liquor license for the chili cook off will come to the council for the public hearings. Clerk Harrison said that she had spoken to the general counsel for CML, Robert Sheesley, because of some rules in place by the department of revenue that were not referenced anywhere in the election code or the CML Election book. She said that the DOR can choose not to collect a voter-approved sales tax if the DOR has not reviewed and approved the resolution or ordinance that will place sales tax ballot language on the ballot. That information was not referenced in the election code or in the CML election book, and Mr. Sheesley will be adding it in 2023.

Town Treasurer – Treasurer Burk said that regarding donations they had spoken about during the work session, GCE had attended the previous council meeting and made a presentation that indirectly requested a donation of \$16,500. She said that the council had not really decided if they wanted to donate that amount to GCE. Treasurer Burk said there was \$7,500 in the budget which was the amount the town had provided for the past four years, and prior to that the town was giving them \$17,500. She asked the council if

they were in agreement to provide the \$16,500. Councilor Leland said that the town had cut back the donation amount at a time when GCE was not very active in town. He felt that GCE had done a lot for the town in the past few years and that it was appropriate to increase the amount the town was giving them. The council discussed it in detail, finally deciding to agree to the \$16,500 nation to GCE. Treasurer Burk told the council that Assistant Treasurer Viktoriya Ehlers had been able to attend a Caselle conference in Salt Lake City and it was a great conference and she learned a lot. Treasurer Burk said that in Asst. Treasurer Ehlers' absence, Finance Assistant Michelle Mills stepped up and helped with accounts payable and did a phenomenal job.

Town Planner – not present.

Public Works Director – not present.

Commission Reports

Planning & Zoning Commission – nothing to report.

Historic Preservation Commission – nothing to report.

Climate and Environment Commission – agreed to sign people up to distribute cloth bags

Senior Program – Clerk Harrison said the meeting had been the week prior, but she had been unable to attend because she was ill.

RFTA – nothing to report.

AGNC – Councilor Hazelton said they had met in Montrose. He said that he wanted to report to the council differently, because just a few minutes during commission reports was not enough. He said that he thought what he would do was bring the agenda for the upcoming AGNC meeting to council and then they could think about it and ask questions if they had any.

GCE – nothing to report.

EAB – nothing to report.

Council Comments

Councilor G Riddile said that the Halloween event was awesome, and he thanked staff.

Councilor Leland said that the plastic bag fees begin in January. He said that City Market was testing compostable bags in Denver. He said that if they came up with a useable compostable bag the town would not be collecting very much money on the bag fees.

Councilor Leland said that Spellebration will be on March 3, 2023, and Clerk Harrison will be putting together team if anyone was interested.

Councilor Leland said that he thought the council should consider a trash ordinance for the bear problem on a future agenda.

Councilor Leland said that Councilor Carey had set up a community meeting in the Library on November 16 at 6pm to talk about bears.

Councilor Mariscal told the council she had been invited to a meeting the next day for Latinas in local news media that she would not be able to attend, if anyone else wanted to go. She said it was about how to reach out to the Latino community.

Councilor Hazelton said he was just recovering from COVID and he hoped that everyone stayed safe.

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

The meeting adjourned at 8:22 p.m.

Respectfully submitted,


Mayor A Riddile


Town Clerk Melody Harrison, CMC

